

NOTE

INFALLIBILITY AND CONTRACEPTION: A REPLY TO GARTH HALLETT

During the controversy following *Humanae vitae*, it was widely assumed that since the encyclical contains no solemn definition, the teaching it reaffirms is not proposed infallibly and could be mistaken. That assumption simply ignored the entire category of teachings infallibly proposed by the ordinary magisterium.¹

However, Vatican I definitively teaches that there is such a category.² Vatican II articulates the criteria for the infallible exercise of the ordinary magisterium: "Although the bishops individually do not enjoy the prerogative of infallibility, they nevertheless proclaim the teaching of Christ infallibly, even when they are dispersed throughout the world, provided that they remain in communion with each other and with the successor of Peter and that in authoritatively teaching on a matter of faith and morals they agree in one judgment as that to be held definitively."³ Reflecting on Vatican II's formulation, John C. Ford, S.J., and I became convinced that the received Catholic teaching on contraception meets the criteria it articulates. We tried to show this in an article published in this journal in 1978.⁴ In that article we clarified the conditions for the infallible exercise of the ordinary magisterium by tracing the development of Vatican II's text in the conciliar proceedings. We then argued that the facts show that the received Catholic teaching on the morality of contraception met these conditions and so has been proposed infallibly by the ordinary magisterium.

¹ See John C. Ford, S.J., and Germain Grisez, "Contraception and the Infallibility of the Ordinary Magisterium," *TS* 39 (1978) 259-61.

² This teaching is in Vatican I's Constitution on the Catholic Faith: "Further, all those things are to be believed with divine and Catholic faith which are contained in the word of God, written or handed down, and which the Church either by a solemn judgment or by her ordinary and universal magisterium proposes for belief as divinely revealed" (DS 3011 [1792]; my translation). Because this constitution concerns divine revelation, this solemn teaching is limited to matters divinely revealed, to be accepted with divine faith. Nevertheless, the passage has a bearing upon Vatican II's teaching on the infallibility of the ordinary magisterium, because it makes it clear that one must believe not only those things which are defined but also certain things taught by the ordinary magisterium. Thus this teaching shows the inadequacy of all those arguments and statements, including some by bishops and groups of bishops, which assume that what is not defined is not infallibly taught and so can be mistaken.

³ *Lumen gentium* 25; my translation.

⁴ Ford-Grisez, "Contraception" 258-312.

Garth L. Hallett, S.J., responded with an article published in this journal in 1982.⁵ Hallett argues that despite appearances the received teaching on contraception has not been proposed by the *universal* ordinary magisterium. Thus his article directly challenges Ford's and my thesis.

Hallett formulates our position: "The encyclical's verdict was already infallibly established, they contend, by the firm constancy with which the whole episcopate had urged it; for the conditions stated by Vatican Council II in *Lumen gentium* 25 seem fully satisfied."⁶ Hallett formulates the subject of the first part of his own study: "In what sense, I shall ask, has Church or episcopal teaching held constant through the ages?"⁷ As we shall see, his thesis is that there has been no constant position on the *immorality* of contraception, but only a constant practical *deterrence* of contraceptive behavior.

Hallett begins his argument by claiming that it was generally assumed until recently that moral propositions state moral facts and that the terms employed in such propositions have invariant meanings. On this view, to say that a certain kind of action is wrong simply is to *describe* that kind of action as having a quality of wrongness, and when people disagree about the morality of a certain kind of act they are disagreeing about whether that quality of wrongness characterizes acts of that kind. Hallett says that it is now commonly accepted that these assumptions are mistaken: "Evaluative words like 'good' add emotive and dynamic dimensions to the descriptive, and vary more in their descriptive content than do most other expressions."⁸

Hallett sets out a theory which he thinks follows "the lead of recent philosophy."⁹ This theory distinguishes (1) the *prescriptive* aspect of moral expressions, (2) the *criteria* for individual moral terms, (3) the *descriptive* content of moral statements, and (4) mere *clues* as to the presence of the thing constituted and defined by the criteria.

The prescriptive aspect, Hallett says, is what moral expressions have in common with prescriptions, injunctions, and commands. In this aspect moral expressions neither describe anything which is nor predict anything which will be. They simply induce or deter behavior.¹⁰

The criteria for moral terms are defining, constitutive traits—in other words, the essential meanings of expressions such as "morally right" and "morally evil." Nonmoral terms also have criteria or essential meanings;

⁵ Garth L. Hallett, S.J., "Contraception and Prescriptive Infallibility," *TS* 43 (1982) 629–50.

