

REVISIONISTS, DEONTOLOGISTS, AND THE STRUCTURE OF MORAL UNDERSTANDING

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THE FIFTIETH-ANNIVERSARY issue of *Theological Studies* devoted to moral theology has given Catholics the occasion to pause and reconsider the direction which moral theology has taken since the Second Vatican Council.¹ If Richard McCormick's "Overview" is a correct assessment of this direction, nothing less than a revolution has taken place in the past 25 years.² Major debates have raged over concrete moral issues, over foundational and methodological questions, and, above all, over the normative public character of the discourse itself. Even if McCormick is correct, that a sort of "settling" has occurred, this settling has involved little movement among the opponents from their positions.³

While the disputes touch upon a host of concrete topics, a number of methodological and foundational issues in moral theology continually crop up in the discussions and set the axes that divide the opponents. These issues circle around the "objective" status of moral prescriptions and the correlative problems associated with moral authority. I would argue that the inability to deal adequately with this nest of problems has resulted in a good deal of misunderstanding and nondialogue.

I will attempt a contribution to these discussions by analyzing the processes of moral understanding operative in the methods and claims of various parties in the debates. I begin with a brief survey of the main lines of the recent debates in Roman Catholic moral theology, and proceed to an analysis of these debates in terms of the problems of data selection, abstraction, classification, and generalization as they are relevant to ethics. I will suggest that a new way of handling the "contexts versus principles" controversy which occupied ethicists in the 60s would prove relevant to the problems facing Catholic moral theologians today. I will propose that while revisionists tend to emphasize situational data and deontologists emphasize the use of generalized rules, at base the real differences lie in implicit procedural rules or criteria which guide the selection of situational data that will be relevant to defining the moral character of a generalizable object of moral choice. I will suggest that

¹ TS 50 (1989) 1-167.

² Richard A. McCormick, S.J., "Moral Theology 1940-1989: An Overview," *ibid.* 6-7.

³ *Ibid.* 19.

while such operative criteria are foundational to the current disputes, there has been little, if any, explicit reflection on such criteria. Finally, I will suggest a number of ways in which this approach could help resolve some of the disagreements which center around "moral objectivity" and the correlative issue of moral authority.

THE CONTEMPORARY DEBATE

The debate raging in Catholic moral theology is between two groups of theologians, one of which has claimed the support of the Roman pontiff and his prefect of the Congregation for the Doctrine of the Faith. In essence the debate is about the proper object and method of Christian ethics or moral theology. The theologians who have come under attack from the prefect have, over the past 25 years, developed a "revisionist" approach to moral theology which grew out of an attempt to apply a traditional formula, the principle of double effect, to modern moral situations.⁴ The principle was developed as a means for handling moral decisions which result in two effects following from the intended action, one good and one evil. In its traditional formulation the principle required that if an evil effect can be permitted to follow from an action, four criteria must be fulfilled: the action itself must be intrinsically good or indifferent; the good effect must be the intended effect; the evil effect must not follow directly from the action, only indirectly (the good effect cannot come about by means of the evil); and the good effect must proportionately outweigh the evil effect.⁵

While problems in applying the traditional formula had occupied moral theologians for centuries, an article by Peter Knauer in 1965 set in motion the recent revolution which has resulted in a majority of Catholic moral theologians on both sides of the Atlantic rejecting both the traditional formulation of the principle and the theological context from

⁴ The term "revisionist" is used by R. Gula, *What Are They Saying about Moral Norms?* (New York: Paulist, 1982), and Lisa Sowle Cahill, "Contemporary Challenges to Exceptionless Moral Norms," in *Moral Theology Today: Certitudes and Doubts* (St. Louis, Mo.: Pope John XXIII Center, 1984) 121-35, among others. The term was originally used by David Tracy, *Blessed Rage for Order* (New York: Seabury, 1975), to describe an approach or a style of theology. The list of moral theologians identified as revisionist includes P. Knauer, B. Schüller, J. Fuchs, L. Janssens, P. Chirico, C. Curran, L. Cahill, R. McCormick, R. Gula, T. O'Connell, as well as many others. Other terms to describe this approach include "mixed consequentialist" (Gula) and "proportionalist."

⁵ For an introductory discussion of the fourfold criteria of the traditional double-effect formula, see Timothy O'Connell, *Principles for a Catholic Morality* (New York: Seabury, 1976) 170-73; Joseph M. Boyle, Jr., "The Principle of Double Effect: Good Actions Entangled in Evil," in *Moral Theology Today* 244; and Richard A. McCormick, S.J., "Ambiguity in Moral Choice," in *Doing Evil to Achieve Good*, ed. R. McCormick and P. Ramsey (Chicago: Loyola University, 1978) 7.

which it grew.⁶ Knauer focused on the third of the four criteria, the distinction between direct and indirect consequences of a moral action. His basic thrust was that the distinction cannot constitute a criterion which can be satisfied independently of the other three. The link between moral actions and evil consequences cannot be established as direct or indirect without a full consideration of the formal object of the act as it is intended by a moral subject in a real-life situation (criterion 2), and the moral subject's judgment of commensurate reason weighing the two effects (criterion 4). His conclusion: the judgment as to whether an evil effect follows directly or indirectly from an act hinges upon the presence or absence of a commensurate (proportionate) reason in the moral subject's formally willed (intended) course of action and effects.⁷

Like most contemporary Catholic moral theologians on both sides, Knauer's argument was based upon an appeal to a heritage of concrete moral judgments within the Catholic tradition. He cited a range of cases in which a majority of Catholic theologians traditionally condoned or prohibited certain actions, and he proceeded to show how such concrete judgments stretched or violated the logic of the older fourfold formula. The direct/indirect distinction appeared to be clear in cases where the common-sense definition of the limits of an act fitted the demands of the formula and where the prescriptive conclusions derived from the application of the formula seemed satisfying. But in other cases the traditional formulations seemed to stretch the rule to accommodate what was generally felt to be the obviously moral option. Knauer cited the case of a man jumping out of the window of a multistoried building to escape death by fire.⁸ Many moralists in the past had permitted this clearly justifiable moral action by making a distinction between the act of jumping out of the window and the indirect effect of the man falling to his death. Knauer's effort was to take seriously both the obvious morality of the act and the integral connection between the jumping and the death, and to argue to a modification of the formula.

His point was that the unity of the formally willed object of the moral choice which is implied by the direct/indirect distinction is not merely

⁶ P. Knauer, S.J., "La détermination du bien et du mal moral par le principe du double effet," *Nouvelle revue théologique* 87 (1965) 356-76. This article was reworked into a second article, "The Hermeneutic Function of the Principle of Double Effect," *Natural Law Forum* 12 (1967) 132-62; reprinted in *Readings in Moral Theology, No. 1: Moral Norms and Catholic Tradition*, ed. Charles Curran and Richard McCormick, S.J. (New York: Paulist, 1979) 1-39. McCormick points to Knauer's work as initiating the process of change in Catholic moral theology; see "Overview" 9-11.

⁷ Knauer, "La détermination" 365, cited and discussed by McCormick in *Notes on Moral Theology 1965 through 1980* (Washington, D.C.: University Press of America, 1981) 9-10.

⁸ See McCormick's discussion of Knauer in *Notes 1965-80* 10.

defined by the physical structure of the action and its effects. Rather, the unity of the complex of actions and effects which is chosen and willed directly by the subject is an act of meaning which weighs anticipated consequences and effects in a concrete context and judges some evils to be commensurate to the greater good intended or the greater evil to be avoided. The meaning of the direct/indirect distinction must be determined not only by the physical structure of the action-effects complex but mainly by the distinction between those unavoidable evils which are proportionately tolerable in relation to the intended good and those which are not.⁹ In short, it is an act of meaning—a judgment of commensurate reason of a moral subject—which defines the unity-identity of the object of the moral choice, not merely the physical structure of the action-effects complex. The limits of “direct” moral obligation are defined in terms of what evils (which would be avoided if this were at all possible) are proportionately tolerable in relation to the intended good.

