

## QUAESTIO DISPUTATA

THE RECOVERY OF AQUINAS'S ACTION THEORY:  
A REPLY TO WILLIAM MURPHY

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*The article addresses a recent claim regarding Aquinas's understanding of voluntary human action; namely, that moral species is determined by an object that functions as the proximate end of a chosen behavior. This reply examines the context of the argument, the text on which the argument is said to be based, and Aquinas's more specific texts in regard to formulating a moral intention to an end and choosing a way to accomplish that end.*

IN A RECENT ARTICLE published in *Theological Studies*, William Murphy pleaded for renewing a conversation among moral theologians in order to overcome a certain “schism” that has taken place in that discipline after Vatican II.<sup>1</sup> He further suggests that it may be an apt time to revisit the issue of contraception because of

recent developments [that] include strong challenges to both revisionist and what might be called “traditionally naturalistic” or “physicalist” moral theories, the contemporary recovery of Thomistic ethics, the related retrieval of virtue theory, and the vigorous renewal of Thomistic action theory in the wake of John Paul II's 1993 encyclical, *Veritatis splendor* (VS).<sup>2</sup>

I cannot here address all the ideas in Murphy's lengthy article, but this is not so crucial because, as Murphy himself states, “the first section

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<sup>1</sup> William F. Murphy Jr., “Revisiting Contraception: An Integrated Approach in Light of the Renewal of Thomistic Virtue Ethics,” *Theological Studies* 72 (2011) 812–47 at 813 (hereafter cited as Murphy).

<sup>2</sup> On the same page, Murphy also writes about “the contemporary retrieval of Thomistic ethics”; and on 820–21 about “the recovery of Thomistic action theory.”

summarizes some key principles of Thomistic action theory on which the subsequent analysis depends” (815). Furthermore, even though the title of the article gives the impression that the entire argument will be based on “the Renewal of Thomistic Virtue Ethics,” when one reads Murphy’s third section on “A Virtue Approach to Contraception,” one finds a brief text that in fact admits to having its foundation not in Aquinas’s concept of virtue but in “a richer articulation of the virtue of chastity in light of additional insights into the truth of marriage and sexuality” (837 n. 62) that are based on the writings of John Paul II.<sup>3</sup>

In essence, I agree with Murphy that “the postconciliar debate regarding contraception is inseparable from the corresponding one in fundamental moral theology, especially regarding the philosophy of moral action” (818). However, although Murphy states that “an assessment of contemporary developments in Thomistic action theory is beyond the scope of [his] essay,” there is no doubt that his entire theory stands or falls on the presumption that there exists “a contemporary retrieval/recovery of Thomistic ethics” (813). After discussing this claim in his first section (818–26), he returns to it throughout the article.<sup>4</sup>

### WHAT IS AT STAKE HERE?

As Murphy himself points out, the traditional rejection of contraception, regardless of motive, was based on the presumption that preventing sperm from reaching its *natural destination* was, in and of itself, morally evil.<sup>5</sup> Although Murphy concedes that this approach “reflects important truths about human sexuality,” he still considers such an argument to be “deficient” (817). Whether or not this approach remains a part of the teaching of *Humanae vitae* (hereafter *HV*) remains a moot point.<sup>6</sup> More important is the issue of whether methods of avoiding conception that have nothing to do with interference with the physical act of intercourse (insemination) are

<sup>3</sup> Murphy 837 n. 62. I am responding to Murphy’s use of Aquinas, not his interpretation of John Paul II’s writings.

<sup>4</sup> Other references to Aquinas’s ethical theory are found on pp. 814–15, 818–26 (the first part of the article), 832, 835–40, and 845–47.

<sup>5</sup> References to what Murphy calls the “traditionally naturalistic theories” can be found on pp. 813, 814, 817–18, 820, 823–24, 830, 832, 835–38, and 847.

