# Principles of Catholic Moral Life

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William E. May

"Christian Moral Theology and Consequentialism"

by

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# Christian Moral Theology and Consequentialism

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In his theological reflections, St. Augustine sharply distinguished between the disposition of an upright will toward God and its disposition toward everything else. God alone is to be enjoyed; everything else is to be used. The one thing necessary for human fulfillment is union with God in the beatific vision; every thing else is only a means to this.

Augustine's theology can be criticized, but it ought not to be oversimplified. Augustine's universe is not godless. Creatures are creatures of God; this world is a stage on which the drama of redemption takes place; and at least some human acts have a sacramental significance. Hence, Augustine's view that everything but God is to be used did not have all the negative implications one might expect it should have had for created goods and human life in this world.

However, in the modern western world, many people imbued with Augustinian ways of thinking have lost their faith. God is removed, and only utensils remain. This situation, of course, is absurd. However, an apparent order will be restored and life will find a new meaning if something within the remaining reality is elected to fill the role formerly played by God. Quite

naturally, something human seems most appropriate. So secular humanism is produced.

No matter what each form of secular humanism takes to be the proper object of enjoyment, it takes everything else to be a mere means. In Augustine, various relationships to God preserved the dignity of persons; somehow the goods of the human person could ground moral absolutes in matters such as killing the innocent, adultery, lying, and so on. In any secular humanism, there are no absolutes in such matters. No good of the human person is sacred if its destruction is required to attain the one thing necessary.

For example, the British utilitarians treated preferred states of human consciousness as the only self-validating value. In this theory moral norms that are generally valid must yield in situations where their violation is required to promote the enjoyment or lessen the misery of most people. Too bad if one is in the minority. Even worse if one is a nonperson.

Secular humanists, whether they accept a utilitarian theory of enjoyment or whether they hold a different view, uniformly consider many received Christian moral norms to be arbitrary, irrational constraints on life. Pressed to argue against those who still hold traditional views, humanists have uniformly rejected such constraints as obstacles to the fullest attainment of whatever is taken to be the self-validating value. And when Christians and others object that a secular humanist program will destroy or damage certain goods of human persons, the answer is that even if certain goods are lost, greater goods will be achieved. As Lenin said, "One cannot make an omelet without breaking eggs." Similarly, individual liberty and the reduction of public welfare costs are considered greater goods than the lives of the unborn. But the weighing is facilitated by arbitrarily declaring the unborn nonpersons.

Here we see the historical source of consequentialism. Bad trees sometimes by accident bear a good fruit, and so the origin

of consequentialism does not prove it to be a bad method of moral judgment. However, as we shall see, there is no fortunate accident in the present case.

For any consequentialist, the morality of at least certain choices is settled by their effects. If one is able to adopt a proposal that promises only good consequences, one has no problem. In such cases no choice is necessary. Choice becomes necessary when there are diverse proposals that promise more or less appealing good effects, but each of which also involves at least the bad effect of forgoing what the alternative proposal promises. To tell whether a choice is right or wrong, one must look at the effects of the choice. The consequentialist says one ought to choose the proposal that seems most likely to maximize good effects and minimize bad effects.

Some might object that arguments of this form can be found in the writings of people of all times and places. Even many Christian writers seem to argue at times that a choice that would otherwise be wrong ought to be made because of the bad consequences of choosing otherwise. To some extent I will dissolve this objection later in this paper by distinguishing between consequentialist reasoning and other reasoning easily confused with it.

But to some extent the point is sound. People of all times and places sometimes do offer consequentialist justifications for some of their choices. But if, as I am convinced, this form of argument is faulty, its widespread use must be regarded much as we regard the widespread use of an invalid form of the syllogism. It is one thing to use an argument of a faulty type. It is quite another thing to articulate and systematically employ a faulty form of reasoning. It is systematic consequentialism that is a modern, western, and initially secular humanist development.

When a form of reasoning has been articulated and is being criticized, the fact that arguments of this form have been used

in an unsystematic way by honest and well-intentioned persons is very weak evidence in favor of the validity of the form of reasoning under examination. Therefore, even if contemporary theologians who adopt consequentialism find some genuine examples of consequentialist reasoning in the writings of saints and the teachings of the Church, this does not show the method to be valid. The whole point of critical reflection is to make less likely mistakes that are quite likely without such reflection.

Thinkers who agree in being consequentialists differ on many closely related points. For example, some urge that consequentialism can be used to determine the morality of every choice, while others wish to restrict the use of consequentialism. It might be restricted to cases in which some other accepted norm or set of norms fails to yield a definite result or leads to perplexity. It might be limited to the choices by which one adopts one's life-style as a whole, or the rules of society, or something else that will serve as a standard for subsequent choices. Some wish to limit consequentialism whenever it is used by requiring that tests of fairness or of piety be met by proposals before they are allowed to become options for choice governed by consequentialism. Consequentialists also differ in their views about whose interests are to be taken into account when good and bad effects are appraised.

Consequentialists, to the extent that they are such, consider ethics an art of living. Moral goodness becomes a technical-esthetic quality of human acts, a quality they have insofar as they are effective means to whatever is taken to be the end. In other words, the good or goods that are the ends transcend moral goodness. Whether the end is enjoyment, freedom, public welfare, or something else, the end is a self-validating good, while moral goodness is important because of its effectiveness in promoting the end. To mark the distinction between moral good and evil and the goodness and badness of terminal values

and disvalues, the latter are sometimes called "nonmoral," "premoral," "ontic," or "basic human" values and disvalues.

Philosophers and others who attack consequentialism often begin by proposing examples which they think the particular theory they are confronting will have trouble in handling. For instance: What if the happiness of all the rest of humankind could be secured by subjecting one innocent person to endless torment? This procedure is not usually very effective, for a consequentialist always can argue that his or her theory can deal with the example, either in accord with existing moral norms ("People could not really be happy on that basis") or by revising them into a more rational scheme ("If it truly were possible, it would be right"). At best, working with examples leads a consequentialist to restrict the scope of the application of the method ("Consequentialism only applies to a choice among options that do not involve injustice to anyone").

There are many philosophical arguments against consequentialism. In appraising good and bad consequences of proposed choices, whose interests are to be considered? To what extent must one try to think up other possible courses of action? How far must consequences be investigated? How is the weighing of the various values and disvalues to be done? Cogent answers to none of these questions have been forthcoming, although the questions have been around for a long time. Still, many consequentialists cling to their faith in the method. They hope that someone will find solutions to all these difficulties.[1]

If consequentialism were put forth as a mystery of faith, this dogmatic attitude would be understandable. The odd thing is that consequentialism claims to be knowledge.