While Knauer’s argument came under a number of criticisms, he set in motion a process which resulted in the revisionists totally reassessing the nature and object of moral knowing.¹⁰ The next step was taken in a set of articles between 1970 and 1972 by four authors: Peter Chirico, Bruno Schüller, Louis Janssens, and Joseph Fuchs.¹¹ They expanded the range of the critique to include all situations involving conflicts of values and focused the discussion upon the notion of intrinsically good and intrinsically evil acts. In fact, the link between Knauer’s and this critique of the notion of intrinsic evil was noted by McCormick in his discussion of Knauer’s article in the 1966 publication of “Notes on Moral Theology.”¹² But it was Chirico, Schüller, Janssens, and Fuchs who drew the critique most directly.

In different but related ways they examined the kind of prohibitions

⁹ Knauer, “Hermeneutic Function,” in *Readings*, No. 1 6, 16, 18–21.

¹⁰ For accounts of this reassessment, see McCormick, “Overview” 9–11; Gula, *What Are They Saying* 61–81; Philip S. Keane, S.S., “The Objective Moral Order: Reflections on Recent Research,” *TS* 43 (1982) 265–69. For criticisms of Knauer, see McCormick, *Notes 1965–80* 8–13; Bruno Schüller, S.J., “The Double Effect in Catholic Thought,” in *Doing Evil To Achieve Good* 166; Germain Grisez, *Abortion: The Myths, the Realities, and the Arguments* (New York: Corpus, 1970) 330–31. On the “revolution” begun by Knauer, see Grisez 331.

¹¹ Peter Chirico, S.S., “Morality in General and Birth Control in Particular,” *Chicago Studies* 9 (1970) 19–33; Bruno Schüller, S.J., “Zur Problematik allgemein verbindlicher Grundsätze,” *Theologie und Philosophie* 45 (1970) 1–23; Louis Janssens, “Ontic Evil and Moral Evil,” in *Readings No. 1* 40–93, originally published in *Louvain Studies* 4 (1972); Joseph Fuchs, S.J., “The Absoluteness of Moral Norms,” in *Readings No. 1* 94–137, originally published in *Gregorianum* 52 (1971). For McCormick’s discussions of these articles, see *Notes 1965–80* 306–10 (Chirico); 314–19 (Schüller); 353–59, 529–33 (Fuchs); 533–35 (Janssens). This analysis draws mainly upon McCormick’s discussions.

¹² *Notes 1965–80* 10–11.

that have normally been attached to evil acts and concluded that in general such prohibitions are conditioned applications of general moral norms or rules in specific situations or ranges of situations. Because they are conditioned, they have traditionally admitted exceptions when proportionately greater goods or evils came into play. Consequently they concluded that a distinction must be drawn between the kind of evil which the act as such generally entails and the kind of evil which is involved when a person wills this evil without proportionate reason. They argued that the term "moral evil" can only be applied properly to the second case and that the notion of "intrinsic evil" can only have a meaning in a physical (Chirico, Schüller), an "ontic" (Janssens), or a "pre-moral" (Fuchs) sense. Thus the notion of "intrinsic evil" was transformed into a pre-moral predicate of world process. And whereas the condemnation of certain evils had previously carried an absolute quality, without any possible exception, it was now relativized to a contingent status on the moral level. Pre-moral goods and evils would figure into a specifically moral calculus of proportionate reason by an informed and well-intentioned moral subject in a concrete situation. While properly moral norms could, at least conceivably, prove to be virtually exceptionless, such a judgment could only be the result of an exhaustive consideration of all possibilities.¹³

The upshot of the analyses of Knauer, Chirico, Schüller, Janssens, and Fuchs was to modify significantly those two criteria of the double-effect formula which traditionally were thought to apply to the "objective" field of moral knowing. Their critics, the deontologists, argued that by relativizing the notions of direct effects and intrinsic evil and subsuming them under the criteria of intention and proportionate reason, these authors seem to have emptied the "objective world" of its distinctively moral character and robbed moral knowing of its proper object.¹⁴ If moral knowing is not knowledge of things that are morally good in themselves, and if distinctions cannot be drawn between things which can be publicly and objectively known to fall directly within the sphere of my moral

¹³ On virtually exceptionless norms, see Gula, *What Are They Saying* 77-79; Donald Evans, "Paul Ramsey on Exceptionless Moral Rules," *American Journal of Jurisprudence* 16 (1971) 184-214; and McCormick's discussions in *Notes* 1965-80 432-35.

¹⁴ Three of the most frequently cited critics of the revisionist or proportionalist arguments are Ramsey, May, and Grisez. See Paul Ramsey, "Incommensurability and Indeterminacy in Moral Choice," in *Doing Evil to Achieve Good* 69-144; William E. May, "The Moral Meaning of Human Acts," *Homiletic and Pastoral Review* 79 (1978) 10-21; Grisez, *Abortion*, esp. 321-46. See also Boyle, "The Principle of Double Effect"; John R. Connery, S.J., "Catholic Ethics: Has the Norm for Rule-Making Changed?" *TS* 42 (1981) 232-50; Richard R. Roach, "Medicine and Killing: The Catholic View," *Journal of Medicine and Philosophy* 4 (1979) 383-97.

responsibility and things which cannot (the direct/indirect distinction), moral knowledge seems to be relativized and subjectivized. After all, we can all marshal proportionate reasons to justify things we want. And if things cannot be shown to have an objective structure in themselves, we appear free to define the limits of moral actions to suit our wishes.

While the significant consequence of this line of moral reasoning was to argue for a transformation of the conceptual tools for defining the object and the procedures for moral knowing, the most dramatic consequence seemed to be its implications for Roman Catholic magisterial authority. For it appeared that in one fell swoop their critique had dismantled the authority of the Roman magisterium in moral matters.¹⁵ If the sphere of the properly moral was transferred from the field of objectively definable sets of actions and consequences to the field of the interior world of meaning of the moral subject in concrete situations, it would appear that the role of moral authorities had been reduced to exhortation and counseling. After all, how can an authority removed from a situation make a moral judgment on that situation if the concrete specifics of the situation determine the moral character of the act?

In response, revisionists argued that their appeal was to the tradition of what Catholic moral theologians had actually been doing in their moral reasoning for centuries and that their analysis merely represented a more correct understanding of what that procedure involved and a clarification of a misunderstanding of the procedure.¹⁶ As for the issue of authority, they responded that no such dismantling had occurred and that it still remained the proper role of the Roman magisterium to approve and condemn classes of moral acts.¹⁷ They argued that the tradition had always recognized the role of the prudent judgment of the moral subject to ascertain the correct nature of the concrete act in a situation, to discern the relevant moral norms and rules, and to apply them in the situation.¹⁸ They pointed to the tradition which upheld the primacy of the individual conscience as a tradition which implicitly recognized the

¹⁵ See Francis X. DiLorenzo, "The Competency of the Church's Living Magisterium in Moral Matters," in *Moral Theology Today* 70, 75-76; Thomas Dubay, S.M., "The State of Moral Theology: A Critical Appraisal," in *Readings in Moral Theology, No. 3: The Magisterium and Morality*, ed. Charles Curran and Richard McCormick, S.J. (New York: Paulist, 1982) 354-57; Joseph Ratzinger, with Vittorio Messori, *The Ratzinger Report* (San Francisco: Ignatius, 1985) 89-91.

¹⁶ See McCormick, "Notes on Moral Theology," *TS* 42 (1981) 77-78; "Notes," *TS* 43 (1982) 87-89, 91; "Notes," *TS* 45 (1984) 89-90.

¹⁷ See Gula, *What Are They Saying* 98-106; Stephen Happel and James J. Walter, *Conversion and Discipleship* (Philadelphia: Fortress, 1986) 184-94; McCormick, *Notes 1965-80* 652-53.

