## APPENDIX

## A NOTE ON JOHN PAUL II, VERITATIS SPLENDOR (1993)

The Encyclical is primarily a theological document, addressed to the Pope's fellow Roman Catholics rather than to men and women of good will generally. But the Pope makes no claim to be teaching infallibly, nor any attempt to cut off dialogue. He expresses the obligation of the faithful in moral matters in the language of the Second Vatican Council, to "give careful attention to the sacred and certain teaching of the church" (§ 64, citing Vatican Council II, Dignitatis Humanae, § 14). <sup>i</sup> I hope that these notes will be of interest, not only to Catholic theologians, but also to readers of whatever religious persuasion who believe that the working out of the implications of ethical ideas within concrete communities is of importance for morality. ii I consider the issue posed by the Encyclical as a philosopher, iii engaged in discussion with reasonable men and women of all sorts rather than as a theologian elaborating the standards of a community. iv The Encyclical is best understood as a critique of certain schools of moral theology, which, in the Pope's view, represent "an overall and systematic calling into question of traditional moral doctrine on the basis of certain anthropological and ethical presuppositions" (§ 4), rather than as advancing either concrete moral norms or some philosophical-theological system (see §29). Hence, for example, when he criticizes proportionalism (§ 75), he must be understood as rejecting it as the sole or sovereign method of moral reasoning, not as giving official approval to a moral system, such as that of Finnis and Grisez, that rejects proportionalist reasoning altogether.

The central teaching of the Encyclical is that moral questions are questions of truth and not mere individual or collective decision. A secondary teaching -- more to the point of the present book -- is the defense of the negative commandments (such as those prohibiting murder and adultery). They are "meant to safeguard the good of the person, the image of God, by protecting ...

human life, the communion of persons in marriage, private property, truthfulness, and people's good name" (§ 13).

Much of the Encyclical is devoted to a polemic against the belief -- common among those who think of themselves as modern -- that freedom means freedom from moral obligation, or from the claims of truth; in other words in the power of individuals or groups to create their own "values." The Pope endorses the "heightened sense of the dignity of the human person and his or her uniqueness, of the respect due to the journey of conscience [as] one of the positive achievements of modern culture" (§ 31). But he also affirms, with Newman, that "conscience has rights because it has duties," chief among them the duty "to seek the truth and adhere to it once known" (§ 34). The Pope's view of conscience reflects conclusions he first reached as a private philosopher. Conscience on this view is "not exempt from the possibility of error" (§ 62), but even when in error derives its dignity from truth, "if only what man subjectively considers to be true" (§60). Evil done as a result of invincible ignorance is excusable, "but does not cease to be evil, a disorder in relation to the truth about the good" (§63). Moral teachings that at first appear harsh and external will, or so he hopes, point the way to an autonomous judgment, by following which an individual affirms his own understanding of how a human being should live (see § 64).

The key question is the relationship between human freedom and concrete acts. The Pope agrees with theorists of fundamental option that

Freedom is not only the choice for one or another particular action; it is also, within that choice, a decision about oneself and setting of one's life for or against the good, for or against the truth and ultimately for or against God (§ 65).

But he points out that "to separate the fundamental option from concrete kinds of behavior means to violate the substantial integrity or personal unity of the moral agent in his body and his soul" (§

67). It makes no sense to say that a person is good "deep down inside" when his every action evinces moral depravity.

At this point in the Pope reiterates some traditional Catholic doctrines:

Man does not suffer perdition only by being unfaithful to that fundamental option whereby he has made a "free self-commitment to God." With every freely committed mortal sin, he offends God as the giver of the law and as a result becomes guilty with regard to the entire law (cf. Jas. 2:8-11), even if he perseveres in faith, he loses "sanctifying grace," "charity," and "eternal happiness." As the Council of Trent teaches, "the grace of justification once received is lost not only by apostasy, by which faith itself is lost, but also by another mortal sin." (§ 68)

But the distinction between apostasy (betrayal of the faith) and other sins seems to disappear on this assumption. Hence some moral theologians

insist that the opposition to God's law which causes the loss of sanctifying grace -- and eternal damnation, when one dies in such a state of sin -- could only be the result of an act which engages the person in his totality, in other words, an act of fundamental option.

(§69)

But the Pope responds to these theologians:

The statement of the Council of Trent does not only consider the "grave matter" of mortal sin; it also recalls that the its necessary condition is "full awareness and deliberate consent." ... "For mortal sin exists also when a person knowingly and wittingly, for whatever reason chooses something gravely disordered." (§ 70)

But it remains hard to understand how one can make such a choice, with full awareness and deliberate consent on Friday, and then sincerely repent of it on Saturday, as some forms of penitential practice appear to suppose.

The Pope then turns to the question, how particular moral issues are to be resolved within a Catholic framework. He rejects the claim that "in the moral life prohibitions are more important than the obligation to do good." Nonetheless, he insists the negative commandments "oblige everyone, regardless of the cost, never to offend in anyone, beginning with oneself, the personal dignity common to all" (§ 52). The answer to the question, what sorts of behavior offend the dignity of the human person, is found in "the moral commandments expressed in negative form in the Old and New Testaments" (§52). (He also cites Councils and Popes, as well as his earlier self.)

