

## The Derivation of the Modes of Responsibility and Moral Absolutes

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Because we identified the modes of responsibility by looking through the history of moral philosophy and so on for mistaken proposals of a first principle of morality, up to now we have not had an account of moral absolutes moving from first principles. We can derive the seventh and eighth modes from the first principle of morality, argue against consequentialism, and tell our story about choice and action in such a way as to give a good account of some traditional moral absolutes—as we did in the *Nuclear Deterrence* book. But we believe there are other absolutes, such as “Fornication is always wrong,” which cannot be reduced to the seventh or eighth mode. And what are we to say about “Manufacturing babies is always wrong” and “Selling people is always wrong”—which seem to be absolutes falling under the fifth mode?

Also, anyone looking at the theory as a whole has to wonder why some specific norms are absolute and some not. We try to explain that in *The Way of the Lord Jesus*, 10-C, but that story, while it seems okay so far as it goes, is not perspicuous and may be circular. So it seems necessary to show the genesis of the modes of responsibility, which will enable us to explain more adequately why some specific norms are moral absolutes and why there are other norms—some formal absolutes and some significant but non-absolute norms.

For convenience’ sake, I’ll print out here both the current set of modes of responsibility (from *The Way of the Lord Jesus*, Summary, chapter eight) and Chapter 10, Question C. First the Summary:

These are the eight modes of responsibility:

1) *One should not be deterred by felt inertia from acting for intelligible goods.* This happens when one refrains from doing something worthwhile out of laziness, conquerable depression, or the like. Words like “energetic” and “diligent” signify the virtue corresponding to this mode; words like “sluggish” and “slothful” name the vice. Revelation deepens the first mode by making God known as a liberator and so counteracting the hopelessness induced by evil.

2) *One should not be pressed by enthusiasm or impatience to act individualistically for intelligible goods.* This happens when one acts by oneself, although knowing that by cooperation with others the good would be more perfectly attained insofar as others could share in it. In one aspect, the corresponding virtue is called “team spirit”; the vice is named by expressions like “going it alone” and “overcommitted.” Revelation deepens this mode by making known humankind’s original common life and vocation, and the need for every person to play a particular role in God’s plan.

3) *One should not choose to satisfy an emotional desire except as part of one’s pursuit and/or attainment of an intelligible good other than the satisfaction of the desire itself.* Violations occur when people act for no good reason, on account of impulse, craving, routine, or the continued lure of goals which no

longer make sense. The virtue is called “self-control” or “discipline”; the vices “lustfulness,” “greed,” “fanaticism,” “jealousy,” “impetuosity,” and so on. Revelation deepens this mode by manifesting the dignity of human persons and by clarifying the reality of free choice and moral responsibility.

4) *One should not choose to act out of an emotional aversion except as part of one’s avoidance of some intelligible evil other than the inner tension experienced in enduring that aversion.* This happens when one is deterred from reasonable action by feelings of repugnance, fear of pain, anxiety, and so forth. Words like “courage” and “perseverance” signify the virtue, while the vice is expressed by words like “irresolution” and “squeamishness.” Revelation deepens this mode by making it clear that evil has a limited reality and that God is dependable.

5) *One should not, in response to different feelings toward different persons, willingly proceed with a preference for anyone unless the preference is required by intelligible goods themselves.* This mode is violated when one’s treatment of others is marked by partiality toward some (including partiality toward oneself). The virtue is called “fairness” and “disinterestedness”; the vice “favoritism,” “selfishness,” “prejudice,” and so forth. Revelation deepens this mode by making it clear that all human beings stand in a similar relationship to God, who is fair and merciful to all.

6) *One should not choose on the basis of emotions which bear upon empirical aspects of intelligible goods (or bads) in a way which interferes with a more perfect sharing in the good or avoidance of the bad.* This happens when people act for the conscious experience of a good rather than its fuller reality. The virtue is named by expressions like “sincerity,” “clear-headedness,” “having a sound set of values”; the vice by words like “superficiality,” “frivolity,” and “childishness.” Revelation deepens this mode by making clear the primacy of divine reality which transcends experience.

