

## CATHOLIC MORAL RATIONALISM AND THE PHILOSOPHICAL BASES OF MORAL THEOLOGY

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### A VIEW OF CATHOLICISM AND MODERN PHILOSOPHY IN 1940

The first volume of *Theological Studies* (1940) included, as has almost every volume since then, a set of "Notes" or a review of current literature in moral theology. The unsigned Notes that appeared in that first volume were prepared by the first editor of the journal, William J. McGarry, S.J., who died suddenly of a heart attack in 1941.<sup>1</sup> This widely read feature of the journal has been carried on by a number of moralists over the years, most notably, of course, during the years from 1965 to 1984 by Richard A. McCormick, S.J., whose work in this format has been collected in two rich and instructive volumes. These will constitute a lasting and significant record of the passage of American Catholic moral theology through a period of profound change and controversy. Before that, the Notes served as the foundation for the influential two volumes of *Contemporary Moral Theology* written by John C. Ford, S.J., and Gerald Kelly, S.J. These deal with fundamental moral theology and marriage.

The Notes over the years have had an ambivalent relationship to philosophy. Their focus has to a large extent been on practical problems that have to be addressed in the moral teaching and practice of the Catholic Church. Furthermore, moral theology draws on a variety of sources, of which philosophy is only one. The social sciences, Scripture, the history of the Church and its teaching, and the changed experience of the American Catholic community as a whole may well have been factors of greater importance than philosophy in changing the way in which Catholic moral theology is argued and developed. On the other hand, many of the topics both in the older presentations of Catholic moral theology and in more recent controversies have been of considerable philosophical interest. Some conception of moral knowledge and of moral psychology is present in any sustained moral argument, no matter what its religious or secular source. Even where philosophy in general and moral philosophy in particular are not the sources of innovation and

<sup>1</sup> Francis X. Talbot, S.J., "In memoriam: William J. McGarry, S.J.," *TS* 2 (1941) 449-50.

renewal for moral theology, they continue to provide important interpretive and critical functions for the development and assessment of moral theology and the moral life of the Christian community.

The Notes that Father McGarry prepared 50 years ago show an incisive and wide-ranging mind, disciplined but not blinkered by the dominant scholasticism of the time. They can serve as a useful indicator of how the challenges of modern philosophy and culture were understood by our predecessors. McGarry begins the section of the Notes on fundamental ethical concepts with some general observations:

There is no doubt that the task of impregnating such modern sciences as sociology, psychotherapy, ethics and other disciplines related to human conduct with solidly certain principles of moral philosophy and moral theology, derived both from reason and revelation, is a tremendously difficult apostolate, and it belongs essentially to that work which the late Pontiff, Pius XI, called Catholic Action. Not only is there little common ground of thought between the modern thinkers and ourselves, because of their want of training in any systematic philosophy and their neglect of revelation, but even a common terminology is lacking. They tend to call the language of the *philosophia perennis* jargon, while we have been too neglectful of phrasing our truths in their ways, or at least in ways intelligible to them.<sup>2</sup>

Several points are bound to strike a contemporary reader. First, the attitude to "modern thinkers," while critical, is not unremittingly hostile; and the project of communicating with them is regarded as a serious, worthwhile, and difficult endeavor. Second, the characteristic defects of the modern approach are regarded as the lack of clarity, system, and certainty, whereas the possession of these intellectual values by Roman Catholicism is assumed without argument. Third, the task of dialogue (a word not found in the text we are considering and actually reflective of a later and different state of affairs) is conceived as communicating "solidly certain principles of moral philosophy and moral theology" to practitioners of other disciplines concerned with human conduct. The task, if one may put the matter metaphorically, is to distribute loaves already baked rather than to alter the recipe for the bread. Fourth, the harmony between systematic philosophy and revelation, between reason and faith, is constantly reaffirmed with virtually no acknowledgment of the tensions of method and viewpoint that a nonapologetic reading of the history of ethical thought and practice brings to the surface. Taken together, these points convey a stance of Catholic rationalism which is confident but not closed and which expresses the aspiration to order and

<sup>2</sup> William J. McGarry, S.J., "Recent Canon Law and Moral Theology: Some Important Items," *TS* 1 (1940) 412-43, at 418.

clarity that was so powerful in Catholicism between the two Vatican Councils.

McGarry also offers a more technical characterization of the contrast between Catholic moral theory and modern moral philosophy:

... while we hold that ethical predication rests primarily on the action, and we attribute goodness or badness to the agent because of the action, the modern schools tend to predicate good or bad of the agent. Our thinking is clearer because we hold to a norm (in their terms, this is a Value Principle) and to a law (in their terms, a Deontological Principle) and to an end (a Teleological Principle). We consider all these objectively; they do not, because some cling to an individualistic pragmatism, or more commonly now, to social utilitarianism which is only apparently less easy to defend.<sup>3</sup>

