

Josef Seifert

The Splendor of Truth and Intrinsically Immortal Acts I : A philosophical Defense of the Rejections of Proportionalism and Consequentialism in «Veritatis Splendor»

Studia Philosophiae Christianae 51/2, 27-67

2015

Artykuł został opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

JOSEF SEIFERT

THE SPLENDOR OF TRUTH AND INTRINSICALLY IMMORAL ACTS I: A PHILOSOPHICAL DEFENSE OF THE REJECTION OF PROPORTIONALISM AND CONSEQUENTIALISM IN *VERITATIS SPLENDOR**

Abstract. The present article is the first part of a paper that was delivered, in an abbreviated form, as keynote address, December 16, at the Conference “Ethics of Moral Absolutes Twenty years after *Veritatis Splendor*, Warsaw 16th–17th December 2013. Containing the word truth in its name, the Encyclical insists that human freedom is based on the foundation of truth. Therefore, even though

* The present article is the first part of a paper that was delivered, in an abbreviated form, as keynote address, December 16, at the Conference *Ethics of Moral Absolutes Twenty years after ‘Veritatis splendor’*, Warsaw 16th–17th December 2013. As the text was too long for inclusion in the proceedings of the conference, I decided to divide it into two articles. The following is the first part of the original paper.

I had published several papers closely related to the content of this essay and given a number of lectures on the topic before, for example a lecture held on 25.01. 1994 at the University of Augsburg, and later published as *Der Glanz der sittlichen Wahrheit als Fundament in sich schlechter Handlungen. Die Enzyklika “Veritatis Splendor” von Johannes Paul II*, in: *Ethik der Tugenden. Menschliche Grundhaltungen als unverzichtbarer Bestandteil moralischen Handelns. Festschrift für Joachim Piegsa zum 70. Geburtstag*, ed. C. Breuer, Eos 2000, 465–487; *Ontic and Moral Goods and Evils. On the Use and Abuse of Important Ethical Distinctions*, *Anthropotes* 2, Rome 1987; *Absolute Moral Obligations towards Finite Goods as Foundation of Intrinsically Right and Wrong Actions. A Critique of Consequentialist Teleological Ethics: Destruction of Ethics through Moral Theology?*, *Anthropos* 1(1985), 57–94; *Grundhaltung, Tugend und Handlung als ein Grundproblem der Ethik. Würdigung der Entdeckung der sittlichen*

Josef Seifert
seifert@institutoifes.es

International Academy of Philosophy –
Instituto de Filosofía Edith Stein
Paseo de Cartuja 49, Granada 18011, Spain

the judgment of conscience represents the highest subjective norm for moral actions, our first obligation is that our conscience itself conform to the truth and base itself on its knowledge. Even in the case in which an erring conscience obliges or frees us to commit what we deem to be good or permitted, this is only true in virtue of the sincerity and authenticity of a person searching the truth as foundation of the voice of conscience. In other words, conscience receives its extraordinary ultimate subjective moral authority only – even if it is based on error – from the truth which it always must intend as ground of its verdict. In the following, I will try to show by purely philosophical reflections that these fundamental tenets of *Veritatis Splendor* are not merely based on the Holy Scripture and Church teaching, but can also be shown to be true by philosophical reason.

Keywords: intrinsically good and evil acts, consequentialist ethics, teleological ethics, moral absolutes

1. Do not be conformed to this world. 2. The main theses of a ‘teleological’ foundation of moral norms. 3. The general and specific consequences of consequentialist ethics (Güterabwägungsethik) for moral life. 4. Immanent critique of ‘consequentialist ethics’: its contents and implications, contradictions, and silent admissions. 5. Immanent critique properly speaking of the position of ‘teleological ethics’. 6. Transcendent critique of a ‘purely teleological’ ethics. 6.1. Serious difficulties for an ethics of moral absolutes, which seem to speak for purely teleological ethics. 6.2. Is there a legitimate ‘personalistic teleologism’ which is opposed to ‘teleological’ consequentialism? 7. Critique of the central thesis that no finite good could ground absolute imperatives in the moral sense of the term. 7.1. Absolutely required inner responses to non-absolute goods. 7.2. A radical equivocation of ‘absolute’ at the root of the chief argument of teleological ethics. 7.3. There are intrinsically good and evil acts.

*Grundhaltung durch Dietrich von Hildebrand und kritische Untersuchung der Lehre von der ‘Fundamentaloption’ innerhalb der ‘rein teleologischen’ Begründung der Ethik, in: Ethik der Tugenden. Menschliche Grundhaltungen als unverzichtbarer Bestandteil moralischen Handelns. Festschrift für Joachim Piegsa zum 70. Geburtstag, op. cit., 311–360; Gott und die Sittlichkeit innerweltlichen Handelns. Kritische philosophische Reflexionen über den Einfluss anthropomorpher und agnostischer Gottesvorstellungen auf Ethik und Moraltheologie, Forum Katholische Theologie 1(1985)1, 27–47. On an evaluation of this Encyclical in a context of Church history, see also S. Gregg, *Veritatis Splendor: The Encyclical that Mattered*, Crisis, April 16, 2013. Also on Internet (<http://www.crisismagazine.com/2013/veritatis-splendor-the-encyclical-that-mattered>).*

1. DO NOT BE CONFORMED TO THIS WORLD

“Do not be conformed to this world” (*Rom 12:2*). This word of the Apostle quoted as title of chapter II of *Veritatis Splendor* could be regarded as its Motto. For through this Encyclical letter of Pope John Paul II the Church once again reconfirmed its strict resistance to any attempt to adapt the eternal moral teachings of the Church to the *Zeitgeist* that had penetrated deeply into Catholic moral theology and threatened to undermine two pillars on which the moral teachings of the Church rest: 1) the objectivity of moral values;¹ and 2) the consequence of the splendor of truth and of persons: namely that any disrespect and attack on any person, whether God or a human person, is always and everywhere morally wrong, is an *intrinsece malum* under all circumstances. *Veritatis Splendor* constitutes an unambiguous and resilient reconfirmation of these two columns of Catholic moral teaching.

Not only among the inner attitudes and fundamental moral options some are always good, such as gratitude and love, others always evil, such as hatred, ingratitude or envy. Rather, *Veritatis Splendor* stresses that absolute moral calls and universally binding and exceptionless obligations, which must never be disobeyed, also refer to the sphere of external human actions, whose moral character as well can never be judged solely in terms of the sum-total of their consequences.² Any attempt to separate the fundamental option or the fundamental moral attitude from the moral goodness of actions, denying that the latter could be intrinsically, i.e., by their essence and essential end (*finis operis*), morally wrong, is, so the Encyclical, misguided and gravely erroneous.³

Containing the word truth in its name, the Encyclical insists that human freedom is based on the foundation of truth. Therefore, even though the judgment of conscience represents the highest subjective

¹ See *Veritatis Splendor*, 53, where any historical and cultural relativism is sharply rejected, while acknowledging the important role of nature history.

² The entire second chapter, section 2 of *Veritatis Splendor* (54–64) develops this thesis.

³ Such a view creates a false Manichean contrast between inner positive fundamental moral options and outward-directed actions which would not possess any unchanging positive or negative moral significance.

norm for moral actions, our first obligation is that our conscience itself conform to the truth and base itself on its knowledge. Even in the case in which an erring conscience obliges or frees us to commit what we deem to be good or permitted, this is only true in virtue of the sincerity and authenticity of a person searching the truth as foundation of the voice of conscience. In other words, conscience receives its extraordinary ultimate subjective moral authority only – even if it is based on error – from the truth which it always must intend as ground of its verdict.

In the following, I will try to show by purely philosophical reflections that these fundamental tenets of *Veritatis Splendor* are not merely based on the Holy Scripture and Church teaching, but can also be shown to be true by philosophical reason.⁴ The Encyclical itself, quoting Rom 2:14–15, stresses this in no uncertain terms, referring to the Biblical teaching on a natural law inscribed in every human heart of any human being.⁵

⁴ The following section of this paper follows to a large extent in content and wording an article that I had written long before the publication of *Veritatis Splendor* and discussed on various occasions with Pope John Paul II. See J. Seifert, *Absolute Moral Obligations towards Finite Goods as Foundation of Intrinsically Right and Wrong Actions. A Critique of Consequentialist Teleological Ethics: Destruction of Ethics through Moral Theology?*, *Anthropotes* 1(1985), 57–94. This paper also served as background for J. Seifert, *The Philosophical Diseases of Medicine and Their Cure. Philosophy and Ethics of Medicine*, vol. 1: *Foundations. Philosophy and Medicine*, vol. 82, Springer, New York 2004, Kluwer online e-book, 2005, chapter 6.

⁵ *Veritatis Splendor*: “The relationship between man’s freedom and God’s law is most deeply lived out in the »heart« of the person, in his moral conscience. As the Second Vatican Council observed: »In the depths of his conscience man detects a law which he does not impose on himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience can when necessary speak to his heart more specifically: ‘do this, shun that’. For man has in his heart a law written by God. To obey it is the very dignity of man; according to it he will be judged (cf. *Rom* 2:14–16)«.” *Veritatis Splendor*, 54.

The Encyclical speaks in many other passages on the natural and philosophical knowledge of moral good and evil and the moral law. It begins with the words: “The splendour of truth shines forth in all the works of the Creator and, in a special way, in man, created in the image and likeness of God (cf. *Gen* 1:26). Truth enlightens man’s intelligence and shapes his freedom, leading him to know and love the Lord. Hence the Psalmist prays: »Let the light of your face shine on us, O Lord« (Ps 4,6).” *Veritatis Splendor*, Prooemium. See likewise the following texts from *Veritatis Splendor*: “The Church’s moral reflection, always conducted in the light of Christ, the »Good

Teacher», has also developed in the specific form of the theological science called »*moral theology*«, a science which accepts and examines Divine Revelation while at the same time responding to the demands of human reason.” Ibid., 29.

“As is immediately evident, *the crisis of truth* is not unconnected with this development. Once the idea of a universal truth about the good, knowable by human reason, is lost, inevitably the notion of conscience also changes. Conscience is no longer considered in its primordial reality as an act of a person’s intelligence, the function of which is to apply the universal knowledge of the good in a specific situation and thus to express a judgment about the right conduct to be chosen here and now. Instead, there is a tendency to grant to the individual conscience the prerogative of independently determining the criteria of good and evil and then acting accordingly. Such an outlook is quite congenial to an individualist ethic, wherein each individual is faced with his own truth, different from the truth of others. Taken to its extreme consequences, this individualism leads to a denial of the very idea of human nature.

These different notions are at the origin of currents of thought which posit a radical opposition between moral law and conscience, and between nature and freedom.” Ibid., 32. See likewise Ibid., 36, on the notion of autonomism and human reason, a philosophical section of *Veritatis Splendor*, 40 on rational knowledge of good and evil.

