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REVISIONIST MORAL THEOLOGY:
RECOVERING THE TELEOLOGICAL
CHARACTER OF CHRISTIAN ETHICS

DISSERTATION

Presented in Partial Fulfillment of the Requirements for the
Degree Doctor of Philosophy in the Graduate
School of the The Ohio State University

By


* * * * *

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ABSTRACT

While Christian ethics is ordinarily perceived as a model of deontological ethics, based on observance of absolute rules, the renewal of this discipline in the second half of the 20th century led many Roman Catholic moral theologians to conclude that teleology should hold primacy in Christian moral evaluation. This dissertation seeks to defend philosophically this insight of some leading revisionist moral theologians.

According to my model for understanding the teleological-deontological distinction, most normative ethical theories combine teleological and deontological styles and assign priority to one orientation over the other. While revisionists claim that Catholic ethics is most faithful to its roots when it assigns primacy to teleology, the papal encyclical *Veritatis Splendor* judges that the teleological orientation of revisionist moral theology collapses into unjustified consequentialism.

Granted that both secular and religious ethics recognize problems with the teleological orientation as a guide for moral decision, I argue that the work of the revisionist moral theologians contains the resources needed to steer clear of these problems and avoid the collapse into consequentialism. The principal instrument to avoid this collapse is acceptance of deontological constraints essential to the Christian tradition. A strong teleological dynamic linked to deontological constraints provides a context of broad agreement that shows respect for the transcendent dimension of
Christian ethics and a united front for Christian moralists in the face of secular ethics that rejects openness to transcendence.

The disagreements that remain between the Magisterium and revisionist moral theologians are explained in terms of differences regarding moral methodology, non-moral facts, and the requirements of Christian teleology. I conclude with an argument that revisionist moral theology is a philosophically defensible moral theory that results in genuine good for moral agents and patients.
Dedication

Toñín y Regina:
Recuerdos imperecederos

Luchy y Pepito:
Lecciones de amor y sacrificio

Lily, Edith, Miriam:
Mi presente y mi futuro
ACKNOWLEDGMENTS

Consistent with my identity as a Christian philosopher, I must first express my thanks to Almighty God for giving me the strength and energy to bring this project to completion even while carrying a heavy full time community college teaching load and family obligations. From that same conceptual framework, I thank God for placing the right people in my path at the time I needed them most.

My advisor Charles Kielkopf became a role model and mentor from the time I was privileged to participate in his courses on philosophy of religion and Kantian ethics my first year in the Ph.D. program. Later, at a time I was considering plausible dissertation topics, he suggested that many philosophical issues in *Veritatis Splendor* presented the opportunity for a worthwhile project that I could successfully bring to completion, given my background in moral theology. Without that wise recommendation, I might still be doing research instead of presenting an approved project to the Graduate School. I consider it a distinct honor to be the last Ph.D. student whose dissertation is guided by such a distinguished scholar and gentleman as he approaches retirement.

Peter King and Justin D’Arms generously gave of their time and lent their considerable expertise in medieval philosophy and contemporary moral theory to help me create a quality product. If I have made it this far in a challenging program, I owe it in
large part to the invaluable help afforded me in my pre-candidacy days by faculty members Bernard Rosen, Tamar Rudavsky, Justin Schwartz, and Stewart Shapiro.

No one who works full time can complete a project such as this one without an understanding boss and supportive colleagues. My thanks to Doug Montanaro and my colleagues in the Humanities Department at Columbus State Community College. The support and prayers of other friends too numerous to mention were also crucial.

This dissertation was truly a family affair. Ten years ago we left our Puerto Rican home behind so my wife Lily and I could pursue doctoral degrees at Ohio State. Three of us made that journey, now there are four of us. For practically all their lives, our daughters Edith and Miriam have put up with many limitations because one or both their parents were seeking an advanced degree. It was only fair that Lily should finish first, since she is the heart and soul of this family and motivates all of us to do our best. It is now my pleasure to tell her and our daughters, “Thanks so much. This ordeal is almost over. On to new challenges!”
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CHAPTER 1
INTRODUCTION

In *The Theory of Morality* Alan Donagan talks about the impact of his discovery of Christian moral theology and casuistry on his practice of moral philosophy.¹ I made the same journey, in the opposite direction. My original graduate training was in Christian ethics, specifically Roman Catholic moral theology. For personal reasons I opted to pursue a doctoral degree in philosophical ethics rather than to complete work towards a pontifical doctoral degree in moral theology, which would have been much easier at the time. Because I became acquainted with Donagan's work and that of Alasdair MacIntyre, another moral philosopher sympathetic to the Judaeo-Christian ethical tradition, at the middle point of this journey, their philosophical reflections have had a strong influence on me. That may become evident throughout this study, even when I do not refer directly to the work of these highly respected, even if controverted, philosophers.

Donagan's and MacIntyre's appeal to the Judaeo-Christian tradition often earns them the label of "conservative" philosophers. I find the use of labels such as "conservative" or "liberal" mostly misleading, but part of my agenda in this study is to show that Judaeo-Christian ethics does not offer much comfort to social and political

conservatism, as these terms are understood in our linguistic community. More importantly, through my use of the complementary styles of Donagan and MacIntyre, I hope to show that good moral philosophy can be produced by recognizing both the universal and communitarian aspects of the process we engage in to make sound moral judgments.

Donagan’s project in *The Theory of Morality* is to give rational arguments, independent of controversial metaphysical commitments, in support of a common morality. Donagan claims that common morality turns out to be remarkably similar to the fundamental principles of Hebrew Christian morality, once the rules about the worship of God are set aside.\(^2\) MacIntyre, on the other hand, insists on a moral epistemology that places each of us within a community of enquiry. He argues that there are no standards of rationality, adequate for the evaluation of rival answers to philosophical questions, which are, in principle, equally available to all persons, whatever tradition they may happen to find themselves in and whether or not they inhabit any tradition.\(^3\)

At first sight, it appears Donagan’s and MacIntyre’s projects are at odds, with the former arguing for a universality of criteria for moral judgment, the latter insisting on a relativity of moral judgment based on the particular community of enquiry. I work around the apparent discrepancy between Donagan’s insistence on a common morality and MacIntyre’s focus on the rival communities of enquiry by treating the former as a

\(^2\) Donagan 6-7.

metaphysical claim, that there are objective moral standards, and the latter as an epistemological claim. The latter claim is that the individual who reflects on moral issues learns to appreciate the objective standards within particular communities of inquiry. Consistency with one’s metaphysical commitments requires from Christian philosophers the acceptance of objective moral standards, understood as those that ought to be followed by all moral agents. However, epistemological limitations result in failures to grasp the entire picture, even by Christians, who theoretically have access, through revelation, to the fulness of truth. This is consistent with the Thomistic teaching on the natural law, which is followed by Catholic philosophers in contrast to the voluntaristic alternative. Whether I am interpreting the two distinguished authors accurately is debatable. At any rate, this interpretation provides a working conceptual framework, one in which I seek to balance the commitment to objective standards with the recognition that they are discovered within particular communities.

My principal community of inquiry cannot be easily described. I find that I cannot make moral judgments without appeal to the fundamental beliefs of ecumenical Christianity, as I have learned to appreciate them from within the Roman Catholic tradition. Yet, even while living primarily in the mainland United States since the age of fourteen, I find that my moral beliefs also reflect my Puerto Rican culture and identity. Puerto Rican society, as part of a larger Latin American society is culturally Christian in a way that North American society cannot be identified as Christian. Yet, from within my limited community of inquiry I believe there is a common morality that we will best
discover if we are willing to be humble and talk to people from diverse cultures and fundamental beliefs.

From the time of the Enlightenment, the mainstream traditions in philosophical ethics have sought to identify some core moral principles that rational human beings should be compelled to accept independent of one’s religious allegiance. Lawrence Hinman succinctly sums up this state of affairs as follows: “The two major traditions in ethics (Kantianism and utilitarianism) both presuppose a notion of the moral agent that is so reified, so abstracted from the concrete situation, that no traces of individuality, gender, or ethnicity remain.” Echoing John Rawls, Hinman refers to this as a “thin” concept of the moral self, in contrast to a “thick” concept in which one’s identity as a person may be in part constituted by one’s racial or ethnic group. Because race, ethnicity or culture are seen as central to one’s moral identity, Hinman supports the “identity argument,” which holds that one’s judgments about what is morally right depend, at least partly, on one’s ethnicity and cultural background. Acceptance of this identity argument is going to create more complexity for my project, but so it must be. Although I will address various aspects of the teleological-deontological debate, I will not be presuming the Kantian reified moral self. I will simply have to be more careful about not making unjustified leaps by extrapolating the Kantian moral self into a situation that presumes a thicker moral self. I believe we have a more realistic moral common

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4 Lawrence Hinman, “The Place of Race, Ethnicity, and Culture in Moral Theory” in *Ethics Updates* (http://www.acusd.edu).


6 Hinman, *Ethics* 402.
ground, which I do believe exists, through a process of dialectic in which we place as many of our cards on the table as possible. Those cards include a thick moral self and a thick concept of the good. By laying all our cards on the table, and showing which beliefs, whether generally accepted or controversial, have the greatest impact on our conclusions, we end up with a better understanding of both our common ground and our disagreements.

In this study I will analyze a disagreement within Roman Catholicism concerning the teleological character of Christian ethics. A consensus exists among Catholic ethicists that the teleological dimension is an integral part of Christian morality. However, there is a tendency to underestimate the importance of that teleological dimension and overstate obedience to rules as the essence of Christian morality. I will use some insights present in the work of a group of revisionist moral theologians in the Catholic community to present a plausible model of Christian ethics as primarily teleological. My arguments will attempt to show (1) that the work of these moral theologians is faithful to the core principles of Christianity; (2) that their conclusions are philosophically defensible according to the standards of contemporary moral philosophy.

The remaining chapters will be organized as follows:

In Chapter 2 I will clarify some aspects of Christian ethics, specifically Roman Catholic moral theory, that I find are sometimes misunderstood in the philosophical community. I will follow this with a working model of the teleological-deontological debate that will allow me to construe Christian ethics as a mixed theory that avoids the extremes of absolute teleology or deontology. Chapter 3 presents an argument that Christian ethics is best understood as a form of deontological teleology, i.e., one that
gives primacy to the teleological orientation but accepts deontological constraints. At the end of the chapter I address some issues regarding the principle of due proportion, often presumed by revisionist moral theologians for the solution of conflict situations, yet still underdeveloped in the literature.

In Chapter 4 I will discuss the general problems found in the teleological orientation, show how Christian teleology accepts deontological constraints to address the problems. Then I will introduce some concerns expressed by the encyclical *Veritatis Splendor* regarding the revisionist stress on teleology. According to the encyclical the effect of the stress on teleology is to inflict these deficiencies on Christian ethics. Since *Veritatis Splendor* invokes the authority of Thomas Aquinas' teaching about the three sources of morality in support of its judgment, Chapter 5 will be devoted to an analysis of that teaching, followed by an argument that the revisionist emphasis on teleology is faithful to the Thomistic teaching. In Chapter 6 I will address five key claims found in *Veritatis Splendor*, all expressing in some manner a concern that revisionist moral theology collapses into consequentialism and, therefore, is unfaithful to the Catholic tradition.

The concluding chapter will contain a discussion of the paradox of revisionist moral theology, the fact that it is more demanding than conventional Christian ethics yet judges that certain types of actions generally considered forbidden to be morally justifiable. Then I will argue that revisionist moral theology is a strong moral theory that incorporates the strongest features of teleology while accepting deontological constraints that remedy the weaknesses of the teleological orientation.
Derek Parfit concludes his provocative major work *Reasons and Persons* with a claim that disbelief in God is now openly accepted by the majority and this fact has a liberating effect on moral philosophy, one which provides great hope for the future.\(^7\)

This assumption that disbelief in God is the rational choice of a majority seems to be one of the dogmas of Anglo-American philosophy. It just does not correspond to the facts, particularly when we consider the phenomenon of growing ethnic and cultural diversity in the Americas. Even the historians and social scientists realize that the myth of the Melting Pot is no more and the majority of the ethnic minorities are religious, even if their religious traditions are widely diverse.\(^8\) Whether we like it or not, religion and spirituality are growing in influence, so it is better for all of us if such an influence is used in a rational way. The discipline of moral philosophy will be enhanced if individuals committed to religious ethics are coherent with their own principles. I offer this study as a small contribution to understanding the possibilities of such a rational approach to religious morality.

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CHAPTER 2

CONTEXT OF THE DEBATE

2.1 Roman Catholic Moral Theology: Creating a Bridge

One of the main metaethical issues that a normative ethical theory faces is that of showing the proper connection between concepts of value and concepts of obligation. In pre-theoretical level discussions about morality, the two concepts are generally blended. For instance, during the 1998-99 impeachment process, there was much debate as to whether legislators should do what was good for the country, which most understood in terms of some censure of the offending president that would still allow him to remain in office; or do what was right, which a minority understood as removing the president from office and accept whatever political consequences may have followed for those who pursued this option against the majority of the popular will. Closer analysis of the statements shows that the protestations about “doing what is right” were often driven not so much from commitment to an absolute priority of pursuing the right over what people may consider good, but rather from accepting different conceptions of the good that were held by core constituencies of the alleged highly principled legislators. Ultimately, “doing what is right” and “doing what is good” are much more closely intertwined than what the rhetorical use of slogans may indicate.

My purpose in this dissertation is to conduct a philosophical analysis of how these
concepts of value and obligation are properly connected in Roman Catholic moral theology at the turn of the third millennium. By "properly" I mean, with regard to form, secondly with regard to content. The form is provided by the rules of logic and language accepted as sound or reliable by the major philosophical communities in Western society. With regard to content, coherence will be sought with the fundamental premises of both a Christian view of life and practical rationality, the latter understood as beliefs about the material world and what is good for human beings that are generally accepted as true in Western society. The papal encyclical Veritatis Splendor, particularly the section entitled "The Moral Act," will be used as a heuristic device for identifying the issues and principal areas of disagreement regarding the link between value and obligation in Roman Catholic ethics.¹

Since the philosophical debate takes place within a community committed to religious principles, the conceptual framework is necessarily religious, in the sense meant by ecumenical theologian Hans Küng, who describes "religion" as:

[The many-layered realization of a relationship to something that encompasses man and his world, to an ultimate reality (however understood), an Absolute (God, Brahma, dharma, emptiness, nirvana). Putting it another way, a person is religious if she recognizes and is ready to bear witness to the fact that the world (i.e., humanity, history, nature, the cosmos) is not, as it appears to be, the final word; but that the world points us to a comprehensive reality that embraces and determines all things, that is the very first and the very last.²

¹ References to the encyclical will be given in the standard form generally used for official Catholic Church documents. The Latin title will be given, which consists of the first two words of the document, followed by the article number. The translation used in citations will be the official Vatican translation into English. It is available in many different printed editions and in various Internet web sites: (http://www.cs.edu/People/spok/catholic/veritatis-splendor.html)

This religious conceptual framework is opposed to one generally referred to as "scientific" or "materialistic." I will adopt the term "materialistic" because the designation of the opposite viewpoint as "scientific" brings in connotations of an opposition between science and religion, or faith and rationality, which the Roman Catholic intellectual community rejects. The religious conceptual scheme is characterized by propositions such as "There is a spiritual reality independent of material reality and even in our limited present state of awareness this spiritual reality makes itself known to us and elicits some beliefs that are adequate vis-à-vis that reality." The materialistic conceptual scheme asserts that material reality is all there is, so that any plausible concept of spiritual reality would require a material foundation. Obviously, beyond these most basic differences we can find many options, generally creating various forms of pluralism within the religious framework, the materialistic framework, and in the relationship between both (i.e., adherents to each framework will perceive adherents to the other framework as holding significantly different views about the world and reality).

The type of pluralism present in the Judaeo-Christian-Islamic community has received a very thorough and incisive analysis from Karen Armstrong in the recently published *The Battle for God*. Armstrong focuses on the distinction between the languages of *mythos* and *logos*, which in pre-modern society were generally considered essential and complementary ways of arriving at truth. Religion employs the language of *mythos*, concerned with what is timeless and constant in our existence. *Logos* is rational
thought, functional and pragmatic, typically the language of science.\textsuperscript{3} In order to find acceptance in the world at large, many religious movements have sought excessive accommodation with it, and abandoned the language of \textit{mythos}. The response from those who feel threatened by modernization frequently leads to a rejection of the language of \textit{logos} as dangerous for religious belief. This is the essence of religious fundamentalism.

Given the pluralism, the favored option in the Anglo-American philosophical community is to philosophize from a conception of practical rationality that avoids controversial metaphysical beliefs. That is not possible in this case, since the philosophical questions focus on the ethical consequences of accepting certain key Christian beliefs. MacIntyre assesses the present situation in moral philosophy as one in which each person is confronted with a set of rival intellectual traditions, embodied more or less imperfectly in contemporary forms of social relationship, with their own specific modes of speech, argument, and debate, making a claim upon the individual’s allegiance.\textsuperscript{4} I interpret MacIntyre’s analysis as a “battle for philosophy,” parallel to Armstrong’s battle for God. Philosophy rejects the language of \textit{mythos}, considers it meaningless. Religious philosophers seek to create a bridge, one that will allow religious believers to appreciate the language of \textit{logos} and philosophers the language of \textit{mythos}. In particular, I see Roman Catholic moral theory as a bridge between secular moral philosophy, at one end, and the Judaeo-Christian religious tradition at the other end. Even within that rubric of Judaeo-Christian tradition, there is considerable religious pluralism. When this


\textsuperscript{4} MacIntyre, \textit{Whose Justice?} 168ff.
pluralism is relevant to the ethical issues involved, I will try to clarify the framework being assumed. In discussions terms such as "Judaeo-Christian," "Christian," "Catholic," or "Roman Catholic" will be used. The designations given in the last sentence are given in descending order of inclusiveness; thus "Judaeo-Christian" is the most inclusive term, "Roman Catholic" is the least inclusive, and each term is included within the previous one without being coextensive with it. In light of the fundamental conceptual divergence between the religious and materialistic views, "Judaeo-Christian" is already a further specification of "religious." Major world religions are traditionally divided into "mystical" or "Eastern" and "prophetic" or "Western." The geographical designation is not very helpful because all the prophetic religions originated in the area we call the Middle East. The prophetic religions also include Islam. They are characterized by what we may call ethical monotheism: belief in one supreme God who is all good and creates human beings in His image and likeness, requiring ethical behavior from His followers. My use of the terms in this dissertation will be guided by the criterion of inclusiveness, i.e., where I believe the more inclusive term is justified I will use it in preference to the less inclusive term. The term "Catholic" requires special treatment. To some it may appear coextensive with "Christian," since all Christians profess faith in "the one, holy, catholic, and apostolic church." However, in this sense "catholic" stands for a quality of universality of the Church, as opposed to a term that distinguishes members of one Christian Church from those of another. My use of the term "Catholic" with an upper case initial "C" will refer to a distinction between different traditions in Christianity, as opposed to the more inclusive concept of universality, which may be rendered with a
lower case “c.” On the other hand, “Catholic” is not coextensive with “Roman Catholic,” since there are many variations of churches which consider themselves Catholic (e.g., “Anglican Catholic”) but do not accept the authority claims of the Church of Rome over the entire Catholic world.

A common feature of the Judaeo-Christian tradition is that it believes that the Bible is divinely inspired, although there are differences in terms of how this biblical inspiration is understood and concerning which books enjoy this special divine inspiration which is referred to as “canonical.” The most obvious difference with regard to this last point is that Jews do not accept the Christian New Testament as biblical. Closely related to the issue of diverse views concerning biblical inspiration is the issue of biblical interpretation. The principal distinction here concerns those who accept historico-critical methods of interpretation of the biblical texts and those who do not, the latter being usually referred to as “biblical fundamentalists.” It is important to note that the Roman Catholic Church has opted for the historico-critical methods of biblical interpretation, which a 1993 document of the Pontifical Biblical Commission calls "the indispensable method for the scientific study of the meaning of ancient texts," and explains as follows:

It is a historical method, not only because it is applied to ancient texts--in this case, those of the Bible--and studies their significance from a historical point of view, but also and above all because it seeks to shed light upon the historical processes which give rise to biblical texts, diachronic processes that were often complex and involved a long period of time. At the different stages of their production, the texts of the Bible were addressed to various categories of hearers or readers living in different places and different times.

It is a critical method because in each of its steps (from textual criticism to redaction criticism) it operates with the help of scientific criteria that seek to be as objective as possible. In this way it aims to make
accessible to the modern reader the meaning of biblical texts, often very difficult to comprehend.

As an analytical method, it studies the biblical text in the same fashion as it would study any other ancient text and comments upon it as an expression of human discourse. 5

According to the criteria for interpretation of the historico-critical method, biblical texts, as well as any other texts from the Christian tradition, are analyzed according to the norms for literary criticism that would be used for any texts from the particular period. The method is independent of one’s religious commitment and can be used profitably both in secular studies of the Bible as literature and in religious attempts to understand the content of the Word of God. Sometimes a genetic fallacy is committed, and theories about method of composition are used to discredit the belief that the message is divinely inspired. Religious scholars committed to the historico-critical method adopt the view that the divinely inspired message is best understood when we understand the literal meaning, what the human author intended to state. Discovering such a meaning is the purpose of the historico-critical method.

2.2 The Second Vatican Council and Moral Theology

The last council of the universal Roman Catholic Church took place between 1962 and 1965 and is generally referred to as “the Second Vatican Council,” or “Vatican II” for short. The council promulgated sixteen official documents, and many of them have had an impact on the discipline of moral theology, but none more so than some brief statements about the updating of moral theology, considered as the discipline that addresses the problems of ethics from the perspective of Roman Catholic doctrine. The

entire spirit of the guidelines was Thomistic, insisting on the compatibility between faith and reason. The council insisted that doctrine should be taught in such a way that students learn to penetrate the truths of faith “more deeply with the help of speculative reason exercised under the tutelage of St. Thomas.” Then follows a particular reference to the discipline of moral theology: “Special attention needs to be given to the development of moral theology. Its scientific exposition should be more thoroughly nourished by scriptural teaching. It should show the nobility of the Christian vocation of the faithful, and their obligation to bring forth fruit in charity for the life of the world.”

Further along in the decree, there follow some general prescriptions about fostering in students the qualities necessary for dialogue with human beings living in diverse circumstances, and the need to use sound methods of pedagogy, sociology, and psychology in presenting Christian teaching.

It is fairly well known in the Catholic community that Council statements were generally not the catalyst for change but rather the result of debates and developments that had been taking place for years. The Council simply provided a forum in which many of these issues could be debated more openly and where bishops could vote and make official determinations. This is true of this statement about the discipline of moral theology. While it may seem trivial to demand of a religious moral system that it be grounded in its own scriptural teaching, the reason for the requirement is that moral theology’s grounding in biblical teaching had de facto been lost and replaced by a legalistic orientation that gave priority to positive Church laws over the biblical

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6Optatam Totius, 16.
foundation. Servais Pinckaers, a Dutch theologian, provides a historical explanation generally regarded as plausible for this curious development. According to Pinckaers, Aquinas' synthesis of Platonic Augustinianism and Aristotelianism was undermined by his own alleged adherents and successors, who sought to further synthesize Aquinas' system, characterized by a harmonious relationship between intellect and will, with Ockham's voluntarism. The results of this unfortunate arranged marriage resulted in the excessively legalistic orientation that revisionist moral theologians resist.\(^7\)

The return to the sources is not exclusive to Catholicism or even Christianity. *The Battle for God* contains numerous accounts of more or less successful attempts to return to the sources in Judaism, Christianity, and Islam. There are two important corollaries to the requirement that Catholic moral theology return to its biblical sources. The first is that biblical teaching should be interpreted according to sound methods of literary criticism. To understand the plausible applications of biblical ethics to new situations, we need to understand clearly its original purpose. The second corollary is, I believe, more properly philosophical, although still related to the earlier one. If the methods of study are meant to be sound according to standards of scholarship of disciplines such as pedagogy, psychology, and sociology, this means that the Catholic scholar may not

\(^7\) I see Pinckaers' work regarding moral theology as a counterpart to MacIntyre's project regarding moral philosophy: both assess a state of disarray in the present state of their disciplines; both judge that Thomism provides a necessary corrective. Pinckaers' project, however, is further advanced than MacIntyre's. He provides many more direct references to Aquinas' works in support of his thesis. The sources for Pinckaers' investigations are a series of articles from *Nova et Vetera*: Servais Pinckaers, "La théologie morale à la période de la grande scholastique," *Nova et Vetera* 52 (1977): 111-31; "La théologie morale à l'époque moderne," *Nova et Vetera* 53, (1977): 269-87. I did not have access to the original articles but used a private translation prepared by my colleague Stephen Palmer at Mount Saint Alphonsus Seminary, Esopus, New York. The other major source available to me is *La Renovación de la Moral*, translated from the 1968 French original by Pedro Recuenco, (Estella, Spain: Editorial Verbo Divino, 1971).
dismiss rational arguments, from appropriate experts in non-religious academic
disciplines, simply by citing the authority of scriptural passages, often quoted out of
context. This is the fundamentalist approach to biblical interpretation, but it is rejected
by Roman Catholicism’s adoption of the historico-critical method. The emphasis on
rationality and dialogue with disciplines of human learning does not imply that the
Christian scholar simply should uncritically accept the conclusions of these disciplines.
The religious viewpoint strongly challenges claims that this world is all there is and
brings a dimension of transcendence into the dialogue. It’s a dialogue after all, not total
surrender to viewpoints that ignore that dimension of transcendence.

Just as Vatican II did not begin the debate about the nature of moral theology and
its impact on Catholic views about ethical issues, neither did it end it. The Vatican II
guidelines represent a starting point that are variously interpreted, and which has resulted
in the consolidation of two major camps within Roman Catholicism. The official
response, to which I will refer as “magisterial,” is represented by Veritatis Splendor and
other papal documents touching on moral issues (e.g., the encyclicals Humanae Vitae and
Evangelium Vitae, several social encyclicals). The magisterial position is generally
supported by theologians who accept that their role is not to question these teachings but
to help the Church develop better arguments for them. Some commentators refer to this
movement as a “traditional” movement. I resist this label because I think it is highly
inaccurate and question-begging. The other side is not “untraditional,” it simply argues
that fidelity to the authentic moral tradition of Christianity yields some particular (within

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8 Humanae Vitae 25; Veritatis Splendor 110.
a context of general agreement with the Magisterium) different conclusions.⁹

A descriptive phrase for the alternative did not come about so easily, and I must confess that even after many years of studying and teaching moral theology I struggled with finding the appropriate descriptive label to use in this study. Although the disagreements within Roman Catholicism are genuine, and as a philosopher I wish to bring out the philosophical core of these disagreements (I find an unfortunate tendency in analytic philosophy to conflate all religious moral theories), the fact is that when we look at the spectrum of conceivable normative ethical theories, from amoralism and absolute relativism to rigorism and religious fundamentalism, the two positions I am contrasting are most properly defined as different species of the same generic normative ethical theory, i.e., natural law Christian ethics. Both are Christian insofar as they accept the fundamental tenets of the Christian faith but are distinguished from some other variants of Christian ethics because of their emphasis on rationality: a belief that through human reason we can discover right and wrong. Some descriptive phrases failed because they are considered incendiary by some of the participants in the debate. For instance, "alternative moral theology" brings up among conservative Catholics thoughts of theologians in absolute defiance of the Magisterium, setting themselves up as authentic teachers in place of the Pope and the bishops. In the end, I settled on Charles Curran's descriptive phrase "revisionist moral theology," because it highlights in a non-

⁹This theme of strong general agreement is one Charles Curran has emphasized throughout the course of all his problems with the Vatican and reiterates in his response to Veritatis Splendor: "What is surprising is that the Pope caricatures the positions of Catholic revisionist moral theologians and refuses to recognize the great areas of agreement between them and himself" (my emphasis). Curran's article, "Veritatis Splendor: A Revisionist Perspective," is found in Veritatis Splendor: American Responses, edited by Michael Allsopp and John O'Keefe, (Kansas City, MO: Sheed & Ward, 1995), 224-43.
judgmental way the most recognizable difference between both movements: a conviction on the part of these moral theologians that much work still needs to be done in revising the traditional ethics according to the guidelines presented by the Second Vatican Council, particularly the requirement that moral theology should return to the sources.

There are many philosophically interesting discussions found in *Veritatis Splendor*. The major question that will be addressed, the relationship between concepts of value and obligation, is also the subject of considerable debate in secular moral philosophy. *Veritatis Splendor* addresses these issues in Section IV of its second chapter, under the heading “The Moral Act.” Three subdivisions are included, one dealing with the concept of teleology; the other with the Thomistic concept of object of the act, the third asserting the biblical principle that it is not licit to do evil that good may come out of it. The discussions on teleology and object of the act necessarily bring forth issues regarding the function of rules in a moral theory. The Magisterium regards revisionist moral theology as excessively teleological, undermining the appropriate role of commands and prohibitions in Christian ethics. As my title suggests, I will argue that Christian ethics is more properly construed as a teleological moral theory. The argument will be presented in Chapter 3. Before I move there, I need to clearly define the terms used, particularly those pertinent to this discussion about whose meaning there is no consensus in the philosophical community, as Bernard Williams indicates. Then I will present a model for understanding the teleological-deontological debate that allows for the logical possibility of a teleological orientation that is non-consequentialist.

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2.3. Definition of Key Terms

According to C.D. Broad, generally given credit for initially articulating the terms of what is variably referred to as the teleological-deontological debate, or the consequentialist-deontological controversy, it is evident that ethical characteristics fall into two very different classes:

On the one hand we have notions like “right”, “ought”, “duty”, etc. We may call these Concepts of Obligation. On the other hand, we have concepts like “goodness”, “merit”, etc. These may be called Concepts of Value. Now obviously the first thing to do is to clear up these concepts as far as possible; to point out any ambiguities in the uses of the words; and to consider whether there be any analogies in non-ethical matters to these concepts...

Now, when this process of clearing up ambiguities and considering analogies has been completed, we can begin to consider the connexion or lack of connexion between the two types of ethical characteristic. The first possibility is that Moral Obligation and Moral Value have no special connexion with each other. This has hardly ever been held. If we reject it we have theories which hold that there is some special connexion between the two. Now, such theories might take the following forms. The concepts of obligation are fundamental and the concepts of value are definable in terms of them. Thus it might be held that the notion of fittingness is fundamental, and that “X is intrinsically good” means that it is fitting for every rational being to desire X. Such theories might be called Deontological. The concepts of value are fundamental, and the concepts of obligation are definable in terms of them. Such theories may be called Teleological. E.g., it might be held that “X is a right action” means that X is likely to produce at least as good consequences as any action open to the agent at the time...

Of course, whichever of these alternatives we might take, there would be a number of possible varieties of that alternative. . .

There isn’t any one categorization of the various theories that is universally accepted, although Broad’s initial attempt finds a good measure of acceptance among a number of respected scholars in the Anglo-American community. Thus, in *A Theory of*...

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Justice John Rawls describes teleological theories as those which offer the simplest way of relating the two main concepts of ethics, i.e., the right and the good. Teleological theories are those which define the good independently from the right and then define the right as that which maximizes the good. In formulating this categorization, Rawls acknowledges his indebtedness to William Frankena's *Ethics*. There Frankena offers the following definition: "A teleological theory says that the basic or ultimate criterion or standard of what is morally right, wrong, obligatory, etc., is the nonmoral value that is brought into being."

As both of these contemporary authors categorize the debate, "teleological" and "deontological" appear as contradictories, most explicitly in Frankena's statement that "Deontological theories deny what teleological theories affirm." However, there are some problems involved in presenting the contrast as one that involves contradictory positions. Broad himself points out that, whichever alternative we choose, there are many possible varieties. Moral theologian Bruno Schüler's analysis takes Broad's statement further and argues that purely deontological and purely teleological theories are ideal types, borderline-limit cases, so that most theories espoused are usually mixed theories. The presence of deontological and teleological elements in most theories has led some authors to claim that the teleological-deontological distinction is a pseudo-distinction, or

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13 Frankena 14.

14 Frankena 15.

15 Bruno Schüler, "Various Types of Grounding for Ethical Norms," found in *Readings in Moral*
that any moral theory can be construed as either deontological or teleological.\footnote{Peter Vallentyne (47-63) cites Andrew Oldenquist, Adrian Piper, and J. J. C. Smart as examples of authors who present this argument. Vallentyne's analysis is found in his unpublished doctoral dissertation, "The Teleological-Deontological Distinction," (University of Pittsburgh, 1984).}

Whatever the outcome of that debate, conceptually we can accept that there is a dividing line, and Rawls' description accurately places that dividing line as the choice between priorities: either the right has priority over the good or the good has priority over the right. The concept of priority is more explicitly deontological, found in The Critique of Practical Reason:

"The concept of good and evil is not defined prior to the moral law, to which, it would seem, the former would have to serve as foundation; rather the concept of good and evil must be defined after and by means of the law."\footnote{Immanuel Kant, \textit{Critique of Practical Reason}, trans. by Lewis White Beck, (New York: MacMillan Publishing Company, 1956), 65.}

Teleologists speak of a different kind of priority. Even when we deal with a widely accepted moral rule or principle, it can be seen as the logical conclusion of an argument in which negative and positive values have been weighed. Thus, even when a moral agent concludes "Type X actions are morally wrong because they violate Rule Y," teleologists would point out hidden premises, based on consideration of values, that have led the moral agents to adopt Rule Y.

As Rawls and Frankena interpret the teleological-deontological distinction, it is one between mutually exclusive contradictories. I find this to be the ordinary understanding of the distinction. If, on the other hand, we accept that most theories are mixed, many considerations about the opposite fundamental concept are likely to enter
the picture, whatever priority is chosen. We may construct moral theories that can properly be called teleological deontology or deontological teleology.

Peter Vallentyne’s analysis of the distinction is a better alternative for the purposes of this paper and I will adopt it. Vallentyne brings in the concept of axiological theories, defined thus: “A theory is axiological roughly just in case it makes the permissibility and obligatoriness of actions or social institutions depend solely on considerations of goodness.” To say that the good is prior to the right, a fundamental premise of teleological theories, is to say that the right depends, at least in part, on considerations of goodness. It is not, however, to say that the right depends solely on such considerations. Thus, there are two ways for a theory to fail to be axiological: (1) by making the right independent of considerations of goodness; (2) by making the right depend on considerations of goodness, but not making it depend solely on such considerations. If we accept this categorization, teleological theories that use considerations of moral goodness for determining the good that should be intended or maximized, fail the axiological test specified in criterion (2). They contain at least some elements of deontology, i.e., in some instances they admit a priority of the right over the good. On the other hand, teleological theories that do not allow considerations of moral goodness to enter into the determination of moral rightness would be axiological.

The ordinary understanding of the distinction, represented by Rawls and Frankena, conflates axiological and teleological theories. Any deontological consideration automatically places a theory into the deontological category. Deontological theories are by definition non-axiological. According to these categorizations, the real contrast between contradictories is the axiological-deontological
distinction. Teleological theories, though generally regarded as axiological, may belong to either type, depending on whether they accept considerations of moral goodness in judgments about right and wrong. In adopting Valentine’s categorizations, I modify Frankena’s statement and turn it into: “Deontological theories deny what axiological (instead of teleological) theories affirm.” When I deal with moral theology’s opposition to consequentialism and utilitarianism, I will show that the correct way to understand the objections is that consequentialism or utilitarianism are rejected qua axiological rather than qua teleological theories.¹⁸

Throughout this study, then, I will use Vallentyne’s definition of axiological theories given above, i.e., as those in which the morality of actions is determined solely by considerations of goodness. Teleological theories will be those that require agents to maximize the good, a good which may be conceived as totally non-moral, as in axiological theories, or which may include considerations about morality. Teleological theories hold that there is a priority of the good over the right, but the priority claim is relative except in cases in which a teleological theory is also axiological. Deontological theories are those based on a priority of the right over the good. The priority claim may be absolute or relative. I will refer to deontological theories whose priority claim is absolute as exclusively deontological theories. When I use the term “deontological” without a qualifier, I will be referring to theories that hold a relative priority of the right over the good, i.e., that usually considerations about right and wrong enter the equation relatively early in the determination of what is morally required, before all the facts that

¹⁸See Vallentyne 6-35 for his discussion of these various categorizations.
may determine non-moral goodness are gathered.

According to this model, most theories blend deontology and teleology, in a way Charles Curran suggests. Curran points out three principles of what he calls mixed consequentialism or mixed teleology, that I see roughly equivalent to the subcontraries deontological teleology or teleological deontology I am adopting here. As I develop the model, I will place revisionist moral theology within the framework of deontological teleology and magisterial moral theology within the framework of teleological deontology. As I envision the distinctions between both classes, the issue is mostly one of emphasis or priority, of methodological style in moral evaluation in which most theories admit considerations of one style but, for diverse reasons, prefer the other. I may indicate the relationships between the various theories by appeal to the traditional Aristotelian square of opposition. Although the language may be somewhat awkward, I will adopt various categorical statements helpful for expressing the essential distinctions. The subject term will be “actions which are subject to moral evaluation” (SME actions, for short). The predicate term will be “actions that receive a moral evaluation of right or wrong solely on considerations of goodness” (RW-SG actions, for short). The appropriate square of opposition has the following appearance:

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19 Curran, "Utilitarianism and Moral Theology" 352.
All SME actions are RW-SG actions  
(Axiological)

No SME actions are RW-SG actions  
(Exclusively Deontological)

Some SME actions are RW-SG actions  
(Teleological)

Some SME actions are not RW-SG actions  
(Deontological)

I will use the terms throughout this dissertation in the sense indicated above. 

Therefore, axiological and deontological theories are viewed as contradictories, i.e., the assertion of one entails the denial of the other. Similarly, extreme deontology and teleology are contradictories. In my schema teleological and deontological theories remain as sub-contraries, which by definition cannot both be false at the same time but can both be true at the same time. I will argue that a proper interpretation of Christian morality requires moral theologians to hold that non-axiological teleological theories and deontological theories are both true, which entails that both their contradictories are false. In the debate between revisionist and magisterial moral theology this judgment about the truth of both subcontraries will represent the common ground between the partners (or adversaries).

2.4 Explanation of the Axiological-Deontological Spectrum

I have used the traditional square of opposition because it is richer for expressing different logical possibilities for relating deontological and teleological ethical theories.
The conventional understanding of the relationship, expressed by authors such as Rawls and Frankena, isolates teleological theories into an extreme corner once any deontological considerations enter the picture. For those who believe that most theories are mixed theories, the square of opposition allows the opportunity to consider different ways of blending teleology and deontology. As I have stated earlier, I will concentrate on the “predominance” aspect of the relationship, presenting the distinction in terms of priority and argue that the debate within the Catholic community properly belongs in the level of subcontraries. For the purposes of ethical reflection, the most interesting question is whether this makes a significant difference when we reach the point of making concrete moral decisions, one of the crucial issues in the debate.

According to the square of opposition, there are four logical possibilities for prioritizing the right and the good with regard to each other:

(1) Axiological theories hold an absolute priority of the good over the right.
(2) Teleological theories hold a relative priority of the good over the right.
(3) Deontological theories hold a relative priority of the right over the good.
(4) Exclusivist deontological theories hold an absolute priority of the right over the good.

I will proceed to consider these in the order stated.

(1) The absolute priority of the good over the right means that a judgment about right or wrong is not made until all the available data for making a judgment about what is good or bad from a non-moral point of view has been considered. Although this might imply an interminable temporal process of weighing potential outcomes, I find that utilitarians generally argue successfully that, in the majority of cases, there is plenty of
precedent and accumulated wisdom to help the moral agent with the decision. In genuine
conflict cases a longer period of reflection may be needed, but even a committed
deontologist may agree that the chosen action is a plausible moral choice. The
teleological nature of axiological theories makes them dynamic; it is not a matter of an
interminable process that results in the decision being made by default.

An axiological theory may take this principle of priority of the good over the right
to the extreme that, in principle, no type of action may be ruled out *a priori*, since we
must always be open to the possibility that what appears terribly wrong by ordinary moral
standards (e.g., the torture of an innocent child), may bring about an optimally good
result (e.g., world peace). The axiological theory argues for the priority of the good over
the right in an indirect way, by rejecting agent centered constraints or restrictions. The
restrictions would be prohibitions of certain types of acts *even* if the best consequences
overall could be achieved by performing such an act. Such restrictions arise from
concepts such as rights, prohibitions against intending or causing harm, special
obligations that arise from past promises or institutionally defined roles, e.g., family or
professional duties.\(^{20}\)

Kagan’s qualifier about “actions not otherwise forbidden” may be interpreted as
an inconsistent acceptance of deontological constraints. Yet, this interpretation is
erroneous, since Kagan makes it clear that whatever restriction is imposed comes from a
calculation of non-moral goodness and badness, not from some sort of deontological
principle. By the rules of the square of opposition, assertion of the central claim of an

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axiological theory (All SME actions are RW-SG actions) logically entails both assertion of the central claim of a teleological theory and denial of the central claim of a deontological moral theory.

The principal representatives of axiological moral theories are consequentialism and utilitarianism. In the literature I have reviewed for this project, particularly among Catholic moral theologians, I have found some conflation of the terms. In this study I will use “consequentialism” in the manner defined by Vallentyne, as a type of teleological theory which judges an action permissible just in case its consequences are maximally good. Consequentialist theories are usually characterized by the rejection of agent centered options or restrictions, although Samuel Scheffler proposes a hybrid version which allows agent-centered options. I refer to agent centered options also in the sense used by Kagan. The options are understood as a justification for agents to favor their own interests, even if by so doing they fail to perform the act which leads to the best consequences overall. We may notice that these restrictions are based on considerations which are typically deontological. I will not address whether Scheffler’s hybrid version may be considered properly consequentialist because that is irrelevant for my purposes. The consequentialist rejection of agent centered restrictions is the crucial problem for Christian ethicists and the reason why consequentialism is unacceptable for Christian ethics. This issue will be addressed in greater detail in Chapter 6.

