

OXFORD

Reframing
CATHOLIC
THEOLOGICAL
ETHICS

Joseph A. Selling

REFRAMING CATHOLIC THEOLOGICAL ETHICS

Reframing Catholic Theological Ethics

JOSEPH A. SELLING

OXFORD
UNIVERSITY PRESS

OXFORD

UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Joseph A. Selling 2016

The moral rights of the author have been asserted

First Edition published in 2016

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data

Data available

Library of Congress Control Number: 2015948058

ISBN 978-0-19-876712-1

Printed in Great Britain by
Clays Ltd, St Ives plc

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

Acknowledgements

Until the Spring of 2013, the Society of Jesus at Georgetown University supported an institution known as the Woodstock Theological Center, named after the former Jesuit house of formation in Woodstock, MA. The WTC provided a location for an International Visiting Fellowship programme that afforded non-US resident theologians an opportunity to engage in 'pure research'. When I became 'emeritus professor' in 2011, I applied for the IVF programme and was granted a fellowship that I was privileged to enjoy from January to May 2012.

The staff of the WTC was totally supportive of what I came to find out was a genuine commitment to research. Although I had submitted a research project to apply for the position, those responsible for the program, in particular the director, Fr. Thomas Reese SJ, assured me that all I had to do was to pursue my academic passion and at the end of my tenure tell the board what I had found. It was that freedom that allowed me to complete what had been a quest of nearly twenty years of research – to map out the possible meanings of the ends of ethical living and decision-making.

I wish to express my thanks and appreciation to Fr. Reese, to all the WTC fellows, and especially to the staff of the library of Woodstock for the opportunity to engage in research without the pressures of administrative interference, financial concern, and a preoccupation with continuous evaluation. Unfortunately, I fear that such research opportunities are rare in much of academia today.

Contents

Introduction	1
Coming to Grips with the Basic Problem	2
Returning to the Roots	3
Origin of the Methodological Problem	4
Contemporary Thinking	6
A New Perspective	7
The Continuing Appeal of Normative Ethics	10
Some Practical Issues about this Study	13
1. The Crisis in Ethical Method	15
The Turn to Natural Law	16
Fallout from the Controversy over Contraception	18
Intrinsic Evil	20
The Sources of Morality	23
2. A Theology for 'Theological Ethics'	28
'What shall I do to inherit eternal life?'	29
The Good News about the Kingdom	33
The Meaning of the Kingdom	36
The Commandments as Attitudinal	38
The Spirit of the Law and the Attitudinal Approach to Morality	41
Becoming Practical	44
Where Do We Go from Here?	49
3. Thomas Aquinas: The First Christian Ethicist?	51
The Importance of the Twelfth Century	52
Commentaries on the Sentences	54
The Moral Psychology of Thomas Aquinas	56
Application of the Psychology	60
The Structure of the Moral Event (qq 1–21)	62
The Voluntary and Circumstances (qq 6–7)	64
Acts of the Will Directed towards the End (qq 8–12)	66
Acts of the Will Directed towards Those Things in Service to the End (qq 13–17)	68
One Act or Two Acts of the Will?	70
The Evaluation of the Moral Event (qq 18–21)	73
Objects and Actions	76
The First Christian Ethicist?	82
4. From Trent to Vatican II	84
The Normative Starting Point of Dominican Ethics	86
The Discussions about Grace	89
The Jesuit Moral Theologians	91

A New Perspective	94
Return to the Classical Manual	96
Alternatives to the Pastoral-Catechetical Approach to Morality	100
Neo-Scholasticism and Analytic Thomism	104
The Need for Renewal in Catholic Moral Theology	106
Vatican II on Moral Theology	108
The Last Two Documents: <i>Dignitatis Humanae</i> and <i>Gaudium et Spes</i>	113
The Renewal of Method and the Fundamental Norm for Morality	117
5. The Fundamental Norm of Morality and the Human Person	120
Natural Law as a Standard	121
Natural Law and Christian Ethics	124
Thomas Aquinas's <i>Summa Theologiae</i> , I-II, qq 90–108 (<i>De Legibus</i>)	126
The Contemporary Problem with Natural Law	129
The Human Person as Standard	131
A New Level of Objectivity	134
A Focal Point for Multi-dimensionality	135
The Human Person Integrally and Adequately Considered	137
The Function of the Concept of Person in Ethical Reflection	145
6. Seeking the End: A Fresh Look at the Concept of Virtue	147
Thirty Years of Looking for Virtue	149
A Nearly Forgotten Insight	153
Expanding the Model to Moral Living	155
Beginning a New Discussion	157
The Virtuous Person	161
Ethical Assessment and Decision-Making	164
The Unity of the Moral Event	167
7. Framing Ethical Behaviour	169
Unpacking Behaviour	171
Bad, Evil, and Wrong	173
Evil and Ambiguity	175
Dealing with (Ontic) Evil: When is Behaviour Appropriate?	179
Good and Evil in the Choice of Means	181
8. Towards a Convergence of Method	187
The Church's Own Diversity of Method	188
Evil is Evil and Should Be Avoided Whenever Possible	191
Formulating Norms or Describing Goals?	193
Positive Suggestions for Further Development	197
Convergence and Consensus	199
Appendices	201
1. Parallel texts from the Synoptic Gospels	201
2. 'Eternal Life' in the Gospel of John	205

