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Martyrdom, Suicide and Absolute Negative Norms

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MARTYRDOM, SUICIDE AND ABSOLUTE NEGATIVE NORMS

Abstract. The article focuses on the difference between murder or suicide and the act of martyrdom. The arguments refer to John Paul II's teaching on absolute moral norms and John Finnis' theory of basic human goods. The core of the text is a discussion with the approach of Finnis who claims that a martyr merely accepts her own death as a side-effect of her other intentional action; the discussion is based on Aquinas's insights (mainly in *Summa theologiae*) and aims to show that death is not merely an accepted side-effect, but somehow enters into the specification of the act of martyrdom. The general conclusion is that the difference between martyrdom and suicide or murder requires a refined theory of intentional action, as opposed to non-intentional effecting of something, and also, above all, calls for still more diligent study of what exactly the prime and proper objects of practical reason, of proposal, of choice and of action itself are.

Keywords: martyrdom, suicide, intentional action, object of practical reason, absolute moral norms, the basic good of human life, side-effects of action, bl. Fr. Popieluszko case

The main aim of the present article is to show the difference between murder or suicide on one hand – and laying down one's life in an act of martyrdom on the other. My arguments refer in principle to John Paul II's teaching on absolute moral norms, and the starting point for considerations is John Finnis' theory recalling the teaching, as well as Aquinas' premises. The issue seems significant inasmuch as there is still much

confusion in distinguishing these two kinds of action among contemporary philosophers, and it is still more significant in the face of growing popularity of equating martyrdom with self-sacrificing, particularly as a method of terror or fanatic fighting (such as waging *jihad*, ‘cosmic war’ etc.). In my text I try to show that the difference, so as to be determined effectively, requires not only a refined theory of intentional action, as opposed to non-intentional effecting something, but also calls for a still more diligent study of what exactly prime and proper objects of practical reason, of proposal, of choice and of action itself are.

John Finnis’ theory of absolute moral norms appeals to Aquinas’ teaching on general principles of practical reason.¹ Developing Aquinas’ account Finnis claims that practical reasonableness and moral rightness, being a considerable aspect of integral human fulfilment, impose general demand on practical reason lest an action should ever directly violate any of basic human goods. Among these goods he counts: life, health and bodily integrity; sociability, friendship and marriage; knowledge; play; beauty or aesthetic experience; practical reasonableness; religion.² The goods are to be understood as underived, but self-evident, emerging in some elementary experience prime objects of practical reason, and serve as ultimate reasons for action. According to his teaching the absolute prohibition of murder and suicide – of taking somebody else’s or one’s own life – is grounded in a more general principle. The principle says that: *one should never intend or (consent or) choose anything that would be a direct violation of (an instantiation of) the basic good of human life.*³

Now a question might be asked whether on this account the act of martyrdom is a direct violation of the basic good of life; and if it is not – how does it precisely differ from the act of suicide, which plainly is such a violation. Setting main description of martyrdom I follow Aquinas,

¹ See: J. Finnis, *Aquinas. Moral, Political, and Legal Theory*, Oxford 1998, V.6; Idem, *Moral Absolutes: The Tradition, Revision and Truth*, Washington D.C. 1991.

² Idem, *Natural Law and Natural Rights*, II ed., Oxford 2011 (I ed. 1980), IV.2, V.7.

³ Ibidem, II.4, III.4–5, IV.3–4; Idem, *Aquinas. Moral, Political, and Legal Theory*, op. cit., IV.5; Idem, ‘Is’ and ‘Ought’ in *Aquinas*, § V, in *The Collected Essays*, vol. I, Oxford 2011, 152–155; J. Finnis, J. Boyle, G. Grisez, *Nuclear Deterrence, Morality and Realism*, Oxford 1987, X.4–5.

and take the act to be: *debita sustinentia mortis iniuste inflictæ*, i.e.: *just sustaining of unjustly inflicted death – laying down one’s life for the sake of truth and faith*⁴. Thus the question is: why is not such an act of sustaining one’s death an act which directly violates the basic human good of one’s life?

In following considerations in the section (I) I present John Finnis’ answer to these questions; then in sections (II) and (III) arguing along Aquinas lines, I make some further investigation of the answer. In (IV) I draw some general conclusions.