To see what is essentially wrong with consequentialism, one need not worry about whether it is limited in one or another way. In any case there is no consequentialism unless some judgments as to what choice one ought to make are held to be

properly grounded upon the comparison of the good and bad effects of choosing one or another alternative. (A consequentialist can allow that other conditions also must be satisfied for right choice.) Just insofar as consequentialism applies in reaching the judgment, the alternative promising greater good (or lesser evil) should be judged morally right.

The most central trouble with this attempted theory, it seems to me, is that it requires two incompatible conditions to be fulfilled simultaneously. First, the choice to be made must be between alternatives that really are morally significant. Second, the person about to make the choice must have reached a definite conclusion, by consequentialist weighing, as to which alternative promises the greater good (or less evil).

The first condition—that the alternatives really be morally significant—entails that the one choosing be able to choose the morally evil possibility. There is no moral significance in a choice between right and wrong proposals unless one is in danger of making the wrong choice. By itself, this first condition poses no problem. However, the second condition—that the one about to choose has reached a definite conclusion as to which alternative is preferable in consequentialist terms—requires a knowledge that would preclude a wrong choice.

Why is this so? Because nothing is chosen except insofar as it seems good. If one alternative is seen to promise definitely greater good or lesser evil, the other hardly could be deliberately chosen. What reason or motive could there be to choose the lesser good or the greater evil? In a consequentialist's view of things: None. For in this view, the premoral goodness of the outcome determines the moral rightness of the choice that is a means to it, and the method excludes any other intelligible factor that might tempt a rational agent to choose wrongly.

In recent publications I have extensively articulated the preceding argument. Therefore, although this argument is central, I offer here no more than this brief sketch of it.[2] The point

is that if one knew *in the way consequentialism requires* what one ought (on its account of "ought") to choose, one could not choose otherwise.

If the argument against consequentialism just summarized is sound, then consequentialism is *not* a false theory. A theory that requires that two incompatible conditions be met is not false, but absurd. It is literally meaningless. It is like telling someone to prove a point, but to be careful not to try to prove any but the most obvious point.

Richard A. McCormick S.J., in arguing for consequentialism, nearly perceived its inherent inconsistency:

> ... the rule of Christian reason, if we are governed by the *ordo bonorum,* is to choose the lesser evil. This general statement is, it would seem, beyond debate; for the only alternative is that in conflict situations we should choose the greater evil, which is patently absurd.[3]

McCormick is speaking of a theoretical alternative, while consequentialism is concerned with the practical alternative. But the two levels are isomorphic in the respects that are relevant, and had McCormick realized this, he would have seen that if a consequentialist judgment were possible, choice against it also would be absurd.

Incidentally, the answer to McCormick's argument is that in any morally significance choice, there are at least some aspects of good and evil that cannot be measured by any available standard. So one is not reduced, as he mistakenly supposes, to having to choose between the lesser *measurable* evil and the greater *measurable* evil.

Someone who accepts consequentialism will object that if consequentialism is meaningless, then it is hard to see how expressions such as the *greater good* can be used meaningfully, as they undoubtedly are, in many judgments bearing upon ac-

tion. For these legitimate uses also involve some sort of measuring of values.

For example, the Church characterizes one individual as holier than most others when it canonizes a saint. A judgment is made that someone has died in heroic sanctity, and this judgment leads to the act of canonization.

The answer to this objection is that, while the Church appraises holiness in making this judgment, it does not weigh the premoral good and premoral bad consequences of various options open to it. Rather, assuming the Lord Jesus as a standard, the Church judges the lives of those it canonizes to be so like his that they can be proposed as models for us. A morally specified standard is applied to moral data to reach a moral appraisal. Something similar is done when the law applies an accepted rule of justice to a crime or controversy to reach a just judgment on a case. The scales of justice weigh, but not in terms of premoral goods and bads.

Nor is this the only way in which we talk meaningfully of the *greater good* when we make judgments bearing upon actions. Often when we have decided what to do, technical questions remain about how to do it. If various approaches are possible, and if they do not seem to differ in any morally significant way, the alternatives can be appraised in terms of efficiency. For example, a Christian trying to meet a neighbor's need will calculate with care how best to meet this need. That approach is adopted which meets the need at a minimal cost.

Consequentialists often seem to be confusing such technical reasoning with the moral reflection required to reach a judgment of conscience. But the two sorts of practical reasoning differ, since technicians ignore moral issues or proceed only after they have been resolved. The technicians draw their practical conclusion as a nonmoral normative judgment from nonmoral goods and bads, namely, the costs of each alternative approach. Only if technical experts are muddled and irrespon-

sible enough to exceed the bounds of their competence do they try to draw ethically and politically significant judgments by a method of cost-benefit analysis that necessarily leaves out of account nonmeasurable and intangible factors.

The preceding examples of some nonconsequentialist uses of the *greater good* and similar expressions in practical judgments make clear that when people articulate reasons for acting, they will often use language that sounds consequentialist. Moreover, in our secular humanist culture, even morally upright people are likely to talk like consequentialists when they defend judgments made on moral principle. A husband, for example, might repulse another woman's offer out of faithfulness to his wife, but in spurning the offer, he may plea a concern about the potential bad consequences by saying, "Of course, I find you attractive. But no, we all might wind up getting badly hurt." Such a reply is better form in our society than "I reject your sinful suggestion."

The various uses of language that sound consequentialist, but actually are not, lend consequentialism the specious appearance of a meaningful theory. Undoubtedly many examples of moral reasoning can be found in the Christian moral tradition that appear superficially to exemplify consequentialist method. Such examples must be interpreted very carefully. There is consequentialism only if the author is trying simultaneously to meet the two conditions that define consequentialism: to reach a judgment in a case of morally significant choice as to what ought to be done, and to base the judgment on a comparison of the premoral goods and bads that would be brought about by the execution of each choice.

Among Catholic moral theologians, Louis Janssens,[4] Josef Fuchs S.J.,[5] Timothy E. O'Connell,[6] Gerard J. Hughes S.J.,[7] and Philip S. Keane S.S.,[8] among others, seem to have adopted rather thoroughgoing forms of consequentialism. Charles E. Curran[9] and Richard A. McCormick S.J.[10] also defend con-

seqentialism, but they think its application should be limited to conflict situations, and perhaps also by certain nonconsequentialist restraints.

I have been arguing against consequentialism for years. Proponents of the new moral theology, with the exception of McCormick, have been ignoring this criticism.