¹⁸ See Fuchs, "Absoluteness," in *Readings, No. 1* 109-10.

significance of the concrete personal locus of the distinctively moral character of the decision.¹⁹

The point of the revisionists was simply that in many real-life situations the moral subject is faced with more than one moral issue involving more than one principle or norm. While the prohibition of evils holds in general, people are frequently faced with the task of deciding among a range of options in complex situations, all of which involve immediately effecting evil. To prohibit such evil absolutely, they argued, was to act irresponsibly by abandoning people when they need help the most and by making impossible and foolish demands of them. Indeed, their distinction between premoral and moral evil was an attempt to account for the real distinction between evil thrust upon people and evil willed. They argued that many Catholic moralists in the past had allowed exceptions to the prohibition of acts involving the direct causing of evil, but that such exceptions often required a casuistry which falsified the intent of the traditional formulations in service of authentic human praxis. Why continue to perpetuate a lie?²⁰ Besides, they claimed, the deontologists' real objections to their arguments did not lie on the methodological level. They argued that in formulating a more correct account of the procedures and methods which traditionally had been used, their methods called for a re-evaluation of the morality of certain actions—notably the morality of using artificial contraception. This call for re-evaluation only highlighted the fallibility of ordinary pronouncements of the Roman magisterium and served to erode a notion of authority which, in their view, had become unreal and unhealthy.²¹

But the genuine significance of their work was not lost upon the deontologists. The revisionists had introduced a real change in the tradition. Even if the deontologists could not clearly identify the nature and significance of this change, still, I would argue, they were correct in calling it a real break from the past.²² If the revisionists' appeal to traditional formulations was an appeal to an implicit continuity, their account of the foundations for such continuity had radically transformed the way in which the object and methods of moral theology were explicitly understood and practically implemented on a regular basis.

¹⁹ See O'Connell, *Principles* 83–97; Gula, *What Are They Saying* 106–11. For a more contemporary discussion of the issue of conscience and the subjective or personal locus of morality, see Walter E. Conn, *Conscience: Development and Self-Transcendence* (Birmingham, Ala.: Religious Education, 1981).

²⁰ See McCormick, "Notes," *TS* 43 (1982) 85; "Ambiguity," in *Doing Evil*.

²¹ See McCormick, "Notes," *TS* 42 (1981) 78–80; Bruno Schüller, S.J., "Remarks on the Authentic Teaching of the Magisterium of the Church," in *Readings in Moral Theology*, No. 3 14–33.

²² Grisez, *Abortion* 331.

MORAL UNDERSTANDING AND HUMAN MEANING

I suggest that the revolution of the revisionist ethicists has been to recognize the creative or constructive function of meaning in human affairs and to redefine the proper object of ethics in terms of human meaning.²³ While we have been used to thinking about moral norms in terms of the outward form of the acts which they approve or condemn, the fact is that the norms themselves are acts of meaning of human subjects. Even when norms are understood to be divinely inspired, they become operative in human history as acts of human meaning. While the normal order of human affairs involves the transmission of such norms from generation to generation, the foundation for the truth of such norms rests in the character or structure of the acts of meaning which grasp these norms as true. Consequently the most basic criteria for judging moral actions must remain methodological criteria defining the competent exercise of acts of moral meaning. Criteria pertaining to the object of such acts (e.g., the direct/indirect distinction and the notion of intrinsically evil acts) must be understood in terms of the acts of moral reason which yield the knowledge of their objects.

In addition, the revisionists have come to realize that the moral acts which the norms approve or condemn are themselves complexes of human meaning whose moral character is defined by relationships of meaning among people. Moral acts are never single isolated acts. They are complex unities involving decisions, historical contexts surrounding the decisions, goals intended by the decisions, and consequences that follow on the decisions. All these are relationships of human meaning. And it is the integral order or intelligibility unifying this complete set of relationships of meaning which constitutes the object of the moral norm.²⁴

²³ See Bernard J. F. Lonergan, S.J., *Method in Theology* (New York: Herder & Herder, 1972) 74, 77–78, 178–80, on the functions of meaning. Lonergan distinguishes the “efficient” or “effective” function of meaning from the “constitutive.” The former refers to the fact that the distinctive characteristic of human moral action is that its form is determined not by physical, chemical, or botanical forces but by acts of meaning. When these acts of meaning function to establish social institutions and historical orders or structures, meaning is functioning constitutively.

²⁴ Throughout this study the terms “object” and “objective” will be used in a specific sense. In the field of ethics these terms can have a number of different kinds of meaning. In a first sense the terms refer to the validity or the “truth” of the prescriptive thrust of the moral norm. Here the term “objective” denotes an answer to the question “Is it a true value? Is it truly right?” In Lonergan’s terms, “objective” refers to an answer to a question of judgment of value. In a second sense the terms can refer to the object of an intentional or cognitional operation. Here “object” refers to what is intended in a question regarding human decision or human action. “What should I do? Where are we, as a culture, to go?” In Lonergan’s terms, questions of value are fourth-level cognitional operations (see *Method*, chap. 1). Discussions about the “object” of fourth-level cognitional operations are concerned

The human capacity to foresee possible structures of human relationships, to evaluate them in the light of past experiences, and to implement them in moral actions marks the introduction of a whole new order of reality onto the scene of world process. While meaning structures must seek to be integrated with the physical and biological orders, such integrations are the achievement of socially constitutive human meaning and must proceed in accordance with criteria appropriate to the realm of world process. Morality cannot be conceived as the business of conforming our intentions and desires to a structure which is stamped upon nature, physically or biologically conceived. When the revisionists argue that the distinctively moral moment in ethics is the subject's judgment proportionately weighing good and evil in a complex situation, they are recognizing this function of meaning. When they call for an examination of the context of historical conditions surrounding older moral pronouncements, they are admitting the significance of the historicity of meaning for moral theology.²⁵

But the foundations of the deontologists' fears remain real. For while the revisionists have correctly transformed the object of moral knowledge to the realm of human meaning, they have not adequately specified the criteria for appropriate data selection, classification, and generalization in that realm. When revisionists argue that some details in a concrete moral context can alter the moral character of an act which, generally, has been understood to be evil (e.g., masturbation for the purposes of sperm analysis), they are reclassifying that moral action on the basis of a set of contextual or situational data that are judged to have a significant bearing on the moral character of the act. But in so doing they are distinguishing these new contextual data from hosts of other specifics which are still judged to be irrelevant (e.g., the color of the walls of the room, the date of occurrence, etc., etc.). This newly defined act is now generalized on the basis of an act of moral understanding which abstracts the relevant contextual specifics from the irrelevant. But what are the criteria that will govern this distinction between relevant and irrelevant contextual data? Here the revisionists have had little to say apart from their call for the exercise of proportionate or commensurate reason.

with the kind of knowledge that moral knowledge is. Within such discussions we can ask about the meaning of the prescriptive terms "right," "good," "evil," "wrong." But we can also ask about what kinds of relations among experiential data are grasped by moral knowledge of past experiences. It is this last set of questions that will be the concern of this study. "Object" here will refer to the structure of intelligible relations among experiential data which is grasped when we understand and formulate moral norms.

²⁵ See Garth Hallett's response to Ford and Grisez on the question of the infallibility of the prohibition of artificial contraception: "Contraception and Prescriptive Infallibility," *TS* 43 (1982) 629-50.

It is this issue of data selection, classification, and generalization (abstraction) which is at the root of the question of the public or the personal, the subjective or the objective, the contextual or the principled character of the moral judgment.²⁶ It is the possibility of classification and generalization which is the foundation for any notion of public moral authority. As long as adequate (objective, public) criteria for classification and generalization are not found for this realm of moral meaning, the deontologists are correct in concluding that the revolution relativizes and subjectivizes all of human morality and robs any public institution of its authority over moral matters.

In their efforts to find a road between the virtual relativism of situation ethics and the absolute moral rules of the deontologists, the revisionists have brought to light a serious challenge to ethics. Once it is fully recognized that moral norms and rules are not about botanical, zoological, or even animal psychological events, but about distinctively human structures of relationships constituted by acts and structures of meaning, the question arises as to what criteria are appropriate for grasping the character and limits of such meaning structures. Contextual ethicists want to insist that the concrete context shapes the moral character of the action. But what defines the limits of a context? Social ethicists, feminists, environmentalists, and liberation theologians have shown us that the effects of our life-style decisions reach far and wide to shape the lives of others in dramatic ways. The consequences of our day-to-day routines of living reach into the future, into remote sectors of the world, into the lives of millions of other people, to promote and sustain structures of oppression, to affect the global ecosystem, or to promote political, cultural, and religious ideologies whose effects could be catastrophic for the long-range future of civilization. Do the morally relevant contexts of our decisions include all such far-reaching consequences?