I

In order to consider what is done in the aforementioned actions as *general kinds of actions* – and not as something that just ‘happens’: events, taken separately from their rational cause – it is necessary to take into account the actions as voluntary. The analysis of their behavioural aspect, as something caused by some physical or biological movements or factors, such as the analyses of Durkheim or Daube,⁵ is *not* yet the analysis of the actions insofar as they are voluntary. It is because of this fact that the premises used by both authors are not sufficient to show a generic distinction between martyrdom and suicide. Rather operations, including physical movements, and some of their effects need to be considered in principle as taken by a rational agent as such, and intended on the basis of, and as realizing some conceived reasons for action. Therefore what needs to be examined is the intentional structure of the actions, and not only causal chains and upshots of physical behaviour.

Following such an idea, Finnis’ explanation refers to the distinction of proper and side-effects of action. The distinction is to be found in

⁴ Thomas Aquinas, *Summa theologiae*, II–II q. 124, in particular: a. 1 ad 3, q. 2 ad 1 and 3, a. 3 co., a. 4 co. and ad 4, in *Sancti Thomae Aquinatis Opera omnia*, vol. II, curante R. Buser, Stuttgart – Bad Cannstatt 1980.

⁵ É. Durkheim, *Le Suicide: étude de sociologie*, 5, Paris 1897; D. Daube, *The Linguistics of Suicide*, Philosophy and Public Affairs 1(1972)4, 318–421; see some conclusions on it – yet requiring to be still more developed, insofar as general notion of ‘responsibility’ seems to be too broad to serve as a criterion here, in: S. Stern-Gillet, *The Rhetoric of Suicide*, Philosophy and Rhetoric 20(1987)3, 160–170.

Aquinas' teaching on murder and self-defence in *Summa theologiae*,⁶ and it is now used widely as some general principle (although it is doubtful whether Aquinas himself understood it and proposed it as such principle).⁷ Apart from contemporary scholarly controversies about the so-called 'Principle of Double Effect' and the way and range of its application,⁸ Aquinas' teaching is rather simple and indubitable. In case of necessary self-defence against a sudden and unjust attack, death may be only a side effect of an act of defending one's life, and something that incidentally happens beside the intention of the defender. As such, even if foreseen, it is not anything willed by the defender and does not belong to the content of his or her intention or decision. That is why, as Finnis states, such a defence, even if it results in killing the aggressor,

⁶ Thomas Aquinas, *Summa theologiae*, op. cit., II–II q. 64, a. 7. See the remarks in J. Finnis, *The Rights and Wrongs of Abortion*, in *The Collected Essays*, op. cit., vol. III, 292.

⁷ See, e.g., M. Rhonheimer, *Vital Conflicts*, in: *Medical Ethics: A Virtue Approach to Craniotomy and Tubal Pregnancies*, ed. W.F. Murphy Jr., Washington D.C. 2009, in particular: 2n., 61–68; cf. Ph. Foot, *The Problem of Abortion and the Doctrine of the Double Effect*, in: *Ethics. Problems and Principles*, ed. J.M. Fischer, M. Ravizza, Fort Worth 1992, 59–67.

⁸ See, e.g., M. Rhonheimer, op. cit.; G.E.M. Anscombe, *War and Murder*, in: *The Collected Philosophical Papers*, vol. III, Oxford 1981, 54; Idem, *Action, Intention and 'Double Effect'*, in: *Human Life, Action and Ethics*, ed. M. Geach, L. Gormally, St Andrews 2005, 207–226; L. Gormally, *Intention and Side Effects. John Finnis and Elizabeth Anscombe*, in: *Reason, Morality and Law. Philosophy of John Finnis*, ed. K. Keown, R.P. George, Oxford 2013, 93–108; J. Finnis, *Reflections and Responses*, in: *Reason, Morality and Law. Philosophy of John Finnis*, op. cit., 480–485; Idem, *Intention and Side Effects*, in: *The Collected Essays*, vol. II, op. cit., 173–197; A. Kenny, *Philippa Foot on Double Effect*, in: *Virtues and Reasons. Philippa Foot and the Moral Theory*, ed. R. Hursthouse, G. Lawrence, W.S. Quinn, Oxford 1995, 77–87; *The Doctrine of Double Effect. Philosophers Debate a Controversial Moral Principle*, ed. P.A. Woodward, Notre Dame IN 2000; T.A. Cavanaugh, *Double Effect Reasoning. Doing Good and Avoiding Evil*, Oxford 2006. Publications in Poland: B. Chyrowicz, *Zamiar i skutki: filozoficzna analiza zasady podwójnego skutku*, Lublin 1997; Idem, *O sytuacjach bez wyjścia w etyce. Dylematy moralne: ich natura, rodzaje i sposoby rozstrzygnięcia*, Kraków 2008, 306–329.