Exactly how McGarry understood the distinction between norm and law and between norm and end is not clear to me; but it is plausible to think that he was here reflecting the neo-scholastic thesis that the norm of morality is human nature, a position that is parallel to some of the general discussions of value theory carried on in the United States during the period between the Wars.<sup>4</sup> The contrast that McGarry draws shows a more explicit awareness of Anglo-American moral philosophy and its terminology than was common among Catholic moralists before 1970. But what strikes a contemporary Catholic reader as surprising in McGarry's presentation of the Catholic view is the bald affirmation that "we attribute goodness or badness to the agent because of the action." McGarry has noticed, correctly, that Anglo-American moral philosophy applies "good" and "bad" primarily to moral agents; but he does not advert to its regular application of "right" and "wrong" to actions.<sup>5</sup> His presentation of the Catholic view seems to be correct as a report of the way in which most Catholic moral theology proceeded over the last four centuries, since it effectively subordinated the consideration of virtue to the determination of right and wrong courses of action, both in its general arguments and in its casuistry. But such a mode of proceeding seems to be quite different from that followed by Aristotle and by Aquinas.<sup>6</sup> It effectively imitates the limitations of human law, which, as Aquinas points out, is concerned with external acts rather than with internal motives.<sup>7</sup> Precisely because of the central and decisive place it gives to

<sup>3</sup> Ibid. 419.

<sup>4</sup> See, e.g., Ralph Barton Perry, *General Theory of Value* (Cambridge: Harvard University, 1926).

<sup>5</sup> As, e.g., in G. E. Moore, *Ethics* (New York: Oxford University, 1965) 13.

<sup>6</sup> See Harry V. Jaffa, *Thomism and Aristotelianism* (Chicago: University of Chicago, 1952).

<sup>7</sup> Thomas Aquinas, *Summa theologiae* 1-2, 91, 4c.

the objective assessment of the action, it runs the risk of neglecting the elements of interiority and mystery in the moral lives of human persons and of obscuring the central importance of charity in the Christian life. Awareness of these risks as well as a return to the biblical, patristic, and Thomistic sources led to a renewed development of approaches which stressed the dependence of actions on the inner orientation and attitudes of the agent and which accorded virtue a key role in the movement from intention to right action.<sup>8</sup> This was not an easy shift for a tradition whose defenders had congratulated themselves on the clarity and objectivity of their position.

But the encounter between philosophy and moral theology is not merely a matter of the shifts in methods and theoretical emphases which are characteristic occurrences within academic traditions and which customarily provoke professorial passions. It is also an encounter between moral theology and a complex and increasingly autonomous culture, for which philosophy serves as one highly generalized expression of its deeper ambitions and conflicts. Law, history, the various social sciences, the professions, and assorted political and humanitarian movements all generate ethical questions and demands, many of which philosophy serves to articulate and concentrate. Furthermore, those parts of philosophy that do not focus on ethics, especially metaphysics, epistemology, and philosophical psychology, set the framework for the ways in which we conceive human action and the possible connections between action and ultimate meanings and realities. It would be comparatively easy to show that the Church's long quarrel with modern philosophy has been much more over the ways in which philosophers challenged the Christian framework for understanding moral action and its meaning than over specific ethical issues. There is, in fact, a strong strain of moral conservatism running through many of the greatest modern philosophers from Descartes to Hegel.

While American philosophy only gradually dissolved its historic bonds with Protestant piety and theology,<sup>9</sup> the secularizing trend in American academic life became increasingly manifest as the 20th century moved beyond its early decades. It came to seem axiomatic to many Catholics that life in the modern world was simply incompatible with adhering to the moral teachings of Christianity as interpreted by Roman Catholicism. This was a view that was widely held by many Protestants and by many non-Christians, although it was interpreted in a way that was unfavorable

<sup>8</sup> See, e.g., the influential work of Gerard Gillean, S.J., *The Primacy of Charity in Moral Theology* (Westminster, Md.: Newman, 1959).

<sup>9</sup> Bruce Kuklick, *Churchmen and Philosophers: From Jonathan Edwards to John Dewey* (New Haven: Yale University, 1985).

to Catholicism and that reinforced earlier generations of Protestant and Nativist prejudice. On this opposition McGarry summarizes with approval the views of James McLaughlin, writing on "Ethical Values and the Modern Mind":

The moderns talk much of *Value*, which is the Scholastic *Good*, though it is not recognized as such. Confusion about *Value* and *Good* is prevalent because, a) Descartes' denial of the identity of being (actuality) and good (value) is widely admitted; b) the prejudice against an imposed authority from without, either through reason or revelation, makes any definition of value most subjective; c) the skepticism of Locke and Kant about the objectivity of the moral judgment is accepted without investigation; Kant's blind devotion to the duty imposed by the practical reason will not avail for the many as it did in the case of a Thomas Arnold; d) the recent stress on relativity in the physical sciences, along with the attempted tinkering of some scientists with ethical and religious problems (Eddington, Compton) is accepted in the way of confirming ethical relativity; e) the popularity of the philosophy of evolution which assumes the instability and changeableness of all systems has been applied to ethics and religion; f) Behaviorism, Determinism and much psychoanalysis has emphasized subjectivism; g) the popular sociological views, deriving through Durkheim and Levy-Bruhl from Comte are positivistic; ethics is a study of the evolution of the mores, and *Value* is ultimately determined by group consciousness and social reaction.<sup>10</sup>

The end result of these various tendencies is, in McGarry's opinion, the general acceptance of what he calls "ethical relativity," which claims that "the diversity of moral custom which is discoverable through the study of history and anthropology, proves that there is no absolute standard of morals."<sup>11</sup> McGarry responds that ethical relativism does not "understand our distinction between the primary and secondary precepts of the natural law."<sup>12</sup> This last point may well be true. The relativist case turns out to be much harder to state and to establish in philosophically defensible terms than it has usually seemed to undergraduates and to social scientists. For the argument from observed differences in practices through determining definite contradictions in normative principles to the conclusion that there is no value or guiding principle capable of enabling us to resolve the matters in dispute leads through rich realms of confusion, overstatement, and fallacious inference.<sup>13</sup>

From our later vantage point we may well want to revise some of the particular claims made by McLaughlin and McGarry. For instance, Locke

<sup>10</sup> McGarry, "Recent Canon Law" 418.

