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MORALITY and MAJORITY RULE

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A foolish proposition would be to hold that the laws of physics should be determined by a vote, with the opinion of the majority being accepted as the law. Similar electrical charges would still oppose each other and opposite electrical charges attract, regardless of how the vote went. Even if the majority vote coincided with what actually happened, the fact that the law of physics existed outside of those recognizing it would be inescapable.

Equally foolish is the proposition that morality or the mores of rational behaviour can be determined by majority effective opinion. Even if majority vote coincided with the norms of behaviour as found objectively rooted in the nature of things, it should be recognized that these norms exist apart from those perceiving them; that they are fixed in the nature of creation and cannot be altered by man any more than he can alter a law of physics.

Morality is based on absolute standards, perceived by man as rooted in the Divine plan of creation, manifest in the order of things with their intrinsic ends or purposes. Man, therefore, cannot alter these standards although he can by education of intellect become more knowledgeable of these standards and by experience more capable of applying these immutables to new and varied situations.

Majority rule is the way in which, in our society, authority is delegated. As a political concept it has its purpose, the attaining of the common good and is usually manifest in a code of laws. Man can make, alter, or repeal these laws as he sees fit but he cannot, by so doing change the morality of any act.

Hence, the fallacy of modern thinking when it attempts to set standards of morality by majority rule. Let us see now, if this provocative statement can be proven by calm, rational reflection alone.

The truth of morality is known to rational man by intelligent reflection. Consider for instance what goes through the conscious mind of a man protesting against injustice in circumstances where his own interest is not involved and where the injustice is wrought by legislation. First, he maintains that there is an *idea* of justice that is above and apart from the actual will of the one who passed the law; that it is rooted somehow in the nature of

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things; that he really *knows* this idea; that this idea is the kind that ought to be recognized in law and action and that violation of it constitutes an injury not only against his own intelligence but against God Who demands justice and forbids injustice.

This rational reflection leads to the perception of the objective idea of "just" in contrast to "legal." Man's reason accepts the truth as good and his will acknowledges it as law and a norm of action. Further, he will try to have others join his protest of injustice, being convinced that they will think the same as he does.

This same man sees that he is endowed with reason and, therefore, from his nature he should be reasonable in his actions. He sees that he is a social animal who should live in reasonable order and amity with his fellows. He sees, therefore, that he ought not to take from his fellow his life, his goods, his wife, his reputation. Thus, without the revelation of the Ten Commandments man should be able to reason to these basic precepts of the eternal law. However, man sees imperfectly, is prone to err and his insight into the law is imperfect. Ignorance, passion and perversion, both personally and socially inherited, dulls and impairs perception of this law—this complex of moral demands in the natural order of creation. Hence, the need of revelation for a fuller, more stable and certain knowledge.

Reason does not create its own laws any more than man creates himself. Man has the laws of his nature given to him as nature itself is given by the eternal law.

The Uncreated Reason of God. It appoints an order of beings, each of which carries in its very nature its own end and purpose and it demands pursuit of this end. This is not an arbitrary command coming from without but a command which is one with human nature itself, manifesting to rational reflection the true needs and purposes of that nature. This is the way nature ought to operate if it is to be truly itself and realize itself. In the irrational creature the eternal law is unconscious but in rational beings it is conscious in the sense that it is knowable and known, for here nature becomes self-reflective. This is the moral law that seeks authoritatively the assent of free will.

The eternal law as found in nature acts as the basis of morality. It is not of man's creation nor subject to his will. Rather he received it together with his nature and must conform himself to it, just as he is subject to the laws of physics which flow from the nature of matter. The difference, of course, being that in the case of moral law man is free to accept or reject that law as a norm of conduct. In either case he finds himself in an objectively rooted situation, that is, in a situation rooted in the very nature of a creation possessing an intelligible order and structure, the effect of an Intelligent Creator.

The only alternative to this line of reasoning would be, that we are in fact, part of an essentially capricious and irrational universe without objective intelligible structure and purpose; in which morality must, in the last analysis, be at most a purely

subjective and irrational choice, precisely because there are no objectively intelligible norms to make choice rational.

We speak of a person being moral when he follows the dictates of his own conscience. Conscience is merely practical reason; that is, reason that is concerned with judging what is to be done or what is to be avoided. To say that one must always follow one's conscience to be moral or good is to say that one must follow the dictate of his intelligent reason or the eternal law as known and recognized by the individual.

But the matter doesn't end here, for the conscience doesn't create the moral law but rather has a function of recognizing it in the objective order of things and applying it to the particular situation. Conscience must not only be sincere but it must also be informed; that is, conformed to what is objectively the order of things. One must be sincere but it is also important to be right. A sincere mistake is still a mistake and as such is regrettable and may even be disastrous.

This eternal law of God is absolute and rooted objectively in the order of God's creation; but man's knowledge of this law, the extent of his insight into it, is imperfect. Man, disordered in his nature, though not essentially corrupted, the inheritor of the original sin of Adam and Eve sees less clearly in nature the will and purpose of God. Hence, the need of revelation for a more perfect knowledge and a fuller understanding of the human situation.

That man does in fact recognize, though imperfectly, that there are objective norms of conduct, is evidenced by his willingness to argue about moral good and evil. One can also detect a subconscious recognition of this natural law in the actions of men who lack formal recognition of God. This explains in part the actions of avowed atheists who without material motivation or reward perform numerous objectively moral and naturally virtuous acts, such as anonymous donations to charity, self-sacrifice to save a life, et cetera. This is because man is a rational being and the eternal law shows itself however obscurely or imperfectly to all rational beings.