“But in order to accomplish this he must *be able to distinguish good from evil*. And this takes place above all *thanks to the light of natural reason*, the reflection in man of the splendour of God’s countenance.” Ibid., 42. See on the same theme also *Veritatis Splendor*, 44.

“Precisely because of this “truth” *the natural law involves universality*. Inasmuch as it is inscribed in the rational nature of the person, it makes itself felt to all beings endowed with reason and living in history. In order to perfect himself in his specific order, the person must do good and avoid evil, be concerned for the transmission and preservation of life, refine and develop the riches of the material world, cultivate social life, seek truth, practise good and contemplate beauty.” Ibid., 51

“This first principle of practical reason is part of the natural law; indeed it constitutes the very foundation of the natural law, inasmuch as it expresses that primordial insight about good and evil, that reflection of God’s creative wisdom which, like an imperishable spark (*scintilla animae*), shines in the heart of every man.” Ibid., 59.

And the knowledge of moral good and evil through the two wings, reason and faith, is emphasized again: “Reason attests that there are objects of the human act which are by their nature »incapable of being ordered« to God, because they radically contradict the good of the person made in his image. These are the acts which, in the Church’s moral tradition, have been termed »intrinsically evil« (*intrinsece malum*): they are such *always and per se*, in other words, on account of their very object, and quite apart from the ulterior intentions of the one acting and the circumstances. Consequently, without in the least denying the influence on morality exercised by circumstances and especially by intentions, the Church teaches that »there exist acts which *per se* and in

2. THE MAIN THESES OF A 'TELEOLOGICAL' FOUNDATION OF MORAL NORMS

First, we ought to understand the main theses of the 'purely teleological ethics' (which was rejected in *Veritatis Splendor*):

(1) Intending to refer exclusively to the interhuman (creature-related) sphere of (external) moral actions, the 'purely teleological ethics' denies that any action towards oneself or towards other men (finite goods) should be judged morally except in terms of the sum of its (foreseeable)

themselves, independently of circumstances, are always seriously wrong by reason of their object." Ibid., 80.

Again, *Veritatis Splendor* emphasizes that precisely the openness of the moral law to natural reason is the condition for its addressing itself to *all men* and being the foundation of peace and democracy: "This service is directed to *every man*, considered in the uniqueness and singularity of his being and existence: only by obedience to universal moral norms does man find full confirmation of his personal uniqueness and the possibility of authentic moral growth. For this very reason, this service is also directed to *all mankind*: it is not only for individuals but also for the community, for society as such. These norms in fact represent the unshakable foundation and solid guarantee of a just and peaceful human coexistence, and hence of genuine democracy, which can come into being and develop only on the basis of the equality of all its members, who possess common rights and duties." Ibid., 96. And again, Ibid., 109 adds important clarifications on the relation between faith and reason: "By its nature, faith appeals to reason because it reveals to man the truth of his destiny and the way to attain it. Revealed truth, to be sure, surpasses our telling. All our concepts fall short of its ultimately unfathomable grandeur (cf. Eph 3,19). Nonetheless, revealed truth beckons reason – God's gift fashioned for the assimilation of truth – to enter into its light and thereby come to understand in a certain measure what it has believed." Ibid., 109.

Veritatis Splendor, Note 94, also cites the II Vatican Council on this: Cf. Second Vatican Ecumenical Council, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, 10; Sacred Congregation for the Doctrine of the Faith, Declaration on Certain Questions Concerning Sexual Ethics *Persona Humana* (December 29, 1975), 4: *AAS* 68 (1976), 80: "But in fact, divine Revelation and, in its own proper order, philosophical wisdom, emphasize the authentic exigencies of human nature. They thereby necessarily manifest the existence of immutable laws inscribed in the constitutive elements of human nature and which are revealed to be identical in all beings endowed with reason." Ibid., Note 94.

See also the comments of Leo Scheffczyk in Papst Johannes Paul II, *Veritatis Splendor: Der Glanz der Wahrheit. Mit einem Kommentar von Leo Scheffczyk*, Christiana-Verlag, Stein a. R. 1993.

consequences. Thus in medical ethics, for example, only the consequences of a *Güterabwägung* (weighing conflicting goods and evils against each other in light of the principle of proportionality which becomes the chief principle for ethical choices) and no general abstract norms could teach us whether a concrete incident of a given species of acts, such as contraception, abortion, euthanasia, assisted suicide, or torture, is wrong.

As will be seen, this theory of ethics combines some utilitarian moral philosophy, applied to the ethical theory of external action, with some deontological and even Kantian ethics which explores a sphere of pure interiority: intentions, fundamental options, and other absolute conditions of morality which cannot be derived from consequences of moral behaviour.⁶

⁶ Neither from the results of single actions, as act utilitarianism would hold, nor from the consequences of one's behavior towards rules, as 'rule utilitarianism' would have it. The notion of rule utilitarianism as well as the critique of its sufficiency as ethical theory in view of principles of justice and fairness was developed by John Rawls. See, for example, J. Rawls, *Two Concepts of Rules*, *Phil Rev* 64(1955), 3–32. See on this also J. Margolis, *Rule Utilitarianism*, *Austl J Phil* 43(1965), 220–225. Margolis tries to show in which cases Rawls's restrictions on utilitarian considerations do not hold and why it is "inherently impossible to distinguish rule-utilitarianism from act-utilitarianism." For a defense of rule utilitarianism see J.C. Harsanyi, *Rule Utilitarianism, Rights, Obligations and the Theory of Rational Behavior*, *Theor Decis* (1980)12, 115–133. The author seeks to work out the difference between 'act' utilitarianism and 'rule' utilitarianism by use of game-theoretical concepts. Act utilitarianism is in his view a 'noncooperative' game. In contrast, for rule utilitarianism, he thinks, moral behavior is a 'cooperative' game; thereby he seeks to avoid that human rights and obligations be overridden by considerations of social expediency. In reality, as we will see, this is untenable. Other authors distinguish still further kinds of utilitarianism, for example J. Harrison in his *Rule Utilitarianism and Cumulative-Effect Utilitarianism*, *Can J Phil SUPP* (1979)5, 21–45, where "the author distinguishes between rule utilitarianism, ideal-rule utilitarianism and cumulative-effect utilitarianism."

We shall reach the conclusion that these two heterogeneous ethical theories of consequentialism and transcendental ethics which 'teleological ethics' attempts to fuse into one are incompatible with each other and are both false. This conference will center first and mainly on the consequentialist element in the theory under discussion which is its dominant and most influential aspect. It will investigate it from a purely philosophical point of view that fully coincides with the position of the Catholic Magisterium expounded in *Veritatis Splendor*.

(2) The choice of a concrete action in terms of its consequences ought to be guided solely by the principle of the proportionality of the goods and evils that will be realized by the intended over against alternative actions (including their causal results). The action, which in itself, and/or in its foreseeable consequences, leads to the greatest good or to a lesser evil, is then to be preferred over any other action.

(3) The value standard which underlies this ethics is no longer necessarily the old utilitarian principle – the greatest pleasure for the greatest number – since non-hedonistic values are admitted by a new ‘ideal (value) utilitarianism’. Some of the authors defending the teleological position even grant that there are rational intuitions into a hierarchy of contingent goods and values.⁷

(4) From the preceding points (especially 1 or 2) it follows that there are no actions, which have human beings or other finite goods as their object and which would be intrinsically – and therefore always (*ut in omnibus*) – morally wrong or morally right. At the most, interhuman actions could be called right or wrong in the majority of cases: *ut in pluribus*.⁸

(5) Of the many reasons advanced in support of this consequentialist ethics, the one that constitutes its chief metaphysical-theological argument is that non-absolute, i.e., finite, goods cannot impose absolute moral obligations. Because it is always possible that limited goods compete with other limited goods and are mutually exclusive (*concurrentiality*), any limited good ought to be sacrificed for the sake of a higher good in the case of a conflict between them, in accordance with the principle of *Güterabwägung* (weighing conflicting goods against each other in light of the principle of proportionality which becomes the chief principle for

⁷ See J. Harrison, op. cit.

⁸ This very same position derives also from the very different empiricist epistemological assumptions, according to which any strictly universal principles and necessary synthetic propositions have to be rejected. If this empiricist premise were true, universal apodictic moral laws, which could not be falsified by future experience, would have to be denied. For a critique of such an epistemology, see D. von Hildebrand, *What is Philosophy?*, 3rd ed., with a New Introductory Essay by J. Seifert, Routledge, London 1991; *Che cos'è la filosofia?/What Is Philosophy?*, English-Italian, Bompiani Testi a fronte, Milano 2001, ch. 4.

ethical choices). To treat a limited good as being worthy of unconditional absolute respect is to idolize it.⁹

(6) All those undeniably universal moral imperatives which demand or forbid actions absolutely and under all circumstances are really non-informative and merely analytic propositions. Ethical commands such as “thou shalt not murder the unborn or the old” really mean nothing but: an immoral way of killing (only that is what according to this view ‘murder’ means) is always forbidden but it does not tell us whether all deliberate killing of the unborn or elderly *is* such a wrong killing;¹⁰ The predicate in such analytic imperatives only repeats what the concept of the subject already contained by definition: immoral untrue statements are immoral, etc.¹¹

3. THE GENERAL AND SPECIFIC CONSEQUENCES OF CONSEQUENTIALIST ETHICS (GÜTERABWÄGUNGSETHIK) FOR MORAL LIFE

Prior to actually entering into a critique of the ambiguously named “teleological ethics,”¹² the main consequences of such an ethics must

⁹ See J. Fuchs, *Das Gottesbild und die Moral innerweltlichen Handelns*, Stimmen der Zeit Bd. 202 Jg. 109(1984)6, 363–382.

¹⁰ The imperative “thou shalt nor lie” only says: “to tell untruth to your patients when this is immoral (i.e., to lie) is always sinful.” This is certainly correct, these authors would claim, but it does not tell us anything about a describable action such as telling the untruth or taking away one’s neighbor’s life or property.

¹¹ See the phenomenological rethinking of the difference between analytic and synthetic a priori in Dietrich von Hildebrand, *What Is Philosophy?*, op. cit.; F. Wenisch, *Insight and Objective Necessity – A Demonstration of the Existence of Propositions Which Are Simultaneously Informative and Necessarily True?*, *Aletheia* 4(1988), 107–97; J. Seifert, *Was ist Philosophie? Die Antwort der Realistischen Phänomenologie*, *Zeitschrift für philosophische Forschung* 49(1995)1, 92–103; the same author, *Erkenntnis objektiver Wahrheit*, Salzburg – München 1972.