McCormick's most extensive consideration of any work of mine bearing on consequentialism was in his 1973 Marquette lecture "Ambiguity in Moral Choice." There he dealt with the treatment of double effect included in my 1970 book *Abortion: The Myths, the Realities, and the Arguments*. Although my central argument against consequentialism was not fully articulated until later, it was stated briefly in that work.[11] But instead of coming to grips with the argument against consequentialism, McCormick ignored it, and suggested that I am fleeing comsequentialist calculation because of nervous fear.[12]

McCormick was quite right in thinking that consequentialist calculation frightens me. But I do not think that my reaction is a nervous fear; it seems to me to be a reasonable horror. Even though I consider consequentialism quite a meaningless development, I wish to explain why I regard it with horror rather then with complacency (as would be the case if consequentialism were only some piece of innocent nonsense). In order to clarify my position on this point, I will now turn to McCormick's most recent publication on this subject, which takes the form of his contribution to a book entitled *Doing Evil to Achieve Good: Moral Choice in Conflict Situations*.

In this work McCormick is confronted by Paul Ramsey, who presses the objection that consequentialism demands the commensuration of the incommensurable. McCormick suggests that the solution to the problem of how to measure goods and bads, as consequentialism requires us to do when in judging what we *ought to do,* is simply to choose what we *are going to do*. McCormick says:

> What do we do? *Somehow or other,* in fear and trembling, we commensurate. In a sense we *adopt* a hierarchy. We go to war to protect our freedom. That means we are willing to sacrifice life to protect this good. If "give me liberty or give me death" does not involve *some* kind of commensuration, then I do not know what commensurating means.[13]

And he goes on to add several more examples similar to this one.

We must admit that the commensuration of goods and bads is accomplished in this way. The trouble is that the commensuration is in the choice, and the choice settles all the questions which, according to consequentialist theory, should have been settled rationally in reaching a judgment of conscience prior to choice. Choice does determine the limits of options to be considered, the consequences to be inquired about, and the persons to be taken into account; these boundaries are drawn automatically when choice cuts off deliberation. Moreover, choice does determine which good will henceforth be considered greater, and which evil lesser; the good with which we identify in choosing becomes part of our subjective measure of value.

In sum, McCormick in his most recent publication thinks he is explaining what consequentialism needs to explain and cannot explain: how we can know what is the lesser evil as a condition for choosing it. Instead he asserts something that is true but irrelevant to his purpose: that by choosing something, we can determine it to be the lesser evil for ourselves. (Choice can do this, not because it transforms the good and bad in what is chosen, but because it transforms the choosing self; in this way our choice settles what is a greater good or lesser evil for ourselves.)

While McCormick's assertion that we commensurate in choosing is useless for his purpose, it is not useless for mine. If consequentialism is meaningless, as I hold it to be, it obviously

cannot serve as a method of moral judgment. But once we have made a choice, and all the variables that a consequentialist cannot settle rationally are settled by this choice, then the pattern of consequentialist reasoning can be used to articulate in a persuasive way our reasons for making the choice.

Inasmuch as morally significant choices are free, conclusive justifications for making them cannot be given by appealing to something that would have determined the choice, A person who holds nonconsequentialist moral principles, for example, a believing Christian, can justify choices by appealing to such principles. A consequentialist, just insofar as he or she is one, cannot appeal to nonconsequentialist moral principles. The only thing left to appeal to is the expected good and bad effects of the choice made and of the rejected alternatives. Every choice promises some benefits; this is true even of every choice that would be rejected by these adhering to nonconsequentialist moral principles. So people who think in practice as the consequentialists urge us to think, justify themselves before their own consciences and the criticism of others by means of an account given from the view reached through their choice.

What I have been describing is a process with which we all are familiar. Psychologists call it "rationalization." It is clear that consequentialism can and does serve this purpose. To take one example: The atomic bombing of Hiroshima and Nagasaki was done in execution of a terroristic policy. This policy was adopted partly out of revenge and partly in the hope that it would help hasten victory. The terrorism was carried out in the context of an unjust demand that Japan should surrender unconditionally. In the event, a surrender with certain conditions was accepted because the United States had no more atomic bombs on hand and wanted to get the war over with. The terrorism was rationalized with consequentialist arguments, for example, that it saved more lives not only of American soldiers but also of Japanese soldiers. However, Japanese peace feelers

were ignored until after the atomic bombs had been dropped. And other ways to carry on the war without invading the Japanese home islands were never seriously considered.[14] Nor was serious consideration given to the possible future of world politics and terrorism, a future we now know included both the nuclear deterrent and Vietnam.

Please notice that I am not here attacking consequentialism by means of this example. A consequentialist probably would say that the architects of terror did not calculate as carefully as they should have. My central argument against consequentialism is that it is meaningless. What I am showing with this example is why a meaningless attempt at ethical theory still is appealing, why it shows itself protean in its ability to take on new forms, and why it displays remarkable endurance despite all the well-known and never answered arguments against it.[15] As a method of rationalization, consequentialism is serviceable, and even the most sophisticated people can become irrationally attached to what they find serviceable.

Thus far I have tried to make clear what consequentialism is and what it is not. I have sketched out the argument that consequentialism is literally meaningless. I then showed that there are various legitimate uses of language that sound consequentialist but are not. Finally, I have shown that, although consequentialism is a meaningless ethical theory, it is a serviceable method of rationalization.

Now I come to the second part of this paper. I believe that the adoption of consequentialism is having devastating effects on Catholic moral theology. I will try to show how these effects follow, not always as logically necessary conclusions but at least as likely consequences, given our present situation. Some might claim that in what follows I am trying to give a consequentialist argument against consequentialism. But that criticism misses my point. My argument against consequentialism is sketched out above and stated more fully in other

publications. All I am going to try to do now is to clarify what has been and is happening in Catholic moral theology as the new approach takes over.

We are in a time when renewal in moral theology demands new insights and new initiatives. For this very reason there is a special need for discernment between insights and initiatives that will contribute to authentic Christian renewal and upbuilding and those that will not. What follows is an essay in aid of discernment. If consequentialism is what I think it is, if it is having the results I think it is having, I hope this essay will help those who have adopted consequentialism to see that they have made a mistake, and that it will help others to avoid and correct this mistake.

In previous writings I not only attacked consequentialism but also attacked other aspects of the new morality. In carrying on this polemic, I did not distinguish sufficiently between the consequentialism of the dissenting theologians and their dissent itself. If we make this distinction, we can and should take a less absolute stand against dissent as such than the one I have taken in the past.

In order to see clearly what effects the adoption of consequentialism is having, we must first see what dissent in moral theology might be like if consequentialism were not adopted. To show this, I apply to a view of my own—the view that capital punishment cannot be morally justified—as much of the rationale for theological dissent as does not require the adoption of consequentialism. This analysis will allow me to compare the effects that dissent without consequentialism would have with the effects that dissent with consequentialism is having. In this way, the proper effects of consequentialism will become clear.