is not a direct violation of the good of life. So it should be understood in case of martyrdom.⁹

On the basis of the mentioned teaching of Aquinas, John Finnis and his colleagues, Germain Grisez and Joseph Boyle, discern three senses of voluntary *doing something*. Insofar as the moral significance of action consists in its reference to basic human goods, the discerning is due to three general ways (or modes) of action's participation in those goods. In first sense (I will call it: A₁) one does something voluntarily, when one intends an intrinsic, basic good as an *end*, e.g. the good of friendship, and chooses something, e.g. giving a gift, as a realization of the good, through which one immediately participates in the good. In another sense (A₂) one does something, if one chooses something as a *means* to some other, ulterior end; e.g. if one consults a doctor for the sake of health, wages a war for the sake of peace, earns money to get some other thing considered as intrinsically good, and the like. Doing in third sense (A₃) consists in *voluntary acceptance* of side-effects incidentally caused by acts of (A₁) or (A₂) type.¹⁰ (Note that in the above typology 'doing something' is, as I think, not to be understood as a direct equivalent of Aquinas': *actio humana* – 'human action', but rather as voluntary realizing or effecting something: promoting or violating some instantiation of human good or goods. And it seems that one and the same action – in Aquinas' sense – may be, e.g., a doing something in A₁, in reference to some good, and at the same time an example of A₃, in reference to some other.)

According to Finnis, thus the act of suicide is an act of (A₂) type¹¹ (indeed very rarely is it an A₁). The intended benefits, whether or not considered accurately as human goods, might be: relief, freedom or liberation of some suffer, burden or pressure – sometimes with a view of others, (as when someone says, e.g.: 'I don't want to be the big trouble

⁹ J. Finnis, *The Rights and Wrongs of Abortion*, op. cit., 292–293; cf. Ph. Foot, *Abortion*, in *Virtues and Vices*, Berkeley 1978, 20. The same method to draw the distinction is used by: J. Kupfer, *Suicide: Its Nature and Evaluation*, *The Journals of Value Inquiry* 24(1990), 68–69.

¹⁰ J. Finnis, J. Boyle, G. Grisez, *Nuclear Deterrence, Morality and Realism*, op. cit., 289–290.

¹¹ J. Finnis, *The Rights and Wrongs of Abortion*, op. cit., 292.

for my family any more, as I know I am, keeping on living like this...!', or a spy taking poison: 'I don't want to turn in anyone of my ring, and tortured I surely will!'), and the like. With that prospect someone's own life appears a burden or a hindrance that it is necessary to remove, so as to achieve what is thought attractive.¹² And indeed, whether the agent inflicts his own death himself (*by hand*), or uses other persons to do it (urging them, forcing or even asking a favour to do it), is of no consequence as far as the kind of action is concerned. Such persons, insofar as they act for the sake of the main agent, by fulfilling the request, demand, command etc., act according to reasons of the main agent, and it is *the* agent who directs and brings about the action, even if the immediate execution does not belong to him.¹³ This very fact, however, insofar as such persons act voluntarily, makes them co-operators in a suicide and killers; and the main agent is then not only a suicide, but also is responsible for the wrongdoing of others. In all such cases the intentional content of the agent – his or her choice – contains or presupposes the immediate violation of the basic human good of life, namely the life of the agent himself (or herself; in case of co-operators: of the other person).