It should be clear from what has been written thus far, that there do exist in creation objective norms of conduct which man recognizes by rational perception as authoritative directives which he is free to accept or reject. It should also be evident, that the morality of his actions is judged by his acceptance or rejection of these norms alone.

Historically most human or civil law has its origin in the natural moral order. The law is promulgated for the common good but always acutely aware of the need for the preservation of the rights of the individuals making up that society.

If men must live together because they are social beings they must have laws to govern their actions to help achieve their social functions and promote the common good. This is now and has always been accepted as the truth. Such legislation is an ex-

pression of majority rule, in some sense, be it from an absolute monarch, a benign dictator, or a democratic government. It is an expression of authority which is necessary for unity of action in society and arises naturally from the requirements of social living. Majority rule will usually be expressed in a code of laws and to the extent that these reflect the eternal law, the laws will be moral and good.

The force of law has generally been applied wisely to achieve the purposes of justice in society. However, it has also been applied in other areas of moral concern and its use or misuse seems to suggest the reason for the confusion in society about the relationship between morals and law.

Such confusion is manifest in the efforts of reformers who fail to grasp the difference between moral precepts and civil statutes and strive to legislate private morality when wisdom suggests such legislation is not necessary to preserve the common good.

A good and current example of this is the Connecticut Birth Control Statute. This law was passed in 1879 under Protestant pressure and now strangely is challenged by Protestants and defended by Catholics. This is one of the inheritances of the "Comstock Era" of puritan New England along with other "Blue Laws." It was enacted under majority rule in a time when what was moral was the more. That is, the laws were passed in a situation of time and place when what was evil or immoral was not the rule nor the custom. Therefore, it was quite easy to legislate against what was im-

moral. Now in the pluralist society of New England this conversion of a private sin into a public crime confuses further the moral and the legal.

It is important to distinguish between private and public morality, between morality and the law, or the result would be a fiasco of all morality. From the foolish position that all sins be made crimes it is only a step to the knavish position that since certain acts are obviously not crimes they are not even sins.

Yet this is not to say that morals should not ever be legislated. For example, it is necessary for the common good to legislate against robbery, murder, et cetera, for such acts involve transgression of the rights of others and obstruct the right order of society. It is dubious though, if some of the existing statutes against fornication and homosexuality are wise legislation. It must be clear, however, that none of these acts is immoral because of any statute but only because of contravention of the eternal law.

This classical concept of an objective moral order, rationally discernible has become obscure today more than in times past. Formal religious education and practice are shunned by those heavily imbued with materialistic philosophies so that the objective moral order is poorly discerned and even totally denied.

Indeed, this is one of the most startling phenomena of our times—not merely the existence of moral laxity (which is after all not new) but the denial of morality itself. A few years ago in a lecture given in Toronto the distinguished French philoso-

pher and historian, Etienne Gilson, had this to say:

What is happening today is something quite different. The very starting point of my remarks is not the breaking down of the mores, that is to say, of moral behaviour but the breakdown of morality itself. The very idea that there is a distinction between good and evil and that man by consulting his reason can tell with certitude what is right and what is wrong is today publicly discussed, subjected to a sharp critique, and, as often as not, rejected as wholly deprived of rational justification.

This is something entirely different from, and much more serious than, any temporary relaxation or loosening of moral laws themselves. This is a denial of the very existence of such laws. The real trouble with our times is not the multiplication of sinners; it is the disappearance of sin.

With the removal of objective norms of morality there is created a vacuum in the natural order of society. Man must have norms to guide his conduct. Since he denies the existence of such norms in objective reality, he creates and substitutes norms of behaviour that provide a sense of security derived from doing things similar to the actions of others. These artificial patterns of behaviour come from man's natural tendency to conform. Under this code of morality since the norms are created they can be changed. Thus, be it objectively good or evil, an act or behaviour pattern, provided it conforms or appears acceptable to many, it becomes moral or good by the artificial code. Similarly, if it deviates from what is common and currently acceptable by many it is considered bad by this same artificial code. Its morality no longer depends on absolutes but

only on a majority effective opinion. Because of this, one can observe individuals, groups and organizations moulding public opinion and lobbying for statutes to legalize abortion and sterilization.

The demand of Christian tradition is that a keen sense of morality, the moral law, be developed and fostered in each individual member of society. This is his individual and collective responsibility derived from his recognition of the moral order in nature and augmented, enlightened and clarified by Divine revelation. Failure to activate and maintain a valid sense of moral values will lead to a degradation and deterioration of all society and this ultimate downfall will be the inevitable climax.

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What has been written so far in generalities applies specifically in the field of medicine. Doctors have for a long time enjoyed a rightful place of respect and distinction as educated men dedicated to the preservation of health and life. Because of this they have been able to give leadership in fields remote from medicine.

As family counsellors they deal intimately with matters of soul as well as body. To what extent are they responsible for the false sense of values so prevalent in our society? Where are they giving leadership for the return to or preservation of moral values? *Nemo dat quod non habet*; one cannot give what one does not possess.

It would seem obvious that apart from our own personal education in matters of morals

and conscience we should be providing in our universities courses in philosophy and ethics, and in our medical schools courses in medical morals. The dialogue among physicians of varying doctrinal backgrounds on such matters as care of the dying would provide an excellent intercourse of philosophies and a stimulation of our own moral sense. A course in medical morals, to be effective, would have to transcend narrow interpretations and hopelessly meaningless generalities. It should pattern itself on a course in philosophy with honesty of thought and veracity of speech, having as its prime purpose the stimulation of self-education in

a true sense of moral values and the application of these values to medical practice.

If we successfully continue our own moral education and impart or strengthen it in others by continuing our concern for the rights of our patients we may again assume a position of leadership and respect as practitioners of the healing art.

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