<sup>11</sup> *Ibid.* 419.

<sup>12</sup> *Ibid.*

<sup>13</sup> See William Frankena, *Ethics* (2nd ed.; Englewood Cliffs, N.J.: Prentice-Hall, 1973) 109-10, for a brief and clear statement of the difficulties involved in arguing for ethical relativism.

and Kant do not deny all objectivity to our moral judgments. No one today would want to base arguments for or against ethical relativism on interpretations of Einstein's physics, although the phenomenon of scientists issuing ethical dicta has certainly not vanished. Behaviorism and determinism did not actually lead people in the direction of subjectivism but instead raised the problems of nihilism and ethical apathy. The effort to turn ethics into a positive or descriptive discipline, a kind of social science about the mores of peoples and their values, has not fared very well, since it does not begin to answer the prescriptive question of what we ought to do. Positivism in its more technical philosophical form actually drove ethics in the more individualist and subjectivist direction of emotivism and toward a more restricted view of moral philosophy as analysis of our moral language.<sup>14</sup>

If one puts these particular corrections aside, the general lines of the contrast that McGarry, following McLaughlin, draws between the Catholicism of his time and the modern mind's understanding of ethics would not surprise a student of Alasdair MacIntyre's influential book *After Virtue* (1981). There is an inevitable asymmetry in such contrasts, however, for Catholicism had a high degree of internal coherence over a long period in its approach to the issues of moral theory because of its reliance on St. Thomas and the teaching of the magisterium and because its well-defined tradition of casuistry has carried down through the last four centuries to our own time. The modern mind has, on ethics as on so many matters, exhibited contradictory tendencies. The evolutionary ethics of Huxley and Spencer did not find favor with G. E. Moore and the critics of the naturalistic fallacy. The intuitionism of Moore and Ross did not commend itself to the emotivists.<sup>15</sup> Kantians and utilitarians have not resolved their disputes in the course of two centuries. Catholicism itself over the last three decades has begun to exhibit parallels to many of the divisions found in the larger modern debate.

#### CATHOLIC MORAL RATIONALISM

In order to understand the major points at issue in current debates, however, it may be helpful to lay out some of the major features which have given the Catholic tradition a sense of confidence in its own rationality and objectivity. That sense of confidence could be serenely parochial; it could be truculently dismissive of other traditions. It could

<sup>14</sup> The most notorious statement of this restricted view of the scope of moral philosophy is in Alfred J. Ayer, *Language, Truth and Logic* (New York; Dover, 1952) chap. 6, "Critique of Ethics and Theology."

<sup>15</sup> These developments are reviewed in W. H. Hudson, *Modern Moral Philosophy* (Garden City, N.Y.: Doubleday, 1970).

use the language of rationalism against pluralism and individualism, even while it could use the language of faith against universalistic or reductionist systems. It was in its own way a remarkable source of light and order, combining intellectual inquiry with obedience to authority and pastoral concern. It joined a sense of the sacred with compassion for human frailty and responsiveness to the dilemmas of the world, even while it reached from the grand issues of high theory to the detailed assessments of particular cases.

There are seven features of traditional Catholic moral theology ranging from the logical to the sociological that can help us to understand and characterize its confident rationalism. First, it strongly affirmed a cognitivist view of moral judgments both with regard to principles and in the resolution of particular cases. It sought for, even if it did not always find, the truth of the matter. Moral sentiments or the deliverances of a moral sense were never the decisive criterion. Moral judgments were expressed as propositions that could be true or false but not both. Moral argument did not in principle require a prior acceptance of Christian beliefs or the revealing and clarifying help of divine grace.

Second, at least some of the moral norms it propounded (e.g., with regard to abortion, masturbation, extramarital intercourse, artificial contraception, the seal of the confessional) were exceptionless. This eliminated the need for personal judgment by the agent or other parties about what features in the situation might justify or require a departure from the norm. The exceptionless moral norms provided a fence against individualistic and subjective deviations.