⁶ *Ibid.* 629.

⁷ *Ibid.* 630.

⁸ *Ibid.* 631.

⁹ *Ibid.*

¹⁰ *Ibid.* 632.

"rain," for instance, has as its criterion "drops of water falling from clouds."¹¹

The descriptive content of moral statements corresponds to the criteria; it is the state of affairs conveyed to one who knows the criteria being used. For the nonmoral example, the descriptive content of the statement that it is raining is that water is falling in drops from clouds.¹²

Mere clues to the presence of the thing constituted and defined by the criteria are conditions distinct from but often present with what the criteria mark out. Lightning, thunder, and patterings on the roof are clues to rain but not criteria. Descriptive content does not convey the clues. So, when someone says it is raining, this is not taken to say something about lightning, thunder, and patterings on the roof.¹³

Where do criteria come from? Hallett says: "Criteria are variously established—by usage, theory, explicit definition—and we learn of them in corresponding ways."¹⁴ We can infer people's moral criteria from their use of moral expressions in various contexts or we can get a clearer picture from explicit, theoretical statements. Many people suppose that the criteria of expressions like "right" and "wrong" are constant and that the descriptive content of moral statements is just as stable as that of descriptive statements saying, for instance, that something is yellow. Hallett denies this: "Criteria, however, are not made in heaven; and when we consult the evidence at hand—usage, theory, explicit definitions—we discover no grounds for believing that the criteria of hedonists and idealists, egoists and altruists, teleologists and deontologists, voluntarists and objectivists, situationists and absolutists all converge or coincide. Quite the contrary."¹⁵

Hallett also thinks that moral statements can altogether lack descriptive content, because there may be an absence of any discernible criterion for the moral terms used in them: "For if meanings are supplied by human users of words, and if ethicists cannot rely on common usage for constant, language-wide content (as in the case of 'yellow' or 'budget' or 'book'), then they will have to furnish their own. And this they may fail to do."¹⁶

Do not Christians draw upon faith itself for criteria, and so share the same moral meanings? Hallett denies it: "Even Christians' reasons, arguments, theories, and explicit definitions, behind their shifting verdicts, reveal important shifts of sense."¹⁷ To show this, he quotes a paragraph from Noonan's *Contraception* which distinguishes three different, if related, senses of "nature" found in Christians' arguments

¹¹ Ibid. 633.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid. 634.

¹⁶ Ibid. 636.

¹⁷ Ibid. 634–35.

concerning sexuality. He then goes on to argue that each of these, "if taken as an ultimate determinant of morality or 'natural law,' would constitute a distinct criterion," and thus implicitly define the key moral expressions in different ways and cause inconstancy in the meaning of apparently constant moral judgments.¹⁸

Hallett holds that genuine *factual* disagreement can occur only if criteria agree: a flat-earther "must mean roughly the same by 'earth' as a round-earther, for their dispute to be genuine." However, in moral matters, incompatible criteria generate serious disagreements. Because of the prescriptive component, incompatible criteria lead to divergence which "is emotive, dynamic, real."¹⁹

Hallett also holds that moral meanings can be emotively and dynamically stable—so that they either consistently induce or consistently deter a certain type of behavior—yet descriptively variable, and even entirely lacking descriptively due to absence of any definite criterion. Someone making a moral statement may fail to indicate a definite criterion, so that only the prescriptive element remains in effect. Hallett compares this situation to one in which someone tries to write a check but fails to write legibly the amount to be paid.²⁰

Having laid out this theoretical framework, Hallett proceeds within it to build his case that the apparently universally proposed Catholic teaching on contraception actually has involved variability and diversity of descriptive meaning. The "emotive and dynamic strands appear with the descriptive and cognitive, and their invariance suggests descriptive constancy; but the descriptive content in fact fluctuates, indeed sometimes disappears entirely."²¹ If this theory is accepted and the factual argument succeeds, only constancy in the prescriptive element—pressure to deter contraceptive behavior—would remain.²² And Hallett does not think such unity sufficient for infallible teaching as Vatican II understands it.²³

I grant (not concede) the last point and so will not deal with the latter part of Hallett's article. However, I both question the satisfactoriness of Hallett's theory, already summarized, and the accuracy of some of his historical claims, which I must still discuss. Before doing so, I offer the following criticisms of Hallett's argument thus far.