¹² It is ambiguously named, or misnamed teleological ethics, because this term evokes the entirely wrong impression that this position is in keeping with the Aristotelian-Thomist understanding of teleology and proportionality, while it contradicts the latter radically. The Encyclical builds in this respect on Thomistic insights about the Constitution of the essence of a moral action by the its unsolvable link to its objective end (*finis operis*) and

be pointed out. Only a few of these consequences will be treated in greater detail.

(1) According to the described ethical position there is no general type of human action (such as killing the innocent, active euthanasia, abortion, assistance to suicide, telling a lie to patients, etc.) which would be morally wrong intrinsically and always: Any of these acts would be permitted when their consequences justify them, nay, all types of human action (including, for example, a surgeon's accusing his innocent nurse of his own crime so as to produce her being innocently condemned) can not only become morally permitted but morally good and obligatory when their consequences call for them. (This follows at least from the principles of this ethics.¹³)

(2) Not only is there no longer any general type of action which would be intrinsically right (good) or wrong (evil), but no concrete individual act in any concrete situation can ever be intrinsically wrong in such a way that the consequences could not – if they change – justify it. Even an abortion carried out in order not to become overweight – an example of a concrete action which some adherents of consequentialist/teleological ethics quote as an instance of an action which they regard as always being wrong – could become good through its consequences. For instance preventing a husband (who is adamantly opposed to living with his wife if she loses her slim figure) from leaving the family, or from committing an action which is worse than the death of a child, could justify an abortion committed in order to avoid a gain in weight.¹⁴

cited in the context of the last personalist justification for the thesis that the love increases and does not lessen moral demands. It cites the words of Jesus from the Gospel of John: "If ye keep my commandments, you in my love will remain" (Jn. 15(10)). We are reminded here also of the words of the letter of Saint John that everyone who says he loves God, but does not keep the commandments, is a liar. *Veritatis Splendor*, 24. See also J. Seifert, *Natural Law: Persons Are United through Ends: Seven Different Relations between Persons and Ends and Their Relation to Natural Law and Community of Persons*, Revista Española de Teología, Facultad de Teología "San Damaso" 67(2007), 149–163.

¹³ Even if some of the defenders of the teleological position seek to except actions such as leading others to sin, which Bernhard Schüller, for example, regards as always and intrinsically evil.

¹⁴ As soon as one ceases to regard any particular action and consequence in abstraction, and begins to consider it in its causal context, consequentialist teleological

Hence, ethical ‘teleologism’ denies ‘intrinsically wrong (or right) actions’ in two senses. Neither any general type of action nor any concrete action in individual circumstances can, according to this position, ever be right or wrong in itself, i.e., regardless of its consequences.

(3) Not even intrinsically good (right) acts in a third (weakest) sense can be defended by a purely teleological ethics but only the end of history can reveal the moral character of acts: Franz Scholz (with others) would perhaps admit that no action can be intrinsically right or wrong in any of the first two senses but reply that this position does not lead to a destruction of morality because it recognizes a third sense in which actions can be ‘intrinsically right’ or ‘wrong’. The adequate response to the entirety of goods at stake (Scholz applies here Augustine’s conception of the *ordo amoris*, the order of right love) bears a moral value that cannot be altered by the actual consequences of a deed when it is performed in good conscience and after deliberation in the face of all foreseen consequences.¹⁵

This attempt, however, to make a transition from consequentialist extrinsicism (as William May calls it) to the ‘interior moral value’ of an

ethics can no longer admit that such a concrete action possesses any intrinsic moral predicate which it cannot or could not lose through future consequences that have no essential and intrinsic relation to the action itself.

The reason why the teleological theory cannot but ultimately dissolve any intrinsic moral character of concrete external actions is found in the fact that external actions are always integrated into wider and possibly changing causal and motivational-historical relationships with other events. Thus they must, from a consequentialist point of view, never be considered ‘abstractly’, i.e., in separation from the entirety of their future consequences. Therefore, no action would be complete in itself, a unity to be judged according to its inner rightness or wrongness in relation to its immediate object, end, and foreseen consequences. Rather, according to consequentialism, an action will continue to receive changing moral characteristics throughout the entire future. Therefore, no individual action can have any fixed ethical character that would be determined by its essence and not by its future effects.

¹⁵ If an act of abortion (which as type of act would not be wrong and would not be wrong regardless of its concrete and changing consequences) would be performed concretely in this ‘conscientious weighing of good versus bad effects’, the act would be intrinsically good. The merely factual (but unforeseeable) consequences cannot turn it morally evil, even when they turn out to be very bad.

action which was chosen on the basis of *Güterabwägung* (the weighing of good versus bad effects), seems to be untenable from the purely teleological point of view because the claim that there is an intrinsic value in realizing the *ordo amoris*, which would be independent of actual consequences, really contradicts the basic thesis of this theory of ethics. This fundamental thesis of the ethical teleologism is well expressed by Franz Böckle: “(...) concrete actions in the interhuman sphere must be *judged solely in view of their consequences* [emphasis mine], i.e., teleologically.”¹⁶

If, however, actions in the interhuman sphere were right or wrong regardless of their factual consequences, they would precisely be judged in light of an inner rightness or wrongness which is quite independent of consequences (even if the intention and effort to realize the immediate object and further consequences of actions is of course very important and even co-decisive for the moral value of an action). For, as we have seen, the causal effects and historical consequences of any human action are never completed as long as history did not end. And if the value or disvalue of a given action such as assistance to suicide depended solely and essentially on the consequences, the moral character of an action would then solely depend on the end of history. An ethics that adopts this viewpoint is thus wholly unable to attribute convincingly any fixed intrinsic moral character to any human action. G. E. Moore draws out convincingly the ethical agnosticism and moral nihilism that follow from a pure consequentialism of the sort he himself defends: “But before proceeding I propose, first, to deal with the third kind of ethical question – the question: What ought we to do? It introduces into Ethics (...) an entirely new question – the question what things are related as causes to that which is good in itself (...). All moral laws, I wish to show, are merely statements that certain kinds of actions will have good effects. The very opposite of this view has been generally prevalent in Ethics. ‘The right’ and ‘the useful’ have been supposed to be at least capable

¹⁶ F. Böckle adds: “This means that in the sphere of moral actions (*virtutes morales*) there can be none which are always morally right or wrong, regardless of what their consequences may be.” F. Böckle, *Werteinsicht und Normbegründung*, Concilium 12(1976)12, 615.

of conflicting with one another, and, at all events, to be essentially distinct (...). In order to show that any action is a duty, it is necessary to know both what are the other conditions, which will, conjointly with it, determine its effects (...) and to know all the events which will be affected by our action throughout an infinite future. We must have all this causal knowledge, and further we must know accurately the degree of value both of the action itself and of all these effects; and must be able to determine how, in conjunction with the other things in the Universe, they will affect its value as an organic whole. And not only this: we must also possess all this knowledge with regard to the effects of every possible alternative; and must then be able to see by comparison that the total value due to the existence of the action in question will be greater than that which would be produced by any of these alternatives. But it is obvious that our causal knowledge is far too incomplete for us ever to assure ourselves of this result. Accordingly it follows that we never have any reason to suppose that an action is our duty.”¹⁷

These agnostic and ethically nihilistic consequences do indeed follow from the view that, to put it as Böckle did, “concrete actions in the interhuman sphere must be judged solely in view of their consequences, i.e., teleologically.”¹⁸

Some authors introduce, in order to demonstrate the fact that Moore exaggerates the human ignorance about the future, the distinction between act utilitarianism and rule utilitarianism. While indeed we cannot foresee the total causal effects of individual deeds, we can well foresee the consequences of general ‘rules’. Insofar then as also individual actions are conceived as expressing general rules, or as strengthening or diminishing the rule-consciousness in society or in an individual,

¹⁷ G. E. Moore, *Principia Ethica*, London 1959, 146–149.

¹⁸ To show the relevance of this view to our subject, no physician or nurse would ever know whether any of their actions of healing or killing their patients would be morally right or wrong because they could not weigh the entirety of good and bad consequences of this action. There is no way to evade the radical ethical agnosticism which follows from this position; above all, there is no way back to the interiority of moral good and evil as depending on the intention, object, and motivation, on the personalistic structure of the moral act itself. The extrinsecism, and the ethical agnosticism consequent thereupon, are complete and radical.

the foreseen ‘rule-related’ effects of human actions provide a viable criterion for the latter’s moral character. Thus a physician – while being unable to foresee the consequences of individual lies to patients about their health – could foresee the consequences it would have for patients at large if they were lied to.

In reply to this objection, it has to be conceded that it is far easier to grasp the future effects of general norms, laws, moral maxims, and so forth on society and on the individual than to foresee natural causal effects of an individual action. Yet, teleological ethics precisely deals primarily with the causal effects of individual deeds that this position wishes to justify in particular situations. For it does not deny the generally good effect of certain types of action or rules but only the universal truth that in all cases (*ut in omnibus*) a rule applies and hence an action of a certain type or a given individual action which violates the rule would be wrong (have wrong effects). In regard to the entirety of effects of such individual actions, however, which teleological ethics wishes to exempt from the general rule, our ignorance is indeed radical, as Moore pointed out.¹⁹

¹⁹ Moreover, while we ourselves will use, in a later argument against teleological ethics, the foreseeability of effects which are intelligibly proceeding from theories such as teleological ethics, and while we grant that our foreknowledge of future effects attains here ‘practical certainty’, this certainty does not apply to the mere facticity of natural effects, or to results conditioned by freedom, but only to the ‘logical’ connection between the content of a theory or proposal and its direct legal, social, or moral consequences. Moreover, a strictly teleological viewpoint still leads to the impossibility of upholding the criterion of effects, even in the case of the intelligible effects of ‘rules’. For the ‘dialectics of history’ makes it quite possible that, for example, the standpoint of teleological ethics will provoke a profound ethical renewal that will have tremendously good consequences. Thus, even in the most predictable of cases, the foreseeable ‘intelligible’ consequences of a ‘rule’ are only those which follow from the rule’s inner logic, not those which involve freedom and which may go radically against the logic of the direct and intelligible consequences, as history teaches. A strict and universal consequentialism, however, would also have to take into account these entirely unpredictable historical reactions and consequences of theories and general maxims. Hence, also from the standpoint of rule utilitarianism, each moral agent will have to be either omniscient and know all future consequences of his and other actions or he will act without any sound reason as long as he remains a ‘teleologist’.