3. 'Kingdom' in the Synoptic Gospels	207
4. The Schematic Structure of the <i>ST</i> I-II	217
5. Prologues of the Treatise on Human Acts, <i>ST</i> I-II,1–21	218
6. Schematic Representation of the Acts of Will and Reason	221
7. Cajetan's Commentary on <i>ST</i> I-II,18	223
8. Sin, Law, and Opinions about Applicability: Probabilism and Casuistry	228
9. Virtues and Vices	231
10. The Principle of Double Effect	237
<i>Bibliography</i>	243
<i>Index</i>	251

Introduction

The goal of this project is not to reject or replace traditional ‘moral theology’, but rather to broaden its base and to expand its horizons. Recent and recurrent debates within the discipline of what has now largely come to be known as ‘theological ethics’ have demonstrated a widening gap between some ethicists who believe that too much change has been allowed to undermine the foundations of traditional morality, and others who believe that the structure of ethical thinking has not sufficiently kept pace with the world within which we live.

We live in an age sometimes referred to as ‘post-modern’. While the philosophical basis for this observation is complex, we can limit ourselves to the implications that post-modernism has for pursuing the discipline of ethics.¹

Traditional morality was and is founded upon the claim that there is but one story to be told about the ethical lives of all human beings. There is a single, unchanging ‘human nature’ and simultaneously there is a moral order that can be discovered by applying reason to simple² observation. That moral order is said to have been established by God and to exist for all time. It is sometimes referred to as ‘natural law’, although there is a lively debate going on about whether natural law is, in itself, sufficient for responding to contemporary ethical challenges. Thus, several adherents to traditional morality have made an appeal to what has been called ‘new natural law’.³

¹ A very helpful description of this phenomenon can be found in Lisa Sowle Cahill, ‘Moral Theology After Vatican II’, in Michael James Lacey and Francis Oakley (eds), *The Crisis of Authority in Catholic Modernity* (Oxford: OUP, 2011), 193–224.

² While adherents of traditional morality claim to carry out ethical reasoning in tandem with modern science, it is difficult to comprehend how some of their ideas about the ‘natural world’ are ultimately tenable when one takes account of contemporary astronomy, biology, and quantum physics, let alone the human sciences of psychology, sociology, anthropology, and ethnology. Hence the use of the adjective ‘simple’.

³ New Natural Law (NNL), first developed by Germain Grisez and company, is an attempt to escape the charge of physicalism applied to the sexual ethics that was derived from an older (neo-scholastic) form of natural law thinking. Rather than concentrate on physical activity, NNL claims that there are ‘basic goods’ that somehow never interfere with each other, which must always be safeguarded, and may never be infringed upon. Quite surprisingly, the basic goods are

Post-modern reflection gives serious attention to history and culture when it comes to fleshing out a concrete ethic. Many of the things we value and the priorities we assign to them change through time. Thus, while Pius XI, in his encyclical *Casti Connubii* (1930),⁴ could renounce as malicious the notion that a man and woman share equal rights in marriage, no post-Vatican II pontiff would even come close to making such a statement. We could look back with a slight nostalgia to the teaching of Leo XIII in *Rerum Novarum* (1891), but who in the contemporary church would suggest that social inequality is founded upon the natural law?

Cultural and ethnic differences are also recognized to play a major role in how a community might spell out the expectations and prohibitions that govern social living. Consider, for instance, courtship and other pre-nuptial rituals that would appear quaint in most Western minds but that still play an important role for the majority of people throughout the world, including those who maintain their ethnic practices even though living within Western societies.

There is no doubt that a post-modern view of the ethical enterprise tends towards describing material norms as relative, rather than universal and unchanging. But before we jump to the conclusion that this is incompatible with the entire ethical tradition in (at least Western) philosophy and theology, we need to ask ourselves whether any disciplined approach to ethics stands or falls purely on its use of normative ethics.⁵

COMING TO GRIPS WITH THE BASIC PROBLEM

The traditional approach of Roman Catholic moral theology was largely act-centred because it was constructed to prepare priests for the practice of hearing confessions. It sought to identify 'sins' or the failures to live an ethically responsible life.

Although this approach served an important segment in the pastoral care of the faithful, it suffers from at least two shortcomings. The first is that it paid insufficient attention to the understanding of successful ethical living.⁶ For,

extremely few (eight or nine) in number. See Bernard Hoose, 'Proportionalists, Deontologists and the Human Good', *Heythrop Journal*, 33 (1992), 175–91; and Todd A. Salzman, 'The Basic Goods Theory and Revisionism: A Methodological Comparison of the Use of Reason and Experience as Sources of Moral Knowledge', *Heythrop Journal*, 42 (2001), 423–50.