Third, it affirmed that there was an order of goods, an *ordo bonorum*, the basic constituents of which were set in certain relationships to each other. The goods in this order were not optional for human beings and could not be dismissed or neglected without harm to the development of the person as a moral agent and as a Christian. This was true in the strongest sense for the person's orientation to the supreme good, God. In contrast to the diversity of life plans organized around different goods endorsed by liberalism and agnosticism, the Catholic tradition, inspired in this regard both by the religious psychology of St. Augustine and by the metaphysical theory of the good in St. Thomas, held that goods were not simply appropriate ways of fulfilling human desires which persons were at liberty to satisfy or to leave unsatisfied but that they corresponded to exigencies within human nature, or "natural inclinations" in the language of St. Thomas.<sup>16</sup> These brought with them correlative obligations or duties, and neglecting or, even more, rejecting them would be

<sup>16</sup> Thomas Aquinas, *Summa theologiae* 1-2, 94, 2c.

both irrational and morally wrong. Such a view proposes a structure for the assessment of those human life plans and ambitions which it is reasonable to consider. This structure may be perceived as limiting or even constricting, but the limits it conveys are not extrinsically imposed by a divine or human legislator. Rather, they are founded on truths about human nature and the various goods that fulfil it.

Fourth, the Catholic tradition in moral theology took human nature as a fixed reference point for the making of moral judgments. For this reason it was profoundly suspicious of both evolutionist and historicist perspectives on morality, perspectives which put our moral lives within a larger story and which usually, but not necessarily, imply that norms appropriate to one stage of this story or process need to be changed at other stages. These evolutionary or historicist perspectives may also have norms internal to themselves which require a subordination of moral norms, e.g. the Marxist depreciation of bourgeois morality in favor of the goals of the revolution or the Darwinian legitimation of brutal competition for the sake of economic progress. The Catholic rejection of such innovations and the distance it kept from the ideological turbulence which both generated and destroyed demands for new forms of morality responsive to the various crises which humanity has found itself enduring in this often terrifying century provided stability in a difficult time, even while often provoking scorn from those who regarded Catholic teaching on various questions as obsolete or archaic.

A morality founded on human nature necessarily has a universalist character and provides a barrier to the spread of racism and separatism. Each individual person instantiates human nature in a unique way, but at the same time possesses it as fully as any other human person. The egalitarian implications of this point have not always been accepted within the Catholic intellectual tradition or within Catholic social practice. Many efforts to found unequal institutions or practices on differences in human nature have been made over the centuries and have broken down in the face of the last 200 years of revolutionary egalitarianism. More positively, human nature provides an anthropological counterpart to the famous criterion of orthodoxy proposed by Vincent of Lerins in the fifth century. It is what is believed *semper, ubique, et ab omnibus*: "always, everywhere, and by all."<sup>17</sup> Human nature was to be both the shared object and the common subject of ethical reflection. It provided a common reference point across centuries, across cultures, and across religious differences, so that all persons could reasonably be expected to grasp and to acknowledge the moral demands it brought with it.

<sup>17</sup> Vincent of Lerins, *Commonitorium* 2 (PL 50, 640).

Fifth, the Catholic moral tradition affirmed the centrality of God in the moral life. God served as the cognitive and ontological source of natural law, the ultimate end and object of desire, the judge of obedience and disobedience to the law, the distributor of rewards and punishments, the guiding providence and shepherd, the person combining infinite power, intimate knowledge, and everlasting justice (Ps 138). Despite the classic distinctions between faith and reason and between grace and nature, which were taken as fundamental within Thomism and later scholastic modifications of it, the centrality of God in His many roles ensured that the believer lived the moral life *coram Deo* at all times and understood the impossibility of combining the condition of being morally bad with the condition of being pleasing to God. The moral life was charged throughout with religious meaning. God provided both the ultimate intelligibility and the ultimately decisive motivations for the moral institution of life. God was the supreme and unalterable guarantor of the ultimate fulfilment of desire precisely for those who were faithful to His commandments. It was not possible for human persons to adopt a higher vantage point or to exempt themselves from His sovereignty. The moral life for Christians could be deeply personal and intimate, while at the same time not losing in objectivity and intersubjective validity precisely because God was at the center of the individual moral agent and at the circumference setting an effective bound to his or her desires.

Sixth, the Catholic moral tradition did not exist merely in the disputes and characteristic positions of contending schools of academic theologians and philosophers. It was expressed and regulated by the Church's teaching authority under divine guidance. This magisterium was exercised centrally and pre-eminently by the pope, but also by the bishops in council and in their individual dioceses. This provided opportunities for the authoritative resolution of disputed issues and for the working out of responses to changed conditions. The flexibility provided by a living teaching authority, as contrasted with the Protestant (and Jewish) direction by a fixed text, was combined with the stability provided by the intellectual tradition and the governing structures of the Church itself in a way that enabled the Church to address contemporary issues (as, for instance, in the numerous allocutions of Pius XII) and to affirm its constant fidelity to tradition. The ahistorical orientation to human nature as a fixed reference point was thus not subverted by the need to respond to pressing pastoral and social concerns.