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21 Vallentyne


23 Kagan 3-4.
By classical utilitarianism I understand the version defined by John Stuart Mill, that is, "[T]he creed which accepts as the foundation of morals 'utility' or the 'greatest happiness principle' holds that actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of pleasure." I will use John Mackie's distinction between consequentialism and utilitarianism, treating consequentialism as a theory which retains the consequentialist structure of utilitarianism, but replaces the principle of utility with some other conception of the good. Since "consequentialism" is the more inclusive term, I will use it in preference to "utilitarianism" unless my remarks are directed specifically to utilitarian theory. When dealing with other authors' arguments, if I believe that their use of terms varies from mine, I will point this out in order to avoid ambiguity.

(2) The relative priority of the good over the right, characteristic of teleological theories as defined, preserves the dynamic of action assessment through non-moral considerations about what is good or bad, but is willing to impose some restrictions without attempting to validate them as arising from teleology rather than deontology. These teleologists claim that moral evaluation hinges on the process of weighing values of variable weight that goes on so naturally as to be almost imperceptible. They


definitely focus on an intention to bring about the most favorable balance of positive over negative outcomes. However, in distinction to the axiological theorists, they admit a priority of the right over the good in this sense: there are instances when due consideration identifies types of actions of such a nature that they must be disqualified from consideration, even if they are needed to bring about the best balance of non-moral positive over negative outcomes.

Assertion of the central claim of a teleological theory (Some SME actions are RW-SG actions) logically entails the denial of the central claim of exclusivist deontological theories. Aristotelian ethical theories may be construed as teleological in this way. Since Aristotle accepts that actions such as adultery, theft, or murder are intrinsically wicked, such actions, as well as feelings such as malice, envy, and shamelessness, are excluded from the teleological scheme that seeks to find excellence as a mean between two extremes. Of course, Aristotle developed his system long before there was a concern with a teleological-deontological distinction. Some may argue that it would be relatively easy to validate the Aristotelian statements about intrinsic wickedness as teleological constraints, but I do not see how the issue may be resolved to everyone’s satisfaction. In contemporary ethics Aristotelian moral philosophers are more apt to be identified as such by their concern with the development of virtue, which is typically understood as a deontological consideration. Yet again, teleologists may argue, and this

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26See *Nicomachean Ethics*, 1107a. The relevant types of actions and feelings which are excluded from the teleological scheme could be excluded solely on considerations of non-moral goodness. What separates the teleological theories from the axiological theories is that the teleological theories are satisfied to offer other types of considerations, without feeling the need to justify them solely as considerations of non-moral goodness.
is the way I understand Aristotle's ethics, that the development of excellence of character in individuals leads to the best type of society, one that ensures a strong measure of wellbeing for its citizens.

There are also neo-Thomists who may be said to follow Aristotle, to the extent that Thomism is necessarily Aristotelian. Yet, apart from the historical concern of an Alasdair MacIntyre with the need to place the account of virtues within the teleology of one's entire life, the teleological orientation is perceived by observers as occupying a secondary role within neo-Thomism. Because of this perception, axiological theories are often thought to be the only ones on the contemporary scene that clearly exhibit the teleological orientation. For this reason, axiological and teleological theories are frequently conflated in the common understanding. In the next chapter I will argue that Christian ethics is best understood as teleological according to this understanding of the term. This understanding extends to the major sources, such as the Christian Scriptures, and the major figure in the later historical development, Aquinas.

(3) For my characterization of the various types of theories I have ultimately accepted Vallentyne's argument that the most adequate way to characterize deontological theories is as theories that do not make the right depend solely on considerations of goodness. 27 Assertion of the central claim of a deontological moral theory (Some SME actions are not RW-SG actions) logically entails denial of the central claim of an axiological moral theory.

Kantianism and its variants, such as Rawls' system of justice as fairness, belong

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27 Vallentyne 16-17.
here, although there is a tendency in the literature to classify Kant and Rawls in a way that better fits the description of my “exclusivist deontology.” I believe this classification is wrong. Although Kant is usually perceived as an exclusive deontologist, this perception appears to depend on a judgment of Kant that is based solely on the *Grounding.* In the *Second Critique* Kant argues that the conception of virtue as the supreme good does not imply that it is the entire and perfect good as the object of the faculty of desire of rational finite beings. For this, happiness is also required, even in the judgment of an impartial reason. This is where Kant brings in the point that if there is a God, it would not be in accord with His will that human beings should be in need of happiness and worthy of it and yet not partake of it.\(^2^8\)

My classification of deontological is weaker than the conventional interpretation. We may ask what it is that separates deontological theories from teleological theories and whether the distinction is philosophically significant. With regard to the first question, I believe the line of demarcation is the admission by the deontological theories of considerations such as rights, obligations, duty, virtue, as the guiding principles in the process of moral evaluation, while still accepting the guidance provided by considerations of what is good or bad, non-morally speaking. For instance, when Kant presents his four examples to test the categorical imperatives, the arguments sound very teleological. As rational beings we would not wish to live in a society that considered it justifiable to commit suicide under duress, to make lying promises, etc. With regard to the second question, the deeper I delve into the issue I become more convinced that the distinction is significant.

\(^2^8\)Kant, *Critique of Practical Reason*, 114-15. The emphases are mine, intended to show the shift of focus between deontology and teleology that is present in the text.
real and philosophically significant, primarily epistemological. Teleologists have no problem with accepting concepts of duty, special obligations arising from promises or family bonds. They simply point out that these duties exist because the collective wisdom has already discovered that they bring about better outcomes. This epistemological view leads to a difference in ethical style. A teleological style is more dynamic and serious about the urge to bring about positive good, and part of my central argument is that this is the best way to interpret Christian ethics from its foundations. Magisterial moral theology is best placed in this quadrant, as a deontological theory. Even though the debate between the Magisterium and revisionist moralists concerns more issues of moral epistemology, it does lead to some interesting philosophical arguments.

(4) Just as there is a tendency to conflate teleological theories with axiological theories, so there is a tendency to conflate deontological theories with what I have labeled, for lack of a better term, "exclusivist deontology." Axiological theories do not allow for the introduction of considerations about rightness or wrongness during the process of determining what is good or bad. In contrast, exclusivist deontology argues that considerations about good or bad effects are not relevant for determining what is right or wrong, since the right has absolute priority over the good. Assertion of the central claim of an exclusivist deontological moral theory (No SME actions are RW-SG actions) logically entails the denial of teleological moral theories as defined.

Religious voluntarism clearly belongs in the quadrant of exclusive deontology. I believe it constitutes the prototype of exclusive deontology. This voluntarism is consistent with a fundamentalist interpretation of Scripture that fails to recognize the historicity of biblical accounts. For instance, we find in the Hebrew Scriptures some
alleged divine commands, such that after battle an entire town must be destroyed, including all its inhabitants. This type of action is almost universally condemned as a war crime nowadays, but the religious voluntarist has recourse to some argument about the supremacy of divine commands over any concern with the effects of actions. Such justification is what I label exclusive deontology and it is clearly not defensible by modern standards of rationality, which would evaluate such actions as instances of genocide. We may safely accept that Veritatis Splendor refers to such theories when it mentions "a voluntaristic and arbitrary morality of obligation which would ultimately be dehumanizing."  

Vallentyne brings up the possibility of moral theories which make the right and the good independent of each other. He cites the possibility of a theory that assesses the goodness of states of affairs in terms of the total amount of happiness they produce, while judging rightness or wrongness in terms of conformity to the Ten Commandments. Vallentyne states without argument that such a theory is intuitively deontological but does not make the right prior to the good. It seems to me, though, that with regard to morality, which is what is at issue in this discussion, such a theory not only makes the right prior to the good, it should be classified among exclusivist deontological theories, since it ultimately judges that the good is irrelevant for determining right or wrong. This theory would hold a lexical priority of the right over the good primarily expressed in rather specific negative prohibitions. I have not found such a theory defended in

\[29\] Veritatis Splendor 76.

\[30\] Vallentyne 15-16.
philosophical literature, though I have encountered it as part of the ordinary morality of some believers. Once certain positive duties about the worship of God and duty to one's parents are fulfilled, there is freedom to act as one may please, so that the scope of morality is effectively narrowed. This concern with prohibitions as the essence of Christian morality has only served to impoverish Christian ethics and constitutes a serious misunderstanding. It promotes a form of moral individualism and social conservatism that is only concerned with one's salvation. Consider the biblical injunction against stealing. Moral agents with this mentality may feel absolutely justified in pursuing social policies that widen the gap between rich and poor because they are not depriving anyone of property legitimately acquired according to the rules of the marketplace. In the minds of many observers outside the Judaeo-Christian community, this is considered the prototypical religious morality. Further, the Ten Commandments whose value is unassailable from the perspective of mythos, are problematic if treated as the foundation or organizing principle for Christian morality from the perspective of logos. I will expand on this statement in the next chapter.

For now let me summarize what I have tried to accomplish after the initial

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31 This is the type of theory Broad seems to refer to in Five Types of Ethical Theory, when he states: "The first possibility (5, 11) is that Moral Obligation and Moral Value have no special connexion with each other. This has hardly ever been held." See 277. In spite of the attachment of the adjective "moral" to "value," I believe it is the non-moral concept of the good that Broad refers to, since it is on the basis of it that a moral obligation can be said to arise. Granted that Broad wrote in 1930, to my knowledge it remains true that such theories do not count with much, if any, philosophical support.
clarification of terms and historical overview of Roman Catholic ethics. According to the rules for categorical statements, when teleological and deontological theories are shown as sub-contraries, as I have done in my square of opposition, two claims immediately come forth. First, it is logically possible that both teleological and deontological theories are true in their respective claims that some SME actions are RW-SG actions and some SME actions are not RW-SG actions. Secondly, such a claim excludes the logical possibility that either axiological theories or exclusivist deontological theories, as defined, are true in their central claim. Something that is frequently lost in teleological-deontological debates is this strong compatibility between teleology and deontology. Let me attempt to illustrate this point through a representation of how moral theories may combine teleological and deontological elements, and then pairing this off with my earlier square of opposition.

Even the two classical prototypical deontological and teleological theories, Kant's and Mill's, appear open to the sub-contrary orientation. Both make some concessions, even if unintended, to the other side. I have already pointed out Kant's concessions to the necessity for happiness in the fulfilment of one's duty, found in the Second Critique. Mill also points out that Kant's arguments in support of his categorical imperatives are concerned with consequences: "But when he (Kant) begins to deduce from this precept any of the actual duties of morality, he fails, almost grotesquely, to show that there would be any contradiction; any logical (not to say physical) impossibility, in the adoption by all rational beings of the most outrageously immoral rules of conduct. All he shows is that the consequences of their universal adoption would be such as no one would choose to
incur. Further, in his defense of utilitarianism, Smart cites some attempts to interpret Kantianism as a variant of rule utilitarianism.  

While it is true that Kant considers morality pointless if it does not bring with it the possibility of happiness, he holds that moral obligation holds even if there is no point in following it. The lexical priority of the right over the good is safe with Kant. Mill’s critics might even point out that it is also present in Mill, even if only so faintly. When Mill presents his criteria for determining higher and lower goods, he states that the greatest enemies of a satisfied life are selfishness and the lack of mental cultivation. Although Mill probably intended his reference to selfishness in a psychological way, there is room for arguing that the notion of selfishness is necessarily moral. Certainly it implies moral fault in most moral systems. This at least shows the difficulty of preserving consistency within a theory that is purely axiological or exclusively deontological.

With regard to how value and obligation are related, the plausibility of a normative ethical theory is a mean between two extremes, like Aristotelian virtue. This is where a Christian ethic appropriately stands. Logically speaking, what a philosophically plausible Christian ethic denies is the truth of any central claim that is expressed universally, either that of the axiological theories or the exclusivist deontological theories. Both revisionist moral theology and magisterial ethics agree on the rejection of

32 J.S. Mill, Utilitarianism 4.

33 Smart and Williams 9.

34 J. S Mill, Utilitarianism 13.
the universal central claims. Both accept a teleologically driven dynamic and
deontological constraints. Even from the perspective of this common ground, the debate
turns out to be very interesting. While revisionists enthusiastically embrace the
teleological orientation and assign it primacy, the Magisterium considers this choice a
dangerous move, one that compromises the Christian identity of its moral theory.
CHAPTER 3
CHRISTIAN TELEOLOGY

3.1 The Christian Case For Teleology

In this chapter I will argue that Christian ethics is best understood as a form of
deontological teleology, as this term was defined in the last chapter. My argument
follows closely the lines drawn by Bruno Schüller, who states:

[When we examine the normative ethics of Catholic tradition
more closely and compare it to the framework provided by C. D. Broad,
we find that it is overwhelmingly teleological. It seems to narrow down as
much as possible the already small space allowed to deontological norms.
Where it does arrive at norms that operate deontologically by appealing to
divinely appointed natural ends, it basically argues on teleological
grounds, even though it may make a mistake in the process. The efforts to
transform even the second type of argument into a teleological line of
argument are particularly instructive. Not only do they clearly indicate
how dear the teleological approach is to Catholic moral theologians; they
also call attention to the possibility that traditional ethical norms, which at
first glance bear all the hallmarks of being deontological and having no
grounding in consequences, may be shown to be justified on teleological
grounds upon closer and more careful re-examination.]

Schüller argues that the teleological orientation is present everywhere in Catholic
ethics and it is only missed because, citing Wittgenstein, “The aspects of things that are
most important to us are concealed under their simplicity and their everyday nature.”

1 Schüller 188.

2 Schüller 189.
The mistake he refers to is his judgment about the magisterial argument against birth control based on a belief about ends of marriage and the marriage act. Schüller uses insights of analytic philosophy to illustrate a point for a Catholic educated readership concerned with the nature of Catholic morality.

A selective use of texts from the Bible and other authoritative Christian sources makes it possible to give an account of Christian ethics as deontological or teleological. In *A Short History of Ethics*, MacIntyre offers the following characterization of the origins of Christian ethics: “God is our father. God commands us to obey him. We ought to obey God because he knows what is best for us, and what is best for us is to obey him.” The deontological consideration appears up front, yet fairly soon in the process there is the concept of what is best for human beings. We might begin with a vague notion of what is “best for us” expressed only in a formula such as the Aristotelian “that which we desire for its own sake.” What a religious view provides are concrete criteria beyond the Aristotelian vague formula. However, MacIntyre insists that, both for the sake of intelligibility and in order to avoid circularity, we must have access to criteria of goodness that are independent of our awareness of divinity.

The circularity problem needs to be addressed first. The reasons MacIntyre suggests bring up one horn of the Euthyphro dilemma. If there are no independent criteria by which to judge goodness and badness, then morality is arbitrary and to say

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4 MacIntyre, *Short History of Ethics*, 114.
“God is good” is meaningless.\(^5\) Since MacIntyre and the Catholic tradition both accept
the Thomistic concepts of natural law, they reject ethical voluntarism, even if the will
referred to as Supreme Lawgiver is the will of God. This might impale the tradition in
the second horn of the dilemma: If there are independent criteria for right and wrong,
there must be a higher standard than God, perhaps even a higher god. As a religious
ethicist I am concerned with the Euthyphro dilemma, but not overly concerned. My
principal interest is to show that voluntaristic ethics is philosophically incoherent and not
prototypical of religious ethics. Voluntaristic ethics and biblical fundamentalism go hand
in hand, so that helps make the natural law orientation, with its emphasis on rationality,
suspect in the mind of religious voluntarists. In addressing the Euthyphro dilemma, I
found help from John Mackie, an acknowledged non-theistic philosopher who rejects
religion on the basis of the problem of suffering. For strong voluntarists, the appeal to
rationality constitutes a subordination of God’s will to human standards. For Mackie,
belief in an omnipotent and benevolent God, who both makes moral demands on us and
is concerned for our welfare, entails that there is no practical discrepancy between what is
morally good and what conduces to the most genuine happiness (thus, provides a
successful response to Glaucon’s challenge in the Republic).

With regard to the Euthyphro dilemma, Mackie proposes to solve it through the
descriptive-prescriptive distinction. The descriptive component of moral rules is
logically independent of God’s will: God approves of this way of life because it is, in a
purely descriptive sense, appropriate for human beings. But the prescriptive component

\(^5\) This is Bertrand Russell’s expression of one horn of the Euthyphro dilemma in his famous essay
“Why I Am Not a Christian.”
of those distinctions is constituted by God’s will. The Judaeo-Christian tradition believes this is the way we are because God has created us so. The picture of God as an arbitrary tyrant is replaced by the belief that He demands of His creatures only that they live in what should be, for them, the most satisfying way. We can then say that God is good, meaning, descriptively, that any prescriptive or evaluative component in good, as applied to God, will be subjective. It will express our approval of the sort of thing God does. The God-based objectively prescriptive element in moral terms, as applied to human actions, can have no non-trivial application to God.⁶

The criteria for judging good and bad outcomes are typical teleological considerations, such as found in the opening book of the Nichomachean Ethics. This is the way it must be, according to MacIntyre, because “If religion is to propound a set of rules or a set of goals successfully, it must do so by showing that to live in the light of such rules and goals will be productive of what men can independently judge to be good.”⁷ Again, I must state that this is not the way it is for the religious ethical voluntarist. The religious ethical voluntarist typically will bite the bullet and accept that religious morality is arbitrary by human standards. For the religious voluntarist that does not matter, since the will of God is the supreme standard and religion consists in submitting to that standard.

The Catholic tradition is not voluntarist, so it tries to blend God’s role as Supreme Lawgiver with the capacity to develop and understand rationally the various commands.

⁶ Mackie, Ethics, 210ff.

⁷ MacIntyre, Short History of Ethics, 114.
Since God is envisioned as omniscient, He is also perceived as a better moral guide than any other alternative, which makes it rational from within the teleological considerations to live according to His commands. Further, devotees of the Abrahamic religions believe that the fact that these outcomes are good or bad for us as human beings, is causally linked to the fact that it is God who created us and so fashioned us. This type of thinking corresponds to the priority of the right over the good that I described in the last chapter. Revisionist theologians such as Schüller do not ignore the deontological considerations. They simply point out that, if we consider any typical deontological principle, we can justify it as the conclusion of a teleological argument. Bernard Häring calls for balance of the deontological and teleological aspects in Free and Faithful in Christ. There he states: "We cannot accept an 'either/or' approach: either deontological rules or attention only to results. We need and we have deontological criteria that allow us to evaluate the foreseeable consequences." The issue for the Catholic natural law tradition is how to successfully blend the teleological and deontological elements.

Schuller's argument is that teleology predominates. The examination of a Christian normative ethical theory that he calls for reveals that it began as a synthesis of Judaic biblical morality, Greek philosophy, and the message of Jesus of Nazareth. Among the difficulties we must acknowledge in the attempt to judge the original moral system through the use of modern standards is that, as MacIntyre points out, the evidence suggests that the intention of both Jesus of Nazareth and Paul of Tarsus was to preach a

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way of life that would separate the believers from the rest of society during a brief period before the Kingdom of God reached its fulfilment. So it is hard to find principles there for determining what are good or better states of affairs for the long run. This absence of principles turns into a positive feature, since it liberates the Christian community to deliberate about what is good or better for human beings in the context of its fundamental message without constraints imposed by social structures that are no longer valid.

MacIntyre also points out that that there is no intention in these original writings to develop what we may call an ethical theory, which we expect to be comprehensive. In many ways, the intention is negative: criticism of the ways in which contemporary Pharisees were applying the Torah.9 Pharisaic morality, centered on a particular way of observing the law, is criticized and replaced by a stated purpose of bringing the law to “fulfillment.” Hans Küng’s conclusion about the meaning of “fulfill” rings like an accurate interpretation, consistent with mainstream Christian views. To fulfill means, first of all, to deepen the law by resolutely taking seriously God’s will expressed in the law. Secondly, it means to concentrate the law through the blending of the two commands of love of God and neighbor. Thirdly, it means to radicalize the law by extending the love of neighbor beyond accepted boundaries.10 There is still a concern with obedience to the Torah that may rightly be regarded as deontological by modern standards. Yet, it is the values that law seeks to express that are primary, not the letter of the law itself. The double commandment of love of God and neighbor serves as an

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9 MacIntyre, Short History of Ethics, 115-16.

indirect moral rule, similar to the Kantian categorical imperatives. This analogy immediately connotes deontology, yet the maxims of action that would pass the test of these imperatives would need to be expressed in teleological terms, as expressions of what actions will promote the authentic good of human beings.

A problem with this formulation of the Christian ethics of love is that it may not be well understood or become meaningless in modern society. Schüller points to Frankena's treatment of the ethics of love in modern moral theories for some helpful hints toward understanding properly this duty for a modern audience, whether religious or secular. Frankena identifies the ethics of love with a principle of beneficence, one he argues is presupposed by the teleological principle of utility. This is stronger than the principle of benevolence that became popular in Enlightenment ethics, since it implies the need to effectively do good as opposed to merely willing good. He also insists that such a principle of beneficence be supplemented with a principle of distributive justice. We can appreciate that such a blending of the principles of beneficence and distributive justice provide the balance we are seeking between teleological and deontological considerations, since teleology is often perceived as insensitive to problems of distribution, a problem I will address in the next chapter.

Even outside the boundaries of Christianity, one of the best known stories in Western civilization is the parable of the Good Samaritan, to the extent that almost everyone recognizes the term "Good Samaritan" as referring to someone who goes out of her way to help others in need. The conventional interpretation of the parable is that

\[ \text{\textsuperscript{11} Frankena 45, 58.} \]
those who passed by and ignored the man in need were selfish, so that the parable is urging its hearers to be selfless and active in the service of others. While this cannot be denied, there is a deeper meaning discovered through attention to the details. The Samaritan is a foreigner, an enemy. Casuistic Pharisaism did not understand that the levitical command of love of neighbor applied to the Pharisee, yet he is being set up as the model of effective beneficence. Moreover, the Levite and priest were exercising prudent caution in taking a roundabout way. They were functionaries at the temple who would incur contamination and be ineligible to carry out the supreme duty of worship if the man turned out to be dead. The message is that the good of human beings, and the duty to promote it effectively, has priority even over important rules, such as those regarding worship. This is the same principle expressed succinctly in the statement: "The Sabbath was made for human beings, not human beings for the Sabbath."12

While acknowledging the difficulties involved in biblical interpretation, and the fact that there is a plurality of interpretations available for this and similar key passages, I cannot engage in in-depth biblical exegesis as part of this project. All I can do is offer plausible evidence in support of my claim that the values, the indirect rules, and the maxims are all intended to serve the teleological purpose of establishing the Kingdom of God for the interim brief period before it reaches its definitive fulfillment. As the Synoptic Gospels insist, there is a sense of urgency in the demands for building up this Kingdom of God on earth. Things will go very bad for those who do not become engaged in the building up of this Kingdom. Granting the anachronism, we can state in

12 Mark 2:27.
modern terms that all of these teleological requirements are presented in a strong polemic against the typical Pharisaic exclusive deontology. Responding to proposals that Jesus’ message could be interpreted in Pharisaic terms, Hans Künng dismisses the idea:

No, on the basis of the sources there is no getting round the conclusion that Jesus just was not a typical Pharisee with ‘delight in the commandments’ and casuistic exegesis. It is important not only to compare individual statements out of context but to read the texts in context. Do that, and it is clear that all the Gospels are in complete agreement in attesting that the 613 commandments and prohibitions of the law, which were so important for the Pharisees, were not what Jesus wanted to inculcate. Nowhere does he require his disciples to study the Torah. Nowhere does he seek to follow the Pharisees in building a ‘hedge around the law’ with rules for behavior, a protection to guarantee that the commandments are observed.13

The revisionist spirit is to side with Künng, arguing that the preponderance of the scriptural evidence favors a teleological understanding of Christian morality. While it is logically possible for Christian ethics to be primarily rule-based, it is hard to conceive it as such. It arises from a strong criticism of a rule-based approach, not just a difference of interpretation as to how the various rules apply. Attention to the scriptural evidence, mandated by Vatican II, has returned the teleological orientation to the foreground in the modern era.

The importance of the teleological orientation may have been confirmed by the fact that the eventual victors in the struggle for the heart and soul of early Christianity were the Hellenistic Jews. As noted earlier, the various Greek philosophies that predated Christianity were not primarily concerned with observance of rules but rather with development of character, which entails the development of the appropriate virtues. Even

13 Künng, Judaism, 328.
though development of virtue may be construed as a deontological demand, Aristotelian teleology is always in the background. In Aristotle's account of the virtues, the goal of building a strong *polis* is always a guiding force for ethical behavior. In the message of Jesus of Nazareth the goal of moral life is to build a Kingdom of God on earth in preparation for its eschatological fulfilment. The kind of teleology which infused Christian morality is found in both its Jewish and Greek antecedents, particularly in Aristotle. Aristotelian teleology pre-dates Christianity but is highly compatible with Christianity. Later, when Aquinas used Aristotelian teleology to provide the structure for his synthesis of Christian ethics the teleological character emerged from the background once more. Aquinas did not innovate in the 13th century by insisting on teleology, he merely called attention to what had been there all along. Any attempts to undermine the teleological character, whether they come from outsiders who do not appropriately understand Christian ethics or from insiders with their own agenda, are illegitimate. The teleological character has often been shoved aside in history, with the negative consequence of reducing Christian ethics in many minds to moral individualism and social conservatism, more appropriately linked to the exclusively deontological theories I described in Chapter 2.

To clarify the nature and the demands of Christian teleology, it is legitimate at this point to examine first, what type of good a Christian ethic intends to promote; secondly, what is the appropriate place of rules in a Christian ethic. I will turn my attention to these questions in the next two sections.
3.2 A Christian Concept of the Good

It is legitimate to inquire first what type of good is the good to be pursued by the Christian. In *Utilitarianism: For and Against*, J. J. C. Smart proposes a distinction of utilitarian theories in terms of the hedonistic or non-hedonistic qualities of the good to be pursued. Bentham’s utilitarianism is clearly hedonistic because the goodness to be pursued is calculated solely in terms of pleasantness or unpleasantness. On the other hand, Moore and some others calculate goodness in terms of some states of mind, e.g., the acquisition of knowledge, considered to have value independent of their pleasantness. Mill stands in the middle, admitting the possibility of higher and lower pleasures. Smart applies the labels “hedonist” to Bentham’s utilitarianism, “ideal” to Moore’s, and “quasi-ideal” to Mill’s. To help us distinguish between Moore and Mill, Smart offers the following equation. For Mill pleasantness functions like the algebraic formula $X \cdot Y \cdot Z$. If $X = 0$, there is no goodness. For the ideal utilitarian, pleasantness functions more as in $(X + 1) \cdot Y \cdot Z$. Even if $X = 0$, the product need not be zero.\(^{14}\)

The Christian message originates with a synthesis of the background conceptual frameworks that guided the most influential early Christians, who were Hellenistic Jews. To understand this synthesis, we need to go back to concepts of the good that were available to the Christians. When they made the choice, it was clear to them that an ideal form of goodness, such as represented by the Stoics, was the one they should pursue. Aristotle offered them a quasi-ideal goodness to pursue, and he was a finalist. Epicureanism, which represented hedonistic goodness, was never in contention.

\(^{14}\) Smart and Williams 13-14.
Aristotle's *Ethics* contains the earliest somewhat systematic account of a Western teleological moral theory available to us. In the opening chapter, "good" is defined in terms of the goal, purpose, or aim to which something or somebody moves. To call something good is to say that under certain conditions it is sought or aimed at. There are numerous activities, numerous aims, and hence numerous goods. However, if it is true that in the sphere of action there is an end which we wish for its own sake, we would call it *eudaimonia*. This term seems best qualified, both because it is what people seem to wish for its own sake, and conceptually that is how the term is best understood. Generally, *eudaimonia* is most often translated as "happiness," although that may not be the best rendering, because the Greek notion embraces both the ideas of feeling satisfied and faring well. Another feature of Aristotle's exposition is that it is not unreasonable to use what people actually prefer in determining what constitutes *eudaimonia*. It is fair to say that Aristotle cannot conceive of a person being happy outside the standards of success generally accepted within his own community.

This *eudaimonia* is in many ways dependent on cultivating certain fundamental dispositions, excellences of the soul, and acting in ways that are consistent with them. If we consider what the functions of human beings as human beings are, properly human function is activity of soul in accordance with reason, which is the proper excellence for human beings (over plants and animals). More precisely, the proper human excellence is activity of soul in accordance with virtue, and this is a further meaning of *eudaimonia*. MacIntyre points out that the list of virtues reflects what Aristotle takes to be the code of a "gentleman" in the Athenian society of his time. Aristotle himself endorses this code.
Just as in analyzing political constitutions he treats Greek society as normative, so in explaining the virtues he treats upper-class Greek life as normative.¹⁵

When Aristotle states in the *Ethics*, “Now the mass of mankind are evidently quite slavish in their tastes, preferring a life suitable to beasts, but they get some ground for their view from the fact that many of those in high places share the tastes of Sardanapallus,” he is showing contempt for the morality of artisans or barbarians.¹⁶ Further on, he expresses repudiation of the morality of Socrates, who may not be regarded as possessing *eudaimonia* because he ends up badly by the standards of Athenian nobility: “[P]ossession of virtue seems actually compatible with being asleep, or with lifelong inactivity, and, further, with the greatest sufferings and misfortunes; but a man who was living so no one would call happy, unless he were maintaining a thesis at all costs.”¹⁷ According to MacIntyre, Aristotle reflects a type of political conservatism which is unlikely to consider the laws of the state unjust as long as they are properly enacted and is unlikely to show sympathy for the just person who makes a decision of conscience to challenge the laws. Yet, appeal to other texts may show a one-sidedness in MacIntyre’s exposition, since Aristotle does state that “nobility shines through, when a

¹⁵ MacIntyre, *Short History of Ethics*, 67.

¹⁶ *Nichomachean Ethics*, 1095b.

¹⁷ *Nichomachean Ethics*, 1095b.
man bears with resignation many great misfortunes, not through insensitivity to pain but through nobility and greatness of soul.\textsuperscript{18}

To move away from the limitations imposed by the ideas of well-being found in the Greek \textit{polis}, which excluded barbarians (understood as those who did not speak Greek), the poor, and even the just man who suffers because he challenges the status quo, we need to understand the message of the Stoics. The Stoics saw human nature as part of cosmic nature, all ruled by the Logos, a universal rational deity. All human beings are considered a part of the universe and potential sharers in the wisdom that rules the universe. Stoic ethics is based on acting in accord with that wisdom, now in principle available to all human beings. This Stoic reflection preserves the Aristotelian link between the good as that which is sought for itself and the type of conduct required to bring it about. However, it removes some Aristotelian limitations and shifts the concept of wellbeing closer to that of Aristotelian greatness of soul. The good is now envisioned more in terms of a certain inner peace no matter what the externals may be, and this inner peace is nurtured by certain fundamental dispositions at the root of which is found acceptance of whatever happens, which does not depend on standards of well-being of any particular community. Such a view accommodates the unmerited suffering of Socrates and still considers him as possessing happiness. It is very attractive to Christians not only because it also leaves room to consider Jesus blessed, happy, possessing well-being, but also the Christians themselves, who by the time the Gospels were written had already begun to suffer systematic persecutions at the hands of the

\textsuperscript{18} MacIntyre, \textit{Short History of Ethics}, 60; Aristotle, \textit{Nicomachean Ethics}, 1100b.
dominant political powers.

A problem that may result from accommodating the unmerited sufferings of Socrates or Jesus or the Christians is that such philosophies of life may not see much of a need or ethical requirement to alleviate suffering or remedy the causes of suffering. The emphasis lies instead on detachment, so that even if the just person must endure suffering, it is possible to retain inner peace. Paul of Tarsus, a Hellenized Jew, gives us a contrast between those who live "in the flesh" and those who are "guided by the spirit."

It is obvious what proceeds from the flesh: lewd conduct, impurity, licentiousness, idolatry, sorcery, hostilities, bickering, jealousy, outbursts of rage, selfish rivalries, dissensions, factions, envy, drunkenness, orgies, and the like . . . In contrast, the fruit of the spirit is love, joy, peace, patient endurance, kindness, generosity, faith, mildness, and chastity.19

We may immediately notice that this list is attitude-oriented, and only secondarily action-oriented. The emphasis is weighted toward the cultivation of the proper attitudes: those that allow the believer to remain satisfied even when the traditional sources of hedonistic pleasure are lacking. The beatitudes, part of another fundamental Christian text, show this type of proportion. The blest (Makarioi) are those who are poor in spirit, sorrowing, lowly, those who hunger and thirst for justice, the merciful, the pure of heart, peacemakers, and those persecuted for the sake of justice. The Christian message adopted an ideal, Soic-like concept of the good, one in which the possession of eudaimonia does not depend at all on fortune, or any contingencies outside one's control.

Most of the beatitudes are attitude-oriented. Mercy, working for justice and peace are, however, more action-oriented. The vision is not one of obeying rules, but rather of

19 Galatians, 5:19-23.
pursuing a dynamic that will bring about optimal outcomes for everyone concerned. As I have already emphasized, this is appropriate for a teaching of Jesus situated in disputes with the Pharisees about not just the details attached to the 613 commands and prohibitions of the Torah, but about a paradigm that places observance of rules over the promotion of the good of human beings. As a result of this original conflict between Jesus and the Pharisees, the New Testament accepts that there are moral rules but is not primarily rule oriented. Yet, precisely because of the Jewish background of the early Christians, paradoxically because of the Jewish emphasis on good works (rejected by Paul in terms of their salvific value apart from faith in Jesus Christ) the Christians were led to see a closer link between cultivating the proper attitudes and carrying out action to alleviate suffering, even while upholding the importance of Stoic patient endurance.

In time the proper attitudes would be summed up in terms of faith, hope, and love; noticeably with a similar proportion between the attitudinal thrust of faith and hope, and the action thrust of love, understood as the Christian synthesis of commands found in the Deuteronomical Shema Israel and Leviticus' Law of Holiness. While ending up with a very different listing of fundamental attitudes from that of Aristotle, Christians preserved the Aristotelian link between pursuing the good, cultivating action-oriented virtue, and reaping the rewards in eudaimonia. The orientation to action has been mostly concerned with promoting the good of individuals, particularly by alleviating the suffering of the poor and infirm. In fact, historians give this Christian focus on works of charity, as the practice came to be known, as one of the principal reasons why Christianity grew at a period of decay in the Roman Empire when the vast majority of the inhabitants were
reduced to poverty or even slavery.20

Because the New Testament does not show much concern with the change of some social structures which today are regarded as obviously immoral, there are many who envision Christian morality as requiring the development of personal virtue and acts of charity toward the poor, but standing for a social conservatism akin to that found in Aristotle. Such critics may point out to such texts as Galatians 3:27-28, where Paul asserts a fundamental equality between Jew and Gentile, slave or free, male or female, and argue that the equality meant is a spiritual equality, since some Pauline passages appear intended to keep women in their place and in others Paul appears to accept the institution of slavery. With regard to Pauline attitudes toward women, Joseph Fuchs points out that it is faithful to a Stoic and Diaspora-Judaic ethos Paul shared, and cannot be considered in any way a timeless or absolute value.21 Biblical scholar Raymond Brown pointed out, with regard to the Letter to Philemon, that Paul was writing under the presumption that the end was near. Paul returns Onesimus, a runaway slave who has converted to Christianity, to Philemon and requests that Philemon will treat his slave now as a brother. Under the presumption that the end is near, attempting to tackle something such as the massive institution of slavery in the Roman Empire appears to be a waste of energy. This type of reasoning concerning social issues could be applied to other issues.

20 The account found in William Duiker, Jackson Spielvogel, *World History: Comprehensive Volume*, 2nd Ed., is representative of what I find to be a consensus view: “Finally, Christianity fulfilled the human need to belong. Christians formed communities bound to one another in which people could express their love by helping each other and offering assistance to the poor, sick, widows, and orphans. Christianity satisfied the need to belong in a way that the huge, impersonal, and remote Roman Empire could never do.” (International Thomson Publishing Company), 188.

and explain why the New Testament appears less concerned with social change than the Hebrew Scriptures. Brown's testimony supports MacIntyre's earlier claim about the original intention behind the ethical message of Jesus of Nazareth and Paul of Tarsus. Paul's historical agenda was to remove any distinction between Jew and Gentile within the Christian community, the relatively small group for whom the message was intended, and this was accomplished within the first century of the Christian era. It is an undeniable historical fact that the Christian churches have not always been aware of the moral implications of the fundamental equality also claimed between free persons and slaves or males and females. Indeed, many faithful Christians believe that the Christian churches have not yet recognized the fundamental equality of women. Yet the biblical principle remains in place as a divinely-sanctioned goal whose full implications still need to be discovered. The Christian believes there are obligatory ends and this separates Christian teleology from axiological theories, as I will attempt to show in Chapter 6.

It was only late in the 19th century that most Christian traditions began to pay closer attention to those ethical implications, and this resulted in the development of a form of "social gospel," dedicated to the creation of just social structures. Here the Platonic-Aristotelian connection between the just individual and the just society is better preserved. In the Catholic tradition we can appreciate this in the development of a social teaching that begins with the publication of the Encyclical *Rerum Novarum* in 1891. There is a qualitative leap in this social teaching over the last forty years, and it is partly

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attributable to the acceptance of historico-critical methods of biblical interpretation, such as I described in the last chapter. Understanding the limitations imposed on the New Testament authors by their eschatological orientation frees modern authors to ponder the social implications of the original ethical message. Since the 20th century social teaching is clearly concerned with states of affairs, it explicitly addresses ideas about what the "common good" consists of and entails. This is found in two statements from the official teaching of Pope John XXIII (r. 1958-63):

The common good consists of the sum total of those conditions of social living whereby humans are enabled more fully and more readily to achieve their own perfection more fully and more easily.\textsuperscript{23}

The very nature of the common good requires that all members of the political community be entitled to share in it, although in different ways according to each one's tasks, merits, and circumstances... considerations of justice and equity can at times demand that those involved in civil government give more attention to the less fortunate members of the community, since they are less able to defend their rights and assert their legitimate claims.\textsuperscript{24}

I would like to point out here for later use that Pope John was writing around the same time when John Rawls was developing his theory of justice as fairness, with its difference principle that inequalities should be so arranged as to be to the benefit of the least advantaged members of society. There is a strong coincidence between the Johanine statement and the Rawlsian principle. This may reflect some common influences on both men's intellectual development. So far I have presented evidence that the teleological

\textsuperscript{23} Mater et Magistra, 64.

\textsuperscript{24} Pacem in Terris, 55-56.
orientation that is necessarily present in Christian ethics is concerned with pursuit of a
good we may consider an ideal type of good and requires from the individual the
development of character primarily, the observance of certain rules secondarily. Further,
this ideal type of good is not only concerned with individual morality, but also with social
change and the development of just social structures. As described, Christian ethics may
even be construed as some sort of virtue consequentialism or rule consequentialism.
However, some relevant differences between Christian ethics and what may be
considered some variant of consequentialism need to be addressed, since I am rejecting
the possibility that Christian ethics can be consequentialist.

What distinguishes ethical monotheistic teleology from other forms of teleology is
that the purpose or goal of anything found in the natural world has its source in God’s
creative act. For those who follow the materialistic view of the world, the purpose or
goal of any part of the natural world is determined by its function within a blind
evolutionary system. Secondly, when considering life in society, the religious believer
holds that there are some social values prescribed by God for the betterment of society,
that these values are such irrespective of whether individuals in society recognize them or
not, and without recognition of these values society deteriorates. Although in modern
times there is a preference for referring to these values as human rights, the rights
terminology is not fundamental and could be replaced by talk about “legitimate needs,”
“claims,” “duties,” etc. The New Testament could hardly recognize the rights
terminology, but it understood full well the imperative that all should collaborate toward
a society in which all fundamental needs could be satisfied. The language of deontology
that is present here is not an obstacle for Christian teleology and its fundamental claim
that deontological principles presuppose teleological considerations. Satisfaction of human basic needs, or respect of human rights, are among the obligatory ends the Christian recognizes. The materialist, on the other hand, holds that social values are those which the members of society actually cherish, making it possible for these to determine what is moral at a particular time in history, yet also opening up to the possibility that they will change over time. We must grant the materialist that social values have truly changed, as is evident in modern attitudes toward issues such as racism and slavery, where Christian practice was not always coherent with the message of the New Testament. The religious believer holds that the change is one of perception, epistemological rather than ontological.

If there is such a thing as a utopia, Plato’s ideal state, in which all fulfil the roles they have been best equipped to fulfil by nature, is replaced in Christian society by Paul’s image of the body of Christ. Plato’s ideal society, a goal to be pursued, is not egalitarian. Paul, influenced by both Stoic concepts of human equality, Jewish concepts of the equality of all believers before God, and the message of Jesus of Nazareth, is sensitive to the issue of distribution. Plato’s ideal state reflects justice, which is the sum total of fortitude, temperance, wisdom, and justice, without showing the concern for distribution. Paul replaces these with faith, hope, and love, but “the greatest of these is love” and the New Testament provides what is probably an idealized rather than realistic picture of an early community in which the believers shared all things in common and made sure that no individuals’ basic needs were unmet.25 Like the Platonic utopia, such a community

did not really exist. Yet the conceivability of such a community created for the Christians the moral requirement to exercise practical beneficence aimed at creating such a community. We know that this requirement for love was often translated as “charity,” with the resulting implication that acts of charity are supererogatory. Yet, we should recall that Frankena accurately suggests that the requirement of love, or beneficence, as he prefers to call it, needs to be supplemented with a principle of distributive justice or equality.\textsuperscript{26} In the history of Christian social ethics, the same requirement is now highlighted: the demands of charity are considered coextensive with the demands of justice. It is possible, even probable, for consequentialism to be egalitarian, as Smart states: “[I]t is probable that in most situations the equal distribution of the means to happiness will be the right utilitarian action, even though the utilitarian has no ultimate moral commitment to egalitarianism.”\textsuperscript{27} The teleological orientation makes it more plausible than a concern with the observance of negative precepts to hold that a Christian ethic requires of its followers at least a moderate egalitarianism, one in which no one’s basic needs are unmet. This last statement presupposes the formulation of negative precepts as they have traditionally been expressed, since I have to grant the possibility of a negative precept that states “It is morally forbidden to neglect coming to the aid of the needy.”