⁴ AAS 22 (1930), 539–92, 567.

⁵ Normative ethics refers to the method of analysing 'human acts' (in the material sense of the word 'act') to determine whether they conform to the norms that stipulate right and wrong behaviour or the rules upon which those norms are based.

⁶ Elsewhere, www.christian-ethics.be, I have drawn attention to the fact that one of the difficulties encountered through an approach to ethical discourse is the presumption that ethics

although some people consider saints to constitute role models for upright living, no single saint is perfect in every way,⁷ and the thing for which they are considered saints is generally thought to be beyond the capabilities of ordinary persons. Thus, there was no realistic picture presented of a successful moral life beyond following the commandments.⁸

The second shortcoming is that, concentrating on human behaviour, traditional moral theology tended to exaggerate certain aspects of its analysis. Insufficient attention was given to distinguishing between a simple, physical 'act' or omission and the situated or circumstantiated activity that constitutes behaviour. This led to the belief that one could evaluate 'acts-in-themselves' in such a way as to predetermine the outcome of any moral judgement. The phrase 'intrinsic evil' is typical of such exaggeration, for it is never clear whether things are labelled as such in reference to simple physical acts, circumstantiated behaviour, or in fact complete, motivated, and intended events.

These two shortcomings are most evident in the realm of personal and sexual ethics, as illustrated by the extended controversy over the use of contraception. They play a much smaller role in the social thought of the Catholic community, which is less prone to making moral judgements without taking intentions and circumstances into account. Analysis of sexual and social ethics demonstrates that there is more than one 'method' or manner of doing ethics being used, something that ultimately leads to confusion when ordinary people attempt to comprehend how concrete decisions are made. This will be the topic of the opening chapter.

RETURNING TO THE ROOTS

Before we begin the analysis of this problem of differing methodologies, it would be good to refresh our understanding of the very heart of 'theological' ethics, namely what is theology and upon what do we base our theological propositions? In the Catholic Christian understanding, the basis of faith is revelation, or to put it another way, scripture and (in) tradition. If we understand tradition as being the continuous attempt of the believing community to

is basically about crisis management. Without ignoring the role of ethics in dealing with conflicts and dilemmas, it is important to remember that, without an image of a good, functional, ethical life, it is difficult to spot a flawed, dysfunctional manner of ethical living.

⁷ See Owen Flanagan, 'Prologue', *Varieties of Moral Personality: Ethics and Psychological Realism* (Cambridge, MA: Harvard University Press, 1991), 1–12.

⁸ Though one spontaneously thinks of the Ten Commandments, one should add to these the detailed expansion of the 'ten' that has been presented in catechisms since the Council of Trent (1545–63). Further add the laws of the church and the textbook elaboration of the natural law in just about every area of life, and one comes up with a sizeable list of obligations and prohibitions.

come to terms with the scriptures, we can begin to investigate how the two elements are related.

It is a common presupposition that the New Testament can be understood only against the background of the Old Testament. By the same token, the Christian understanding of the Hebrew Scriptures can truly be understood only from the perspective of the gospels and associated texts.⁹ The New Testament might be thought of as the latest 'redaction' or interpretation of the original Hebrew material. Jesus' commentary, in word and deed, on the Hebrew tradition has become the standard of those who have chosen to follow his teachings.

The ethical core of the Hebrew Scriptures is Torah, the law. There are 613 commandments that rule the lives of the Jewish people. Following a normative morality to guide one's life can be helpful, but if the norms being implemented are applied literally and absolutely, the system has a tendency to become legalistic. The New Testament demonstrates that this is a principal message of Jesus' teaching: the law exists to be in service to the community and its individual members, not the opposite. Flowing from the announcement of the 'Kingdom of God', which is said to be already present (in the person of Jesus and in our hearts) yet still to be realized, the gospel message clearly points in the direction of an attitudinal, goal-oriented ethic.

The early Christian communities attempted to adapt their attitude towards moral living by combining the goal-oriented message of the gospels with the various ethical systems they encountered during their spread around the Mediterranean basin and ultimately throughout the world. This resulted in a variety of specific, normative guidelines, all of which need to be examined in the light of the good news of the gospels. At the end of the second chapter I attempt to identify a number of principles that inform our current understanding of how the gospel message directs our lives. About half of these are taken from the scriptures themselves, while the remaining principles have been developed or encountered and absorbed by the Christian community as compatible with or extensions of the gospel message.

ORIGIN OF THE METHODOLOGICAL PROBLEM

During the first millennium, Christians may have spread through a substantial proportion of the known world, but there was nothing resembling a 'world

⁹ There is a tremendously complex issue here of dating each of the individual works of the New Testament. The oldest text of that collection is probably none of the gospels but rather some of the epistles of Paul, more specifically Thessalonians. See Raymond F. Collins, *Studies on the First Letter to the Thessalonians* (Leuven: Leuven University Press, 1984).

church' that we might think of today. The absence of communication and efficient means of travel meant that there would be no possibility of developing a systematic, unified approach to theological questions. This began to take shape only in the eleventh century. In Chapter 3, I provide a brief overview of this situation and set the scene for the emergence of perhaps the first systematic approach to moral theology in the work of Thomas Aquinas.