Seventh, the moral teaching of Catholicism was deeply rooted in the institutions and practices of Western life. Marriage, monarchy, military life, economic associations all had a Christian and even more specifically Catholic form to them. This included a conception of the key roles of the

institution or practice in vocational terms, religious rituals of incorporation and renewal, and a more or less explicit set of moral expectations about what it was appropriate for persons to do at various stages of their relationship to the institutions or the practice. The compatibility of these institutions with the moral teachings of the Church and with the consciences of countless individual Catholics was a relationship built up over a long period of time. So long as such institutions as monogamous marriage, military service, associations of workers and employers remained in place and enjoyed the special standing of being part of the natural order of things, it was comparatively easy for Catholics to see where their duty lay in many concrete situations, even though there were always many departures from the path of duty (as there have been from New Testament times forward). But these departures were to be seen as transgressions, as departures from norms caused by ignorance, weakness, and malice. They did not constitute evidence that the institutional context was flawed or obsolete or in need of transformation. The tradition was, in fact, willing to require considerable sacrifices of personal well-being precisely in order to ensure the stability of the key institutions, particularly the family. So long as the institutions remained stable, they provided a support for the tradition in moral theology and for its confident rationalism. But once the institutions began to buckle or to yield under the pressures of modern life, the harmony between the requirements of the tradition and the standard expectations of Catholics shaped by the culture as well as by the Church was disrupted and was replaced by a situation of painful and discordant choices.

#### THE CATHOLIC CHALLENGE TO MORAL RATIONALISM

A superb example of the way in which Catholic moral rationalism dealt with a significant moral issue raised by the technological possibilities of contemporary society is provided by the most widely influential article on moral theology that has ever appeared in *Theological Studies*, "The Morality of Obliteration Bombing," by John Ford, S.J., published in 1944. The central argument of this piece is quite simple and direct. Ford proceeds from a clear statement of principle:

It is fundamental in the Catholic view that to take the life of an innocent person is always intrinsically wrong, that is, forbidden absolutely by natural law. Neither the state nor any private individual can thus dispose of the lives of the innocent.<sup>18</sup>

<sup>18</sup> John C. Ford, S.J., "The Morality of Obliteration Bombing," *TS* 5 (1944) 261-309, at 272.

He affirms the continuing validity of the distinction between combatants and noncombatants and shows that the actual practice of obliteration bombing as carried out by the air forces of the United States and the United Kingdom against Germany and Japan is not to be justified by invoking the principle of double effect. Obliteration bombing is, in his view, an act of total war with negative consequences for our civilization. The conclusion that he reaches is uncompromising:

Obliteration bombing, as defined, is an immoral attack on the rights of the innocent. It includes a direct intention to do them injury. Even if this were not true, it would still be immoral, because no proportionate cause could justify the evil done; and to make it legitimate would soon lead the world to the immoral barbarity of total war.<sup>19</sup>

There is a clarity and directness in Ford's approach to this topic that is both reassuring and persuasive. We are reassured and persuaded precisely because a centrally important value (innocent human life) is being defended in a vigorous and uncompromising way. We also recognize that the clarity and directness are, especially in the circumstances of the time, hard won and not the result of a simplistic or easy dogmatism. The force of this celebrated article derives both from the simplicity of the basic argument and from the careful accumulation of relevant facts. Ford shows himself to be capable of rising above partisanship for even a good cause and of looking clearly at distressing and unpalatable facts. The article is an admirable exercise of clear moral argument and of impartial moral judgment.

Now it is interesting that while Ford's article uses the categories and the legalistic approach of Catholic moral rationalism, it leads to conclusions that are welcome to secular and liberal humanitarians and that also fit into a classic liberal pattern of denouncing the abuses of institutional power, a pattern that provides one of the great paradigms for our legal and political culture. If, however, one takes the basic pattern of Ford's argument and its key categories and applies it to other issues, even an issue such as abortion where the same basic value (innocent human life) is at stake, then the convergence between Catholic moral rationalism and the overlapping set of liberal and secular approaches vanishes.

The topic on which this lack of convergence became most clearly manifest was, of course, artificial contraception. An argument against artificial contraception which would be logically parallel to Ford's argument against obliteration bombing can easily be constructed; but it would be unlikely to have the persuasive power or intellectual force of Ford's

<sup>19</sup> *Ibid.* 308-9.

original argument. This lack of persuasive power in such arguments among non-Catholics had long been obvious, but it also became painfully evident within the Church itself after Vatican II. The tensions that resulted within Catholic moral rationalism are already present in the following reflections by John J. Lynch, S.J., in the Notes on moral theology for June of 1961. He writes:

... the practice of artificial contraception continues to achieve ever higher summits of respectability, at least in non-Catholic circles. However much we may deplore the professed inability of our dissident brethren to perceive the cogency of that philosophical reasoning which concludes absolutely to the intrinsic malice of contraception, we can scarcely, in consistency with doctrine which regards faith as an unmerited gift of God, take them to task for their refusal to accept the theological argument derived from unmistakably clear and authoritative pronouncements of the teaching Church. Tolerable and tolerant coexistence, without moral compromise, demands that we continue the search for means to make our own immutable position on this matter correctly understood. . . .<sup>20</sup>

This is not the voice of a doubter or of a dissident, but it is the voice of one who feels acutely the tension between the rationalist view of moral precepts as in principle knowable by all human persons and the clear failure of many people of good will and moral sensitivity to accept the argument against artificial contraception. It is also the voice of one who for theoretical reasons cannot accept an appeal to theological authority as a satisfactory resolution of the problem.