In comparison to the above acts, the act of martyrdom, as Finnis holds, is a doing in the (A_3) sense. As an example we might consider the case of blessed Fr. Jerzy Popiełuszko, a Polish priest (a 'chaplain' of the Solidarity union) murdered and drowned by agents of the communist internal intelligence agency in 1984. According to Finnis then, being a side-effect, the death of the martyr is not a part of the martyr's plan for action: it does not belong to the content neither of his or her intention, nor of choice. What the martyr actually *does*, is but accepting his or her own death as an unintended side-effect of some other act. And this very act,

¹² See: *ibidem*; cf. J. Kupfer, *op.cit.*, 68–71.

¹³ That is why Aristotle regards, what is 'up to us' or what is 'in our power' it is also something that our friends do for the sake of us, insofar as the cause of – or reason for – action is in us: *Ethica Nicomachea*, 1112b27–28, in *Aristotelis Opera*, vol. II, ex recensione I. Bekkeri, editio secunda quam curavit O. Gigon, Berolini 1960; see Aquinas' commentary *ad locum: Sententia libri Ethicorum*, 3 l. 8 n. 5, in *Sancti Thomae Aquinatis Opera omnia*, *op. cit.*, vol. IV. At this point, yet apart from his comments in footnote 3, I agree with J. Kupfer, *op. cit.*, 70, and disagree with R.F. Holland, *Suicide*, in: *Moral Dilemmas*, ed. R. Purtill, California 1985, 98.

and what the martyr intentionally does, is: a refusal of committing a vile, which as such is contrary to faith and the law of God ('a vile' here may be, e.g., an idolatry, a murder, an adultery or even a lie; but also it may mean, as in Fr. Popiełuszko case: to stop doing something considered as right and necessary in these circumstances, e.g., preaching – i.e. an omission). By no means is then such an act a voluntarily causing evil, insofar as it does not voluntarily – neither in intention, nor in choice – violate the basic human good of life.¹⁴ According to Finnis, the same holds for cases of admirable self-sacrifice. Take as an example a case of a pilot who saves people's lives by crashing the plane; the pilot – as Finnis would say – only accepts his own death as inevitable side-effect of the crash, and is not a suicide.¹⁵

II

Now, it is of no great importance whether or not, or to what extent Aquinas himself compares directly the two kinds of action in one his text or passage. Indeed, in the argument 2 of II–II 124 a. 1 in *Summa theologiae* he doubts martyrdom to be a virtuous act, as it seems to be nothing but killing oneself. The answer to the argument is in fact included in the corpus of the question. To see it in more detail, we might outline St Thomas' accounts on the nature of martyrdom and make a direct comparison of the two kinds of acts.

First, studying Aquinas' question on martyrdom, one might be struck that what Aquinas does, is not recalling his previously stated distinction of proper and side-effects. Instead he unequivocally states that death is something *essential* for martyrdom. In what sense then?

General description of martyrdom given by Aquinas is: *sustinere mortem* – i.e.: sustaining one's death. But sustaining one's death is not merely *accepting* the fact of being killed by someone! Rather it is: *bearing* or *suffering* the most horrible evil that can happen to someone,

¹⁴ J. Finnis, *The Rights and Wrongs of Abortion*, op. cit., 292.

¹⁵ Ibidem. The example is taken from J. Kupfer, op. cit., 71; cf. in J. Finnis, an example of a soldier who throws himself on a grenade to solve his fellows: '*Direct*' and '*Indirect*' in Action, in *The Collected Essays*, vol. II, op. cit., 248–249, 256.

as one's own death, *voluntary taking a stance* on that what is being suffered (*pati, passio*).¹⁶

Let us stop here to take a closer look at the difference between accepting and bearing. 'To accept' here means not to prevent an effect caused by other factors, which are somehow connected with one's own deliberate action. And the connection is this: if one does not bring about his or her intention and does not realize his or her voluntary action (which itself is an end or a means to some other end), the effect caused by the other factor does not occur. The effect, it should be added, might occur either possibly or necessarily, but none of these are yet a sufficient condition for the effect to be intentional. But now a question might be asked: cannot *such* effect be intended or chosen? It certainly can. Consider three cases:

(1) It is intended (chosen) when an agent aims at the effect – either as in his end, or means, and thus includes it in his own set of ends and means. If then I regularly do not eat supper, say, because of financial troubles, and I prefer to feed kids than to fill my own stomach, I will certainly lose my weight; but it is not losing weight that I aim at. Here the effect of losing weight is incidental. Yet, I can abstain from one meal exactly to get slim; and if, as it might be, the end is achieved while realizing the other, which is: feeding kids, I can be said to realize the two ends by one means (as we say that one 'kills two birds by one stone'). And of course sometimes, as Aquinas notes, the fact might weigh in favour or against choosing some option.¹⁷

(2) In second case one in some way aims at some effect caused by other factors, if – according to his office, occupation, family role, relation to others, because of his promise, contract etc. – it is one's obligation to take care so as it not happen, not to allow it happen or to stop it. Thus, if a ship drowns exactly because the steersman did not occur on board, when he should have, the steersman is responsible for the drowning, and he cannot say he did not want or intend to sink the ship¹⁸. Note that in this

¹⁶ Thomas Aquinas, *Summa theologiae*, op. cit., II–II q. 124, a. 1 co. and ad 3, a. 2 co., a. 3 co., a. 4 co. and ad 4, a. 5 s.c., co. and ad 1.

¹⁷ *Ibidem* I–II q. 12, a. 3 co.

¹⁸ *Ibidem* I–II q. 6, a. 3 co.

case the intention (choice) does not need to be formulated explicitly in one's mind, but taking on some obligation is *itself* forming an intention (general or particular) to perform it (in such circumstances – only once, regularly, always etc.) and not to neglect or break it. That means that, no matter what the steersman actually believes to be doing, wishes or feels, if only there is no reason to regard him exempt from his duty, by the very omission he can be said to have an intention to sink the ship. The case we can find in few places in Aquinas – also considering someone's responsibility for an incidental death of other person;¹⁹ it occurs as well in some considerable discussions in the late scholastics.²⁰ To understand its point, however, we must put the modern notion of 'obligation' or 'duty' aside, and focus on the two connected meanings that are in fact central in philosophy, i.e.: obligation as a conclusion of practical reason, and as something (for some reason) owed to the others – and that involves the general issue of justice and its conditions and requirements.

(3) The third case seems to be the most difficult for us to understand, and the difficulty, as I assume, has much to do with a common manner to make use of the doctrine of proper and side-effects as general principle, and it is somehow obscured by speaking of probability of some events. The very fact shows only the (3) case to be still rather a task for contemporary philosophers to consider. The common feature of (3) and (2) is that the intention (choice) does not have to be explicit, but occurs by the very fact of intentionally (not) doing some other thing, so that we can talk here about a necessary connection between some intentions (or acts of practical reason in general) and some descriptions of action. Now, it is striking that Aquinas, discussing the issue of necessary self-defence, makes one important stipulation. Namely, the death of the attacker is unintended side-effect, *unless* the defender uses means that are not proportional to such self-defence, but to some other action.²¹ If

¹⁹ Ibidem II–II q. 64, a. 8.

²⁰ See, e.g., D. Alvarez, *Disputationes theologicae in Primam Secundae Sancti Thomae*, Trani 1616, disp. 34, 136; G. Martinez, *Commentaria super Primam Secundae D. Thomae*, vol. II, Toleti 1622, q. 76, a. 4., dub. 1. See also a note in G.E.M. Anscombe, *Action, Intention and 'Double Effect'*, op. cit., 209.

²¹ Thomas Aquinas, *Summa theologiae*, op. cit., II–II q. 64, a. 7 co.

then someone (say) shoots ten times straight in the head of the attacker or uses some fight technique and gives him a lethal blow – his words: ‘I did not want to kill him!’ are totally unconvincing. Sometimes it is hard to settle in particular cases, which exactly descriptions are so connected (that ‘doing that is’ in fact ‘doing this’, as Anscombe says²²). But it is certainly *that* what Aquinas points at when he speaks about the ‘proportionality’ of means to an end. For if one’s doing something in fact provokes others to kill her, being killed she cannot be reasonable called ‘a martyr’, but rather intends to be killed.²³ And it is also certainly *that* connection of descriptions of action, that John Paul II says about, stressing there are cases when choosing something to the contrary to one’s generic intention is *eo ipso revoking* the intention and replacing it with some other.²⁴ And – lastly – it is that connection which I take to be involved in Aquinas’ (and also Finnis’) teaching of a direct relation of choice and intention in practical reasoning.²⁵