7) *One should not be moved by hostility to freely accept or choose the destruction, damaging, or impeding of any intelligible human good.* Violations occur when negative feelings cause people to act destructively (including self-destructively). The virtue is named by words like “patient” and “forgiving”; the vice by words like “vengeful” and “resentful.” Revelation deepens this mode in that God is shown to be long-suffering and forgiving.

8) *One should not be moved by a stronger desire for one instance of an intelligible good to act for it by choosing to destroy, damage, or impede some other instance of an intelligible good.* This happens when one deliberately acts to bring about something bad, either for the sake of a good or to prevent something else bad. The virtue is signified by the word “reverence”; the vice by “craftiness,” “expediency,” and so on. Revelation deepens this mode by enhancing reverence for the goods of human persons made in God’s image. The acceptance of certain practices (for example, killing in warfare or capital punishment) both in the Old Testament and by Christians does not tell against this mode. For one thing, the people of Old Testament times did not have perfect access to moral truth; for

another, there is reason to think an authentic development of doctrine may be occurring in regard to just these matters.

The eight modes of responsibility together guide action positively toward integral human fulfillment. An ideal rather than a goal, integral human fulfillment shapes a good life by requiring that one's actions be suited to its realization (if that were possible) and ruling out actions incompatible with this. The third and fourth modes direct one away from a life of sentient satisfaction toward intelligible human goods. The first and eighth modes require one to pursue some of the goods and not act against any. The sixth mode excludes a life focused on mere self-satisfaction, and the fifth requires one to treat others fairly. The seventh mode forbids revenge and so conduces to community despite the wrongs people do one another. And the second mode calls for a will toward cooperation with others in genuine community.

Alternative world views tempt people to turn from the vision of moral truth; one who deals uprightly with this temptation makes a more or less explicit commitment to integral human fulfillment. Such a commitment is basic in the sense that it shapes the whole life of one who makes it. For Christians, their act of faith constitutes such an upright commitment; for those who have not heard the gospel, their basic commitment serves as an implicit act of faith.

And here is Chapter 10, Question C:

**Question C: Why are some specific moral norms absolute and others non-absolute?**

1. If people always personally derived specific moral norms directly from the modes of responsibility, the present question could be omitted. The exposition could proceed at once to Question D, where the relationship between general moral principles and judgments of conscience will be explained, and the role of specific norms clarified.

2. Of course, most people, for good reasons, do not personally derive specific moral norms directly from the modes of responsibility. Rather, they reach moral judgments by drawing on a stock of moral norms they have on hand. Most of these norms are not absolute. For instance, St. Paul teaches: "Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God" (Rom 13.1). But the people who carried out the Nazi policy of genocide surely should not have obeyed orders. Norms which admit of exceptions are here called "non-absolute."

**3. Most specific moral norms are non-absolute because they are open to further specification by recourse to the same principles from which they were derived. The basic human goods, the first principle of morality, and the modes of responsibility generate norms in the first place, and they can generate more refined norms when necessary.**

4. For example, a specific norm such as "Keeping promises is obligatory" is true and guides choices as long as the only thing in question is the aspect of interpersonal harmony underlying the making of promises and the norm that they

should be kept. However, promises and the cooperation they foster very often concern other goods besides. When keeping a promise would affect these other goods in a way which can be taken into account without partiality, one faces a choice which is more specified than that involved in simple promise keeping. A more specific norm is needed to govern this more specific action, and this second norm limits the comparatively general norm that promises should be kept.

5. Suppose a person makes a promise and afterwards discovers it cannot be kept without violating the eighth mode of responsibility. The promise ought not to be kept. On this basis, German officials were not bound by allegiance to the nation to carry out orders to kill the innocent. They were bound by reverence for life not to carry out their orders.

6. Again, if the choice one makes in breaking a promise involves no partiality, the foundation of the obligatory character of promise keeping is undercut. For instance, if one promises a friend to go sailing on a certain day but wakes up on the appointed day with what seems an attack of appendicitis, one should break the promise. Normally one should keep one's promises because one wants others to keep theirs, and it is unfair to expect this of them if one is not reciprocally steadfast. But no reasonable person would want a friend with an apparent attack of appendicitis to keep a promise to go sailing; so the fairness which usually demands promise keeping does not demand it in this sort of case.