A broadly shared sense of the disharmony between actual practice and private opinion, on the one hand, and the conclusions of rationalist moral theory and the teaching of the magisterium, on the other, has become a central feature of contemporary American Catholicism. It is not so much that American Catholics have lost their sense of loyalty to the Church or their desire to be affiliated with it. Indeed, this desire seems to be remarkably strong even in those cases where there is very little likelihood of conduct in accordance with the norms of Catholic teaching. But such changes in the way people interpret their desires are supposed to be peripheral and accidental in comparison with the doctrinal core which is the continuing element in the tradition's presentation of itself. These changes can be regarded from the standpoint of the earlier tradition as evidence of a failure to understand moral principles or as a consequence of self-deception; however widespread they may be, they can be taken to constitute no more than a pastoral problem. This dismissive reaction leaves many people angry and frustrated and many pastors disappointed, but it is perfectly in accord with the underlying logic of the rationalist

<sup>20</sup> John J. Lynch, S.J., "Notes on Moral Theology," *TS* 22 (1961) 255-56.

tendency in Catholic moral theology. The increasing dissatisfaction that many people at various levels in the U.S. Church have felt with this rationalist tendency has led to various proposals for new ways of approaching the traditional questions of moral theology as well as to a steady revisionist tendency within the community of moral theologians. These developments have in turn produced serious conflicts between theologians and the magisterium and a sense of increasing polarization on many sensitive moral issues within the ecclesial community as a whole. One evident result of this series of conflicts has been that the contrast proposed by McGarry and many others between the rational clarity of the Catholic understanding of morality and the confusion characteristic of the modern mind has become considerably less sharp.

This last development is a complex phenomenon that can be assessed in several different ways. One can see it as Catholicism finally beginning to come to terms with the complexities of the modern search for moral authenticity, or one can regard it as the corruption of the Church by a world that has itself been corrupted by liberal capitalism, Protestant individualism, and bourgeois egoism. The decline of Catholic moral rationalism can be seen as an aberration or even an apostasy that needs to be set right as soon as possible, or it can be presented as a long overdue adjustment to social and intellectual realities. These divergent assessments involve differences in causal explanations and in prescriptions for the future, to which we shall have to return later in this paper.

But we need to bear three things in mind. First, the vigor of present controversies around such topics as method in moral theology, the existence and scope of absolute moral norms, and the defense and critique of proportionalism makes it clear that the historical transformation on which we are reflecting has by no means run its course. Second, the relationship between Catholicism or Christianity in general and modernity is never a simple one. On many fundamental issues such as the concept of history or the value of the individual person or the unity of the cosmos, one can argue that it is the influence of Christianity that makes the decisive difference between antiquity and modernity. Even in the areas of greatest controversy one can expect to find affinities as well as antagonisms between modernity and the Catholicism against which it was so often in rebellion. Third, the challenges that were ultimately disruptive of Catholic moral rationalism's dominance came not from sources that were clearly alien, hostile, or skeptical, but from the recasting of Catholic theology that prepared the way for and found expression in Vatican Council II. The Council itself did not focus on either fundamental theories or current controversies in moral theology. The single most controversial and sensitive issue in this area, i.e. the ban against artificial

contraception, was removed from the scope of its deliberations. It would not be plausible to think of the Council as setting out to provoke the collapse of Catholic moral rationalism, and the Council clearly wanted to reaffirm the teaching authority of the Church in morals as well as in faith.<sup>21</sup> But the theology of the conciliar epoch set out a program that subjected Catholic moral rationalism to very severe strains. These strains arose from five challenges or tasks.

First, postconciliar moral theology was to take Scripture seriously as a source of moral vision and moral understanding. This would make clear the dependence of moral theology on faith and would require consideration of a wider range of values and the use of a greater variety of literary forms than neo-scholasticism had used. At the same time it would require an acceptance of historical-critical method, which enjoyed support from both the magisterium and the experts in biblical studies.

Second, in line with the greater openness to Protestant churches and to non-Christian religions, and to the modern world in general, which Vatican II had urged on the Church, moral theology began to deal in a more respectful and more attentive way with a much wider range of experiences and ideas. It began to be influenced by the social reality of intellectual and religious pluralism and by a new body of theoretical and practical questions.

Third, it was to develop a broader understanding of the person that would incorporate the insights of such European philosophical movements as phenomenology and existentialism. In this way it would move beyond the dualism that had marked both those parts of Christian theology that had been subject to strong Platonic or Neoplatonic influence, and the course of modern philosophy from Descartes to Kant. The human person would be presented as inherently embodied, temporal, free, social, and sexual. Arguments or images which implied the contrary would be criticized and discarded.

Fourth, the person would be seen as a center of free and responsible decision in moral matters. The recognition of the binding force of even an erroneous conscience, the Council's affirmation of religious liberty, and the desire for Christian life to be lived in a spirit of free conversion rather than as disciplined conformity came together to provide a much higher level of endorsement for the value of personal autonomy in the making of moral decisions. This went with a strong aversion to the presentation of moral dilemmas simply in terms of applying general rules to particular cases.