Now, accepting something as a mere, and not in any way intended, side-effect can be negatively described as not-fulfilling the conditions appointed in (1)–(3). It is noticeable that we are not to be asked then: ‘How did you accept it?’ – i.e.: ‘What was it that you were *doing* when you were accepting it?’. Whereas we do ask: ‘How did you sustain it?’. And that is because such acceptance is not itself an *action* – as bearing or sustaining certainly is! Nor is an unintended side-effect anything voluntary, but it is something that simply *happens*.

III

Under the description: ‘sustaining (bearing) death’ act of martyrdom takes on a characteristic of act of fortitude (courage). Regarding that

²² G.E.M. Anscombe, *Action, Intention and ‘Double Effect’*, op. cit., 223.

²³ Thomas Aquinas, *Summa theologiae*, op. cit., II–II 124.1 arg. 3 and ad 3.

²⁴ John Paul II, *Veritatis Splendor*, 67.

²⁵ Thomas Aquinas, *Summa theologiae*, op. cit., I–II q. 12, a. 1 ad 4, a. 3 co., 4 co. and ad 2; idem, *Quaestio disputata de veritate*, q. 22, a. 13 co. and ad 16, a. 14 co., in *Sancti Thomae Aquinatis Opera omnia*, op. cit., vol. III. Cf. J. Finnis, *Aquinas. Moral, Political, and Legal Theory*, op. cit., 64; idem, *Intentions and Objects*, in *The Collected Essays*, op. cit., vol. II, 152–172.

one might reasonably claim that death is not just one of side-effects of what the martyr does – in fact it is not a side-effect of the choice of the martyr, but rather the act of martyr is a kind of answer to a death threat. On the ground of Aquinas' text in this case in no sense is death anything *caused* by the martyr (neither voluntarily, nor involuntarily). It is what one in some way *suffers* – and as such, i.e. as *something suffered* or *sustained*, and as *something unjustly inflicted to one*, it belongs to the proper object of his action. And using the words: 'unjustly inflicted' here, I mean: 'inflicted to an innocent'. Granted that death should be understood as something entering the essential description of the action, and not as merely incidentally accompanying the action. Yet that would mean martyrdom is not doing in the (A₃) sense (according to Finnis' distinction), but rather in the (A₂).²⁶

It should be stressed that *death as such* is an evil, and as such is not anything eligible. The absolutely first principle of practical reason, directing us to do good and to avoid evil, as well as the demand, connected with the principle, not to intend or choose or otherwise will to violate any of the basic human goods – exclude intentional committing (doing) evil. Yet it does not exclude such an intentional action as: *sustaining evil that happens to one*. There is certainly a number of cases of sustaining one's death, where even if the intention is good, nevertheless the action is not good at all. Take an example of someone who incautiously exposes oneself to mortal danger by going in for some extreme sports. Or one who does not flee from a dangerous element, although it is possible and necessary, only so as not to leave one's possessions. In the case of martyrdom, however, when the only alternative option offers doing evil, particularly consisting in intentional violating some absolute moral norm, sustaining one's death turns out to be a good action.²⁷ An action which, being a sustaining of one's own death as an innocent, may be also described as: a just sticking to justice and truth, an uncompromising opposition to vile from a part of the oppressor, and bearing testimony to the truth.²⁸ All these descriptions, which are descriptions of one and the

²⁶ Thomas Aquinas, *Summa theologiae*, op. cit., II–II q. 124, a. 3 co.

²⁷ See Idem, *Sententia libri Ethicorum* 3, l. 2, n. 4.

²⁸ Idem, *Summa theologiae*, op. cit., II–II q. 124.

same act, state something that the martyr intentionally and voluntarily *does* and *chooses* (*eligit*, as Aquinas explicitly says²⁹), and not merely accepts.