7. **However, some specific moral norms are absolute. In some cases, an already-given determination settles a kind of act as morally wrong.** Thus, "One should not get rid of unwanted children by killing them" is a norm expressing the moral determination of this kind of act by the good of life and the eighth mode of responsibility. No matter what further specifications might be added in a particular case of killing an unwanted child, an act of this sort is necessarily incompatible with openness to integral human fulfillment.

8. Even so, the absoluteness of certain specific moral norms will not be apparent if the actions they morally determine are described behaviorally rather than morally (see *S.t.*, 1-2, q. 20, a. 6). For example, "Killing is wrong" does not express an absolute moral norm if "killing" is taken to mean "behaving in any fashion which brings about someone's death." On this behavioral definition, Jesus "killed" himself, for he behaved in a manner which brought about his death. Absolute moral norms—which are generated by the third, fourth, sixth, seventh, and eighth modes of responsibility—must be formulated with respect to the moral act, which includes the wrongful choice. Jesus did not choose to kill himself; he freely accepted death as a foreseen consequence of carrying on his mission.

Those who deny that there are any absolute, specific moral norms often divide norms into two kinds: (1) non-absolute rules concerning kinds of acts described behaviorally (which they sometimes call "material norms"); (2) absolute truisms concerning kinds of acts described and characterized morally (which they sometimes call "formal norms"). "Killing is wrong" if of the first type; "Murder is wrong" (where "murder" means wrongful killing) is of the second type. The second does not settle the problems raised by the first, for in disputed cases—for example, the abortion of unwanted children—the problem just is whether this killing is wrongful and so appropriately rejected as murder.<sup>1</sup>

By contrast, the position explained here focuses upon another type of specific moral norm. The description of the act goes beyond mere behavior, yet does not go so far as to build in the moral determinant. "Getting rid of unwanted children by killing them" is specified sufficiently to make clear that the act involves a choice to destroy their lives, yet the description is morally neutral in itself. The application of the moral determinant, "is wrong," comes through the logical step of bringing this kind of act under the eighth mode of responsibility. The absolute norm follows from the fact that killing of this sort includes in itself a will incompatible with openness to integral human fulfillment.

A proportionalist might say that the norm about getting rid of unwanted children by killing them is virtually exceptionless, since such killing is hardly ever likely to be the lesser evil. However, the proportionalist cannot admit a genuinely absolute specific norm in this case, because proportionalism rejects the eighth mode of responsibility.

The thesis that norms using concepts such as "murder" and "adultery" are mere truisms ("formal norms") useful only for exhortation also is questionable. According to received Christian teaching, "murder" limits the concept of killing in two ways. The killing is deliberate killing of a human being, and there is no divine authorization of it. The first sets aside behavior which results in death accidentally or as a side effect. The second sets aside capital punishment, war, and killing in obedience to divine commands.<sup>2</sup> This second limitation is theologically questionable (see 8-H). As for adultery, Christians of earlier centuries probably would have been amazed by the suggestion that "adultery" means wrongful—but not necessarily all—extramarital intercourse involving at least one married person.

9. An analogy with the norms of diet illustrates the distinction between absolute and non-absolute norms. There are general principles of good diet, and a dietitian applies these in making the judgments involved in drawing up menus. Although many specific norms are formulated, most are non-absolute. For example, children should have milk—but not if they are allergic to it. However, some norms of diet are absolute. A diet of pure strychnine is, for example, to be avoided, and this norm will hold good no matter what one's special problem or condition. Now, as the point of eating is health, so the point of acting is integral human fulfillment. As some sorts of diet can never be healthful, some kinds of action can never be right. Therefore, as some norms of dietetics are absolute, so some norms of morality are absolute—although most norms of both dietetics and morality are non-absolute inasmuch as they can be refined to fit actions more specific than those envisaged in formulating them.