<sup>6</sup> Although one can invoke here the well-known statement of *HV* no. 11, that “each and every marriage act (*quilibet matrimonii usus*) must remain open to the transmission of life” ([http://www.newadvent.org/library/docs\\_pa06hv.htm](http://www.newadvent.org/library/docs_pa06hv.htm)). Murphy would argue that this is not *HV*’s principal argument (and refers to *VS* no. 78). On the other hand, one could cite the subsequent teaching of *Persona humana*, the Declaration on Certain Questions Concerning Sexual Ethics (1975), which makes multiple references to achieving the “finality” of the sexual act (nos. 5, 7, 8, and 9).

morally licit. For, while *HV* no. 14 teaches that “every action which, either in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible” is illicit, it remains ambiguous how this pronouncement would include the use of the anovulant pill as a form of regulating fertility.<sup>7</sup>

One way to respond to this challenge is to invoke the novel<sup>8</sup> teaching of *HV* no. 12 on what has come to be known as the “inseparability principle.”<sup>9</sup> But this leaves unanswered the question about how the material act of taking a pill to delay or suppress ovulation constitutes an act of *contraception*.<sup>10</sup> Murphy clearly recognizes that the consideration of the “natural teleology” (817, 820, 835, 836) of the sexual act is insufficient to respond to this challenge, and that an alternative approach is needed to cover every manner of avoiding conception following marital intercourse.

To create a response to this challenge, following Martin Rhonheimer,<sup>11</sup> Murphy (820) draws our attention to *VS* no. 78:

<sup>7</sup> That is, if the act of using a pill that delays ovulation is evaluated on the basis of the intention of the person who performs it, and if that intention is an expression of the motivation to avoid conception for the “serious reasons” (medical, economic, eugenic, or social) admitted by Pius XII (“Address to the Midwives,” 1951) to justify periodic continence, it is difficult to understand how the statement in *HV* no. 14 is relevant to the case at hand.

<sup>8</sup> Murphy 833 refers to this principle as “newly articulated” and invokes the work of Martin Rhonheimer, *Ethics of Procreation and the Defense of Human Life: Contraception, Artificial Fertilization, Abortion*, ed. William F. Murphy Jr. (Washington: Catholic University of America, 2010) 44–91. Another opinion on the genesis of the idea is found in Joseph A. Selling, “Magisterial Teaching on Marriage 1880–1968: Historical Constancy or Radical Development?” *Studia moralia* 28 (1990) 439–90. This suggests that there is no foundation in the tradition for what Rhonheimer and Murphy refer to as an “inseparability principle.”

<sup>9</sup> Murphy draws an interesting parallel between the rational object, end, or meaning of performing a sexual act and eating or drinking (817, 832, 833, 844). In my opinion, one could say that drinking milk or eating candy have two meanings: nutritive (getting nourishment and/or building up energy reserves), and esthetic (enjoyment of taste and/or sharing food with another). Invoking an “inseparability principle” here could lead one to conclude that drinking low-fat milk or eating sugarless candy constitutes a violation of one of the meanings and is therefore immoral: it cannot possibly be justified as being aimed at the second meaning because it has rendered the first meaning impossible. Of course, whether there actually is an “inseparability principle” here is a matter of opinion (844).

<sup>10</sup> *HV* no. 15 recognizes that the same synthetic hormone may be used for “therapeutic reasons,” and in the 1970s some religious women missionaries were authorized to use this medication to avoid being impregnated in the event of being raped.

<sup>11</sup> Martin Rhonheimer, “The Moral Viewpoint of *Veritatis Splendor*,” *Thomist* 58 (1994) 1–39.

*The morality of the human act depends primarily and fundamentally on the “object” rationally chosen by the deliberate will,* as is borne out by the insightful analysis, still valid today, made by Saint Thomas [note 126 here refers to *ST* 1–2, q. 18, a. 6]. In order to be able to grasp the object of an act which specifies that act morally, it is therefore necessary to place oneself in the perspective of the acting person. The object of the act of willing is in fact a freely chosen kind of behavior. To the extent that it is in conformity with the order of reason, it is the cause of the goodness of the will; it perfects us morally, and disposes us to recognize our ultimate end in the perfect good, primordial love. By the object of a given moral act, then, one cannot mean a process or an event of the merely physical order, to be assessed on the basis of its ability to bring about a given state of affairs in the outside world. Rather, that object is the proximate end of a deliberate decision which determines the act of willing on the part of the acting person.

