



# Moral Absolutes

Tradition, Revision,  
and Truth



John Finnis

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# MORAL ABSOLUTES

The 1988 Michael J. McGivney Lectures  
of the John Paul II Institute for Studies  
on Marriage and Family

## Foreword

These are the four Michael J. McGivney Lectures, given at the Pontifical John Paul II Institute for Studies on Marriage and Family, Washington, D.C., in September 1988, as the first in a series of annual public lectures to be sponsored by that institute and by the charitable foundation the Knights of Columbus, which Fr. McGivney initiated in 1882. The lectures were delivered in the Dominican House of Studies in Washington, whose true hospitality I enjoyed over a number of weeks. The annotations which I have added here and there, but nowhere exhaustively, are a scant measure of the service rendered by the house's fine library.

The lectures leave much unsaid. They attempt no more than an overview of a much debated and most important question of faith and morals, and an outline of some grounds for thinking it reasonable to propose and accept a definite answer.

*21 September 1990*

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## Foundations

### 1. Exceptionless moral norms: few but strategic

The foundations of Christian moral doctrine are being tested as never before.

Dissension is well known. But does it go beyond rather marginal questions about the number and precise identity of the true moral absolutes? Does it challenge the very possibility of true moral absolutes? Does it go to fundamentals?

It does. Certainly, the moral norms whose very possibility (as truths) is now disputed are not morality's fundamental principles. Nor do they mark out the whole range of questions of conscience. They are not the whole substance of moral reasonableness, even when this is clarified by the faith which extends beyond belief to action.<sup>1</sup> For, in the relevant sense of "absolute," there are very many moral norms which are true, but not absolute: "Feed your children," for example. This moral norm is true, forceful, but not absolute. When the only food available is the body of your neighbor's living child, one (morally) cannot apply that norm in one's action; nor does one violate it by not applying it.

Still, though relatively few, and though not themselves fundamental, the moral norms whose truth is now contested are decisively important for conscience, conduct, and civilization. And their intrinsic relationship to the foundations of morality and faith is such that to deny them is to overlook, ignore, or challenge those foundations.

1. Vatican II, *Lumen Gentium* 25: "the faith which is to be believed and applied to conduct [*fides credenda et moribus applicanda*]."

I shall set up the issue (not settle it) with some words of Pope John Paul II. There is, he says, a "doctrine, based on the Decalogue and on the preaching of the Old Testament, and assimilated into the kerygma of the Apostles and belonging to the earliest teaching of the Church, and constantly reaffirmed by her to this day."<sup>2</sup> "The whole tradition of the Church has lived and lives on the conviction" that "there exist acts which, *per se* and in themselves, independently of circumstances, are always seriously wrong by reason of their object."<sup>3</sup> Correspondingly, "there are moral norms that have a precise content which is immutable and unconditioned . . . for example, the norm . . . which forbids the direct killing of an innocent person."<sup>4</sup> (That is the norm one acknowledges in judging that truly, even if one's own children are starving, one may not kill one's neighbor's sickly child for food.)

These passages speak of actions and their intrinsic wrongness, more than of norms and their absoluteness.<sup>5</sup> And this is fitting. For the absolute moral norms have the following characteristic: The types of action they identify are specifiable, as potential objects of choice, without reliance on any evaluative term which presupposes a moral judgment on the action.<sup>6</sup> Yet this non-

2. Apostolic Exhortation *Reconciliatio et Paenitentia*, 2 December 1984, para. 17 (*Acta Apostolicae Sedis* 77 [1985] 185 at 221).

3. *Ibid.* See also John Paul II, Address to Moral Theologians, 10 April 1986, para. 3, *Acta Apostolicae Sedis* 78 (1986) 1100: there are human actions which "are always and everywhere in themselves and of themselves illicit."

4. *Ibid.*, para. 4, 1101.