G. E. Moore realized and accepted this consequence and, for this reason, was a much more coherent philosophical thinker than those modern consequentialists who seek to avoid acknowledging of this consequence (which, of course, is so devastating for ethics that even G. E. Moore tries to get around it in some fashion by introducing the principle of “organic unity”).²⁰

(4) Radical ignorance about our obligations: A further conclusion to be drawn from the consequentialist position would be that we are radically ignorant as to what concretely is our duty. This, as Moore clearly sees, could be neither certain nor probable if the goodness of our actions depended on the entirety of their future consequences. Hence we could never know, as Moore puts it, whether any action is our duty.²¹

If really the sum-total of the values found in the consequences themselves were to provide the criterion for the goodness of an act, the most radical extrinsecism would follow: only the end of history could reveal the moral character of human acts such as giving deadly injections to patients, even against their present will (if they have previously signed a ‘living will’ or a ‘living will by proxy’ to the opposite), as this is reported happening in some hospitals today; and the moral value of such acts would be completely determined from without, without any relationship to the personal act *qua* personal. For an interesting analysis of the effects of rule utilitarianism on problems of euthanasia and medical ethics see G.W. Trianosky, *Rule-Utilitarianism and the Slippery Slope*, *J Phil* 75(1978), 414–424. See on this my paper, *Ontic and Moral Goods and Evils. On the Use and Abuse of Important Ethical Distinctions*, *Anthropotes* 2, Rome 1987.

²⁰ G. E. Moore, *Principia Ethica*, op. cit., ch. 5, 167, 146–147. Yet, as shall be shown, the thesis that the moral character of an action depends solely on the latter’s causal effects contradicts precisely the datum of good and evil. As Kierkegaard put it in a similar context, namely his critique of Hegel’s consequentialist ‘ethics of worldhistorical personalities’: “the best king and the worst tyrant can cause the same catastrophe (...) the well intentioned and the evil deed can bring about the same consequence.” S. Kierkegaard, *Concluding Unscientific Postscript*, transl. by D.F. Swenson, completed, with an introduction and notes by W. Lowrie, Princeton University Press, Princeton 1994, I, “Becoming Subjective.”

²¹ See G.E.Moore, op. cit., 146: “To ask what kind of actions we ought to perform, or what kind of conduct is right is to ask what effects such action and conduct will produce.” *Ibid.*, 149: “it is obvious that our causal knowledge is far too incomplete for us to ever assure ourselves of this result. Accordingly it follows that we never have any reason to suppose that an action is our duty. We can never be sure that any action will produce the greatest value possible”.

(5) and (6) The difference between morally good and extramorally good acts, as well as the distinction between obligatory, supererogatory, good but nonobligatory, and merely permitted acts is denied by ‘universalteleological’ ethics: The difference between morally good acts and extramorally good acts (for instance, helping the poor versus building a bank to make more money), as well as the difference between morally permitted and obligatory actions will be dissolved in consequence of this theory. The latter consequence comes clearly to the fore in Bernhard Schüller who denies the difference between commandments and (evangelical) counsels for this reason.²² Such a position logically follows from consequentialism because among the future consequences, all of which determine the moral quality of an act, there will always be morally relevant and obligatory goods. In fact, morally nonrelevant goods can no longer be distinguished from morally relevant goods because each good must be considered, according to this theory, in its causal link to

Also, if only the consequences were decisive for the moral value of our action, the difference between foreseeable and unforeseeable consequences would dissolve because we do foresee that, in principle, an infinite number of consequences may result from most actions (for example, from having or from aborting a child), while we are totally ignorant of the content of these simultaneously foreseeable (in principle) and unforeseeable (concretely) consequences. It would also be totally unknown to us whether the good effects of our abortion will ultimately outweigh the bad ones (which would be the case, for example, if we aborted a future Hitler).

If, however, foreseeable consequences (as distinct from the object and state of affairs directly intended in the action) are only one among other factors to account for the moral character of an action, or, rather, if the decisive factor that determines the moral quality of an action never consists in the consequences as such but in the justice and adequacy of an agent’s response to directly intended objects and consequences of his action, then the need to consider all foreseeable consequences does not lead to any of the absurd implications of purely teleological or consequentialist ethics. For then, the primary justification of the act does not lie in its consequences but in its essential directedness to its immediate object, and even the conscious relation to the consequences of our acts then influences the moral character of an action only by the adequacy of the conscious response to the foreseeable consequences, not by the purely objective causal bond and usefulness of the action as such.

²² See B. Schüller, *Gesetz und Freiheit Eine moraltheologische Untersuchung*, Düsseldorf, 1966, 61 ff.

all future events.²³ Thus, all things become obligatory and too much gets demanded from the moral subject, as Spaemann has pointed out in his critique of ‘*universalteleologische Ethik*’.²⁴ For medical ethics this would mean that each and every heroic commitment of medical staff would become obligatory, a consequence of the position that is logically contradictory to the other mentioned consequence that nothing is known to be obligatory in view of our ignorance of the future.

(7) Furthermore, a radical division between an ethics of external actions (praxeology) and the ethics of ‘fundamental options’, inner acts and attitudes, is being introduced: Only actions which have effects extrinsic to the act itself are covered by this theory, and these actions are explained by their consequences only, but interior acts remain ethically unexplained; virtues like love or humility which, as such, do not have external consequences of which some would be good, others bad, are admittedly not considered by this teleological ethics which redefines ethics as praxeology (theory of external action) only.²⁵ The morality of inner attitudes has to be studied, according to most of these authors,

²³ On the important ethical distinctions between morally relevant and non-relevant values (goods) and between morally relevant goods (values) and moral values, see D. von Hildebrand, *Ethics*, 2nd edn, Franciscan Herald Press, Chicago 1978, ch. 19, and the same author, *Moralia. Nachgelassenes Werk. Gesammelte Werke Band 5*, Josef Habel, Regensburg 1980, ch. 19. See also on this topic *Veritatis Splendor*, 78. see also Thomas Aquinas, *Summa Theologica* Ia–IIae, q. 18, a. 6.

²⁴ See R. Spaemann, *Über die Unmöglichkeit einer rein teleologischen Begründung der Ethik*, *Philosophisches Jahrbuch*, 88(1981), 70–89.

²⁵ See F. Böckle, *Fundamentalmoral*, München 1977, 311, where absolute obligations concerning actions are explained as being only analytic propositions. Ibid., 306–307 he argues that “man is unconditionally obliged by the absolute ground of morality, but as a contingent being in a contingent world he can realize the *bonum* with its absolute demands solely in the *bona* which – as contingent goods or values are precisely ‘relative values’ (...). In order not to absolutize contingent things, any categorial decision must ultimately rest upon some preference in which we decide according to good and value-priorities.”

Similarly A. Auer, *Absolutheit und Bedingtheit ethischer Normen*, in: *Unterwegs zur Einheit*, ed. J. Brantschen, P. Selvatico, Freiburg/Wien, 1980, 350. Compare on this question note 18 above and note 35 below. See also B. Lotz’s critique of this view in *Philosophische Bemerkungen zum Finden und Gelten sittlicher Normen*, in: *Christlich glauben und handeln. Fragen einer fundamentalen Moraltheologie in der Diskussion*, ed. K. Demmer, B. Schüller, Düsseldorf, 1977, 243 ff., 258–260.

by another ‘transcendental discipline’, as, for example, A. Auer proposes. Hence, a division is introduced between ethics (understood as praxeology) that would study solely external actions (including their consequences) and a ‘transcendental ethics’ that studies the morality of the fundamental options and inner attitudes of the person.

(8) The specifically personal character of the external moral action becomes indistinguishable from the impersonal nature of mere means: It becomes very difficult or even impossible for this ethics to distinguish the specifically personal quality of morality from the mere instrumental value, which any impersonal thing that produces the same effect likewise possesses. The value as means or cause of good consequences replaces the specific moral value. If the consequences alone are decisive for the moral value of an act, why are not animal or natural causes morally good if they bring about life or happiness of persons? (This was already Shaftesbury’s objection to Hobbes in his penetrating and devastating critique of the latter’s consequentialist and egocentric ethics). Why is it then not morally good if a nurse who intends to murder an old person in her care in order to inherit her fortune actually mistakes a life-saving medicine for a poison and saves him? The moral value of an action could only be that of a means towards an end or the indirect value of a cause in reference to its effect, and thus the distinction between morally good causes and non-moral, or even morally evil, causes of the same good effects becomes ultimately inexplicable from this view-point.

(10) Teleological ethics leads necessarily to the thesis that the good end justifies (also the morally evil) means: Finally, although this new ‘teleological’ utilitarianism, unlike classical Machiavellianism, seeks to keep moral good and evil as such out of the radius of a ‘calculation of effects’, this view has the consequence that moral evils themselves actually must be recognized as falling within the sphere of contingent goods and evils and thus must become subject to the calculus of effects. Hence the good end once again justifies the (morally) evil means.²⁶ And thus, if a morally evil act leads to good consequences such as the

²⁶ For even if morally good or evil acts are directed not against men but against God (as, for example, blasphemy), and if all moral acts have, at least implicitly, the Absolute Good as their ultimate object, they nevertheless are finite goods and evils themselves.

preservation of the life of many morally good persons whose goodness is a good that far outweighs the minor evil of my immoral lie, then I should not hesitate in committing this immoral act. This idea of ‘sinning for a good purpose’ is actually suggested by Charles Curran.²⁷

4. IMMANENT CRITIQUE OF ‘CONSEQUENTIALIST ETHICS’: ITS CONTENTS AND IMPLICATIONS, CONTRADICTIONS, AND SILENT ADMISSIONS

The task of an immanent critique of this type of teleological ethics, which has immense consequences on the concrete evaluation of actions, involves, first, the uncovering of its effects and implications; and, secondly, an analysis of the position discussed to determine whether it is internally consistent or whether it is fraught with internal contradictions, inconsistencies, and other signs of falsity which are such that they can be recognized prior to investigating the subject-matter at hand (morality)

²⁷ See C. Curran, *Utilitarianism and Contemporary Moral Theology. Situating the Debates*, in: *Readings in Moral Theology*, no. 1, ed. C. E. Curran, R. A. McCormick, New York, 1979, 341 ff., especially 359–360: “in the imperfect world in which we live (...) one must (sometimes) accept the limitations of the sinful situation. This explains the theological concept of compromise because of which an act which in ordinary circumstances would be wrong for this person in the sinful situation is not wrong.” *Ibid.*, 360. See also J. Fuchs, *Essere del Signore*, Rome 1981, 192 ff., where a similar position is expressed. In this case, physicians and nurses could commit even what they regard as *morally* evil acts in order to avoid worse (moral) evils. A gynecologist in Switzerland, chief of a clinic, told me that he is doing this: in order to avoid that his assistant doctors perform *many* abortions, he performs *some* abortions though he believes that to do so is immoral: thus, he is ready to commit a lesser moral evil himself so that a greater one committed by his assistants be avoided. This is completely in line with the teleological ethical reasoning.