Hallett's formulation of the issue in terms of *constancy* of teaching is convenient for him but not entirely accurate. Vatican II's articulation of the conditions for infallible teaching by the ordinary magisterium does not mention constancy. What is required is that the bishops dispersed

¹⁸ Ibid. 635.

¹⁹ Ibid. 636.

²⁰ Ibid. 636–37.

²¹ Ibid. 637.

²² Ibid. 644–45.

²³ Ibid. 646–49.

around the world and teaching on a matter of faith or morals agree *in one position* as the one to be held definitively.

Of course, there is a difference between the time it takes for the ordinary and the extraordinary exercise of the magisterium. The extraordinary magisterium is exercised infallibly at a particular moment when a point is solemnly defined. In the unified exercise of the ordinary magisterium there will be many distinct acts, which will extend over some stretch of time. For this reason, constancy in teaching over some stretch becomes a necessary condition for unity in teaching. However, the necessary stretch need not be the whole history of the Church. In a matter such as contraception, a more limited period easily accessible to study will do.²⁴

For the most part, Ford and I do not interpret Vatican II's condition of universality in terms of constancy through history. We make it clear that constancy is unnecessary once a point has been infallibly proposed: "The required universality is that if this condition has been met for some period in the past, it is not nullified by lack of present consensus among Catholic bishops."²⁵ However, in summarizing the Council's statement of the condition of universality, Ford and I do say:

What sort of evidence of the required universality can we expect and should we demand? The evidence must be this: that a certain point of teaching has been proposed by bishops repeatedly, in different times, in different places, in response to different challenges, that the bishops have articulated and defended this point of teaching in different intellectual frameworks, perhaps reinforcing it with varying disciplinary measures. Moreover, there must be no evidence that the point of teaching has ever been questioned or denied by any bishop or by anyone else authorized to participate in the Church's teaching mission without eliciting an admonition and a reaffirmation of what had been universally taught.²⁶

Here we overstate the evidence required for the universality involved in an infallible exercise of the ordinary magisterium. Our error may well have led Hallett to a misunderstanding of Vatican II's actual teaching and, thus, of our own thesis.

Ford and I obviously formulated this summary of the evidence for universality to be expected with an eye to the history of the Church's teaching on contraception. We thought that constancy under changing conditions helps to show the unity and absolute certitude of the teaching. But granted (not conceded) that history does not show the condition of universality fulfilled in a way which meets our overstatement of this

²⁴ Ford, in an earlier work coauthored with Gerald Kelly, S.J., took the period from 1816 to 1962 as sufficient; see Ford-Grisez, "Contraception" 258-59.

²⁵ *Ibid.* 273.

²⁶ *Ibid.* 274.

requirement, it would be sufficient if there is evidence that the bishops during *any* period agreed in one judgment on the morality of contraception.

Hallett is mistaken when he contends that it was generally assumed until recently that moral propositions state moral facts and that the terms employed in such propositions have invariant meanings. St. Thomas knew perfectly well that moral truth, which is in conformity to right appetite, is different from factual truth, and that practical reason works differently from theoretical reason.²⁷ The Fathers of the Church who considered the virtues of the pagans to be vices were well aware that moral expressions are not always used univocally.

But it does not follow that the theory Hallett sets out, with its own peculiar contrast between the prescriptive and the descriptive, is sound. Hallett says he here follows "the lead of recent philosophy," but he should have said "a certain school of recent analytic philosophy." For, of course, the theory he adopts is not accepted by all recent philosophers.²⁸ If it were, Hallett still would need to present its theological credentials against, for instance, the theory of moral truth I have proposed in many works and whose theological credentials I have tried to present.²⁹

Moreover, Hallett's remarks about the origin of criteria make it clear that the theory he adopts is not only theologically questionable but unacceptable. For while it is true that meanings of linguistic expressions depend on human usage insofar as these expressions are cultural realities, there is a very real sense in which the criteria of morality are made in heaven. The whole Judeo-Christian tradition is at one in holding that what is truly morally good or evil is rooted in God's wisdom and love. Hence, when Christian ethicists cannot rely on common usage for constant, language-wide content, they try to discern moral truth in the light of faith, not simply furnish their own content, as Hallett mistakenly suggests.