The implication of divergent methodologies within Catholic thought raises the question of how this came to be. I believe that the origin of the problem can be historically located at the time of the Counter-Reformation, when moral theology was first presented as a distinct theological discipline. Those responsible for performing this task looked to Thomas Aquinas for inspiration on how to present a method for moral evaluation and judgement. They simultaneously relied heavily upon the commentators, most notably Cardinal Cajetan, Thomas di Vio (1469–1534), to understand Thomas's texts.

I believe that from the very beginning, errors were made in the interpretation of what Aquinas had taught. His text on the analysis of the human act, *ST* I-II, qq 1–21, was used to explain the already existing practice of locating the primary ethical component of voluntary (= moral) activity in a person's behaviour, the information that was reported by the penitent in the practice of confessing one's sins.

Because these interpretations predate the establishment of the discipline itself, they were considered to be part of the 'received wisdom' of Catholic moral theology and hence virtually taken for granted by most writers in the field. Discussions about the meaning of Thomas's text have been carried on for centuries, and it would be fruitless to enter into that long discussion with the aim of determining which position is correct and which is not. I have therefore opted simply to return to the text of the *Summa Theologiae* (*ST*) and to offer my own interpretation of what is to be found there.¹⁰

While an exegetical study of the *ST* is not essential for the construction of a sound methodology for theological ethics, I believe that it has a place in the larger context of this project since, to the best of my knowledge, it has not been done by anyone else. The study will include a brief introduction to Aquinas as a 'moral theologian' and an exposition of the concepts he uses in his work.

The fourth chapter of this study will briefly deal with the development of moral theory between the creation of the seminary curriculum around 1600 and the felt need for the renewal of the discipline at the time of the Second

¹⁰ Clearly, there will be disagreement about the interpretation that I will offer in this chapter because there has been such a long history of commentary on Aquinas. Some of my work has already been published on this topic. See Joseph A. Selling, 'Object, End and Moral Species in S.T. I-II, 1–21', *Ephemerides Theologicae Lovanienses*, 84 (2008), 364–407; 'Looking toward the End: Revisiting Aquinas' Teleological Ethics', *Heythrop Journal*, 51 (2010), 388–400. These can be downloaded from my website <<https://perswww.kuleuven.be/~u0010542/sources/downloads.html>>.

Vatican Council. A core part of this development will explain the tradition of 'handbook' theology (also referred to as the 'manuals') and how these had an impact upon the evolution of the moral 'theory' being taught in the seminaries.

Parallel to the history of moral thinking within the Catholic Church, one cannot ignore the evolution of 'secular' ethical thought that took place within the context of Protestant and Anglican cultures. Perhaps the greatest influence in pushing the boundaries of ethical thinking were the British social philosophers who developed an entirely new approach to ethical reflection that spoke to the social, economic, and political questions of the time. Continental thought, however, also had an important role to play in the evolution of moral theory, some of which was hatched within the Catholic milieu as it attempted to survive social revolution, and some of which grew up in the Protestant milieu that seemed to let ethical thinking take its own course as long as the biblical commandments were not violated.

CONTEMPORARY THINKING

The development of moral theory in the Catholic Church reached a high point in the work of the Second Vatican Council. With respect to theological ethics in particular, this is most clearly evident in the last two documents promulgated at the council (7 December 1965), the 'Pastoral Constitution on the Church in the Modern World', *Gaudium et Spes*, and the 'Declaration on Religious Freedom', *Dignitatis Humanae*. While the exposition of these texts will be brief, it will focus upon how these documents had an impact upon ethical thinking.

The renewal of the discipline that was called for at Vatican II began in earnest within the theological community, particularly with respect to investigating the role of scripture. The task was monumental and called for an interdisciplinary approach both within theology (cooperation between systematic theology, scriptural studies, and a fresh understanding of the history of theology) and with the human sciences in order to shed light on the task of fashioning a contemporary understanding of the human person.

In many ways, the project of renewal is still going on. But, as we will see in the first chapter, it appears to have hit a snag over the question about the starting point of moral reflection. Although more than four centuries (since the Counter-Reformation) have been spent developing an extensive picture of human behaviour, the norms that govern it, and the inevitable collection of 'principles' for dealing with normative overlaps and conflict situations (casuistry), hardly any time has been dedicated to developing theological ethics in regard to the ends or goals that might provide the direction for an integrated, but also concrete, moral life.