The ethicists who emphasize moral principles, laws, and absolute norms call for our obedience to norms which remain valid independent of contexts. But in so doing these deontologists are actually only defining, a priori, the morally significant limits of contexts and delimiting the range of contextual data which will be relevant to the moral character of the classes of acts covered by the rules. To implement moral rules requires discerning in the flow of our day-to-day experiences patterns of events which conform to the ordered set of events configured by the rule.

²⁶ On the precise meaning of the term "abstraction," see Bernard J. F. Lonergan, S.J., *Insight* (New York: Philosophical Library; London: Darton, Longman and Todd, 1958) 5-6, 87-89; *Verbum: Word and Idea in Aquinas*, ed. D. Burrell (Notre Dame: University of Notre Dame, 1967); Kenneth R. Melchin, *History, Ethics and Emergent Probability* (Lanham, Md.: University Press of America, 1987) 61-72.

Furthermore, to abide by moral rules requires that we exclude from our moral evaluation of the concrete context of experiences all those data which are not covered in the rule. Only those elements of the context which are specified by the general rule are relevant to the moral character of the acts covered by the rule. Consequently the context is not disregarded by the rule ethicist. Rather, the structure of the morally relevant data of the context is specified a priori whenever certain key elements appear.

Linked to this question regarding the limits of contexts are the questions regarding the forms of our involvement in evil. We have a moral obligation to avoid evil. But our understanding of the far-reaching consequences of ideology, oppression, and "structural sin" leaves us with a sense that our every action is in some way stained with the taint of evil. Do the most far-reaching evil consequences shape the moral character of every decision? Or are there differences between kinds of involvement in evil (e.g., direct or indirect) which can help us distinguish between evils that are permissible and evils that are not? If so, what data will be relevant to this direct/indirect distinction? Whether we are strict contextual ethicists, rule ethicists, or revisionists, we will inevitably distinguish between contextual data that are relevant and contextual data that are incidental to such generalized moral categories. But in the absence of responsible criteria governing this data-selection process, our methods and choices will tend to be somewhat arbitrary.

To illustrate the significance of this distinction between generalized, transcontextual data and concrete, context-specific data in moral reasoning, I draw upon an example which arises frequently in contemporary moral literature: the morality of killing. The question is this: What are the data which will be relevant to defining the precise moral character of a series of events involving a killing? On the one hand, we can begin with the most general data: a death occurs and it is the consequence of the actions of another. But obviously this is inadequate for a specification of the morality of killing. Many different kinds of acts are covered by this statement, all with a significantly different moral character: the death of a plant as a result of being eaten by a rabbit; the death of a stand of trees as the result of acid rain; the death of a rabbit in the course of experimental medical research; the casual torturing and killing of a cat by a group of young boys or girls; the death of a child in a multivehicle auto accident in a snowstorm; the death of a child through a drunk driver; the shooting death of an assailant at the hands of an innocent victim; the death of a man at the hands of his wife whom he has been abusing for years; the fatal shooting of a man by a neighbor in a heated argument; the death of a soldier in a just war; the death of a victim

caught in an act of terrorism; a death at the hands of an insane killer; death in a calculated act of vengeance.

The moral character of each of these sets of events is different. But to understand the precise moral character of each requires a distinction between the data which are essential to defining the intelligibility of that class of events and the data which are incidental because they have no bearing upon the essential nature of the class. A host of significant details is essential to determining the distinctive moral character of the complex of events in each case: that the trees died from acid raid, not from natural disease; that the boys or girls tortured the cat before killing it; that the first accident occurred in a snowstorm; that the driver in the second accident was drunk; that the wife had been abused frequently by her husband; that the soldier died in a state of war; that the killer was insane; that the last killing was an act of vengeance.

In contrast to such essential details, a host of other incidental details can be listed which generally would have no effect whatsoever in altering the moral nature of any of the above classes of acts: e.g., date of occurrence, names of actors and victims, clothes they were wearing, city where they occurred, length of time the action took, arrangement of furniture in the room, language spoken by the actors, actual words said. Now it is certain that such incidental details will figure prominently into the legal or moral process of establishing, after the fact, what actually happened. However, it is not these incidental details themselves which will specify the essence of the generalized moral classifications. They are only important until such classifications have been determined; then they fall away as insignificant. The essential details, on the other hand, remain in the definition of the classes of moral acts: Was the driver drunk? Was the act in self-defense?

Incidental details may become important in a process of reconceiving or reclassifying the moral nature of an action. If, e.g., the names of the actors pointed up a social class or racial distinction between the killer and the victim, and if such distinctions customarily warranted the killer getting off without appropriate punishment, the names would carry a dramatic significance in the process of rectifying such structures of oppression. However, once the names served their purpose, the significant details which entered into the determination of the moral nature of the classes of acts would be those specifying the precise type of oppression and not the names of the parties.

The point here has been obfuscated and confused in the debates over "contexts and principles" and conflicting-value and multiple-effect situ-

ations.²⁷ Even if a concrete moral experience involves complex sets of conflicting values and multiple effects in a situation, there is a difference between the essential situational data which will specify the distinctive moral character of the series of events and the incidental situational data which do not alter its moral character.²⁸ Eventually, if and when moral understanding of the experience is successfully completed, there will result the intelligent grasp of a moral unity-identity which can be classified and, conceivably, be generalized to other situations or contexts which share the same configuration of conflicting values and multiple effects. People who have had experience in dealing with the earlier situation can formulate and generalize the fruits of their moral understanding in an effort to help themselves and others in dealing with similar situations. Ethics begins to take cognizance of these classes of situations when their configurations are found to recur sufficiently frequently in culture that they challenge the limits of older norms and classifications.

In the main, revisionists deal with examples of complex conflicting-value and multiple-effect situations whose configurations are intelligible precisely because similar cases arise frequently enough in general experience that they are familiar to their readers. In each case both author and readers are called upon to grasp the situational data relevant to defining the distinctive configuration of conditions, conflicting values, and multiple effects which characterize this generalizable case. Intelligence is able to abstract these relevant situational data from those situational specifics which do not affect its moral character. It is precisely because these distinctions are made all the time that the moral knowledge derived from this case can prove useful to others who encounter a similar case in another situation. Far from such abstraction and classification being an imposition on the existential reality of the experience, and far from such generalization being a fragmentation or disruption of an otherwise experiential unity, such abstraction, classification, and generalization can, in fact, grasp the moral reality which made the interpersonal experience what it truly was. To reject this is to imply that the entire justice system of the Western world has been a mistake in its very

²⁷ See James M. Gustafson, "Context versus Principles: A Misplaced Debate in Christian Ethics," *Harvard Theological Review* 58 (1965) 171-202; and McCormick's discussion of the related literature in *Notes* 1965-80 72-82.

²⁸ The very fact that moralists talk about types or classes of situations, describe their common elements, note their common complexities, distinguish such situations from others, and abstract from hosts of incidental details testifies to the fact that this is possible. More than ever, the effort is to find common elements in our moral experiences, distinguish these essential elements from contextual incidentals, and gain insights which will prove helpful in similar situations in the future.

intent.²⁹

But while revisionists continually make distinctions between situational data which bear upon the character of moral-meaning events and those which do not, and while revisionists frequently call for a recognition of new situational data to specify new classes of moral-meaning events in types of conflicting-value and multiple-effect situations, they have not reflected adequately upon the criteria guiding this process of data selection. Furthermore, while deontologists have tended to rely on rules which can give the impression that contextual specifics do not affect the moral character of certain types of moral actions, their rules themselves are actually procedural criteria for specifying this distinction between morally relevant and irrelevant situational data. The debates center around a disagreement over criteria guiding this distinction between relevant and irrelevant situational data. But to date there has been little guidance, from any quarter, on how such criteria are to be conceived, marshaled, or implemented in the moral analysis of human-meaning events.