10. Not only most specific affirmative norms but most specific negative ones are non-absolute. For instance, it is wrong to drink oneself into a stupor. This norm is generated by the third and sixth modes of responsibility and by the goods of health, rational functioning, and genuine self-integration. (The latter requires that one seek real solutions to problems, not escape into drunkenness.) Nevertheless, one might rightly choose to drink oneself into a stupor—if, for example, one's leg had to be amputated and no other anesthetic were available. It is not that getting drunk is a lesser evil here. Rather, one has a different state of affairs and so a different norm. Although the outward behavior might be the same, the moral act is simply not the usual act of drinking too much. One is motivated not by a mere craving nor by escapism but by a reasonable wish to facilitate the operation required for one's health. The third and sixth modes of responsibility do not rule out this choice. In dietetics, an analogous case would be: Do not consume

barium sulfate. Generally a sound rule of diet, yet subject to exception when one needs a stomach X-ray.

11. The preceding explanations clarify a point made previously (6-D): **Proportionalism is not needed to account for the non-absoluteness of most moral norms.** Non-absolute norms simply are those which can be specified further, with the result that the moral determination changes. But the change is not dictated by some impossible weighing of goods and bads promised by various alternatives, to see which will yield the greater good or lesser evil. Rather, it is dictated by the basic human goods and the modes of responsibility, which generated the non-absolute norm to begin with.

12. Still, an upright person who correctly judges that a non-absolute norm requires further specification is likely to talk in a way that sounds like proportionalism. A German physician who refused to obey a Nazi decree to kill the innocent might well have said that disobeying constituted authorities is a lesser evil than killing the innocent. But “lesser evil” is defined here by a moral principle, not by a comparison of premoral goods. Disobeying authorities in such a case is not an evil at all. Instead, it is the morally good act of an upright person who has subjected a non-absolute norm (obedience to authority) to appropriate further specification.

1. See Richard A. McCormick, S.J., *Notes on Moral Theology: 1965 through 1980* (Washington, D.C.: University Press of America, 1981), 576-81, for some references and discussion.

2. See *Catechismus ex decreto Ss. Concilii Tridentini ad Parochos, Pii. V., Pont. Max., iussu editus* (Rome: Propagandae Fidei, 1839), 2:125-31.

This is the story on which I think we must try to improve, and here is the sketch of how I think we ought to do it.

Our general theory of the first principle of morality is that if one reasoned consistently and unrestrictedly from all the practical principles and took into account all the facts which generate practical possibilities, one would make only morally right choices. Moral evil comes about when one cuts back on being rational—willing (or not willing) in accord with some emotion, which leads one to be less than fully reasonable either with respect to some goods that are at stake or with respect to some people involved.

One might say: Since the goods are in persons, that distinction between goods and people is unnecessary. But that’s not so. For the differentiation of feelings toward people is one thing, while the differentiation of feelings toward possible goods is another. So one can be unreasonable in prioritizing goods—that is, of course, in their instantiations—with respect to oneself or people who are near and dear, where differential feelings toward people plays no role. *NB*: “*Prioritizing*” goods must be read as including just not caring enough about some one instance of a good. But one is much more likely not to will a good or to will a

harm when the adverse impact is on a person or people one doesn't care much about or positively dislikes.

There are many *elemental* modes of responsibility as there are ways in which the various sorts of emotions can irrationally influence the various forms of voluntariness in the prioritizing of goods or people. What sorts of emotions and what sorts of voluntariness are there?

There seem to be three sorts of emotions: desire, aversion, and hostility.

Aquinas has eleven irreducible sorts of emotion, but plainly there are fewer to interfere with rational action. For love doesn't do anything without desire or joy, and joy comes after acting, not before it, where alone it can become unreasonable. So these three can be reduced to desire. Similarly, hate, aversion, and sorrow can be reduced to aversion. So the six concupiscible emotions reduce to these two.

Among the irascible emotions, anger seems to be central to the hostility which underlies revenge. What Aquinas calls "despair" at the emotional level perhaps is involved in what we call emotional inertia, for that emotion leads one not to act for what one considers good because of the pain of pulling oneself together to do so. But for present purposes, I cannot see a clear distinction between emotional inertia and aversion to the hardship involved in doing something. That leaves hope, audacity, and fear. I don't think that these need to be separated from desire and aversion for the purposes of our analysis, but perhaps they do need to be, and also perhaps there are other aspects of anger and despair which we've been missing.

One thing which obviously needs work is this analysis of emotional factors. It probably would be worthwhile to do some research into modern theories of emotion, including those of empirical psychologists and phenomenologists, to see if we can clarify matters.