The received Catholic teaching on capital punishment is that it can be morally justified and, under certain conditions, perhaps even required. It is written: "You shall not allow a

sorcerer to live" (Ex. 22:18), and again with respect to capital punishment of the crime of homicide: "He who sheds man's blood, shall have his blood shed by man, for in the image of God man was made" (Gn. 9:6). Nevertheless, it seems to me that there probably can and should be a development of Christian moral teaching that would expand the traditional prohibition of the killing of the innocent into a prohibition of all direct killing. How can I justify this dissent from a received teaching?

Until now I have justified it as follows. The Old Testament must be understood in the light of the New, and both must be understood in the light of the Church's teaching as a whole. In the light of such consideration, I suspect that capital punishment was not enjoined any more than slavery, and that a legitimate development of the former can be made, just as a legitimate development on the latter has been made.

The expansion of the prohibition of killing would respond to our deepened awareness of the dignity of the person, who is not merely a part of the state, and to our increasing sensitivity to the sanctity of human life, which remains the personal good it is, even if it happens to be the life of a murderer. Moreover, I note that the teaching Church and the believing Church as a whole seem increasingly less eager to defend capital punishment as justifiable, let alone to propose it as a moral imperative.

To understand more perfectly the frame of mind underlying the preceding justification, it is helpful to consider the situation of sincere pagans who reach their moral judgments from some nonconsequentialist moral principles. For the most part conclusions will follow from these principles without trouble, but eventually—simply because the principles are not absolutely true and precise—an attempt to apply the principles will lead to perplexity: The same choice will be enjoined and forbidden.

Underlying the alternatives will be goods to which the per-

son is committed—in other words, certain aspects of his or her own moral identity. Moreover, either choice by itself can be justified by a method arising from the principles themselves without any consequentialism. At this point some modification is needed in the principles hitherto held. This modification ideally will be based upon fresh insight into human goods and their rational implications, but it also will require a modification of the self established by prior choices to the extent that these choices were mistaken.

Christians usually are saved from perplexity because the teaching of the Church is very extensive and very wise, since it is based upon the Word of God and upon the experience of his people trying to live in friendship with him. The net of Christian morality extends over almost all the problems that are likely to arise. For Catholics in modern times, until recently the tight net of Christian morality was especially unlikely to generate perplexity because probabilism allowed the net to stretch at many points. Where others would have felt perplexity, Catholics were allowed by a probable opinion and a competent confessor to follow their own consciences, that is, blamelessly to do as they pleased.

Theologians, however, had to face up to new problems that would cause perplexity. It was their job to generate probable opinions. To do this, they had to work directly from the fundamental principles of Christian morality. In other words, they had to proceed much as sincere pagans do. A new probable opinion tried to express a new insight into the rational implications for life of human goods. The only difference was that the theologians understood these goods in the light of faith, and were helped by the same light to discern their rational implications.

My dissenting opinion on capital punishment, then, is not an attack upon the principles of Christian morality; rather it is an expression of these very principles. I became sensitized to the

sanctity of life as I was studying the problem of abortion. My argument against abortion is that those choosing to kill the unborn are willing to destroy human lives in case the unborn are in fact human persons, and that such willingness is unjustifiable by any good consequences since the end does not justify the means (cf. Rm. 3:8). Theoretical coherence seems to demand the exclusion of all choices to kill persons, and so to demand the exclusion of capital punishment.

Moreover, many Christians formerly thought of the state as if its interests were those of a whole of which individuals were only parts, so that capital punishment could be justified in the same way as amputation. But this view surely is not Christian. Nor could I find any other Christian basis to justify capital punishment. In this situation, despite the received teaching, I think it probable that capital punishment is morally unjustifiable.

Of course, many secular humanists also reject capital punishment. They do so as a part of their rejection of retributive justice as such; their theory of punishment is consequentialist. Although I must admit that I doubt I would have reached my present position in respect to capital punishment if many others—and especially our chief opponents on the abortion issue—did not consider it unjustifiable, I do not share their reasons. I am not dissenting from this particular point of received Catholic teaching on the basis of a secular, rational principle but rather on the basis of the Church's teaching itself.

Dissent of this sort does not require any consequentialist calculation in which the obligation of submission to Church teaching is outweighed by the good effects of changing the teaching. This point can be clarified by an analogy. Sometimes a loved and honored parent makes unreasonable demands. An obedient child will fulfill such demands provided that there is not some serious conflicting duty. In case there is such a duty, the loving and obedient child will gently refuse to fulfill the

unreasonable demand, confident that the parent's own deeper wish would be that the real duty be fulfilled in a virtuous way, rather than that the particular demand be satisfied. The underlying assumption is that the parent is not perfectly integrated, and that we must honor the parent's deeper self in case it conflicts with some superficial aspect of that self.

It is clear enough that the Church's moral teaching has developed in the past. We no longer burn heretics, and no one today tries to justify slavery of any sort. Vatican Council II accepted and proposed as Catholic teaching, for example, certain views on religious liberty that not long ago constituted a dissenting position on the subject. Since development in moral teaching clearly is legitimate and necessary, and since my views on capital punishment seem to me to be grounded in deeper Christian principles; I believe that my dissent on capital punishment is within the legitimate bounds of Christian moral reflection.

Having reached this point, I call attention to a fact about which I was not clear before I began preparing this paper. Some—perhaps most—of those who dissented from the received Catholic teaching on contraception between 1964 and the publication of *Humanae Vitae* in 1968 very likely did not go beyond this point. The suggestions of some of the fathers of Vatican II, which were partly incorporated into *Gaudium et Spes,* and which were subsequently endorsed by the majority of the Pontifical Commission of Paul VI, could fit as to their essentials into the framework of the argument given above. The proposal was to modify a particular teaching point in order to make the whole of Catholic moral teaching more coherent, and thus to remove a seeming perplexity of married couples, without doing violence to anything fundamental. The avoidance of violence was considered possible because the Christian conception of the goods of marriage itself was thought to have become clearer.

However, I do not think that my dissent on capital punishment can be assimilated so closely to the theological dissent on contraception after *Humanae Vitae* was published in 1968. There are two points of difference.

First, the reaffirmation of Paul VI of the received teaching ought to have been answered by a new and deeper theological reflection, not by the unthinking repetition of arguments the Pope had already studied and rejected. Such new reflections, I think, would have made clear that we must not argue, as the dissenters argued (and still argue), that nondefined teaching is noninfallible teaching. A more open consideration by theologians of the relevant evidence would, I think, have convincingly shown that the received Catholic teaching on contraception and many other matters has been infallibly proposed by the ordinary magisterium. I shall not pursue this point here, since John C. Ford S.J., and I have published a paper treating it at length.[16]

People who hold the dissenting view on contraception might argue that the received teaching on capital punishment can also be infallibly proposed by the ordinary magisterium. But I do not think this is so. Still I must admit that I have not carefully examined this question, which is especially difficult because of the scriptural foundation for the licitness of capital punishment. In response to this admission, objectors probably would reply that their attitude toward the teaching of the ordinary magisterium discussed in the Ford-Grisez article is similar to mine toward the troublesome scriptural texts.