5. See now John Paul II's Address to Moral Theologians of 12 November 1988, para. 5 (*Osservatore Romano* [Eng. ed.] 19-26 December 1988, 7); *Acta Apostolicae Sedis* 81 (1989) 1206-11 at 1209: "By describing the contraceptive act as intrinsically illicit, Paul VI meant to teach that the moral norm is such that it does not admit exceptions. No personal or social circumstances could ever, can now, or will ever, render such an act lawful in itself. The existence of particular norms regarding man's way of acting in the world, which are endowed with a binding force that excludes always and in whatever situation the possibility of exceptions, is a constant teaching of Tradition and of the Church's Magisterium which cannot be called in question by the Catholic theologian."

6. In "Never intentionally kill the innocent," the term *innocent* is doubtless in some sense "evaluative," but the evaluation presupposed (if any) is not an evaluation of the choice and act of killing in those circumstances. Note: In this book, I mean the same by *act* and *action*.

evaluative specification enables moral reflection to judge that the choice of any such act is to be excluded from one's deliberation and one's action.

Thus, the norms in dispute exclude not merely needless acts of city destroying directed against noncombatants and combatants alike, but every act so directed.<sup>7</sup> Not merely those abortions which are chosen as a means to some insufficiently important end, but all killing of unborn babies as a means to an end. Not merely the manufacturing of babies for frivolous or selfish purposes, but all choices to generate babies by production instead of sexual union. Not merely adultery in the sense of extramarital intercourse by (or with) a married person and inadequately attentive to the good of marriage, but adultery as that term was used throughout Jewish and Christian tradition: extramarital intercourse by (or with) a married person, period.

This list of exceptionless norms proposed by Christianity's central moral teachings can easily be continued. But my present aim is to clarify the concept and the terminology. A good label for the disputed absolutes would be *exceptionless moral norms*. For in this context, "absolute" is not to be confused with "absolute" in other contexts, such as the absoluteness of God. The norms in question are not supreme, fundamental, unconditioned; to call them absolute is to say no more than that they are exceptionless.

But they are exceptionless in an interesting way. Exceptions to them are logically possible, and readily conceivable, but are *morally* excluded. In some of them, the type of act is described partly by reference to "circumstances," for example, the circumstance that one of the parties to a sexual act is married to someone else. But of all these norms, the following is true: Once one has precisely formulated the type, one can say that the norm which identifies each chosen act of that type as wrong is true and applicable to every such choice, whatever the (further) circumstances. An exceptionless norm is one which tells us that, when-

7. See the quotation from Vatican II, *Gaudium et Spes* 80, in I.7.

ever we are making a choice, we should never choose to do *that* sort of thing (indeed should never even deliberate about whether or not to do it: see II.1 and IV.3).

Other sorts of norms could be called "exceptionless," but not in an interesting sense of the word. For example: One's completely specific judgments of conscience in particular situations are actually highly specific norms of action,<sup>8</sup> applicable in principle to *such* circumstances on other occasions. And each of these norms is exceptionless, but only by logical, not moral necessity. For such norms, the conscientious judgment that *this is a true norm in all the circumstances* is a judgment which holds good only for *all* such circumstances. Similarly, the disputed moral norms are exceptionless in a way quite different from merely "formal" moral norms which no one will dispute, such as "Do not engage in unjust killing, inordinate sexual intercourse. . . ." Norms of the latter, uncontroversial sort logically cannot have any exceptions, for any morally relevant factors which might suggest an exception have already been implicitly provided for by the norm's own morally evaluative reference ("unjust," "inordinate," and so on) to the very act which the norm concerns.

Moreover, the specific moral absolutes whose *truth* is in dispute do not include "norms" which can artificially be constructed and proposed as exceptionless precisely because the act which they identify is so described that the norm is inapplicable whenever there are morally significant circumstances not mentioned in the norm: for example, "It is always wrong to kill someone *merely* to please another."<sup>9</sup> If, in the circumstances,

8. Thus, many who disagree about the absolutes proposed in Christian tradition agree nevertheless that a specific judgment on the rightness of an option "in all the circumstances" is a norm, i.e., a universal in the sense that implicit in the judgment is the rational commitment to judging always in the same way the same option in the same circumstances: e.g., Josef Fuchs, S.J., *Personal Responsibility and Christian Morality* (Washington, D.C.: Georgetown University Press; Dublin: Gill & Macmillan, 1983) 212; Germain Grisez, *The Way of the Lord Jesus*, vol. 1 *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983) 261, 269.