We've sorted out six modes of willing. Two occur prior to the point at which one can be unreasonable: aliveness to goods and interest (which becomes intention when it motivates choice), although the latter can be immoral in cases where it is shaped by prior immoral commitments. The other four can introduce unreasonableness, for they involve the freedom with which choices are made: choice itself, accepting side effects in choosing, not choosing when one could, and executive willing—that is, the willing of new harms without additional choices which occurs when one is complacent while carrying out a choice. It seems to me (but we need to think about this too) that the unreasonableness of executive willing is not *per se* and need not be treated separately, since it is reducible to some unreasonableness in the antecedent choice.

Thus, to find all the possible modes of responsibility, *all* we need to do is to consider the three sorts of emotion and see how each of them can impact on the three modes of willing to lead one to be less than reasonable in differentiating

among instantiations of goods affected, and then how to consider the significance of prioritizing people.

With respect to unreasonably prioritizing goods—always, of course, in their instantiations—we’ve deployed various distinct modes of responsibility, some of which as currently formulated make some reference to the emotional factor which makes for the immorality.

Aversion (“emotional inertia”) leads me not to choose where I would do so but for the emotional factor. This is one elemental mode of responsibility—the first mode in the current list. I don’t see how desire or hostility can lead one not to choose; if so, there are no modes there.

Hostility can lead me to choose to destroy, damage, or impede a good or to accept bad side effects which I wouldn’t accept but for this negative feeling. That’s the case with self-destructive behavior arising from self-hatred or self-disgust. So here are two more elemental modes—one for the choosing and one for the accepting of side effects—which currently are bundled in the complex seventh mode.

The preceding cases don’t involve prioritizing between *two* instantiations of goods. Turning to that, it seems we have to be dealing with cases in which choice bears on at least one of them.

Desire can lead me to make a choice for some good (and aversion can lead me to make a choice to avoid some harm) in which I also choose to destroy, damage, or impede another good. This is our familiar eighth mode, which thus includes two elemental modes, one forbidding doing evil to attain a good, and one forbidding doing evil to avoid a “greater” evil.

Desire also can lead me to make a choice in which I accept bad side effects I’d not otherwise accept. I think that’s what we’ve got in the current third mode. For instance, one chooses to have another drink when one would not but for the desire; choice would not be needed except that there is a contrary inclination, and the contrary inclination points to some harm, which one unreasonably accepts in choosing to act on the desire. So here we have choosing for the sake of a good (self-integration, the satisfaction of the desire made intelligible) and accepting bad side effects (here, to health) which one wouldn’t accept but for that desire.

Aversion also can lead me to make a choice not to act for (or to stop acting for) a good, where what is sought is the benefit of avoiding the evil, and the non-realization of the good is accepted as a side effect. I think that’s what we have in the current fourth mode.

Desire also can lead me to act unreasonably for a limited good where I simply do not choose a wider good for which I could be acting—there may be no choice at all and, in any case, there is no choice against the wider good or acceptance of bad side effects. One sort of case of that is the current second mode, where enthusiasm for realizing a good leads one to pursue it individualistically

instead of working with others. (If there's no unfairness, the fact that others are affected does not seem essential to the immorality.) If one were not overly enthusiastic, one could see the possibility of realizing the good more abundantly, together with other goods. I don't think this is the only sort of case that falls under this elemental mode, however.

Desire and aversion also can lead me to choose one thing rather than something else, better and more inclusive, which I would have chosen but for these feelings. One sort of case which falls here is our current sixth mode, where desire for the felt good and aversion to the pain of getting the real thing lead one to accept the part for the whole. For example, I ask for pain killers instead of a real cure, or go for general absolution rather than real repentance. But since there is a choice here, I'm not entirely sure that this is really anything different from what we have in our current third and/or fourth modes. If it is a distinct elemental mode, I doubt that the sort of thing we have in the current sixth mode is all that falls under it.