This last reply will be allowed to stand, not because I concede the point at issue, but because it would take me too far afield to pursue it now. The exchange does point up one thing: Objectively, the categories of teaching infallibly proposed and teaching not infallibly proposed are neat and exclusive. But epistemically—that is, from the point of view of people who are trying to recognize to which category a particular point of

teaching belongs—the situation is not so simple. We face a spectrum from what is certainly infallibly proposed through various grades of what is probably or possibly infallibly proposed down to what is certainly not infallibly proposed. This fuzziness renders possible dissent from an infallibly proposed teaching by a well-intentioned error—a possibility instanced by the material heresies of various Fathers and Doctors of the Church.

The second point of difference between my dissent on capital punishment and the dissent on contraception after *Humanae Vitae* is that the latter but not the former negated the norm as obligation, sought to displace it in pastoral practice, and so impugned the teaching and governing authority of the Pope and the bishops who stood with him. It was these aspects of the dissent that were reproved by the bishops of the United States in their November 1968 pastoral.[17]

And it still seems to me, as it did in 1968, that Catholic theologians or priests who cannot in good conscience accept, propose, and apply a point of moral teaching on which the Pope or local bishop are insisting ought to resign. We should not expect superiors to allow their own authority to be used by their subordinates in a way that the superiors cannot in conscience approve. If a conflict of judgments is irresolvable, the judgment of the superiors must prevail. This is simply part of what it means to have a hierarchy in the Church.

If what I have just said is correct, the dissent after *Humanae Vitae* went beyond a very important boundary. Some theologians had adopted consequentialist arguments for contraception before *Humanae Vitae*. Afterward, virtually the whole body of dissenting theologians came to understand the method and to use it or condone its use not only to justify contraception but to justify dissent itself. Such dissent, it was argued, was necessary to relieve married couples of an onerous burden of conscience. Moreover, dissent came to be regarded as a neces-

sary means of transforming the relationship between the sacramental teaching authority of the bishops and the authority of the theologians as expert scholars.

Today we are in a position to begin to see the devastating effects of the adoption of consequentialism by many Catholic moral theologians.

The first point is that consequentialist reflection upon past action tends to create the illusion that we could not have done otherwise than we did. To have chosen the lesser good or the greater evil would simply have been absurd. This phenomenon leads directly to psychological determinism, at least with respect to choices that are thought to be shaped by consequentialist reasoning.

The point I am making is exemplified by the British utilitarians. They looked at action from the perspective of people who review it with consequentialist spectacles. They accepted psychological determinism, and denied the freedom of choice traditionally considered an essential condition for moral responsibility. They claimed that, to be morally responsible, freedom from external coercion is sufficient. But they never explained how anyone can do what is wrong. Their theories underlie contemporary views that no one ever does wrong. People only make mistakes, act immaturely, suffer from neuroses, are damaged by bad institutions, and so on.

Catholic theologians who adopt consequentialism are not likely to deny free choice altogether. On the one hand, a blanket denial might not seem necessary, especially if it is held that some choices or aspects of choices are not subject to consequentialist calculation. On the other hand, the exclusion of free choice from Christian life as a whole clearly destroys the Christian conception of the person and excludes the very possibility of the act of faith. In an earlier paper in this workshop, Joseph M. Boyle, Jr., discussed this last point at some length, so I need not expand upon it.

However, if we begin to look at choices in a consequentialist perspective, we are likely to begin to think of them as if they were not free, and yet as if they remain morally significant, for consequentialism implies this with respect to the choices to which it is applied. Please notice that this position, if it were articulated, also would clearly conflict with faith, for we believe that people do not incur guilt except by abusing their freedom of choice.

Nevertheless, many Catholic moralists seem to me to have begun drawing out the implications of a premise that they do not make explicit: Choices that they think are subject to consequentialist judgment are not free. There are many implications to this development.

First, no such choice can be the fundamental commitment of Christian life, for this commitment surely must be free. Thus it seems necessary to posit this commitment elsewhere than in the choices consequentialist reasoning is thought to regulate. Boyle also has analyzed at some length how proponents of fundamental option theory are trying to insulate the center of the Christian self from almost all sinful choices.

Second, if we cannot consistently consider choices regulated by consequentialist reasoning to be free, we cannot consistently consider mortal sin to be a possibility in matters of such choices. Consequentialism allows for sufficient reflection or for full consent, but never for both. In the sexual area, the exclusion of mortal sin seems especially plausible, since we also experience psychological compulsion in this area. This feeling, together with the half-formed thought that the apparently greater good compels acceptance of one alternative, easily seems to preclude moral responsibility. So we encounter arguments roughly like the following one: Everyone masturbates, and so it is natural and virtually inevitable; and besides it is better to release sexual tension than to be distracted by it from more important things such as sleep, study, and prayer. As a

result, grave matter clearly is excluded from masturbation by such an argument.

My third point is more complex and even more important than the preceding two. The adoption of consequentialism transforms the way we look at our whole moral lives.

Christian faith teaches that the communion of our freedom with God's freedom and the conformity of our wills to his will are the heart of the Christian moral life. Everything else in Christian life is significant only insofar as it leads up to or flows from this central relationship. God freely reveals himself in Christ; we freely accept his offer of friendship. Since this communion of freedoms is central to Christian life, what is most important about our choices is how they share in and express this communion. In other words, what our choices do to ourselves, how their execution puts all parts of ourselves to work in the service of love, thus integrating our whole mind and heart and soul and strength with the love of God—this is by far more important than any consequences our choices bring about outside our self-determined selves. Thus Christian morality is a morality of the heart. The conformity of our hearts to the heart of Christ is what is more important.

I realize that theologians who accept consequentialism are likely to protest that they accept everything in the preceding paragraph. But consequentialists must take the consequences very seriously, not only because they think that the consequences determine the morality of the acts to which consequentialism is thought to apply but also because the theory implies that these acts cannot be freely chosen. If they are not freely chosen, they cannot either contribute to or destroy the moral self.

The diversion of attention away from the moral self toward the consequences of acts changes our whole conception of moral life. This change is reflected in a loss of interest in the quest for personal moral purification and sanctification. The idea of sav-

ing our soul begins to seem unreal. There is a decline in reflection upon the state of our soul and a withering of interest in the ministry of the cure of souls.