Murphy quotes only part of the first and last sentences of this text, thereby glossing over the ambiguous use of the word *object* in the paragraph as a whole. The word is used five times. The first three uses seem to indicate that what is being spoken about is a behavior—something that happens; but then it is written that the object is not a “process or an event,” but rather the “end of a deliberate decision,” begging the question about what kind of “decision” is being invoked. Is this a decision to embrace some kind of a goal (i.e., an *end*), which in Thomistic terminology is referred to as an act of intention? Or is it a decision about some kind of means to accomplish one’s goal (i.e., a *behavior*), which in fact is not an end at all, and in Thomistic terminology is referred to as an act of choice?

The ambiguity of the encyclical’s use of the word *object* then becomes even more complicated by the introduction of the adjective *proximate* being coupled to the word *end* in the last sentence. One could—and should—legitimately ask, where did this terminology about a *proximate end* come from, and how did it become associated with a behavior?

*VS* no. 78 uses the terminology *proximate end*, but no account is provided about what it means. The encyclical, in note 126, refers to *ST* 1–2, q. 18, a. 6, but the terminology of *proximate end* does not appear anywhere in that article about “whether an action has the species of good or evil from its end.”<sup>12</sup> Although the answer to this question is clearly in the affirmative,

<sup>12</sup> My suspicion is that the source for the reference to q. 18, a. 6 originally came from Servais Pinckaers, “A Historical Perspective on Intrinsically Evil Acts,” in *The Pinckaers Reader: Renewing Thomistic Moral Theology*, ed. John Berkman and Craig Steven Titus, trans. Mary Thomas Noble et al. (Washington: Catholic University of America, 2005) 185–235; pp. 199–211 basically reproduce the original French text from *Ce qu’on ne peut jamais faire: La question des actes intrinsèquement mauvais, histoire et discussion* (Paris: Cerf, 1986) 33–43. In this study, the only text referred to from the *ST* is 1–2, q. 18, a. 6, which he describes as “a remarkable article that contains the totality of his study of morality, an article which gives us the Thomistic model of moral action” (English 204, French 37).

no distinction is made about whether such an end needs to be proximate or remote.

The *sed contra* of *ST* 1–2, q. 18, a. 6<sup>13</sup> refers the reader back to q. 1, a. 3, “whether human actions are specified by their end.” Again, the answer to this question is clearly in the affirmative,<sup>14</sup> but nowhere in the corpus of the article is there any mention of the words *proximate* or *remote*. For, in the exposition provided by Aquinas in qq. 1–21, it makes no difference whether the end aimed at is proximate or remote. The end is simply that which is embraced through the *intention* of the acting person.

Murphy, however, presents another opinion about what Aquinas thinks. He writes:

Because, as in the text just cited [*ST* 1–2, q. 1, a. 3], Aquinas often does not specify the end to which he refers, while using “end” (and other terms) in a variety of analogous ways, a variety of interpretations has emerged over time; however, considerable clarity on his actual teaching has recently emerged.

Murphy locates that “clarity” in the answer to the third objection contained in *ST* 1–2, q. 1, a. 3, taking the work of Joseph Pilsner as his guiding text.<sup>15</sup>

### **SUMMA THEOLOGIAE 1–2, Q. 1, A. 3, AD 3**

Aquinas breaks his questions up into separate articles, each of which is presented in the same way. After the topic of the article is given, a list of objections or arguments is set forth, followed by a short phrase or quotation (the *sed contra*) that opposes the objections. Opening with the words, “I answer that. . .,” Aquinas then develops his own thoughts on the subject and follows this with a refutation of each of the objections. To understand the meaning of a refutation, therefore, one should first look at the objection being made. In the case of q. 1, a. 3, the third objection reads, “One thing cannot be in more than one species. But one and the same act may happen to be ordained to various ends. Therefore the end does not give the species to human acts.” The reply to this objection, with which Aquinas evidently disagrees, is this:

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Nevertheless, it is Martin Rhonheimer, in “Moral Viewpoint,” who first introduces the concept of a *proximate end* into the discussion.

<sup>13</sup> “It has been shown above (q. 1, a. 3) that human actions derive their species from the end. Therefore good and evil in respect to the end diversify the species of actions.”