It is possible, in principle, for an adherent of teleological ethics to deny this consequence by arguing that it is not possible for a morally evil action to be used for a good purpose because to use it for a good purpose makes it good. For, according to this position, an action undertaken for the sake of a good purpose is, by this very same token, also good. The transcendent critique of this position (under heading 4.) will make it clear, however, that a full-blown Machiavellianism that justifies morally evil means for good ends follows necessarily from consequentialist teleological ethics. For many moral actions aim directly at the moral quality of the other person’s acts.

itself. The basis for such an immanent critique is mainly the principle of contradiction of which Aristotle says in book Gamma of the *Metaphysics* that it is the most fundamental and certain of all principles. It is the fact “that nothing can pertain and simultaneously not pertain to the same (being) in the same respect” which guarantees the internal consistency and unity of all being and hence also of all truth: as being cannot contradict itself, so also truth cannot contradict truth. Therefore, inner inconsistency and contradiction in a theory is a sign of its falsity.²⁸

The second major part of an immanent critique of a theory takes into account to some extent the nature of the subject-matter at hand, in this case the nature of morality, but only to the extent to which a *Sachkontakt* (lived prephilosophical contact) with moral reality is universally presupposed and is also conceded by the opponent. Here, a certain type of philosophically significant *argumentum ad hominem* is used which the opponents of Socrates falsely perceived as mere polemics or linguistic pedantry, as an attempt to confuse the opponent. In contradistinction to other dubious types of *ad hominem* arguments, we mean here a perfectly respectable type of *ad hominem* argumentation.²⁹ In reality, such *argumenta ad hominem* are designed to show that, therefore, the nature of the thing in question is so evident that its evident traits are also recognized by the opponent, at least when some clear instances of the disputed datum are brought up; and that therefore the recognition of the true nature of the thing in question by the opponent himself leads to an inconsistency with the false elements in his position.³⁰

²⁸ This is also the reason why the Platonic Socrates makes it a major theme of his investigations to determine whether a given view is free of contradictions since this is a necessary (albeit not a sufficient) condition of its truth.

²⁹ See E.C.W. Krabbe, D. Walton, *It's All Very Well for You to Talk! Situationally Disqualifying 'Ad Hominem' Attacks*, *Inform Log* 15(1993)2, 79–91. The authors identify there “situationally disqualifying ‘ad hominem’ attacks” as “an argumentative move in critical dialogue whereby one participant points out certain features in his adversary’s personal situation that are claimed to make it inappropriate for this adversary to take a particular point of view, to argue in a particular way, or to launch certain criticisms.” They distinguish also other types of ‘ad hominem’ argumentation.

³⁰ In demonstrating the first type of inconsistency, an immanent critique uncovers a formal-logical inconsistency in a theory. In uncovering the second type of contradiction, a materiallogical and, specifically, a new kind of inconsistency is demonstrated

5. IMMANENT CRITIQUE PROPERLY SPEAKING OF THE POSITION OF ‘TELEOLOGICAL ETHICS’

(1) *Teleological ethics ends up not explaining at all what it is designed to explain: what concretely are our moral obligations?* There are many contradictions in teleological ethics: The entire teleological position sets out to explain better than previous ‘legalistic’ deontological ethical systems what concretely is our duty. Now, it is an obvious requirement for any good theory that it actually explains the very thing to be explained by it, and that it does not explain it away. But we have seen that (as, e.g., G. E. Moore admits) a purely consequentialist teleological ethics cannot provide any clue as to what concretely our duty is. Thus, it fails to fulfill the task it was designed to solve, and it denies the datum that it set out to clarify. In addition, the theory wishes also to explain what constitutes the morally right (good) or wrong (evil) character of an act. But it fails to accomplish this task as well. For if each and every action can (as the first three consequences of teleological ethics expounded above illustrate) become good or evil through consequences of which one is utterly ignorant, then the difference between right and wrong actions rather than being explained is being explained away.³¹

which derives from the fact that the evident nature of a thing, in this case, of morality, is also perceived and admitted by the opponent. (Of course, such a non-formal logical contradiction, i.e., a contradiction to the silently admitted nature of a thing, when fully spelled out, gives rise to a formal-logical one as well; one which arises between the explicit assertions and the material, content-related implications and admissions found in a theory or author.)

³¹ The contradiction between explaining away any such difference and yet assuming it, is especially evident when it is found that the teleologists themselves presuppose the existence of duties and of the difference between right and wrong not only in their own starting point and in frequent general ethical assertions about actions but also in the moral objections to their opponents such as that these are proud, arrogant, that they oppress human beings by moral absolutes, wish to possess God, idolize finite goods, etc. (Such moral accusations are brought forward, for example, by Josef Fuchs, without any attempt to justify them by reference to consequences. See J. Fuchs, *Essere del Signore*, op. cit., 179–180. See also J. Fuchs, *Das Gottesbild und die Moral innerweltlichen Handelns*, Stimmen der Zeit Bd. 202 (1984)6, 363–382; and J. Seifert, *Gott und die Sittlichkeit innerweltlichen Handelns. Kritische philosophische Reflexionen*

By themselves presupposing moral qualities which can be perceived without recourse to consequences, however, the adherents of ethical teleologism bear witness to the fact that their theory cannot explain the data of morality, not even those which lie at the foundation of their own ethics and moral judgments.

(2) Another inescapable contradiction which shows the falsity of the theory is the following: If the criterion proposed by ethical teleologism for judging right and wrong acts were applied to this theory itself, the moral imperative would undoubtedly follow that no one ought to hold it and, in any case, that no one would be morally permitted to spread it. For if this theory has the consequences described and justifies any general type of human action and any (even the most monstrous) individual action as long as the agent believes that the consequences of his act will be better than those of its omission; and if, moreover, any knowledge of our duty is impossible because of our ignorance of the future; and if, therefore, ultimately every subject is unbounded and himself the supreme autonomous authority in his ethical choices; then the adoption of ethical teleologism will lead to disastrous consequences which even the proponent of this theory can hardly avoid admitting. Take as example the ethics in a hospital. According to teleological ethics, a physician or nurse could sometimes kill a patient who requests this, other times not, they could experiment with children or dismember healthy embryos, and so do anything they please, insisting that according to their judgment these acts were to have the best overall consequences. Nobody else could refute their claims. But to adopt such a position would produce the greatest chaos and worst consequences for hospital and patients, not in a merely factual manner of historical and natural causality but in a highly intelligible logical manner as expounded above.³²

über den Einfluss anthropomorpher und agnostischer Gottesvorstellungen auf Ethik und Moraltheologie, Forum Katholische Theologie 1(1985)1, 27–47.

³² Thus, these bad consequences, to be further explained in the following, must not be denied by the teleological ethicist. What are these consequences of ethical consequentialism especially for medical ethics? In the first place, physicians and nurses, as all other men or women, would tend to regard any crime as permitted and would easily persuade themselves that – given our ignorance of the future – it is a safe bet for them to perform any act to which they feel an inclination because nothing forbids the

Moreover, the greatest psychological damage would be done: conscientious people especially would fall into perpetual ‘teleological scrupulosity’,³³ eternally uncertain as to what is the right or the wrong for them to do – and this they could never know, not even with probability. Furthermore, which friend could rely on his friend that he would not one good day cut his throat or rob him or commit adultery, in light of some alleged good consequence? But such uncertainty would psychologically undermine any possibility of human friendship and trust which are fundamental to any communion and which are inseparable from the conviction that there are certain things that the other would never do.

The ethical consequences of the consequentialist view would be even worse.³⁴

hope that its consequences in an infinite future might turn out to be better than those of its alternatives. Moreover, the punitive legal system and criminal law, for example condemning medical crimes against humanity such as human experimentation for racial reasons or torture for the sake of experimenting with methods of palliative medicine, would totally collapse on the assumptions of the teleologists. For the question of guilt could never be decided on the basis of determining that somebody freely and consciously transgressed a law (be it positive or natural law, such as that forbidding murder), but could only be decided in terms of the entirety of foreseeable future consequences. And since, ultimately, nobody could know these with any certainty, any sentence passed on a nurse who murdered her patients, for example, would have to be based on the purely subjective opinion of the judge about the value of this action in view of its unknown consequences; and the same crime would have to be punished or rewarded in a wholly changeable way depending on whether or not the ‘criminal nurse’ intended (and thus in her entirely subjective opinion produces) preponderantly good consequences, or on whether or not she realized according to the judge’s entirely subjective judgment, effects the value of which outweighs the evil of the death of her victims, in which case she would be acquitted. Another nurse could be condemned as criminal because she refused heroically to murder her patients, against pressures of her boss, because it was found by the judge that she intended or actually produced by her action preponderantly evil consequences. But from this, chaos in society and in the legal system would result. The teleological ethicist who recognizes the foreseeability of future consequences even of individual acts must certainly admit the disastrous consequences that follow from his theory.

³³ Ludger Hölscher, a doctoral candidate at the International Academy of Philosophy, has proposed this critique in oral discussions.

³⁴ Not only because of the described implications of this theory but also because the absolute (intrinsic) goodness of the fundamental option (or ‘formal attitudes’ and

(3) Another immanent criticism of the ‘new teleological consequentialism’ refers to the previously discussed thesis implied by this theory, that finite (nonabsolute) goods do not impose absolute obligations to respect them. From this it follows that also all human moral values can be sacrificed or that immoral deeds with good private or worldhistorical consequences have more positive weight on the scale of proportionality of effects than morally good acts without similar success. Then a Socrates or Thomas More acted wrongly because they refused to look at the success and effects of actions they regarded as intrinsically wrong. But then the new teleologism turns into a sheer Machiavellianism and teaches with *The Prince* that the good end justifies the evil means.

(4) Furthermore, there is, in purely consequentialist-teleological ethics, a mixture of ethically extinguishing and of extolling the personal subject. For, on the one hand, as was just pointed out, the agent of moral actions is no longer really important because all that counts are the effects of his actions, not the actions themselves *qua* personal acts

‘categorical value stances’) granted by teleologists (for example, by Auer) is radically shaken under the impact of this ethical position. Even if this were not a necessary logical consequence of the theory, there would result from it, as a psychological consequence, the feeling that ‘everything is permitted’. If one takes into account interior psychological consequences (which each conscious act has), it follows logically from the basic assumptions of teleological ethics that also no interior act and attitude, such as violent hatred of physicians for their patients and staff, can be absolutely right or wrong as long as its individual psychological or social effects are not studied.