CLARIFYING SOME OF THE ISSUES

I cannot provide a full discussion of the criteria relevant to data selection, classification, and generalization in the realm of moral meaning. Such criteria will differ in accordance with the heuristic categories which will be relevant to moral understanding in different spheres of historical and social meaning schemes. I would argue that to develop such categories and criteria will require rethinking the notion of the "moral act." The object of a moral choice is never a single act. It is a linked set or scheme of acts, antecedent determinants and subsequent effects, goals, and consequences. Furthermore, the object of moral reflection and moral choice is this total, complex structured unity of social or interpersonal meaning relations. Moral norms and moral rules are insights into past experiences which grasp morally significant relationships that regularly hold in similarly structured sets of antecedent conditions, human decisions, and consequences, effects, or goals. To develop criteria helpful in discerning the unified intelligibility of such complexes of

²⁹ To argue that the justice system is merely a convention is to miss the point entirely. For even if justice is merely conventional, the processes and institutions constitutive of the system require a true knowledge that an event of moral meaning is an instance of a class. This is what courts are all about. To achieve such true knowledge requires distinguishing between details essential to determining the generalized characteristics of the class and the host of situational details irrelevant to such classifications. In addition, to achieve such true knowledge requires the possibility of true empirical knowledge of the details of a concrete situation and a correct judgment that the conditions for qualifying the event as an instance of the conventional class are, in fact, fulfilled. For a justice system to be conventional requires the possibility of true knowledge of fact of moral events.

conditions, decisions, and outcomes, and in determining what data will be relevant to specifying the limits and the moral character of such unities, will require an in-depth analysis of the various spheres of moral living.

However, I might make a contribution to the ongoing discussions by showing how this line of analysis can help to clarify some significant disputes over the moral/premoral distinction, over the direct/indirect distinction, and over the nature of moral authority. A number of significant criticism leveled at the revisionists can be understood in terms of these issues of data selection, classification, and generalization.

A first criticism raised against the revisionists concerns the situational or contextual character of the judgment of proportionate reason which converts premoral evils into moral goods or evils. The general thrust of the moral/premoral distinction has been that an evil can only be known to be a moral evil when it is considered in the context of the concrete values and disvalues involved in the multiple-effect or conflicting-value situation. The critics of this distinction have argued that there is a real meaning to the term "moral evil" which is transcontextual and can be known independently of a full consideration of all the data in a concrete situation.³⁰ In raising their objection, the critics have called upon the traditional distinction between the finality of the formal object of the moral act and the intention of the moral agent.³¹ They have argued that this distinction pointed to the fact that real ends or effects can be known to follow recurrently and regularly from specific classes of moral actions regardless of situational specifics and whether the moral agent desires, intends, or even is aware of them. They have maintained that whatever the incidental specifics of the situation, the relationship between such classes of acts and the good or evil ends or effects is the real substance of moral experience and moral knowledge. Whatever the moral subject actually intends in a situation, he or she is accountable to this generalizable moral reality if it is operative in the situation. And if the knowledge gained from moral experience and generalized in norms and rules is not properly "moral" knowledge, it is nothing at all.

I would argue that at the core of this criticism lies a real truth. That truth concerns the possibility of generalizable, transcontextual knowledge as specifically moral. No matter how complex a multiple-effect or conflicting-value situation might become, generalizable relationships between classes of goods and evils can be known and expressed in moral norms which can remain applicable to ranges of other situations whose residual specifics remain irrelevant to the moral character of the complex.

³⁰ See May, "Moral Meaning" 12-13; Connery, "Catholic Ethics" 247-50; Albert Di Ianni, S.M., "The Direct/Indirect Distinction in Morals," in *Readings*, No. 1 224-25.

³¹ See Di Ianni, "Direct/Indirect" 215.

Further, most of the cases treated by revisionists are significant precisely because their complex patterns of multiple effects and conflicting values are drawn from real-life situations which recur with sufficient frequency to warrant their attention. In the very act of discussing these cases, revisionists are generalizing specifically moral relationships that remain normative across hosts of different situational contexts.

However, the revisionists are correct in claiming that the moral status of a real-life decision can only be determined once the actual situation of conflicting values is known in the concrete. But this is not because the moral status of this act is unique and knowable only in terms of the details of this particular context.³² Nor is it because the moral nature of this specific action cannot be generalized and formulated into a norm which retains the "moral character" of the judgment through a host of contexts. Nor is it because authoritative norms drawn from past experiences cannot conceivably be applied directly to this situation to yield an adequate and complete assessment of its moral character. Nor is it because the concrete situation converts the premoral goods and evils to moral goods and evils. Nor is it because generalized norms only express premoral goods and evils. Rather, it is because the moral judgment pertains not to this or that fragment of a moral experience but to the total intelligibility constitutive of the whole thing. It is because the moral judgment pertains not to a hypothetical situation but to the concrete reality occurring now. It is this concrete intelligibility which can only be known by the subject on the spot, even if this knowledge of the concrete is achieved by the subject grasping this experience as an instance of a class which has been understood and evaluated adequately by authorities. The moral judgment pertains to the single, total, unified intelligibility which constitutes the moral nature of the concrete experience. The upshot of any correct moral judgment in the concrete is that it makes genuinely "moral" demands upon subjects implicated in future instances

³² It is important to note at this point that people frequently do encounter situations whose complex configurations of conflicting values and multiple effects may be novel with respect to their own past experiences and to the experiences and reflections of a culture. This is especially true during times of rapid cultural, economic, social, technological, and political transformations, when changes highlight the limits or even the irrelevance of more traditional norms. I suggest that much of the literature among revisionists is devoted to analyzing such cases. It is because of the proliferation of novel conflicting-value situations that revisionists have come to stress the specificity of individual decision situations. However, the analysis of such cases has the express purpose of yielding moral insights that are generalizable to further situations of this type. While theoretical ethics will turn to a study of methods and skills for concrete decision-making during times of rapid social change, still the goals of such ethical skills are to yield moral insights relevant to future human situations similar in structure.

of situations of this type.

If there is a meaning to the term "premoral," I suggest that it pertains to the fragmentary kind of moral knowledge which we reach when we pick this or that aspect of a complex human reality and either treat it independently of any realistic moral situation or apply it to a real situation whose structure differs significantly from the one from which the knowledge was derived. The term "premoral" can still be misleading, for the weight of the partial knowledge still remains distinctively moral inasmuch as the known goods and evils continue to make a moral demand upon me. But the moral/premoral distinction denotes a real distinction between a unified object of a moral judgment which is applicable to real future situations and a hypothetical or partial insight into moral affairs which cannot be applied to real cases without undergoing significant modifications.³³

At the center of the moral/premoral distinction lies a basic issue

³³ Generally the moral/premoral distinction is presented as a distinction between evils which are experienced in life and evils which are willed and are not proportionately warranted. Thus premoral evil only becomes moral when a subject faces a situation of choosing it or rejecting it. The problem with this presentation is that it can give the impression that the act of choosing or willing confers upon the premoral or ontic evil its distinctively moral character. I suggest that in the limit this position collapses into an extrinsicism. The fact remains that there is something specifically moral about the premoral evil which makes a moral demand upon me and commands my moral intentionality. It is because this demand is distinctively moral that it can figure into a proportional judgment in a situation. The qualification expressed by the term "premoral" is its partial, incomplete character with respect to the totality of an object of a concrete judgment in a real situation.

Other explanations of the moral/premoral distinction focus on the self-constituting structure of fundamental moral freedom and the fact that the term "moral" can only be a predicate of such acts of freedom. Consequently acts cannot be considered moral apart from their being considered for decision in a real situation, because only in a real situation is this self-constituting operative. I agree that "moral" can only be a predicate of such human acts of freedom. However, moral judgments and decisions implicitly define the character of their objects as moral. Such objects can be considered for evaluation and decision hypothetically and theoretically, in the abstract, or in an after-the-fact reflection on previous experience. Insofar as such reflections are taken seriously, they remain properly moral reflections, precisely because what is sought includes an understanding and an assessment of the self-constituting structure itself. The qualification "premoral" does not refer to the fact that the self-constituting structure of decision is absent or inadequately operative in theoretical ethical reflection, but to the fact that the object of some reflections is incomplete or inadequate with respect to certain concrete situations.