Now let's turn to cases in which emotion leads to willing which unreasonably prioritizes persons. Hitherto, we've pretty much bundled that up in one mode—our current fifth. Now, it's clear that there is nothing wrong in treating different people differently if there is some good reason to do so, rooted in intelligible goods and possibilities for serving them. Our current formulation of the fifth mode says that any other case of treating different people differently is wrong. What it doesn't say is that if there is not a good reason for differentiating among persons, still there is *some* reason—when we are dealing with actions based on reasons—and so there has to be a bad reason. And the bad reason cannot just be that we are acting on our different feelings toward different people, for taking these into account often is right and proper. *So the immorality involved in unfairness has to originate in the same emotional factors which make for immorality where there is no unfairness.*

Thus, if we look more carefully, it is obvious that there are just as many significantly different elemental modes of responsibility involving unfairness as there are where it is only a matter of prioritizing goods. When we are unfair to people, there are two emotional factors involved. One is the difference in our feelings toward different people. It isn't necessarily wrong for this to affect our practical judgment, provided the reason for its doing so is a good one. But emotional factors which make for immorality are more likely to be taken as a basis for action when the benefit is to ourselves or someone near and dear, and the harm to someone we don't care about.

So, corresponding to the first mode in the current list, aversion may lead me not to pull myself together to choose when the good would be realized in someone I don't care about, while the same aversion wouldn't prevent me from choosing to realize that good in myself or someone near and dear. ("You were too lazy to pull yourself together to help that suffering stranger, but you'd never have let your dog

suffer so.”) That’s one elemental mode. (I suspect that most people don’t usually think of the immoralities picked out by this mode as real unfairness. It’s put down to “lack of charity.”

Hostility may lead me either to choose to hurt someone I dislike (destructive impulses far more often lead to other-destructive than to self-destructive behavior) or to accept bad side effects I wouldn’t accept if they were to impact on myself or someone I care about. These are two more distinct elemental modes. Currently, we’ve got these two modes bundled under the complex seventh mode.

(Thinking about it now, it seems to me that there is a prioritizing of persons whenever one takes revenge against somebody. Can revenge ever really be fair? If “an eye for an eye” is really fair, it isn’t revenge but punishment. I suppose revenge might be fair in the sense that it is part of a fair system of mutually hating and ill-treating one another—for example, a society in which feuding is an accepted institution—but that’s a higher level fairness about being mutually unfair. Or perhaps I’m missing something here.)

Desire can lead me to make a choice for some good (and aversion can lead me to make a choice to avoid some harm) in which I also choose to destroy, damage, or impede a good in another person or persons with whom I’m not identified, while I wouldn’t do the same sort of thing if the negative impact were on myself or someone near and dear. This is our familiar eighth mode, which thus includes two more elemental modes of unfairness, one forbidding doing evil to someone else to attain a good for ourselves and one forbidding doing evil to someone else to avoid a “greater” evil to ourselves.

Corresponding to our current third and fourth modes, there are two more elemental modes of unfairness. Aversion may lead me not to choose when the benefit would be to someone I don’t care about rather than to myself or someone near and dear; here I want to avoid accepting the bad side effects to myself. Conversely, desire may lead me to choose when the benefit would be to myself or someone near and dear, but the act has bad side effects for someone I don’t care about. (“You were looking out for number one and couldn’t care less about the effects of what you were doing on others.”) (I suspect that a great deal of what people recognize as unfairness falls under the second of these.)

As I suggested above, our current second mode which makes reference to other people seems to indicate a way that desire influences action without choice, where deliberation would lead one to pursue something better. If that happens so that other people lose out and our differential feelings toward them played a part in our not thinking to pursue the better possibility, then we have another elemental mode of responsibility, which is another low-level sort of unfairness.

Again, if our current sixth mode is really irreducible, there will be cases where the apparent good seems to me sufficient and I don’t care enough about the

reality because I don't care that much for those in whom the real good is at stake. For instance, in dealing with many of his patients, a physician may treat symptoms instead of taking the trouble to get at the underlying disease, but when treating his own family will go all out to find out what's wrong. So, if there is an irreducible mode here, there is a corresponding one involving fairness too.