The objectivity of moral truth does not mean that moral norms are a peculiar set of facts. Yet the criteria are to be discovered, not furnished by us. That is what "natural law" most basically means, not simply according to one or another particular theory, but in the sense common in Catholic thought. For example, Vatican II puts it: "In the depths of

²⁷ St. Thomas, *Summa theologiae* 1-2, q. 57, a. 5, ad 3; q. 94, a. 2; *In Eth.* 6, lect. 2.

²⁸ See e.g., Peter Geach, *The Virtues* (Cambridge: Cambridge University, 1977) 1-19; John Finnis, *Fundamentals of Ethics* (Washington, D.C.: Georgetown University, 1983) 56-79; Alan Donagan, *The Theory of Morality* (Chicago: University of Chicago, 1977) 26-31; Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame, 1981) 6-34.

²⁹ See Germain Grisez, *The Way of the Lord Jesus: Christian Moral Principles* (Chicago: Franciscan Herald, 1983) chaps. 5, 7-10, and 26-27.

his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience." This law is written on the human heart by God; its objective norms of morality include specific ones.³⁰ Natural law includes the understanding of the goods perfective of human persons, such as truth and life, and the grasp of general moral requirements, such as the golden rule.

It follows that if different reflective accounts of morality and attempts to articulate the criteria do not entirely agree, neither do they entirely disagree. They more or less fully and accurately, incompletely and mistakenly, approximate to moral truth. Hence, even apart from what Hallett calls the "prescriptive" element, differing opinions about the morality of acts proposed by those with diverse ethical theories do not involve mere equivocation, even if not all use "right" and "wrong" in precisely the same senses.

When Hallett tries to show that not even Christians agree on the criteria for moral terms, perhaps he shows that they do not entirely agree. But if so, it does not follow that they entirely disagree.³¹ Christians can agree insofar as they share the same faith but disagree insofar as they develop diverse and incompatible theological reflections on their faith. Insofar as Christians do agree, they can come not simply to one prescription but to one judgment on a moral issue.

Moreover, Hallett does not prove his point with the paragraph he quotes from Noonan distinguishing three senses of "nature" in Christian arguments concerning sexuality. Noonan himself says these distinct senses are related, and that in each sense of the word the "natural" was chosen selectively. Noonan comments (in the second paragraph after the one Hallett quotes): "It is, I suggest, evident that the appeal to a given 'nature' was a way of teaching. The invocation of 'nature' reinforced positions already taken. The 'natural' was discriminated from the 'unnatural' by considerations, often unarticulated, of a more general philosophical or religious character."³²

In one respect, I take issue with Noonan's comment, for he does not make it clear that Christian thinkers were trying to articulate the truth,

³⁰ *Gaudium et spes* 16; cf. 79 and 89.

³¹ In his earlier work *Darkness and Light: The Analysis of Doctrinal Statements* (New York: Paulist, 1975), Hallett himself admits (70): "Still, concerning moral ultimates there is more agreement than is generally supposed. Argumentation typically leads back to basics such as I mentioned earlier: pleasure and pain, health and sickness, companionship and isolation, knowledge and ignorance, sight and blindness, power and weakness, life and death, and so on." But Hallett proceeds (70-77) to sketch a proportionalist theory of morality.

³² John T. Noonan, Jr., *Contraception: A History of Its Treatment by Catholic Theologians and Canonists* (Cambridge, Mass.: Belknap, 1965) 75.

not merely defend a position. However, his comment does make it clear that Hallett misuses the distinction of meanings of "nature" when he suggests that these understandings of "nature" were advanced as ultimate determinants of morality.³³ In Hallett's framework, they should be considered different clues rather than diverse criteria.

Moreover, as Noonan correctly notes, the considerations underlying moral judgments often remain unarticulated. But that does not mean they are absent. Even in the case of nonmoral values, people have a hard time articulating criteria. Yet for a wide range of cases adults of normal intelligence can make accurate judgments—for instance, about whether they themselves or other persons are sick or well. And different philosophies of health do not prevent people from agreeing in a common core of meaning when they judge, for example, that smoking is bad for one's health.