An additional meaning to the term "premoral" pertains to developmental differences between moral subjects. A norm may be applicable to moral subjects or cultures at more complex stages of development but may remain only premorally applicable to those at less differentiated stages. For the latter the force of the moral prescription is not merely applicable partially; it is not applicable at all. Here the term "premoral" is perhaps most correct.

concerning the unity of the complex intelligibility which constitutes the object of moral understanding and moral decision. I suggest that while we have been used to treating conflicting-value and multiple-effect situations as aggregates, made-up discreet values and disvalues which moral reason discursively weighs and balances in a situation, the fact is that no matter how complex the situation, the object of moral choice is an intelligible unity, identity, whole. Ethics is charged with the theoretical task of grasping classes of such intelligible unities which remain isomorphic across differing situational contexts and formulating procedural rules for data selection, classification, and generalization in the realm of moral-meaning schemes. Premoral norms will be the result of descriptive, common-sense insights into moral experiences which grasp significant but partial aspects of complex moral realities that cannot account for the total intelligibility of such generalizable moral unities.³⁴ On their own, premoral norms will be inadequate to understanding and evaluating concrete moral situations that are complex. But they will play an important role in the process of coming to grips with hosts of new concrete complexities and in the process of formulating genuinely moral norms which will be adequate to real moral living.

The upshot of this is that there will be norms which are genuinely moral and norms which are premoral. If the norm is sufficiently well differentiated, sufficiently clearly understood in relation to ranges of real-life contexts which actually occur in culture, and sufficiently complete to be applicable to real situations in their totality, the norm will be genuinely moral. If a norm has been abstracted from a range of real-life situations to the degree that it cannot be implemented in the situation without further modification or qualification, it will be premoral. We can foresee that moral norms can become premoral norms, and vice versa, as cultural contexts change to yield human situations of greater or lesser complexity or situations of more similar or more remote structure. The understanding through all of this is that the claim or thrust of the premoral norm is, in fact, genuinely moral, but that the term "premoral" denotes its incompleteness with respect to the real situation.

I would suggest that the problems surrounding the issues of intrinsic evil and absolute or exceptionless norms can be understood in relation to this distinction between premoral and genuinely moral norms. Norms

³⁴ On the distinction between descriptive and explanatory, between common-sense and theoretical acts of understanding, see Lonergan, *Insight* 291-99; *Method* 81-85. I suggest that this difference between a descriptive understanding of sets of moral events in relation to ourselves (common sense) and an explanatory understanding of successions of sets of events in relation to each other (theory) is at the root of the difference between premoral norms and properly moral norms.

which are genuinely moral will be applicable to ranges of situational contexts precisely because they will have grasped morally significant relationships which remain stable or isomorphic across the stipulated ranges of contexts. In such cases the norms will be virtually exceptionless or virtually unconditioned and the evils which they condemn will be understood as intrinsic evils precisely because the norm has adequately grasped the field of conditions under which the moral configurations remain isomorphic. It is this intelligible similarity or isomorphism across differing concrete contexts, and the absence of relationship between the generalized prescriptions and the residual contextual specifics, which is at the core of the meaning of the terms "exceptionless norms" and "intrinsic evil."³⁵

The significance of this set of insights into generalization, classification, and abstraction in ethics can be illustrated in treating a second criticism often leveled at the revisionists: their treatment of the direct/indirect distinction. If there can be no independent, generalizable criteria governing the sphere of moral effects for which I am directly accountable, and if there is no generalizable way of determining those evils in which I am formally implicated directly, regardless of my subjective intention, what are the limits of the objective-action criteria which proportionate reason must grasp if it is to be reasonable? Evils are all around us. Which ones are we responsible for? Do we now have to do a proportional weighing of every evil consequence, no matter how remote, in every situation? Or can we depend upon generalizable rules and norms? If so, then the rules must express an objective distinction between direct and indirect implication in evil which is not dependent upon the totality of all situational specifics of each particular context. In this case the judgment of proportionate reason would seem to be supervenient upon a host of context-specific data and accountable to the direct/indirect distinction. In addition, if the line between direct and indirect responsibilities is not antecedently knowable with some objective (transcontextual) clarity, the door would seem left open for individual subjects to

³⁵ Lonergan (*Method* 75-76) distinguishes between cognitional acts which affirm a formally or absolutely unconditioned and those which affirm a virtually unconditioned. The difference is between unrestricted acts which have no conditions for their occurrence (divine acts) and acts which have conditions for their occurrence but whose conditions are in fact fulfilled. All human knowledge of proportionate being, including all moral knowledge, is knowledge of the virtually unconditioned. Indeed, while religious knowledge is knowledge of a formally or absolutely unconditioned, such knowledge is attained by us only partially through virtually unconditioned acts of understanding. I suggest that this distinction is relevant to the current debates about the "absolute" character of moral norms. Moral norms are "virtually unconditioned" judgments when they grasp not only moral regularities but also the sets of human historical conditions in which such recurrent relations obtain.

construe their direct responsibilities in accordance with their own personal criteria. The tendencies of human subjects towards rationalization, towards taking the easier road, towards egoism are well known.³⁶

The problem is a real one which, again, pertains to the criteria for abstracting and classifying the object of moral choice and for specifying the situational data relevant to this classifying. The direct/indirect distinction has traditionally expressed the fact that there is a real distinction between kinds of human involvement in evil. Dramatically different implications for moral subjects follow from these different kinds of involvement. We cannot conceive of human living which is free from all forms of involvement in evil.³⁷ But we can discern real differences in types or classes of such involvement. And the criteria for discerning these differences are integrally bound up with the criteria for defining the limits of the unified object of moral choice.

I suggest that the distinction between evil intended (direct) and evil permitted (indirect) expresses a difference in the structural relationships between types of contextual data which figure into the generalized object of moral decision and types of contextual data which are pronounced incidental to the moral valence of this object. When deontologists argue that a subject must never go against a basic good directly, even in service of a good end, they are arguing that a generalizable structural relationship between the evil means and some significant end or effect always obtains in every situation of this type.³⁸ They are arguing that this relationship always defines the formal object of the subject's moral choice, regardless of other situational specifics and regardless of his or her subjective intention. They are arguing that whatever the proportionate moral valence of other goods in situations of this type, the moral character of the unity is totally defined by this specific relationship.³⁹ When deon-

³⁶ Elements of these criticisms can be discerned in John R. Connery, S.J., "Morality of Consequences: A Critical Appraisal," in *Readings No. 1* 244-66; and Di Ianni, "Direct/Indirect."

³⁷ I suggest that this awareness of forms of involvement in evil which are not adequately handled by the traditional direct/indirect distinction is central to the enterprise of liberation and feminist theologians.

³⁸ Some express this end in terms of a basic good which is inviolable (Ramsey), some in terms of a constitution of the character of the moral subject (May), some in terms of building the kingdom of God (Roach). In each case the structural characteristics of the object of moral choice are the same. The claim is that there is an integral relationship between the act and this goal or effect which obtains in all cases of this type, regardless of contextual specifics. This relationship decisively defines the moral character of this object.

³⁹ E.g., when Grisez argues that abortions remain ethically indefensible in a host of cases involving the physiological or psychological health of the mother, threat of suicide, prospective birth defects, economic or social hardship, rape, or incest, he is excluding as morally relevant to the object of decision all those data which do not pertain to the direct

tologists argue that some significant evils are permissible because they only follow indirectly upon the moral choice, they are arguing that the evil effect in an action-effects complex is not relevant to the essence of the object of choice. The evil effect does not figure into the integral structure of the object of decision and consequently the situational data on the indirect evil effect are not relevant to the moral valence of the object of decision.⁴⁰ For the deontologist the distinction between direct and indirect evil is defined completely by the presence or absence of specific classes of situational data (usually understood as intrinsic evils or contraventions of basic goods) within the formal object of the moral choice.

When revisionists argue that some evil means can be justified in relation to some good ends (especially when such means involve a contravention of what the deontologists call inviolable basic goods), they are arguing that the overall concrete configuration among a wider range of selected data in an action-effects complex is more significant than any one type of data in defining the structure and moral character of the object of moral choice.⁴¹ This, I argue, is the first real difference between revisionists and deontologists. The revisionists are correct that the deontologists implement a kind of proportional weighing of goods and evils.⁴² But they do so differently than the revisionists. This difference is rooted in a different position on what situational data will count as relevant to the integral structure of the generalized object of moral choice and, consequently, what data will enter into the proportional weighing.⁴³

taking of the physical life of the child. In each case where the fetus is killed directly (as opposed to indirectly, when the fetus is not physically killed by the surgeon's instruments in the mother's womb but is removed where it is left to die, as in an ectopic pregnancy), only the data on a specific understanding of the welfare of the child (the direct taking of the child's life) and none of the other data pertaining to other aspects of the child's welfare (presence of deformities, probable socioeconomic living conditions, etc.) or to the welfare of the mother are allowed to enter into the range of factors which define the moral valence of the proper object of moral choice. It is interesting that in the course of his discussions he considers such data; but he rules them out as irrelevant. See *Abortion* 340–44.