Although there's still a lot of developing and refining to do, the preceding sketch should be enough to make clear what I have in mind about deriving all the modes from principles. Looking at the modes of responsibility in this way, we can see clearly that the modes as currently stated are a mixed bag—some of them elemental, some bundles of several elemental modes. Derivation from principles should be especially helpful in clarifying what's involved in fairness (the biggest of our mixed bags), since on this analysis there's never unfairness without some other irrationality-making factor, though often it's one which wouldn't come into play if it weren't for different feelings toward different people.

Now, how will this derivation of the modes of responsibility help us to clarify moral absolutes?

First, all the elemental modes of responsibility are absolute in excluding the sorts of irrationality in willing that they refer to. Any action that involves willing which violates a mode is immoral.

Second, the key point about absolute specific norms is that whether we have them or not depends on how actions are described. As the treatment in *The Way of the Lord Jesus*, 10-C, makes clear, if an act is described in such a way that the willing required to do it remains indeterminate, the modes of responsibility cannot be applied, and so there cannot be any moral norm about acts of that description. If an act is described in a way that makes the moral specification intrinsic to the act description, there will be an absolute, but it will be formal. If an act is described in a way that does not include the moral specification in the act description, there can be a moral absolute, but only if acts of that kind always are willed with a will afflicted by the irrational, immorality-making factor.

The derivation of the elemental modes of responsibility eliminates the confusion which arose from looking at modes which are complexes. We can now look at the various elemental modes, consider how acts are likely to be described, and clearly see why some modes won't yield absolute specific norms while others will.

To begin with, it's clear that we don't identify acts in terms of what is *not chosen* unless that aspect is especially interesting and important. If it is interesting and important because the non-choice was negligence or recklessness, and the act is defined accordingly, one gets a formal norm, such as "Reckless driving is always wrong." If it is interesting and important for some other reason, an act described in terms of non-choice isn't likely *always* to involve unreasonable

willing. So out of the elemental modes that bear on not choosing, we might get, at best, some non-absolute specific norms.

It's also worth remembering that since not choosing, choosing, and accepting side effects are different sorts of willing, the modes of responsibility make only analogous moral demands, and we don't regard what is at stake the same way in all these cases. So if there are some cases in which moral absolutes can be derived from some of the elemental modes bearing on not choosing, the tradition probably hasn't talked about them, since they wouldn't involve grave matter.

I haven't thought out the possibility of defining acts in terms of acceptance of side effects. I don't think we usually do define acts that way, but if we do, probably what applies to acts defined in terms of non-choice applies to them too.

If acts are defined in terms of an object of choice which is already morally bad, we get formal norms. If they are defined in terms of an object of choice which can be chosen without violating any of the elemental modes, acts of that kind will be morally indeterminate. Only if they can be defined in terms of an object of choice which on the one hand is not already morally specified but on the other hand can never be chosen without violating one of the modes will we have a moral absolute.

If we define acts in terms of what is chosen, and the problem is in the side effects that one accepts, in some cases the act won't always have those bad side effects. If the act thus defined always does have those bad side effects, it may be that sometimes they can be accepted reasonably. In either case, we won't get a moral absolute. Perhaps willing an act of that sort *usually* will be based on an irrational factor, and we get significant but non-absolute norms. Thus we can see why there are very few moral absolutes arising from these modes.

However, there are a few cases where acts specified by an object of choice can never be chosen without at the same time accepting side effects which one cannot rationally accept. "Masturbation is always wrong" is an example, which falls under our current third mode. Masturbation on the one hand is singularly pointless in yielding any human good, so it cannot be chosen for a good reason, but it has the bad side effect (which is built in but not part of the object of choice) of disintegrating the self as conscious subject, the self as agent, and the self as bodily reality. The good harmed is inner peace, and this good will be violated whenever people act as if they did not have the metaphysical unity which they in fact have as persons.

With acts specified in terms of choosing to destroy or harm a basic good, we get moral absolutes. For if the act is defined in terms of what one chooses, the involvement of the immoral will is included in the act description, but the moral determinant which makes that will immoral is not. For this can be either hostility toward another (and then we have an elemental mode of unfairness) or hostility

toward oneself (and then we have the peculiar irrationality involved in self-destructive behavior) or the irrational preference of one good over another (our current eighth mode). These reasons for such choices are immoral, but they need not be included in what one chooses, and so are not part of the definition of the act. Yet, since harm is not appealing per se, and yet here, by hypothesis, is chosen, one or other of these factors has to be operative. So, "It's always wrong to choose to kill someone" (or "Direct killing is always wrong") is informative, not a tautology.