<sup>14</sup> Aquinas often repeats the idea that the (proper) object of the will is the end: *ST* 1–2, q. 1, aa. 1, 3, 4, 5, 8; q. 2, aa. 5, 7, 8; q. 3, a. 4; q. 4, aa. 2, 3, 4; q. 5, a. 4, ad 2; q. 5, a. 7; q. 7, a. 4; q. 8, aa. 2, 3; q. 9, aa. 1, 3; q. 10, a. 2, ad 3; q. 11, a. 1, ad 1; q. 12, aa. 1, 2; q. 12, a. 4; q. 18, aa. 6, 7; q. 19, a. 2, ad 1; q. 19, a. 7; q. 20, aa. 1, 2, 3, 4; q. 21, a. 1.

<sup>15</sup> Joseph Pilsner, *The Specification of Human Actions in St. Thomas Aquinas* (New York: Oxford University, 2006), a revision of his doctoral dissertation.

One and *the* same [*human*] act, in so far as it proceeds once from the agent, is ordained to but one proximate end, from which it has its species: but it can be ordained to several remote ends, of which one is the end of the other. It is possible, however, that an act which is one in respect of its natural species, be ordained to several ends of the will: thus this act “to kill a man,” which is but one act in respect of its natural species, can be ordained, as to an end, to the safeguarding of justice, and to the satisfying of anger: the result being that there would be several acts in different species of morality: since in one way there will be an act of virtue, in another, an act of vice. For a movement does not receive its species from that which is its terminus accidentally, but only from that which is its “per se” terminus. Now moral ends are accidental to a natural thing, and conversely the relation to a natural end is accidental to morality. Consequently there is no reason why acts which are the same considered in their natural species, should not be diverse, considered in their moral species, and conversely. [Emphases added to indicate the only text Murphy quotes.]

When one reads the whole text, it becomes clear that Aquinas is distinguishing between *what happens* (physical act or omission)—to kill a man—and the reason why this thing is done, which could be either to safeguard justice or to satisfy anger. This *reason* is anything but proximate and somewhat ironically does not necessarily come about simply through a physical act. In the case of safeguarding justice, all sorts of conditions need to be present before one can confirm that justice has been safeguarded: the execution must be commanded by and take place under the supervision of a legitimate authority; the nature of the punishment must be proportionate to the crime committed (determined by the justice system); there needs to be a presumption that the event is perceived by those who participate as really safeguarding justice; and last but not least, the executioner must serve the legitimate authority and hence justice itself, and not act out of self-satisfaction (see *ST* 2–2, q. 108, a. 1). Similarly, killing someone to satisfy anger does not necessarily bring about that satisfaction with a single movement. Before anger can be satisfied there needs to be anticipation, the build-up and release of emotion, perhaps an opportunity to linger over the suffering of the victim, and a reflection upon what has been done.

In the example given, the *reasons* why the killing takes place are anything but proximate.<sup>16</sup> What *is* proximate is the natural process or event (see *ST* 1–2, q. 7, a. 3) of the death of a human being, which is an evil (*malum*). In fact, it is *only* through the bringing about of that natural process or event (an evil) that the *end* (which can be good or bad) is achieved—even though other things need to be in place for that to happen. It is not the killing that functions as an end, but the more *remote* purpose that is being fulfilled.

<sup>16</sup> Compare this with Murphy’s statement, “Aquinas’s basic doctrine is that the single, proximate end intended gives the moral species” (823 n. 31).

To repeat, using the words of Aquinas, the (moral) *per se terminus* spoken of here is not the killing but the goal or end to be accomplished. The killing is only *accidental* to that end. In one system of justice a person may be killed for a given crime (see *ST* 1–2, q. 19, a. 10, where Aquinas writes about the death penalty for an act of theft), while in another system of justice (e.g., the standard system of jurisprudence operating today in the United States) a completely different punishment would be meted out. What happens—the killing—then, is only described as a *natural species*. The *object* of wielding the sword or the axe, firing the gun, or giving the lethal injection constitutes the *natural species* of what takes place, just as the taking of anovulant pills constitutes the natural species of an act that may have as its purpose the relief of menstrual pain, the protection of consecrated virgins being made pregnant through rape, the practice of responsible parenthood, or the realization of an anti-life attitude.