\textsuperscript{26} Frankena, 58.

Someone may object that a rights perspective, typically deontological, is a better way of supporting some form of at least moderate egalitarianism, and that both Pope John and Rawls, who happen to coincide on some expression of the difference principle, would agree on this. I am in no way denying this, since my emphasis on teleology does not rule out deontology. My point in this section is to show that for Christian ethics teleology is essential. In this way I prepare the terrain for showing evidence in the next section for the affinity between Christian ethics and consequentialism. A constant motif in my argument will be that teleology is particularly important for a Christian ethic to avoid moral individualism and social conservatism. By moral individualism I mean the type of attitude Kant sees exemplified by the moral agent who questions whether it is justifiable to simply live and enjoy his life without concern for the promotion of the good of others. It is possible to be very observant of negative commandments and still live such a life. By social conservatism I mean the promotion of policies that perpetuate gross inequalities and hinder many from having access to certain basic needs, such as adequate housing, education, health care. Promotion of such policies may be compatible with observance of the conventional negative precepts, but not with Christian teleology. In spite of the affinity with maximizing consequentialism, the relevant teleology is different from that conceived apart from a Christian conceptual framework, particularly in the conviction that the teleology has been placed in nature and society by the Creator and in its sensitivity to distribution as a moral requirement. As in the Platonic and Aristotelian antecedents, attitudes such as virtues are primary because they firmly dispose the individual to help create the best type of society, though the best type of society is conceived differently than by Platonic or Aristotelian standards. Rules and regulations
are important but secondary. This last point requires further explanation, to which I will devote the next section.

3.3 The Function of Rules in Christian Teleology

According to Frankena, in character ethics deontic judgments or principles are not considered basic in morality. Rather, character ethics insists that deontic judgments are derivative from aretaic ones or they can be dispensed with altogether. In the case of Christian character ethics, it is the second option that prevails. Christian ethics regards deontic judgments about actions as secondary and as based on aretaic judgments about agents and their motives or traits.28

Marciano Vidal, author of a three-volume compendium of moral theology that, to my knowledge, has been the best selling post-Vatican II textbook in this field in the Spanish speaking world, supports this teleological orientation through his exposition on the role of norms in Christian morality. Norms are expressive of values and yet, in a sense, hide the values they are expressing. The reason is that the norm is by nature broad and restricted, so as to be able to apply to "normal" or ordinary circumstances. The value by its nature is far richer.29 This understanding of the relationship between value and norm is consistent with the Gospel distinction between spirit and letter of the law. It is also consistent with criticism of those who are merely concerned with violating the letter of the law but fail to understand its spirit, which was at the heart of Jesus' conflict with the Jewish leaders of His time.

28 Frankena 63.
Joseph Fuchs makes a distinction between God as the Absolute who, according to Christian belief, speaks through the Bible, and the acceptance by Christians that the Bible is mediated in human language. He distinguishes between absolutism and objectivism, as philosophers do. Acceptance of an absolute in the sense of an objectively valid moral affirmation does not necessarily involve recognizing it as an absolute in the sense of a universal norm, since it may arise more from cultural limitations of the human writers than the absolute will of God. Earlier in this chapter I alluded to Paul's attitudes toward women, expressed in ways that are often interpreted as rules of conduct that must be followed. That is one of the examples Fuchs uses to illustrate this point.

It may be asked whether the fundamental role of the Ten Commandments in Christian morality does not argue for a primacy of rules. Earlier I stated that the importance of the Ten Commandments is unassailable from the perspective of *mythos* but problematic from the perspective of *logos*. The anthropomorphic image of a God who uses His fingers to inscribe commands aimed at ensuring life and prosperity for His followers is incredibly powerful for a committed believer in the Judaeo-Christian-Islamic tradition. On the other hand, from the perspective of *logos*, we run into problems if we attempt to use the specific expression found in the biblical texts as the organizing principle for all problems of concrete ethics throughout all time. Many theologians join Curran in his assessment that it is a positive development that the Ten Commandments are no longer used for the structuring of applied ethics. It appears that historically the

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30 Fuchs 97.

31 Curran, *Ongoing Revision in Moral Theology*, 144.
Ten Commandments only acquired the importance now assigned to them in Christian ethics during the time of Augustine. Even then, the issues we might consider more pertinent to the foundations of ethics were treated under faith, hope, and love.

We also need to remember that the Ten Commandments are pre-Christian. When we examine the conflicts between Jesus and the Pharisees, it does not appear that the commandments of the Decalogue hold the special status among the 613 commands of the Torah that they later came to hold in Christian ethics. The New Testament itself does not envision them as fundamental and Jesus never cites them in the appropriate order. What is fundamental in the New Testament is their consolidation into the double commandment, or Paul’s “Love is the fulfillment of the law.” Further, we should admit that Christians do not observe the Sabbath day; Catholic and Orthodox Christians do not observe the prohibition against graven images. The version of the Ten Commandments that appears in Exodus 34 replaces the commandments dealing with appropriate treatment of one’s neighbor with many of the cultic prescriptions that Christians later rejected. Even in the case of some commandments that Christians consider important, a better foundation is needed than the one provided by the biblical texts, e.g., cultural conditioning grounds the prohibition against coveting a neighbor’s wife in a framework that lists the wife among the man’s properties, in one version listed after the man’s house.

32 This is the testimony of Giuseppe Angelini and Ambrogio Valsecchi in Dissegnio Storico Della Teologia Morale, (Bologna: Edizioni Dehoniane, 1972), 77-78.

33 This is the order found in Exodus 20:17, generally recognized as the older text. Deuteronomy 5:21 lists the wife first, but still among the man’s possessions.
Pinckaers' historical accounts, already cited, show that the predominance of commands and the structuring of all the applied moral issues according to the commandments of God and the commandments of the Church was a historical accident. These points will become more important when confronted with the consequentialist objection that deontological theories sacrifice the wellbeing of society to some form of rule worship. These reflections are also important for highlighting the major difference between Christian teleology and a consequentialist option. The Christian cannot discard the belief that God is the absolute and His commands are permanently valid, what is represented by the image of the finger of God writing commandments on tablets of stone, even if our understanding of His absolute will is culturally conditioned. Before the contemporary philosophical community Christian ethicists need to justify its acceptance of deontological constraints vis à vis their contradiction by axiological ethical theories. If teleological theories are characterized by their requirement that the good be maximized, this concept of the good can certainly provide the drive for a Christian teleological theory. Consequentialism and utilitarianism, while clearly teleological, are more sharply distinguished as axiological. As these terms are defined, this leads to a contradiction between deontological theories, where Christian ethics properly fits, and consequentialism or utilitarianism. I will place the crux of the contradiction in the axiological objection against the use of moral considerations to determine the good that is to be pursued.

3.4 Importance of Outcomes for Christian Morality

It follows from what I have stated in the previous section, that consequences are important for a Christian ethic, whether one be referring to (1) actual goodness of actual
consequences, (2) actual goodness of probable consequences, (3) probable goodness of actual consequences, (4) probable goodness of probable consequences. Yet, for a moral theory to state that consequences are an important feature for the moral evaluation of actions is either a trivial truth or a highly controversial matter. In the first instance, someone who says, “I am a consequentialist; I believe it is consequences that determine the morality of actions” is not saying anything significantly distinctive, since almost any ethical system can be construed as consequentialist in this sense. Even exclusive deontology, the contradictory of teleology, may be construed as requiring the consequence that moral agents will procure the goal of performing their duty in a way that always places duty, or obedience to rules, or respect for rights, ahead of concern for any other type of consequence. Nor does such a statement offer any guidance as to what we must, may or may not do, since it does not specify whether the consequences should be minimally or maximally good, or just where in the range between minimal and maximal goodness they must fall in order to be considered right actions.

In this section I aim to show both that consequences are important for a Christian morality, which surpasses the understanding of many ordinary Christians, yet a Christian theory may not be consequentialist in the sense understood in the contemporary philosophical community. In my experience, the concept of consequentialism entertained by ordinary Christian believers, even those who are somewhat well educated, is just about this fuzzy. For this reason, ordinary Christians, if they have some understanding of what it means to be consequentialist, tend to think that consequentialism just is not helpful at

\[34\] The various possibilities are enumerated in Broad 278-79.
all as a moral system to follow. Rules seem a much more secure system to follow. Those ordinary Christians who show somewhat greater sophistication, sometimes including those with substantial training in theology, will take their belief further and argue that consequentialism is a minimalistic type of morality. They perceive a consequentialist ethic as one that allows agents to do anything, and this is linked in the minds of many with atheism, bringing memories of Dostoevsky's statement that if there is no God, anything is permitted. Further along the slippery slope, such believers will point out that consequentialism opens the door for monstrous actions such as those of Dr. Jack Kevorkian, who, not satisfied with assisting suicides, finally took the step of directly murdering a patient. Yet, ironically, when Dr. Kevorkian presented his defense, he stood before the judge and stated a quintessential deontological defense: "I was merely doing my duty (as a physician); sometimes that brings about negative consequences."

Prior to the discussion opened up by Kant and the Utilitarians, moral theories combined value and obligation pre-theoretically. As I pointed out, this was certainly the case with Christian ethics. From the time of Kant and Mill it becomes necessary to draw the boundaries more precisely. Kant concludes that the moral worth of an action does not lie in the effect expected from it nor in any principle of action that needs to borrow its motive from the expected effect. All these could have been brought about through other causes and would not have required the will of a rational being. Kant de-emphasizes objective effects in favor of the will to act rightly and from then on has become the prototype of a deontological moral theorist. On the other hand, we need to remember that

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effects are still important for morality, even if they are not so important to determine the moral worth of actions. Mill insists that in determining higher and lower goods we should not at all be influenced by our ideas of morality: “Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure.” This limitation against letting moral obligation enter into the assessment of what is good or bad represents what is most distinctive in consequentialism. It removes consequentialism from the spectrum of teleological and deontological theories which are subcontraries to each other, and places it in the axiological camp, if we accept the definition of axiological theories as those which make the permissibility or obligatoriness of actions or social institutions depend solely on considerations of goodness. If this is so, the goodness referred to is necessarily non-moral.

Another consequentialist requirement about how the good is to be regarded is that this should be done from an impersonal point of view. However determined, this good, which usually consists of a state of affairs, is to be maximized. Even if sometimes the moral agent may be allowed to pursue his/her own interests, the dynamic toward the maximization of the nonmoral, impersonally conceived good is to be preserved. Another way in which these principles are described is by stating that consequentialist theories are usually characterized by their rejection of agent centered options or restrictions. Leaving aside for a moment the issue of whether moral considerations may be allowed into the determination of the good, which ultimately settles that a Christian morality cannot be

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36 Utilitarianism 8. The emphasis is mine.
consequentialist, I propose to show that there is a greater affinity between consequentialism and Christian morality than ordinarily thought by people on both sides.

First, the good to be maximized must be regarded from an impartial point of view; some consequentialists use the phrase *sub specie aeternitatis*. My considerations in the last section concerning the teleological orientation of Christian ethics continually show that the good to be pursued is an impartial good, part of a divine plan in which all believers (i.e., those who possess the virtue of faith) can see themselves fitting even in times of anguish and distress (when the virtue of hope kicks in) so they can leave their selfish concerns aside and open themselves to the needs of all (virtue of love). This is the antidote to moral individualism which revisionist moral theologians increasingly insist upon, and which is not provided by a mere concern with infraction of negative commandments. *Prima facie* a committed Christian should be attracted to Shelley Kagan’s fundamental thesis that “Morality requires that you perform—of those acts not otherwise forbidden—the act which can be reasonably expected to lead to the best consequences overall.” My initial problem with Kagan is that I don’t see how he can support such a strong claim without reference to an absolute. Without reference to the absolute I believe nothing stronger than some teleological orientation in which one seeks to work toward some sort of optimal society out of motives of self-interest makes the most sense. The philosophical community is in agreement that consequentialism should be understood in terms of its maximizing orientation. The person who states “I am a consequentialist” in a minimalist sense, is not a true consequentialist. Similarly, the

37 Kagan 1.
Christian who defines the practice of Christianity in terms of participation in some rituals and the observance of certain negative precepts, is missing the mark. This is the type of Pharisaic morality that Jesus criticized. Consequentialism is very demanding and the principal reasons for its rejection are, precisely, that it comes across as too demanding in terms of real human beings. Christianity is so demanding that, perhaps rhetorically but with a kernel of truth, sometimes we hear it said that there are no true Christians. To say that a moral theory is very demanding is not in itself a positive feature, since it may be demanding of the wrong types of attitudes or actions. To say that a moral theory is demanding in terms of a dynamic to improve society in a way that is beneficial to all is a positive feature. This last feature may be better served by insisting that the scope of morality is very broad. The Christian answer to the question “What are the limits of morality?” would be: There are no human actions outside the limits of morality. This appears to agree with Kagan’s programme, yet Kagan appears to treat each individual action as an isolated atom, disconnected from “the teleology of one’s entire life,” to use MacIntyre’s term. As I understand it, and as I see it present in Christian ethics, it means that the Christian moral agent should attempt to integrate all actions into that meaningful purpose that may be expressed as “establishing the Kingdom of God” or similarly.

The demanding feature of maximizing consequentialism is best expressed by its rejection of agent-centered options, understood in terms of favoring one’s own interests over the common good. Samuel Scheffler’s conception is an attempt to mitigate the apparent harshness of consequentialism, by allowing agent-centered options. These agent-centered options would go beyond a differential attention to one’s own concern
that, according to a consequentialist calculation, would still lead to maximally good outcomes. In Scheffler's system agent-centered options would not merely permit an agent to devote energy and attention to his projects out of proportion to the weight from an impersonal standpoint of his doing so, but rather it should do this in a way as to permit the coherent integration of the agent's values and actions within the structure of a unified personality. However, it is not just any projects that would qualify to justify the agent-centered option. An acceptable option should place appropriate restrictions on the values and actions whose coherent integration and development it will protect. Such a conception departs from consequentialism in that people would not always be required to bring about the best state of affairs accessible to them. However, it would always be permissible for an agent to bring about the best impartial state of affairs. The intent is to accommodate personal integrity without having it collapse into egoism. This sacrifice of one's own interests would constitute a supererogatory act.\(^{38}\)

Since Scheffler is a committed consequentialist, he needs to be concerned with respecting the consequentialist structure and place "appropriate restrictions" on the types of actions that would be permitted under such an options. I have searched in a vain for an adequate "for instance" that will clarify the types of restrictions Scheffler means and adequately distinguish them from agent centered options. Kagan is more concrete, addressing several possible claims in support of agent centered options. In each case Kagan defends the claim that the objective viewpoint is capable of integrating the pursuit of the desired goods into the pursuit of the overall good and that this yields better results

\(^{38}\) Scheffler 19ff.
than the subjective viewpoint, which allows agent-centered options. At every step, I believe, a Christian ethic would adjudicate the debate to Kagan and argue that such a personal interest or goal is justified not as an agent centered option, but within the context of the teleology of one's entire life.

First we may consider the objection that agent centered options are needed to accommodate highly cherished values which, nonetheless, appear luxurious in the world as it is. The values involved would include the development and study of subjects such as arts and the humanities. From the objective viewpoint, agent centered options are required to allow an individual to pursue such interests. Kagan responds that the objective point of view does not promote sacrifice for the sake of sacrifice, and allows the integration of goods without a directly useful value, such as art, literature, or philosophy, provided that a plausible case be made that they promote an overall good within a real world unfortunately still characterized by a scarcity of resources. It is well known that the Christian Church was primarily responsible for the transmission of culture throughout the Middle Ages, with estimates ranging as high as to claim that about ninety percent of the works available to Western Civilization from classical antiquity were preserved and copied in Christian monasteries, and this is generally acknowledged to have been of incalculable benefit to Western civilization. That such a practice existed, however, does not show that the promotion of art and literature should be a Church priority on a par with the promotion of social justice, considering that many Christian medieval practices have later been judged immoral by Christians and non-Christians alike. I can, however, point

39 The discussion is found in Kagan 357-69.
to the modern Catholic social teaching I referred to in the last section and show that it consistently sees the development of culture as among the goods which allow for the optimal development of human beings. So a Christian ethic does not need agent centered options to allow for the promotion of such goods. Further, the reference to monasticism also recalls the Christian notion of vocation, in which some may pursue a monastic way of life that, by the standards of a utilitarian calculus, does not contribute to the general happiness. From the Christian perspective, it is clear that this is not an agent-centered option in the sense criticized by Kagan.

The second claim is closely related to the first: agent-centered options are needed to accommodate ideas of the good life that are generally accepted in modern society. Kagan responds that the objective point of view does insist on the need for sacrifice over the living of an ideally good life (from the perspective of non-moral goodness), and the reason why the cost appears excessive to the ordinary good person, committed to living a moral life, is that the vast majority of people are not doing their part. From the Christian viewpoint, churches committed to a social gospel tend to be more critical of ordinary ideas of the good life as ways in which Christians uncritically assume the values of society. In particular, Christians are required to be aware of lifestyle issues and how the exorbitant needs of some must be provided at the cost of misery to many. Again, with regard to this issue, I believe the appropriate Christian response would be to side with Kagan and admit that the reason why the necessary sacrifices appear excessive is that most people have become used to the satisfaction of exorbitant expectations in pursuit of the ideal life. The Christian does not need agent centered options to allow individuals and families to pursue an appropriate good life.
Concerning the third case, from the subjective point of view it may be argued that agent centered options are required to accommodate some deep commitments, such as professional careers, which do not appear to promote the overall good. Kagan responds that the objective point of view recognizes and accepts deep commitments, particularly professional endeavors, that may not appear to promote the overall good, while challenging the moral agent to examine the ways in which such personal commitments can be placed at the service of the impartial good. If the connection cannot be made, the commitment does need to be sacrificed. I find this to be one of the most interesting discussions from the viewpoint of a religious perspective, and I am purposely using the most comprehensive term. Particularly with regard to the issue of professional commitments, I am reminded of the Buddhist requirement for right livelihood, one of the steps in the eightfold path to enlightenment. Since one’s professional responsibilities have such an impact on one’s psyche, the one who is serious about spiritual development must avoid certain types of occupations. Among those the historical Buddha considered forbidden may be found that of executioner, butcher, or caravan trader. This is an area where the principle may remain the same, while the application may differ. Muhammad, founder of another world religion, was a caravan trader and allowed his followers to gain their livelihood through caravan raiding. The Christian Gospels indicate that, among the first disciples of Jesus, the fishermen continued to fish while Matthew, a tax collector, gave up his duties immediately upon conversion. The Christian tendency here would be again to side with Kagan and hold that, in the case of a deep commitment such as a

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professional career, moral justification comes from the possibility of integrating such a commitment into the vision of the overall good.

With regard to the fourth case, an agent-centered option allows a person to retain something that is regarded as so valuable that one should never be required to give it up. Here it is the nature of the commitment, rather than its depth, that is at issue. The objective point of view requires the sacrifice of any object that may impede the progress of the overall good. Kagan concedes that such a sacrifice may be required, but that the objective viewpoint does not require such sacrifices generally, simply acknowledges situations where such sacrifices may be required. With a view to sacrifice, Christian tradition is clear that one must be ready to sacrifice anything, including one's life, for the sake of the kingdom. Like Kagan, Christians would also insist that it is not sacrifice for the sake of sacrifice that is valued. For instance, in historical instances where some Christians actively sought martyrdom, the practice was condemned. Yet, under the appropriate circumstances, such as when one was given the choice of renouncing the faith or facing dire consequences, apostasy was considered a grave sin that required a public penance.

Finally, an agent-centered option seems necessary to permit certain sorts of direct attachments that the objective viewpoint does not, such as those of love and friendship. Kagan responds that a moral agent's relationships of love and friendship can be integrated into the overall good. The Christian concept of "neighbor," as found in the original commandment of love of neighbor, found in Leviticus 19:18, then linked by the Christian Gospels with the Deuteronomic commandment of love of God, shows this type of dynamic tension between universality and particularity. According to the
understanding of neighbor, it is understood that the obligation to promote the good is
primarily concerned with the good of those to whom one has special relationships. This
definitely promotes the overall good, given that so many social problems are caused by
children who are not properly cared for by their parents or so much suffering is endured
by elderly parents who are neglected by their children. On the other hand, we may not
exclude anyone from our concept of neighbor, but we again begin by promoting the good
of whoever happens to need our attention at a specific moment. That is another central
point of the parable of the Good Samaritan earlier mentioned. The social dimension of
the Gospel, made more explicit in the 20th century developments of social teaching,
makes it clearer that the Christian needs to become involved in a dynamic for positive
social change. Yet, this needs to be done in a way that still balances out the special
obligations to one’s family. Just as we all know children of successful professionals who
are lacking needed parental presence during crucial times in their lives, we also
unfortunately know children of altruistic do-gooders in the same situation. I do not think
this is consistent with the overall good envisioned by Kagan’s maximizing
consequentialism or a Christian teleology. To all this Kagan adds a caveat that
sometimes relationships of love and friendship may need to be sacrificed for the sake of a
higher good. The Christian Gospel contains injunctions against allowing any such
relationship to stand in the way of pursuit of the ultimate good.

The five arguments support Kagan’s view that agent-centered options are still
morally unjustified in light of the maximizing consequentialist imperative. What are
justified are what Scheffler calls the differential attention to one’s own concern which,
according to a consequentialist calculation, would still lead to maximally good outcomes.
I have presented evidence that a religious viewpoint consistently sides with Kagan in the above quasi-debate. Agent-centered options narrow down the scope of morality, whereas a careful reading of the Judaeo-Christian Bible shows that one's faith should be present in all of life's actions, choices, whether momentous or routine. Further, in the sense of "religious" which I have been using, it is clear that the believer is required to integrate all personal life projects into the overall good which may only be appreciated sub specie aeternitatis. The religious point of view, rightly understood from the perspective of the five movements almost universally recognized as world religions, promotes a dynamic in which the individual is called to bring about this integration into his/her life and abandon the illusion that his/her unexamined and biased personal plan brings about the best results. A Christian ethic, therefore, does not allow agent centered options as defined.

An analogy may help to illustrate this last point. Let us think of the world of athletics and consider a competition that requires both strength and endurance, such as the Tour de France bike race, which lasts approximately three weeks. Each day of the race may be divided into many smaller events. Periods of rest are needed throughout the entire race, and sometimes an athlete may make a judgment that it would be counterproductive to try to be ahead at the end of a particular day. It might make more sense to save energy for the next day's effort. Actions taken as a result of such decisions would not be equivalent to agent centered options, since they are guided by the ultimate goal the athlete has in mind. On the other hand, smoking breaks would be equivalent to agent centered options, because rationally it is practically impossible to see how they may help lead to the ultimate goal. This is what our moral life is like, when considered from the perspective of the teleology of one's entire life. For Janssens Christian teleology
“makes it possible to consider our actions not as a succession of separate and disjointed actions but as the integrated moments of a life history in which unity and wholeness can be realized by virtue of the ends of the agent.” Peter Knauer adds that “Moral good consists in the best possible realization of any particular value envisaged in its entirety.”

Keeping one’s eyes on the goal gives moral goodness even to actions that may not appear to promote the goal at a specific moment. Yet not every type of action, e.g., the smoking break, is capable of being integrated into the pursuit of the final goal.

Whether a theory that accepts agent centered options is truly consequentialist or not, I leave up to the consequentialists to decides. The lowest common denominator for consequentialism is that, once the assessment of a situation is made in terms of a non-moral consideration about potential good or bad effects, one may always do what will bring about the best consequences. The moral agent is not restricted by deontological considerations, such as negative precepts. According to Scheffler this precisely constitutes the most attractive element of consequentialism: its deeply plausible feature that one may always do what would lead to the best available outcomes overall. The same thought is expressed negatively in Smart’s claim that “The chief persuasive argument in favor of utilitarianism has been that the dictates of any deontological ethics


42 Peter Knauer, “The Hermeneutic Function of the Principle of Double Effect” in Readings in Moral Theology No. 1, 17.

43 Scheffler 9
will always, on some occasions, lead to the existence of misery, that could, on utilitarian principles, have been prevented.44

If a Christian ethic contains a necessary teleological orientation, and does not even allow agent centered options, only one ingredient would be required to construe a Christian ethic as a form of consequentialism: the absence of agent centered constraints. Returning to Kagan's original fundamental moral principle, whatever constraints exist would need to be construed as arising from a calculation of the overall good, from a non-moral viewpoint. Yet, Kagan leaves the door open for a plausible maximizing theory to be developed that allows for restrictions, though the burden would be on those who wish to argue for these restrictions.45 The Christian presents a plausible argument for restrictions based on the transcendent dimension and the sovereignty of God. I will address these restrictions in Chapter 6.

The focus of the magisterial criticism of Roman Catholic revisionist ethics in *Veritatis Splendor* 71-83 is that, at least in some of its conclusions, the revisionist perspective collapses into consequentialism. Given the affinity I have just pointed out between Christian ethics, as envisioned by revisionists, and Kagan's maximizing consequentialism, we may understand such an objection. In the next chapter I will present the magisterial criticism, after considering some general objections to the teleological orientation. While stressing the teleological orientation, philosophical

44 Smart and Williams 62. I remind the reader that I am treating utilitarianism as a form of consequentialism and that what is relevant for the present discussion is whether the consequentialist structure of a moral theory is preserved. Utilitarianism certainly does that.

45 Kagan 9.
consistency demands from revisionist moral theology that it show that as a Christian ethic cannot be consequentialist because, in its concept of the good the highest good is a moral good, the right has priority over the good. This imposes constraints on the Christian that cannot be integrated under calculations about the overall non-moral good. We begin to understand this by considering proportionalism in Christian ethics.

3.5 Proportionalism in Revisionist Moral Theology

Veritatis Splendor refers to proportionalism as one of the teleological theories, alongside consequentialism. This view, which I find fairly common, appears to raise proportionalism to the level of a normative ethical theory, perhaps a Catholic version of consequentialism. Yet, I do not find Catholic ethicists stating "I am a proportionalist" the way a secular ethicist states "I am a consequentialist." Rather, revisionist moral theologians point out that judgments of due proportion are implicit in just about decision involving human action. The best explanation as to why they do not come across more explicitly may be the Wittgensteinian principle cited earlier that the aspects of things that are most important to us are concealed under their simplicity and everyday nature. Yet, I have not found a thorough philosophical development of the principle of due proportion among revisionist moral theologians. I will attempt to put together some of their insights.

Janssens offers the following argument in support of the claim that judgments about proportionality are always present in moral decisions:

1) Human acting means being engaged with reality.

2) If that reality is material - because of our corporeality and the material realities of the world - then our activity is characterized by ambiguity.

46 See Schüller's argument at the beginning of this chapter.
3) [Reality is material because of our corporeality and the material realities of the world.]

4) Our activity is characterized by ambiguity.

5) "That ambiguity entails that we can use the material things of the world in keeping with their specific nature and laws in order to achieve our goals, but we do not sufficiently control the consequences of this process to avoid disadvantageous effects for ourselves, other persons, and the community."

6) If (5), "the moral judgment about our dealing with the material reality in and around us is established teleologically, by considering all of the premoral values and disvalues that are involved in our activity and determining whether they are proportionate to the result that we are attempting to achieve."

Conclusion: "The moral judgment about our dealing with the material reality in and around us is established teleologically, by considering all of the premoral values and disvalues that are involved in our activity and determining whether they are proportionate to the result that we are attempting to achieve."^7

I wish to comment on each of the premises of the argument. Premise (1) appears trivially true but moves beyond triviality to establish an important feature of Christian ethics. Generally Christian ethicists emphasize that they work out a morality for the world as it is, and are impatient with many of the contrived dilemmas that are popular in analytic philosophy. The Christian philosopher finds an echo of these sentiments in Donagan's invective against such dilemmas:

The worst efforts of "situation ethics" to invent situations in which the consequences of abiding by traditional morality would be some world calamity have resulted in nothing but absurd fantasies. In short, the nature of traditional morality is such that observing it cannot, except by unpredictable accidents, have calamitous consequences.^8

Premise (2) is an elaboration of the belief about what the real world is like. The claim

^7 Louis Janssens, "Teleology and Proportionality: Thoughts About the Encyclical Veritatis Splendor," in The Splendor of Accuracy, 100-02.
is that materiality entails ambiguity. Janssens clarifies this further on through two examples. He mentions surgery, which is performed with the intention to heal the patient at the price of attacking bodily integrity. Indeed, it is hard to think of any medication that does not cause side effects. Similarly, he mentions how in his youth the arrival of a plant to his town was always warmly received as a source of jobs. Years later, a greater awareness of environmental pollution showed that the plants had been a mixed blessing. We can interpret the effects of this ambiguity even more strongly and argue that every moral choice involves the sacrifice of some good, as Janssens does elsewhere. In many moral decisions the judgment about due proportion between the good to be realized and the good that must be sacrificed is straightforward. At other time, however, life hands us situations in which we cannot avoid significant evil, yet to leave the choice up to inaction would be irresponsible. Whereas Christian ethicists consider the fantastic dilemmas invented by consequentialists to be absurd, they also acknowledge that sometimes there are genuine conflicts of duty. In such cases, even while the Christian is attempting to maximize the good, the Christian concept of good I presented in Chapter 2 may hardly be noticeable. For such cases Catholic morality invoked the need to use principles of double effect. Revisionists such as Janssens, Knauer, McCormick, and Curran believe the principle of due proportion is more effective for moral deliberation. I will address such cases in Chapter 6.

That reality is material, premise (3), may also be considered trivially true, so that premise (4), really a sub-conclusion, follows straightforwardly by modus ponens. Premise (5) is another claim about entailment. I think the examples about medicine and

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48 Donagan 206.
the factories help to establish that it is at least generally true. Premise (6) is another sub-
conclusion, about the consequences of (5) for moral judgments. Does (5) really entail
that the moral judgment about our dealing with the material reality in and around us is
established teleologically, by considering all of the premoral values and disvalues that are
involved in our activity and determining whether they are proportionate to the result that
we are attempting to achieve? Whether Janssens offers a reliable argument or not, we
may point out a further problem, that prima facie the consequent of premise (6) appears
to fall under the description of axiological theories I have adopted, i.e., as those that hold
that the basic or ultimate criterion or standard of what is morally right, wrong, obligatory,
etc., is solely the nonmoral value that is brought into being. If this proves to be the case,
and considering that this consequent becomes the conclusion of the argument by modus
ponens, we have indeed found a respected Catholic moralist who embraces a form of non-
utilitarian consequentialism that defines the right solely in terms of the non-moral good.

Taken by itself, premise (6), which is a direct quote from the English version of
Janssens' article, does fall under the description of an axiological theory. The reason may
be found in an unjustified insertion of the adjective "premoral" into the consequent of
premise (6). I call it unjustified because there is no explanation in this particular article
as to how he makes the move that requires that the values and disvalues to be factored in
should be premoral. That teleological considerations are essential for making moral
judgments follows straightforwardly from premise (5). That these considerations must be
limited to the premoral values and disvalues is not supported in the argument. Further
along in the article Janssens argues that Aquinas holds that we must judge everything we
choose to do or not to do teleologically. In support of this argument he uses Aquinas'
teaching that charity, as *finis quo*, is the formal element of all virtuous actions. Therefore, for the material elements of our actions to be ready to receive the formal elements, our actions must be virtuous. Only in this situation do we find the "debita proportio ad finem."\footnote{Janssens, "Teleology," 104.} Returning to an earlier analogy, actions receive moral goodness from their relationship to the final goal. Whereas the goal of winning a race can only be attained by one, the goal of acting in a way that instantiates charity, that promotes beneficence and distributes it justly, can be attained by all. Not all types of actions are capable of showing this appropriate relationship to the goal. There is a consensus about the accuracy of that last statement among Christian ethicists. There is still a problem as to how we can determine which types of actions are incapable of showing the appropriate relationship to the goal.

Janssens offers a possible solution to the problem in "Ontic Evil and Moral Evil." There he argues strongly that Aquinas rejects Peter Lombard’s concept of an object of the act that can be evaluated morally in itself. In the same article, Janssens offers some criteria for distinguishing and connecting ontic and moral evil. He defines ontic evil as "any lack of a perfection at which we aim, any lack of fulfillment which frustrates our natural urges and makes us suffer."\footnote{Janssens, "Teleology," 104.} As stated, this concept of ontic evil bears striking similarity to Mill’s concept of pain, the principal evil that his utilitarian system seeks to avoid, so it might offer a psychological explanation for magisterial qualms about this concept. Janssens insists that ontic evil is always present in our human reality, for several reasons:
(1) Every choice we make involves a sacrifice of some potential good.

(2) We control our material reality only imperfectly and partially.

(3) There is a scarcity of material resources and social goods that creates distribution problems.

(4) We all behave immorally at times.\(^5\)

Clearly, this last consideration refers to moral evil and is part of the consensus among Christian ethicists, which includes both the Magisterium and revisionist moral theologians in the present debate. There is still the problem as to where to draw the line. Janssens believes there is a tendency in the magisterial teaching to make too quick a judgment about the existence of this moral evil. The particulars will be discussed in Chapter 6. Janssens proposes the following principles, as necessary both to connect and distinguish premoral and moral evil:

(1) If ontic evil is per se intended, the end itself (object of the inner act of the will) is morally bad and, being the formal element (reason and cause of the exterior action), vitiates the entire action.\(^5\)

(2) When the single and composite act is viewed from the point of view of reason (secundum rationem), it must be found without an intrinsic contradiction between the means (exterior act as material element) and the morally good end of the inner act of the will (formal element).\(^5\)

(3) We have a moral obligation to reduce, as much as possible, the ontic evil which comes about when we act.\(^5\)

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\(^5\) Janssens, "Ontic Evil," 60.


\(^5\) Janssens, "Ontic Evil," 69.

\(^5\) Janssens, "Ontic Evil," 71.
In the actualization of a good end and the deliberation about the means to this end, the genuinely important question is what place this end has in the totality of human existence.\textsuperscript{55}

In summary, the due proportion requirement is twofold. One type of proportion I will call quantitative. The judgment seeks to balance the possible outcomes of one action against the possible outcomes of another, seeking to determine which action is likely to bring about the greatest amount of unqualified good and cause the least amount of unqualified evil. I am using "unqualified" in the sense that we do not distinguish between moral or pre-moral good or evil. It is this requirement that characterizes Christian ethics as teleological as I have construed it, i.e., as a moral theory that holds there is a priority of the good over the right. Were this the only type of proportion sought, proportionalism would collapse into consequentialism. Aquinas required a second type of due proportion, between the means and the end, which I will call qualitative. Janssens and, in my experience, mainstream revisionists accept this requirement and its exclusion of certain types of actions no matter what likelihood there exists that they are more likely to bring about a greater balance of good over evil. This requirement identifies Christian ethics as deontological, i.e., as a moral theory that accepts the Kantian requirement of priority of the right over the good. I will return to a consideration of these requirements in Chapter 6, when addressing Veritatis Splendor's claim that the revisionist application of the principle of proportionality allows types of

\textsuperscript{54} Janssens, "Ontic Evil," 79.

\textsuperscript{55} Janssens, "Ontic Evil," 81.
actions that violate the biblical injunction that one may not do evil that good may come out of it.

Throughout “Ontic Evil and Moral Evil” Janssens argues that our moral task is the construction of a utopia. This is consistent with the New Testament emphasis on the teleological goal of building up the Kingdom of God on earth. However, certain types of actions are not consistent with the requirements of the Kingdom of God, and any plausible good outcomes they might bring about could not be considered good by the standards of the Kingdom. There is disagreement between revisionist moral theologians and Veritatis Splendor as to the types of actions that are incapable of achieving the appropriate relationship to the goal of establishing the Kingdom of God. Veritatis Splendor points out, quite accurately, that to accept certain standards of secular philosophy may result in unjustified compromises of Christian standards. Revisionist moral theologians respond that their use of the teleological orientation and the principle of due proportion, even in cases of ambiguity in moral choice, do not compromise Christian morality. To set the magisterial objections in context, I will first examine philosophical difficulties mainstream secular moral philosophy points out in the teleological orientation.
CHAPTER 4

THE PROBLEMS WITH TELEOLOGICAL ETHICS

4.1 Objections to the Teleological Orientation

In the second chapter I presented a scenario of logical possibilities for understanding how teleological and deontological theories may be considered contradictory, contrary, or complementary. In the third chapter I insisted strongly on the compatibility between the teleological and deontological orientations in ethics and argued that Christian morality is thoroughly teleological and has historically synthesized both styles of approaching moral questions. I do not claim, nor can I consider all the logical possibilities, that every theory that combines the teleological and deontological orientations does so consistently. I do claim that Christian natural law morality does achieve a successful and consistent synthesis of the teleological and deontological orientations. In the last chapter my central argument supported the claim that the teleological orientation is the dynamic element in Christian morality and this entails the need to assess various types of proportionality as part of the process of moral evaluation. In spite of its positive features, there are good reasons why serious authors both within and outside the Judaeo-Christian tradition object to teleological ethics. In this chapter I will consider some of their objections.

Ethicists committed to teleology have two options when confronted with these
types of objections. They may grant critics that the problems do exist but bite the bullet and respond that, in spite of the problems, a purist teleological approach is stronger and more philosophically coherent than one that allows deontological constraints. I find this to be the approach of authors such as Kagan, Smart, and Peter Singer, as well as the classical utilitarianism defended by Mill. In such cases the theories become axiological; the determination of right or wrong is based solely on such teleological considerations. Moreover, considerations of moral goodness do not enter into the deliberations about good or bad outcomes.

It is true that the juxtaposition of two theories may result in a new theory that is only as strong as the weakest link in the chain. I find among revisionist theologians, for example, a criticism that the current magisterial teaching on respect for life is weakened by the insistence to include the prohibition of all forms of contraception. This supports opponents who argue that the teaching is extremist and lacking in credibility. It is also true, however, that a successful and coherent synthesis of two theories may result in a stronger theory than a purist conception of either of the original theories. There are theories that by their nature blend well together. I interpret the work of various revisionists as a claim that the fundamental tenets of teleology and deontology are consistent and complementary. The Magisterium believes likewise, but opts for a more cautious acceptance of the values of teleology, subordinated to the deontological approach.

I need to point out again, given my references to the works of several authors in this section, that citations will frequently conflate the terms "teleological theories," "utilitarianism," or "consequentialism." I see the perceived weaknesses being discussed
as applicable to the teleological orientation exclusive of deontological considerations. In such cases, the theories become axiological. Those adamantly committed to a priority of the good over the right embrace the principle of axiological ethics and argue that such deontological concessions create philosophical difficulties. The weaknesses are perceived as such from the perspective of what we may call conventional, ordinary, or common morality, which may be described variously. Without recourse to the term "deontological," Kagan describes ordinary morality as generally deontological, characterized by acceptance of agent centered options and agent centered restrictions.¹ On the other hand, Donagan’s project is a defense of this common morality, which he identifies as the philosophical core of the Hebrew-Christian ethical tradition.² We may also see it as the ordinary rational knowledge of morality that serves as the starting point of Kant’s Grundlegung. In many ways consequentialists envision their project as an enlightened moving beyond the limitations of this ordinary morality. When I speak later about the perceived weaknesses of the teleological orientation, these will be weaknesses that consequentialists believe are better addressed by a consistent commitment to consequentialism. Committed consequentialists are willing to bite the bullet and discard the deontological concessions, even if this makes their theory counterintuitive. Kagan, for instance, argues that the maximizing consequentialist claim is deeply counterintuitive but true and that the more intuitively appealing deontological features of morality are

¹Kagan 2-5.
²Donagan 26-29.
highly problematic, philosophically speaking.³

Other consequentialists point to the fact that most of the time the practical moral conclusions of ordinary morality and consequentialism will coincide. They point to this perceived common ground between consequentialism and ordinary morality to help dispel the fears of reasonable people committed to deontology. A recent project by Geoffrey Scarre takes this approach. Scarre does not intend to smooth over differences or claim a false conciliation. Rather, he admits:

By permitting, in extraordinary instances, some relaxation of the usual conventions of behaviour, utilitarianism is really closer to common sense than those rigid deontological outlooks which forbid any exceptions to the rules even in extremis.⁴

I believe that, if we substitute “proportionalism” for “utilitarianism” in the above statement, this accurately represents the position of many revisionist moral theologians. In many ways the work of the Catholic revisionist theologians may be understood as one of drawing attention to the teleological orientation that has been ever present in Christian ethics but has been obscured by historical accidents. As I pointed out in the last chapter, their analysis is consistent with the fundamental Christian vision presented in the New Testament, yet sometimes does permit actions generally considered immoral by the conventional standards of the Magisterium. This being so, they face the same difficulties committed consequentialists or utilitarians face regarding the problems I will point out in this section. Their responses are usually very close if not functionally equivalent to the responses of more moderate consequentialists. This may explain some magisterial

³ Kagan 2.

scruples about the work of revisionists moral theologians.

Here I will focus on general problems different authors point out concerning the teleological orientation and its capacity to lead to correct moral judgments. The main objections to the teleological orientation may be summed up as follows:

1. Teleology does not provide a reasonable account of integrity.
2. Teleology violates the human value of autonomy in significant ways.
3. Teleology is insensitive to problems raised by the distribution of goods.
4. Teleology as moral guide is unworkable because of the multiple concepts of the good.
5. Teleology is unworkable because it requires an endless weighing of potential outcomes.

For each I will suggest two plausible sets of responses, some that remain committed to determining right and wrong solely on the basis of non-moral considerations about goodness and some that allow deontological restrictions.