Fifth, influenced by the example of the Church's reversal of its previous

<sup>21</sup> Vatican II, Dogmatic Constitution on the Church, no. 25.

rejection of religious liberty, moral theologians began to argue for the possibility and the desirability of similar revisions, first to cope with the pastoral and theoretical problems clustering around the prohibition of artificial contraception, and then more widely. This in very short order led to the spectacle of extensive public disagreement between the magisterium and a good number of influential moral theologians on a fairly wide range of issues, particularly but not exclusively with regard to sexuality. The moral theology of the postconciliar Church became in large part both revisionist and dissenting. It also became democratized, for the disagreements that were thus revealed attracted an enormous amount of public attention. Large numbers of the laity responded by taking up positions within the space for dissent that they felt had been opened up and that they believed legitimated their practices or desires. The ability to articulate and defend a position came to have more effective weight than a mere repetition of the position of the magisterium. The magisterium was confronted with a situation in which command was insufficient and persuasion was necessary.

As one looks back over these five challenges, it is important to see that they represent both a call forward and a temptation. Thus, the rooting of moral theology in Scripture is a return to what is fundamental nourishment and guidance for the community of faith, but it can lead to a resolute refusal to take seriously the theoretical difficulties which philosophy and theology address and the practical difficulties which living the gospel in a very different cultural situation produces. At the same time, the challenges are not something optional which either the theologian or the Church might opt not to confront. They come out of profound aspects of the Church's life and its desire to renew itself so that the message of Christ can be understood and lived in the late 20th century.

If we compare these five challenges with the seven characteristics of Catholic moral rationalism mentioned earlier, we can readily see how the five challenges would have a negative impact. Taken together, they constitute a call for a moral theology that is historical, personal, engaged in contemporary culture, nondualistic, less reliant on deduction, and more attentive to the diversity of experiences and the diversity of interpretive frameworks that people bring to those experiences. The difficulty of achieving all these objectives was very great, both because of the enormous range of learning that would be required and also because it was unclear whether there was any framework that was both flexible and definite enough to combine the principal intellectual and pastoral merits of Catholic moral rationalism with an adequate response to these challenges.

For example, the idea of truth in moral judgment was not abandoned.<sup>22</sup> But it lost much of its systematic scope because of the wider recognition of emotional and psychological influences on the way we understand and articulate the demands of the ethical life. There also grew to be a strong emphasis on the particularity of a given situation, a particularity which is never fully captured by general or universal norms. This, of course, had been acknowledged long before by St. Thomas in the *Summa theologiae*, in a text which is of great importance for stating the limits to any effort to present morality as a system of comprehensive exceptionless rules.<sup>23</sup> Along with increased skepticism about the possibility and the appropriateness of reaching definitive conclusions about the truth or falsity of judgments of conscience in particular situations, there were three other major considerations that diminished the effective hold of the idea of truth in ethics and moral theology. The first of these was the broad spread of relativism among the enormous educated public that lacked serious training in philosophy or theology. This was more a matter of attitude and reaction than it was a matter of accepting and defending a particular position. Greater awareness of the pluralism of ideas and social communities within the U.S. and in the world at large, combined with more tolerant and respectful attitudes to other traditions, does not logically either produce relativism or skepticism about the authority of one's own tradition. But there can be little doubt that both these positions have come to be widely held within the Catholic public.

But there were two more strictly philosophical considerations that pointed in a similar direction. The first of these was the increasing attention which moral philosophers gave to the social context for our moral judgments, which were to be seen not simply as utterances subject to essentially timeless logical scrutiny and manipulation but as expressions of persons living a certain form of life and engaging in certain practices which had a moral context that was socially determined and not alterable by the private resolutions of individuals. This was a change that originated in the altered approach to philosophy of language and epistemology pioneered in the *Philosophical Investigations* of Ludwig Wittgenstein. It helped to bring moral philosophy in the English-speaking world beyond the linguistic turn which it took under the influence of logical positivism in the 1930s and through a social turn, which was a route that was more congenial to Catholics and to many others who were concerned with both the historical sources of ethics and with the place

<sup>22</sup> This point is granted by Germain Grisez in *The Way of the Lord Jesus* (Chicago: Franciscan Herald, 1983) 111 n. 12.

<sup>23</sup> Thomas Aquinas, *Summa theologiae* 1-2, 94, 4c, a passage which Grisez regards as seriously mistaken (*The Way* 268-69).

of ethics in contemporary society. But precisely because it linked ethics with forms of life, practices, and institutions which are all situated within societies undergoing more or less profound changes, it could reinforce the larger cultural tendency to historical relativism.

The other more technical change lay in the tendency within epistemology to make the application of the notion of truth internal to a particular intellectual or scientific system. This meant viewing truth not as a property that propositions had in isolation, but as dependent on a web or network of beliefs that could be interconnected and criticized in various ways. The notion of truth as holding across cultural and ideological divisions, while required by any serious effort to construct an ethics for a world of profound ideological and religious conflicts, is undercut by this tendency to locate truth within systems and to reject the search for truths that would be prior to divergent systems or that would be foundational for all actual or possible forms of discourse.