In the fifth chapter we turn our attention to the search for the fundamental norm of morality. The most traditional standard for making moral evaluations has been authority, but Western culture discovered something called 'natural law' or 'natural morality', that provided an alternative for apodictic ethics. Early Christianity adapted itself to this notion of natural morality, identifying it as part of what we would today call creational theology. In the scholastic period, natural law became an important source for moral knowledge. This source, however, was reduced to a form of behavioural ethics in the period of the Counter-Reformation.

Vatican II clearly saw the need to enunciate a new standard for ethical discourse and suggested that human dignity could provide that function. Specifically avoiding the terminology of natural law, both *Dignitatis Humanae* and the first part of *Gaudium et Spes* refer to human dignity as this primary source. The second part of the Pastoral Constitution continues that trend in the first three of its five chapters. The last two chapters are addressed to the international community and make an appeal to natural law only in political terms.

After the council, one could validly assert that the focus upon the fundamental norm of morality had shifted from nature, or a natural order of things, to human dignity. But there was as yet no substantive description of precisely what that meant. Speaking or writing about the nature of the human person, which implied subjective as well as objective elements, was no longer the same as invoking 'human nature', which was an unchanging concept attributed to some kind of natural order of things. We needed a new theological anthropology that could address contemporary experience while continuing the Christian tradition.

This chapter elaborates upon the origin and meaning of the expression, 'the human person integrally and adequately considered', and outlines a multi-dimensional notion of person that serves as a standard for defining some the basic vocabulary of ethical discourse. It also opens the question about what motivates persons? This will be taken up in Chapter 6.

A NEW PERSPECTIVE

Around the same time that the council was taking place, motivational psychology emerged as a new and interesting field of study.¹¹ However, it was not immediately evident how this might have a bearing on the reconsideration of moral action as such. It was left to philosophy to attempt to bridge that gap,

¹¹ See, for instance, Abraham Maslow, *Motivation and Personality* (New York: Harper & Row, 1954, 1987³).

and with the appearance of Alasdair MacIntyre's *After Virtue*,¹² many thought that a new furrow was being ploughed for theological ethics. An interest in 'virtue ethics' was rekindled and ultimately regained credibility.

Unfortunately, after more than thirty years of development, virtue ethics has not provided a very clear picture of the kinds of ends or goals that might, or perhaps even should, shape moral decision-making. I now realize that the virtue question has to do with general ethical motivation (closer to the notion of fundamental option) but does not specifically address the issue of the ends or goals of ethical living. That said, a renewed look at the content and function of virtue does lead to a better understanding of those ends or goals.

The research that I have done on virtue ethics has brought to light the fact that virtues can be thought of as complementary pairs rather than as single concepts. The 'mean between two extremes' is in fact a continuum. Thus, in order to guide our assessment of how to respond to a dangerous situation, negotiating the middle ground between foolhardiness and cowardice does not always lead towards bravery. A sense of caution is also necessary to prevent bravery itself from becoming foolhardy. This insight, first suggested by Peter Knauer,¹³ will form an important part of this study.

While many might like to think that religious institutions in general and the Catholic Church in particular enthusiastically embrace virtue theory and devote a good portion of their ethical training and advice to learning how to be virtuous, the history of many Christian traditions demonstrates a somewhat different picture. Protestant Christianity tends to emphasize divine command morality that is taken directly and frequently literally from the Bible. The Anglican community seemed to prefer to let moral philosophy provide a framework for ethical thinking. This was probably a wise move, leaving the discipline in the hands of 'professionals'. However, moral philosophy developed into a wide variety of methods and became detached from any scriptural roots. As I have already indicated, Catholic Christianity took a different route during the Counter-Reformation, developing a philosophically oriented (natural law) approach in its 'moral theology' that remained under the official control of the hierarchy.

The elaboration of virtue theory provides a fertile background for developing a richer picture of the virtuous person. It also highlights various human situations that predictably call for a virtuous response. By locating one's response along the continuum of complementary virtues, one is better disposed to define that state of affairs towards which one can direct one's efforts. The commitment to bring about or maintain a given state of affairs represents

¹² Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981, 2007³).

¹³ Peter Knauer, 'La Détermination du bien et du mal moral par le principe du double effet', *Nouvelle Revue Théologique*, 87 (1965), 356–76. See Ch. 6 n. 19.

the formation of an intention to an end that defines the nature of ethical engagement.

After establishing a starting point to think about the goals of ethical living, Chapter 7 takes up the more technical question of sorting out how we might work towards the states of affairs that we are attempting to achieve or maintain. Every concrete decision and action or omission consists of choices that not only contribute to the accomplishment of our goals but also represent the choices not taken and the opportunities that are sacrificed.

After *Gaudium et Spes* suggested the need for a working anthropology to support the notion of human dignity, a number of theologians began working on that project.¹⁴ Specific, material activity is complex because human persons are complex. This becomes more than evident when we begin to analyse human behaviour from a renewed perspective. To this end, we must be careful about how we use words like good and bad, good and evil, and right and wrong. Because good and evil elements (e.g. sacrificed opportunities) will always be present in complex human behaviour, we need to develop a sense of proportion to help us reach balanced choices. Although having and using a sense of proportion is more an art than a science, it is still possible to describe a schema for how to think about these things.

