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[Book Review] *Moral Absolutes, Tradition, Revision, and Truth*, by John Finnis

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with most of his conclusions, I enjoyed the intellectual exchange. And this itself is a challenge for theology: to deal with the thought of others always with respect, even if not always with agreement.

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Moral Absolutes, Tradition, Revision, and Truth

by John Finnis

The Catholic University of America Press, 1991, 113 pages.

This densely packed short work, representing the four Michael J. McGivney Lectures delivered at the Pontifical John Paul II Institute for Studies on Marriage and Family in September 1988, does essentially three things: 1) it clarifies the traditional meaning of "moral absolute" and distinguishes it from recent counterfeits; 2) it points out the centrality of moral absolutes in the Catholic-Christian tradition from its beginnings to the present day; and 3) it gives a strictly philosophical defence of the moral truth of these exceptionless moral norms against consequentialist moral theories in both their secular and religious guises.

1. The Meaning of "Moral Absolute"

Debate and doubt about the existence and nature of absolute moral norms arose within the Catholic community especially in the area of sexual morality but has spread from there to include practically every other moral issue. Throughout the debate, the Church, to the consternation of many, has continued to assert the truth of such absolutes, as is evidenced from the following quotation from John Paul II's Address to Moral Theologians of November 12, 1988:

By describing the contraceptive act as intrinsically illicit, Paul VI meant to teach that the moral norm is such that it does not admit exceptions. No personal or social circumstance could ever, can now, or will ever, render such an act lawful in itself. The existence of particular norms regarding man's way of acting in the world, which are endowed with a binding force that excludes always and in whatever situation the possibility of exceptions, is a constant teaching of Tradition and of the Church's Magisterium, which cannot be called in question by the Catholic theologian.¹

Besides contraception one could list divorce, adultery, abortion, suicide, fornication, homosexual sex, masturbation, lying, blasphemy, murder, genocide, indiscriminate bombing of civilian populations, artificial insemination and the generation of babies outside the marital embrace as types of acts judged to be intrinsically illicit at one time or another by the Church's Magisterium.

All of these norms pick out types of actions or possible objects of choice that can be described in a morally neutral way. They then exclude choices of such acts from the moral agent's deliberation and action. The acts pointed to and proscribed by such moral absolutes are said to be intrinsically wrong. This means that they are always wrong, no matter what the circumstances and the motives. It does not mean that they are *by definition* wrong. Some people think that when Aristotle asserts that "one must always be wrong" or that "it is not possible . . . ever to be right" to commit adultery, murder or theft,² or when the Decalogue commands "Thou shalt not kill or commit adultery or steal", that the

wrongness of these acts is built into their very meaning. According to that view, to say that murder, for example, is always wrong is as trivially true as to say that a triangle is a three-sided figure. If "murder" by definition means "wrongful or unjust killing" (or, as some moral theologians would have it, "killing without proportionate reason") then the norm that murder is wrong reduces to the pitiable tautology that wrongful killing is always wrong! However, murder has not been defined in this way. It has been defined as the killing of the innocent. In the same way, adultery has been defined simply as "sex by a married person outside marriage" and was "not specified as wrongful or inordinate or unchaste sex by a married person outside marriage — as sex without proportionate reason" (Finnis, p. 11). Exceptions to these norms are logically possible but morally excluded.

The universality of such moral norms should also be distinguished from the universality implicit in judgements of conscience that take into account "all the circumstances." As a matter of logic, if it is right to do something under one set of circumstances, then it is always right to do that same something in other relevantly similar circumstances. This is true whatever that something may be. Logical consistency is a necessary pre-requisite of any coherent discourse, including moral discourse, but it abstracts from particular moral truths.

Finally, the relevant exceptionless moral norms must be distinguished from those norms, also exceptionless, which forbid acts whose description is such that the norms do not apply whenever morally significant circumstances not mentioned in the norms occur. An example might be: It is always wrong to kill someone to make money. Such a norm will not apply if circumstances are such that killing someone to make money had some further good consequences (let's say where the money could be used to build hospitals that will save the lives of thousands of people who would otherwise die).

Traditional norms pointed to types of acts that were universally (not just "virtually" or "practically" always) proscribed. When Pope John Paul II says that "No personal or social circumstances could ever, can now, or will ever, render such an act [as contraception] lawful in itself" he is saying not merely that we can't imagine or conceive such circumstances, but that the norms exclude "the possibility of exceptions." Exceptions themselves are impossible, not merely their subjective conceivability.