4.1.1 The Integrity Objection

Bernard Williams provides the fundamental objection:

A feature of utilitarianism is that it cuts out a kind of consideration which for some others makes a difference to what they feel about such cases: a consideration involving the idea, as we might first and very simply put it, that each of us is specially responsible for what he does, rather than for what other people do. This is an idea closely connected with the value of integrity. It is often suspected that utilitarianism, at least in its direct forms, makes integrity as a value more or less unintelligible.\(^5\)

Williams argues that the teleological orientation makes the concept of integrity

\(^5\)Smart and Williams 99.
unintelligible, particularly because in many ways it appears to make us more responsible
for what other people do than for what we do. Many of the standard pro-teleological
arguments discuss cases in which some moral agent A makes a threat, which
hypothetically is not an empty threat, which would result in a very negative state of
affairs unless another moral agent B carries out some action which is forbidden by
deontological ethics. Later on in this chapter I will address the Christian response to
Williams’ own Pedro example is one of the most frequently discussed in the literature. A
lost explorer unexpectedly walks into a situation in which a tyrant gives him the option to
shoot one Indian, out of twenty condemned to die, as a means to save the other nineteen.
The most obvious and straightforward teleological response is that it is not only
justifiable to kill the one to save the other nineteen, but that this option is obligatory.
According to Williams and other writers, this violates the integrity of B, who considers
this type of killing an act of murder, even if it has the good effect of saving nineteen lives.

It may help to try to understand what we mean by the use of the term “integrity.”

In *The Oxford Companion to Philosophy*, R. W. Hepburn offers the following account of
integrity:

> The quality of a person who can be counted upon to give
> precedence to moral considerations, even when there is strong inducement
to let self-interest or some claimant desire override them, or where the
betrayal of moral principles might pass undetected. To have integrity is to
have unconditional and steady commitments to moral values and
obligations. For such a person, the fundamental question whether to
conduct life on the plane of self-concern or of moral seriousness has been
decisively resolved, though particular life situations will doubtless
continue to put that commitment to strenuous test. This moral
commitment becomes a crucial component in his or her sense of identity
as a person: it confers a unity (integration) of character, and even a
simplicity upon the man or woman of integrity. *What integrity cannot
guarantee is the soundness of the value-judgments themselves, which form*
the core of that person's commitment.\textsuperscript{6}

It may be good to note that this concept of "integrity" is ethical, in distinction to other possible uses of the term, such as those referring to physical integrity. Hepburn's final statement is particularly helpful, I believe, in allowing us to understand the nature of the disagreement. A consequentialist could respond to Williams that, while the integrity of a squeamish agent B is not in question, the soundness of his judgments is, mostly because agent B suffers from the uncritical indoctrination into traditional morality. While the teleologist may respect agent B's judgment, he believes that it is an erroneous judgment. Further, a consequentialist who acted according to axiological calculations about the maximization of good and went ahead and shot the one Indian, would also be characterized by integrity. Scarre points out proposals by such noted utilitarians as Sidgwick and Hare for a sort of dual-level morality, in which the majority of the population espouses a conventional morality but some leaders who are capable of more critical morality can go beyond it and act according to, allegedly superior, utilitarian principles.\textsuperscript{7}

Other authors, while open to the possibility that the killing of the one may be morally justifiable, are more troubled by the fact that for the utilitarian the killing of the one is obviously the right answer, a concern expressed by Williams himself in his analysis of the dilemma. Even if we grant the consequentialist that killing the one may be a plausible exercise of integrity in the face of considerable opposition from the majority

\textsuperscript{6}"Integrity," \textit{The Oxford Companion to Philosophy}. The emphasis is mine.

\textsuperscript{7}This discussion is found under the sub-heading "Archangels, proles, and the natural man," in Scarre 172-81.
who advocate some form of ordinary morality, this answer seems to make each of us more responsible for what other people do than for what we ourselves do, as Williams argues: "[T]he reason why utilitarianism cannot understand integrity is that it cannot coherently describe the relations between a man's projects and his actions." Williams finds no acceptable sense in which agent B, through his refusal, is responsible for agent A's shooting of the twenty Indians and "If the captain had said, on Jim's refusal, ‘you leave me with no alternative,’ he would have been lying, like most who use that phrase."

I find Williams' argument very compelling because the abdication of personal responsibility with the use of excuses such as "I had no choice" is so prevalent in our society and should be unmasked by critical ethics. Williams is right on target when he points out that such excuses are generally untrue.

We may recall that Scheffler's project of a hybrid consequentialism, which allows agent-centered options, is partly motivated by the attempt to respond to such criticisms about the inability of consequentialist theories to come up with an intuitively attractive concept of moral integrity. However, in the last chapter I argued that a Christian moral theory should side with Kagan and not have recourse to agent centered options, so I need to look for another alternative. Scarre presents another plausible departure from the traditional demands of committed consequentialism. This would be achieved through serious consideration of the idea of self respect. Scarre presents examples from the literature based on Seneca's principle that "Whoever debases others is debasing

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8 Smart and Williams 98-100.

9 Smart and Williams 108.
himself.\textsuperscript{10} Whereas it is possible that some sadists may feel satisfaction upon witnessing the suffering of others, and in their case Seneca’s principle applies to the extent that the sadist’s satisfaction should not count in the calculation of what brings about the greatest amount of well-being, we can also consider the self-respect of agent B, who is compelled by exclusive consequentialist calculations into acting against his deepest held beliefs.

There are limits, of course, to the extent that this notion of self-respect may be used as a justification for not bringing about the best non-moral consequences, and that is where the revisionist theologians usually bring the criterion of proportionality into their analysis. For instance, in Chapter 5 I will bring in the revisionist analysis of a case in which an agent may be required to tell an untruth in order to save a life or several lives. The revisionist response is not Kantian. There is a great deal of overlap between the analysis of integrity and the analysis of autonomy, so the issues may be clarified by proceeding with the discussion of autonomy.

4.1.2 The Autonomy Objection

The issue of autonomy is closely related to that of integrity, so there is a need to clarify meanings. Whereas in the discussion about integrity I was dealing with the integrity of moral agents, in the discussion about autonomy I am dealing primarily with those who may be called objects of the actions, or whose states of affairs are affected by the moral decisions of others. There are at least two ways in which the teleological orientation, without the assistance of some deontological considerations, is thought to violate autonomy. First, if general well-being is regarded as the good to be impartially

\textsuperscript{10} Scarre 158-62.
promoted, to what extent does the concept of well-being adequately account for autonomy? Secondly, the teleological orientation without any deontological restrictions, particularly the restriction against causing harm, allows the sacrifice of some for the sake of a greater good. However, if those who are thus sacrificed have not consented to the sacrifice, their autonomy has been violated.

With regard to the first type of violation, David Sobel argues that well-being accounts for autonomy so inadequately, that ultimately well-being cannot be considered the appropriate object of moral concern. As a corrective, Sobel argues that "a consequentialist view that respected the autonomy principle has decisive advantages over other versions of consequentialism, most notably welfarist versions."\(^{11}\) We should note that Sobel’s solution entails inserting what is generally regarded a deontological consideration into the concept of well-being. However, Sobel and others claim autonomy as a teleological consideration, since autonomy, like self respect, must be considered among the greatest constituents of well-being, inclusive of most of the others.\(^{12}\) Both Sobel and Scarre are strong proponents, from a teleological perspective, that we cannot simply seek to satisfy individual’s preferences or desires as a way for maximizing well-being, rather we should consider their “true” preferences, i.e., those they would manifest “on due reflection and in possession of all relevant information.”\(^{13}\) By making autonomy an essential constitutive of well-being, both authors would reject that they are yielding to


\(^{12}\)Scarre 137-41.

\(^{13}\)Scarre 134.
deontology.

The possible sacrifice of some for the sake of the common good may create a greater difficulty for committed consequentialists. As I pointed out earlier, some bite the bullet and acknowledge that, no matter how counterintuitive this conclusion, the maximizing consequentialist must be committed to rejecting a general prohibition against doing or intending harm.¹⁴ The considerations about self-respect and autonomy by committed consequentialists such as Sobel and Scarre are applicable in this case and may result in additional restrictions. Teleologists who are not committed to consequentialism will typically place such restrictions into the broader context of rights considerations. Yet, there is little doubt that, if a consequentialist calculus is used to determine a course of moral action, it will permit the sacrifice of some personal goods for the sake of the greater or common good. This will result in the violation of some traditional restrictions of ordinary morality against doing or intending harm. This is ultimately the greatest problem for a revisionist moral theologian in the face of magisterial morality, as we will see in the next section. Revisionist moral theology, according to Veritatis Splendor, does not allow the restrictions to kick in sufficiently soon in the process, and ends up violating some important norms.

In the discussion about doing harm it seems consequentialism is not sensitive to how harm is being distributed. A related problem is that in which consequentialism does not appear sensitive to how goods are distributed. I proceed now with that discussion.

¹⁴See, for instance, Kagan's discussion in chapters 3 and 4 of The Limits of Morality.
4.1.3. The Insensitivity to Distribution Objection

John Rawls' essential criticism of a utilitarian form of distributing social goods is that utilitarianism does not care about who eventually ends at the bottom of the pile. If some need to be sacrificed for the sake of a general prosperity, so be it.

The striking feature of the utilitarian view of justice is that it does not matter, except indirectly, how this sum of satisfactions is distributed among individuals any more than it matters, except indirectly, how one man distributes his satisfactions over time. The correct distribution in either case is that which yields the maximum fulfillment. Utilitarianism does not take seriously the distinction between persons. Smart, already identified as a committed utilitarian, also bites the bullet and grants that a utilitarian "is concerned with the maximization of happiness and not with the distribution of it." Therefore, the utilitarian cannot be in principle opposed to a situation which yields more overall prosperity even if this results in what is generally considered "extreme inequalities." "However, it is probable that in most situations the equal distribution of the means to happiness will be the right utilitarian action, even though the utilitarian has no ultimate moral commitment to egalitarianism."

In other words, Smart grants that by the principles of committed consequentialism it is prosperity that matters, not whether everyone shares in the prosperity. Yet there is no obstacle to including a more equal distribution, (thus avoiding the term "just," which is problematic from Smart's standpoint), among principles aimed to enhancing general well-being rather than a concern with the observance of rules. Among "moralities of

\[\text{Rawls 26-27.}\]


\[\text{Smart, "Distributive Justice," 107.}\]
concern," which Ted Honderich contrasts to typically deontological moralities, he includes the following principles, which sound uncannily Rawlsian:

(12) It secured, from among the possible distributions of goods in a society, that would satisfy the reward-demands of producers, the particular distribution that would give most goods to the people with least.

(13) It was likely to alleviate the condition of someone badly-off in terms of the satisfaction of fundamental human desires rather than improve the condition of someone already well-off in this way.

(14) It gave rise to or contributed to a more equal distribution of incomes, freedoms, opportunities, other particular goods, or well being.18

Committed consequentialists may have to bite the bullet, as Smart does, and recognize that, in principle, they must be ready to accept even grossly unequal distributions. On the other hand, a committed utilitarian such as Peter Singer strongly argues for a radical egalitarian distribution.19 Similarly, from a deontological perspective, we are all aware of the Rawls-Nozick debate about distributive justice. For instance, R. M. Hare argues that the rights perspective, favored by deontologists, may be misused by promoting a distribution which is in the interest of one's own social group.20 In this area the debate must go on. However, revisionist moral theologians will opt for a generally teleological orientation which is supported by rights considerations which give preference to the rights of the least advantaged. Curiously, revisionist theologians generally argue

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19 Cited in Scarre 182-83. As it is well known in the philosophical community, and since his appointment to Princeton even in mass publications, some of Singer's utilitarian conclusions, such as the permissibility of euthanizing severely handicapped infants, are unacceptable by the standards of ordinary morality.

for a stricter application of the criteria for a just war, thus making it harder to justify armed struggle, and some, like Haring himself, even tend toward pacifism. However, they are more likely to accept the moral justification of a “revolutionary uprising” in cases of “manifest, long-standing tyranny which would do great damage to fundamental personal rights and dangerous harm to the common good of the country.” Although this principle is found in a papal encyclical, it is one that many magisterial officials in the age of John Paul II would like to take back. Supporting it draws suspicion toward the cause of revisionist theologians.

4.1.4 The Plurality of Goods Objection

Scarre expresses this objection well:

Can utilitarianism provide an adequate guide to action if the ingredients of happiness are many and diverse, and vary from person to person? What sense does it make to prescribe the maximisation of happiness, when there is neither a single nor a simple blueprint for human happiness? . . . To say only that we should help people to live the happiest possible lives seems unhelpfully vague; yet it is hard to give any more detailed content to the injunction to assist people to live happily, when happy lives can be lived in so large a variety of ways.

I believe that in the above statements we can insert “teleology” or “consequentialism” for “utilitarianism,” and “well-being” for “happiness” and we get the same effect. The problem is the teleological orientation, which envisions some sort of good which should be maximized. Scarre’s response is similar to Mill’s in *Utilitarianism*: Our practical opportunities to promote people’s well-being are relatively easy to identify and limited. He continues:

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22Scarre 141-42.
Many of the most important parts of happiness are things which individuals can only attain for themselves. An aspirant to Millian characters like excellence of character, spiritual perfection or eminence in some field of scientific or artistic endeavour will look to other people mainly for moral support and encouragement. And plainly a person can only develop his self-respect as an agent of the good to the degree that his agency is autonomous and unassisted. At the social level, the best way to assist individuals to be happy is to create the basic political, economic and educational conditions which permit their chosen lifestyles to be realised. The most fruitful happiness-enhancing service which utilitarians can render is generally to facilitate individuals' own efforts to live the lifestyle of their choice. This can be achieved by ensuring that people have political rights and liberties, suitable education and training, economic independence and a guaranteed minimum standard of material well-being. Happiness is elusive for those who are starving, ignorant, in bondage to others or devoid of all leisure.²³

As stated, the plurality of goods is no objection if individuals in society are afforded the opportunity to pursue their chosen goals as they see fit, with the caveat that they should not pursue the good in a way that interferes with the pursuit of the good of others. This approach is compatible with Mill’s principle of liberty, “that the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.”²⁴ It is also compatible with Rawls' equal liberties principle, in its genesis a critique of the utilitarian approach to social problems: “Each person is to have an equal right to the most extensive total system of basic liberties compatible with a similar liberty for all.”²⁵ Either by teleological or deontological standards, the plurality of goods objection can be met by allowing individuals to pursue the good as they perceive it, in the manner they see fit, provided

²³Scarre 142.
²⁵Rawls 60.
their pursuit of the good does not harm others or interfere with their pursuit of the good. The devil is in the details, however, and conflicts arise daily between the pursuit of the good by certain groups in the face of the pursuit of the good by others. At this point it becomes necessary to balance potential outcomes and agree on relevant criteria, an agreement that sometimes results impossible. Deontologists will appeal to considerations such as rights, whereas teleologists focus on the outcomes themselves. Deontologists respond that this makes the process interminable, one in which a decision may be made by default. This is my last and final consideration.

4.1.5. The Endless Balancing of Outcomes

Mill himself anticipated the objection that no one has the time to calculate the effects of any line of conduct on general happiness. He responded that this is similar to saying that we cannot guide ourselves by the Judaeo-Christian tradition because no one has the time to read through the entire Scriptures each time an action is called for. Rather, we all learn by experience, personal and collective, what are the likely consequences of our actions. So the utilitarian accepts rules that societal experience has judged conducive to general happiness. In this way, the endless balancing of potential positive versus negative outcomes is avoided. However, the utilitarian is no rule worshiper and always considers the rules as, in principle, changeable for the sake of a greater good. This is not very different from the account I gave in the last chapter of the Christian teleological approach to rules: they have secondary importance to the development of character and are necessarily general, although expressed in a sufficiently

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narrow manner, they may be considered absolute. The utilitarian, on the other hand, is in principle committed to denying the absoluteness of any rule, if it can be proven that it interferes with the pursuit of the best outcomes. I will address these relevant differences in greater depth in Chapter 6.

One relevant difference that needs to be addressed now is the Christian use of the principle of due proportion. I presented it in the last chapter, as explained by Louis Janssens' analysis of Thomistic texts. Kagan argues that the principle of due proportion is not intelligible from the perspective of ordinary morality, particularly in cases where it appears to allow agent-centered options. Constraints are not so problematic, since Kagan allows that his system can accommodate constraints if properly justified, with the justification being the responsibility of the proponents. As I stated in the earlier chapter, a Christian conceptual framework both justifies and requires constraints. Kagan also laments that little if anything is said about the concept of due proportion. This appears to be true in the case of revisionist moral theology, where many authors presume that the principle is helpful for moral deliberation but are vague as to how the proportion is calculated. Janssens' exposition is a valuable first step in that regard. An important feature of Janssens' claim is that judgments about proportionality are frequent and, in many if not most cases, straightforward. In conflict cases it is more difficult to make the judgment as to whether due proportion exists and this is why maximizing consequentialists claim that their system is more straightforward, less philosophically problematic.

\[27\] The discussion is found in Kagan 151-65.
There is a significant methodological distinction between revisionist ethics and moral philosophy with regard to the treatment of conflict situations. Christian ethicists recognize that conflict situations arise from different sources. Curran discusses four: (1) difference between subjective and objective aspects of human acts; (2) creaturely finitude and limitation; (3) eschatological tension, between this life and the belief in eternal life; (4) the presence of sin. The listing attempts to deal with the conflicts as they arise in real life, rather than relying on contrived examples, fantastic hypotheses that are considered so philosophically significant. A good reason for the difference in approach stems from the intended audience of Christian ethicists. Generally their principal audience consists of professionals or volunteers in Church ministry, who in turn offer moral guidance to their clients. Further, the Christian ethicists themselves have previously been in such positions, or may still counsel as part of their professional duties.

Real life offers sufficient dilemmas, so moral theologians do not see much of a need to invent them. Philosophers, on the other hand, generally write for an academic audience made up mostly of fellow philosophers. The contrived examples are interesting within that subculture, but usually not beyond it. In “Utilitarianism and Moral Theology” Curran uses the term “bizarre” approvingly to reflect what I find to be a general attitude about such examples, with Williams’ Pedro example a favorite target of such barbs. Yet, we know that tyrants can be bizarre and my principal complaint about the Pedro example is its reinforcement of negative stereotypes against South Americans that abound in U.S. society. Conflicts that arise because of tyrannical bizarre behavior most easily fit into

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Curran's fourth category. In such conflicts, revisionists believe the principle of due proportion is more helpful, even if less certain, than either appeal to a utilitarian calculus or an absolute rule.

Contrived conflicts in which great catastrophes will arise unless a moral agent acts in ways traditionally conceived as morally evil are a different matter. I already mentioned Donagan's objection in the last chapter. Donagan distinguishes between a great catastrophe and a tragic event. Strict adherence to what he calls traditional morality will sometimes result in tragic consequences, but only by unforeseeable outcomes can it have calamitous consequences. Even then, the proponent of another system, such as maximizing consequentialism, cannot prove that adoption of such a system would bring about consistently better consequences. There is a further objection that is specifically religious. A world in which great calamity could be avoided by committing moral evil would not be the world in which the Abrahamic God is Lord of the Universe. So, whatever implications such hypotheses may have for morality, they are vacuous from the Christian perspective. Great evils there are, even natural evils uncaused by human agency and, therefore, more problematic from the viewpoint of justifying belief in an omnipotent benevolent God. The religious viewpoint rejects that such evils can be effectively remedied by committing moral evil and requires a plausible account as to how this causal relation may occur before treating the question seriously.

In support of his objections Kagan presents three types of cases in which the concept of due proportion may require from its adherents that they justify actions they

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29 Donagan 209.
generally would consider forbidden. First, the account of due proportion requires that the
good countenanced be objectively greater than the bad that is countenanced. This is
inconsistent because it leaves ordinary morality without room for the sort of options it
wishes to endorse.\textsuperscript{30} This is not a problem for Christian ethics since Christian ethics is
strongly committed to the pursuit of an objective good. Further, as I showed in the last
chapter, Christian ethics does not permit options that cannot be integrated teleologically
into the concept of the greatest good.

Secondly, the requirement for due proportion requires stricter constraints in cases
in which the moral agent does or intends harm than in cases in which the agent merely
allows harm to happen. Kagan gives an example that he believes cannot be
accommodated by the concept of due proportion when it accepts such a distinction.\textsuperscript{31}
Intuitively proportionalists would like to say that killing mosquitoes in the backyard is
forbidden if we foresee that the insect poison will cause the death of a neighbor.
However, we do not think that such an act is forbidden even if we realize that the money
could have been used for famine relief and would have resulted in the saving of one life.
In such a case, due proportion also appears to excuse too much and require
philosophically indefensible agent-centered options. Certainly, the saving of that one life
is proportional to the sacrifice of personal convenience, therefore we should see it as
obligatory. Whereas sometimes the consequentialist fantastic hypotheses support the
commission of actions that are considered immoral by traditional standards, in this case

\textsuperscript{30} Kagan 153-54.

\textsuperscript{31} Kagan 154-58.
we have a reverse fantastic hypothesis, one that requires more from the moral agent.

The first plausible response to Kagan is that an inquirer who proposes such a causal effect needs to give an account of its plausibility. Without such an account, we are just playing word games. Should such an account be given, the Christian would agree that the use of the money for mosquito repellent is morally unjustified. Lacking such an account, respect for humanity in oneself, or the Christian requirement that we love our neighbors as ourselves, also prevents another one from trying to make a particular moral agent personally responsible for outcomes that in many ways depend on the decisions of others. Another plausible response might be the integrity objection treated earlier in this chapter; that which claims this account of integrity is unintelligible. A moral agent could adopt a lifestyle in which he/she does not accept any responsibility for such social problems, nor the teleological requirement to work toward remedying them, but Christian teleology rejects such a lifestyle. This lifestyle would be moral individualism of the worst kind and is opposed by biblical principles such as "Help carry one another's burdens, and you will fulfill the law of Christ." Such individualism is at the root of pro-abortion arguments such as "a woman has the right to control her own body," supported by Judith Jarvis Thomson’s famous violinist example. Christians should agree with Kagan that such individualism should be avoided. They disagree with Kagan in accepting that this example is helpful for showing why individualism should be rejected.

Another type of case in which the concept of due proportion may excuse too much is that in which one diverts a potentially mortal danger from a densely populated area to a

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12 Galatians 6:2.
less populated area. On Kagan's account, the harm to the new target is intended, not merely allowed. Further, if we recall Janssens' account of the principle of proportionality in the last chapter, it would appear that there is a contradiction between affirming the right to life of the many by sacrificing the right to life of the few. I see the possibility of vigorous disagreement among revisionist moralists, although I still think most would support the permissibility of averting the danger as the lesser of two unavoidable evils, and would argue that the harm was not intended. The principal problem for the revisionists here is that some from the magisterial viewpoint may argue that this constitutes a violation of the biblical injunction against doing evil that good may come out of it. This is a point I will address in Chapter 6. For now I need only say that the concept of due proportion is not intended to be an algorithm and, anyhow, in the type of conflict situations envisioned by Kagan, the choice would be difficult no matter what style of moral deliberation the agent chooses. The consequentialist would probably adopt some form of calculus, assigning plausible values to each death, and more readily argue for diverting the danger as the best way to maximize the good under difficult circumstances.

In this section I have quoted at length from some authors, such as Scarre, whose projects show great affinity with the revisionist project in moral theology. Both Scarre and the revisionists appear as conciliatory teleologists, seeking to address the concerns of followers of ordinary morality by saying that teleologists follow the same goals. Differences of opinion, particularly the moral conclusions that appear to violate some of

33 Kagan 159-61.
the most cherished norms of ordinary morality, must be understood within a context of
strong agreement about many essentials. Such an account, which includes identifiable
principles from both neo-Kantian and Christian social ethics, such as I pointed out in the
coincidence between John XXIII and Rawls, is very attractive to revisionist moral
theologians, who stand at a philosophical crossroads with Kantian deontologists,
committed consequentialists, and Christian believers and claim to be working out a
synthesis of the best of each one's insights while rejecting the extremes of moral theories
that are exclusively deontological or axiological. Each of the interlocutors may perceive
strong weaknesses in the synthesis, judging it as no better than an incoherent syncretism
or eclecticism. In the final chapter I will address the concerns of all the interlocutors and
argue that revisionist Christian moral theology is a vibrant moral theory that may be
described as faithful to the New Testament vision of morality, may be judged successful
both by the standards of a non-consequentialist quasi-outcome type of teleological theory
and Kantian categorical imperatives, and holistic in its analysis of the moral justifiability
of human actions. The main question about its identity, however, is whether such a moral
type may correctly claim to be Christian and Catholic. *Veritatis Splendor* expresses
concerns that revisionist moral theology makes too many concessions to theories not
open to the transcendent dimension, thus compromising its Christian identity.

4.2 *Veritatis Splendor* 's Assessment of Teleological Theories

In this section I will attempt a philosophical reconstruction of the magisterial
objections presented in *Veritatis Splendor*. I will argue that, whatever merit may be
found in the magisterial objections, their real target is the consequentialist rejection of
agent-centered restrictions, which is not a feature of the teleological orientation itself.
Since Catholic moral theory took a decisive yet unjustified rule-based approach in the 16th century, as I pointed out in Chapter 2, the teleological orientation itself is considered suspect within Catholicism and conflated with axiological moral theories. As I have pointed out earlier, this conflation is present in a good deal of the literature, both secular and religious.

In an introduction written to present the encyclical to the public, Cardinal Ratzinger claims that these theories are inadequate attempts at solution of the problems posed by individualism and relativism in moral matters. Whereas individualism and relativism lead to the destruction of the foundations of human coexistence, Ratzinger grants that the attempted solutions seek to at least guarantee the basic forms of ethical living, but respond poorly to the challenges posed by these unacceptable approaches. Immediately we notice a problem with the cardinal’s exposition, typical of this type of literature. “Individualism” and “relativism” can have different meanings. If by “individualism” we mean a concern for the individual or a respect for individual rights, clearly that should be a quality of a Christian ethic. If by “relativism” we understand that there is a type of situational relativism in which circumstances ultimately determine what is morally justifiable or not, that is trivially true from the perspective of a Christian ethic.

We must presume that the cardinal is referring to some extreme forms of individualism, such as ethical egoism, or a type of relativism that rejects all objective moral standards. This lack of specifics throughout the encyclical keeps the reader guessing. Ratzinger grants that the results of the attempted solutions—identified as teleology, consequentialism, and proportionalism—are not quite destructive of a Christian moral theory, but nevertheless present serious problems. Whereas we may accept Ratzinger’s
assertion that “We do not need to pursue these systems in detail,” and take on that pursuit as part of the philosophical analysis of Veritatis Splendor, it would have been helpful if the cardinal had given a more precise account, in the form of some verifiable bibliographical references, to allow us to more accurately identify the theories which the encyclical finds objectionable. 34

Under the heading “The Moral Act,” Veritatis Splendor addresses directly the negative effects on moral theology of the teleological ethical theories allegedly espoused by some Catholic moralists. Over the course of thirteen articles (71-83) the encyclical conducts an exposition and assessment of the revisionist consideration of the moral act and expresses concern that revisionist emphasis on intention and circumstances, particularly judgments about due proportion in the outcomes of acts, undermines the absoluteness of moral norms. This section on the moral act contains three subdivisions. In the first one, “Teleology and Teleologism” (articles 71-75), Veritatis Splendor introduces some remarks about the nature of freedom, autonomy, and the good from a Christian perspective, as grounds for a conclusion that teleological theories misunderstand such concepts. A second subdivision contains an argument about the primacy of the object of the act among the traditional Thomistic sources of morality, a primacy which teleological theories are understood to reject by focusing on the intention and circumstances of the act. The third subdivision contains an argument that

34 Ratzinger, “Why an Encyclical on Morals?” The lack of verifiable references in the encyclical itself is more understandable, given that it is consistent with the literary genre of a papal encyclical to offer general criticisms without specifying the object of the criticism. Cardinal Ratzinger, in presenting the encyclical officially, and as head of the Congregation for the Doctrine of the Faith, which routinely points out “errors” found in the writings of Catholic authors, was freer to mention specifics. Given the absence of such clear references, the first task of the philosopher who wishes to confront Veritatis Splendor’s difficulties with the attempted solutions is to identify just what those solutions are.
teleological theories violate a biblical principle that should be considered axiomatic in Christian ethics: “It is not licit to do (moral) evil that good may come of it.”

I will begin the analysis by attempting to reconstruct the general argument against teleological theories offered in articles 71 to 75. The reconstruction requires frequent supplying of premises or conjectures about the purpose of certain statements or citations within an argument. Theological writing in general, official Church documents in particular, tend to offer fragments of arguments and present out of context citations from allegedly authoritative sources without making it clear how the statements support the principal argument being advanced. If I were to seek for an analogy that may help the philosophical community understand what I am referring to, I may say that the norms for argumentative rigor in the theological community may be closer to those of existentialist rather than analytic philosophers. In making the transition between moral theology and analytic philosophy, this type of reconstruction can at times be one of the hardest adjustments. Mainstream Christian theologians are generally required to study philosophy prior to embarking on their theological studies. Because they tend to have closer affinity to Continental philosophy, they do not follow the argumentative standards of analytic philosophy. John Mackie, in addressing some of the issues treated in Hans Küng’s Does God Exist?, describes Küng’s style as displaying a fantastic wealth of learning but being “extremely diffuse.” According to Mackie, “Time and again after raising an issue Küng will slightly change the subject, and often when we need an argument he gives us a quotation, a report of the views of yet another thinker, or even a
fragment of biography. " I find this to be the case with most theologians, so there will be some rough edges in the attempt to reconstruct an argument such as that found in

*Veritatis Splendor* into a more recognizable analytic structure. I consider myself an outside observer with respect to moral theology and see my role throughout this study as that of a mediator or, in MacIntyre’s terms, more as a translator to other outside observers. This means that I need to maintain a balance between faithfulness to the original text and a version that will be more understandable for readers in the analytic community.

In *Veritatis Splendor* 71 we find some preliminary remarks about what we might call the subjective consequences of actions. What comes across is really a statement about integrity. The encyclical is gearing for a criticism of the excessive consideration of consequences, understood as bringing about external states of affairs, for determining the moral justifiability of action. So *Veritatis Splendor* here reminds us of a Christian emphasis on a very Aristotelian principle: by our human actions we also build our characters. Article 71 might be understood as an early warning sign that a Christian ethic should resist the temptation to focus on external states of affairs without regard for what is done to the integrity, autonomy, or self-respect of individuals, all of them related concepts.

*Veritatis Splendor* 72 begins with a succinct statement about what determines the

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36 I use the term "outside observer" in the sense moral theologian Joseph Selling presents it: someone who has not followed the development of moral theology with the professional understanding of a moral theologian, in "The Context and the Arguments of Veritatis Splendor", in *The Splendor of Accuracy* 21.
morality of actions: "The 'morality of acts' is defined by the relationship of man’s freedom with the authentic good." Philosophical analysis requires the immediate clarification of three issues raised by the statement: (1) What constitutes the human freedom that is relevant for moral evaluation? (2) What is the authentic good that must be sought? (3) What is the appropriate relationship between the now-defined freedom and good?

(1) The concept of freedom proposed has both a metaphysical and ethical component. We may recall here the Kantian distinction between freedom of autonomy and freedom of spontaneity.\textsuperscript{37} The issue of autonomy is ever present in criticisms of the teleological orientation in ethics, so this needs to be addressed. With regard to freedom of spontaneity, understood by Kant as "a power of self determination, independently of any coercion through sensual impulses,"\textsuperscript{38} the encyclical accepts that human beings are conditioned in many ways, but rejects determinism.\textsuperscript{39} Consequently, free human beings have moral responsibility and are considered to be accountable for their actions unless there is evidence to the contrary. With regard to freedom of autonomy, Christian ethics insists in an analog of Kantian freedom of autonomy. Whereas Kantian freedom of autonomy involves the capacity for humans to legislate for themselves and act according to these laws which they have conceived autonomously, rather than motivated by

\textsuperscript{37}\textit{For a helpful discussion about the distinction between Kantian freedom of spontaneity and freedom of autonomy see Ralf Meerbote, "Kant on the Nondeterminate Character of Human Actions," in William Harper and Ralf Meerbote, eds., \textit{Kant on Causality, Freedom, and Objectivity}, (University of Minnesota Press, 1984), pp. 143 ff.}

\textsuperscript{38}\textit{Kant, \textit{Critique of Pure Reason}, A 534/B 562.}

\textsuperscript{39}\textit{See Veritatis Splendor 33.}
satisfaction of desires, Christian freedom of autonomy involves the power to resist any pressure and act according to the law of God one recognizes in one’s heart.40

(2) The fundamental concept of the good is that which is established by the eternal law and found perfectly in divine revelation. As I stressed in the last chapter, it is a moral good rather than a merely rational good. A fundamental Christian moral claim is that God rules the universe. This is a good counterpart to an example offered by Derek Parfit. If Satan ruled the universe, and so arranged it that believing in and acting according to the best moral theory would cause bad effects, this circumstance would render consequentialism totally self-defeating.41 Christians have a strong belief that God rules the universe, and so arranges the universe that belief and compliance with the best moral theory has good effects. Ultimately, God Himeself is referred to as the “supreme good in whom man finds his full and perfect happiness.”

(3) Actions are considered morally good when they are in accord with or promote the good as defined in (2). When we wrap this all together, we end up with a Christian response to the fundamental ethical question “Why be moral”? Generally, God is all good. Humans are created in the image and likeness of God. Therefore, humans should be all good and promote the good. This is as teleological as it gets. Immediately a caveat is introduced. There is a new reference to the Gospel scene about the rich young man who questions Jesus about what is necessary to enter into eternal life. The way to promote the good, in acknowledgment that “only God is good,” is to follow the

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40For the key text about Kantian freedom of autonomy, see Grounding for the Metaphysics of Morals, 41.

41Parfit 43-44.
commandments. The choice of this passage as the heuristic device for introducing the whole subject of Christian moral life seems to be dictated particularly by the desire to emphasize the importance of moral rules. Other passages could have been chosen, but this one is preferred because of its dialogic nature, introducing Christian moral life as the response of the individual believer to a personal encounter with Jesus.\(^{42}\) From my perspective in this work, the connection between promoting the good and following the commandments at least shows the basic compatibility between the teleological and deontological orientations that I have been insisting upon. And it shows that the Magisterium accepts this compatibility. There is more. We see the commandments presented as a bare minimum. Christian morality has a maximizing teleological orientation, which in this particular passage is expressed in terms of individual action to help achieve a more equitable distribution of goods. *Veritatis Splendor* expresses the relationship between the teleological orientation and the commandments as follows:

[T]he moral life has an essential “teleological character,” since it consists in the deliberate ordering of human acts to God, the supreme good and ultimate end (*telos*) of man. This is attested to once more by the question posed by the young man to Jesus: “What must I do to have eternal life?” But this ordering to one’s ultimate end is not something subjective, dependent solely upon one’s intention. It presupposes that such acts are in themselves capable of being ordered to this end, insofar as they are in conformity with the authentic moral good of man, safeguarded by the commandments.\(^{43}\)

The role of the commandments as safeguards we might call in philosophical terms “agent-centered restrictions.” I propose that the appropriate moral theory advocated by

\(^{42}\)See commentary by Maura Ryan, “‘Then, Who Can Be Saved?’: Ethics and Ecclesiology in *Veritatis Splendor*” in Allsopp and O’Keefe 2-3.

\(^{43}\) *Veritatis Splendor* 73. The emphasis is mine.
the Magisterium is consistent with the revisionist project whose features may be understood as those of a maximizing teleology with agent centered restrictions. From the perspective of the deontological-teleological distinction, Vallentyne calls such a theory a “quasi-outcome teleological theory.” This is one in which there is a specified type of quasi-outcome (outcome, intended outcome, anticipated outcome, reasonably anticipatable outcome, etc.) such that the theory judges the action permissible just in case its specified quasi-outcome is maximally good. The specific outcome may be expressed as “conformity with the will of God” or similarly. Revisionist theologians will generally have no problem with this account. Their problem lies with the succeeding account, which claims that the work of the revisionist theologians, particularly the emphasis on proportionality between the good to be accomplished and the non-moral evil that may be permitted, ends up undermining the role of the agent centered restrictions (a.k.a. commandments) and actually allows moral (my emphasis) evil to be committed to promote the good. If the charge were correct, the typical revisionist use of the concept of due proportion would constitute a reductio ad absurdum of Christian morality.

Veritatis Splendor then shifts to the question of moral methodology and coins the term “teleologism” to refer to a method for discovering the moral norm. The encyclical goes on to distinguish the two “currents of thought” which properly fall under the label of teleologism. Consequentialism is characterized as claiming to draw the criteria of the rightness of a given way of acting solely (my emphasis) from a calculation of foreseeable consequences deriving from a given choice. This description is consistent with the

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"Vallentyne 44-45."
widely accepted Rawlsian description, so it is clear that the encyclical authors are aware of the various currents in contemporary philosophy. The encyclical makes a judgment that teleologism and consequentialism are coextensive, a judgment I will argue is erroneous. Article 75 provides the magisterial perception of teleologism's central claims as follows:

1. It is never possible to formulate an absolute prohibition of particular kinds of behavior that would be in conflict, in every circumstance and in every culture, with moral values indicated by reason.

2. To understand the pursuit of values we must evaluate it from two (mutually exclusive?) perspectives:
   a. moral order: where actions are in relation to properly moral values.
   b. pre-moral order: where actions are related to advantages and disadvantages accruing to the agent and to all persons possibly involved.

3. According to this division into a moral and pre-moral order, there are two different ways to judge the morality of an act:
   a. Moral goodness is judged on the basis of the subject’s intention in reference to moral goods.
   b. Rightness is judged on the basis of a consideration of foreseeable effects or consequences and their proportion.

4. Behavior may be described as right or wrong without it being possible to judge as morally good or bad the will of the person choosing them.

5. In this view, deliberate consent to certain kinds of behaviour declared illicit by traditional moral theology would not imply an objective evil.

It is hard to identify a real argument here. What we find is a listing of claims, repeated throughout the section. If we were to put this in argument form, the most accurate way would be to take any of the claims individually as part of the antecedent of a *modus ponens* argument, expressed thus: "If a theory holds Claim 1, such a theory is not faithful to the Church’s teaching. Revisionist moral theology holds Claim 1. Therefore, revisionist moral theology is not faithful to the Church’s teaching.” The same would be
done in the case of each claim. The result would be a chain argument of *modus ponens* statements, with the conclusion that, if the satisfaction of any of these conditions is sufficient to declare a theory unfaithful to the Church's teaching, a theory that holds all five claims, such as revisionist moral theology, is *a fortiori* unfaithful to its Catholic roots. *Veritatis Splendor* judges that, according to teleologism, either intention alone may qualify an action as morally good or a consideration of effects may assess it as morally right without consideration of agent-centered restrictions such as found in negative precepts traditionally accepted within Christianity. In the former case, teleologism has been identified as a version of situation ethics. In the latter case, the verdict is that teleologism collapses into consequentialism.

Here we merely have one fairly long paragraph attempting to represent the work of numerous moral theologians over a period of more than thirty years, which makes it difficult enough to so qualify the statements as to increase the probability of accuracy. In such cases, the weaker the claim, the greater the possibility of accuracy. We find the exact opposite, a very strong claim, in *Veritatis Splendor*. Since I have not carried out an exhaustive study of the work of revisionist moral theologians, I do not wish to incur in the same error and make a claim whose certainty I cannot support. I can honestly say that I do not find in the work of the revisionist theologians an exclusive focus on intentions or consequences. It is, of course, possible that some revisionist moral theologians have collapsed into situation ethics or consequentialism. So I propose a model based on what I identify as the main trends in the work of revisionist moral theologians such as Häring, Curran, Fuchs, Janssens, Knauer, McCormick, and Schüller. Certain features of the debate, for instance the *Readings in Moral Theology* series published by Paulist Press,
show that there is vigorous and reasoned disagreement within the moral theology community. In promoting revision, such moral theologians seek to be faithful to the essentials of a Christian vision of life and the Catholic tradition. This community of moral theologians possesses what William Alston refers to as “a rich, internally justified, overrider system.” In the case of the main authors and the general characteristics of their teachings, I don’t find attempts to justify morality solely on the basis of intentions or circumstances. Should a moral theologian attempt such a method, she/he will be challenged by the others. The dialectic is similar to and at least as interesting as that found in the philosophical community and, in my judgment, has no need of an overrider from above, such as intended by \textit{Veritatis Splendor}.

\textit{Veritatis Splendor} is preparing the way for Article 76, which will emphasize the priority of the object of the act for moral evaluation. The real dichotomy, then, is between intention or circumstances on one side and object of the act on the other. As the encyclical sees it, the revisionist moral theologians are focusing on intention or circumstances in an illegitimate way, one that excludes the object of the act from a role in moral evaluation.

These magisterial objections focus on the autonomy argument against teleology. In fact, all the objections may be reduced to a violation of autonomy, understood in two senses. The primary one is that by violating the safeguards imposed by the commandments or agent centered restrictions, revisionist use of the principle of due proportion assumes an excessive autonomy, one that does not recognize the sovereignty of God. It even presumes to choose, among the multiplicity of goods perceived, goods

\footnote{William Alston, \textit{Perceiving God: The Epistemology of Religious Experience}, 159-61. 122}
that are inconsistent with the goodness of God believed in by Christians. The second form in which autonomy is violated is more similar to the autonomy objection found in philosophical literature. Those who are sacrificed against their will in the pursuit of a general good have had their autonomy violated. Ultimately this is all caused by the alleged violation of agent-centered restrictions by the proportionalist justification of “certain types of behavior.”

*Veritatis Splendor* has been issued and constitutes a valuable contribution to the dialectic. Curran himself expresses agreement with many of the points and emphases of the encyclical and their application, particularly in the area of social ethics: “Moral truth is most important. Freedom and conscience can never be absolutized. There are many things one should not do.” The common enemy for revisionists and the Magisterium alike is the perspective that rejects God and transcendent values as irrelevant to moral considerations. Throughout his various difficulties with the Vatican Curran has emphasized that any disagreement he has expressed with traditional Church positions must be understood in the context of broad areas of agreement. I find his strategy similar to that of a Davidsonian theory of conceptual framework, where he insists that we cannot even understand our disagreements without seeing that we share many beliefs about reality and the world that are mostly correct.