In these cases, the natural species of neither the axe swinging nor the pill taking has any *meaning* (or *end*) of its own. Mere physical actions/omissions can have no meaning, no purpose, and no goal. Rather, they *receive* meaning through being chosen by a moral agent who has already formulated a goal or an end. Referring to physical actions/omissions as evil in themselves (or as *intrinsic evil*) misreads and even reverses the process of moral reasoning proposed by Aquinas.<sup>17</sup> I elaborate on this below.

It should go without saying that the causation of evil, even within a *means (ea quae sunt ad finem)* to accomplish a good end, should never be taken lightly, and that every attempt should be made to minimize the amount of evil that is tolerated. However, this does not constitute an absolute prohibition. Rather, it calls for a sense of proportion—a prudent judgment about the efficacy of physical, material activity/omission and its appropriateness in a given set of circumstances. To illustrate: For the vast majority of its history, the Catholic Church accepted capital punishment. Many Roman Catholics probably still hold that position. However, since the discussion that followed John Paul II's encyclical *Evangelium vitae* (1995), many people, and not only Catholics, have begun to rethink that position and now doubt the appropriateness, the proportionality, of killing another human being in order to “safeguard justice.”

When Murphy puts forth the theory that it is the *proximate end* of the human act that determines its moral species, he is, in effect, simply repeating the notion that physical, material events (or omissions) have a meaning that

<sup>17</sup> To comprehend this, one must distinguish between descriptive statements and moral statements. The executioner and the authority who orders the execution both understand that the killing involves an evil. If it did not, it would hardly be effective as a punishment. However, referring to the execution as an evil is merely descriptive, merely rendering an observation about the natural species of what happens.



can be determined on the basis of an observation of “what happens.” He may very well hold this as a moral theory, but it cannot be said to be based upon the teaching of Aquinas in the first 21 questions of the *ST* 1–2, where the phrase “proximate end” appears nowhere else outside the text he refers to (where it describes only the *natural* species of the physical component of human action).

### DOES AQUINAS REALLY HAVE AN “ACTION THEORY”?

It is difficult to trace who was the first person to write about an “action theory” in the *ST*, but the authorship of that label is not as important as the claim that there really is an “action theory” in Aquinas. The purpose of *ST* 1–2 was not to explain the mechanics of human activity. That concern did not occupy theologians and philosophers until the Enlightenment when everything, including everything human, was treated as a mechanism that could be dissected and schematized.

When Aquinas fashioned his text for beginners in the study of theology (see his prologue), he began by using Peter Lombard’s standard structure of Christian doctrine as outlined in the *Sentences*.<sup>18</sup> Between the setting forth of the teaching on God and creation, however, and the last part, on the incarnation, the church, and the sacraments, Aquinas decided to equip his students with an explanation of how God’s plan, or Divine Providence, touched upon the practical life of human beings. This is what we know today as the second part of the *ST*.

This second part is subdivided into two sections, the first of which (*ST* 1–2) describes human participation in the divine plan through voluntary activity, while the second (*ST* 2–2) gives practical examples of how that participation may (should) be lived out. The very essence of the *ST* 2–2 depends on what is set forth in *ST* 1–2, namely, that when attempting to describe the contours of a human life oriented toward fellowship with God, the most important aspect of that life will be the attitude that one develops and lives out. This attitude comes from within the person and is expressed in the concept of virtuous living.

*ST* 1–2 presents an overall picture of purposeful human living in four parts: the description of specifically human activity, as voluntary (qq. 1–21); the description of those things that humans share with animals, the passions (qq. 22–48); the internal principles of human activity, virtue (qq. 49–70) and sinfulness (qq. 71–89); and the external principles of human activity, law (qq. 90–108) and grace (qq. 109–14).

<sup>18</sup> See Leonard E. Boyle, “The Setting of the *Summa Theologiae* of St. Thomas—Revisited,” in *The Ethics of Aquinas*, ed. Stephen J. Pope (Washington: Georgetown University, 2002) 1–16.