The opponents of such norms call them "material" or "physical" or "behavioural" absolutes. But they are properly called "moral absolutes" or "specific moral absolutes", since the acts picked out by moral absolutes are not defined in terms of behavior but "in terms of the acting person's object: what that person chooses" (p. 38). The same physical behavior and causality can embody quite different human acts (v.g. administering morphine may embody an intent to kill or an intent to alleviate pain) and different physical behaviours and causalities can embody the same human act (v.g. one may execute one's intent to kill someone by shooting him or by not supplying food). For purposes of moral evaluation one must look not to physical behaviour and causality but "to the proposal, combining envisaged end and selected means, which the acting person adopts (or may adopt) by choice, the proposal which any relevant behaviour will express and carry out" (p. 40).

2. Moral Absolutes in Christian Tradition

Finnis briefly traces the history of these norms through the Old Testament (the Decalogue), the New Testament, the Apostolic Fathers, the Middle Ages, and the teachings of Paul VI and John Paul II. This tradition attests to the Church's belief that the precepts of the second table of the Decalogue are implications of the supreme principle of love of God and neighbour. They exclude options inconsistent with love of self and neighbour. There is no question here of honoring rules above values, since by adhering to the rules one respects the good of persons protected by them.

Finnis refutes the arguments of those who would dispute the existence of moral absolutes or the authority of the Church to propose them infallibly. Many of these objections are due to a failure to distinguish between what is chosen as end and means and what is voluntarily accepted as a side effect, or to appreciate the moral significance of this distinction (pp. 70-74; 78-83). Others are due to a failure to distinguish between affirmative moral norms which hold generally for the most part and negative moral norms which hold always and everywhere without exception (See p. 90). Some opponents of absolute moral norms take comfort in Aquinas's treatment of divine dispensations from the precepts of the Decalogue. Finnis robs them of this comfort (p. 91).

3. Philosophical Defence of Moral Absolutes

This short work contains a mere outline of the moral theory that Finnis has developed at greater length in *Natural Law and Natural Rights* and *Fundamentals of Ethics*. Finnis argues that Catholic proportionalists, while seeking to enlarge the moral focus by taking into account the concrete situation, including circumstances and motives, inevitably narrow that focus just in order to make proportionalist calculation and assessment even seem possible (pp. 16-20). In reality, "human reason cannot possibly make a comparative assessment of . . . all [the] different types and possible instantiations of goods and bads, so as to arrive at a conclusion . . . [identifying] one of these options as promising overall greater net good, or net lesser evil, than its alternative (p. 22). Since reason cannot solve the question, one goes with one's feelings. This means that proportionalist reasoning is mere rationalization of a judgement already taken on other grounds or no grounds at all. It is reason at the service of desire.

I would like to end this review by pointing out a few difficulties in Finnis's account that, I think, need to be addressed. On pp. 68-69 Finnis gives good advice about how to give non-arbitrary and morally relevant descriptions of one's acts, more specifically of what one is doing as a means towards some end or other. Finnis recognizes that one's description of what one is doing is as much subject to mistakes and rationalization as is one's calculation and assessment of the consequences of what one is doing. I am reminded of the newspaper cartoon depicting a man pointing a gun at a bank teller. The man is obviously threatening the teller's life should she refuse to hand over money. But the caption has the bankrobber say:

"I am instituting my own economic self-recovery program!"

This is a clear enough example of eliding the means into a good end, a frequent strategy of rationalization. What about the proper description of what is going on when the state executes a duly convicted murderer? Is capital punishment, as Germain Grisez thinks, a case of intentionally killing a person as a means towards the common good of justice, or, is it, as Finnis thinks (clearly in *Fundamentals in Ethics*, less clearly in the book under review) an instantiation of the good of justice with the death of the criminal an unintended side effect? Here, it might appear to some that Finnis's apparent desire to uphold the moral rightness of capital punishment may be influencing his description of an act. It seems clear to me that capital punishment involves the intended death of the criminal for whatever reason —retribution or deterrence. Perhaps Finnis would reply that death need not be any more intended here than it need be by someone who makes use of death-dealing measures in an attempt to save his life from another person's assault. Some would consider (wrongly, I believe) the refusal to admit that self-defensive killing is necessarily intentional a bit of rationalization just by itself. For these people, no doubt, the refusal to admit that capital punishment is anything but intentional killing will seem most implausible. I wonder if Finnis thinks there is any way of settling these disputes.