9. See Fuchs, *Personal Responsibility* 212; Josef Fuchs, *Christian Ethics in a*

pleasing another would have some further good consequences, that norm would not exclude killing an innocent "to please another." Similarly, the norms in dispute are not merely "practically" or "virtually" exceptionless, like the so-called practical absolutes devised by some theologians as substitutes for the absolutes of Christian tradition. In these substitutes, the act is described by reference to so many and such circumstances that the authors of these norms suppose that, "in practice," further circumstances which might render the act permissible are very unlikely to arise; sometimes they say that exceptions to them are inconceivable, but this is merely a loose use of *conceivable* (to mean likely), or else a confession of limited powers of imagination.<sup>10</sup> But the whole point of the qualifiers *virtually* and *practically* is to signify that if further circumstances were to be added to those referred to in the norm, that norm might no longer be true for this context. The moral absolutes of Christian tradition, on the other hand, are proposed as valid, true, and applicable even in circumstances which are neither foreseen nor even implicitly identified in the norm, but which despite their relevance and moral importance (if they arose) would not deflect the norm's applicability.

Often, the interestingly exceptionless moral norms, the moral absolutes in dispute, are called material, but only, I think, by those who deny their truth. Those who think that some specific,

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*Secular Arena* (Washington, D.C.: Georgetown University Press; Dublin: Gill & Macmillan, 1984) 77; Richard A. McCormick, *Notes on Moral Theology 1965 through 1980* (Washington, D.C.: University Press of America, 1981) 710.

10. See, for example, Louis Janssens, "Norms and Priorities in a Love Ethic," *Louvain Studies* 6 (1977) 207 at 217-18; McCormick, *Notes . . . 1965 through 1980* 710-11; Fuchs, *Personal Responsibility* 141, 212, 227-28; Richard M. Gula, *Reason Informed by Faith: Foundations of Catholic Morality* (New York: Paulist Press, 1989) 294; cf. Germain Grisez, *Christian Moral Principles* 165 n. 8; Germain Grisez, "Moral Absolutes: A Critique of the View of Josef Fuchs, S.J.," *Anthropos [Anthropotes]* 1985/2, 155 at 181. As McCormick, *Notes . . . 1965 through 1980*, p. 710, says: "One can . . . add a variety of circumstances to the description of an object so that the act is always wrong . . . but when one says that [actions so described are intrinsically wrong], he must realize that he is no longer speaking of the object of the action as used in recent theological and magisterial literature."

exceptionless moral norms are true reject the labels "material," "physical," and "behavioral" (see III.3). So, let me say once for all: save in a few, clearly indicated passages, I shall for brevity use the terms *moral absolutes* or *specific moral absolutes*, meaning absolute and specific moral norms, that is, exceptionless moral norms such as those I mentioned earlier in relation to killing children or noncombatants, adultery, manufacturing babies, and so forth.<sup>11</sup>

## 2. Witnessed to by faith

The Christian faith affirms specific moral absolutes. Explicitly and implicitly, the New Testament and the Apostolic Fathers, the earliest witnesses to the completed revelation in Christ, resort spontaneously to the Decalogue.<sup>12</sup> Indeed, the Decalogue is referred to more frequently in the New Testament than in the whole of the Old Testament, and the zeal with which Christians preached it (as the one element in the Law still valid in the New Covenant) seems to have provoked its suspension from use in Jewish daily worship and sabbath morning prayers within a few decades after Pentecost.<sup>13</sup> The New Testament and the early

11. Hence, whenever I speak of theologians denying the truth of moral absolutes, I do not imply that those theologians deny the absoluteness and truth of principles which they call formal or transcendental norms.

12. See Guy Bourgeault, "La spécificité de la morale chrétienne selon les Pères des deux premiers siècles," *Science et Esprit* 23 (1971) 137; id. *Décalogue et morale chrétienne: enquête patristique sur l'utilisation et l'interprétation chrétienne du décalogue de c.60 à c.220* (Paris, 1971).