Moreover, this diversion of attention tends to make a limited consequentialism spread. For example, we begin by approving contraception for the contribution it is expected to make to preserving the goods of marriage. This initial move draws attention away from the marital relationship as an aspect of the moral selves of the spouses and turns attention upon their experienced or phenomenal relationship, which is what contraception serves. The relationship of marriage itself thus is withdrawn from the field of moral goods, where it is inviolable, and transferred into the area of nonmoral goods, where it must compete against other prospective goods. If a marriage seems to be broken down, divorce appears justified. And so the absoluteness of the commitments of Christian marriage, of religious vows, and of other aspects of the Christian personal vocation is negated.

When consequentialism has spread to commitments like those just mentioned, virtually nothing is left of Christian life. The act of faith establishes a personal, covenant relationship with God. But the common Christian vocation to share in this covenant is concretized in our personal vocation. Marriage, for example, not only symbolizes but in a real way concretely shares in the unity of Christ with the Church. The very meaning of faithfulness to such commitments is that we stand by them, for better and for worse, regardless of any apparent consequences in doing so. Ordinary promises sometimes can be rightly broken, but vows that incarnate our commitment to God cannot be. If we accept consequentialist justifications for breaking such commitments, faith itself will soon be tested by the quality of our religious experience and the other benefits it yields. To put faith to such a test is already to have abandoned it.

In sum, if what I have been saying is correct, the adoption of consequentialism in Catholic moral theology, even if initially with some limits, tends to undermine the moral self of the Christian; it ultimately threatens to subvert faith itself. I now turn from the subject matter of theology to the work of theology itself. Here too consequentialism has devastating effects.

The adoption of consequentialism by a moral theologian, even in a restricted form, sets off a dialectical movement of incursion of reason upon the claims of faith. As I explained previously, from the point of view of someone who is trying to judge whether a teaching is infallibly proposed or not, the neat categories become a sort of spectrum with many shades of what is probably and possibly infallibly proposed in between the extremes of the certainly infallibly proposed and the certainly not infallibly proposed. Thus there is a gradual shading in the claims that the obedience of faith makes upon a believer.

Dissent justified by a consideration of measurable consequences—as the dissent after *Humanae Vitae* was—seems to involve no fundamental disloyalty when the claims of obedience are perceived to be at the weak end of the spectrum. Yet such dissent weakens respect for authority and the disposition to conform our judgment to the received teaching. At the same time, the application of consequentialism to solve one problem disposes people to consider other problems from a new perspective. Some of these can be resolved by extending dissent only slightly—just far enough to override the weakest of the claims to obedience that we have hitherto respected. The deepening of dissent further intensifies the dispositions that dissent sets up, and so on. Thus rationalism waxes as obedience gradually wanes.

Dissent that does not involve the acceptance of consequentialism need not generate this vicious dialectic. What is different about consequentialism is that it implicitly involves a principle alien to faith. The proof is that Christian faith is

clearly incompatible with the thesis, implicit in consequentialism, that there can be morally significant choices that are not free choices. Once a principle alien to faith is adopted as a standard for theological judgment, theology becomes alienated from itself. It ceases to be faith seeking understanding, and turns itself into unfaith seeking rationalization.

The dialectic I am describing is a new experience in the Catholic Church. But already a century and more ago, some Protestant theologians transformed their discipline into a sort of philosophy, often into a philosophy of religious experience.[18] Academic theologians of the time felt impelled to try to meet the criteria of rationality accepted by their academic, nonbelieving colleagues in philosophy, history, and the emerging disciplines of psychology and the social studies. Many of these theologians declared their autonomy from their ecclesial communities. The authority of these communities had already been rendered ambiguous by the Reformation's emphasis upon the normativity of Scripture at the expense of the normativity of the living Church handing on its faith under the leadership of a hierarchical magisterium.

Thus liberal Protestantism developed. Like their brethren of the last century, many Catholic theologians today are becoming converted to the priority of secular academic standards of responsible inquiry over anything specifically Christian and Catholic. If the effect of this conversion at first appears limited, this appearance only persists because at first much of what the Church believes and teaches seems rationally justified, and much more can be reinterpreted ingeniously so that the incompatibility between Catholic faith and nonsubmissive autonomous rationality can remain obscure.

From the analysis of possibly licit dissent that I provided earlier in this paper, it should be clear that I am not arguing for theological immobility—for a rigid adherence to everything that has ever been said with even the minimal degree of

magisterial authority. Such a posture would constitute a sort of Catholic fundamentalism, and this would be untenable. But a theology essentially emancipated from the hierarchical magisterium is not the only alternative.

In theological dialectic, no matter how it is conducted, everything moves. But it makes a great difference whether certain truths of faith itself or some principles outside faith are accepted as the principles of the very possibility of the dialectic. Whichever principles are chosen to play this key role, they will develop in all sorts of ways, but they will never negate themselves, provided that they were a self-consistent set to begin with.

To hold the Catholic position that there is some definite content to faith and some definite truths that God has revealed is to hold precisely that the theological dialectic depends upon these truths for its very possibility. Faith itself embraces certain truths that can also be known by reason. But any beliefs absolutely outside faith must be regarded as less certain than it. The light of faith reduces all human science to opinion; the folly of God is wiser than the wisdom of human philosophy. It follows that any proposition that does not somehow fall within faith not only must be held tentatively as open to development but even be subject to negation if this is required by faith's unfolding implications.

I am asserting, not denying, that the human mind as such, and therefore the Christian mind, always is on the move. But it makes a great difference what is considered to be immune from contradiction, although even it remains open to development.

A moral theology that emancipates itself from the hierarchical magisterium and that adheres to a method implicitly incompatible with the Christian conception of the person and of moral responsibility is no longer a Catholic moral theology. Those who have adopted consequentialism perhaps initially dissented on the peripheral matter of contraception by appeal-

ing to more central Christian norms. But when they adopted consequentialism, their whole project changed radically.

They began to criticize the Church's moral teaching by means of this and other extrinsic principles, and to state opinions in the form of consequentialist argumentation. Although consequentialism has been so effectively attacked and has shown itself so thoroughly indefensible that it can be held only as a nonrational conviction, they apparently think this method transforms their opinions into knowledge. Hence they seem to think they have moral science by which they can judge and condemn teaching efforts of the popes and bishops if these efforts are unsupported by fresh and rationally cogent arguments.

If the preceding analysis is correct, it has at least one extremely important practical implication. The Pope and the other bishops need not always regard theological dissent as a form of disloyalty that must be suppressed. However, when theologians adopt a methodology from outside faith, one even implicitly incompatible with faith, and withdraw this principle of their own reflection from criticism in the light of faith, then those who share in the apostolic office ought not to continue to condone dissent.