Along with the valuable contribution to the philosophical dialectic, *Veritatis Splendor* presents a challenge to revisionist moral theology to show that it is faithful to its Christian roots. Ultimately, the principal claim is that revisionist moral theology has collapsed into some form of consequentialism unjustified from the viewpoint of a
Christian conceptual scheme. Because Veritatis Splendor's critique bears striking similarity to the problems imputed to the teleological orientation in secular moral philosophy, I have situated it here. There are claims throughout the arguments of the encyclical that revisionist moral theology violates the Christian concepts of integrity and autonomy, that it assumes a concept of the good alien to the Christian tradition, that it does not show sufficient concern for individual dignity in the distribution of goods, understood in a sense that goes beyond the material and economic. The encyclical judges that ultimately revisionist moral theology accepts moral evil as a means to achieve the good. The remedy Veritatis Splendor proposes is a return to the Thomistic theory of human action as a method of moral evaluation. In the next chapter, I will analyze this theory and argue that the revisionist emphasis is faithful to Aquinas. In the following chapter, I will address each alleged claim from Article 75 and show that it misunderstands and misrepresents the mainstream teachings of revisionist moral theology.

CHAPTER 5

THE TRADITIONAL SOURCES OF MORALITY

5.1 The Thomistic Theory of Human Action

Even while talking about controversy and an ongoing debate, I wish to emphasize the areas of agreement between the magisterial ethical teaching and the revisionist moral theologians. It is necessary to focus on the areas of agreement to show clearly the distinctions between a Christian ethic and secular morality. My claim is that this distinction is primarily due to conceptual framework, to the Christian adoption of a thick concept of the good that becomes relevant for moral decision if we accept a pluralistic approach to ethics. In spite of the pluralistic approach I also wish to emphasize a Davidsonian view about disagreement. We cannot even understand our disagreements unless we first understand our agreements and accept that in this broad area of agreement we hold mostly correct beliefs.\(^1\) I also wish to bring out the value of Curran’s claim that most of his disagreements with the Magisterium need to be understood within a context of broad agreement. After recalling the areas of agreement, it is now time to look more closely at the disagreements. One such disagreement concerns moral methodology,

specifically the correct interpretation and application of the Thomistic theory of human action.

Article 76 of the encyclical *Veritatis Splendor* defends the principle that the morality of the human act depends primarily and fundamentally on the "object" rationally chosen by the deliberate will. Teleologism, on the other hand, as understood by the authors of the encyclical, has opened the way for accepting that a person may deliberately consent to certain kinds of behavior declared illicit by traditional moral theology without accepting that this constitutes an objective moral evil. Thomistic texts are used to defend the primacy of the object of the act, understood independently of considerations about intentions and circumstances, for moral evaluation. As mentioned earlier, Janssens argues that this concept of object of the act is Lombardian and not Thomistic. However, it appears that some revisionists accept uncritically the invocation of Aquinas' authority in support of this concept of object of the act and discard Aquinas' system as unhelpful for moral deliberation. I believe this is a mistake that results from a lack of accurate understanding of the Thomistic texts. An examination of these texts should lead us to conclude that they favor the proportionalist cause. Further, we may find that, though limited, the Thomistic theory of human action offers a good system for moral evaluation. I will now turn my attention to the pertinent texts.

The relevant passages for understanding Aquinas' theory of human action are found in Questions 1 to 21 of the *Prima Secundae*. The issue that concerns me here is the encyclical's representation of revisionist moral theology. When we sum it up, we find that *Veritatis Splendor* claims that revisionism undermines Christian morality by ignoring Thomistic teaching about the primacy of the object of the act in moral evaluation. In the
opening statement of Article 78 Veritatis Splendor presents the following statement almost as basic: "The morality of the human act depends primarily and fundamentally on the ‘object’ rationally chosen by the deliberate will," as is borne out by the insightful analysis, still valid today, made by Saint Thomas.” The claim appears to cover at least three different levels. The broadest level would be that, in spite of the disclaimer, found in Article 29, that Veritatis Splendor does not wish to impose upon the faithful, understood as Catholics, a philosophical system, the encyclical in fact declares Thomism normative within the Catholic community. In particular, Roman Catholic philosophers would be required to adopt Thomism. Secondly, the appeal to a Thomistic theory of action is presented as if it settled the question, which would assume the normativity of Thomism. Thirdly, no argument is offered for the correctness of the interpretation, so we are to presume that Veritatis Splendor is giving an accurate interpretation and application of Aquinas’ theory of action. I will address these three levels in order.

In which sense is the authority of Aquinas being invoked? Moral theologian John O’Keefe points out that Aquinas is the individual most often cited by Veritatis Splendor, about eighteen times, whereas Augustine is next, with thirteen references. As MacIntyre has consistently pointed out in his essays on the history of ethics, Augustinian Neoplatonism is one of the systems synthesized in Aquinas’ ethical doctrine. Veritatis Splendor considers itself part of a tradition and it makes perfect sense to appeal to that tradition, which counted both Augustine and Aquinas among its most influential exponents during its long period of formation. Given the passing of time, over fifteen

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2 O’Keefe, John, “Augustinian Reflections on Veritatis Splendor,” in Allsopp and O’Keefe 16. O’Keefe, a Patristic scholar, argues that Veritatis Splendor uses the Augustinian texts without regard for the historical circumstances and literary contexts in which they were written.
centuries since Augustine wrote and seven since Aquinas worked out his synthesis, we may justifiably ask whether the tradition has anything to offer in a modern debate. The negative responses appear overwhelming.

Janet Coleman argues that whereas contemporary philosophers or theologians may be willing to grant that Aquinas was brilliant in his own time, and provided a significant accomplishment by integrating Aristotle into medieval philosophical debate, most believe that he “cannot enter the twentieth century with any coherence.” As John Haldane points out, even among younger Catholics, the preference is for some Continental Philosophy alternative to Aquinas. Further, even those who remain sympathetic to Aquinas do not see Thomism as a living philosophy generally able to engage in dialogue with some secular variants, such as a Davidsonian theory of action. Moreover, the Aristotelian metaphysical foundation on which Aquinas' philosophy rests is no longer considered viable save in some small pockets of resistance. Closely linked to the metaphysics is the Thomistic psychology, which figures prominently in any talk about intentionality, and is clearly inadequate in the light of an explosion of knowledge in that field, now properly considered a social science.

Moral theologian Jean Porter, a critic who finds the encyclical’s interpretation of Aquinas flawed, attempts to strike a balance in our attitude toward the Thomistic texts in question. She holds that Aquinas' account does contain limitations and errors, yet he “offers one of the most insightful accounts of moral judgment that is available to us, and

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3 Janet Coleman, “MacIntyre and Aquinas,” in Horton and Mendus, After MacIntyre, 66.

his account, moreover, has set the framework for all subsequent moral theology."\(^5\) I believe her statement can be broadened to reflect the attitude found among major revisionist ethicists toward Thomistic moral theory in general. Just as a medieval philosopher cannot engage in his/her specialty and ignore Aquinas, neither can a philosopher working within the Catholic tradition. Earlier I referred to the work of Servais Pinckaers. His in-depth historical studies show, effectively I believe, both that the Thomistic synthesis was successful and that it was later abandoned by Catholic moralists in the heat of Counter Reformation zeal, even though the Thomistic terms continued to be used without regard for their original context.\(^6\) Revisionist moralists generally accept this analysis and pay close attention to historical contingencies in the development of moral theology. For this reason, they are aware of Aquinas’ accomplishments in his own time, accept his framework for organizing Christian moral theory as superior to rule-based frameworks, and will often use his insights to deal with modern moral problems, while recognizing the limitations imposed on him by the medieval world view. Although the term “analytic Thomism” is seldom used, according to John Haldane, it stands for a broad philosophical approach that brings together the methods of analytic philosophy and the concerns of Thomism.\(^7\) I believe that anyone who engages in philosophical argument about ethical issues from the context of the Roman Catholic tradition is necessarily engaged in a form of this analytic or critical Thomism. This is what the revisionist moral theologians are doing.


\(^7\) “Thomism, Analytical,” in The Oxford Companion to Philosophy.
Revisionists, then, would agree that Aquinas' authority is relevant, although many have given up the three sources of morality as a tool for moral evaluation of human acts, and some even specifically label this method as too abstract in the light of current personalistic tendencies. Something that will become evident in this and other discussions over the course of these two chapters is the revisionist belief that the Magisterium often ignores historical contingencies in its use of Aquinas, and indeed of other authorities within the tradition. The issue that concerns me in this section is the claim asserted by *Veritatis Splendor* at the beginning of Article 78. By not presenting an argument the encyclical gives the appearance of treating the principle as basic and uncontroversial, as I stated before. Yet, *Veritatis Splendor* asserts that it is this specific Thomistic analysis of human action and method for moral evaluation that is still valid today. Like Porter, I agree that Aquinas' theory of human action is relevant for this discussion, in fact I will argue that it is still a good method for moral analysis. However, like Porter I also judge that the encyclical's interpretation is flawed, and will try to show this in the next two sections.

5.2 The Thomistic Concept of Object of the Act

I referred in Chapter 3 to Janssens' claim that Aquinas rejects Peter Lombard's concept of an object of the act that can be evaluated morally in itself. Here I will avail myself of the Thomistic texts and other authors' arguments to support Janssens' argument. On the most narrow level, we need to clarify the meaning of the key term

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8 Curran, for instance, prefers a concern with "responsibility in relations" as offering a more personalistic approach to the moral evaluation of human actions. I do not see that the two approaches are mutually exclusive.

9 Janssens, "Ontic Evil and Moral Evil," 60.
object and to determine how Aquinas combines the three elements, i.e., object, intention, and circumstances. Charles Curran joins Porter in identifying the understanding of object as the primary disagreement between Veritatis Splendor and the revisionist theologians.  

This exercise of determining the object of the act can be very useful, functionally equivalent to the ancient Socratic search for definition or the modern search for a most apt description of an action, as I will attempt to show later in this chapter.  

I have not found a direct definition of object in this section of the Summa Theologica. What the text yields I would call more a description of object as “that which gives an action its species.” Aquinas further clarifies that the primary goodness of a moral action is derived from its suitable object; thus to make use of what is one’s own is said to be good in its genus. Similarly, the primary evil of an action is that which is from the object, such as in the case of “to take what belongs to another.” Such an action is said to be evil in its genus. I have emphasized genus as applied to the examples about the primary good and primary evil of an action, because there is clearly an imbalance present in the text. On the one hand, object is said to give an action its species, on the other hand it is said that the primary generic good or evil of an action is said to come from its object. Aquinas adds a final sentence to the paragraph, in which he states that genus in these cases is standing for species, “just as we apply the term mankind to the whole human species.”

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11 Irwin, Plato’s Ethics, 25ff.
12 Summa Theologica, I-II, q. 18, art. 2.
Aquinas describes the object as that which gives the act its species, yet commits himself only to a claim that the object gives a generic goodness or evil to the act. His explanation is that this is similar to the way we use the generic term *mankind* to refer to the species *humankind*. Why not just say that the specific good or evil of an act comes from its object? For the reason that under some *circumstances* it can be inaccurate to use the term *mankind* to refer to all human beings, such as when one is referring to those human beings capable of bearing a child within them. Similarly, sometimes it is inaccurate to say that to make use of what is one’s own is specifically good, because, for instance, one may use what is one’s own for an evil purpose. At other times, it is inaccurate to say that to take what belongs to another is specifically evil, since, as Aquinas teaches while considering the sin of stealing, “if there is an evident and urgent need, so that it is manifest that one must provide for that need from what is currently available, (particularly when there is imminent danger for the person), one may licitly provide for his need from the things that belong to another, whether one takes them openly or in hiding, and this act does not have the *ratio* of theft or robbery.”\(^\text{13}\)

Aquinas’ statements may be translated into modern philosophical terms as follows: The general judgment about the goodness or evil of an act, considering only its object, is a *prima facie* judgment. It would be anachronistic to present Aquinas defending W. D. Ross’ theory of *prima facie* duties, so it is necessary to clarify that is meant by *prima facie*, particularly since the phrase is not used univocally in the literature. Kagan, for instance, believes that Ross himself equivocates and really intends to speak about *pro tanto* reasons for doing the good. A *pro tanto* reason is defined as one that has

\(^{13}\text{Summa Theologica, II-II, q. 64, art. 7.}\)
genuine weight but may be outweighed by other considerations. A *prima facie* reason, on the other hand, appears to be a reason but may be no reason at all.\(^{14}\) There is a lack of balance here that may make it difficult to understand the distinctions, since Kagan is speaking about reasons and Ross is speaking about duties. It is not my intention to analyze and adjudicate the disagreement between Kagan and Ross. Still, I avail myself of these modern distinctions to throw light into what Aquinas meant when he states both that the object determines the species of the act but only helps moral agents to make a generic judgment about goodness or badness.

In Chapter 3 I referred to Louis Janssens’ argument that Aquinas rejects Peter Lombard’s concept of an object of the act that can be evaluated morally in itself. The evidence from the texts I am examining mostly supports Janssens’ claim. To say that an act description of Type TBA (for taking what belongs to another) acts, for instance, only yields a *prima facie* judgment, is to recognize that this rather primitive description is insufficient for a definitive judgment in the absence of a consideration of intention and circumstances. I have stated that this mostly supports Janssens’ claim because Janssens actually carries it further. He does not think that Aquinas allows any type of moral evaluation at this early stage, but I cannot see how this interpretation is warranted in the light of Aquinas’ statements that the object assigns generic goodness or badness to an act.\(^{15}\) Returning to the Kagan-Ross conceptual disagreement, I would say that Aquinas really says that the duty, whether positive or negative, carries authentic weight even if it may be overridden. An initial evaluation of any act types as negative indicates that

\(^{14}\) Kagan 17.

\(^{15}\) Janssens’ discussion is found in “Ontic Evil and Moral Evil,” 60-66.

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stronger overriders would be required to transform it into a positive evaluation. On the other hand, it is easier to find overriders to an initial positive evaluation.

With regard to TBA acts, one is prima facie permitted to use what is one’s own, one is prima facie forbidden to take what belongs to another. However, such permissions are relatively easily overridden, such as when someone uses something that legitimately belongs to him/her for an evil purpose. Overriders for the initial prohibition are harder to come by but possible. The overriders may come in the form of consideration of intention and circumstances. Among the circumstances, outcomes or consequences have been given special emphasis in the moral philosophy that has been formulated after classical utilitarianism came on the scene. Veritatis Splendor expresses a fear that the revisionist theologians are veering too close to hard-core consequentialism, and uses the Thomistic texts to show that a consideration of the object of the act is primary for moral evaluation. Veritatis Splendor is correct in its claim that Aquinas gives primacy to the object in determining the morality of an action. However, what the text yields is that “primacy” is most properly interpreted as constituting a prima facie moral judgment.

The official English translation italicizes the text which Veritatis Splendor uses in its claim about the primacy of object for moral deliberation, rather than placing it in quotation marks. Since I cannot find the exact quote in the text referenced, I take it that it is offered not as a direct citation but more as a summary or inference from the Summa Theologica. It is legitimate to inquire whether the encyclical’s summary is an accurate rendition of the Thomistic text. In the Latin text we find the following:

In actu autem voluntario invenitur duplex actus, scilicet: actus interior voluntatis, et actus exterior. Et uterque horum actuum habet suum objectum: finis autem proprii est objectum interioris actus voluntarii: id
autem, circa quod est actio exterior, est objectum ejus: sicut igitur actus exterior accipit speciem ab objecto, circa quod est: ita actus interior voluntatis accipit speciem a fine, sicut a proprio objecto.

The 1947 English translation prepared by the Dominican Fathers offers this rendition:

Now, in a voluntary action there is a twofold action, viz., the interior action of the will, and the external action: and each of these actions has its object. The end is properly the object of the interior act of the will: while the object of the external action is that on which the action is brought to bear. Therefore, just as the external action takes its species from the object on which it bears: so the interior act of the will takes its species from the end, as from its own proper object.¹⁶

Let us compare this to the text as given in Veritatis Splendor: “the morality of the human act depends primarily and fundamentally on the ‘object’ rationally chosen by the deliberate will.” We may grant Veritatis Splendor its claim that for Aquinas the morality of the act depends primarily on the object that is rationally chosen by the deliberate will, but if we take the passage from Article 2 seriously we must conclude that such a moral judgment is only preliminary and needs to be completed by consideration of intention and circumstances. Let me first address the presence of intention within the object.

5.3 Intention as Part of the Object of Human Actions

The Thomistic teaching on the relationship between end and intention in the interior act of the will reveals that the text being paraphrased, to assert the priority of the object of the act as a source of moral judgment, is in fact asserting that the intention is already part of the object (my emphasis), at least implicitly. Not only is the intention already included in the object, it has to be there, for the act to be subject to moral evaluation. A voluntary action, the proper subject of moral judgment, includes the end as

¹⁶Summa Theologica, I-II, q. 18, art. 6.
object of the interior act of the will. Earlier in the *Prima Secundae* Aquinas has defined human acts as those that proceed from a deliberate will, whose object is the good and the end. Without such deliberateness, the actions are morally indifferent, something Aquinas holds cannot be said of human actions:

If, however, it (the action) does not proceed from deliberate reason, but from some act of the imagination, as when a man strokes his beard, or moves his hand or foot; such an action, properly speaking, is not moral or human; since this depends on the reason.\(^\text{17}\)

In defending his position that human acts are specified by their end, Aquinas argues that the end of the act is both principle and terminus of acts that are properly human, for the human act terminates at that which the will *intends* (my emphasis) as the end.\(^\text{18}\) For Aquinas intention is one of three acts of the will in relation to the end (the others being volition and enjoyment). Intention stands in a threefold relationship toward the end: (1) *absolutely*, whereby we will absolutely to have health and so forth, and this results in volition; (2) intention considers the end as its place of rest, and this results in enjoyment; (3) intention considers the end as the term towards which something is ordained.\(^\text{19}\)

Since Aquinas himself uses the example of good health as the kind of end we will absolutely, let me use it to illustrate how these three acts of the will may be present. If we are appropriately rational and mentally healthy, we all pursue a goal of physical health. The *absolute* character Aquinas mentions is best understood as comprehensive, embracing many other objectives. For the sake of this comprehensive goal we will many

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\(^{17}\) *Summa Theologica, I-II, q. 18, art. 6.*

\(^{18}\) *Summa Theologica, I-II, q. 1, a. 4.*

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actions ordained toward that goal: lifestyle changes, dietary restrictions, perhaps the taking of medicines or submitting to certain treatments. Some of these actions are not pleasant in themselves, and some may even involve a measure of physical evil, e.g., an invasive surgery. Yet, there is a certain enjoyment attached to the performance of the actions (or the acceptance of the restrictions) because we rationally understand the relationship between the action (or passion) and the comprehensive goal. In choosing any of these actions, which may be described by an object of the action, we judge the action good in view of the comprehensive goal being promoted. The intention of achieving good health, therefore, is already present in the object of the action.

On the basis of these various considerations, we make some particular value judgments: “Vigorous exercise is good.” “Avoidance of salt in my diet is good.” These are preliminary judgments, expressed in necessarily general statements. Yet, it is not hard to see how changing circumstances may alter the value judgments. Some person’s hearts may be too weak to withstand vigorous exercise. A person who becomes overzealous in avoiding salt may end up with a potassium deficiency and suffer other adverse consequences. I purposely chose an instance of pursuing a comprehensive goal from an axiological, pre-moral perspective. In the next chapter, I will analyze certain controversial moral issues in debate between the Magisterium and revisionist moral theologians using the same method.

Let me apply this to Veritatis Splendor’s assertion that “the morality of the human act depends primarily and fundamentally on the ‘object’ rationally chosen by the deliberate will.” As noted earlier, Aquinas teaches that the interior act of the will has its
own object. The same distinctions that I made with regard to the external act also apply to the interior act, that which is chosen by the will. To intend to carry out Type TBA acts is *prima facie* forbidden, but overriders may be found. The same dynamic takes place that occurs in the case of the external act. Once we factor in intention and circumstances, there may come a point where the prohibition can no longer be overridden. “Theft” may seem question-begging, but it serves as a useful archetypal term. We may come to a point at which we can make a judgment that to choose an act such as “taking what belongs to another secretly because I find it less humiliating than asking for it even though I know the person is good hearted and would be willing to help me in my need” is morally equivalent to theft. As long as the stated intentions and circumstances exist, it would be morally wrong to intend such an action, even if additional circumstances or intentions are added to the moral evaluation of the judgment.

Janssens is correct in his judgment that for Aquinas there is no object of the act that determines morality apart from a consideration of intentions. But what about the converse? In its argument against revisionist theologians, *Veritatis Splendor* states the principle that “a good intention is not itself sufficient, but a correct choice of actions is also needed”.

This is trivially true and Aquinas and modern day revisionists would agree. The implication given by the Magisterium is that revisionists hold that a good intention is all that is needed to make an action morally good. Without conducting an exhaustive study of the opinions of all revisionist moral theologians, we may conclude that it is entirely possible that some revisionists hold that position, even probable if we consider the traditional interpretation of “some” as “at least one.” The principle is

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20 *Veritatis Splendor* 78.
intended as an attack against so-called “situation ethics.” Yet this is not really a major concern, since mainstream revisionists can easily show that this charge is a straw person argument.

Even if Thomistic texts may be used to justify that the morality of the act depends primarily on the object of the act, the moral judgment is only preliminary unless the object already includes intentionality. It is trivially true that without intentionality, the act is not even a human act, the only type of act subject to moral evaluation. Even the Veritatis Splendor claim grants this point, since the object must be “rationally chosen by the deliberate will” for there to be a moral evaluation. The issue in the modern moral debates centers on whether there are some types of actions which, as specified by their object alone, may never be morally chosen by the deliberate will. Revisionists agree with the Magisterium that there are. The issue is how the object of the act is to be determined.

5.4 Circumstances as Part of the Object of Human Actions

Whereas it is trivially true that the object of the act contains intention within it, it may not be so clear in the case of circumstances. Porter’s critique focuses on the issue of determining the object of the act and I find it helpful in addressing this particular issue. I can sum up her critique in three points:

(1) There is a widely shared erroneous assumption that Aquinas’ criteria for the evaluation of an action can be applied to specific acts prior to and independently of the process of determining the moral evaluation of a specific action.

(2) Veritatis Splendor shares this erroneous interpretation by holding that, in order to use the three sources of morality for moral decision making, we first need to be
able to identify which component of a particular action is which, prior to forming a moral evaluation of the action. Yet Aquinas recognizes that we cannot do this.

(3) Aquinas holds that in order to determine the object of an action, distinguishing it in the process from the agent’s aim in acting, it is first necessary to arrive at a correct description of the act from the moral point of view. This process, in turn, depends on prior evaluative judgments, in terms of which we determine what is morally relevant and what is not, and how the different components of the action should be interrelated to one another. "Description is not prior to evaluation; to the contrary, to describe an action from the moral point of view is to form a moral evaluation of the action."  

With regard to Porter’s first point, my experience is that she is correct in terms of the conventional interpretation of Aquinas’ teaching about the object of the act. According to this interpretation, there is a straightforward object of the act available prior to beginning the process of moral evaluation, and this object of the act is clearly separable from circumstances. Why is this wrong? The best reason is Aquinas’ own testimony in a later article in Question 18. He states:

[T]he process of reason is not fixed to one particular term, for at any point it can still proceed further. And consequently, that which, in one action, is taken as a circumstance added to the object that specifies the action, can again be taken by the directing reason, as the principal condition of the object that determines the action’s species.  

The example Aquinas gives in the text concerns an evaluation of the act of appropriating another’s property, a problem to which I made reference earlier in this

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21 Porter 281.

22 Summa Theologica, I-II, q. 18, a. 10.
chapter while clarifying the concept of object of the act. In this article Aquinas argues that the circumstance of place can change the essence of the act and turn it into an act of sacrilege, such as when one takes what belongs to a holy place. On the other hand, in the Secunda Secundae Aquinas dedicates one question to the issue of whether it is lawful to steal through stress or need. He argues that “in cases of need all things are common property, so that there would seem to be no sin in taking another’s property, for need has made it common.” Just as circumstances can turn the act of taking what belongs to another into an act that is essentially treated as graver within the Christian framework, so also the presence of a circumstance such as need can relieve the act from any sin.

There is no pre-set object of the act. Identifying the object of the act is part of the process of moral evaluation in which reason is actively seeking clues to determine how best to carry out the identification. Porter is also correct that Veritatis Splendor, while exhibiting the capacity to make careful nuances at other times, and generally accepting of distinctions such as that great need excuses from sin if one takes the property of another, simply repeats the conventional interpretation uncritically. The conventional interpretation would simply state slogans such as “theft is theft,” or “a good intention is not itself sufficient,” as Veritatis Splendor 78 does, without the careful analysis that leads Aquinas to conclude that “it is lawful for a man to succor his own need by means of another’s property, by taking it either openly or secretly: nor is this properly speaking theft or robbery.” As I stated earlier, “theft” may seem question-begging, but it is a

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23 Summa Theologica. II-II, q. 66, a. 7.

24 Summa Theologica II-II, q. 66, a. 7.
useful archetype. Aquinas would accept the principles expressed in the slogans. However, his analysis of the act, through the three source method, leads him to conclude that taking what belongs to another in the case of serious need is not properly an act of theft. Analytic theories of human action help us in this judgment by showing how changing circumstances change appropriate act descriptions. Donagan points out that there can come a point when the new act description does not mention the relevant circumstances because it already contains them, so it would be redundant to state them explicitly. In other words, the term “theft” includes circumstances such as that the property owner is reasonably unwilling that one not take over his property and that the taker has no grave need that might override the property owner’s unwillingness. It is such circumstances that change the act description from simply “taking what belongs to another” to “theft.”

Porter concludes that “Description is not prior to evaluation; to the contrary, to describe an action from the moral point of view is to form a moral evaluation of the action.” I find some imbalance in this statement. If we are talking about a process of moral evaluation, then description begins before a moral judgment is reached, otherwise we are begging the question. Obviously, we can begin the description with attention to strictly physical movements or description of what it is that is taken, but those details would be irrelevant for the moral evaluation. When we reach the point where the circumstance that the object belongs to another is considered, a preliminary or prima facie moral judgment can be made. However, as additional circumstances are

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25 Donagan 42.

26 Porter 281.
considered, these circumstances are found to override the preliminary judgment in the case of need, which according to the context may be interpreted as grave need.

In conclusion, *Veritatis Splendor* is correct in assigning priority to the object of the act and in invoking Thomistic authority for that judgment. However, in an inconsistent manner, it fails to take into account a process for determining the object of the act which the Magisterium uses in some instances, such as when it teaches that “There is no theft... in obvious and urgent necessity when the only way to provide for immediate, essential needs (food, shelter, clothing...) is to put at one’s disposal and use the property of others.”

Throughout this chapter I have used the particular example of taking what belongs to another to illustrate the method for determining object of the act and to show that the Magisterium itself accepts this method. In the following chapter, I will address some areas of disagreement between magisterial and revisionist moral theology, illustrating how the different understandings of the method yield different conclusions. Before I address those issues I wish to offer further reasons in support of my claim that Aquinas’ method is a sound method for moral evaluation, regardless of the limitations of Thomism as a whole. Then I wish to follow with some explicit considerations of how the three sources method provides a holistic approach to the teleological-deontological debate.

5.5 From Socrates to Donald Davidson

My purpose in this section is to show that the Thomistic search for object of the act is a sound method for moral evaluation. Whereas the term “object of act” may be medieval, the Thomistic attempt to clearly define object, and to determine the object of

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27 *Catechism 2408.*
specific human actions, is consistent with the search for clarity that has characterized
Western philosophy from the Socratic quest for definition to a Davidsonian theory of
action. Moreover, it is necessary for analysis of the morality of acts and at least implicit
in any attempt to address the ethical complexities of human action.

In the Western tradition, moral philosophy begins with Socrates’ quest for
definition. Pointing to Aristotle’s distinction between nominal definition and essential
definition, Terence Irwin explains that the Socratic method is to move beyond the
nominal definition, what today may be sought in a dictionary, to an essential definition,
which is the basis of scientific knowledge.\textsuperscript{28} The search for object is like the search for
definition. We begin the process with the ordinary use of the term in a linguistic
community. We expose our preconceptions to a Socratic dialectic and something akin to
an essential definition can emerge if we have conducted the process effectively.

In modern analytic philosophy we discuss what may be the most apt description
for actions. The focus on description turns the issue into one of clarification of language
rather than a concern with controversial or outdated metaphysical problems. Most of us
agree with Aristotle that some actions have names that already imply wickedness and
most would accept his trilogy of adultery, theft, and murder as illustrations.\textsuperscript{29} We may
grant that the acceptance may be only conceptual and that it is even logically possible to
argue that there are no human actions that would fall under one of these descriptions.
Yet, most reasonable people agree, at least in the case of murder and theft, that once an
action falls under that description, it is morally unjustified. The issue is “What do you

\textsuperscript{28} Irwin 25-26. The reference to Aristotle is to the \textit{Posterior Analytics}, 93b-94a.
mean by adultery (or theft, or murder)? It is an analogous question that Aquinas is asking when he asks “What is the object of the act of adultery (or theft, or murder)?”

If analogy is sameness with a difference, let us begin with the differences. The modern analytic question deals with the structure of language, the Thomistic question with a realist conception of an act. A Muslim or Mormon who cohabits with a plurality of wives is not committing adultery from his linguistic framework. A state of polygyny cannot be described as continuous acts of adultery within that framework. Yet there are others who, from their linguistic framework, would describe these as continuous acts of adultery that may be excused because of ignorance or similar reasons. There is no independent standard by which to settle the dispute between a form of realism and a form of nominalism. For Thomas there is an independent standard, the Eternal Law, although weaknesses in human understanding may result in lack of observance even on the part of righteous people. While the Eternal Law contains all the relevant information, it is possible even for reflective persons not to be in full possession of all this relevant information. This distinction is grounded in belief in the God of the Judaeo-Christian tradition, as Socrates’ quest for an essential definition was grounded in belief in the Theory of Forms.

In spite of the differences, ultimately even the philosopher who envisions the philosophical task exclusively in terms of clarification of language is committed to moving beyond the usage of terms in ordinary language. In fact, this is what fuels the enterprise of philosophical analysis. For instance, in Davidson’s theory of human action, he analyzes the concept of “primitive action.” Against those who use the concept of

29 *Nichomachean Ethics*, 1107a.
causality as a way to bypass intention when speaking about agency, he argues that for a bodily movement to be considered an action, it needs to be intentional under some description and known to the agent as intentional under some description. The agent’s intention may not coincide with the most apt description, yet “Everything depends on whether or not there is an appropriate description of the action.”\(^\text{30}\)

I propose that the Thomistic search for object is functionally equivalent to the Davidsonian identification of primitive action, which must be intentional to qualify as an action, and yet subject to redescription until an appropriate description of the action is found. The appropriate way to analyze is to identify a primitive action, which already contains intentionality within it. However, this cannot be the end of the process. This is how the Thomistic identification of object of the act moves. As further circumstances are factored in, the circumstances may be found to be so cogent that they become part of the nature of the act. If the system is used correctly, it yields moral evaluations that are intuitively appealing, defensible by the standards of analytic philosophy, and show common ground between Catholic magisterial and revisionist moral theology. The case of the deceitful savior should help illustrate this point.

5.6 The Morality of Deceitful Saviors

I have been insisting that Christian ethics is primarily teleological. I have presented a teleological vision of the good to be maximized as ideal, God-inspired. When I address certain problematic issues, as I will in this section and in the next chapter, it may seem I am leaving behind the concept of the good of the earlier chapters. However, it is life that does that sometimes. The Christian does not believe that

following God's commands will bring about calamitous consequences for human beings and, consequently, flouting those commands will bring about the greatest good. But religious faith does not exempt one from tragic situations in which one must act, yet significant ontic evil will result no matter what one does. At such times, the Christian concept of the good I have presented will seem obscured, maybe abandoned. Yet, this is the way life is and Christian ethics is concerned with the real world, rather than with possible worlds.

One of the best known examples in the history of ethics is Kant's treatment of the problem posed if someone with murderous intentions approaches inquiring about the whereabouts of his intended victim. In response to an opinion expressed by Benjamin Constant, Kant argues that the concept of someone not having a right to the truth, which Constant had defended, is meaningless. All that I know as a moral agent is that I have a right to my own truthfulness. By telling the truth I am not responsible for the death of the victim, if the murderer effectively carries out his intention. However, I would be responsible for the death if I tell an untruth and it turns out that the victim was found where I, contrary to my belief, stated he could be found. "Truthfulness in statements which cannot be avoided is the formal duty of an individual to everyone, however great may be the disadvantage accruing to himself or another."\(^{31}\)

Although Aquinas himself does not present so specific a case, he does provide a division of lies into officious, jocose, and mischievous. An officious lie intends something useful to another person and lessens the gravity of the sin of lying. A lie told

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to save someone from death is explicitly counted as second least in gravity, with the lie told to save someone’s virtue considered least of all in gravity. Yet, even these noble purposes do not seem to excuse from sinning, they only lessen the gravity of the sin. It is in the following article that Aquinas defends the principle that every lie is a sin. Citing Augustine, he states that it is not lawful to tell a lie to deliver someone from any danger, although it is legitimate to hide the truth prudently. Yet, he refers to certain examples where the Bible appears to praise people for deceiving others with the intention to bring about a good purpose. He further clarifies, in the case of the biblical Judith, that she was praised not for the lie, but for her desire to save the people, yet “one might also say that her words contain truth in some mystical sense.”

As far as Aquinas goes, it seems almost an open and shut case that he would agree with Kant. Obviously, it would be preferable to hide the truth prudently, but if ultimately there are only two options available, tell the truth or tell a lie, one is morally required to tell the truth, although the moral offense in telling a lie may be slight. This response strikes our intuitions as somewhat of a copout, although the statement about some mystical sense of truth appears to leave an opening. How can we address this issue through the Thomistic three sources?

The situation involves someone we have good reason to believe entertains murderous intentions inquiring about the whereabouts of an intended victim. A primitive action or plausible object of the act is simply one of speaking words. That in itself is not helpful, so we move up at least one level to specify the option of speaking words that correspond to the agent’s belief about the state of affairs (a putative truth) or words that

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32 *Summa Theologica*, II-II, Q. 110, art. 2.
do not correspond to such a belief (a putative untruth). Either would qualify as an object of the act. If object were all that is needed, apart from intention and circumstances, it would be trivially true that we are required to tell the putative truth. That still leaves the problem of what putative truth will be spoken, since either the accurate whereabouts of the intended victim, or a statement to the effect that the speaker does not recognize a right of the questioner to receive the information, would qualify as the truth. However, to qualify as a human act subject to moral evaluation, intentionality must be factored in, and this brings in some additional characterizations of the act.

By considering the intention as immediately relevant for moral evaluation, we find some of the following options:

(1) Speak the putative truth with the intention of bringing about the death of the intended victim, since I agree that something better will result from the death of the intended victim, even if I prefer not to carry out the act myself.

(2) Speak the putative truth with the intention of ensuring my own wellbeing since, if I am found to have spoken untruthfully, I may later suffer negative consequences.

(3) Speak the putative truth with the intention of honoring my duty to be truthful and motivated by my belief that the effects do not matter, only respect for duty.

(4) Respond to the scoundrel that he has no right to the truth and that nothing he does will persuade me to tell him what I know.

(5) Speak the putative untruth with the intention to deceive the scoundrel whom I despise anyhow.

\[33\] Summa Theologica I-II q. 110, art. 3.
(6) Speak the putative untruth with the intention to save the life of someone I consider an innocent victim.

The first four options may be considered actions of telling the truth with regard to their object. The final two options are accurately considered actions of telling an untruth with regard to their object. With regard only to the object of the action, it would appear that the first four options are morally good and the last two morally bad. Yet, most reasonable people would find such a blanket moral judgment inadequate, to say the least. The first option is hideous from the viewpoint of our moral sensibilities, and turns the agent into a deceiving coward in spite of the fact that he is telling the truth. The second one, while more understandable, is not much better. The fourth option, while conceivably praiseworthy as an act of absolute dedication to truth, and ultimately the most morally correct choice, may also be considered extreme foolhardiness and unnecessary, at least in light of the Aristotelian standard of moderation. I believe that, on the intuitive level, most of us would consider the last option the most moral option, granting that a committed Kantian may provide a strong argument on behalf of the fourth option. On the other hand, a committed consequentialist would most probably straightforwardly choose the last option. Since I am using this example to analyze a debate within the Christian community, I am presuming a commitment to the belief system of the Judaeo-Christian tradition. I claim that, within this context, a careful application of a Thomistic three source analysis would yield that the sixth option is the
best option, although the fourth option may also be considered justified, perhaps having the nature of a supererogatory act.\textsuperscript{34}

Since the Thomistic tradition accepts that a prudent concealing of the truth is permissible under certain circumstances, there is an agreement that the duty to tell the truth is not absolute. It is also generally accepted in Christian circles that one need not tell the truth to someone who has no right to the truth. We may find this puzzling, since such a concept of a right to the truth is not found in the Bible or Christian authors such as Augustine or Aquinas. However, it would be anachronistic to expect to find it in pre-Lockean authors. Even though Kant explicitly rejects this concept of having a right to the truth in his response to Constant, Christians generally accept the concept of rights and even the \textit{Catechism of the Catholic Church} and its Code of Canon Law assert that “No one is bound to reveal the truth to someone who is not bound to know it.”\textsuperscript{35} What needs to be settled is whether similar circumstances would justify going beyond silence or the prudent concealment of the truth to the telling of an untruth.

Pre-Vatican II moral theology accepted the moral justification of the “mental reservation,” understood as the use of some words and non-expression of others as a distraction from the proper meaning of a statement. The distinction is traditional and found also in Kant's \textit{Lectures on Ethics}. The 18\textsuperscript{th} edition of the manual by Joseph Aertnys and Cornelius Damen distinguishes between justified and unjustified mental

\textsuperscript{34} The notion of supererogatory act may be problematic for Christian theory as I have construed it, since I reject agent-centered options. Yet, I see it as logically possible for a Christian moral agent to envision obligation in terms of a requirement to save an innocent life, and to entertain an option to bring about this purpose in a way that entails greater personal sacrifice.

\textsuperscript{35} \textit{Catechism of the Catholic Church}, article 2489, with reference to Canon 983 of the Church’s Code of Canon Law.
reservation. The mental reservation cannot be purely mental, understood as the use of words that in no way, either in themselves or because of their context, would allow the truth to be perceived by others. This would collapse into a lie. Yet, some of the examples given of justified mental reservation may be considered ludicrous by an objective observer. A woman who has committed adultery and confessed it sacramentally, may respond to her inquisitive husband that she is innocent of such a charge. Her statement would be true if it is understood that her innocence arises from the fact that the sin has already been washed away through the sacrament.  

An entire thesis could be written on the distinction between justified and unjustified mental reservation, but I don't have the time for it. Instead, I propose that the type of distinction being made qualifies as a word game that is a worthy rival to anything analytic philosophers, sometimes reviled for turning philosophy into word games, have ever devised. We are to presume that in a moment of crisis an ordinary person can carry out all the complex reflections required for one's answer to qualify as a justified rather than unjustified mental reservation.

In the light of the Christian vision of life and of the good that I presented in the Chapters 2 and 3, I claim that the most accurate general analysis of the primitive action of telling an untruth is on a par with the Aristotelian trilogy we have already encountered. Good arguments can and have been presented from a Christian conceptual framework for the conclusion that not every act of taking what belongs to another is an act of theft. Similarly, for the conclusion that that not every act of killing a human being is an act of

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murder. It may be harder to envision such a conclusion in the case of adultery, yet we would consider it trivially true that a blind person who is deceived by an identically sounding sibling of his/her spouse would not be guilty of adultery. Similarly, we may safely conclude that not every act of telling a putative untruth falls under the description of a lie. Even Kant grants as much in his Lectures on Ethics. There he states: "Not every untruth is a lie; it is a lie only if I have expressly given the other to understand that I am willing to acquaint him with my thought."\(^{37}\)

In the particular case of the inquirer with murderous intentions, there are two overwhelming circumstances that lead us to at least consider the possibility that it is morally justifiable to deceive such a person. First, the inquirer has no right to know the truth. Whether this is the best expression of the facts of the matter or not, in our linguistic community most of us know what is meant by "a right to know the truth." Secondly, the inquirer's intention is evil and we have a moral obligation to do what is in our power to stop him. Kant gives the example of the thief who takes someone by the throat and asks where I keep my money. He concludes that untruth in such a case is not a lie because the thief knows full well that, if I can help it, I will not tell him and, moreover, that he does not have the right to the truth.\(^{38}\) There clearly exists an inconsistency between this Kantian statement and the argument quoted earlier in response to Constant. Sissela Bok explains that Kant was much more sensitive to subtleties and

\(^{37}\) Kant, Lectures on Ethics, 228.

\(^{38}\) Kant, Lectures on Ethics, 227.
nuances in his classroom lectures but explicitly took a distance from such subtleties in his major works in moral philosophy.\textsuperscript{39}

Granted that the person in a crisis situation may not be able to conduct all the philosophical analysis instantly, thin lines do matter for philosophy and in considering circumstances we are trying to draw boundaries that are difficult to gauge. For the earlier Kant, the type of understanding that exists between the speakers is a crucial circumstance. If I explicitly make the other one believe that I am willing to communicate truthfully, then the action may rightfully be described as a lie and considered morally unjustifiable. It is this type of action that is considered to weaken community among human beings. Even if we accept this standard, may we not presume that someone with evil intentions should understand, like Kant’s thief, that if I can help it, I will not tell him? May we not presume that, if he were properly rational, he would understand that he has no right to the truth? Even by very strict standards about the importance of truth telling, I think we have found an opening to determine that the speaking of an untruth in such a case is not a lie.