⁴⁰ See Boyle, "The Principle of Double Effect" 244–47; Grisez, *Abortion* 333–41. Grisez's treatment of permissible abortions is a good illustration of this point. The effect of the child's death is indirect when, as in an ectopic pregnancy, it is the removal of the fetus and not strictly its death which saves the life of the mother (340). For Grisez this strict distinction between removing the fetus from the mother and taking its life with surgical tools serves to separate the fetus' death from entering into the total unified object of the moral decision.

⁴¹ See McCormick's discussion of Fuchs, Dupré, and Carney, and his brief presentation of his own position, in *Notes 1965–80* 512–16.

⁴² See McCormick's response to Ramsey in *Notes 1965–80* 510–11, and his response to Grisez in "Ambiguity" 25–29.

⁴³ This point is at the root of Ramsey's response to McCormick's criticisms of his theory

It is important to note that both groups distinguish between situational data which are relevant and situational data which are incidental to the overall intelligibility and moral valence of the complex. But the revisionists tend to allow a wider range of data to count in this process and they seek an overall moral intelligibility in this wider set of data, whereas deontologists focus on specific elements which, when present, will define the total object and valence of the moral choice.

Linked to this is a second real difference between revisionists and deontologists. Revisionists are prepared to allow some evil means as morally permissible when they further the attainment of proportionately good ends and when alternate routes towards solving the problem are morally worse overall. In doing so, they are allowing significant evil means to figure into the structure of the object of moral choice without decisively determining its overall moral character. Here revisionists are admitting the possibility of a subject willing the overall moral valence of a total action-effects complex without willing evil substructures of this complex.⁴⁴ In this respect the revisionist admits two possible meanings for the term "indirect evil": (1) evil which is beyond the unity of the integral object of moral choice, and (2) evil which forms part of the integral structure of an object of choice but does not decisively determine its overall moral valence and, consequently, does not formally claim the allegiance of the subject's moral intentionality. The revisionist admits the possibility of a subject willing the overall good of a unified action-effects complex which contains an evil substructure without willing the evil of this substructure. The deontologist, on the other hand, has named a class of action-effect substructures which can never form part of an overall action-effects complex without formally claiming the allegiance

of the incommensurability of conflicting goods or evils. Ramsey argues that sometimes it happens, in fact, that two conflicting values or effects which arise in a moral dilemma cannot be subsumed under a single act of reason which can proportionately weigh their relative values. In such a case, Ramsey argues, the two values or evils are incommensurable and must be handled not with a principle of proportionate reason but with a theory of indirect willing. Ramsey's claim here, I suggest, concerns the question as to what data can and cannot enter into the intelligible unity of the object of moral choice. Ramsey grants the relevance of proportionate reason but cannot allow a proportionate weighing of two things which cannot be subsumed under a single act of understanding. This is the case if two values or disvalues are incommensurable. In such a case the moral subject must discern which one can properly constitute the direct object of his or her moral choice and which can be willed only indirectly ("Incommensurability" 78-83). I am not suggesting that Ramsey is correct, only that the dispute does not center around proportionate reason but around a real difference between positions on what data will count towards defining the structure and moral valence of the object of moral choice.

⁴⁴ See McCormick's discussion of Van der Marck in "Ambiguity" 12-15, and his presentation of his own position, *ibid.* 39-40.

of the subject's moral intentionality.

Contrary to the fears of many deontologists, the revisionists do not require all situational specifics to be considered and weighed in judgments of proportionate reason. Revisionists generally classify action-effects complexes, abstract them from all kinds of situational specifics that are irrelevant, define them in their generalized structure, and evaluate their generalized moral character. It is more correct to say that deontologists and revisionists differ on the level or degree of situational specificity of the means-ends relationships which will define the structure and the moral character of an action-effects complex. Revisionists classify and generalize types of situations whose characteristics are relevant to defining the structure and moral character of the object of choice. But they allow a greater degree of situational specificity and a wider array of types of situational data to determine the structure and moral character of such classifications. They have not defined a priori specific types of means-ends substructures whose moral valence will always define the overall character of the complex and can never escape becoming the formal object of moral intentionality.

Linked to this question of direct and indirect evil is the question whether something important happens to deform the moral character of a human subject when he or she brings about a significant evil effect, even when such an effect might seem proportionately warranted in a situation. It could be argued that the direct/indirect distinction points to the fact that some evils that are performed directly have a lasting, debilitating effect upon the moral agent and that this effect significantly alters the subsequent capacity of the subject to reason and to act morally or religiously. To choose against one of the basic, incommensurable goods is to distort one's character or identity.⁴⁵

If this is a part of the meaning of the direct/indirect distinction (and I think that in some cases it should be), what has happened is that the intelligible unity-identity of the object of the moral choice has expanded in its integral structure to include a set of consequences, goals, or effects which pertain to the moral subject's responsibility for shaping his or her subsequent character and state of virtue. In the final analysis, the question whether such consequences for the subjective formation of the agent do, in fact, obtain is one of ethical fact. Such facts are not easy to verify. Nonetheless they remain vitally important to the moral analysis

⁴⁵ This approach is suggested in William May's article "Ethics and Human Identity: The Challenge of the New Biology," *Horizons* 3 (1976) 17-37, esp. 36-37. It is also suggested in specific pages of *Becoming Human* 102, 105. I have argued that the constitution of moral character or identity is relevant to an evaluation of war-fighting and deterrence options: "Just War, Pacifism and the Ethics of Nuclear Policy," *Eglise et théologie* 17 (1986) 41-55.

and to the determination of the unity-identity of the proper object of moral reflection. If such consequences are known to obtain, the question arises whether they can ever be proportionately warranted in moral situations and whether they can ever become part of an integral object of moral choice without their evil being willed.

No matter how complex a conflicting-value or multiple-effect situation might become, the total set of relations linking contexts, decisions, goals, and consequences will constitute an intelligible unity whose overall moral valence will specify the object of the subject's moral intentionality. Consequently the meaning of "direct" and "indirect" will be defined in terms of what is and what is not part of this intelligible unity. Revisionists have insisted that this unity be recognized as a complex of meaning relations grasped in an act of understanding of a moral subject. Deontologists have raised an extremely important issue which the revisionists, in the main, have not dealt with adequately: Are there generalizable structural elements of classes of moral events that are isomorphic through ranges of situations and whose functioning decisively shapes the overall structure and moral character of the generalized object of moral choice in a distinctive way? This, I would argue, is the fundamental debate between the revisionists and deontologists. It is a real debate about real questions, because they have not yet been answered completely and adequately, either in the abstract or in the concrete, either by revisionists or by deontologists.

A third criticism of the revisionists concerns the issue of authority. In short, the critics argue that if a judgment of proportionate reason of a subject in a concrete situation is the only thing that can determine the moral character of the act, public moral authorities are robbed of any significant function. The revisionists may pay lip service to magisterial authority, but if they cannot come up with some criteria for defining the intrinsic moral character of acts which are not subject to alteration by the total set of data of a particular context, they have positively excluded any possible role for public moral authorities.⁴⁶

Expressed positively, the claim of the critics is that if public moral authorities have a function in any way continuous with the past, their business is to formulate moral norms which are applicable to ranges of real-life situations without substantial alteration. Clearly the issue here remains the possibility of generalization of the specifically moral character of actions and the distinction between morally relevant and morally incidental situational data. If such generalizations are possible—and the evidence of concrete and theoretical moral reflection testifies to the fact

⁴⁶ I suggest that this is the basis of the criticisms raised by Dubay against Curran in "The State of Moral Theology" 338–41.

that they are—the critics have a valid point. Even when the business of deciding concretely involves the weighing of conflicting norms, discernible generalizations could conceivably be formulated regarding a hierarchical weighing of such norms. In short, the business of moral authorities is to establish norms on significant issues of human living which are in fact normative morally (not premoral counsels or mere exhortations) and which when concretized do not significantly alter the intelligible nature of the norms.