I believe that more work needs to be done as well on what Finnis *et al* call reflexive goods, that is, the various kinds of intra- and inter-personal harmonies such as inner peace and friendship and religion. Finnis thinks that "not all instantiations of these reflexive goods are morally good" (pp. 42-43). For example, a choice that is in harmony with hostile feelings such as anger and hatred towards others is morally wrong. This seems to imply that a morally bad choice in harmony with feelings of anger and hatred can be a legitimate instantiation of the human good of inner peace. On the other hand, on p. 44 Finnis says that such a harmony is a "counterfeit of the basic good of inner peace . . . because reason is being brought into line with feelings rather than feelings into harmony with reason and with the intelligible goods which give reason its content." This would seem to imply that only those instantiations of reflexive goods that include morally good choices are instantiations of real human goods. And, indeed, it is difficult to see how a reflexive good (which is not, to be sure, identical with choice, since it is a harmonious whole of choice and desire) could be a genuine human good, a reason for choosing, unless the choice it contained was morally good. There is a confusion here, I believe, that needs to be cleared up.

If Finnis *et al* are right about the existence and nature of moral absolutes, and I think they are, it becomes clear that moral casuistry becomes narrower in scope. There are some things not up for grabs! (See pp. 20-24) Some acts are absolutely excluded. Basic human goods are protected from intentional assault. At the same time, we are in some sense responsible for the foreseen, if unintentional, evil side effect of our actions. We cannot be indifferent to that evil. We should not

consider ourselves off the moral hook just because the evil is a side effect and not something directly intended. And so great weight falls on the moral principles, such as the Golden Rule, which measure our moral responsibility for the distribution of the benefits and burdens which accompany everything we do. Finnis briefly touches on this in a section of Chapter 3 that has to do with one's responsibility for the side effects of one's actions. He admits that to apply the Golden Rule "one must be able to commensurate burdens and benefits as they affect oneself, in order to know what one considers *too great an evil* to accept" (pp. 81-82). He adds immediately that the role of commensuration in question here is quite unlike its function within a proportionalist analysis. In this, he echoes official Catholic teaching on, v.g., euthanasia, which, on the one hand, rules out as always wrong the intentional killing of the sick and dying, but, on the other hand, does not insist on the use or continued use of treatments that carry "disproportionate burdens." Still, one would like to hear more about how this limited commensuration is to be done. Is this something ultimately beyond rational analysis and left to the "discernment" or "intuition" of people who, one at the very least hopes, are devoid of any intent to prevent, damage or destroy basic human goods?

References

- 1) See *Osservatore Romano* [English ed.] 19-26 Dec. 1988,7; *AAS* 81 (1989) 1206-11, at 1209; cited by Finnis, p. 2, footnote 5.
- 2) *Nicomachean Ethics*, II, 6; 1107a9-17.

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Food for the Journey, Theological Foundations of the Catholic Health Care Ministry

by Juliana Casey, IHM

St. Louis: Catholic Health Association, 1991. Pp. ix + 121.

The Catholic Health Care ministry in the United States is in some difficulty due to financial pressures, staff, and competition within the industry. It is in an identity crisis, articulated by Cardinal Bernardin as moving toward a mixed model of identity, increasingly dependent on those who are not Catholic. (*Origens*, May 23, 1991, p 33). Those staffing these institutions once came primarily from religious communities, groups which clearly have not been immune to the dearth of religious vocations. The questions arise from the Catholic Health Care ministry: How do we survive? Do we survive with a Catholic identity? What are the reasons for which we exist? What are the resources we receive from the Catholic traditions to aid our survival?

Sr. Juliana Casey's small book looks to rally the troops to maintain a Catholic identity in the institutions and the health care itself. She is less interested in the nitty gritty of administering and financing these entities than in inspiring the health care givers to look beyond the pain, stress and difficulties of their work to see the holiness of their work. While many find this support in the wonders their work achieves or in the appreciation of those helped, "for those who serve in Catholic health care, there is still another source of nourishment: the riches of Catholic theology" (p. 1). This gentle journey through some basic themes of Catholic theology is directed to those working in and administering the Catholic health care institutions. Not a scholarly book, it remains