The conclusion of the last paragraph, I believe, applies generally in the case of an inquirer who intends to use the truth for evil purposes. Some further considerations should be added when the inquirer has murderous intentions, where the value at stake is the protection of human life. Most defensible moral theories accept that, where there is a real choice between a life and a life, and one can be classified as an unjust aggressor and the other as innocent victim, it is morally licit to do whatever is necessary to protect the innocent. From a teleological perspective, this protection of the innocent is not only

\textsuperscript{39} Bok 37-38.
morally licit, but also morally required, but for my purposes here I only need the weaker conclusion. That is, we are dealing with a circumstance in which it is even morally licit to use deadly force for the protection of the innocent. If it is morally licit to use deadly force, why wouldn't it be morally licit to use deceit by words to protect the innocent? In this case, the most apt description of the action is protection of the innocent.

Both the earlier Kant and the Catholic Church, accept this conclusion: The telling of an untruth to protect innocent life is morally justifiable and does not constitute a lie. To show this, let us look at their definitions of lying. In the pertinent lecture concerning the duty of truthfulness, Kant defined a lie as “falsiloquium in praejudicium humanitatis” (speaking of an untruth to the detriment of humanity).* The latter is a marvelous teleological definition, further illustrating the presence of the teleological element in Kant. The Catechism states that “to lie is to speak or act against the truth in order to lead into error someone who has the right to know the truth.”* In the sense in which we have been speaking about object of the act, the definition may be considered an object of the act that includes the most generally relevant intentions and circumstances. By adding both the earlier Kantian analysis and the Catholic perspective, we may define the lie as “the speaking of an untruth to someone who has a right to the truth or in detriment of humanity.” Have we manufactured a question-begging definition that opens up the floodgates for an anything goes form of consequentialism? My preliminary response is that I have presented an analysis based on the Thomistic three-source methodology. My

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*Kant, Lectures on Ethics, 227.

*Catechism 2483.
secondary response will follow shortly. The analysis I have carried out is typically revisionist, based on a judgment of due proportion, yet in line with magisterial teaching about the duty of truthfulness in our statements. In the next section, I will argue that it does not collapse into consequentialism.

It is well known that, during the Second World War, in spite of the controversial silence of Pope Pius XII regarding the Holocaust, Catholic officials engaged in systematic deceit of the Nazis. Nuns were instructed to respond with untruths to Nazi sympathizers or guards who might knock on the doors of orphanages inquiring about Jewish or handicapped children. None other than the future Pope John XXIII, Apostolic Delegate in Turkey at the time, authorized the issuing of fake baptism certificates for Jewish children. I am not saying that the fact that these actions were carried out by Church officials proves that they are morally justified or approved by the Church. Even if the actions were approved by the official Church, this constitutes no proof of moral justification. Throughout its history the Church has approved of many actions which, in the light of latter reflection, have been regarded as morally wrong. This case, however, represents an extension of the Kantian case about the inquirer with murderous intentions; which I introduced with the purpose of showing common ground between Catholic magisterial and revisionist moral theology, as well as intuitive appeal and defensibility by the standards of analytic philosophy. I must return to the caveat I made at the beginning of this section. The Christian, committed to Christ, who is self identified with an ideal truth, cannot take lightly the ontic evil caused by the telling of an untruth, even to save a life. Reality, however, confronts us with such challenges. It may appear that I have abandoned the Christian concept of the good and indirectly defended the consequentialist
principle that "the end justifies the means." My next task, therefore, is to show relevant
differences between a typically revisionist analysis and consequentialism.

5.7 Application to the Teleological-Deontological Debate

Teleology and deontology are styles for making moral judgments. The three
sources of morality were used as a method for moral evaluation before philosophers or
theologians explicitly pointed out the significant differences between teleology and
deontology. As far as the teleological-deontological distinction is concerned, we may
consider the three-source method to be pre-theoretical. In this section, I assume the
perspective of the teleological-deontological distinction to examine how it is addressed
by the three source method of analysis.

Epistemologically what we first confront is a situation. This might be the catalyst
for versions of situation ethics that claim that the situation is all that matters for moral
evaluation and that any type of action is legitimate as long as it is done for the proper
intention. Joseph Fletcher and others made such an approach popular about thirty years
ago. It is clearly rejected by the consensus of Christian ethicists nowadays. When
anyone confronts a situation that requires a moral decision, I believe that a rational
person considers the alternatives in terms of what is good or bad, better or worse. In
other words, the evaluation is teleologically driven, in terms of a purpose that one seeks
to achieve. For the Christian, that means using as reference the beliefs, values, and
attitudes that I presented in Chapter 3.

When I analyzed the case of the deceitful savior in the last section, a rational
moral agent committed to Christian values is most likely to judge that the saving of an
innocent person is a goal worth pursuing. However, the Christian is not driven merely by
teleology, as I’ve tried to make clear. First one deals with the practical question of whether this worthwhile goal can be achieved. Secondly, one deals with the axiological question of whether this worthwhile goal would require sacrificing other worthwhile goals. If so, one must weigh the competing goals to determine which one is more valuable.

It seems to me that, of the six options that I earlier lined up, the moral agent would understand that the first three are likely to result in the death of the innocent person, the last three provide some hope of saving the innocent. Ideally, the fourth option is the best option. As moral agent, I stand up for strong principles and respond that the inquirer has no right to the truth. If my moral fiber is sufficiently strong it certainly falls within the scope of possibility that the inquirer will desist from the evil purpose. In real life, that is unlikely. In terms of the life saving purpose, that might even backfire and result in the death of an additional innocent person, namely the respondent. Clearly, there are some causes worth dying for, but a judgment that truth telling in this instance is required, even if it brings about one’s death, seems to have only slight probability in light of the Christian concept of the good. Telling an untruth to the likely unjust aggressor, though, has the advantage of, not only saving a life for the present, but maybe even buying time so that the intended murderer may be persuaded away from his crime, or the authorities called (in cases where it is not the authorities who plan the murders, such as in Nazi Germany).

The issue now is whether telling an untruth introduces a greater disvalue than the value promoted by saving the life. Although we may have justified reasons to despise the inquirer, that in itself does not justify the untruth, so that the fifth option is not morally
the best option. The sixth option appears then as the best option, but it needs to be tested. Truthfulness is a value and the duty of being truth in our speech should not be taken lightly. If one believes that one should never lie, the only moral option may be the fourth option. However, we need to be very precise about what we mean by “lie.” The composite Catholic-Kantian definition I have offered above qualifies that the untruth is told to someone who has a right to the truth or in detriment of humanity. It is granted that, as a general rule, there can be problems with either criterion, particularly the criterion of “detriment of humanity.” Further, I believe that the two criteria will almost always coincide and this is consistent with my claim that teleology and deontology almost always coincide, *ceteris paribus*. In this particular case, I claim that a properly rational person would conclude that both criteria are met to justify the telling of an untruth.

As I stated before, the definition is equivalent to the object of the act. In fact, the process of trying to determine the object is precisely that of finding the most accurate definition. By the rules for definition, it should not be too broad nor too narrow. Definitions that are too broad might serve to condemn actions such as those of the deceitful savior. Definitions that are too narrow may not provide sufficient strength to the value of truthfulness and justify telling of untruths for many reasons. The proposed definition, consistent with a Christian vision of life, is adequate. Clearly, further analysis may show some inadequacies and the process of Socratic dialectic would need to continue. We should note that this approach is very different to an exclusively deontological approach that would bypass the entire analysis and conclude that any telling of an untruth is a lie and therefore morally unjustified. On the other hand, a
consequentialist analysis would not show scruples about the telling of an untruth once it is determined that a better outcome will follow. The entire process of trying to determine accurately the object of the act would be viewed as useless by the consequentialist. The three source analysis, then, is holistic while axiological or exclusively deontological analyses are perceived as fragmentary. The claim of revisionist moral theologians is that holistic approaches are the best approaches.

This form of analysis also has repercussions for a formulation of moral rules. If we want rules to be adequate guides for action, they must take into account the analysis that yields the definition of the action. For instance, while the principle that “one must be truthful at all times” is intuitively appealing, it is not optimal for moral guidance because it does not account for instances when not telling the truth would promote a higher good even from a moral viewpoint.

In the analysis given above I purposely explored at length a problem in which I find consensus between different types of moral theory, including the two that are the primary focus of this study, i.e., the magisterial and revisionist approaches in Roman Catholic moral theory. I made claims about an intuitive feeling or judgment that the telling of the untruth is morally justified in such a case without giving further argument. My argument is that we intuitively recognize that there is due proportion between the telling of the untruth and the saving of the life. From the teleological frame of mind there is a recognition that the analysis of due proportion is implicit and could be made explicit through premises leading to the conclusion that the telling of the untruth is justified. This is one of the central claims of revisionist moral theology, as I have earlier pointed out.
For both revisionists and the Magisterium, the three-source system of moral evaluation yields that certain actions are absolutely forbidden. Yet, that could be considered trivially true when applied to such descriptions as murder, theft, and adultery. Revisionists insist that such descriptions do not provide a Lombardian concept of object of the act, that *Veritatis Splendor* appears to require. Once we move beyond the obvious moral judgments, we face problems with act descriptions such as abortion, capital punishment, euthanasia. As I will show in the next chapter, none of them lends itself to the neatness that no further qualification is needed for moral judgment. I need to specify the areas of disagreement regarding these and similar actions so as to address the magisterial claim that proportionalism collapses into consequentialism.
6.1 Ambiguity in Moral Choice

As I argued in Chapter 3, the purpose of Christian ethics is to bring about the greatest amount of good, understood by phrases such as "establish the Kingdom of God" or similarly. The Christian should recognize a duty to cultivate faith, hope, and love and consistently make spiritual progress. Cultivation of these fundamental dispositions, ultimately considered the work of grace in the individual, provides the mind set and strengthens the person with the inner fortitude to work for the good without regard for personal consequences. For Christians there is in principle no separation between morality and spirituality. What Christians express in concrete actions of love of neighbor or beneficence, they also express in worship and prayer to God. This is a description of the Christian ideal.

The Christian ideal, however, needs to be lived out in the real world. Without dichotomizing the ideal and the real, in such a way that we end up concluding that the Christian ideal is unachievable in the real world, we also need to take seriously the limitations that concrete existence places on the realization of any ideal. We already saw this stress in Louis Janssen's exposition and defense of the omnipresence of judgments of
due proportion in human choice. Perhaps there are win-win situations, but every human choice involves the sacrifice of some value. At the other end of the spectrum from the win-win situation there is the situation in which significant evil will result no matter what we decide. Faith does not dispense the Christian from such situations. The teleological purpose of Christian ethics or the concept of the good I have stressed as proper to Christian action may not come across in such cases, yet the Christian still has the duty to bring about the greatest amount of good possible under such difficult circumstances.

Both the Magisterium and revisionist moralists favor specific methods for determining the applicability of particular rules in cases of moral ambiguity. The Magisterium favors the traditional principles of double effect. Revisionists prefer the principle of due proportion. The Magisterium judges that the revisionist use of proportionalism as a method of moral evaluation is unfaithful to Christian ethics and constitutes a form of consequentialism.

The magisterial representation of the proportionalist key claims, found in *Veritatis Splendor* 75, give structure to this chapter, which consists of an analysis of each claim with a response from the revisionist position. My reconstruction of these claims is originally found at the end of Chapter 4. The analysis of the Thomistic theory of human action in Chapter 5 was intended as a resource for understanding the claims and offering the appropriate responses.

6.2. Rejection of Absolute Moral Rules?

According to *Veritatis Splendor*, revisionist moral theologians make the following claim: It is never possible to formulate an absolute prohibition of particular kinds of behavior that would be in conflict, in every circumstance and in every culture, with moral
values indicated by reason. Some background for the claim is needed first. I have stressed throughout that Christian ethics is primarily a form of character or virtue ethics in which rules are secondary or dependent on the appropriate dispositions that should be cultivated. The modern emphasis on observance of rules is an accident of history and may be evaluated as unjustified. This was one of the major points of Chapter 3. *Veritatis Splendor* wishes to hold on to the primacy of the commandments and the emphasis on rules. As in other cases, it invokes the authority of Aquinas, particularly his stress on primacy of object of the act for moral evaluation, in support of this emphasis:

The doctrine of the object as a source of morality represents an authentic explicitation of the biblical morality of the covenant and of the commandments, of charity and of the virtues. The moral quality of human acting is dependent on this fidelity to the commandments, as an expression of obedience and of love. For this reason—we repeat—the opinion must be rejected as erroneous which maintains that it is impossible to qualify as morally evil according to its species the deliberate choice of certain kinds of behaviour or specific acts, without taking into account the intention for which the choice was made or the totality of the foreseeable consequences of that act for all persons concerned.\(^1\)

That there is a relationship between Judaeo-Christian moral theory and biblical interpretation cannot be doubted. From the beginning of this study I have insisted on the importance of historico-critical biblical interpretation for the revisionist cause. The Magisterium theoretically accepts such interpretation but sometimes comes across as if it were still committed to some form of biblical fundamentalism. We can appreciate the problems that inadequate biblical criticism creates for a natural law moral theory, by definition committed to rationality, by considering some problems Aquinas ran into.
Some Old Testament passages, e.g., God's command to Abraham to sacrifice his son, 

\(^1\) *Veritatis Splendor* 82.
make it appear that the natural law can be changed, a concept that is anathema to Aquinas. Without the benefit of historico-critical biblical interpretation Aquinas is forced to give a question-begging answer: that "by the command of God, death can be inflicted on any man, guilty or innocent, without any injustice whatever."\(^2\) In making this concession, which he also extends to adultery and theft, Aquinas appears to collapse into the voluntarism he otherwise consistently rejected. Historico-critical biblical interpretation allows us to conclude that God gave no such commands because they would be inconsistent with the nature of God. Aquinas did a magnificent job with the hermeneutic tools available to him. We can take his analysis further with the hermeneutic methods available to us, and this is what revisionist moral theologians have done.

The encyclical envisions the relationship between biblical interpretation and moral theory very strongly, as one of entailment. If biblical interpretation yields a primacy of rules, we must accept what I have been referring to as a Lombardian concept of object of the act, following Janssens. We may reconstruct this claim as a *modus ponens* argument:

\[
\begin{align*}
&\text{If the biblical message requires that the commandments should hold the primary role in the moral life, it is possible to qualify as morally evil the choice of certain types of behavior without taking into account the intention of the moral agent or the totality of foreseeable consequences.} \\
&\text{The biblical message requires that the commandments should hold the primary role in the moral life.} \\
&\text{Therefore, it is possible to qualify as morally evil the choice of certain types of behavior without taking into account the intention of the moral agent or the totality of foreseeable consequences.}
\end{align*}
\]

\(^2\) *Summa Theologica*, I-II, Q. 94, a. 5.
The revisionist response, based on the analysis of Aquinas' teaching about the three sources of morality, would be that, if such a strong relationship is indeed the case, what obtains is the *modus tollens* equivalent of the above argument, which devastates the encyclical's position. The counterargument would run as follows:

- If the biblical message requires that the commandments should hold the primary role in the moral life, it is possible to qualify as morally evil the choice of certain types of behavior without taking into account the intention of the moral agent or the totality of foreseeable consequences.

- It is not possible to qualify as morally evil the choice of certain types of behavior without taking into account the intention of the moral agent or the totality of foreseeable consequences.

- Therefore, The biblical message does not require that the commandments should hold the primary role in the moral life.

The counterargument is based, as I stated, on an analysis of the Thomistic texts. There is a strong relationship between a concept of Christian ethics as based primarily on obedience to commandments and the Lombardian concept of object of the act, i.e., a claim that the object can be morally evaluated by itself. Such a concept of object of the act implies the possibility of sinning through a merely material infraction of the rule. This is the way it is in the case of positive law, where an offender who pleads ignorance will generally be reminded that "ignorance of the law is no excuse." Jewish morality, where the 613 commandments of the Torah are central, also admits this possibility, expressed in a psalm verse: "Cleanse me from my unknown faults."\(^3\) The Gospel emphasis on what is in the heart, on intention, is meant to counter the emphasis on material observance or offense. And the moral theorist who recognizes the importance of

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\(^3\) Psalm 19
intention, of the interior act of the will, for determining morality, reflects back unto the biblical message a conviction that rules cannot be primary. I believe this is what Aquinas did.

How Aquinas would have dealt with a New Testament message that gave primacy to rules, I don’t know. Fortunately for him, and for the Christian tradition, the New Testament message supports a teleological and aretaic thrust, yielding consistency with the rejection of a concept of object of the act that could be used to support the legalistic model. For instance, in responding to the question as to whether the law is more burdensome in the Old or New Testament, Aquinas states that the Old Law prescribed many more outward ceremonies and attached a punishment to the failure to comply. In that sense, it may be considered more burdensome. On the other hand, the New Law prescribes interior acts not formerly prescribed, and to which no outward punishment is attached, yet virtue solves the difficulty by making it easier for human beings to act accordingly." For Aquinas, Christian morality consists primarily in the development of virtue that provides the moral agent with a relative ease in fulfilling the requirements of morality. This relative ease comes from a strengthening of the will, which gives primacy to the interior act over the external action. The affinity with the later Kantian emphasis should come through: “Now, fortitude (fortitudo) is the capacity and resolved purpose to resist a strong but unjust opponent of the moral disposition within us; such fortitude is virtue (virtus, fortitudo moralis)."5

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4 Summa Théologica, I-II, Q. 107, a. 4.


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What these texts emphasize is a goal of developing one’s character toward moral perfection, not a minimalistic or mechanical observance of law. The Magisterium can respond that such an emphasis does not mean that moral rules lose their importance. In fact, the agent who possesses such moral fortitude should find it easier to obey the laws. Revisionists typically respond that many of the rules have been developed through a casuistic and legalistic method more consistent with the Pharisaic approach Jesus and the early Christians rejected. The Christian moral agent enjoys more freedom from mechanistic adherence to such laws because many of them are the product of flawed biblical interpretation or erroneous moral theory. So the relationship between moral theory and biblical interpretation is clearly there, even if it isn’t as strong as *Veritatis Splendor* claims. Later in this chapter I will provide some specifics about the areas of moral disagreement. Moral evaluations based on the more primitive act descriptions, corresponding fairly straightforwardly to a description of the physical components of the act, are consistent with the primacy of rules that allegedly entail a Lombardian concept of object of the act. A correct analysis of the Thomistic texts shows that for Aquinas such moral evaluations yield only a preliminary moral judgment, as I argued in the last chapter.

Revisionist moral theologians insist that, since the development of virtue is primary, most moral rules are *prima facie* rules, i.e., expressing duties that may be overridden by greater duties. This insistence is consistent with the Thomistic concept of object of the act and does not deny that there are absolute moral rules. Appropriately expressed, a moral rule can be an absolute rule. Curran points out that revisionist moral theologians have no problem with accepting *Veritatis Splendor*’s rendering of the
commandment against the unjustified taking of life as "you shall not commit murder." This rule is absolute because murder is by definition unjustified killing. As I pointed out in the last chapter, the definition is achieved through a consideration of the three sources of morality that eventually yields a description such as "the intentional killing of a defenseless human being without proportionate reason." Once an action falls under such a description, it can never be justified.

A rule stated as "Thou shalt not kill," as traditionally expressed, admits of exceptions and these have been generally accepted by philosophers and theologians alike, with the possible exception of strict Buddhists who oppose the taking of any life. If the rule is stated as "You shall not commit murder," there will be a consensus among philosophers and theologians that the rule is absolute, although they will still need to determine what constitutes murder. Expressing the rule in such absolute terms will eliminate possible exceptions but will not do away with the need to engage in the rigorous analysis that determines whether certain specific types of killing constitute murder.

So, is it better to express the rule broadly (forbidding killing) or narrowly (forbidding murder)? The tendency I find in revisionist moral theology is a preference for the broad expression, even a positive expression about respect for all human life, as better suited to the nature of the norm. The Latin regula, and its translation into "rule" or "norm" connote that this is something to be followed ordinarily, under normal circumstances. The word itself connotes the possibility of exceptions. Revisionist moral theologians are convinced that Christian ethics constitutes a teleological system of

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6 Curran, "Revisionist Perspective," 232.

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morality, in which the norm is used to express a value, as I argued in Chapter 3. Therefore, conceptually it makes more sense to express rules more broadly, in a way that both makes the expression of rule more dynamic and leaves room for personal discretion. This emphasis on the true nature of norms does not constitute a denial of the existence of absolute moral rules.

Moral rules are recognized as necessary by Christians, whether they tend toward revisionism or magisterial interpretations of morality. As I have pointed out, revisionists underemphasize rules in favor of the development of virtue and the promotion of effective good. Revisionists are also particularly critical of the multiplication of absolutes and the granting of exceptionless status to prohibitions that are highly conditioned by historical circumstances. Haring points out how Pope Innocent IV ordered the torture and burning of witches 1252, ignoring an earlier prohibition of such acts by Pope Nicholas I (r. 858-67). Pius XII (r. 1939-58) was certainly aware of both decrees when he taught that the use of torture is always and absolutely against the natural law. Christianity has inherited a rich, sometimes controversial tradition. Critical examination of its scriptures and tradition can help Christian ethicists identify some prohibitions that should hold absolutely. Beyond the example of torture, and the possibly question-begging example of murder, theft, and adultery, Haring mentions prohibitions against blasphemy, rape, sexual promiscuity, slavery, manipulation of consciences, and cruel punishment of children. It may be that revisionist moral theologians, in their zeal for critique of excessive absolutization of rules, have neglected to sufficiently point out such prohibitions. Such prohibitions should be considered clear examples of the

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7 Haring 363-64.
deontological restrictions compatible with the Christian teleological purpose of maximizing the good under any type of circumstance. These and other prohibitions may be considered absolute because whatever good could possibly come about through these actions would necessarily clash with the Christian concept of the good.

6.3. Ontic Evil as Denial of Moral Evil?

Veritatis Splendor represents the revisionist moral theologians holding that to understand the pursuit of values we must evaluate it from two (mutually exclusive?) perspectives. The first would be that of the moral order, where actions are in relation to properly moral values. The second would be that of the pre-moral order, where actions are related to advantages and disadvantages accruing to the agent and to all persons possibly involved. In my expression of this claim I placed the phrase “mutually exclusive” in parentheses and with a question mark because it is not present in the encyclical’s text. However, I do not see how else I can interpret it. The encyclical’s dichotomizing tendency is signaled by the question that introduces the issue as an application of Aquinas’ teaching about the three sources of morality. The question is proposed as follows:

But on what does the moral assessment of man’s free acts depend? What is it that ensures this “ordering of human acts to God?” Is it the “intention of the acting subject, the “circumstances”—and in particular the consequences—of his action, or the “object” itself of his act?  

In the last chapter I presented arguments that this dichotomizing approach is an erroneous interpretation of Aquinas. In order to make a moral evaluation of an action, Aquinas insists on the need to consider object, intention, and circumstances. A thorough

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8 Veritatis Splendor 74.
moral evaluation cannot be carried out solely on one consideration. In the encyclical’s discussion regarding the role of ontic evil, and its distinction from moral evil, we also find the dichotomizing tendency.

The revisionist approach seeks to integrate, rather than dichotomize, the three sources. Moral agents are not required to choose among alternatives, they are required to interrelate alternatives properly. Revisionists generally claim that application of the principle of due proportion achieves the appropriate interrelationship. The most important due proportion for the Christian agent, as Aquinas found, is that between the end of the act as it is found in the intention, sometimes we may refer to this as the motive, and the object of the act. Janssens illustrates this principle by alluding to a Thomistic example about stealing. If I take something away from someone in order to keep it and enrich myself, this constitutes theft and is immoral because there is an intrinsic contradiction between the affirmation of my right to ownership as end of the act and the denial of the other’s right to ownership as means. However, if I take something from the other because I need it to save myself from misery or hunger, there is no intrinsic contradiction. I am asserting a priority of a right to use over a right to ownership, which can be defended from a biblical conceptual scheme.9

Secondly, due proportion is also sought between the end of the act and the appropriate circumstances. Aquinas offers the following argument as the first reason why theologians should be concerned with the circumstances of acts:

[T]he theologian considers human acts, inasmuch as man is thereby directed to Happiness. Now, everything that is directed to an end should be proportionate to that end. But acts are made proportionate to an

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end by means of a certain commensurateness, which results from the due circumstances.¹⁰

Aquinas also states that it is circumstances that help give us a concept of what is good or evil, better or worse. There is a search for due proportion between various possible outcomes, and this is a part of the equation, but not the only one. Throughout the encyclical, the Magisterium expresses a fear that the revisionist theologians are limiting moral evaluation to this weighing of possible outcomes. We should appreciate, however, that the revisionist concept of due proportion seeks it both between the appropriate circumstances and the desired end for human beings, and between the outcome chosen over those that cannot be actualized because of the moral choice made.

Let me attempt to link these requirements for due proportion to the objection against the revisionist use of the distinction between ontic and moral evil for moral evaluation. It is trivially true that there are many situations, conditions, etc. in human life that we consider evil, even if we successfully adapt to them and they end up only as minor inconveniences. Sickness is such a condition, mostly regarded as ontic evil. However, where sickness is the result of human choices made, particularly lifestyle choices without due proportion between the pleasures sought and the suffering that results from those choices, we understand that there is a moral dimension. If those who suffer the consequences of the bad choices are others, who are not enjoying the pleasure benefits that accrue to the moral agent, the moral dimension grows. There is a growing sense that the choices are morally unjustified, unfair to others.

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¹⁰Summa Theologica, I-II, q. 7, a. 2.
While suffering sickness, we accept certain privations, restrictions, sometimes even pain, that we think will result in a return to good, or at least better, health. Should sickness lead to death, we see this as a great evil, particularly if there is a sense that proper care of the illness should have returned the patient to health. When death is the result of choices made in full awareness and with adequate deliberation, then the physical evil associated with death becomes also a matter of moral evil. In article 80, *Veritatis Splendor* cites a list of Vatican II condemnations of acts that always involve moral evil. The principal ones focus on the death of human beings or putative human beings, since in the case of abortion the humanity of the life that is terminated is one of the debated non-moral issues. Since life is considered by most to be unquestionably a good, the death of human beings is generally considered an evil, though in most cases death is a pre-moral evil. Yet, there are different cultural, philosophical, or theological concepts of the good death. A component of Christian spirituality consists in praying for the grace of a good death. The attention given by the press to the death of Cardinal Joseph Bernardin in November, 1996, highlighted how the ideal of a good death transcends theological and philosophical commitments.

Moral considerations enter the picture the moment a moral agent has to make a deliberate decision as to how to confront the process of dying. What made Cardinal Bernardin's death a good death was his serene acceptance of it and fortitude through the painful process, a morally good human act. Yet, in the case of those for whom the process of dying becomes an overwhelming burden and ending the process soon in order to accelerate death becomes the good, why not accelerate the death? The hard-core consequentialist argues that the non-moral considerations determine morality, so a good
consequentialist argument may be found for accelerating the death by the most effective means available. The hard-core consequentialist may even challenge the Christian as to why such an act of mercy is considered unjustified. If the Christian believes in the possibility of a good death and, further, that at least for those who have received forgiveness of sins, the postmortem state will be much better than what precedes it, in what does the moral evil of causing the death of a human being, whether oneself or another, consist? The proportionalist acknowledges the importance of the non-moral considerations, but makes a judgment based on different applications of the principle of proportionality. The Christian sees a contradiction between the concept of the good death, seen here as the end of the act the moral agent intends, and the violation of God’s sovereignty that would be required if one chose an active way to bring about death. This is the first type of due proportion required. The second type of due proportion, between the circumstances and the end, allows the alleviation of pain through medication, even if the medication may be foreseen to accelerate the moment of death. However, the circumstances are not sufficient to allow the violation of God’s sovereignty over life and death. Proportionalists belong to a community of inquiry that recognizes a negative rule against what is generally labeled “active euthanasia” and critical reflection shows that it makes sense to regard this prohibition as absolute. This approach to moral evaluation is holistic, takes into account all the factors, and is favored by proportionalists over a narrow approach which focuses on extreme deontological (e.g., that an abstract “object” of the act determines morality without regard to intention or circumstances) or consequentialist (only the balancing out of the non-moral good and bad consequences determines morality) considerations. If a holistic judgment, based on a comprehensive
analysis of the object, intention, and circumstances of the act, judges that the action constitutes an instance of active euthanasia, the proportionalist accepts that no further weighing of positive or negative outcomes may change this moral evaluation. The distinction between ontic evil and moral evil has been a factor in the moral judgment, but the proper boundaries have been observed.

It may seem that I am pursuing some form of false conciliation between the revisionist and magisterial views. This is not the case at all. There are disagreements, but *Veritatis Splendor* does not accurately identify the *locus* of the disagreements. As an illustration of the consequences of the revisionist distinction between ontic and moral evil, the encyclical applies it to the contraception controversy within Catholicism:

The evaluation of the consequences of the action, based on the proportion between the act and its effects and between the effects themselves, would regard only the pre-moral order. The moral specificity of acts, that is their goodness or evil, would be determined exclusively by the faithfulness of the person to the highest values of charity and prudence, without this faithfulness necessarily being incompatible with choices contrary to certain particular moral precepts. Even when grave matter is concerned, these precepts should be considered as operative norms which are always relative and open to exceptions.  

Further along, there is the application to the area of contraception:

With regard to intrinsically evil acts, and in reference to contraceptive practices whereby the conjugal act is intentionally rendered infertile, Pope Paul VI teaches: "Though it is true that sometimes it is lawful to tolerate a lesser moral evil in order to avoid a greater evil or in order to promote a greater good, it is never lawful, even for the gravest reasons, to do evil that good may come of it (cf. Rom 3:8)—in other words, to intend directly something which of its very nature contradicts the moral order, and which therefore must be judged unworthy of man, even though the intention is to protect or promote the welfare of an individual, of a family or of society in general."  

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11 *Veritatis Splendor* 75.

12 *Veritatis Splendor* 80.
These texts present the disagreement in the contraception controversy, of historical significance because *Humanae Vitae* triggered the first open and widespread disagreement between revisionist moral theologians and the magisterium, as the result of the application of the distinction between ontic and moral evil to the area of contraception. I do not even envision the possibility of giving a helpful account of the birth control controversy within Catholicism without running far afield of my purpose here, yet I need to address this issue because it is one instance in which *Veritatis Splendor* is concrete. Ironically, in the absence of any clear or explicit biblical prohibition of contraception, the debate has become a matter of disagreement about teleology. Since procreation and the education of children is accepted as an end of marriage within the Christian conceptual scheme, the debate concerns the requirements of this teleological view of marriage. The Magisterium holds that each and every act of conjugal relations must be open to the transmission of life. Among the many revisionist objections, there is an appeal to companionship and the expression of love as another end of marriage, explicitly stated by the Second Vatican Council in a way that it cannot be considered subordinate to the procreative purpose. Within the context of a concept of responsible parenthood, accepted by both sides, revisionists hold that the decision regarding how many children to procreate and when is up to the parents.

With regard to the means of birth regulation, as long as abortion is excluded, it is also up to the couple to decide how best to balance responsible parenthood with their need for expressing conjugal affection through the sexual act. Many of the magisterial arguments against contraception point to the link between movements to legalize the use
of contraceptives and movements to legalize abortion. There is a slippery slope mentality at work here in the claim that those who use contraceptives will not hesitate to have recourse to abortion if the contraceptive fails. That there exists a link between liberal attitudes toward contraception and abortion is undeniable. However, most of those who favor the use of contraceptives defend it as likely to reduce the number of abortions. In fact, linking its opposition to abortion with an opposition to contraceptives weakens the Church’s position against abortion. In my experience working with Christian couples, I know many who have practiced contraception and still have been willing to accept an unintended pregnancy. Moreover, they express themselves in such a way that makes it clear abortion is not an option for them since that would constitute a serious violation of the sovereignty of God over life. On the level of ordinary morality, I believe most Catholics are clearer about the moral distinction between the use of contraceptives and the practice of abortion than the Magisterium itself.

The point is, the application of the ontic evil, moral evil distinction to the debate on contraception is one instance of concreteness and it is ineffective. I agree with James Gaffney, when he states:

Thus the one unequivocal example the pope cites of an authoritatively specified “intrinsically evil act” turns out to be the most vigorously contested and widely rejected moral teaching in the entire modern history of the papacy. It is not easy to avoid a sense of profound anticlimax, combined with a strong suspicion that what purported to be a critique of certain moral theories was after all only one more assault against critics who find no real plausibility in certain official Catholic teachings about sex and, in particular, about contraception.13

I addressed the issue of contraception here because of its intended use as example

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of a negative consequence of the use of the ontic evil, moral evil distinction. The
disagreement in this case concerns whether contraception always involves moral evil that
should be avoided and whether contraception should be considered a forbidden act. The
Magisterium not only considers direct contraception generally forbidden, but absolutely
forbidden. Even though some revisionists may use the distinction between ontic and
moral evil to dispute this moral judgment, the use of the distinction does not constitute
the dichotomization of moral evaluation into two mutually exclusive methods, as
_{Veritatis Splendor}_ claims. I will return to a consideration of disagreement about other
types of action later in this chapter.

6.4 Undermining the Importance of Good Intentions?

According to _Veritatis Splendor_ proportionalists claims that behavior may be
described as right or wrong without it being possible to judge as morally good or bad the
will of the person choosing them. I see here two separate charges against the revisionist
use of intentions. At times _Veritatis Splendor_ states or implies that proportionalism
overestimates the importance of intentions. We see this implication present in statements
such as "If acts are intrinsically evil, a good intention or particular circumstances can
diminish their evil, but they cannot remove it."\(^{14}\) Were revisionist ethics to hold that a
good intention suffices to determine the morality of an action, this would turn
proportionalism into a form of situation ethics in which any type of action may be
justified by "a loving intention". Some of Milhaven’s work comes closest to fitting this
description and the mainstream authors usually express the same type of reservations
Curran expresses toward Milhaven’s exclusive reliance on empirical judgments. Even

\(^{14}\) _Veritatis Splendor_ 81.
the Magisterium generally recognizes that situation ethics is one of those positions considered extreme by revisionist theologians.

The magisterial claim I am addressing here presents a greater problem from its perspective: that intention is not accorded sufficient weight in moral evaluation. We may presume that terms such as “intention” and “will” are used in a Thomistic sense and clarity requires some specification of meaning. Within the act of the will, Janssens argues, we need to distinguish the Thomistic concepts of intentio and electio. The first is “the striving toward the end, to the extent that it is within the range of the means.” The second is “the concentration of the will on the means to the extent that they bear upon the attainment of the end.” In this light, the magisterial concern may best be expressed as a belief that the proportionalist weighing of positive and negative outcomes may seek to justify the choice (electio) of any type of action.

I believe we can understand the problem better by considering some conflict situations. In a chapter from Ongoing Revision in Moral Theology, Charles Curran addresses some common conflict situations with regard to the principal issues in bioethics. In the cases of suicide and resisting an unjust aggressor, he finds it more reasonable to argue in terms of proportionality rather than the traditional direct/indirect distinction to evaluate some cases in which the Magisterium also would concur with his judgment that the type of action, while regrettable, is morally justified. With regard to euthanasia, I find that his judgment also concurs with the magisterial view: when the process of dying has begun (a highly disputable medical judgment), there is no obligation

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to use extraordinary means of preserving life. Curran acknowledges that his consideration of respirators and even intravenous feeding extraordinary under such circumstances is problematic, yet I find it consistent with magisterial conclusions on the issue. He does say, however, that, once there is agreement that the process of dying has begun, "there is no longer that great a difference between the act of commission and the act of omission." I find this last statement mysterious, since Curran would justify withdrawing intravenous feeding but not the administering of a lethal injection.

Curran openly acknowledges two areas in which he dissents from the Magisterium: the question of when human life begins and the issue of how to solve conflict situations. With regard to the latter issue, he argues that the direct/indirect distinction is not that helpful in ethics and considerations of proportionality can adequately handle the burden of solving conflict situations without the use of the distinction. In this particular work Curran judges that this matter of moral methodology is not that momentous, yet this abandonment of the principles of double effect in favor of the principle of due proportion for solving moral conflicts appears to carry more weight with the Magisterium.

The issue of when life begins, given the depth of emotion and the symbolic value of Catholic opposition to abortion, is even more problematic. Curran argues, on the basis of the philosophical concept of person and the scientific evidence, that human life does not begin until implantation in the uterus. The disagreement concerns empirical matters

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18 The full argument is given in the following chapter, "The Principle of Double Effect," 173-209.
but it would have the practical ethical effect that the use of contraceptives to prevent implantation would not be treated morally as an abortion. From the viewpoint of the current magisterial teaching, this is a moot question, since contraception itself is considered morally forbidden. Yet, whatever one’s views about the moral justifiability of contraception and abortion, most moral agents recognize that there is a great qualitative leap between one type of action and the other.

We can appreciate from this overview that Curran adopts a Christian conceptual scheme and this shows in his general agreement with the magisterial positions. The areas of disagreement do not regard matters of doctrine or morality, but rather questions of non-moral facts or methodology. Curran’s rejection of the indirect/direct distinction as crucial to morality is much more troublesome for the Magisterium than Curran believes. Different revisionists basically substitute the principle of proportionality for the direct/indirect distinction. The rejection is motivated in part by a tendency that arose in the manuals of moral theology that would use the principles of double effect almost like an algorithm, claiming too much certainty for their application. Peter Knauer, also recognized as an encyclical target, expresses the claim as follows: “I say that an evil effect is not ‘directly intended’ only if there is a ‘commensurate ground’ for its permission or causation.” For the Magisterium, this shift appears to justify the fear that proportionalism allows the choice of some immoral means to achieve moral ends. This brings us back again to the principles of double effect.

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19 Curran, Ongoing Revision. 156.

As in the case of other issues, the problem here cannot be treated in depth, yet it cannot be ignored. The original expression of the principles of double effect goes back to Aquinas' treatment of the justification of killing in self defense. Aquinas defends such a killing as follows:

Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention. Now moral acts take their species according to what is intended, and not according to what is beside the intention, since this is accidental as explained above (43, 3; I-II, 12, 1). Accordingly the act of self-defense may have two effects, one is the saving of one's life, the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful, seeing that it is natural to everything to keep itself in "being," as far as possible. And yet, though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end. Wherefore if a man, in self-defense, uses more than necessary violence, it will be unlawful: whereas if he repel force with moderation his defense will be lawful, because according to the jurists [Cap. Significasti, De Homicid. volunt. vel casual.], "it is lawful to repel force by force, provided one does not exceed the limits of a blameless defense."

Sometimes the direct/indirect distinction is conflated with the distinction between actively bringing something about and merely allowing it to happen. Criticizing the distinction between intending harm and merely allowing it to happen, Kagan cites the example of someone whose business is polluting a river, knows that the pollution will cause deaths downstream, yet feels morally justified because the pollution is merely being allowed, rather than directly caused. There is also the problem of determining when a result of the action is a means to an intended end, and when it is merely a side effect.

Proportionalists like Knauer bring up similar objections to Kagan's. They offer a

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21 Summa Theologica, II-II, Q. 64, a. 7. The emphases are mine.

22 Kagan 151.
remedy that is unavailable to Kagan: there is a need for due proportion between the end and the choice of means. This is what I have called the qualitative due proportion requirement, present in this Thomistic text about killing in self defense and in Janssens’ principles to distinguish ontic and moral evil. The first two are worth recalling. The first one states that ontic evil may never be per se intended. The second one requires that there not exist an intrinsic contradiction between the means (exterior act as material element) and the morally good end of the inner act of the will (formal element).

Janssens further clarifies the principle through his use of the Thomistic distinctions between intentio and electio. This yields the conclusion that it is not moral to choose certain means because there is an intrinsic contradiction between those means and the desired ends. Applied to one of the conflict situations mentioned earlier, it is not moral, from a Christian perspective, to seek to bring about a good death by giving the patient a lethal injection because such an action contradicts the belief in the sovereignty of God. It is moral, however, to withhold means that are merely prolonging the process of death because in such a way one is returning the patient to the state of nature, God’s nature, from which she/he came. Based on these considerations, Catholic moral tradition has consistently upheld the validity and absoluteness of a prohibition against active euthanasia. Proportionalists can recognize that such a prohibition is consistent with their moral methodology. This helps to show the complementarity of the two methodologies. It might be that revisionist moral theologians are hurt by drawing attention away from

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such agreement in moral judgments. Revisionists and the Magisterium both need to remember that the real opponents are ethicists who deny the sovereignty of God in matters of life and death.

6.5 Permissibility of Traditionally Forbidden Behaviors?

The encyclical holds that, according to the revisionist view, deliberate consent to certain kinds of behaviour declared illicit by traditional moral theology would not imply an objective evil. There is no question that there are disagreements between both sides regarding the moral evaluation of specific types of actions. Earlier in this chapter I explained the terms of the question regarding the contraception debate, one that carries much symbolic weight. Even while acknowledging the areas of disagreement, it is important to note, as Curran consistently states, that the disagreement is expressed within a context of broad agreement and shows that revisionist moral theology is a good mediator between representative secular treatments and the magisterial position. I wish to focus on that agreement in this part because I believe it helps us understand better the disagreements, the "certain types of behavior" traditionally rejected by Christian morality that proportionalism accepts. I will focus on the way in which revisionist moral theology generally stands with the Magisterium with regard to a sensitive area in moral debate: the ethics of life. I will present a representative secular view, contrast it to the magisterial view, and show how the revisionist position mediates between both views.

It is difficult to conceive a legitimate ethical system that does not include at least a *prima facie* prohibition against killing other human beings. There are different ways in which this may be expressed. Ronald Dworkin, for instance, defends the principle that "the deliberate ending of a human life is intrinsically bad, objectively a shame" and tries
to show that it is present in both religious and secular morality. Since the prohibition is *prima facie*, we generally accept that it may be overridden by other considerations, e.g., the need to defend oneself against unjustified attack when anything less than using deadly force will not be effective. On the other hand, a strict pacifist or Buddhist ethics would make the prohibition absolute and even extend it to all living beings.

The *prima facie* prohibition can be supported by both teleological and deontological considerations. Deontologically, we can take a human rights approach, understanding rights as certain justified claims one can make on others simply because one is human. We can straightforwardly infer from this that there is a right to life, which is a pre-condition for all the others. From this right there arises a duty on the part of others not to kill human beings and not to engage in actions likely to cause death. Teleologically we may present various arguments that the intentional killing of a human being is evil because it brings about bad consequences for society, for the individual killed, even for the killer.