Moral language, of course, involves additional complexities. Fundamental diversities in world views do make a difference in people's very conceptions of moral good and evil, virtue and vice. By the same token, however, Christians' unity in faith provides them with some common meaning—which does not preclude theological differences—in their use of moral language. For it is part of Christian faith that God creates and governs according to a wise and loving plan, that this plan directs all things toward fulfilment in Christ, that we are called to co-operate in carrying out this plan, and that moral goodness is in doing God's will and building up His kingdom. On this view, moral evil consists in wilful failure to co-operate with God according to His plan insofar as He has made it known to us.

Since Hallett cannot sustain his thesis without establishing both the theoretical and the factual premises of his argument, the preceding critique of his theoretical framework by itself would be a sufficient reply to the challenge he attempts to offer to Ford's and my thesis. However, his treatment of the history also is vulnerable.

Hallett's factual argument begins with a summary of the history of Catholic teaching on contraception based on Noonan's work.³⁴ Granted (not conceded) the accuracy of Hallett's summary, however, it only shows variation in arguments for the teaching, and Hallett needs to show not only that there is diversity but that there is no unity—no core of "descriptive invariance," to use his language. Therefore, having summarized the history, he says that when "arguments look as different as these, we cannot presume descriptive invariance." And he proceeds to argue:

³³ Hallett, "Contraception" 635.

³⁴ *Ibid.* 637–40.

Thus for the critic, at least within this discussion, "moral" and "immoral" now say something different descriptively; they may still condemn or condone, but beneath the common expressions we discern no common descriptive content present from the start. For what, conceivably, could it be?

That is, to what underlying determinant of morality could these divergent arguments be related as mere clues (as patterings on the roof, wet streets, distant thunder, and the like are mere clues of rain)? What might function here, unnoticed and unnamed, as a shared *criterion* of right and wrong? The divine will? Hardly. The moralists in question are not all voluntarists at heart. What then? Are they hedonists, Kantian deontologists, rule utilitarians, or what? If no plausible reply is forthcoming, we have no warrant to maintain that nonetheless there surely must be one.³⁵

Here Hallett implicitly admits that he has not *shown* the lack of unity his thesis requires but only failed to find it.

Hallett mentions no plausible candidate for the role of underlying criterion of morality common to Christian teachers, and so it is easy to dismiss all the candidates he offers. Of these, voluntarism is perhaps the most nearly plausible because it has turned up from time to time among Christians. But a real voluntarism involves more than reference to God's will as a standard of morality. Such a reference often is made in the New Testament and frequently is put on the lips of Jesus himself. But that does not make Jesus a voluntarist. Voluntarism as a moral theory grounds morality in divine arbitrariness, and this is not even an option for orthodox Christians, since it is inconsistent with the fundamental role attributed throughout Scripture to God's wisdom.

I already sketched out a plausible reply to Hallett's demand for a common Christian criterion of right and wrong. That reply refers not only to God's good will but to His wise plan, not only to the destiny of human life in Christ but to the moral demand this vocation makes upon us. One could offer scriptural proof texts for this sketch of the Christian criterion of morality, but the real evidence for it is not in one or another text so much as in the Bible as a whole. God's commands are stipulations of the covenant He makes with His people; they direct members of the covenant community how to co-operate in reaching the promised fulfilment for which they hope. God's promises appeal to human persons because they know by the law written in their hearts that God offers rescue from human misery and help toward real human fulfilment.

It follows that God's people never lack a criterion of morality. But when teachers in the Church deal with specific moral norms, they do not constantly repeat the common core of Christian moral significance, which is so obvious to a faithful Christian that it scarcely requires mention.

³⁵ *Ibid.* 640.

Instead, even in the case of specific norms explicitly mentioned in the Bible, such as the prohibition of adultery, Christian teachers try to *clarify* the reasons why various kinds of acts do or do not meet Christian standards. In this theological work Christians use diverse and sometimes inconsistent arguments. But that does not show they do not share a common core of what Hallett calls a "criterion."

Indeed, if there were no common core, then on Hallett's theory there would be no Christian moral tradition at all, only a history of attempts to induce or deter behavior, whether with respect to contraception or with respect to adultery, killing the innocent, loving enemies, feeding the hungry, nondiscrimination between rich and poor, and everything else. Thus, anyone who admits a common Christian moral teaching (not simply a common effort to encourage or discourage various types of behavior) on *anything* admits the criterion Hallett tries to deny in respect to the teaching on contraception.

Moreover, Noonan himself, in his main theoretical effort, admits that much of the tradition concerning contraception can reasonably be read as having more unity than Hallett can allow. Summarizing the "Thomistic argument," Noonan articulates its heart as a conception of sexual intercourse:

This act is absolute, interference with its natural function is immoral, because it is the act from which life begins.