Considering this should also help resolve other cases regarded as doubtful. If then Socrates' choice was not a choice to commit suicide, it was not because he was but accepting his own death as a side-effect, nor because it was some (admirable or not) self-sacrificing. Rather it was an act which can be described as: bearing his own death as something – as he regarded – justly inflicted, an execution of a sentence that was passed according to a just law, and punishment for a disobedience; and thus is the act: suffering of a punishment, keeping some kind of contract with the Athenians (as he recognizes it) and obedience to the law – i.e. an act of justice.³⁰ On the other hand, if one's suffering an unjustly inflicted death as a consequence of her own provoking others to kill her is not an act of martyrdom, it is not *simply* because she wants her *death*. But the point is: *how* does she want it, or: what is her concern in it, in what sense is she interested in it? For her crucial difference to a martyr comes into light with a question: whether she wants to *suffer* (an unjustly inflicted) her own death, or: to *inflict* it (or contribute to it, or use other people to inflict it to her).

The last example in particular shows something, as I presume, meaningful for the theory of action. Namely: *it is this very difference* (as: to suffer or to inflict death) *that constitutes proper object of practical reason, of proposal, of choice and of action itself*. For it is something that we might call: *taking some stance on X* (where X is: other person(s), a society, a property or other things distinguishable from actions, as: life, death, health, disease, danger, beauty, play, emotions etc.), and not the X itself – that seems to be *human good (or evil) in a strict sense*. And the differences of human good or evil taken precisely in this sense are capable to be directly translated into differences of species (specific kinds) of action. Such as: the differences between martyrdom

²⁹ *Ibidem*, a. 3 co.

³⁰ See Plato, *Phaedo*, ed. C.J. Rowe, Cambridge 1993, 98c–99a; *Crito*, transl. C. Woods, R. Pack, San Francisco 2010, 2007, 48a–50a.

and suicide. Such descriptions of kinds of actions then are ready to be connected with more general descriptions of acts of virtues or vices.

Such an account of martyrdom might be connected with the teaching in the encyclical *Veritatis Splendor*. As the Pope says, an uncompromising defence of absolute moral norms is a condition for the existence of human freedom; and not only does it not limit freedom, but indeed, it confirms it and savages it. For whatever pressure is brought to bear, one is always free to choose good and reject doing evil.³¹ And a free choice to sustain an unjustly inflicted death for the sake of truth and faith is in these circumstances free choice of a good intentional action.

IV

The above considerations, as I think, show that in Aquinas' teaching there is a considerable space for such a kind of sustaining of violation of basic human good which is not doing something of the (A₃) type. Concerning that basic human goods turn out to be related to voluntary acts in some a bit more complicated way than in one presumed within Finnis-Grisez-Boyle typology. The conclusions that arise from the analyses are significant for the issue of the very nature of human action, and its specification by its object, particularly in the case of actions consisting of a sacrifice of some basic human good for the sake of another in a way which is not vile, but indeed noble. There seem to be some cases, where the distinction of the proper and the side-effect is not applicable, which require some other distinct explanation.

REFERENCE

Alvarez D., *Disputationes theologicae in Primam Secundae Sancti Thomae*, Trani 1616.

Anscombe G.E.M., *Action, Intention and 'Double Effect'*, in: *Human Life, Action and Ethics*, ed. M. Geach, L. Gormally, St Andrews, Exeter 2005, 207–226.

³¹ John Paul II, *Veritatis Splendor*, 52, 96.