The final chapter takes up the issue of whether it might be possible to come to a consensus about theological ethics within the Catholic Christian context. It needs to be stressed that we are not looking for any consensus about the conclusions of ethical reasoning. The Catholic Christian community is as diverse as any other international and intercultural group of persons, and in a sense even more so. For Catholics consider their community to be historical, traditional if you will. Across the millennia of the Judaeo-Christian tradition, many, vastly different things have been believed about ethical obligations and prohibitions. The same persists today, and I would consider it a huge waste of time to attempt to think about who is 'correct' and who is in error.

The consensus we might hope to achieve would have to be about method: the way we go about considering and arriving at ethical judgements. This study will demonstrate that a single, behaviour-oriented method has dominated much of Catholic moral theology, especially since the Counter-Reformation. However, it is also crucial to notice that for the past century and a half the Catholic Church has begun to deviate from this singularity of method. Because of its increasing involvement in social ethics, Catholic theology has gradually adopted an alternative method that more closely resembles what we will be describing in these pages.

¹⁴ See, for instance, Edward Schillebeeckx, 'God, Society and Human Salvation', in Marc Caudron (ed.), *Faith and Society: Acta Congressus Internationalis Theologici Lovaniensis 1976* (Leuven: Duculot, 1978), 87–99; Louis Janssens, 'Artificial Insemination: Ethical Considerations', *Louvain Studies*, 8 (1980), 3–29.

While Catholic social teaching (CST) has begun to employ a more goal-oriented approach to doing theological ethics, its practical objective of offering advice on a large variety of what some like to call issues of social justice has significantly been taken over by secular institutions that have come to recognize the importance of formulating ethical policies and guidelines. Rather than forming a threat to CST, this development provides an opportunity for the church to identify and respond to the need to investigate the larger questions about ethical living, not the least of which is 'Why be ethical in the first place?'

The willingness to engage the world and address the recognition of the need for ethics in contemporary life simultaneously presents an occasion to examine the church's inconsistency in applying various methods for dealing with different issues. Embracing a goal-oriented approach to doing ethics, rather than the behavioural approach of normative ethics, will ultimately come closer to fulfilling the message of the gospel and return theological ethics to a more coherent place within the core mission of the Catholic Christian community. We, as a community of believers, should be addressing not merely acts and omissions but the much wider scope of the meaning of human, ethical living.

THE CONTINUING APPEAL OF NORMATIVE ETHICS

This study represents an effort to reframe theological ethics by elaborating upon the ends or goals of ethical living that are revealed through a study of virtue, in order to shed light on the primary movement of being ethical, namely the formation of an intention to realize states of affairs that are consonant with one's conviction about what it means to be a human person. This is what is meant by an 'ethics of intention and proportion'.

The prospect of an ethics of intention and proportion is unnerving for many people, and for good reason. One thinks of the adage that 'the road to hell is paved with good intentions'. Then, because intentions are focused upon ends rather than means, one also remembers the maxim that 'the end does not justify the means', and one will worry about being tempted to travel the wrong path.

By the end of this study, I hope that I will dispel those worries and demonstrate that these aphorisms are merely 'warnings' and are themselves stated much too simplistically. For although it is certainly true that good intentions alone are insufficient to legitimate *any* form of behaviour, one cannot doubt the crucial importance of good intentions even with the performance of materially good actions, such as giving to charity.¹⁵ By the same

¹⁵ Aquinas considered that giving alms for the purpose of 'vainglory' demonstrates a 'bad intention' and is therefore ethically unacceptable (*ST* I-II,19,7, ad 2).

token, although it is certainly true that *not any* good end might be invoked to legitimate *any means at all*, it is equally true that if the end that one is aiming at is not good, then the legitimacy of the human activity as a whole will be compromised.

The problem here is that the vast majority of us have been taught to think *first* about *what* we do rather than about precisely *what it is we are trying to accomplish*. When it comes to ethical decision-making, we learn by doing. Generally, we are rewarded for 'doing something right' and punished for 'doing something wrong'. Alternatively, we are told that some things constitute 'right behaviour' while other things demonstrate 'wrong behaviour',¹⁶ but rarely is it explained why some behaviours are right and others are wrong.

The reason for this is understandable. The vast majority of us conform to a moral code at an early age, when most adults believe that the children they are instructing are incapable of understanding any explanation of rightness or wrongness. Simultaneously, many of the adults who present a moral code to children have themselves never investigated the foundations of that moral code or questioned its appropriateness or efficacy.

On a broader scale, institutions like the school and the state, the ethics committee or the church, have found that it is easier to articulate obligations and prohibitions than to explain how diverse individuals in multiple cultural settings might devote their efforts to building up a mature and responsible character and conscience. It is much easier to instruct people about right and wrong behaviour than it is to address their integral moral development. In a certain sense, it is much more efficient to address the masses by giving directions about what to do or avoid, than it is to engage in a discussion about the contours, complexity, and multiple ways in which persons might commit themselves to accomplishing moral objectives while living in a multifaceted and conflicted world.