The bounds of legitimate dissent have been crossed long since. The new moral theology is not an option within the pluralism of Catholic theologies, but an option alternative to Catholic faith itself. What is needed now is a clarification so that those who have made this option in confusion and by mistake, but whose fundamental option remains that of Catholic faith, will be able to reconsider and retract.[19]

Christian moral theology is impossible without the obedience of faith. Christian moral life requires obedience to the received moral teaching. And the proper functioning of the hierarchical teaching office depends upon the courageous obedience of the Pope and the other bishops to Christ and the

Holy Spirit. But is not obedience a childish and servile virtue?

Christian morality that insists upon obedience is not childish; it is a guide to rational service. Such service requires mature choices, for Jesus wishes us to do what he did, and even greater things than he did. Moreover, this morality is not slavish, for the slave could understand what his master is about but is not given knowledge. By contrast, Christian morality guides us in conscious cooperation with Jesus in his work.

Yet obedience remains necessary. First, because there is still something both childish and slavish about us as we now are. We are God's children, but we are not yet mature members of his family, and so we do not know him as he knows us, and we must trust him in a way that he need not trust us. Furthermore, we are friends of Jesus, but imperfect ones. When we sin, the duties of friendship seem heteronomous. The New Law is written in our hearts, but our hearts are divided, not simple and pure.

Even so, the yoke of obedience need not be onerous. For God wishes to bring us up by helping us to understand his plans more perfectly and to share more maturely in carrying them out. God also is like a generous master whose slaves are prisoners serving a well-deserved sentence of hard labor. He wishes our work in his service to be transformed into a better relationship—one of mature friendship and equality.

At a deeper level, however, the obedience characteristic of Christian life never will be transcended. Every perfect and good gift comes from above, from the Father. Even within the Trinity, there is procession, there is hierarchy. The divine persons are an orderly family. As everything is, so it acts. Thus Jesus obeys the Father and the Spirit obeys both the Father and the Son (cf. Jn. 16.13).

If we are called to share in the divine nature, we also are called to share in the obedience of the divine family life. Even

in heaven we shall have to know our place and fulfill it. But such obedience will no longer be in any way servile or childish. The freedom of the children of God will be perfect in eternal obedience.

One final objection, however, brings us down from the heights of this reflection. Surely obedience is acceptable if it means something so elevated. But to obey Paul VI? Clearly, that would have been another matter! A modern and responsible theologian has to draw the line somewhere between the obedience of faith due to God and obedience to particular, nondefinitive decisions of a pope.

In part, this objection points back to questions already touched upon. But there is a further element that lends to the objection plausibility, and this element needs to be answered. It is a fear that the obedience due to God will be given idolatrously to human beings. Many Christians faithful to the Reformation are deeply imbued with this fear. Some Catholics also share it.

I think that reflection on the principle of subsidiarity can help us meet this concern. According to subsidiarity, it is better for persons do for themselves what they can do, and for people to do in small communities what small communities can do, rather than to socialize and centralize. Those who adhere to consequentialism will have a hard time understanding the point of this principle, for it will seem to them a rule of inefficiency.

But from the point of view of an ethics that stresses the self-constituting aspect of human acts over their efficacy in getting results, subsidiarity makes good sense, for it subordinates efficiency to an active, conscious participation. And participation is good because it gives more people more chances to do more significant things—and so to be more, even if they do not bring about more.

It seems that God is more interested in giving us oppor-

tunities for self-realization in doing good than he is in getting results efficiently. God always could cause the results without us. But even God cannot make us agents who fulfill ourselves in our work without giving us the graces of abilities, norms, and acts that make possible and constitute our work.

All through the gospels it is obvious that the apostles are eager to share in the work of Jesus. They long for places in his kingdom. He accepts death when their formation is barely underway. And he explains that he must go so that the Spirit may come. A parable might clarify this point.

A certain retired rich man decided to start a new business. He instructed his son, gave him financing, and sent him to set up the enterprise. The task was difficult but fulfilling for the son. Once the business is launched, however, the son also must retire, for if he does not, his associates will never have a chance at leadership. If the business is to continue as a family business, the associates must be adopted by the father. To do this, the father must send an attorney with the power to carry out the adoption. And so, in a way, the natural son's retirement was necessary for the coming of the attorney.

If the central insight of this parable is sound, then God applies the principle of subsidiarity in his work of creation, redemption, and sanctification. The benefits of the Eucharist could have been caused without the priest, but the priest cannot exist without the Eucharist. People of sincere heart might come to God without the apostolate of the Church, but the Church cannot exist without the apostolate. And the coming to be of the Church is important because it is the earthly beginning, a beginning that also is our work; it is the beginning of the family of God, the pleroma of Christ, and the temple of the Spirit.

In short, we ought to have obeyed Paul VI, and we ought to obey John Paul II, not because they are sometimes helpful functionaries but because they are sacraments. And this, fi-

nally, is the reason why there is a difference between theologians and bishops, even when both groups are faithful and moved by God's grace. In their professional capacity the former utter the words of people of faith; the latter utter the Word of God in whom we believe.

## Notes

1. An important summary of the difficulties philosophers find in consequentialism is Dan W. Brock, "Recent Work in Utilitarianism," *American Philosophical Quarterly* 10 (1973): 241-69. Alan Donagan, *The Theory of Morality* (Chicago and London: University of Chicago Press, 1977), pp. 172-209, lays out some of the standard Kantian objections and argues against consequentialism generally, especially (pp. 199-209) on the way in which ignorance blocks utilitarian calculation. Germain Grisez, "Against Consequentialism," *American Journal of Jurisprudence* 23 (1978): 21-72, contains further references; note especially the admission by J. J. C. Smart quoted on p. 30 that calculation is impossible, and related admissions by Jeremy Bentham and Garrett Hardin (pp. 35-36) which make clear that "calculation" is determined by choice. An important clarification of the nonconsequentialist nature of moral norms is B. J. Diggs, "Rules and Utilitarianism," in Michael D. Bayles, ed., *Contemporary Utilitarianism* (Garden City, N.Y.: Doubleday & Company, 1968), pp. 203-38.
2. See "Against Consequentialism," pp. 41-49; Germain Grisez and Joseph M. Boyle, Jr., *Life and Death with Liberty and Justice: A Contribution to the Euthanasia Debate* (Notre Dame, Ind. and London: University of Notre Dame Press, 1979), pp. 346-55. Although these previous articulations of the argument are fuller, the present state of it contains two important refinements: (1) I now make it clear that none of the differences among forms of consequentialism are relevant to what is wrong with it, since all forms of consequentialism are intended to bear upon certain choices (whether of acts or of rules or of something else) and are supposed to settle the morality of such choices (whether after other conditions are met or not); (2) I now make explicit the formal contradiction implicit in the consequentialist conception of moral judgment and choice.
3. Richard A. McCormick S. J., "Ambiguity in Moral Choice," in Richard A. McCormick S. J., and Paul Ramsey, *Doing Evil to Achieve*