- Anscombe G.E.M., *War and Murder*, in: *The Collected Philosophical Papers*, vol. III, Oxford 1981, 51–61.
- Aristotle, *Ethica Nicomachea*, in: *Aristotelis Opera*, vol. II, ex recensione I. Bekkeri, editio secunda quam curavit O. Gigon, Berolini 1960.
- Cavanaugh T.A., *Double Effect Reasoning. Doing Good and Avoiding Evil*, Oxford 2006.
- Chyrowicz B., *O sytuacjach bez wyjścia w etyce. Dylematy moralne: ich natura, rodzaje i sposoby rozstrzygnięcia*, Kraków 2008.
- Chyrowicz B., *Zamiar i skutki: filozoficzna analiza zasady podwójnego skutku*, Lublin 1997.
- Daube D., *The Linguistics of Suicide*, *Philosophy and Public Affairs* 1(1972)4, 318–421.
- Durkheim É., *Le Suicide: étude de sociologie*, Paris 1897.
- Finnis J., 'Direct' and 'Indirect' in Action, in: *The Collected Essays*, vol. II, Oxford 2011, 235–268.
- Finnis J., 'Is' and 'Ought' in Aquinas, in: *The Collected Essays*, vol. I, Oxford 2011, 144–155.
- Finnis J., *Aquinas. Moral, Political, and Legal Theory*, Oxford 1998.
- Finnis J., Boyle J., Grisez G. *Nuclear Deterrence, Morality and Realism*, Oxford 1987.
- Finnis J., *Intention and Side Effects*, in: *The Collected Essays*, vol. II, Oxford 2011, 173–197.
- Finnis J., *Moral Absolutes: The Tradition, Revision and Truth*, Washington D.C. 1991.
- Finnis J., *Natural Law and Natural Rights*, II ed., Oxford 2011 (I ed. 1980).
- Finnis J., *Reflections and Responses*, in: *Reason, Morality and Law. Philosophy of John Finnis*, ed. K. Keown, R.P. George, Oxford University Press, Oxford 2013, 459–584.
- Finnis J., *The Collected Essays*, vol. I–V, Oxford 2011.
- Finnis J., *The Rights and Wrongs of Abortion*, in: *The Collected Essays*, vol. III, Oxford 2011, 282–306.
- Foot Ph., *Vitruus and Vices and other essays in moral philosophy*, University of California Press, Berkeley 1978.

- Foot Ph., *The Problem of Abortion and the Doctrine of the Double Effect*, in: *Ethics. Problems and Principles*, ed. J.M. Fischer, M. Ravizza, Fort Worth 1992, 59–67.
- Gormally L., *Intention and Side Effects. John Finnis and Elizabeth Anscombe*, in: *Reason, Morality and Law. Philosophy of John Finnis*, ed. K. Keown, R.P. George, Oxford 2013, 93–108.
- Holland R.F., *Suicide*, in: *Moral Dilemmas*, ed. R. Purtill, California 1985, 94–102.
- John Paul II, *Veritatis Splendor*, Vatican 1993 (text on-line: http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html).
- Kenny A., *Philippa Foot on Double Effect*, in: *Virtues and Reasons. Philippa Foot and the Moral Theory*, ed. R. Hursthouse, G. Lawrence, W.S. Quinn, Oxford 1995, 77–87.
- Kupfer J., *Suicide: Its Nature and Evaluation*, *The Journals of Value Inquiry* 24(1990), 68–71.
- Martinez G., *Commentaria super Primam Secundae D.Thomae*, vol. II, Toleti 1622.
- Plato, *Crito*, transl. C. Woods, R. Pack, San Francisco 2007–2010.
- Plato, *Phaedo*, ed. C.J. Rowe, Cambridge 1993.
- Rhonheimer M., *Vital Conflicts in Medical Ethics: A Virtue Approach to Craniotomy and Tubal Pregnancies*, Washington D.C. 2009.
- Stern-Gillet S., *The Rhetoric of Suicide*, *Philosophy and Rhetoric* 20(1987)3, 160–170.
- The Doctrine of Double Effect. Philosophers Debate a Controversial Moral Principle*, ed. P.A. Woodward, Notre Dame IN 2000.
- Thomas de Aquino, *Quaestiones disputatae de veritate*, in *Sancti Thomae Aquinatis Opera omnia*, vol. III, curante R. Busa, Stuttgart – Bad Cannstatt 1980.
- Thomas de Aquino, *Sententia libri Ethicorum*, *Sancti Thomae Aquinatis Opera omnia*, vol. IV, curante R. Busa, Stuttgart – Bad Cannstatt 1980.
- Thomas de Aquino, *Summa theologiae*, in : *Sancti Thomae Aquinatis Opera omnia*, vol. II, curante R. Busa, Stuttgart – Bad Cannstatt 1980.