Only two alternatives seem to exist for the ‘consequentialist’ at this point: either he applies his consequentialist criteria for determining good acts to his own teleological theory; and then he ought to abstain absolutely from defending or publishing it; he would have to hide it in view of its disastrous consequences which are so intelligibly linked with the essence of the theory that they can be clearly foreseen. Or he adopts an absolute ideal of truthfulness for the sake of which he must defend teleologism in the name of truth and regardless of all its disastrous consequences. But then the defender of teleological ethics refutes his theory by his very action of abiding by the principles of truthfulness also when the consequences of saying the truth are bad, nay horrible. Thus, this contradiction (that the teleological consequentialist has to give up defending the theory if he obeys it or must contradict it by an absolute nonconsequentialist standard of honesty if he chooses to spread it) demonstrates the necessary falsity of the theory.

and the conscious intentions.³⁵ According to ethical consequentialism, a person's conviction and free decision are not really sufficient to give rise to a moral act but specialists and futurologists should best map out the programs according to which a person should act. Yet, thereby, a decisive dimension of the autonomy of the moral subject is lost in that the moral decision is completely taken away from the individual: a consequence of denying his 'competence' to decide.³⁶

On the other hand, the subject's personal and wholly autonomous decision would rule supreme. The moral agent is 'extolled' because the ignorance of even the futurologists about the future is so thorough that it is ultimately completely left up to the subject to decide whether he subjectively feels that the consequences of one act are better than those of another one. Since the entire sum of consequences and their positive or negative character is unforeseeable by means of any objective method, while it is clearly foreknown that an indefinite number of future consequences can result from any human action, the subject ultimately has to decide on his own which action is to have the best consequences because no objective standard is available.³⁷ But this pair of contradictorily opposite consequences that must be drawn from the teleological foundation of ethics shows another one of the inconsistencies of this position.

Related to this contradiction between simultaneously extinguishing the subject (by taking away his competence to know his duty) and extolling the agent (by ascribing to his entirely subjective opinion the

³⁵ It is not any more the unique personal value of a free decision of a physician that makes his act morally good but the consequences for his patients' health which are, however, as Kierkegaard shows in his brilliant refutation of Hegel's ethics of the worldhistorical personalities, completely removed from the essence of the moral act. For the best action can have the worst consequences and the worst act the best ones; the *actus nocens* can be *innocens* as far as the effects are concerned, and vice versa.

³⁶ Physicians and nurses could no longer decide whether they should save or kill their patients; they would have to call upon specialists on futurology. R. Spaemann, *Über die Unmöglichkeit einer rein teleologischen Begründung der Ethik*, op. cit., 80.

³⁷ This would have enormous effects on medical ethics: every doctor and nurse would be absolutely autonomous in whatever decision regarding medical action they take. If they were honestly convinced that to kill all patients in their ward were the best course of action to take, their acts would *eo ipso* be morally right.

power to determine which action is to have preponderantly positive consequences) is another different contradiction. I mean the contradiction between declaring every action to be obligatory (by dissolving the distinction between what is morally obligatory and what is only permitted) and thereby extinguishing the sphere of supererogatory actions which are decisive for the dignity of the moral subject (another type of extinguishing the subject's role);³⁸ and declaring that no action is one's duty because, as has been shown, any knowledge of one's obligations is dissolved. This extols the ethical subject, giving him a pseudo-divine value- and obligation-positing power. Thus everything, for example every gratuitously worked extra hour of a nurse, every heroic sacrifice of his free time and pay of a physician, becomes obligatory (rigorism: *Überforderung des Subjekts*), and this implies the extinction of legitimate free option between the good and the better. And simultaneously nothing is obligatory (everything is permitted); and this results in too little of an ethical demand, in fact in the abandoning of ethical demands, in granting to the subject the role to decide in radically unbounded autonomy what he opts as his 'duty'. Thus, a hospital nurse can do nothing good that would not be her duty, and yet she could do everything she pleases as long as she thinks or arbitrarily decrees that the effects of her deadly injections, cruel killings of babies in partial birth abortions, etc., will have overall better consequences than all alternative actions. This implies simultaneously what Robert Spaemann has called an ethical '*Unterforderung*'.³⁹

(5) Finally, another grave problem is linked to the fact that the teleological approach explicitly does not explain the morality of inner acts and attitudes but only that of external actions, as its adherents themselves admit. But then the moral goodness of internal acts and responses (fundamental option, categorial valuations, etc.) must be governed by

³⁸ See R.M. Chisholm, *Ethics and Intrinsic Values*, edited and introduced by J.R. White, Universitätsverlag C. Winter, Heidelberg 2001.

³⁹ See R. Spaemann, *Über die Unmöglichkeit einer rein teleologischen Begründung der Ethik*, op. cit., 70–81.

a radically different ethical principle from the one that refers to external actions.⁴⁰

With the last point of our immanent critique, however, we reach already the point of transition to the far more important ‘transcendent critique’ which does not look for the internal inconsistencies of teleological ethics but for the ‘moral data themselves’, the elucidation of which is the principal aim of ethics.

⁴⁰ Franz Scholz might object to this point by arguing that the *ordo amoris* is the common basis for all morality; the due response to finite goods precisely motivates *Güterabwägung* as the only response adequate to contingent goods; the interior ‘transcendental’ acts or the fundamental option are to be explained by the same principle of *ordo amoris*, without, however, any consequences being involved here. Yet we reply: if the adequacy to the object is the real ground for the moral goodness of human acts and actions, then it will be true about external actions, too, that their goodness does not depend on the consequences alone, in fact, that it does not depend on the consequences as such at all but on the adequacy of the act to the dignity and value of the object which it seeks to realize. And herewith we reach a principle of goodness of an act that radically breaks with the ethical foundation of pure consequentialistic teleologism and replaces it with a principle of due-ness or rightness. Such an excellent critic of the new version of teleological foundation of norms as T. Styczeń thinks that it is not utility, consequence, etc., which are improper categories to explain moral actions. He rather believes that all depends on the particular interpretation of usefulness and utility. He speaks therefore of a ‘personalistic teleologism’ which lays emphasis on the fact that the moral action aims at the promotion of the good of the person. But then it is not consequences as such but, instead, the personal conscious aiming at positive effects, as a part of the conscious response to the *persona affirmabilis propter seipsam*, which is the ground of the moral goodness of the action which has the other person and his or her welfare as its object. In this profoundly personalistic vision of the moral act no external consequence but the essential perfection of the moral act itself and of the person in it are the criterion, no negotiable consequences in the sense of the new teleological foundation of norms. Thus, even the term ‘consequence’ and ‘teleology’ become different here.

6. TRANSCENDENT CRITIQUE OF A 'PURELY TELEOLOGICAL' ETHICS

The task of a transcendent critique of a position consists in the return to the 'thing itself' which is dealt with, in order to examine the given position as to whether it relates adequately to the *Sache selbst* (thing itself).

6.1. SERIOUS DIFFICULTIES FOR AN ETHICS OF MORAL ABSOLUTES, WHICH SEEM TO SPEAK FOR PURELY TELEOLOGICAL ETHICS

The many powerful arguments which speak for teleological ethics⁴¹ culminate in the consideration that an absolutist deontological ethics seems to lead to a total ethical impersonalism and to an apparently absurd position in that on the altar of allegedly absolute moral imperatives such as that we should not lie, not engage in promiscuous acts, not kill, etc., one or many human lives, nay the good of whole mankind, would have to be sacrificed if they entered into conflict with these imperatives. Such imperatives, however, forbid evils that seem very small in comparison with such evils as the destruction of the entire humanity and thus should not present themselves as absolute: for example they forbid committing one single abortion even if the existence of the whole human race could be saved by means of it. Such a horrible holocaust of all happiness and of the very existence of humanity on the altar of ethical abstractionism and impersonalistic norms, however, seems to be readily accepted by the ethical absolutist who immolates man in the name of exceptionless and absolute moral imperatives which claim to respect the person but in fact forget the person *qua* person.

In answer to this observation and to a host of related difficulties many important points can and should be made. Yet this is not the proper place to develop the entire chain of reasons and arguments for absolute

⁴¹ In the more extensive German text of the present critique, I have attempted to render the case for consequentialism as strong as possible, to present even stronger arguments in favor of this position than those usually put forward by its defenders. For a philosophical critique should always seek the strongest case of the criticized position.

moral norms in the face of these objections. One central reply to these difficulties, however, lies in emphasizing the absolutely unique position of moral values and disvalues. If indeed there are intrinsically morally right and wrong actions, and if moral values and disvalues lie on a wholly different order, higher than any extramoral goods and evils, then a man (and also humanity at large, which is only quantitatively superior to the single man) should indeed sacrifice life and happiness rather than perform a morally evil act. The absolute primacy of moral goodness over other forms of goodness, nay, the incommensurability between moral goods and evils and extramoral ones must be recognized in order to see this point. But once this absolute primacy of moral goodness over extramoral and morally relevant goods which do not involve the unique depth of moral values and the terrible disharmony of moral evil is understood, there is no doubt that man should give his own life up, rather than slaughter an innocent or unjustly condemn a man to death. Then it is clear that a physician and nurse should much rather forego saving a life of a mother or of other patients or of the whole world than commit the *moral evil* inseparable from the act of abortion or of extracting vital organs from the living and killing them.

Thus, the really decisive question in regard to the problem of ‘deontic’ versus ‘teleological’ ethics can be formulated thus: are there intrinsically morally wrong or right actions or not? If not, consequentialist teleologism is justified. The ensuing critical considerations (2.) will attempt to show, however, that there are indeed absolute and inviolable moral obligations and that these are grounded primarily in the dignity of the object-person and are inseparable from the dignity of the subject-person of moral action.

6.2. IS THERE A LEGITIMATE ‘PERSONALISTIC TELEOLOGISM’ WHICH IS OPPOSED TO ‘TELEOLOGICAL’ CONSEQUENTIALISM?

One might also ask whether the refutation of purely teleological consequentialism suffices to refute any form of teleologism and whether the latter is not true. Is not a purely deontological ethics in the Kantian sense radically untenable precisely because it overlooks the material and essential relation of moral acts to the object to be realized as well as to the subject of moral actions and thus to man’s utility?

In answer to this question let us underline that any external action essentially aims at the realization of some good outside of the act itself. As Max Scheler brilliantly put it, whosoever cares for the good of the neighbor without really intending this good as such (but acts perhaps only in order to fulfill his moral duty), is not really good and fails to act in a morally good manner. Hence the moral agent needs to intend consciously and freely the good which is its object, aim at its realization, and therefore also seek the success of the action, in the sense that he can never remain indifferent vis-a-vis to the question of whether its goal will actually be realized or not. If only this conscious aiming at the realization of a good were meant by 'consequentialism', any good ethics should be consequentialist because no ethics ought to forget the essential relation of a morally good external action to the intended realization of the good in question.