*ST* 1–2 describes the human person as specifically different from the animals in that persons are not limited to seeking immediate ends (q. 6, a. 2), which animals can indeed do. Human persons understand ends precisely as ends and can reason to an entire series of ends that lead to the ultimate end and the meaning of human life. Therefore, the first five questions are dedicated precisely to this notion: understanding the purpose, meaning, and end of human life.

This is followed by four more topics: the concept of the voluntary and circumstances (qq. 6–7), those things by which the person is moved toward an end (qq. 8–12), those things by which the person is moved in service to the end (*ea quae sunt ad finem*—in modern parlance, *means*; qq. 13–17), and a consideration of the good and evil in human activity (qq. 18–21). Space prohibits explaining all the intricacies of Aquinas's concept of human activity,<sup>19</sup> but a brief sketch of those things by which persons seek virtuous ends should be helpful.

After Aquinas describes what he means by the voluntary and circumstances (*ST* 1–2, qq. 6–7), he explains the function of the will in the process of committing oneself to an end—a state of being or state of affairs that functions as the goal for whatever a person concretely does (qq. 8–12). These *states of affairs* he considers common for all humankind, but abstract. The general, as well as some practical,<sup>20</sup> description of these ends or goals is worked out in *ST* 2–2 under the heading of virtue. All human beings, for instance, are called to be *just*, and if they have adopted an attitude of justice they will formulate commitments to do *just things*; but what that means materially may differ widely from one person/human situation to another.

The commitment to an end culminates in the act of the will referred to as intention (*ST* 1–2, q. 12). This is crucial for human activity, for without an end to aim at, there is no need, purpose, meaning, or motive for engaging in any kind of activity at all. At the same time, Aquinas observes that simply committing to the end by an act of intention does not guarantee that anything at all will *get done*. For, before one engages in concrete activity,

<sup>19</sup> Elsewhere I have attempted to come to terms with what I believe Aquinas has given us. See, “Object, End and Moral Species in *S.T.*, I–II, 1–21,” *Ephemerides theologicae lovanienses* 84 (2008) 364–407; and “Looking toward the End: Revisiting Aquinas' Teleological Ethics,” *Heythrop Journal* 51 (2010) 388–400; both available on my website, <https://www.christian-ethics.be>, specifically <https://perswww.kuleuven.be/~u0010542/sources/downloads.html> (accessed December 14, 2011).

<sup>20</sup> The more practical (specific) Aquinas becomes in his description of instances of virtuous action, the more he reflects his own cultural and historical period and the information he had available for describing that activity. See the example above about killing in order to safeguard justice.

one must enter into a second phase of reflection, namely, sorting out what one will choose to accomplish the end to which one is committed (q. 13).

In light of how Aquinas divides his text—as well as the content of everything he writes—I observe two points. First, moving from intention to choice involves a consideration of two, very distinct, things. For, while making a choice of action/omission does presume that one is committed to (intends) an end (otherwise nothing would get done/omitted), it does not work the other way around. The formulation of an intention does not inevitably lead to the choice of any particular activity or omission.

Second, one cannot presume that an end will be accomplished *simply* by choosing; for, the very act of *choice* must itself be preceded by considering the behavioral options that might be available (q. 14), sorting out those options into the appropriate and inappropriate (q. 15),<sup>21</sup> and only then making a choice from the available and *appropriate* possibilities (q. 13). But even here the concrete engagement of the person is not yet complete, for one must still order or *command* (q. 17: an act of reason) one's physical capabilities to finally activate/omit something, which Aquinas, following Augustine, refers to as *use* (q. 16).

It should now be clearer how these two sections, qq. 8–12 and qq. 13–17, describe the person's movement toward intended ends that will ultimately lead toward the (final) end of *beatitude* or happiness. There is a clear emphasis upon *remote ends*, for without these, no particular or proximate ends would be formulated (e.g., because of my intention to pass an examination, I have the intention to study the material on which the examination will be based). The driving force here is not a preoccupation with dissecting individual behaviors as part of an “action theory” but rather a continuous reflection upon the ultimate goal of human living. Behaviors do not determine a person's purpose but are chosen to be in service to the achievement of one's goals.