It would be possible to read the teaching of the theologians and canonists, popes and bishops, for over seventeen hundred years, as embodying this position. To do so would require isolating a single strand of the teaching from other reasons and treating it, abstracted from all contexts, as dispositive of the morality of any act which, in the exercise of coitus, "intentionally deprives it of its natural power and strength."³⁶

Here Noonan insists on variations in contexts but admits at least one unified strand. That admission by itself is enough to counter Hallett's argument.

Hallett also claims that various sorts of descriptive lack are found in the history of teaching concerning contraception. In other words, he claims people sometimes tried but failed to provide any coherent criterion. In trying to make out this case, Hallett continues to make the mistake already criticized of assuming that Christians' arguments seek to articulate their criterion of morality rather than mere clues (to use

³⁶ Noonan, *Contraception* 531. True, Noonan goes on here to suggest that maintaining the teaching on this basis would be consistent with approving anovulants. But in making this suggestion, Noonan ignores both the long tradition condemning oral contraceptives as well as other kinds and the fact that contraception by anovulants as much as by any other method "intentionally deprives the act of its natural power."

Hallett's language). Hallett recalls criticisms he offered in an earlier work of arguments proposed against contraception by Arthur Vermeersch, S.J., and St. Thomas.³⁷ Those criticisms seem to me mainly to show that if one tries to read arguments framed in nonproportionalist terms as if they were proportionalist arguments, one will not find them intelligible.

However, in *Contraception and the Natural Law* I myself criticized various arguments invoking the "natural." Hallett uses my criticisms to support his own point; he claims they show that there are in the various natural-law arguments against contraception no criteria at all.³⁸ He mentions that I offer my own meaning of "natural." He adds: "But he does not suggest that this preferable sense be attributed to the authors he criticizes. Indeed, he insists that only within the context of his study does the final formulation acquire an acceptable meaning."³⁹

Here Hallett misunderstands what I say. He notes that I urge "the need for a more accurate explanation," but reads this in terms of his own theory: "He might have said 'a more comprehensible explanation.'"⁴⁰ This misinterpretation of my project leads him to overlook the extent to which I pointed to an underlying unity amid the diversity of inadequate efforts to articulate the same truth about the immorality of contraception.

For instance, I pointed out about the major premise of the "perverted faculty" argument: "The truth of the matter is that the proposition does accurately indicate the reason why contraception is wrong, but it does not apply to any other faculty."⁴¹ I also said that the special significance of perverting the power of procreation is "because the procreative good is in itself an essential human good. Perhaps this was in the minds of those who suggested that the frustration of sexual acts from attaining their natural end is *sui generis* because that end is a common good."⁴² I also noted that the attempt to strengthen the minor premise of the conventional argument "was on the right track" even though it failed.⁴³ On St. Thomas' argument in the *Summa contra gentiles*, I commented: "When Aquinas is understood in terms of his own doctrine of values and obligation this argument, though overly brief, begins to make sense."⁴⁴ Finally, Hallett mistakes my position when he says that I insisted that the final formulation acquires an acceptable meaning only in the context

³⁷ Hallett, "Contraception" 641-42.

³⁸ *Ibid.* 642-44.

³⁹ *Ibid.* 644.

⁴⁰ *Ibid.* 643.

⁴¹ Germain Grisez, *Contraception and the Natural Law* (Milwaukee: Bruce, 1964) 100.

⁴² *Ibid.* 100-101.

⁴³ *Ibid.* 101.

⁴⁴ *Ibid.* 106, n. 28.

of my own study. My point was not to claim exclusive value for my own theoretical framework, but to warn against criticizing my syllogistic formulation apart from the context which explained it. I tried to articulate more adequately a moral truth and insight others groped for; I did not dismiss what they had done as unintelligible.⁴⁵

In sum, Hallett tries to build a serious case against Ford's and my thesis that the universality required for infallible teaching was given in the case of the received teaching on contraception. He does this by deploying a theory concerning what is necessary for agreement in one moral judgment and trying to show that the history of Catholic teaching on contraception did not meet the requirement set by that theory. My reply is that Hallett's theory lacks solid theological grounds and that his historical arguments are seriously defective.

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⁴⁵ Ibid. 103.