Moreover, both the moral value of the action itself in its unique value-excellence as well as the value and dignity and happiness of the acting (subject) person is affirmed, at least implicitly, in the reflexive structure of the morally good action. This may well be implied by Plato when he refers to the good (strengthening of being) of him who acts justly and calls justice the greatest good for man. Moral goodness is so intimately bound to the objective structure of the acting person, it is so much what Plato calls the 'proper good' of the soul, that every attempt to offend the order of morality or to find a higher good which could justify immoral behavior must appear as a killing in the name of vivification. A purely personalistic teleologism asserts that in moral goodness itself and in the dignity of the person who acts (as well as in that of the object) there lies a value which is realized by morally good acts only, and which would necessarily be violated by any immoral act and by any thesis that denies the exceptionless validity of certain moral obligations. A personalistic teleologism and emphasis on utility in this sense is defended by Tadeusz Styczeń and other Polish critics of purely teleological ethics.

I agree fully with the thesis that we do not deal with abstract moral obligations as such but with moral values and with morally relevant persons and goods whose dignity absolutely requires a certain response.

I think, however, that the terms ‘usefulness’ and ‘consequence’ of actions are being used by Styczeń in a radically different sense from the one which ‘teleologist ethics’, as described here, intends. In Styczeń, these terms no longer refer to external consequences and effects as such but to the intrinsic structure and moral value of acts and to the conscious and free dialogue and adequacy between an action and its object-person who deserves a certain response absolutely and whose being is affirmed for her own sake and whose good the moral subject intends to realize.

7. CRITIQUE OF THE CENTRAL THESIS THAT NO FINITE GOOD COULD GROUND ABSOLUTE IMPERATIVES IN THE MORAL SENSE OF THE TERM

The central argument of the version of consequentialism in ethics that we investigate is (according to Bernhard Schüller, Franz Böckle, Josef Fuchs et al.) that finite non-absolute goods can never ground absolute moral obligations. This thesis has at first sight a certain plausibility: how could a non-absolute good be the object and ground of absolute moral obligations? This seems to be a contradiction in terms. But let us investigate the issue at hand more closely and critically.

7.1. ABSOLUTELY REQUIRED INNER RESPONSES TO NON-ABSOLUTE GOODS

First we turn to the question whether the thesis that non-absolute goods, such as the value of the person of the patient, cannot address absolute moral imperatives to us, i.e. imperatives which bind us *ut in omnibus*, applies to the morality of virtues as general moral attitudes and to the sphere of interior stances we take towards concrete beings and values. We notice without difficulty that with respect to these spheres of morality the thesis is clearly false. For the adequate inner attitudes towards finite beings and especially towards other human persons: e.g., love, respect, justice, etc., are required *always* and *absolutely*. This fact is also admitted by the adherents of the purely teleological ethics in that they assert a ‘transcendental sphere of morality’ that would not be dependent on consequences. And the moral goodness of an action

is declared to be based fundamentally on the presence or absence of the right 'fundamental option', a thesis which flatly contradicts another assertion which many regard as the teleological thesis: that (external) actions depend in their morality solely on their consequences. Yet, prescind from the question of such a contradiction for the moment, and concentrating on the 'fundamental option' as a 'transcendental sphere' behind the domain of external action, we must recognize the following. Ethics would then only encompass praxeology as the theory of external actions which would have to be judged according to their consequences, whereas a separate discipline, a transcendental theory of morals, would analyze those fundamental moral options and attitudes which are good regardless of the question of their consequences. Whatever we may think of this distinction, and of the tenability of divorcing the sphere of external action from that of interior attitudes, the very mention of fundamental moral options proves that the proponents of the new consequentialist ethics presuppose that attitudes which have the neighbor (a finite good) as object can bear absolute moral value and that there are unconditional obligations with reference to finite goods. Even in the case in which actions are allowed which destroy goods, the right inner attitudes (for example, love and respect of the enemy or of a criminal person whom, at least in the case of self-defense, it may be allowed to kill, instead of wild rage and hatred for him) are required. Such fundamental attitudes as respect, justice, patience, loving affirmation, etc., towards each person and each patient are certainly required from physicians and nurses absolutely and always; but they have as their object finite goods (human persons).

Such interior attitudes are not only morally good in themselves and do not only constitute the heart of morality, but from this 'heart' proceed countless good external actions. Similarly, all external evil actions proceed from an evil heart, from a deficiency or an evilness of the fundamental and general attitudes of a person.

Obligations, however, which demand absolutely and unconditionally that we take the right fundamental inner attitudes towards finite beings and persons, such as the respect and concern a physician or nurse owe to a patient, whatever his age or gender, refute the theory of consequentialist teleologism in ethics in that they prove that non-absolute goods in

the metaphysical sense can indeed become the object of absolute duties in the ethical sense of the term.

7.2. A RADICAL EQUIVOCATION OF 'ABSOLUTE' AT THE ROOT OF THE CHIEF ARGUMENT OF TELEOLOGICAL ETHICS

In addition, at the root of this main argument for the alleged impossibility that finite goods can be the objects of absolute obligations, there is a radical equivocation in the term 'absolute'. A study of these radically different meanings of 'absolute' will demonstrate the bearing of such a distinction for a critique of teleological ethics. There is indeed a first sense of absolute in which no finite good can be absolute: No finite good (for example, no patient) is the absolute, i.e., the infinite good (*id quo maius nihil cogitari possit*).

There is secondly a moral sense of 'absoluteness' which directly corresponds to the first metaphysical one: the sense in which the absolute good (God) calls for a surrender which is so total that to give it to any creature would indeed be an idolization of it. Think, for example, of the act of adoration which, when turned to a creature, such as a fellow-physician or patient, would be blasphemy: the hymn of St. Thomas Aquinas, *Adoro te*, is most beautiful when God is its object, but would express an evil act as soon as man were taken as its object. Similarly, the infinite good (God) alone must be loved 'above everything else'. As soon as such acts that are owed to God, i.e. acts whose proper object can only be the absolute good, turn towards finite goods, finite (relative) goods are absolutized, even if they are such high goods as health, human life, or patients. If indeed such an idolization of finite goods were to occur in an ethics which recognizes absolute moral obligations towards finite goods, this ethics would be vulnerable to the objection launched against it by purely teleological ethics, namely, that it idolizes finite goods.

No trace of such an idolization of the world can be found, however, in deontic ethics that recognizes absolute moral demands imposed upon us by finite goods. For a third sense of 'absoluteness' has nothing to do with such an absolutization of the relative. We have in mind here a 'purely ethical' sense of absolute. An absolute obligation in this sense only says that an act is absolutely due to a good, that this good, once

the general conditions of its becoming actually morally relevant are met (that a person encounters it, is in possession of her reason and freedom, etc.), unconditionally calls for such a response or respect, and that, as long as the obligation exists, it can never be suspended by a reference to consequences.⁴² Examples of such absolute obligations would refer to the immorality of taking actively an innocent human life or the forbiddenness of committing or assisting suicide.

An absolute obligation in this sense can just as well refer to the infinite good as to finite goods. We absolutely ought to love both God and man; we absolutely ought to abstain from intentionally killing an innocent man or from violating other obligations toward finite goods. On the other hand, not even all responses to the absolute being are prescribed in this third ethical sense of 'absolute'. The so-called evangelical counsels, for example, express an invitation to a special total donation to God that is not a commandment, i.e., not an absolute moral demand, albeit the object and motivating ground of this form of life is the absolute good. On the other hand, certainly, the discussed attitudes (such as respect, love) that have finite goods as object are absolutely called for in the (third) moral sense of this term. Many external actions are likewise 'absolutely called for'. Denying this would result in an untenable moral dualism, as we shall see.

A fourth sense of absoluteness refers to the objective existence of norms and moral obligations, both norms regarding the absolute being and obligations which have finite goods as their object. Both kinds of norms and obligations can in this sense be absolute.

A further sense of 'absoluteness' that is important for the ethical discussion surrounding the consequentialist teleological position refers to the necessary universality of eternal truths. The empiristically inspired denial of the absolute generality of necessary ethical facts and norms constitutes a major methodological-epistemological reason why many consequentialist ethicists argue that moral norms can at best apply to most cases (*ut in pluribus*), but never to all individual instances of a certain type of action (*ut in omnibus*). Thus, if the existence of absolute in the sense of apodictically certain (synthetic a priori) truths about

⁴² See J. Fuchs, *Essere del Signore*, op. cit., 179–180.

moral reality can be established, a major advance in the refutation of consequentialist teleologism is made.⁴³

A sixth sense of 'absolute' which is important for our discussion refers to obligations which are not only objective but which, in addition, cannot ever be suspended or suppressed by higher ones. While, to stay with S. Kierkegaard's example in *Fear and Trembling*, Abraham's higher religious obligation to obey God, to be an instrument of God's will who is Lord over life and death, and to sacrifice everything to him, might have made the killing of the innocent permitted, there are other obligations which are absolute in the sense that they can never be suspended. (Some of the absolute obligations in this sense, such as the obligations forbidding injustice and to abstain from condemning someone innocent to death, could not even be broken by God, while others depend also on the nature of the subject of the moral act, for example man, and would not necessarily have to be 'fulfilled' by an absolute subject of moral perfection.) Absolute duties in this sense are the opposite of *prima facie* duties in Ross's sense that can precisely be suppressed by higher duties. Such absolute duties in the sphere of medical action include never to kill intentionally an innocent human being, regardless of race and sex, whether born or unborn, young or old; never to lie to a patient, never to use human persons as mere objects of experimentation without concern for their good or in harming them, etc. It is clear that the consequentialist teleologism in ethics denies 'absolute duties' of this sort in relation to any finite good and claims that all moral obligations towards finite goods are *prima facie* duties.

One single case of an 'absolute obligation' in the specifically ethical (third) sense towards a finite good, or one single instance of the type of 'absolute' obligations which cannot be suppressed by higher ones, would suffice to disprove purely teleological ethics. While the purely theoretical denial of 'absolute obligations' in these senses is possible, no culture in the world fails to recognize such 'absolute' obligations. Chapter 60 of the second Book of Cervantes' *Don Quixote* brings this out very beautifully when Sancho Pansa observes that even a gang of

⁴³ See *Aletheia. An International Journal of Philosophy*, 1(1977) and 2(1981), for further discussion and for literature on such an objective apriori knowledge.

wretched thieves and robbers cannot live without some principles of justice that are respected by them as absolute.

Seventh, and finally, there is an ‘existential absoluteness’ of the moral sphere which forbids to regard it ever as a means towards other ends or as ‘negotiable’ for higher goods, even moral goods. In other words, the “thou shalt (not)” of the moral imperative is such that even if I could bring about greater moral good in others as consequence of *my* immoral deed, I would never be permitted to commit it. There lies a certain ‘selfcontainedness’ and absoluteness in the moral sphere which forbids me to look ‘outside of it’ and to ‘trade’ it in for some other good. The moral evil is something ‘absolutely wrong’ that *I* should *never* do and the morally obligatory act something that is absolutely good in the sense that *I absolutely ought* to do it. Therefore, the moral subject cannot have himself represented by other moral agents who will act better than he himself would act, if only he commits an immoral action. The moral subject must not leave the position his duty demands him to fill out, even if the moral effect of his violation of a moral duty were to lead to a greater moral good than the one which comes from doing his duty.