<sup>21</sup> In qq. 14 and 15 Aquinas takes up what the thinkers Murphy labels “revisionists” or “proportionalists” understand to be the important, second step of making moral evaluations. For, it is necessary not only that the end to which one strives be a good one but also that the things chosen to achieve that end (*ea quae sunt ad finem*) be appropriate—for instance, in not contradicting the goal to which they are in service: see q. 18, a. 4: “A fourfold goodness may be considered in a human action. First, that which, as an action, it derives from its genus; because as much as it has of action and being so much has it of goodness, as stated above (Article 1). Secondly, it has goodness according to its species; which is derived from its *suitable* object. Thirdly, it has goodness from its circumstances, in respect, as it were, of its accidents. Fourthly, it has goodness from its *end*, to which it is compared as to *the cause of its goodness*” (emphases added) (English Dominicans translation, <http://www.newadvent.org/summa/2018.htm#article4>).

This is precisely where Murphy departs from the insights of Aquinas, namely, in referring to the object of choice as an end. Rather than dealing with the texts that expose the dynamics of making a choice of action or omission (qq. 13–17), he refers to a text that has nothing to do with making a choice and everything to do with the intention to a *remote* end (q. 1, a. 3, ad 3).<sup>22</sup>

### CONCLUSION

William Murphy's energetic revisit of the contraception issue insightfully recognizes that the key to unlocking this seemingly intractable controversy is actually a question of *method* in moral theology: how does one go about making moral evaluations and decisions? Not surprisingly, he also presumes and uses the classical model of describing moral events to include a consideration of the act (what is done/omitted), the circumstances, and the (intention to an) end.

Murphy further recognizes that four decades of disagreement about the morality of the physical actions associated with the regulation of fertility had solved nothing, and that the way forward has to lie elsewhere.

I believe that his instincts led him to the right place. The starting point of any moral reflection, according to Aquinas, is not the performance or omission of physical, material acts but the appreciation of the end toward which the human person directs his or her efforts.

Unfortunately, when Murphy looked for a way to link various ways of preventing conception to the end of the acting person, he came upon the wrong text in Aquinas—at the beginning of his treatise on human activity. The reply to the third objection in *ST* 1–2, q. 1, a. 3 is an *unicum* in the treatise, for it is the only place where the terminology *proximate end* is used. Examination of that text further reveals that the end that morally specifies the chosen activity of killing a person is actually a remote one: either safeguarding justice (a virtue, see *ST* 2–2, q. 108) or satisfying one's own anger (a vice, see *ST* 2–2, q. 158).

The ideas that we actually find in the text of *ST* 1–2, q. 1, a. 3, ad 3—which are different from those proposed by Murphy—are also found to be consistent with the rest of Aquinas's treatise where he first treats the end of the human activity that the person wills (qq. 8–10), intends (q. 12) and enjoys (q. 11). Aquinas then investigates the process of choosing a manner of achieving one's end (qq. 13–17: *ea quae sunt ad finem*, which may be a

<sup>22</sup> One could elaborate upon this further but space prohibits it. Suffice it to say that in making choices, not infrequently one finds oneself in a position where one must choose something to which one is neither attracted (1–2, qq. 8–10) nor wants (q. 12) nor enjoys (q. 11), for these three movements of the will are directed to ends, not to means (*ea quae sunt ad finem*).

physical activity or omission) as a secondary, but still important, issue that is deliberately willed but *not intended*.

It seems to me that the only realistic solution for the moral evaluation of the practice of regulating fertility is to follow the example given by Aquinas: admitting that some forms of avoiding conception may involve a form of evil, where the use of the term “evil” only describes the *natural* species of what takes place; as in Aquinas’s own description of the natural species of killing, where the physical action that can also be referred to as an evil, is used to safeguard justice.

The *moral* species of the entire event cannot be appreciated unless one *first* examines the intention of the acting person. Clearly, an intention that may be described as “anti-life” is unacceptable, and it makes little difference what “means” one uses to attempt to realize it. An intention to regulate fertility in order to practice responsible parenthood, however, is a good one. All that remains is to sort out the most appropriate way of achieving that end for the individual couple.

Perhaps when the discussion shifts away from focusing on mere physical acts (in themselves) and moves in the direction of determining what might be a proportionate manner for reaching the admirable end of being responsible parents, we may begin to address the impasse that has plagued moral theology for over 40 years.