John Mackie's treatment of these life issues is very helpful because his system is critical of classical utilitarianism yet open to the values of a teleological orientation, just as Christian ethics is. Yet Mackie insists that there are no objective values and the values are something we construct ourselves. As I've stated before, I find him a philosopher with whose general conceptual scheme I strongly disagree, yet someone who is fair to both sides in his arguments. Close to twenty years after his death, he remains a respected philosopher in the philosophical community. So he offers an interesting contrast in which we can appreciate the revisionist position as a middle position between the

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Magisterium and a popular view from secular philosophy. Mackie offers a very straightforward way to accommodate the restriction against killing other human beings. He begins by considering risky actions, those that have a certain likelihood of causing death. The fact is that we tolerate a certain amount of risk for the sake of other advantages. Let us consider an example: It is fairly clear that a universal 20 mile per hour speed limit would result in far fewer traffic deaths, but almost no one advocates it. Why do we accept this risk? We may say that there is due proportion between the risk and the advantages. Of course, the use of a judgment of proportionality makes Mackie’s position very attractive to revisionist moralists.

When it comes down to deliberate killing of another human being, it is harder to find the due proportion. However, sometimes the due proportion is found. Mackie states:

> Fundamental though such a right [to life] is, it cannot be absolute. As the world is, wars and revolutions cannot be ruled to be completely out of the question. The death penalty, I believe, can. The prearranged killing of someone at a stated time is a special outrage against the humane feelings which are a central part of morality, and this is not outweighed by any extra deterrent effect; in fact the use of the death penalty is likely to increase criminal violence.26

Moving further along, Mackie considers the possibility of a moral justification of suicide or euthanasia. There is no difficulty in describing circumstances in which suicide would be permissible. Nor can there be anything morally wrong in assisting a genuinely voluntary suicide. The same principle would allow euthanasia where someone really wants and seriously asks to be killed, with some understandable reason. It is a more

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difficult question whether it is ever legitimate to act on someone's merely presumed desire for his life to be ended. Mackie thinks the grounds for the presumption would need to be very strong.

Moving along to the area of abortion, Mackie states that the basic argument against abortion, on which all others build, is that the unborn child is already a human being, a person, a bearer of rights, and that abortion is therefore murder. This is essentially a continuity argument. Given that we want to regard a newly-born baby as a person, and to forbid the killing of it as murder, it seems arbitrary to distinguish between this and the killing of an unborn child almost at full term, and then the argument can be carried back step by step until immediately after conception. It is, of course, quite implausible to carry it back any further. Though ova and sperms are, taken in pairs, potential human beings, nature is far too lavish in its production of them, particularly the latter, for us to accord them a right to life. But why should conception or fertilization be taken as the point of distinction? It is true that it is the only salient point, the only discontinuity between the ovum and sperm, that have no right to life and the baby just before birth, which has. (Birth itself, is of course, another salient point). But this discontinuity is a very inadequate ground for the required moral distinction. It would be more reasonable to think of the right or claim to life as growing gradually in strength, but as still being very slight immediately after conception. At this point Mackie goes on to state how various grounds for abortion might be justified depending on the stage of the pregnancy. For instance, the mother’s right to control her own body is only justified
early in the pregnancy; grave risk to the mother’s life justifies it at any stage.\textsuperscript{27}

The contrast to Mackie is offered by the list of sins against life that \textit{Veritatis Splendor} borrows directly from the Second Vatican Council. According to the encyclical, a further consequence of the revisionist exclusive focus on intentions and circumstances is that it opens the way for accepting that a person may deliberately consent to \textit{certain kinds of behavior} declared illicit by traditional moral theology without accepting that this constitutes an objective moral evil. The sins against life from the Second Vatican Council are proposed as examples of the types of actions that are always forbidden, without the possibility of appeal to good intentions or justifying circumstances.

Further on, the encyclical cites a listing that had been offered by the Second Vatican Council as examples of acts which “per se” and in themselves, independently of circumstances, are always seriously wrong by reason of their object:

\begin{quote}
Whatever is hostile to life itself, such as any kind of homicide, genocide, abortion, euthanasia and voluntary suicide; whatever violates the integrity of the human person, such as mutilation, physical and mental torture and attempts to coerce the spirit; whatever is offensive to human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution and trafficking in women and children; degrading conditions of work which treat labourers as mere instruments of profit, and not as free responsible persons: all these and the like are a disgrace, and so long as they infect human civilization they contaminate those who inflict them more than those who suffer injustice, and they are a negation of the honor due to the Creator.\textsuperscript{28}
\end{quote}

Catalogs of virtues or vices are usually difficult to handle because they include some curious and uneven mixtures of actions, and the \textit{Gaudium et Spes} listing is no

\textsuperscript{27} Mackie, \textit{Ethics}, 197-98.

\textsuperscript{28} \textit{Gaudium et Spes} \textsuperscript{27}, cited in \textit{Veritatis Splendor} 80.
exception, understandable if we consider that Vatican II documents reflect many compromises that needed to be made in order to achieve the overwhelming rate of approval each document received. Further, theologian James Gaffney points out that the Council text did not intend to supply an exemplary list of acts which, according to Catholic moral theory, could always be considered seriously wrong by reason of their object. The Council list is not even confined to acts, and includes some social conditions which are often the *consequences* of *inaction*, rather than of acts. Bernard Hoose points out the presence of "deportation" in the list, without a qualifier. Yet, the Church can hardly be conceived to be making a judgment that every act of deportation is seriously wrong. The unevenness makes this list useful for pointing out how difficult, if not impossible, it is to come up with a list of acts which fit under the category of intrinsically evil acts which cannot be justified by any good intention or special circumstances. On the other hand, the unevenness of the list places the problems within the broader context of the value of life (a teleological consideration) or the right to life enjoyed by all humans (a deontological consideration). This is parallel to Mackie's treatment of the issues. For my purpose here I will limit myself to the types of actions which are described as "hostile to life itself": *any* kind of homicide, genocide, abortion, euthanasia, and *voluntary* suicide (my emphasis). The scope of *any* is not made clear by the text. Does it refer just to homicide? Does it refer to the first four (given that the fifth type of action includes its own qualifier)? Does it include all five types of actions? Since, according to Cardinal Ratzinger's testimony, the encyclical is meant to complement the *Catechism of the Catholic Church*, we may find some clarity by studying how the *Catechism* expresses the

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29Gaffney, "The Pope on Proportionalism," 64. The emphases are Gaffney's own.

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prohibition against these types of action:

The fifth commandment forbids direct and intentional killing as gravely sinful. The murderer and those who cooperate voluntarily in murder commit a sin that cries out to heaven for vengeance (2268).

Actions deliberately contrary to the law of nations and to its universal principles are crimes, as are the orders that command such actions. Blind obedience does not suffice to excuse those who carry them out. Thus the extermination of a people, nation, or ethnic minority must be condemned as a mortal sin. One is morally bound to resist orders that command genocide (2313).

Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, abortion willed either as an end or a means, is gravely contrary to the moral law: You shall not kill the embryo by abortion and shall not cause the newborn to perish (2271).

Whatever its motives and means, direct euthanasia consists in putting an end to the lives of handicapped, sick, or dying persons. It is morally unacceptable (2277).

Suicide contradicts the natural inclination of the human being to preserve and perpetuate his life. It is gravely contrary to the just love of self. It likewise offends love of neighbor because it unjustly breaks the ties of solidarity with family, nation, and other human societies to which we continue to have obligations. Suicide is contrary to love for the living God (2281).10

There is an interesting omission in the Vatican II list, the death penalty, the one type of action against which Mackie would support an absolute prohibition. There are good reasons for this. Christianity in general and the Catholic Church in particular have not been entirely consistent with regard to the death penalty. Of course, the evidence from the New Testament shows Jesus explicitly rejecting the principle of “eye for eye, tooth for tooth,” which many consider the strongest justification for capital punishment.

10Catechism of the Catholic Church, Part Three, Article 5. The references given in parentheses are to the specific number in the Catechism. The italics given are found in the text.
It might appear fundamentalistic to isolate one text, almost as a proof text. Yet it is fairly clear that the entire emphasis of the New Testament is on mercy and forgiveness over retaliation. Some Christians, however, will point out to the *lex talionis* for a justification, ignoring Jesus' rejection of it. Others will point to a text in Romans 13 that in the opinion of most biblical scholars can hardly be said to justify capital punishment.\(^{31}\)

Historically, the evidence shows that Christians originally opposed torture and the death penalty, then later became more tolerant of it after the legalization of Christianity by Constantine, finally even began using these methods of punishment themselves. In 1208 a Waldensian opinion that the state may not carry out a death sentence was condemned. This decree may have influenced Thomas Aquinas' well known opinion about the justifiability of capital punishment, since Aquinas was a very obedient servant of the Church, even though the Bishop of Paris ordered his books to be burned three years after his death. There is a strong tendency not to take back anything that has been decided before and to present it as "development" even if it constitutes a *de facto* rejection of a previous official statement. There is the further fact that as recently as the pontificate of Pius IX (1846-78), when the Pope had political authority over the Papal States, the Pope allowed the execution of two anarchists, in spite of many pleas for mercy. For these reasons, the Second Vatican Council was unable to find a formula to express opposition to the death penalty, even though in the Vatican II era it has consistently urged its abolition of the death penalty, and papal and episcopal pleas for mercy are ordinarily issued when death sentences are imposed.

It would appear that the gap between Mackie and the Magisterium is quite large.

\(^{31}\) Romans 13:4 states "the ruler acts in the name of God when he uses the power of the sword."
and unbridgeable, considering that the one action Mackie would absolutely forbid
receives inconsistent and ambiguous treatment in official Catholic teaching. It took John
Paul II, a moral philosopher by training, to find a Solomonic solution to the dilemma. In
the 1995 encyclical *Evangelium Vitae* John Paul II argues that a criminal may be
executed only when there is an absolute necessity to do this in order to defend society and
such cases are, in modern times, very rare if not practically non-existent.\(^{32}\) I point out that
the moral judgment is, at least implicitly, a judgment of due proportion. It can be recast
as follows: There is due proportion for executing a criminal only if the execution is
absolutely necessary to protect society. In modern society it is virtually impossible to
show absolute need to execute in order to protect society. Therefore, in modern society it
is virtually impossible to find due proportion for executing a criminal.

This particular issue of capital punishment is philosophically interesting because
it shows an instance in which secular moral philosophy presents a clearer and
unambiguous argument against a specific form of taking of life before the official
Catholic teaching found an appropriate argument. Of course, there are some who would
have preferred a stronger condemnation of capital punishment, perhaps as strong as the
consistent condemnations of abortion found in Catholic teaching. Yet John Paul II’s
argument shows the omnipresence of proportionality in moral judgments, one that is also
present in the judgment about abortion, the counterpart in Catholic teaching to Mackie’s
abhorrence of capital punishment as the greatest offense against life.

Summing up Mackie’s ethics of respect for life, in comparison to the magisterial
position, we first find the common ground. Both accept a principle of a right to life and

\(^{32}\) *Evangelium Vitae* 56.
employ teleological considerations in support of their judgment that killing a human being is evil. Both state that it is difficult to find circumstances that may excuse or justify the taking of a human life, yet both views accept that such circumstances can be found. Mackie and the Magisterium differ with regard to the conditions that provide the due proportion to excuse or justify the taking of a human life.

For Mackie and mainstream secular philosophy the value of human autonomy carries the greatest weight. This is further illustrated by the amicus brief prepared by six philosophers in support of laws permissive of assisted suicide. Autonomy is regarded as the most fundamental value morally speaking, particularly in light of contending philosophical and theological views. Such a value should be protected by law in such sensitive matters as abortion, already legalized by Roe vs. Wade, and euthanasia. Secular wisdom holds, therefore, that a person may exercise autonomy by choosing to end his/her life. A bystander may show respect for this choice by assisting the person who chooses euthanasia and is unable to carry out the action unaided. Clearly, the Catholic position rejects this version of autonomy in favor of a respect for the sovereignty of God, the Author of Life. With regard to abortion, Mackie proposes a criterion that would be considered moderate by secular standards: the right to life of the fetus grows as it develops within the womb, but early on the woman's autonomy rights have priority. This is another instance where Mackie excels in giving the other side a fair hearing, since the magisterial position that the fetus has a strong right to life from the moment of conception is treated as plausible by Mackie, even if ultimately rejected. For the

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33 Ronald Dworkin et alii, 
http://www.nybooks.com/nyrev/WWWarchdisplay.cgi?19970327041F

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Magisterium, the circumstances that may justify taking of life are much harder to find in proportion to the innocence, weakness, or need of the human subject. This priority, along with the belief that the fetus is entitled to respect as a human from the moment of conception, makes direct abortion the gravest sin against life for the magisterium.

The differences illustrate the key issues in the debate between the Magisterium and revisionist moral theologians. The key value for Mackie is human autonomy, yet a version of autonomy that does not recognize the sovereignty of God. As an atheist, Mackie can hardly be expected to accept the sovereignty of God. One of the key claims of the Magisterium is that revisionist moral theologians often accept such views of autonomy. While theoretically accepting the sovereignty of God, the way in which revisionist moral theologians solve many issues is functionally equivalent to accepting a slate of values that is a social construction and rejects the sovereignty of God. So the Magisterium claims.

For the revisionist view of an ethic of life I have chosen to feature Charles Curran because I find him truly representative and balanced within the revisionist community. Further, it is well known that he has been punished by the Vatican for his views. Even if it is not these particular views about the ethical implications of respect for life that have resulted in his dismissal from Catholic University of America, we know that his views are generally treated with suspicion within the magisterial community. Further, a chapter entitled “The Fifth Commandment: Thou Shalt Not Kill” is the clearest exposition I have found of the revisionist position in one place.\[34\] This saves me from having to carry out an exhaustive study of revisionist views on this issue, something that lies outside the

\[34\] Curran, *Ongoing Revision*, 144-72.
scope of this study.

Although the title of the chapter refers to the fifth commandment, Curran begins the article with some remarks about the revisionist discarding of the commandments for the structuring of moral life. This choice of new structuring principles is consistent with the teleological orientation I have pointed out and the reasons why it is preferred. The respect for life is grounded in the vision of life as a gift from God, yet a gift for which human beings should assume responsibility. From the beginning we should note that Curran adopts a Christian conceptual framework, accepting God’s gift as the source of value, rather than the autonomous construction of human values Mackie prefers. Curran also emphasizes “quality of life” issues as relevant to the respect for life principle, the type of issue addressed teleologically in Christian social ethics.35

Moving on to specific types of actions forbidden by negative precepts, Curran addresses the issues of suicide, murder, killing an unjust aggressor, capital punishment, abortion, and euthanasia. He consistently agrees that the actions are generally morally wrong, thus preliminarily agreeing with the magisterial positions and disagreeing with Mackie’s views on abortion and suicide. His statement about “strongly” opposing capital punishment, on the other hand, seems to situate him closer to Mackie. Yet, John Paul II has also moved the official position closer to Mackie’s.

With regard to the essentials, therefore, traditional moral rules such as those forbidding different types of offenses that result in death or physical harm to human beings, the context of the debate is one of widespread agreement between the magisterial and revisionist positions. Some disagreements have been identified earlier in this

chapter, such as those regarding contraception and the method for resolving certain conflict situations. In neither case does the revisionist mainstream position constitute a collapse into consequentialism, or so I have argued.

What areas of disagreement are left, then? Gaffney refers to the area of sexuality. Contraception, the issue that perhaps carries the most symbolic weight within the Catholic community is largely a non-issue in secular morality. The birth control debate is generally situated somewhere between the ethics of life issues and the ethics of sexuality. In secular ethics, consensual relations between adults are generally treated as morally insignificant. Revisionist ethics generally accepts their moral significance but shows itself more flexible than magisterial ethics. With regard to social practices, revisionist moral theology often argues for greater tolerance of behaviors traditionally considered immoral but greater social commitment as integral to Christian life. Ultimately, *Veritatis Splendor* claims that revisionist moral theology violates the principle that "it is never lawful, even for the gravest reasons, to do evil that good may come of it," cited directly from *Humanae Vitae* and with reference to Romans 3:8.

A discussion about the possible justifiability of doing moral evil that good may come out of it cannot be settled through a biblical citation, particularly when given out of context. But even when given in context, we need to understand that St. Paul could not possibly be addressing the subtleties of the problem we are discussing. An examination of the passage in context, however, yields some insight as to the possible applicability of the passage to moral inquiry. Paul is talking about the salvific value of the death of Christ. From a Christian viewpoint, if Christ is the Son of God and was rejected and put to death by humans, this is the greatest sin conceivable. In disputes with Jewish leaders,
some of them had basically pointed this out to Paul and argued that in ascribing such
positive value to an act which, by their own standards Christians considered a horrible
sin, Christians were in fact holding the absurd position that it is legitimate to do great evil
so that good may come out of it. It would be similar to a modern person arguing that it
was legitimate for Hitler to do what he did because it resulted in the establishment of a
Jewish homeland and greater understanding of Jews throughout the world. Paul simply
responds that the charge is slanderous and condemnable. The passage, then, is really
asserting a trivial truth and, even in context, is not that helpful for addressing the issues
about ambiguity in moral choice that a moral theory needs to face.

Proportionalists hold that the principle of due proportion is more helpful than the
traditional principles of double effect, and this is the focus of the disagreement. The
other focus of the disagreement deals with actions related to sexuality and human
reproduction. Sometimes these are interrelated, such as when moralists debate the
morality of sterilization or cooperation in sterilization (e.g., by Catholic doctors or in
Catholic hospitals) and seek for the best ways to deal with ambiguity in moral choice.
McCormick is again representative of the consensus among revisionist theologians when
he concludes:

These analytic differences between theologians should not blind us
to the vast areas of agreement we share and ought to be reflecting to the
world. We are at one in treasuring basic human values such as life, the
family, and childbearing, and it would be a pastoral disservice to allow our
differences to usurp center stage; for more than ever in our time we need
to support people in their desires and efforts to avoid failure “against the
very meaning of conjugal life.”

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36 McCormick 711.
6.6 Does Proportionalism Collapse into Consequentialism?

This claim is listed third in the encyclical, but because it can be interpreted as a summary of all the others it seems reasonable to address it last. For *Veritatis Splendor* the revisionist division into a moral and pre-moral order, leads to two different ways to judge the morality of an act. Moral goodness is judged on the basis of the subject’s intention in reference to moral goods. Rightness, on the other hand, is judged on the basis of a consideration of foreseeable effects or consequences and their proportion. This third claim is fundamentally a restatement of a paragraph from article 74:

Certain "ethical theories," called "teleological", claim to be concerned for the conformity of human acts with the ends pursued by the agent and with the values intended by him. The criteria for evaluating the moral rightness of an action are drawn from the "weighing of the non-moral or pre-moral goods" to be gained and the corresponding non-moral or pre-moral values to be respected. For some, concrete behaviour would be right or wrong according as whether or not it is capable of producing a better state of affairs for all concerned. Right conduct would be the one capable of "maximizing" goods and "minimizing" evils.37

The paragraph offers a fairly accurate description of a maximizing consequentialist theory. Given the affinity between proportionalism and maximizing consequentialism, this should not surprise us. *Veritatis Splendor* refers to consequentialism and proportionalism as two currents of thought. It holds that consequentialism “claims to draw the criteria of the rightness of a given way of acting solely (my emphasis) from a calculation of foreseeable consequences deriving from a given choice.” Proportionalism “by weighing the various values and goods being sought, focuses rather on the proportion acknowledged between the good and bad effects of that choice, with a view to the ‘greater good’ or ‘lesser evil’ actually possible in a particular

37 *Veritatis Splendor* 74.
situation." If this reconstruction constitutes an accurate representation of proportionalism, then adoption of the principle of due proportion would make its proponents collapse into consequentialism. In this section I will focus on showing that the principle of due proportion, as explained and defended in the work of some revisionist moral theologians, can be applied consistently in a way that avoids the collapse into consequentialism. To what extent proportionalists have consistently achieved this is an empirical question requiring more extensive research, probably the worthy subject of a future investigation.

Consequentialism may be divided into utilitarianism and non-utilitarian theories. *Veritatis Splendor* does not mention utilitarianism as a component current of teleologism because it has already granted that “Many of the Catholic moralists who follow in this direction seek to distance themselves from utilitarianism and pragmatism, where the morality of human acts would be judged without any reference to the man’s true ultimate end.” In a review of the impact of the philosophical debate about utilitarianism on moral theology, Charles Curran also concludes that there are no Roman Catholic parallels to the utilitarian debates about act- and rule-utilitarianism. There is no such debate, because no moral theologian with standing in the Catholic community holds to those views.

Since the participants in this debate agree that classical utilitarianism is

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38 Both citations are from *Veritatis Splendor* 75.

39 *Veritatis Splendor* 74.

inconsistent with Catholic beliefs, *Veritatis Splendor* does not even need to offer an argument against it. Classical utilitarianism is inconsistent with Christian ethics for reasons that can be summed up in Rawlsian terminology: Utilitarianism defines the good independently from the right and then defines the right as that which maximizes the good.

On the other hand, the Christian claim about the priority of the right over the good is well stated, in different terms, in the following passage from *Veritatis Splendor*: “God, who alone is good, knows perfectly what is good for man, and by virtue of his very love proposes this good to man in the commandments.”\(^{41}\) Consistent with its deontological approach, *Veritatis Splendor* holds that the morality of acts is determined by conformity with the true good, which is that specified by the divine law (therefore, a *moral* good) and knowable by natural reason as part of the natural law. This approach is faithful to Thomistic teaching about the law and consistent with Kantian claims about the priority of the right over the good. When the priority of the right is understood in this way, it does not deny the teleological character of the moral life, but rather clarifies it. For *Veritatis Splendor* the teleological character consists in the deliberate ordering of human acts to God, the supreme good and ultimate end for human beings. Within the Catholic community these statements are uncontroversial and rule out utilitarianism, which in principle is not open to a hypothetical divine or natural law with the capacity to suspend any further judgments about non-moral goodness or badness as relevant for moral evaluation.

Beyond classical utilitarianism, there are philosophically respectable theories that preserve the consequentialist structure of utilitarianism while giving up the principle of

\(^{41}\) *Veritatis Splendor* 35.
utility. I have used Shelly Kagan’s maximizing consequentialism as a representative of that current. Kagan’s rejection of agent-centered constraints (e.g., against doing harm) when they forbid actions considered necessary means for achieving the best overall consequences makes his theory unacceptable for Catholic morality. Yet, my model of proportionalism is presented as a hybrid, counterpart to Scheffler’s hybrid, that construes Christian morality as a maximizing teleological theory with agent-centered restrictions.

The concerns expressed by the encyclical show a fear that revisionist moral theology is collapsing into non-utilitarian consequentialist theory. Psychologically we may understand the fear, even if ultimately we judge that it rests on a misconception of proportionalism. Since many elements of the revisionist emphasis on proportionality appear to concentrate so much on the role of pre-moral goods in determining the morality of acts, this emphasis can be plausibly interpreted to favor a maximizing consequentialist theory with the capacity to overturn some of the most stable requirements of Catholic morality, at least in the solution of conflict situations (my emphasis). Philosophically, if revisionist moral theology collapses into non-utilitarian consequentialism, such a collapse would result in an incoherent moral theory: one that theoretically accepts the priority of the right over the good but allows non-moral goods to determine morality apart from the concepts of the right already accepted within the theory.

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42 Kagan 1-4.
Several criticisms of the revisionist position assume that revisionists determine right and wrong *solely* (my emphasis) on the basis of consequences or argue that the various concessions to proportionality are functionally equivalent to or collapse into consequentialism. Veritatis Splendor is influenced by such views. Let us return to its description of proportionalism: “by weighing the various values and goods being sought, [proportionalism] focuses rather on the proportion acknowledged between the good and bad effects of that choice, with a view to the ‘greater good’ or ‘lesser evil’ actually possible in a particular situation.” As this description stands, if Veritatis Splendor is correct, there is nothing that qualitatively separates proportionalism from some form of naive utilitarianism that calculates the balance of pleasure over pain. It is important to show that the description would be more accurate without the “rather” found within it and this, in turn, removes the conflation of proportionalism with some form of consequentialism. Proportionalists focus on the proportionality between good and evil foreseeable consequences in a given situation because they agree with Aquinas’ claim that such proportionality is always present. We have seen that revisionist moralists insist on the need to recognize that circumstances are always necessary to morally evaluate a type of action. A comprehensive analysis of the circumstances of a particular human act leads to the recognition that proportionality is always a consideration linked to the consideration of circumstances. In some types of acts, the proportionality of good over evil is straightforward. In general, the closer one stands to primary precepts, the more clearly can the required proportionality be recognized in moral judgment. The farther the

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43 See, for instance, John Connery’s critique, “Morality of Consequences,” in Readings in Moral Theology 1, 244-66.
moral subject is removed from primary precepts, more careful discernment will be needed to make a final judgment about proportionality between good and evil. This is straightforwardly Thomistic and in accord with the Catholic moral tradition.

What are the significant differences between this revisionist moral theology, characterized by a maximizing teleological orientation that accepts agent-centered restrictions, and consequentialism? Ironically, independently of Christian doctrine, even encyclical supporter Alasdair MacIntyre points out that the most powerful arguments against consequentialism to be found in Veritatis Splendor are consequentialist arguments. Given the encyclical's acknowledged intent in Article 29 to address these issues in a manner that is "accessible to all people," this highlights the importance of consequences and argues in favor of a normative ethical theory which gives due weight to the teleological orientation, even as it preserves the lexical priority of the right over the good. The Thomistic theory of human action, showing great affinity to such modern theories of action, points to the need to consider types of action in a holistic manner, as opposed to purist conceptions of deontology or teleology. The historical work of authors such as Pinckaers supports the claims of revisionists like Janssens, who hold that moral theology became excessively deontological through historical accidents and lost the dynamism of teleology. The revisionist return to the emphasis on circumstances in the moral evaluation of the human act was influenced in part by the valuable contributions of various forms of maximizing consequentialism. This influence led revisionist moral theologians to emphasize a circumstance that was not included in the traditional Thomistic listing: consequences.\textsuperscript{44} Aquinas argues that the most important circumstance

\textsuperscript{44}The traditional Aristotelian listing, which Aquinas uses in the Summa Theologica, includes who, 204
is "why" because it touches the act on the part of the end. The second most important circumstance is "what he did" because it touches the very substance of the act. Further analysis, helped in part by utilitarian concern with potential outcomes, leads to recognition that various goods are always weighed and that a moral judgment ultimately seeks a favorable balance of positive over negative outcomes. The emphasis on outcomes provides a reminder to Christians that the foremost moral obligation is not merely a minimalistic avoidance of evil, but rather the promotion of effective good.

The careful observer may inquire why the description of proportionalism given above should not be considered to collapse into some form of hard-core consequentialism, particularly in cases when the moral judgments of the proportionalist and the hard-core consequentialist coincide, i.e., when calculations of proportionality allow actions that are generally forbidden by ordinary morality. Curran points out three principles of what he calls mixed consequentialism or mixed teleology, that I mentioned with regard to the designation of theories as deontological teleology or teleological deontology in Chapter 2. These three principles place revisionist moral theology in a middle position between absolute or exclusive deontology and the axiological theories:

1. Moral obligation arises from elements other than consequences.
2. The good is not separate from the right.
3. The way in which the good or evil is achieved by the agent is a moral consideration.

McCormick agrees with Curran’s three principles and refers to

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by what aids or instruments, what, where, why, how, when. See I-II, q. 7, a. 3.

45 Summa Theologica I-II., Q. 7, a. 4.

46 Curran, "Utilitarianism and Moral Theology," 352.
himself and other revisionists as "moderate teleologists."\(^\text{47}\)

Are Curran and McCormick correct in their judgment that there is a significant difference between their use of proportionalism and consequentialism? With regard to Curran’s first principle, I would point out that revisionist moral theologians work in a context of openness to the transcendent, which includes the sovereignty of God in moral matters. There may be disagreement between them and the Magisterium as to the justification for certain specific rules, but they believe that divine law is binding on all. Revisionists often criticize or bring up problems with the approach of the manuals of moral theology to the natural law but accept that there are natural law precepts and these must be followed. With so many of these issues, their principal objection is that Aquinas has been gravely misunderstood and misused by his alleged followers, as I pointed out in the last chapter.

I would strengthen the second principle and assert that revisionist moral theologians accept that the right has priority over the good, as I argued in Chapter 2. The way this priority is generally understood, the acceptance of any deontological considerations prior to a complete assessment of good and bad outcomes, or the insistence that the highest good is a moral good, gives priority to the right over the good in the sense this priority is ordinarily understood in the philosophical community. Revisionist moral theologians generally express the priority of the right over the good in one of these ways. If principle (2), as revised, is accepted, it entails principle (1). Closely linked to both principles would be a Kantian notion, that of obligatory ends. For

\(^{47}\) McCormick, "Reflections on the Literature, 318.
Kant these were one’s own perfection and the happiness of others.\textsuperscript{48} Interestingly, the second of these by itself may appear to be an alternative expression of Mill’s greatest happiness principle. However, the first one is given priority, with perfection understood as the cultivation of one’s capacities, understanding and will, to the purest virtuous disposition.\textsuperscript{49} The consequentialist will only accept that this duty of moral perfection is genuine if it can be shown that it actually leads to better outcomes. The Christian sides with Kant and believes that it does lead to better overall outcomes but in a way that the consequentialist is liable to judge as question begging. Closely related to Kant’s concept of obligatory ends is the concept of objective values, also accepted by Christian ethicists and not doubted by revisionist theologians. The Christian believes there are some values we all ought to promote regardless of whether moral agents recognize them or not. When moral agents do not recognize these values it is believed to reflect certain epistemic deficiencies on their part.

I wish to pause here and expand on (3), the way in which the good or evil is achieved by the agent is a moral consideration, because it holds the key for the argument that revisionist ethics is not consequentialist. This is covered by Janssens’ principle that “when the single and composite act is viewed from the point of view of reason (secundum rationem), it must be found without an intrinsic contradiction between the means (exterior act as material element) and the morally good end of the inner act of the will (formal element).”\textsuperscript{50} As I stated in Chapter 3, the due proportion requirement is not

\textsuperscript{48} Kant, Metaphysical Principles of Virtue, 385-88.

\textsuperscript{49} Kant, Metaphysical Principles of Virtue, 387.

\textsuperscript{50} Janssens, “Ontic Evil, Moral Evil,” 71.
merely quantitative, with regard to the weighing of possible outcomes. It is also qualitative, in terms of the relationship between the end sought and the means used to achieve it. Richard McCormick offers an example about the weight of this principle. In an abortion dilemma in which it appears likely neither the mother nor the fetus will survive, revisionists consider it licit to carry out the abortion because "the deadly deed is intrinsically and inescapably connected with the saving of the mother's life." This relationship does not exist in cases in which a law officer may consider framing an innocent man to avoid race riots, lynchings, etc.\textsuperscript{51} This insistence on due proportion between the end and the means that are used to achieve the end is not found, but rather judged unintelligible, by consequentialism. In his defense of \textit{Veritatis Splendor} MacIntyre refers to the Thomistic example used earlier regarding taking what belongs to another in the case of grave need. Most consequentialists would agree with Aquinas' teaching that a person who takes what belongs to another (presuming the other has sufficient worldly goods) in cases of extreme and immediate need is not morally guilty of theft. However, MacIntyre points out that a change in contingent circumstances, resulting in the upholding of property rights to become of greater and more urgent importance, would require the hard-core consequentialist, for the sake of consistency, to give greater weight to the property rights and change the moral verdict on the action.\textsuperscript{52} On the other hand, Aquinas' teaching would uphold the permanence of the natural law which gives human need greater priority no matter what the contingent circumstances or


\textsuperscript{52} MacIntyre, "How Can We Learn What \textit{Veritatis Splendor} Has to Teach Us?", \textit{Thomist} 58 (April 1994), 180-81.
changed cultural situation may be. I agree with MacIntyre’s analysis and his ensuing argument, which I will cite in full because of its importance for this issue:

So even when in particular cases and circumstances what the negative precepts of the natural law enjoin does coincide with what a consequentialist would prescribe, they do so on a basis that is deeply at odds with all notions of weighing and balancing consequences or giving proportionate weight to different considerations. It is not of course that there are not greater and lesser goods. To do evil is always to prefer a lesser good to a greater. But the good at stake in all situations in which obedience or disobedience to the natural law is in question is such that no other can be weighed against it. Hence, when the encyclical explains the mistake made by those consequentialists and proportionalists who have supposed that somehow or other some good can be weighed against the evil of violating some particular negative precept, this identification of error is not just one more addendum to an exposition of God’s law, whether understood as the natural law or as received through revelation from Moses and Jesus Christ. It is rather that recognizing that and why this is an error is itself a sine qua non, a necessary condition, of any well-founded understanding of the natural law and of our human relationship to it.53

In his critique MacIntyre is undermining the teleological character of the moral life, somewhat strange for a self-avowed Aristotelian and Thomist. With regard to his reference to proportionalist violations of negative precepts of the natural law, given that so many writers may be characterized as moral theologians, it is most likely that some do adopt consequentialism in one of its possible varieties. Mainstream revisionist moral theologians do not and will typically challenge those who stray off the path. Curran, for instance, expresses some reservations about the work of John Giles Milhaven that parallel MacIntyre’s comments above, even if Curran’s comments are more explicitly teleological:

John G. Milhaven has developed more extensively than any other Catholic theologian in this country a moral methodology based on love as

53MacIntyre, “How Can We Learn?” 181.
known through the consequences of our actions. At times I have felt that such an approach too easily identifies the moral judgment with the findings of empirical and human sciences. Such an approach seems to me to deny the creative and transcendent aspects of any truly human and Christian moral theory. It is not enough just to know the consequences as indicated by the empirical sciences, but one must also have a creative and practical intelligence to direct things to a better future than is now existing. All human morality needs this transcendent and creative aspect which is stressed in transcendental approaches. From a Christian perspective, the limitations and sinfulness of the present call for us to work in the direction of an eschatological future which must transcend the present.\footnote{Charles Curran, \textit{New Perspectives in Moral Theology}, (Notre Dame, IN, University of Notre Dame, 1987), 210}

Revisionist moral theologians would agree with MacIntyre that their starting point is a recognition of and respect for the moral law, which they believe is of divine origin and knowable by the light of reason, at least in its primary precepts. However, the concept of natural law recognizes that it is law only by analogy. The Thomistic concept of natural law is that it constitutes a sharing of the rational creature in God’s wisdom, by which we are enabled to appreciate that divine perspective, the Christian counterpart of the \textit{sub specie aeternitatis} view that consequentialists urge. By calling it “natural,” we do not claim that humanly we acquire this perspective automatically or easily. Rather, as humans we have a potential for it. God extends the invitation, and a spiritual life consists basically of certain attitudes, practices, disciplines that foster the growth of this perspective within us. We live in an age in which many people are opting for “spirituality over religion.” This is another dichotomizing tendency that is illegitimate yet may be explained by the fact that Western religion often emphasized ritual to the exclusion of spirituality. Such practices, however, are part of the same malady that made Christian morality appear as a form of exclusive deontology and that the teleological orientation aims to set straight.
The primary precepts of the natural law begin with Aquinas' most general formulation: We must do good and avoid evil. The stress on the second part of the formula has been detrimental to Christian ethics, obscuring the teleological nature of this most basic principle. The primary precepts have the character of universality and necessity (as is the case of the Kantian a priori) and can be also expressed in the form of Kantian categorical imperatives. As I pointed out earlier, this expression of virtue ethics considers that the scope of the Kantian respect for persons categorical imperative is co-extensive with the Judaeo-Christian commandment of love of neighbor. Hard-core consequentialism does not recognize such categorical imperatives. As we begin to descend from the primary precepts, a person's conceptual scheme has a greater bearing on moral decision. Obviously, as we descend into more concrete issues, we run into greater difference of opinion with regard to the nature of the good to be promoted or the evil to be avoided. Plurality is more important on this level. Yet, once a person has accepted the Christian message genuinely, it is not a problem of the same nature as the plurality of goods objection to teleological theories.

The proportionalist uses the three sources of morality as a useful and necessary method for making concrete moral judgments, which includes the consideration of greater and lesser goods. If through such consideration it is determined that a type of act constitutes a moral evil, one that when measured against the primary precepts of the natural law or the categorical imperative appears to be in contradiction vis-à-vis those precepts, the weighing of positive and negative outcomes comes to an end. Clearly, the hard-core consequentialist, who is not committed to accepting those constraints, is not
required to end the consideration of positive and negative outcomes at this point.

Revisionist moral theologians find themselves in general agreement with MacIntyre’s analysis and would move on to state unequivocally that in this respect they are not to be found among those consequentialists and proportionalists to whom MacIntyre and *Veritatis Splendor* refer. Their acceptance of the primary precepts of the natural law or the categorical imperatives makes it clear that they do not draw the criteria for the rightness or wrongness of types of actions *solely* from a calculation of foreseeable consequences. Further, they do not focus on the proportion between good and bad effects apart from an acknowledgement of the limits set by the primary precepts of the natural law or the categorical imperatives, but in the context of an acceptance of those limits. This is the focus of principles (1) and (2) used by Curran and McCormick to situate revisionist moral theology in the middle, between absolute deontology and teleology.

Two problems remain that revisionist moral theologians may address through a change of strategy. When proportionalists such as Knauer and Janssens explain the application of the principle of due proportion, they talk about the quantitative and qualitative judgments that need to be made. However, the explanation of the qualitative judgment does not come across as clearly different from the quantitative judgment, and this appears to support the charge that proportionalism collapses into consequentialism. In several places in this chapter I have stated that absolute moral rules are consistent with the teleological approach favored by revisionist moral theologians. I would tentatively propose that they need to be more forthright in stating that when one of these absolute prohibitions is violated, there is no more weighing of values and disvalues possible that will change the negative moral evaluation. As to the content matter of these negative
prohibitions, revisionists need to be more explicit as to how they include more than the possibly question begging designations of murder, theft, and adultery and that critical examination of the Church's scriptures and tradition can help clarify the types of actions that effectively close the process. Bernard Häring, a trailblazer in the movement, did not hesitate in his commitment to such explicitness, as I noted earlier in this chapter. As in many other instances, he set an example it would be good to follow.

In analyzing the fundamental issues debated within this family feud, it is possible that the disagreements may appear paramount. I have made the effort throughout this study, and particularly in this chapter that addresses most directly the disagreements, to show that revisionists stand by the Magisterium in affirming some values that secular ethics does not generally cherish, at least not as strongly. I need to move on to the final chapter. There is a paradox to proportionalism, similar to the paradox of maximizing consequentialism. Both are generally perceived as too lenient when in reality they are very demanding. The challenge for revisionist moral theology is to show that its leniency and strictness are philosophically consistent, and that its flexibility is in line with the Christian concept of the good.
CHAPTER 7
A CHRISTIAN ETHIC IS A GOOD HUMAN ETHIC

7.1 Too Demanding or Too Lenient?

One of the most interesting episodes in the history of moral theology was the 17th century controversy between the Laxists and the Jansenists. The context then was a debate over a principle that it is moral to act according to a probable opinion, understood as one asserted by wise teachers and confirmed by excellent arguments, even if another opinion is more probable. Laxists interpreted the principle as a justification of following any opinion, based solely on the authority of one author.¹ If we recall the Cartesian comment that there is no opinion, however absurd or incredible, that has not been held by some philosophers, we may understand that such a view would lead to the justification of moral absurdities.² It was necessary for moralists to respond and respond they did, as expected, with a series of views whose principal aim was to contradict Laxism without allowing room for any gray areas. The Jansenist response included “tutorism” and “probabiliorism.” The former required literal application of the law in all instances of doubt. The latter upheld a presumption in favor of observance of the law unless stronger reasons could be presented in favor of freedom. Such an approach may well represent the ultimate logical conclusion to a series of developments that, as I have argued in this

¹ Giuseppe Angelini and Ambrogio Valsecchi, Disegno Storico della Teologia Morale, 116.
² 214
study, obscured the teleological orientation of Christian ethics and gave it the semblance of an exclusively deontological orientation. According to Bernard Häring, questionable natural law principles were used as if they were found in a carefully worded law code, and the entire argument was skewed by the unquestioned assumption that material observance of these principles was the primary requirement for moral goodness.³

Many great philosophers from Plato on thought that nothing empirical should be allowed to obscure one's philosophical reasoning. In that sense, philosophy is neither empirical nor biographical. Plato would have us believe that his arguments about why democracy is a corrupt form of government are devoid of empirical elements, even though he could never forgive the Athenian democracy for killing Socrates. So I believe there are more empirical and biographical elements than generally conceded even in Platonic ethics. As I address now from a different context the same issues that were present in the Laxist-Jansenist debate, I need to bring in an autobiographical element. Over twenty years ago I left behind the assumptions about the primacy of law and the privileged epistemic status of human-fashioned principles. These were replaced by a well-founded belief in the primacy of the teleological orientation for Christian ethics and the need to use sound methods of philosophical analysis in exploring the moral dimensions of accepting the Christian message. I remember the ambiguity I found in divinity school when I was introduced to the formal study of moral theology. Professors who had studied their moral theology during the time of transition did their best to bring in new insights but somehow could not give up the old context. The hybrid moral theology that was created was not very satisfactory but, paraphrasing a statement often

² Descartes, *Discourse on Method*, Part II.
used to describe my baby boomer generation, I knew what I opposed but I did not know what alternative to embrace. The Kantian awakening from dogmatic slumber may be the most famous autobiographical philosophical event in Western philosophy. My Kantian awakening came in Professor Julio de la Torre’s class at the Alphonsian Academy in Rome. One day he was talking about the “rottura epistemologica,” the epistemologic break that was needed, that required giving up a moral methodology which consisted in trying to identify and pull down from the sky the appropriate principle to apply, out of the very many derived natural law principles that somehow had acquired the status of virtually absolute certainty. All that was achieved was to grant certain human-fashioned principles the status of infallible rules handed down cast in stone from heaven.