To a large extent, I sympathize with this and would not want to abolish the valuable contribution of a well-thought-out and pertinent normative ethics. We all need helpful norms, rules, and laws so that we do not have to figure out every ethical¹⁷ situation we encounter 'from scratch'. At the same time,

¹⁶ Most people would use the expression 'good and *bad* behaviour', but I will be reserving the word 'bad' to describe motivation and intentions, not material behaviour.

¹⁷ The same applies to all sorts of areas of contemporary life. If I have a medical problem, I do not begin to study medicine but rather seek a professional who already possesses the knowledge necessary for dealing with my problem. If I have a problem with filing income tax, I do not begin to study the tax laws but rather seek a professional who already understands how to correctly file the necessary forms. The same is applicable to sorting out ethical challenges. This is why there are people specialized in medical ethics, business ethics, legal ethics, and so forth. However, the level of ethical knowledge that I am addressing here is more fundamental than these specialized fields and concerns the very dynamics of what it means to be an ethical person in general.

one would expect that those who construct normative ethics, be it general or specialized, demonstrate a basic understanding of how and why some things may be considered ethical and other things unethical. People who articulate normative rules should also be capable of explaining why those rules are appropriate and how they serve the ultimate goal of ethical living. Needless to say, they should also be capable of articulating what that 'ultimate goal of ethical living' might be.

This is the area that I believe has been neglected in the Catholic Christian tradition since the construction of the discipline of 'moral theology' in service to the confession, analysis, and forgiveness of sin. Moral theological handbooks sometimes offer a brief summary about the 'goal of human life' involving union with God, enjoying eternal life, going to heaven, or in a somewhat frightening manner, being prepared for the final judgment.¹⁸ Catechistically speaking, this is all very well and good. But if one considers theological ethics as a scientific (i.e. disciplined), explainable, and coherent system of guiding real human persons through the challenge of ethical living, it remains inadequate.

What we most need in Catholic theological ethics is an investigation into the ends or goals of ethical living. Where are we going and what kind of a moral community are we seeking to construct in order to support individuals' participation in that project? What do we think the Kingdom of God might look like, and how would the people who inhabit that kingdom look and behave?

I have not deluded myself into thinking that there are simple answers to these questions. Indeed, the answers will be very complex, and the details of how we work out a method for achieving ends and goals are going to be richly diverse. For even traditional moral theology recognized the importance of the principle of subsidiarity, namely the preference that decisions about what is to be done materially should be taken at the level of the presenting problem itself. At the level of normative ethics, circumstances and a sense of proportion are crucial. However, without a sense of the ends or goals we are attempting to achieve, normative ethics remains legalistic.

I believe that the time has come to suggest a much thicker understanding of the goals of ethical living. This is the ultimate end of the present study. Before that goal can be achieved, however, a good deal of groundwork needs to be laid. Once that is in place, the way should be clear for articulating at least a schematic form of the ends of ethical living.

¹⁸ See, for instance, the scene described in Matt. 25, a story that is curiously not repeated in the other three gospels.

SOME PRACTICAL ISSUES ABOUT THIS STUDY

The reader will probably notice very quickly that there are not a great deal of footnote references to the work of other authors, with the possible exception of Chapter 6 on virtue. Some of this is because what I am proposing in this study is generally not readily found in Catholic moral theological literature. This does not mean that I have not benefited from the work of others. After forty years of researching, writing, and teaching in the field of theological ethics, much of what I have seen published has become common knowledge.

This, of course, is not always the case. Where I was aware that I was borrowing an idea from another author, I have endeavoured to give credit. Charles Curran's frequent comments about methodological consistency, for instance, are a case in point (Ch. 1 n. 1). I apologize if I have missed referencing an original contribution by anyone else.

The bibliography provided here is relatively short for much the same reasons. I have generally included only works cited in this study. Exceptions include some of my own writings in the field of ethical method, so that the reader can get an impression of my work, and a few books on virtue that I consulted but did not refer to in the text.

One could observe that my focus on methodology began with the study of *Veritatis Splendor*, published in 1993. It eventually took shape with the notion of 'polarity' formulated around 1999, but it continued to evolve. When I came upon the notion of complementary virtues, a new model emerged for addressing the ends of ethical living.

Motivated by a desire to make sense of the Catholic Christian tradition in moral theology, I intensified my study of Aquinas after 2005. It always bothered me that the standard interpretation of the *Summa Theologiae* led to the conclusion that (human) acts could be morally evaluated simply on their own and that one should never do something 'evil' in order to accomplish something good. If that was the case, how could Aquinas condone capital punishment? Hardly any of the standard commentaries even raised this question, let alone resolved it.