The challenges of the postconciliar task in moral theology put similar revisionary pressures on the various other elements in the system of Catholic moral rationalism and raised the question of whether an intellectual edifice with the intellectual strength and social effectiveness of the older moral theology can be constructed or reconstructed. The nature of the difficulties may be illustrated if we focus on the recent Instruction of the Congregation for the Doctrine of the Faith, *Donum vitae*, issued on March 10, 1987, and addressing the problem of artificially assisted reproduction. In this document there is an instructive combination of the elements of Catholic moral rationalism with an enriched theology of sexuality and marriage. Public attention focused on the document's disapproval of homologous in vitro fertilization. This conclusion rests on the undisputed premise that conception in vitro necessarily involves a separation of the conjugal act and the generation of the human person, and the further controversial premise that such a separation is always morally unacceptable. The document recognizes that homologous in vitro fertilization raises a moral question that is specifically different from abortion, masturbation, and extramarital procreation. In line with the teaching of St. Thomas on the morality of human acts, it regards the motivation of the spouses and the context of conjugal life as morally relevant for the assessment of the action, but not as definitive in the absence of a clear view of the nature of the action itself. Given that the action in question involves a new kind of technological possibility, the authors of the document felt impelled to offer a reason for their judgment of moral unacceptability. This reason seems to involve two claims: first, that the procedure "establishes the domination of technology over the origin and destiny of the human person," and second, that it "deprives

human procreation of the dignity which is proper and connatural to it.”<sup>24</sup> This last point seems simply to be an alternative way of stating the moral condemnation of the procedure. The previous point runs the risk of claiming too much, since if one sets aside the reference to “origin” and raises the larger questions of the use of medical technology and the treatment of patients the maintenance of whose life has to be entrusted to medical professionals, the argument seems to be that persons should not be subjected to technology. This line of argument, however, as well as the standard criticisms of it, regardless of how one finally assesses them, all fit within the categories of Catholic moral rationalism.

But, in addition to this level of analysis and argument, the document also offers an attractive ideal of the way in which the various goods of marriage (sexual union, procreation, the expression of affection, and mutual giving through “the language of the body,” parental love, and care for children) exist and flourish together. This undoubtedly casts the teaching and the values of the document and of the Church in a more favorable light and is intended to give them greater motivating power. The document wisely endeavors to fit its prohibitions within a positive presentation of marital and familial values. For instance, the document observes: “In reality, the origin of a human person is the result of an act of giving. The one conceived must be the fruit of his parents’ love.”<sup>25</sup> Surely, this is a desirable situation for the birth of children; but equally surely, it does not obtain in all cases. But we should notice that the principle just stated can be used to argue for aborting fetuses conceived as the result of incest and rape. Ongoing moral debates are focused primarily on how to cope with the numerous cases in which various goods that belong together have somehow been separated. The argument about the acceptability of in vitro fertilization is about allowing a form of procreation separated from full bodily union of the spouses precisely in a situation in which full bodily union repeated over time and springing from attitudes of giving and love did not produce a child. The deeper problem which the humane insistence on the combination and proper ordering of distinct goods produces is that in the nature of things it is bound to produce greater numbers of deviant, anomalous, and exceptional cases. In turn, this is bound to raise more and more questions about exceptionless moral norms, even among people who are positively inclined to the basic values that are put before them. A broader, phenomenologically sensitive presentation of values may then in some cases

<sup>24</sup> Congregation for the Doctrine of the Faith, *Donum vitae*: Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation, Part 2, par. 5 (*Origins* 16 [March 19, 1987] 707).

<sup>25</sup> *Ibid.*, Part 2, par. 4 (*Origins* 16, 706).

actually increase the sense of alienation from church teaching. This is not the only possible outcome, of course, nor should it be. For there is, as *Donum vitae* points out, the opportunity to share in the cross of Christ.<sup>26</sup> But while this remains the central Christian response to suffering and to the defeat of our desires and hopes, appeals to the cross do not constitute a form of moral argument or justification.

If this example from recent magisterial teaching suggests some of the systematic difficulties under which Catholic moral rationalism labors, that should not be taken as a conclusive refutation of rationalism, much less of the exercise of the magisterium in general. For what we are examining are inherent difficulties confronting intellectually ambitious systems. A clearer realization of these difficulties is an index of greater intellectual vitality and maturity. It provokes an ongoing effort to revise and modify the system so that it can deal with new problems and old tensions and so that it can be sensitive to the experience of new generations and new societies and faithful to the values affirmed and honored in the tradition of the teaching and learning Church. It is widely but mistakenly believed that the only theologians carrying on this work of systematic revision and modification are those theologians who have dissented from the magisterium, particularly on issues of sexual morality. But it is important to see that the quite different project carried on by such philosophers as Germain Grisez, John Finnis, and Joseph Boyle is itself a serious effort to work out the systematic tensions within Catholic moral rationalism. Their efforts to achieve a coherent position have driven them to revise many standard positions on the hierarchical order of goods, on the connection between nature and morality, and on the relevance of consequences to determining moral rightness. This again is not a sign of either intellectual failure or unfaithfulness to the tradition.

It does, however, provide further evidence that the tradition of Catholic moral theology, by reason of its noble aspirations to present a systematically coherent body of true moral teaching and to provide wise moral guidance to a large and varied community of belief, continues to provoke intellectual inquiry and to renew itself in the life of the Church and the service of its people. The last 50 years have seen the fading of overly stark contrasts between the modern mind and Catholic teaching. They have also witnessed a continuing reaffirmation of a vital and distinctive Catholic tradition of careful thinking about hard problems.

<sup>26</sup> *Ibid.*, Part 2, par. 8 (*Origins* 16, 708).