I finally understood then why the hybrids were unsatisfactory and have attempted to consistently apply the new methodology ever since. The epistemological break does not mean starting from ground zero, as if nothing valuable had been accomplished prior to the Vatican II era. In many ways, the epistemological break returns to the sources with a critical perspective, seeking to discern what is permanently valid in the tradition and the work of ancient and classical authors. This is why I have laid such great emphasis on the correct interpretation of Judaeo-Christian Scripture and an influential author such as Aquinas. Even after the epistemological break made by revisionist moral theologians, the same issues are present: from some perspectives revisionist moral theology requires too much; from other perspectives it allows too much. This is one paradox of the revisionist project that needs to be addressed. Consequentialists rightly assert that one key reason for the rejection of consequentialism is that it is too demanding. A Christian might be

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3 Häring 47-48.
justified in asserting the same. Yet, the quality of being very demanding is not generally regarded as positive, so the Christian ethicists face the same challenge as the consequentialists: that of giving an account of why their theories are demanding in the right sort of way. John Mackie lumps act utilitarianism and biblical ethics together as so impractical as to constitute "ethics of fantasy." So the right sort of way would be one that is practical for real human beings, leads to a good life for human agents and patients of such a morality, while remaining philosophically coherent. The debate I have been analyzing, about two diverse styles in modern Catholic moral theology, may also be understood as a debate about the right sort of strong demands that may be made on a moral agent. To analyze the debate from this perspective, I find it necessary to identify four areas of application: (1) respect for life; (2) social ethics; (3) marriage, sexuality, and human procreation; (4) adherence to Church law. Then I will proceed with the argument that revisionist moral theology is very demanding in the right sort of way.

7.1.1 Demands of Respect Life Ethics

With regard to the ethics of respect for life, I have already presented in the last chapter a scenario of strong agreement between revisionist moral theologians and the Magisterium in contrast to the supreme value of autonomy advocated by John Mackie and the authors of the *amicus curiae* brief in support of liberalization of assisted suicide laws. As I noted there, the encyclical *Evangelium Vitae* has brought the two sides closer together. Even while stressing that "the direct and voluntary killing of an innocent human being is always gravely immoral," *Evangelium Vitae* has broadened the scope of respect for life to include even the lives of convicted murderers. In fact, this encyclical

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first argues that the conditions that might justify capital punishment are virtually non-existent in modern society, then offers an *a fortiori* argument why the life of the innocent is even more deserving of respect.5

By this inclusion of the life of requirement for respect of the life of the guilty the Magisterium has shed the albatross that hung around its neck from the time of the 1208 condemnation of the Waldensian principle that the state does not have the right to execute a criminal. The Magisterium and revisionist moral theologians present a united front against the objections of many conservative Christians who continue to support the death penalty. In terms of moral demands, how does this consensus represent an instance of the right sort of demand? It is based on the demand for forgiveness and mercy that is so prominent in the New Testament in contrast to the Old Testament and Hammurabic "lex talionis." It requires Christians to take this shift from retribution to forgiveness seriously, as many non-Orthodox Jews have done in their rejection of the death penalty. In rejecting this principle of retribution, Catholic moral theology rejects the most plausible argument in support of the death penalty.

What disagreements remain? In the last chapter I mentioned Charles Curran’s claim that accepts implantation over fertilization as the most decisive moment in fetal gestation with regard to a right to life. This is a non-moral disagreement with strong ethical implications. I find it present in the literature. The practical effect would be that the use of pills that might prevent implantation of a fertilized ovum would not constitute abortion in the strict sense of the word. From the viewpoint of Catholic morality this

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5 *Evangelium Vitae* 56-57.
might appear a moot point, but this is part of the discussion concerning the third area of concern, human sexuality.

In the case of euthanasia, an issue dominated nowadays by proposals to legalize assisted suicide, which Christian churches generally oppose, it is good to take note of a detail that is often unrecognized. In 1976, at the time of the landmark Karen Ann Quinlan case, Christian pastors and ethicists argued in support of the Quinlan family's right to have their loved one disconnected from life support. At this time the laws of the state of New Jersey, as well as those of most others, prohibited such a disconnection and required that the patient should be kept alive, in spite of the hopelessness concerning her recovery. I find a certain consensus between Christian writers in general, and the two sides in the Catholic debate in particular, centered on Paul Ramsey's arguments that three interrelated distinctions need to be taken into account: (1) between ordinary and extraordinary means of saving life; (2) between prolonging life and merely prolonging the process of dying; (3) between direct killing and merely allowing a patient to die. Possible disagreements focus on whether this third distinction is as crucial as generally thought or whether some actions might not be so neatly handled by the direct/indirect distinction. For instance, Ramsey and the revisionists generally agreed that in the Karen Ann Quinlan case it would have been moral to stop feeding her through the intravenous tube and give her a sugar solution that would prevent her from suffering, to the extent she was capable of suffering. Revisionists would generally argue that the principle of due

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proportion is more helpful and honest in addressing such a case. Ramsey also strongly insists on the moral obligation of "only" caring for the dying, understood as standing by them and doing whatever is necessary to comfort them, even though one knows that there is no hope of recovery. Ramsey argued that proponents of active euthanasia were shirking such a duty.  

In addressing the question as to whether Christian ethics is demanding in an appropriate sort of way, and not an ethics of fantasy in some of its requirements, we find that in one area of concern, the ethics of respect for life, there is strong agreement among both sides in the Catholic debate about the sacredness of human life and the sovereignty of God over life. Disagreements focus on non-moral matters, questions of strategy or moral methodology, such as the most effective ways to promote the respect for life. The strong requirement of respect for human life represents a common ground. _Prima facie_ we can appreciate that this is a good, since as humans we value our own lives and the lives of those close to us. We would not want to live in a society in which life was cheap, and in which people could easily find a justification to take our life or the life of someone close to us. The principal objection from secular morality, not open to transcendence, may be the autonomy objection. In two particular areas considered valuable in secular society, the right of a woman to control her own body and the right of a person to choose to end her/his life when it becomes intolerable, Christian ethics may be understood as imposing unjustified demands, particularly on those who do not share these Christian convictions. To address this objection, we need to look at the next area of concern, that of social and political morality.

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7.1.2 Demands of Social Ethics

In Chapter 2, when arguing that Christian morality is primarily teleological, I stated that the good for human beings was primarily conceived in terms of the good of individuals. Only in the last hundred years or so has the concern shifted to structures. This shift historically began with the publication of the encyclical *Rerum Novarum* in 1891. Richard McCormick identifies three stages in the development of this modern social teaching. *Rerum Novarum* was dominated by "Christian philosophy" and a rigidly deductive method that left no room for the relevance of human sciences. The second stage, identified with the teaching of Popes Pius XI and Pius XII, was based on "social doctrine," identified as "an organic corpus of universal principles" that represented a middle way between economic liberalism and socialism. The third stage begins with John XXIII and is still being developed under John Paul II. The method of analysis is more inductive, beginning with reflection on the historical moment fully aided by the human sciences. In lay person's terms, I would say that Leo XIII basically used a form of Thomistic fundamentalism and attempted to apply it anachronistically, whereas Pius XI and Pius XII represent a hybrid. On the one hand they grant that Aquinas cannot just be extrapolated unto modern situations, yet are still diffident of the modern social sciences. From John XXIII and the period of the Second Vatican Council we enter a new era, in which the Catholic Church realizes it must dialogue with modern secularity in all its aspects without, as I stated earlier, giving up its transcendent values.

One of the values emphasized by Catholics in this context is often referred to as "the legitimate autonomy of human affairs." It is also perceived as a right of religious
freedom, in that the Council affirms the right of all to be free from coercion in matters religious, or to be free to practice their religious beliefs as they see fit. If this right is affirmed, there is a logical consequence that those who do not practice a religion should not be bound to live by its moral code simply because the members of the religion constitute a majority of the population.

It is here that we find the most notable areas of disagreement between the Magisterium and the revisionist moral theologians in this area of respect for life. Let me return to the two particular instances I specified above: the legal right of a woman to make decisions about her own body and the right of a gravely ill patient to request to be assisted in suicide. There is openness and debate among the revisionist moral theologians as to whether a Catholic may, in good faith, support these options as instances of the legitimate religious freedom or autonomy of human affairs the Church affirms. The Magisterium rejects such possibilities categorically.

At the funeral Mass celebrated for Cardinal John O’Connor in the spring of 2000, Cardinal Bernard Law drew a standing ovation with his statement that Cardinal O’Connor’s actions and preaching made it consistently clear that the Church is unambiguously pro-life. Yet, how can Christians promote unambiguous respect for life in social situations riddled with ambiguity? In the U.S., “pro-life” is interpreted primarily in terms of opposition to abortion. In the 1980’s Cardinal Joseph Bernardin began to promote vigorously a consistent ethic of life, from conception to natural death. He insisted that we cannot have it both ways, opposing abortion and yet also supporting social programs that take away hope from the poor and may cause women with

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8 McCormick, "Laborem Exercens and Social Morality," in Readings in Moral Theology No. 5: 222
unplanned pregnancies to succumb to despair. He was criticized harshly by many Catholics who would prefer to identify the respect for life with opposition to abortion. In response to a letter I wrote to a Catholic paper supporting this consistent ethic of life, a critic referred to it as a “false doctrine.” The editor of the Catholic paper chose to give this critic the last word and did not publish my response, in spite of the fact that the encyclical *Evangelium Vitae* had already come out and John Paul II himself embraced the consistent ethic of life.

In political life it is almost impossible to find a candidate who will support the consistent right to life ethic advocated by *Evangelium Vitae*. In spite of papal insistence that a moral opposition to abortion, euthanasia, and capital punishment go together, many Catholics follow the general trends in the population. Conservatives oppose abortion and support capital punishment. Progressives support candidates whose social platform is viewed as more favorable for the poor while ignoring, if not approving, the pro-abortion rights views of such candidates. Revisionists need to make it clear that, were a consistent right to life candidate available, such a candidate should be supported over others who are not consistent in their respect for human life. In the real world, such candidates hardly ever come by. The principle of due proportion can be used to allow voting for a candidate who favors abortion rights, even if abortion is still morally considered a greater evil, when a judgment is made that an anti-abortion candidate would be less likely to promote social conditions in which poverty and despair over the possibility of economically supporting a new child will no longer move some women to contemplate abortion.

*Catholic Social Teaching*. 226-27.
There is room for legitimate disagreement here. Many Catholics act as if there were an absolute norm that states: "It is never morally permissible, under any circumstances, to vote for a candidate who supports abortion rights." It is consistent with the teleological orientation of Christian ethics, Catholic social teaching of the last forty years, and the principle of due proportion to reject such an absolute. On the other hand, it is doubtful that such justifications can be found for the position of a group called Catholics for Choice. This group even criticizes the consistent ethic of life as being unfair and insensitive to women. Revisionist moral theologians remain generally opposed to abortion and euthanasia as morally justifiable options. They hold that Christians should be motivated to reject such actions as contrary to the Gospel message. They are sometimes open to a relaxation of laws against assisted suicide or agree with the current constitutional status of abortion in the U.S., as an instance of legitimate religious freedom. On the other hand, whereas abortion and euthanasia are primarily private choices and can best be opposed by seeking to convert individuals, capital punishment constitutes a killing that the state carries out in the name of its citizens. A change in social policy is the major strategy needed in opposition to capital punishment. The promotion of a consistent ethic of life, as understood by Evangelium Vitae, should be considered non negotiable by the standards of revisionist moral theology. Negatively this entails the moral opposition to abortion, euthanasia, and capital punishment. Positively, it entails promotion of social policies that will favor the least advantaged and remove all the barriers to equal opportunity. In philosophical terms, the morality of social institutions is determined by principles we might call Rawlsian without the lexical priority of the equal liberties principle over the difference principle. We can make a good
case that such strong demands for the members of one’s own community of inquiry, united to tolerance for diversity of views, are demanding in the right sort of way because they promote the good of real human beings.

On the level of personal commitment to social change, the demands sound consequentialist, but they contain deontological constraints. No passage brings this out better than Paul VI’s in the Encyclical *Populorum Progressio*:

> It is well known how strong were the words used by the Fathers of the Church to describe the proper attitude of persons who possess anything toward persons in need. To quote Saint Ambrose: “You are not making a gift of your possessions to the poor person. You are handing over to him what is his. For what has been given in common for the use of all, you have arrogated to yourself. The world is given to all, and not only to the rich.” That is, private property does not constitute for anyone an absolute and unconditioned right. No one is justified in keeping for his exclusive use what he does not need, when others lack necessities.  

Content-wise, Catholic social teaching reaches a new stage with the Second Vatican Council’s statement that “God intended the earth and all that it contains for the use of every human being and people. Thus, as all men follow justice and unite in charity, created goods should abound for them on a reasonable basis.” The Magisterium is affirming in these statements that, in social matters, the principle that earthly goods are destined for the use of all is basic and irreducible for someone who follows the biblical tradition. All arguments about just distribution need to take this principle into account. Revisionist moral theologians are at one with the Magisterium in affirming this principle. Disagreements begin regarding the inferences that may be made. Most agree that the common purpose of created things principle does not entail a radical

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9 *Populorum Progressio* 22.

10 *Gaudium et Spes*, 69.
egalitarianism, though an argument could be made for it. The principle does entail that the basic needs of all must be accounted for before the excess wealth of some may be justified. This is as good an example as I can find in support of my claim that Christian ethics is best understood as maximizing teleology with no agent centered options (e.g., to accumulate excess wealth) but with deontological restrictions (the basic needs of some may not be sacrificed for the sake of the general prosperity).

Two more elements of potential agreement or disagreement remain to be treated before I can bring to conclusion the argument that revisionist moral theology is very demanding in the right sort of way. The first addresses attitudes toward sexual morality. The last one addresses issues related to the requirements of Church law for Christians.

7.1.3 Demands of Sexual Ethics

The concept of sexual morality is almost meaningless in secular moral philosophy and this lack of attention can be understood as a reaction to exaggerated concerns with sexual morality found in religious ethics. Just as in the area of respect for life, autonomy is the greatest value, so it is in the area of sexual morality. Truly consensual sex between people capable of giving consent is considered morally justified or at least neutral. The issues in sexual morality regard the criteria to determine what constitutes consent, whether the sexual mores of society continue to place women in a subordinate position, and the treatment of homosexuals.¹¹

Catholic sexual morality could be summarized in terms of three principles: (1) No sexual expression is morally justified outside a valid marriage union; (2) the use of

¹¹ I find Laurence Hinman's *Ethics Updates* to be the most valuable Internet resource for addressing any ethical issues, and these are the areas addressed there at present.
contraceptives is forbidden, even within marriage; (3) all failures in the area of sexuality involve grave matter. Anecdotes generally do not serve a useful purpose in philosophy, but perhaps the best expression of the importance of these principles in the popular mind is found in the sermon a venerable old bishop used to give to teenagers at their confirmation. His statement was that 90% of the condemned in hell are there because of sins against the sixth commandment ("Thou shalt not commit adultery," which was extended to cover any sexual infraction).

While there are those who cling to these principles even now, and as recently as 1975 the Vatican issued a Declaration on Sexual Ethics affirming the traditional morality, the absurdity of the venerable bishop’s statement is patent to most, even within the Church. Revisionists structure their critique by focusing on the values that they are trying to realize. Charles Curran’s statement that “[T]he renewal in moral theology has stressed the primacy of love and service of the neighbor and not sexuality as the hallmark of Christian life” is representative of revisionist attitudes in this matter. By this standard, the weight that was assigned to the area of sexuality in the moral life was totally disproportionate to the realization of values consistent with the New Testament message. This judgment does not lead to a rejection of the moral character of sexual issues, as has largely been done in secular ethics. I return to a statement from Richard McCormick I cited in the last chapter that is also representative of revisionist attitudes:

We are at one in treasuring basic human values such as life, the family, and childbearing, and it would be a pastoral disservice to allow our differences to usurp center stage; for more than ever in our time we need to support people in their desires and efforts to avoid failure “against the

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very meaning of conjugal life."\(^{13}\)

At the heart of Christian sexual ethics there is a promotion of the values of marriage and family life. In spite of many elements that were added on and at times considered essential (e.g., a woman’s duty to obey her husband), the Second Vatican Council stressed the two fundamental constants of the teaching from scriptural times: the unity of marriage and the indissolubility of marriage, within the context of a definition of marriage as a “communion of the whole of life.”\(^{14}\) The unity of marriage requirement is that of fidelity, understood not primarily in a negative manner (i.e., solely in terms of the prohibition against adultery) but in terms of the commitment to grow together and to work hard toward fortifying the bond. Indissolubility is the quality that requires a will to remain committed, even during difficult times or even when a spouse experiences desires to break the bond, particularly in favor of a new union. Pre-marital chastity is urged as the best way to prepare for this ideal of married life. Yet, even as such union is regarded as ideal, it is not the Platonic ideal of something that has never existed. It is a realizable ideal, instantiated in the lives of many loving couples. Even by utilitarian standards, those fortunate enough to have experienced such a union would generally conclude that there is no happier state of life, humanly speaking, than a lifelong happy marriage.

In the last paragraph I have provided a down to earth description of the values about which McCormick and other revisionists believe a consensus exists among Christian ethicists. The greatest problem, and the most controversial area of debate, concerns many who try to live up to this ideal but whose marriages fail, for whatever reason. Should they morally be considered to have the opportunity to try again with a

\(^{13}\) McCormick, Notes, 711.

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different person? In secular ethics we know that this is generally a non-issue and it is considered trivially true that such persons should enjoy a new opportunity. Many Christian churches also provide the new opportunity. In Catholicism, the official position requires that the couple receive a declaration of nullity of the earlier marriage from the Church authority. The requirement is based on an Augustinian claim that ontologically there is an indissoluble bond between husband and wife that prevents either from marrying again, as long as the other one is alive. The disagreement concerns primarily the existence and nature of the conjugal bond, with revisionists generally arguing that such a claim goes beyond the scriptural texts that balance the requirement for fidelity with evidence of lenience in hard cases. In different ways, revisionists argue that the indissolubility requirement be treated with appropriate seriousness but not absolutized. The magisterial position, reaffirmed by the Vatican in the summer of 2000, presumes that there is an absolute moral rule such as “It is never morally justified for a Catholic to remarry after divorce without obtaining a declaration of nullity from the Church.” It is moreover presumed that such a moral rule can be inferred from the biblical teaching about marriage and divorce. Critical reflection shows that such inferences can only be justified if the premises provided by the texts are interpreted in an ahistorical and anachronistic manner. Therefore, revisionist moral theologians both urge a change in the discipline and advice divorced and remarried Catholics to follow their conscience with regard to the reception of Communion.

Similarly, any failures in the requirement for premarital chastity, as preparation for living the ideal, should be considered in light of the teleology of one’s entire life, and

\[14 \text{Gaudium et Spes} \ 48.\]
not atomized as if they represented total moral failure. The principle that such failures always constitute grave sin, still clung to by the Magisterium, entails such total moral failure.\footnote{The Catechism of the Catholic Church does not restate the principle in the section on the sixth commandment, traditionally understood “as encompassing the whole of human sexuality” (2336) However, it does state, in the case of masturbation, which may be considered the least serious failure, that it is “an intrinsically and gravely disordered action” (2352).}

Another debate that has grown in strength in more recent times concerns the morality of homosexual genital acts. The catechism predictably clings to the claim that “homosexual acts are intrinsically disordered” and under no circumstances can be approved.\footnote{Catechism 2537.} Many revisionists argue that growing evidence that the homosexual orientation is not chosen should lead to a revision of the principle, particularly since biblical condemnations could not understand an involuntary homosexual orientation. The inclusion of such acts in New Testament lists of sins is best understood as condemnation of practices that we know were approved by the Greeks, particularly homosexual acts as part of a student’s apprenticeship. Good philosophy requires that Christians not claim for such principles the degree of certitude they have so far enjoyed; the evidence is just not there. So revisionists generally argue for full acceptance of homosexual individuals into the community and a suspension at least of the conventional claims of absolute certitude.

I already explained the birth control debate in some detail in the last chapter. It has been necessary to offer this overview of concrete areas of agreement and disagreement between the Magisterium and revisionist theologians to support my argument that revisionist moral theology is demanding in the right sort of way. There is
one more area of disagreement I wish to consider, that regarding the relevance of Church
law for ethics.

7.1.4 Demands of Church Law

The first draft of this chapter was written in March of the year 2000. Around the
middle of the month an issue arose for Irish Catholics that illustrates well the issues at
stake here, for which I do not find a counterpart in secular moral philosophy. The feast
of St. Patrick, traditionally celebrated with an abundance of corned beef, cabbage, and
beer, fell on a Friday in Lent, when Church law requires Catholics to abstain from eating
meat. The problem was easily handled by an appeal for dispensation from the rule that
could be obtained from the local bishop. However, some local bishops refused to grant
the dispensation. The news media focused on the Bishop of Fall River, Massachusetts,
of Irish extraction, who refused to grant the dispensation. So Irish Catholics within his
jurisdiction were faced with the moral dilemma of whether they should eat or not eat
corned beef to celebrate the feast of St. Patrick appropriately. However, some clever
thinkers pointed out that the ruling of the Bishop of Fall River did not apply within the
limits of the Archdiocese of Boston, which bordered Fall River and where the
dispensation had been granted. So Fall River Irish Catholics could have the best of both
worlds by traveling a few miles into Boston jurisdiction to eat their corned beef.

If the moral dilemma sounds absurd to someone not familiar with Catholic rules,
revisionist moral theologians would respond that it sounds absurd because it is absurd.
That there is a need for any organization to have rules for good order, even a religious
group whose purpose ultimately seeks to guide people to everlasting happiness, is
trivially true. Beyond the duties of morality, present in any ethical system, the major
religions traditionally add disciplinary requirements for good order and duties of spirituality. The latter tend to fall into three categories: prayer, fasting, and almsgiving. All three are considered essential within religion, but that the infraction of specific details of such human-fashioned rules can constitute serious moral failure is considered by revisionist theologians an aberration, a consequence of the historical overemphasis on obedience to laws. They agree with Karl Rahner, generally regarded as the greatest Catholic theologian of the 20th century: “Who today would dare to attribute so easily to ecclesiastical precepts, even down to trivia, the character of an obligation under pain of mortal sin?”

Returning to my opening example, even if we grant that the present discipline of abstaining from meat on Lenten Fridays is not imposed as binding under the pain of mortal sin, many in the present generations still remember the days when the discipline was thought to be so crucial. We are left with false dilemmas such as: Were some people condemned to eternal punishment because they broke a rule that later was abrogated? We are also left with the absurd conclusion that someone who eats lobster or some other expensive fish dinner has carried out a penitential act by abstaining from meat. Such trivialities make Christian ethics lose credibility among clear thinking people of any persuasion. I am ignorant of the reasons offered by the Bishop of Fall River for his refusal to grant the dispensation. However, a refusal based on reasoning that mature Christians should make their own decision and not simply seek an excuse from the bishop would be more in line with the renewal of morality sought by the revisionist theologians.

Islamic law requires Muslim believers to fast from sunrise to sunset during one month of

17 Cited in Häring 412.
the year. Those unable to fast because of sickness or pregnancy are urged to make up the
fast by feeding the poor. The decision is personal, as appropriate to mature adults, not
mediated by a religious authority whose judgment dispenses the individual believer from
personal responsibility. Revisionist moral theologians insist this is the way it should be
in Catholicism also. In spite of positive developments, many residues of the old
mentality remain in laws that exclude some Christians from full participation in the
Church's life based on infraction of Church discipline. Some that may be mentioned are:
failure to attend Mass on a Sunday; failure to have one's marriage blessed by a priest;
failure to confess one's sins to a priest; failure by a cleric to obtain a papal dispensation
for marriage. That any or all of these requirements can serve a useful purpose within the
Church community is not the issue in this discussion. Critical analysis reveals that such
specific obligations are accidents of history, imposed by human authorities beyond the
law of the Gospel. By the standards of logic, therefore, such actions or omissions should
not be deemed as fundamental when the Gospel itself asserts that "the Sabbath was made
for human beings, not human beings for the Sabbath."\textsuperscript{18} We should recall that in the
original context of the statement, Jesus, a devout Jew observant of the requirements of
Torah, is relativizing Torah in favor of the good of real human beings. Revisionists insist
that, with regard to Church law beyond the requirements of morality, and the specific
details of the disciplines of spirituality, this is the way things should be in the Church.
Such an approach is the most coherent one with the New Testament message, and
coherence is a virtue that transcends ideological differences.

\textsuperscript{18} Mark 2:27
7.1.5 Interim Conclusion

At this point I can only offer an interim conclusion, because I need to return to the plurality of goods objection in line with another paradox of Christian ethics as I have construed it. There are sufficient elements from the treatment of certain issues in applied ethics to support this interim conclusion. The interim conclusion is: The moral theory defended by revisionist moral theologians is very demanding in the right sort of way.

1. If a moral theory prioritizes moral demands in a way that serves the needs of real human beings, while taking into account the findings of modern sciences about human potential and human need, such a moral theory is demanding in the right sort of way.

2. Priority on a love of neighbor requirement that includes special obligations toward family but extends to a serious social obligation to help the needy and to work for more just social structures, makes revisionist moral theory a theory that serves the needs of real human beings.

3. A strong respect for life requirement, with tolerance for certain types of actions carried out by those who do not share the Christian vision of life, makes revisionist moral theory a theory that serves the needs of real human beings.

4. A sexual ethic that fosters strong family life makes revisionist moral theory a theory that serves the needs of real human beings.

5. Through a sexual ethic that is flexible, understanding, compassionate, accepting of individuals whose ideals of family life and use of sexuality may differ, particularly because of sexual orientation which is not voluntary,
revisionist moral theology takes due account of the findings of modern sciences about human potential and human need.

(6) Through its relativization of Church discipline and subordination of its requirements to human need, revisionist moral theology takes due account of the findings of modern sciences about human potential and human need.

(7) Conjunction of premises (2) to (6)

Conclusion: The moral theory defended by revisionist moral theologians is very demanding in the right sort of way (by modus ponens of premises (1) and (7)).

Many outside observers envision Christian ethics as rigid and guilt-inducing. Some statements from Bertrand Russell's famous essay "Why I Am Not a Christian" are fairly representative of the view of many outside observers and could have been expressed at almost any period in the history of Christianity:

There are a great many ways in which, at the present moment, the church, by its insistence upon what it chooses to call morality, inflicts upon all sorts of people undeserved and unnecessary suffering. And of course, as we know, it is in its major part an opponent still of progress and improvement in all the ways that diminish suffering in the world, because it has chosen to label as morality a certain narrow set of rules of conduct which have nothing to do with human happiness; and when you say that this or that ought to be done because it would make for human happiness, they think that has nothing to do with the matter at all. "What has human happiness to do with morals? The object of morals is not to make people happy."19

There are three distinct claims at least implicitly present in Russell's critique that should be addressed. First, Christian churches inflict needless suffering on their members through a rule-based morality unconcerned with human happiness. Secondly, the infliction of needless suffering extends to non-members, since in places where Christians

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are a majority, the churches promote laws that require everyone to conform to these
Christian rules. Thirdly, at the root of these policies lies a conception of morality that
rejects a connection between human happiness and morality. Let me begin by addressing
the third claim first, since that is at the heart of my argument here. If I translate Russell’s
charge into the terms I have been using in this study, he accuses Christian churches of
assuming an exclusively deontological morality that is unconcerned with teleology,
particularly the goal of promoting human happiness or well-being. As part of that
morality, rule worship has replaced the concern with the well-being of humans. I think in
all honesty Christian ethicists must grant Russell that he is largely correct in this
assessment. The major cause, as Russell points out, has been the total neglect of the
teleological dimension of morality. Many Christians believe that this is the authentic
Christian morality and a faithful Christian must bite the bullet and proclaim the truth
without regard for the consequences. One of my central arguments in this study is that
this is an inaccurate rendering of Christian ethics. Such an exclusively deontological
orientation makes Christian morality very demanding in the wrong sort of way. The
authentic Christian ethics I am defending here takes adequate concern for human well-
being. This is not to say that the Christian view of human well-being would coincide
with that of atheistic critics such as Russell or John Mackie. I believe, however, that
even such atheistic critics would appreciate the concern with human well-being present in
such a vision, even if they ultimately disagreed with some conclusions about what is
morally required, permitted, or forbidden.
With regard to the first claim, the common perception is that Christian morality motivates people through the promotion of guilt. Whereas most would accept that there are actions or omissions for which a rational human being should feel guilty, Christian morality is envisioned as a promoter of guilt part excellence, particularly because of failures to live up to the demands of a rigid sexual morality that is rejected by most outsiders and even by many Christians. The negative effects are multiplied when Christian churches promote legislation imposing the same prohibitions on all members of society. This last point is the second claim I have identified in Russell's criticism.

In all honesty a Christian ethicist must grant Russell that his criticism was accurate in great part, at least in 1927, when he delivered this lecture. I believe the recovery of the teleological orientation of Christian ethics promotes the right type of demands while recognizing the law of growth. In my remarks about Christian sexual ethics, I identified the promotion of firm and stable marriage and family life as its primary goal. When we consider all the suffering caused to human beings because of marital breakdown and divorce, it makes sense from a perspective of sheer rationality to promote such a goal. When we consider teleology, however, it does not make sense to treat every single departure from the ideal as a fundamental failure. That only promotes a harmful type of guilt, as opposed to the guilt a rational person should experience upon awareness of a really serious fault. Nor does it make sense to exacerbate whatever guilt a person whose marriage breaks down may feel, particularly if that person made an honest effort to save the marriage but came to an honest conclusion that dissolution or divorce was the best and most responsible option. In such cases the best approach is to offer effective methods for healing to all those involved. Neither does it make sense from a
logical point of view to extend the prohibition against adultery to cover any conceivable offense in the sexual area, as the Christian tradition has done. For instance, if we use accepted standards of logic, from the prohibition against adultery it cannot be inferred that every act of masturbation is seriously sinful.

* A fortiori, even while promoting strong family life it does not make sense to promote it through the extension of prohibitions based on a confessional interpretation of rules of morality to an entire society, particularly when such prohibitions are based on weak foundations, such as Augustine's concept of the indissoluble bond. It has been unfortunately true that in many countries where Catholics were a majority, at least culturally, many baptized unbelievers went through the formalities of Catholic weddings only to find out later that this made it impossible for them to obtain a dissolution or divorce. Among the negative consequences of such policies were hypocrisy, resentment, lack of healing for all involved. In my experience, revisionist moral theologians are strongly opposed to such an extension of questionable moral rules into the area of legislation. It does not make sense from the teleological perspective of maximizing the good, of promoting the best states of affairs. The matter of legalized abortion is more controversial among the revisionists, since Catholics do hold the belief that an innocent human life is sacrificed in the majority of abortions.

Revisionists believe that the approach defended here—strong demands accompanied by deep awareness of the law of growth—is faithful to Christian roots going all the way back to the beginnings of Christianity. Even when presenting an ideal, Christian moral theory acknowledges its empirical and biographical dimension more than most other theories. The founder of Christianity was not a philosopher and did not
develop a moral theory. He was more of a wise sage who made up stories with a moral message. Philosophically, the principles that may be inferred from such stories stand or fall on their logic, not on coherence between the original messenger's theory and practice. Yet, for the Christian, this biographical element is of the utmost importance. Jesus' moral authority rests not only on the logical consistency of His message, but on the moral consistence between His words and deeds. So in answering the question whether Christian morality is demanding in the right sort of way, we need to focus on both the message and the messenger.

How demanding then is Christian morality? In theory, as demanding as conceivable, requiring perfection: "Be perfect as your heavenly Father is perfect."\(^{20}\) It still matters what sort of perfection is intended. For the Pharisees, the perfection intended required careful attention to every precept of the law, sometimes requiring material observance even if a greater good could be obtained by bypassing the law. The perfection achieved through one's own efforts separated the moral agents from the impure who could not observe the law in it all its rigor. So the teaching about perfection is given in the context of the highest of demands: the forgiveness of enemies. The counterpart in the Gospel of Luke is stated in terms of compassion: "Be compassionate as your heavenly Father is compassionate."\(^{21}\) For Mackie, such requirements turn Christian ethics into an ethics of fantasy, as I stated earlier. Yet, the dynamic present in revisionist moral theology between the pursuit of the highest ideals and compassion for those who do not achieve them creates the right balance from the perspective of the

\(^{20}\) Matthew 5:48

\(^{21}\) Luke 6:36
messenger. We find in the moral message of Jesus both a strong challenge to His followers to become perfect and the depths of compassion for human failure, particularly failure due to weakness. The Gospels are clear that He welcomed tax collectors, prostitutes, all the impure ones according to Pharisaic rigidity. His harshness was reserved for moral failure arising from arrogance or self-righteousness. So from the perspective of the biographical element that is so crucial in Christian moral theory, Christian moral theory is demanding in the right sort of way. From the viewpoint of a teleological philosophical orientation, we can make a case that strong demands mixed with compassion toward those who fail serves all of us lead to an increase of virtue. Further, this mixture benefits all of us because it is all of us who are addressed by another important Gospel constraint: "Let the one among you who is without sin cast the first stone." Magisterial moral theology is very close to the right balance, but has not quite made the epistemological break required from conceptual frameworks and moral methodologies that are more accidents of history than the example and message of Christ.

7.2 Absolute Values in a Pluralistic Context

In my introduction I stated my commitment to a pluralistic approach in ethics, as opposed to the Kantian denatured moral agent. Philosophers are late arrivals in showing attention to the implications of diversity on the discipline, perhaps because of Anglo-American philosophy's preference for mathematical models of analysis that are not susceptible to change because of cultural diversity. Feminist philosophers are exploring the implications of gender for moral theory; philosophers from ethnic minority groups are

\[22\] John 8: 7.
exploring the implications of race and ethnicity for moral theory. Yet, writing as a Latin American philosopher I am defending core principles of Catholicism that appear as absolute as the Kantian categorical requirements. I will address this apparent paradox in this section. There is an additional problem: Is the good as I have presented it from a Christian conceptual framework also a good from a neutral point of view? This I will address in the next and concluding section.

I have yet to find a philosopher who addresses the implications of diversity for moral theory as thoroughly as Lawrence Hinman. He argues that the impartial point of view was simply the point of view that favored those in power and was passed on as universal precisely because those who favored it had the power to impose it on others. As a Catholic, I need to admit that the Church has so imposed its values frequently in history, but my admission is trivial considering that the Pope has recently made the same admissions in a public and world wide forum.

Hinman points out, in his extended argument that cultural diversity, as part of people’s identity, is crucial to their moral deliberations, that diversity or difference does not entail contradictoriness. There is widespread agreement about certain core values. I have tried in this study to show that the core values promoted by Christianity are values that can be appreciated as good and worthwhile even by those who do not share them. I have argued that those who disagree with some of these basic values can appreciate that at least they are coherent with the core message of Christianity.

My brand of Catholicism, culturally speaking, is Latin American Catholicism. Through fortunate circumstances my ideological formative years took place at the same

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time as the Second Vatican Council and its application to Latin American reality, particularly the Medellin and Puebla conferences and the birth of liberation theology. It is well known that in Latin America the Catholic Church was generally an instrument of subordination of the native populations to the interests of the conquering powers, mostly Spain and Portugal. It is also well known that some religious leaders were the greatest defenders of the native populations against abuse by the colonizers. Still, the Church that developed in Latin America was mainly a Constantinian Christendom that favored order and stability at the expense of promotion of human rights of the majority of the population, generally mired in poverty.

The 1968 Medellin Conference was the official Latin American Church turning away from Constantinian Christendom to what is generally referred to as a “preferential option for the poor.” There are strong controversies about liberation theology and that is the Latin American counterpart to the better known debate between the Magisterium and revisionist moral theology that I have been analyzing. In liberation theology God’s actions on behalf of His people are initially a response to the cry of liberation from the oppressed Israelites in Egypt. So theological reflection should begin from the perspective of the oppressed, not from the perspective of the ruling classes. The influence of liberation theology is undeniable and even opens up the way for proposals of liberation philosophy. What if the Western philosophical tradition were grounded on reflection by those who did the hard work, rather than by Plato, Aristotle, and those who had the leisure for philosophy because the majority of the population was serving their needs?

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Hinman’s primary example of an ethnic minority group that contributed greatly to the development of the U.S. moral fiber is that of the African-American struggle for civil rights. One element found in their collective witness, even from leaders who otherwise disagreed about the methods to achieve full integration, is “the moral voice of the affirmation of self-respect in the face of oppression.” I believe that Latin American Catholic philosophers must contribute a similar value to philosophical analysis in mainstream U.S. society. It may not have been very explicit in my study because of the technical nature of the controversy I was addressing: the teleological-deontological debate in Catholic moral theology. Yet, as I move further in philosophical reflection I hope to show that the priority given to effective love of neighbor, or the duty of benevolence, arises from the experience of Latin American Catholicism. The specific requirements of this priority are expressed in a consistent respect for life ethics that includes effective support of a social ethic guided by the axiom of the universal destiny of the goods of creation.

7.3 Christian Ethics is Good for Real Human Beings

John Mackie both defends the coherence of Christian ethics and asserts that he does not find it plausible because the problem of evil causes too many philosophical obstacles to the Christian concept of God. His statement is worth considering:

But what concerns us more is that if this theistic position were not only coherent but also correct it could make a significant difference to moral philosophy. Morality could still have very largely the functions we have assigned to it, and much the same content, but the good for man might be more determinate, more unitary, than we have allowed in Chapter 8, and our task might be less that of making or remaking morality than of finding out, with the help of some reliable revelations, what God’s creative will has made appropriate for man and what his prescriptive will

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25 Hinman, Ethics, 406.
requires of us. It therefore matters a lot for moral philosophy whether any such theistic view is correct: the theological frontier of ethics remains open.26

In Chapter 8, to which he refers in this passage, Mackie had addressed some of the practical elements of morality, beginning with Aristotle’s question about what is the good for human beings and acknowledging the difficulty in determining the nature of this good. So in this passage he is saying that he finds religious ethics very coherent, referring in his analysis to the monotheistic tradition. Religious ethics would make a great contribution through a more unitary concept of the good if its principal claims were true; it is truly unfortunate that they are not. That is why we need to go about inventing right and wrong rather than discovering principles about the truly satisfying life for human beings determined by a benevolent Creator God.

The active participants in the debate I have been analyzing believe that the God of the Bible not only exists, but is truly present in our world. In spite of the problem of evil, the world we live in makes a lot more sense philosophically if we accept such a God than if we don’t. Revisionist moral theologians try to work out a normative ethical theory that satisfies Mackie’s coherence requirement from a starting point that responds to the Aristotelian question about the good for human beings in a more unitary way than atheists can respond. With regard to the core values, revisionists acknowledge their debt to their own tradition, flawed and hindered by accidents of history as it may be. However, revisionists believe that they offer a better alternative than the magisterial proposal because revisionists have made the epistemological break with the past that the

26 Mackie, Ethics, 232.
Magisterium somehow fears. *Veritatis Splendor* reflects both the greatness of the tradition and the fears that still hinder it from reaching its full potential.

Richard Garner is a harsher critic of religious ethics than Mackie. He advocates replacing religion and morality by an attitude of compassionate amoralism:

> Morality is not necessary for the kind of behavior it is thought to be a device to promote. People can be conventionally good without believing in the objectivity of morality, so it makes sense to consider some alternatives that might lead to this result. The alternative is, and always has been, expanded information and sympathy—the ability to realize the plight of others and the disposition to care. If we could establish habits of curiosity (a strong disposition to take in information), calmness (a quiet mind capable of taking in clean information), and compassion, we would quickly be in a position to leave morality, with its lies and guilt, its rationalizations, its bogus heteronomy, its capacity to be exploited, its unresolvable arguments, and its perpetual flirtation with religion, behind us. Sigmund Freud was probably right when he called religion a childhood neurosis; but what he did not say (because he did not believe it) was that morality is an adolescent one.²⁷

Revisionist moral theologians respond to critics such as Garner that their curiosity, calmness, and compassion lead them to affirm the values of religion and morality in a new way. Curiosity has led them to an honest assessment of the entire Christian tradition. While sometimes shaken, intellectual honesty has led them to affirm the tradition and prune the elements that stood in the way of philosophical clarity. Calmness has allowed them to weather storms caused by misunderstandings and attacks arising from the community they love and seek to serve with the truth that is the product of critical reflection. Compassion remains a key virtue, the epitome of perfection, in contrast to a mechanical observance of rules. Critics like Garner have nothing to fear from those who combine their openness to transcendence with the curiosity, calmness,

²⁷ Garner 296.
and compassion Garner urges. Critics like John Paul II and Cardinal Ratzinger have nothing to fear from those whose intellectual honesty leads them to make affirmations that contribute to the dialectic that can lead Christians to a new level of moral truth.

Novelists are generally more creative than philosophers or theologians in getting to the core of the argument. So I wish to end with an affirmation by a modern novelist. In E. L. Doctorow’s *The City of God*, a Jewish study group questions their forward thinking female rabbi about the requirement to observe all 613 prescriptions of the Torah. Her response: “God is not honored by a mechanical adherence to each and every regulation but by going to the heart of them all, the ethics, and observing those as if your life is at stake, as it may well be, I mean, your moral life, your life of consequence as a good, reflective, just, and compassionate human being.”

In 1998, around the time Doctorow was probably composing these statements, four outstanding professors from the Alphonsian Academy in Rome, who spent their professional lives promoting these values, moved on to the next level of awareness. They were Julio de la Torre, Bernard Häring, Peter Lippert, and Sean O’Riordan. Whenever I re-read these words, I can almost hear their cheers from paradise.

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Haldane, John. "MacIntyre's Thomistic Revival: What Next?" Horton, John and Mendus, Susan, eds. After MacIntyre: Critical Perspectives on the Work of


Morris, Thomas V., ed. *God and the Philosophers: The Reconciliation of Faith and


Selling, Joseph, and Jans, Jan, eds. *The Splendor of Accuracy: An Examination of the