13. See G. Vermes, "The Decalogue and the Minim" [1968], in his *Post-Biblical Jewish Studies* (Leyden: Brill, 1975) 169-77; H. J. Schoeps, *Jewish Christianity* (Philadelphia: Fortress Press, 1969) 34; H. J. Schoeps, *The Jewish-Christian Argument* (New York: Holt, Rinehart, 1963) 48; W. D. Davies, *The Setting of the Sermon on the Mount* (Cambridge University Press, 1964) 282; F. E. Vokes, "The Ten Commandments in the New Testament and in First Century Judaism," *Studia Evangelica* 5 (1968) 146 at 152; P. Grelot, *Problèmes de morale fondamentale: un éclairage biblique* (Paris: Editions du Cerf, 1982) 117. See also *Encyclopedia Judaica* (Jerusalem: Keter Publishing, 1972), vol. 5 cols. 1446-47. Yet Leo Strauss did not err when he identified "the common ground on which Jews and Christians can make a friendly *collatio* to the secular state" as "the belief in the God of Abraham, Isaac and Jacob—the God who revealed the Ten Commandments or at any rate such commandments as are valid under all circumstances regardless of the circumstances": *Liberalism Ancient and Modern* (New York: Basic Books, 1968) 265-66.

fathers reformulate the Decalogue's prologue and envisage the Ten Commandments as a manifestation of God's sovereignty in the perspective not simply of exodus but now rather of creation itself.<sup>14</sup> St. Paul speaks of its precepts as written on human hearts and befitting human nature (for example, Romans 1:23-31; 2:14-15; by "the Law" in the latter passage he means primarily the Decalogue: see 13:8-10). But these are also precepts of Christ; the Lord is shown reaffirming them in the encounter with the "rich young man" (Matthew 19:16-19; Mark 10:17-19; Luke 18:18-20), interiorizing and in other ways radicalizing (without disincarnating) them in the Sermon on the Mount (Matthew 5:17-28), summarizing without dissolving them in the supreme commandments of love of God and neighbor (Matthew 19:19; 22:36-40), and interpreting them paradigmatically, and with explicit reference to the original order of creation, in his teaching on adultery and the indissolubility of true marriage. "Moses because of the hardness of hearts allowed divorce, but *from the beginning of creation* it was not so; And I [Jesus] say that whoever puts away his wife and marries another commits adultery; and she, if she marries another, commits adultery, too."<sup>15</sup> How is this teaching *paradigmatic*, exemplary? Because in what it plainly asserts, and in its interpretation and transmission in the whole tradition (which the findings of contemporary exegesis have neither challenged nor undermined),<sup>16</sup> it conveys the characteristic or exemplary meaning and force of a specific

14. Bourgeault, "La spécificité," 143-49.

15. Cf. Matt. 19:4-9; Mark 10:4-12; Luke 16:18.

16. The tradition's interpretation of this teaching is not "literalistic" or "fundamentalistic" and is supported by critical exegesis. Still, it is worth recalling here the proper use of exegesis in theology, carefully stated by Vatican II in the last two paragraphs of sec. 12 of the Dogmatic Constitution on Divine Revelation *Dei Verbum*, especially when read with sec. 24; the upshot of these passages is that critical exegesis disengages the possible meanings of the text in one or more hypotheses; it is for the church to pass judgment on which of these possible meanings is indeed what is being asserted in the text. In passing judgment, the church's criteria will be the unity of the Scriptures (so that a possible meaning of *this* can be rejected if it is inconsistent with the meaning of other texts in other books) and the *analogia fidei* in a wider sense (so that a possible meaning which has passed the previous two tests can be rejected if it conflicts with the church's sacred and certain teaching on faith and morals).

moral absolute. It so freshly and specifically identifies differing type-situations (described in nonevaluative terms) in which one commits adultery, that one cannot call it mere *parenesis*—mere exhortation to follow norms whose content is only found elsewhere in the audience's culture, a content neither identified nor reaffirmed by the exhortation. Jesus' teaching includes, then, an element of *instruction*, identifying, clarifying and specifying moral truths, a teaching designed to exclude error and misunderstanding of their proper content.