The importance of these distinctions for our critical task is obvious because now it is clear that, and in which sense, there are absolute duties towards nonabsolute goods and that it is, above all, in no way an argument against such absolute obligations to point at the non-absolute nature (in the metaphysical sense 1) of the goods to which they refer.

7.3. THERE ARE INTRINSICALLY GOOD AND EVIL ACTS

According to consequentialist teleologism, the morally good act itself or rather the act in its relation to its object as such would never bear any moral value independent of its consequences.⁴⁴ This thesis, however, is evidently false. When an act(ion) does justice to its object and to the theme of the situation, when the ‘inner word’ of an act forms an organic unity with the value of its object, when a person gives to a good the adequate valueresponse, such an act possesses value always

⁴⁴ See note 18 and the corresponding quotation from Franz Böckle’s, *Fundamentalmoral*, in the body of the text of this chapter.

and intrinsically, whether the consequences of the wellintended action are fatal and destroy the entire world or have most salutary effects. And this its specifically personal and moral value does not accrue to an action from the outside or from its consequences – however important the *will* to realize these consequences is for the constitution of the moral value of the act. Evidently, the moral value of an act is borne by an act precisely in virtue of its personal agent’s attitudes and adequate relation to the given object or the will to realize it. The obvious moral facts that morally good actions, such as the will to save a patient’s life, can have adverse effects, if objectively the means used to save a life destroys it, and vice versa prove this point. Without recognizing this, the personal character of morality is lost sight of. This essential dependency of morality on the person and on her motivation and inner dispositions is wholly inexplicable in terms of consequentialist teleologism. The radical thesis that no act whatsoever directed at a finite good is intrinsically morally good (right) or evil (wrong) would have to apply not only to external actions but to all interior attitudes as well. Precisely when it refers to the inner moral life and heart of the person, however, the theory shows itself to be radically false.

On closer reflection, it becomes clear that at least the inner acts (responses) are ‘intrinsically good’ (or evil) in the third to the seventh senses distinguished above, and specifically in the following (partly additional) senses:

(a) Their moral value does not depend on their external effects but on their essential structure and adequacy to their object.

(b) The inner acts and attitudes are always prescribed: superactually as well as whenever a morally relevant good (like human life) becomes thematic in a concrete situation. This could not be said correctly about all types of external actions. In other words, while some external actions can be suspended and appear as undesirable, the right inner acts and attitudes are always demanded.

(c) Absolute obligations are not dependent on the will of any positive lawgiver. Also in a sense that corresponds to this fact, many moral acts are ‘intrinsically’ (absolutely) good or evil. They do not depend in their moral character on any positive lawgiver but are good or evil by their very nature, as the Platonic Socrates in the *Eutyphro* saw.

From all of this it follows that purely teleological ethics (consequentialism) is at least not correct for the morality of interior acts and attitudes including those which definitely have as their object finite (non-absolute) goods. These acts, although they have non-absolute goods as objects, are nevertheless not only absolutely (i.e., without possible exception) prescribed but also intrinsically good or evil in the various senses of this term that were just distinguished.

While this alone should suffice to demonstrate the falsity of the denial that there are intrinsically wrong and intrinsically right, intrinsically morally good and morally evil acts, we will have to turn, in the second part of this essay, published separately, to the question as to whether external human actions that realize states of affairs outside our own acts can be intrinsically wrong or whether the proportionalist ethics, rejected in *Veritatis Splendor*, is at least correct when it claims that the moral value of those human actions that have external effects, can only be determined by the proportionality between their good and bad effects such that in their sphere there are no intrinsically right or wrong human acts. To overcome purely philosophically this kind of pragmatist, utilitarian, and consequential-proportionalist ethics will demonstrate even more unambiguously *Veritatis splendor*, the splendor of truth about the backbone of ethics and the “breath of the absolute and eternal” in it.

REFERENCE

- Auer A., *Absolutheit und Bedingtheit ethischer Normen*, in: *Unterwegs zur Einheit*, ed. J. Brantschen, P. Selvatico, Freiburg/Wien 1980, 342–362.
- Böckle F., *Fundamentalmoral*, München 1977.
- Böckle F., *Werteinsicht und Normbegründung*, Concilium 12(1976)12, 615–682.
- Chisholm R.M., *Ethics and Intrinsic Values*, edited and introduced by John R. White, Universitätsverlag C. Winter, Heidelberg 2001.
- Curran C., *Utilitarianism and Contemporary Moral Theology. Situating the Debates*, in: *Readings in Moral Theology*, no. 1, ed. C. E. Curran, R. A. McCormick, New York 1979, 341–361.

- Fuchs J., *Das Gottesbild und die Moral innerweltlichen Handelns*, Stimmen der Zeit Bd. 109(1984)6, 363–382.
- Fuchs J., *Essere del Signore*, Rome 1981.
- Gregg S., *Veritatis Splendor: The Encyclical that Mattered*, Crisis, April 16, 2013.
- Harrison J., *Rule Utilitarianism and Cumulative-Effect Utilitarianism*, Can J Phil SUPP (1979)5, 21–45.
- Harsanyi J.C., *Rule Utilitarianism, Rights, Obligations and the Theory of Rational Behavior*, Theor Decis (1980)12, 115–133.
- Hildebrand von D., *Che cos'è la filosofia?/What Is Philosophy?*, English-Italian, Bompiani Testi a fronte, Milano 2001.
- Hildebrand von D., *Ethics*, 2nd edn, Franciscan Herald Press, Chicago 1978.
- Hildebrand von D., *Moralia. Nachgelassenes Werk. Gesammelte Werke Band 5*, Josef Habel, Regensburg 1980.
- Hildebrand von D., *What is Philosophy?*, 3rd ed., with a New Introductory Essay by J. Seifert, Routledge, London 1991.
- Kierkegaard S., *Concluding Unscientific Postscript*, transl. by D.F. Swenson, completed, with an introduction and notes by W. Lowrie, Princeton University Press, Princeton 1994.
- Krabbe E.C.W., Walton D., *It's All Very Well for You to Talk! Situationally Disqualifying 'Ad Hominem' Attacks*, Inform Log (1993)15(2), 79–91.
- Lotz B., *Philosophische Bemerkungen zum Finden und Gelten sittlicher Normen*, in: *Christlich glauben und handeln. Fragen einer fundamentalen Moraltheologie in der Diskussion*, ed. K. Demmer, B. Schüller, Düsseldorf 1977, 147–170.
- Margolis J., *Rule Utilitarianism*, Austl J Phil (1965)43, 220–225.
- Moore G. E., *Principia Ethica*, London 1959.
- Rawls J., *Two Concepts of Rules*, Phil Rev 64(1955), 3–32.
- Scheffczyk L., *Comments on Papst Johannes Paul II, „Veritatis Splendor“: Der Glanz der Wahrheit*, mit einem Kommentar von L. Scheffczyk, Christiana-Verlag, Stein a. R. 1993.
- Schüller B., *Gesetz und Freiheit Eine moraltheologische Untersuchung*, Düsseldorf 1966.
- Seifert J., *Absolute Moral Obligations towards Finite Goods as Foundation of Intrinsically Right and Wrong Actions. A Critique of*

- Consequentialist Teleological Ethics: Destruction of Ethics through Moral Theology?*, *Anthropos* 1(1985), 57–94.
- Seifert J., *Der Glanz der sittlichen Wahrheit als Fundament in sich schlechter Handlungen. Die Enzyklika "Veritatis Splendor" von Johannes Paul II*, in: *Ethik der Tugenden. Menschliche Grundhaltungen als unverzichtbarer Bestandteil moralischen Handelns. Festschrift für Joachim Piegsa zum 70. Geburtstag*, ed. C. Breuer, Eos 2000, 465–487.
- Seifert J., *Erkenntnis objektiver Wahrheit*, Salzburg – München 1972.
- Seifert J., *Gott und die Sittlichkeit innerweltlichen Handelns. Kritische philosophische Reflexionen über den Einfluss anthropomorpher und agnostischer Gottesvorstellungen auf Ethik und Moralthologie*, *Forum Katholische Theologie* 1(1985)1, 27–47.
- Seifert J., *Grundhaltung, Tugend und Handlung als ein Grundproblem der Ethik. Würdigung der Entdeckung der sittlichen Grundhaltung durch Dietrich von Hildebrand und kritische Untersuchung der Lehre von der 'Fundamentalooption' innerhalb der 'rein teleologischen' Begründung der Ethik*, in: *Ethik der Tugenden. Menschliche Grundhaltungen als unverzichtbarer Bestandteil moralischen Handelns. Festschrift für Joachim Piegsa zum 70. Geburtstag*, ed. C. Breuer, Eos 2000, 311–360.
- Seifert J., *Natural Law: Persons Are United through Ends: Seven Different Relations between Persons and Ends and Their Relation to Natural Law and Community of Persons*, *Revista Española de Teología Facultad de Teología "San Damaso"* 67(2007)1–2, 149–163.
- Seifert J., *Ontic and Moral Goods and Evils. On the Use and Abuse of Important Ethical Distinctions*, *Anthropotes* 2, Rome 1987.
- Seifert J., *Philosophical Diseases of Medicine and Their Cure. Philosophy and Ethics of Medicine*, vol. 1: *Foundations. Philosophy and Medicine*, vol. 82, Springer, New York 2004 (Kluwer online e-book, 2005).
- Seifert J., *Was ist Philosophie? Die Antwort der Realistischen Phänomenologie*, *Zeitschrift für Philosophische Forschung* 49(1995)1, 92–103.
- Spaemann R., *Über die Unmöglichkeit einer rein teleologischen Begründung der Ethik*, *Philosophisches Jahrbuch* 88(1981), 70–89.

- Thomas Aquinas, *Summa Theologica* I–II, in: *Opera Omnia* (ut sunt in indice thomistic additis 61 scriptis ex aliis medi aevi auctoribus), 7 vols., ed. Roberto Busa, Stuttgart – Bad Cannstatt 1980, vol. III.
- Trianosky G.W., *Rule-Utilitarianism and the Slippery Slope*, *J Phil* 75(1978), 414–424.
- Wenisch F., *Insight and Objective Necessity – A Demonstration of the Existence of Propositions Which Are Simultaneously Informative and Necessarily True?*, *Aletheia* 4(1988), 97–107.