*Good: Moral Choice in Conflict Situations* (Chicago: Loyola University Press, 1979), p. 38.
4. Louis Janssens, "Norms and Priorities in a Love Ethics," *Louvain Studies* 6 (Spring 1977): 212-13 and passim.
5. Josef Fuchs S.J., "The Absoluteness of Moral Terms," *Gregorianum* 52 (1971): 436, 445, and 455.
6. Timothy E. O'Connell, *Principles for A Catholic Morality* (New York: Seabury Press, 1978), pp. 144-64. This book is important because, as a textbook, it makes clear the institutionalization of the moral theology of dissent. It also provides a more comprehensive and clearer statement than is found in the work of many others who share in the movement.
7. Gerard J. Hughes S.J., *Authority in Morals: An Essay in Christian Ethics* (London: Heythrop Monographs, 1978), pp. 64-90. At times (e.g., pp. 82 and 111) Hughes seems about to recognize noncommensurability, and to be about to slip into subjectivism. This slide is understandable, inasmuch as goods can be rendered commensurable as the consequentialist wishes only *in choosing*. The phenomena of deliberation and choice only lend consequentialism any plausibility at all if the process is regarded retrospectively, as J. S. Mill, for example, normally regards it.
8. Philip S. Keane S.S., *Sexual Morality: A Catholic Perspective* (New York, Ramsey, N.J., and Toronto: Paulist Press, 1977), pp. 46-51.
9. Charles E. Curran, *Themes in Fundamental Moral Theology* (Notre Dame and London: University of Notre Dame Press, 1977), pp. 133, 141. Because Curran's methodology is essentially rhetoric, he makes a great fuss over what various positions are called, and does not regard himself as a "consequentialist." But by definition he is. I think it odd he considers me a "deontologist," but do not object, except that he seems to think the name sufficient refutation.
10. Richard A. McCormick S.J., "A Commentary on the Commentaries," in McCormick and Ramsey, eds., pp. 193-267, and in many other recent publications.
11. Germain Grisez, *Abortion: The Myths, the Realities, and the Arguments* (New York and Cleveland: Corpus Books, 1970), pp. 310-311. In *Ambuiguity* (p. 26) McCormick challenges me to give a clearer account of "proportionate reason." I distinguish various modes of obligation (responsibility) of which only one is that one may not do evil that good might follow therefrom. One has a proportionate reason for doing what does not violate that mode of obligation, though it involves foreseen harm, if and only if it does not violate any other mode of

responsibility—e.g., universalizability (the golden rule). In the same work (p. 34) he finds difficulty in understanding what I mean by "to turn directly against these goods." Similarly, in "Current Theology: Notes on Moral Theology 1977: The Church in Dispute," *Theological Studies* 39 (March 1978): 95-96, in criticizing William E. May, McCormick still finds difficulty in understanding what is to count for such a turning. He quotes two passages from my works in which I talk of "acting directly against," and this is what I mean. One acts directly against a good if and only if one makes a choice by which one adopts a proposal such that the content of the proposal includes destroying or harming one or more instances of that good. For example, one acts directly against the good of life if one in deliberation considers a proposal to kill someone and by choice adopts this proposal. The execution of such a choice would be "direct killing." McCormick often writes as though he believed that offering a few criticisms against those who have made reasoned objections to his views dispensed him from the need to answer the objections (a little offense is the best defense).

12. "Ambiguity," p. 34; cf. p. 26. to analyze someone's psyche is *ad hominem.*

13. "A Commentary on the Commentaries," p. 227; cf. p. 225. McCormick here at last explicitly makes the move which I described and which he ignored in my attack on utilitarianism in *Abortion,* p. 310.

14. See Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), pp. 251-83, treats bombing in World War II, including the A-bombing of Japan, and the nuclear deterrent. The summary of the data is interesting, and many of Walzer's conclusions are sound, but his ethical theory is not wholly adequate. I personally first became sensitized to consequentialism when as a graduate student I became friends with a Japanese of my own age who had lived in Nagasaki, but was away for the day when it was destroyed. Almost everyone and everything he had ever known and cared about were obliterated that day. In the early 1960s, conferences on ethics and international politics at Georgetown University began to clarify the issue for me theoretically. The nuclear deterrent is a paradigmatic embodiment of this horrible pseudo theory.

15. I do not presume to judge the hearts of those who articulate and defend consequentialism at the theoretical level. When I first began to think about ethics (1959-60), it seemed to me a very plausible theory.

But I felt that the objections to it would have to be answered, and in trying to answer them, I discovered that they cannot be answered. If Richard McCormick or any of the other theologians I am criticizing thinks he can defend his theoretical position, I shall be pleased to meet in fair debate, oral or written. Unless and until those who hold this theory show a serious willingness to try to defend it, the impression that they hold it dogmatically can hardly be avoided.

16. John C. Ford S.J. and Germain Grisez, "Contraception and the Infallibility of the Ordinary Magisterium," *Theological Studies* 39 (June 1978): 258-312.

17. "Norms of Licit Theological Dissent," National Conference of Catholic Bishops, *Human Life in Our Day* (Washington, D.C.: November 15, 1968), pp. 18-19.

18. The experience did have a short run in the Catholic Church around the turn of the century in the modernism crisis. But not everything in the crisis of that time is essentially connected with the liberal movement in theology, which essentially amounts to the supposition that there is somehow or other a fixed place to stand in some sort of knowledge outside faith, and that this standpoint provides a more valid condition for dialectic than does faith itself (e.g., as articulated and defended by the living magisterium of the Catholic Church). The liberal theologian thinks he or she is a scientist, and that belief (as opinion) must not override science. A good example of the liberal theological view by a Catholic theologian is David Tracy, *Blessed Rage for Order: The New Pluralism in Theology* (New York: Seabury Press, 1975), pp. 6-7, and passim. The odd thing is that liberal theology, far from being science, simply is bad philosophy that is taken too seriously by theologians.

19. Some who sympathize with the Catholic dissenting theologians are quick to criticize as "uncharitable" any clear and forceful attack upon dissent such as I make here. I do pray that all the dissenting theologians to whom I make reference in this paper, as well as all who connive in dissent, and I will meet together in heaven. And I suggest that much light is shed upon the relationship between charity, truth, and dissent by a careful reading of the New Testament passages listed in any concordance under "teaching" and other words in its family. One need not examine every New Testament book to see several important points; one can start with the Second Epistle of John.