Eventually, I took up the task of rereading *ST I-II*, especially the first twenty-one questions, over and over until I believed I understood what Aquinas was trying to say. That work resulted in the *ETL* article of 2008. My findings led me to further investigate how the 'standard interpretation' came into being. This led to my interest in Cajetan and the subsequent evolution of the genre of moral handbooks after the Council of Trent.

Finally, the following eight chapters are accompanied by ten appendices. Sometimes these take up subjects that are pertinent for this study but that do not easily fit into the text itself, such as the issue of probabilism and the principle of double effect. Others provide schematic diagrams, especially for

the chapter on Aquinas. I have found that providing a visual aid can help the comprehension of complex ideas. The appendices also contain resources that I believe will be beneficial for the reader, such as the compilation of quotations from the New Testament and the expansion of the list of complementary virtues with the respective vices.

The Crisis in Ethical Method

There is a crisis in the Roman Catholic Church (RCC) with the way we do and how we think about ethics.¹ I suggest that we begin with a relatively broad premise, namely, that very few people actually understand what theological ethics (or what used to be called moral theology) actually is. Most people have a vague notion that ethics consists in a list of obligations and prohibitions that resemble the Ten Commandments.

The obligations traditionally include going to (and financially supporting the) church, obeying legitimate authority, from parents and police to the pope and your priest. Some people with the benefit of a 'moral education' may be sensitive to other, more general, obligations that resemble a short list of virtues, like being honest, conscientious, responsible, etc.

The prohibitions usually parallel commandments 5–10 and include killing, stealing, lying, sex with anyone other than your wedded partner, and even thinking of sex that does not include the possibility of producing children. While most of the things prohibited admit of varying degrees of sinfulness, anything involving sex is always considered a serious sin.

Those who have had some moral education will know that there are corollaries to these stipulations, so that any form of putting yourself at risk or doing bodily injury to yourself or others falls under the commandment not to kill. Driving recklessly or under the influence of alcohol, getting drunk or taking drugs that could do injury to you, or even having uncontrolled eating or poor dietary habits can be considered immoral.

¹ Charles E. Curran first drew attention to this issue in 1970. See his 'Methodological and Ecclesiological Questions in Moral Theology', *Chicago Studies*, 9 (1970), 59–80; 'The Changing Anthropological Bases of Catholic Social Thought', *The Thomist*, 45 (1981), 284–317; revised in C. E. Curran (ed.), *Directions in Catholic Social Ethics* (Notre Dame, IN: Notre Dame University Press, 1985), 5–42, with additional material (pp. 30–7); 'A Significant Methodological Change in Catholic Social Ethics', *Directions*, 43–69; 'Catholic Social and Sexual Teaching: A Methodological Comparison', *Theology Today*, 44 (1988), 425–40. Much of Curran's thought on the social teaching is brought together in his book *Catholic Social Teaching 1891–Present: A Historical, Theological, and Ethical Analysis* (Washington, DC: Georgetown University Press, 2002). His latest publication on theological ethics is *The Development of Moral Theology: Five Strands* (Washington, DC: Georgetown University Press, 2013).

There is as well in the RCC a relatively small number of people, most of whom are clergy or in religious life, but in the developed countries also including an increasing number of laypersons, who believe that ethics or morality encompasses a much wider scope of material than just obligations and prohibitions. They believe that the determination of what might be right or wrong behaviour can be based upon more general principles that can be arrived at through the use of reason. Human persons can 'think' their way through ethical assessments and decision-making, at least part of which involves the engagement of a thing called conscience.

THE TURN TO NATURAL LAW

The problem with basing ethics on reasoning and conscience is that it presents a certain danger of subjectivism, fostering the notion that each individual can construct his or her own ethical scheme. As a remedy for that, the RCC has adapted (and significantly altered) an ancient notion of something called natural law. Whereas this idea was first developed to function as a critique on authority and conventional moral rules, under the supervision of the RCC it became a way of elaborating from and adding to the Ten Commandments.

What began as a philosophical attempt to make sense of the world around us, and to provide an insight into how human beings might find a way to live together that avoids serious or injurious conflict, evolved into an elaborate, normative system that appeared capable of answering just about every ethical question. Unlike the philosophers who could be challenged regarding their opinions about what was or was not 'natural', the clergy had a ready-made theological justification for their claims based upon a literal reading of the doctrine of creation. God had set the world in motion, giving it certain rules about how things work. This became known as God's plan, and the sum total of rules governing how things work and how human persons should consequently structure their behaviour became known as the moral order.

So long as the literate classes were largely comprised of people in or close to (patrons of) religious life, interpretations about what was natural and therefore followed God's plan or conformed to the moral order remained a 'protected' body of conclusions that were expressed as material norms. After the Protestant Reformation, however, when individuals were able and encouraged to think for themselves, even to the point of reading and interpreting Christianity's sacred scriptures, debates and disputes about what was or was not contained in the natural moral order became controversial.

Most Protestants abandoned natural law thinking entirely and reverted to the scriptures as the only valid source of moral wisdom and direction. The Anglican Communion had a much broader basis for dealing with ethical