These commandments are always binding, but their precise application must be specified and determined ... in the light of historical circumstances by the church's magisterium, whose decision is preceded and accompanied by the work of interpretation and formation characteristic of the reason of individual believers and of theological reflection. (§ 53)

How much latitude of interpretation the magisterium, and the individual believers whose reflection informs it, may recognize is left unsettled.

The Pope rejects

Certain ethical theories, called *teleological*, [which] 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 nonmoral or premoral goods to be gained and the corresponding nonmoral and premoral values to be respected. (§ 74)

He criticizes such theories on two grounds:

[First,] some authors do not take into sufficient consideration the fact that the will is involved in the concrete choices that it makes. ... [Second,] others are inspired by a notion of freedom which prescinds from the actual conditions of its exercise, from its objective reference to the truth about the good, and from its determination through choices of concrete kinds of behavior. (§ 75)

But the Pope's own approach to ethics is, in a broad sense, teleological: it affirms that the "true good of the person in view of his ultimate end" (§ 82) settles moral issues. And even a radically proportionalist theory of ethics can regard the rightness of actions as a question of truth, and include in its reckoning the fact that a person shapes himself through his choices.

At this point the Pope's argument becomes very difficult to follow. The consideration of consequences and intentions, he tells us, "is not sufficient for judging the moral quality of a concrete choice" (§ 77). There is also something further: "the 'object' rationally chosen by the deliberate will, [namely] a freely chosen kind of behavior" (§ 78). Perhaps there are dimensions other than murderous intentions and lethal results, to which one might appeal to warrant describing an act as one of murder. But we still need to know what these are, and how they contribute to the resolution of moral issues.

The Pope observes in conclusion,

Acts whose objects are "not capable of being ordered to God" and "unworthy of the human person" are always in every case in conflict with that good. Consequently, respect for norms which prohibit such acts and oblige *semper and pro semper*, that is, without any exception, not only does not inhibit a good intention, but actually represents its basic expression. (§ 82)

Once it is granted that a certain act is "not capable of being ordered to God" all believers must avoid it. And all men and women, believers or not, who attempt to live with dignity must avoid acts "unworthy of the human person." But the question, how one is to ascertain, in theory or in practice, what acts fall into these classes, continues to present many perplexities.

Moral issues are questions of truth, not to be settled by public opinion or the private fantasies of philosophers. Freedom properly understood is the freedom to search for truth and conduct one's life in accordance with what one believes to be true. That the relationship between truth and freedom in moral matters is left something of a mystery is not, in a theological context, an objection, however much philosophers may crave greater clarity. But the notion of an object of action, distinct from both its intentions and its consequences, needs much more explication if we are to have a persuasive way of linking these important truths to the resolution of hard cases in morals. We need further discussion of these points, especially among Catholics and others who are neither relativists nor believers in the project of founding moral discourse anew.

Hence the Pope's treatment of dissent in moral theology requires further development and refinement. "Moral teaching" we may agree, "certainly cannot depend simply on respect for a process; indeed it is in no way established by following the rules and deliberative procedures characteristic of a democracy," let alone by "carefully orchestrated protests and polemics carried on in the media" (§ 113). But it is not established by top-down hierarchical methods either, however much a centralized authority may contribute to the health of a community in which it is present. The Pope appeals to reason and tradition rather than his own brute judgments. But insofar as he does so, the reason of all people, and the judgments of other persons formed in the Catholic tradition, cannot be just dismissed.

## NOTES

<sup>1</sup> All citations are to the text of *Veritatis Splendor* published in *Origins* 23 (Oct. 14, 1993), 297-336.

iii Alasdair MacIntyre's commentary, "How Can We Learn what *Veritatis Splendor* Has to Teach?" *Thomist*, 58 (2) (April, 1994), 177-195, is chiefly of interest for its explanation of why its author is not a relativist (pp. 187-8), and for forging closer links between virtue and rule-observance than he has hitherto done (*passim*). But it also includes an attempt -- I am afraid a question-begging attempt -- to explain how one can make consequentialist arguments in some contexts while excluding them in others (pp. 192-3).

<sup>iv</sup>At least as a private person, Karol Wojtyla holds that the distinctive Christian element in ethics arises from the acceptance of God's revealed plan for human beings rather than any special normative or evaluative premise. See his *Person and Community*, Theresa Sandok, OSM, tr. (New York: Peter Lang, 1993), pp. 105-6.

For commentaries, see the contributions of Richard John Neuhaus and Russell Hittinger to the symposium, "The Splendor of Truth," *First Things*, 39 (January 1994), 14-18; and, in a more critical vein, Gerard J. Hughes, S.J., "Veritatis Splendor: The Issues," *The Month*, 265 (Nov. 1993), 483-487; and John Finnis, "Beyond the Encyclical," *The Tablet*, 8 Jan. 1994, 9-10. A steeply theological commentary is Angelo Scola, "Following Christ," *Communio*, 20 (Winter 1993), 719-722.

<sup>&</sup>lt;sup>v</sup>Ibid., p. 234.

vi Man here (translating the Latin homo) is of course to be understood as including women.