Notice that if this is right, when we argue against contraception, if we are going to be formal, we should not say that it is immoral because it is a choice to prevent the life of a person. Rather we should say that contraception is immoral because one cannot *reasonably* choose to prevent the life of a person. One chooses to prevent it either out of hostility ("I might have a baby—how revolting!") or on the basis of the irrational preference of one instantiation of good over another that consequentialism tries but fails to show is reasonable.

What about "Manufacturing babies is always wrong"? Our argument is, roughly, that when babies are not begotten but made, they come to be as products possessed rather than as gifts received. Precisely which of the basic goods is being violated? It seems to me that interpersonal harmony is violated. For to establish any relationship among people by which some are related to others as if they differed ontologically in their grade of being will be inconsistent with interpersonal harmony, even if this harmony is understood in a way which is not morally loaded.

The proponents of baby making in effect argue: Desire for the good, the coming to be of a new person, leads to the choice, not wrong in itself, to bring the possible new person into being; its abnormal initial status is only reluctantly accepted and immediately transcended. If this analysis were correct, it seems to me, we could not argue that IVF is wrong in the simple case. But the project precisely is to bring the baby into being to satisfy the desire to have it, and the choice precisely is *to satisfy that desire by manufacturing it*. So the baby's initial status as non-person is included in the proposal one adopts. That proposal is adopted, presumably, for the sake of an ulterior good: an authentic parent-child relationship and the bringing up of the child as a person in his or her own right. So, it seems to me, baby making involves choosing a bad means to a good end. (Since this immorality does not depend on unfairness, we need not argue that the baby who thus comes to be necessarily is treated unfairly.)

What about "Selling people is always wrong"? The object of the act of selling logically includes owning. (Buying people does not entail owning them, since one could buy them precisely to free them.) Owning is like the relationship involved in baby making; it involves ontological difference in level of being. So, owning people is inconsistent with the good of interpersonal harmony. That good will be harmed in both the master and the slave (a point liberationists often make).

So, whatever the good which is thought to justify owning people, it's another case of doing evil to achieve good, or to prevent a "worse" evil. But, furthermore, having to submit to the status of owned is inconsistent with the slave's own instantiation of the harmony goods within himself, and that harm is one the master imposes on the basis of differentiation of feelings between self and other. So the slave is treated unfairly. We usually focus on this unfairness when we are thinking of the evil of slavery, or even on other, subsequent injustices to which owning people opens the way. But, on this analysis, baby making involves the same wrong which is most fundamental in slavery.

What about the norms we've called "non-absolute," such as "Promise breaking is wrong" or "Drinking oneself into a stupor is wrong"? It seems that all we have here are act descriptions such that acts of these sorts usually are willed with the immorality-making factor: promise breaking usually is choosing to do something with the side-effect of letting someone down, and drinking oneself into a stupor usually is self-indulgence and escapism with accepted bad side effects. But in neither case always.

(It probably would be worth giving more thought than we have in the past to institutionalized acts, like promise keeping, which build in some reference to fairness.)

In sum. The relationships between what's involved in most of the elemental modes and common act descriptions make it clear why most of the modes don't yield moral absolutes. When we consider the elemental modes of responsibility, we see that we don't usually define acts in ways that provide enough information to know whether the mode will apply or not to every instance of an act of that sort. If there is not enough information, a specific norm having the act so described as subject won't be absolute.

On the other hand, whenever we get an act description which includes the factor which is morally determinative, we have a merely formal norm. So the only kinds of cases in which there will be interesting moral absolutes will be those in which the act description includes sufficient information so that we can tell that any act of that kind will violate some elemental norm (or set of them), yet does not include a reference to the factor which causes the defect in willing.

Of the clear cases of absolute we know about, that's either because there are different possible elemental modes violated and no case in which none is violated (where one chooses to destroy, damage, or impede an instantiation of a basic good), or because the mode violated applies to the accepted side effects, while the act is defined in terms of what one chooses to do (third mode cases which yield absolutes).