Thus, we here find adultery understood as always and necessarily wrongful, yet not defined in terms of its wrongfulness. It is not *specified* as wrongful or inordinate or unchaste sex by a married person outside marriage—as sex without proportionate reason. It is defined as sex by a married person outside marriage. The specification needs interpretation and elaboration, since there are questions to be answered about who is indeed married. Christian tradition, as Paul makes clear (1 Corinthians 7), has never treated these questions as simple. But where, as in most cases of adultery, there is no doubt that the one party, if married, is not married to the other, then the Lord's precept applies exceptionlessly, whatever the (other) circumstances.<sup>17</sup>

The same absoluteness of the properly (but still nonevaluatively) specified norm excluding adultery is found in the constant Christian tradition, from the beginning, against abortion,

17. Some say that Paul's directions in 1 Cor. 7:15 treat Jesus' condemnation of divorce as stating a norm of only approximate universality, not truly exceptionless: see Heinz Schürmann, "How Normative Are the Values and Precepts of the New Testament?" in Heinz Schürmann, Ratzinger, and Balthasar, *Principles of Christian Morality* (San Francisco: Ignatius Press, 1986) 26; Heinz Schürmann, "Die Verbindlichkeit konkreter sittlicher Normen nach dem Neuen Testament, bedacht am Beispiel des Ehescheidungsverbotes und im Lichte des Liebesgebotes," in Kerber, ed., *Sittliche Normen: Zum Problem ihrer allgemeinen und unwandelbaren Geltung* (Düsseldorf: Patmos, 1982) 116. But to conclude that Paul regards all Christ's commandments as approximations, whose application is subject to a weighing up and maximizing of greater and lesser pre-moral expected goods, would be a fallacious inference from the peculiar case of the "Pauline privilege," whose origins in Paul are founded on considerations of another order (the economy of redemption and the identity of sacramental marriage), and which leaves untouched the absoluteness of even the norms against divorce and adultery.



suicide, fornication, homosexual sex, and blasphemy and disclaimer of the faith. The tradition is massively solid. It has cogent grounds, in faith and reason, as we shall see. And it is witnessed to by martyrdom willingly suffered rather than consent to what the martyr takes to be an act of such a description. The oppressors, the tempters, the crowd, all persuasively present the act as an evil lesser than death, disgrace, ruin for the martyr's family; a Thomas More or a Maria Goretti judges the act to be wrong *per se* and *in se* and, precisely because immoral, to be an evil greater than any amount of evil set in train by refusing to choose such an act.<sup>18</sup> The church judges them to be saints, along with the many unnamed martyrs.

### 3. Part of the theology of human fulfillment

The earliest Christian philosophers and systematic theologians lose little time in developing St. Paul's reflection. As soon as we meet them, in the second century, they are referring to the commands of the Decalogue as precepts of natural law, as the *naturalia legis*, the law's natural precepts, the *naturalia praecepta quae ab initio infixae dedit hominibus*, the natural precepts which God from the beginning gave human beings as intrinsic to their nature, precepts which are natural principles, befitting the freeborn, and common to all (*naturalia et liberalia et communia omnium*).<sup>19</sup>

18. See likewise Pius XII, Address to Young Catholic Women, 18 April 1952, *Acta Apostolicae Sedis* 44 (1952) 413 at 418, referring to the mother of the Maccabees and her sons, to Saints Perpetua and Felicity ("despite their new-born children"), and to St. Maria Goretti. As to More, it is important to note that when he knowingly incurred the traitor's penalty of life imprisonment and confiscation of all his goods, for refusing to take an oath, he chose to refuse not because the oath was against the faith (e.g., against the doctrine of the papacy), but because swearing that he believed a marriage invalid when he judged it valid would have been to lie. He went to the Tower on a simple point of morality, the absoluteness of the ordinary norm which excludes lying, most clearly lying on oath.

19. St. Irenaeus, *Adversus Haereses* (circa 180–199) 4, 13,1; 15,1; 16,5; see also St. Theophilus of Antioch, *To Autolytus* (circa 181) 2, 16–17 (PG 6, 1079): to observe the law of God is to live according to nature [*kata physin*].