The revisionists' response has had a number of foci. The first concerns the relationship between our growing historical understanding of our own age, our appreciation of the complex character of contemporary moral situations, and the inadequacy of older approaches to moral norms. Currently, it is claimed, we understand a host of situations to call for a different form of moral analysis than was intended in the traditional moral norms. The consequence is that many available norms do not adequately handle the reality of what we understand about current multiple-effect and conflicting-value situations. This places a weight of moral freedom and moral responsibility on individual subjects which traditional approaches did not envision.⁴⁷

In fact, their response goes further than this. The contemporary nature of the rapid dynamics of change in culture, together with a novel and more adequate understanding of the Church, requires that to some degree this expanded liberty and responsibility is here to stay. This is because moral subjects no longer fulfill the merely passive role of living out the norms which have been judged to be constitutive of the identity and tasks of ecclesial institutions and of human culture in general. Subjects now have the role of participating in discerning these norms and shaping the direction of these institutions. This situation is possible now because of the general level of education of the general populace, and it is required because of the increasing complexity of the concrete nature of social living. The job is too big for a small group of experts.⁴⁸

A third focus can go a step further. It can be argued that development towards full moral authenticity requires that moral subjects grow beyond a merely conventional level of judging and acting within the confines of institutionally established norms.⁴⁹ The implication here is that the

⁴⁷ See Charles Curran, "Pluralism in Catholic Moral Theology," in *Readings*, No. 3 364–87, esp. 366–39.

⁴⁸ Elements of this response can be seen in Avery Dulles, "Doctrinal Authority for a Pilgrim Church," in *Readings*, No. 3 247–70, esp. 252–55, 263–65, and in Daniel Maguire, "Morality and Magisterium," in *Readings*, No. 3 34–66, esp. 51–53.

⁴⁹ The terms "conventional" and "postconventional" are technical terms which derive their meaning from the theory of moral development of Lawrence Kohlberg; see Conn, *Conscience*.

Roman Catholic Church is not simply to be a conventional institution whose established rules have to be obeyed as a condition of membership. For the Church to function authentically requires the proliferation of postconventional Catholics, engaged actively in discerning concrete moral norms and shaping the direction of the Church's work in the world. Growth beyond the limits of merely conventional morality is to be encouraged rather than stifled. In the context of postconventional moral subjects, the nature and limits of moral authority change significantly.⁵⁰

A fourth focus centers on the actual procedures currently used by the magisterium to enforce its public moral authority. These procedures involve efforts to short-circuit the public character of the debate and to exclude dissenting parties from participation in the debate. The revisionists argue that, given the cultural transformations described above, there will be required a trial-and-error process of empirical moral discernment which will involve, indeed demand, the proliferation of a host of novel insights by moral theologians and by all members of the Church. Many of these will be mistaken. However, the volume of such diverse insights is a requisite condition for the communal process of empirical moral discernment. To cut short the process is to subvert this moral discernment integral to the authentic activity of the Church. To require obedience to traditional formulations of theologians in the interests of institutional responsibility narrowly defined is to misconceive the way in which the Church participates in the wider human process of moral discernment. The universal character of the Church's mission to humanity requires a fully empirical, fully participatory enterprise of moral discernment.⁵¹

All these responses intend true insights and true values. But I suggest that none of them is incompatible with a notion of public moral authority once it is understood that properly moral norms can be applicable to the complexities of classes of moral experiences involving conflicting values and multiple effects. The notions of fundamental moral freedom and postconventional moral growth do not imply that each situation will involve a unique (nongeneralizable) moral solution which can only be achieved by the concrete moral subject on the spot. Neither do they imply that authentic moral decisions in the concrete preclude the subject submitting to the demands of past moral experience or to the authority

⁵⁰ Happel and Walter discuss some of the ways in which growth towards postconventional moral and religious maturity affects the way subjects appropriate faith, revelation, law, and authority. See *Conversion and Discipleship* 54–80, 170–72, 184–89.

⁵¹ See McCormick, *Notes 1965–80* 816–26; Curran, "Academic Freedom: The Catholic University and Catholic Theology," in *Readings*, No. 3 388–407; Maguire, "Morality and Magisterium."

of an institution.

The real issue, in my judgment, concerns the level of specificity on which the generalizations need to be formulated to be adequate to real moral situations, and the role of hosts of individuals in shaping the content of moral norms, given the complexity of present and future culture. The fully participatory character of moral discernment will involve a real change in the functioning of moral authority and in the way moral freedom is exercised. Such a shift will require a tremendous difference in the level of detail which the norms will need to embrace. And it will involve a clear specification of the limits of the contexts in which such rules will obtain. However, far from such a shift placing the total onus of responsibility on the contextually engaged moral subject, its very intent is to provide the subject with reliable, authoritative moral knowledge which makes definable, objective moral demands on the subject. When such demands are formulated adequately, their character is not subject to alteration or manipulation either by the details of the context or by the desires of the subject. There will emerge a correlation between the competence of the people who can formulate such rules and their public authoritative status in ecclesial institutions.

CONCLUSION

Traditionally, Roman Catholic moral theology has proceeded as an effort to classify acts, motives, contexts, and consequences, to evaluate acts, motives, and consequences independently, to develop hierarchies for weighing their interrelationships, and to formulate procedural rules for handling the hosts of problems which arise from conflicts among multiple values or multiple effects in concrete contexts. The effort throughout has been to generate tools applicable for all humans in all types of situations. The road taken towards this goal of universality has been the road which involved the maximum degree of abstraction from the concrete specificity of historical situations.

The achievements of this tradition have been impressive. But in significant measure the grounds for this achievement have rested less in the relevance of the abstracted norms, rules, classifications, and procedures, and more in the concrete insights which brilliant moralists have gleaned from a serious empirical consideration of the actual living conditions of their age. The unfortunate consequence of an inadequate understanding of the grounds for this success has been to hamper the efforts of such brilliant moralists to continue making their contributions to human culture.

I suggest that the task of Roman Catholic ethics needs to be reconceived. Rather than seeking generalizations at the highest levels of

abstraction, ethicists need to understand the integral structure of linked schemes of decisions, goals, and consequences which function within concrete configurations of historical and social conditions. I suggest that generalized moral norms associated with the stability or the recurrence of such schemes should be sought on a much greater level of contextual specificity than in the past. I suggest that ethicists can proceed in this task with the full confidence that its fruits will further the cause of undoing the conditions of moral relativism and anomie which prevail in our age.

Linked to this mission of reconceiving the task of Christian ethics is the question of how we are to understand the goal of ethics. Like all specialized tasks, the doing of ethics is hazardous. The act of classifying has an esthetic appeal and an exigency towards order all its own. When the ethicist gives himself or herself over totally to this exigency, classification becomes an end unto itself. Similarly, the quest for conceptual clarity can lead us to forsake the real good of persons for the elegance of logic. The business of pronouncing blame upon others has a bittersweet inner logic which is captivating. While it is an indispensable part of ethics, it cannot become the whole or even the principal task of ethics. The quest for continuity with past traditions can give rise to a liberating appropriation of the heritage which has constituted one's identity. But it can also lead to an uncritical attitude which clouds our understanding of both the present and the past. The discovery of the relevance of individual liberty, the novelty of contemporary moral problems, and the historicity of past norms can tempt one to consider all problems new and all norms obsolete. Similarly, the business of taking prophetic stances, either against seemingly overpowering institutions or against the insurmountable odds of corrupt culture, is heady wine.

The task of Roman Catholic moral theology can become none of these. Christian ethics is the sober business of rendering a service to all of humankind. Its data is the total lived experience of humankind, including its total religious experience. Its task is to understand the moral import of recurrent regularities in past experiences whose implementation in future decisions can help make life better in the widest and richest sense. To participate constructively in this task requires ethicists passionately dedicated to understanding human living in the concrete, and deeply in love with the God whose eschatological gift of salvation to the world knows no bounds.