

Article

Reframing Catholic Ethics: Is the Person an Integral and Adequate Starting Point?

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Abstract: Joseph Selling rightly defines human intentions and motivations as part of human nature and an important determinant of the morality of personal actions. The thesis of this paper is that Selling's view of agency, as focused on the individual, must be expanded to include social relationships and the social constitution of selves and communities. This requires cross-cultural dialogue about human nature, the goods for persons and societies, and social ethics.

Keywords: Aquinas's ethics; Catholic theological ethics; Catholic moral theology; cross-cultural ethics; global ethics; HIV/AIDS; *Humanae vitae*; moral agency; personalism; practical reason

1. Introduction

Joseph Selling's *Reframing Catholic Theological Ethics*¹ is a brilliant recap and culmination of major streams of renewal in Catholic moral theology that flowed from the Second Vatican Council and that were, ironically, given impetus by the 1968 "birth control" encyclical *Humanae vitae*. Selling's key point is that the fullness of morality and moral agency cannot be captured by the simple evaluation of physical actions, guided by the "bottom line" of avoiding "intrinsically evil acts". Instead the intention and motivations of the agent are morally decisive, as he or she strives to realize important ends or goals in complex and changing situations. Context and intention are indispensable to an "integral and adequate" understanding of the person as a moral agent, to paraphrase the reference in *Gaudium et spes* to "the nature of the human person and his acts" (no. 51, and as elaborated in official commentary²).

My own engagement with this book will proceed in five steps.

1. I will set Selling's project in its post-Vatican II context. His work represents an important step forward in this context, especially because it expands moral analysis beyond individual actions to include the person's intentions.
2. I will consider the significance of our present, 21st century context, which is more consciously global, more differentiated, more intercultural, and more interreligious, than that of the four decades immediately following the Council. In this context, it is essential to give a fully relational and social interpretation of persons, and of the constitution of selfhood and agency.
3. I will propose that Selling's book sets up the progression to this new context very successfully, but follows through incompletely. I will focus specifically on the fifth and sixth of eight characteristics by which Selling defines the person "integrally and adequately considered", that is, the person as *both* fundamentally relational *and* a free and responsible self.

¹ Oxford: Oxford University Press, 2016.

² *Schema constitutionis pastoralis de ecclesia in mundo huius temporis: Expensio modorum partis secundae* (Vatican Press, 1965) 37–38; as cited in (McCormick 1982). *Gaudium et spes* itself does not explicitly use the frequently-invoked phrase "human person integrally and adequately considered". Instead, specifically addressing the harmonization of "conjugal love" and "the responsible transmission of life", it calls for "objective standards" based on "the nature of the human person and his acts" (no. 51).

4. I will add in two ways to Selling's discussion of Aquinas on intentionality and the natural law, with which I of course concur. First, I will take up further discussion of the goods or goals or ends at which intention aims. For "teleological" ethics, these are key. Then, I will introduce the topic of practical reason, the type of reason involved in moral knowledge and intention, and also the way in which we know our goods and ends.
5. I will illustrate the difference a more social, inductive, and global approach would make to the reframing of Catholic ethics, by mentioning one example introduced by Selling himself, that is, the problem of HIV/AIDS.³

2. The Vatican II Trajectory, of Which This Book is a Part

A widened understanding of the scope of personal morality has been the keynote of post-Vatican II moral theology overall, both in its magisterial expressions and in its development by the "guild" of Catholic moral theologians. Since the establishment of the Council, Catholic moral theology has given a new priority to context, relationships, and relational goods and responsibilities, as well as to gospel values. For instance, even Paul VI and John Paul II try to situate the disordered character of contraception in the context of the love of a married couple, and the nature of family relationships. In 1980, Selling's teacher Louis Janssens⁴ applied the lens of "the human person integrally and adequately considered" to the problem of artificial insemination, developing a general perspective found in a 1972 article of Karl Rahner, and refuting the pre-conciliar act-based analysis of Franz Hürth (Janssens 1980; Rahner 1972; Hürth 1946).⁵ This more holistic, agent-centered trajectory follows upon the Enlightenment "turn to the subject". The subject's anti-dogmatic authority was modeled in different ways by Descartes, Locke, Kant, and Freud. Introduced to Council-era Catholic theology most notably by Karl Rahner, the turn to the subject has characterized Catholic theological ethics generally since the start of the Council.

In a seemingly contrary way, the notion of "intrinsically evil" or "intrinsically disordered" acts was clearly reiterated during the pontificate of John Paul II, especially in *Veritatis splendor* (no. 80). However, even when traditional norms about disordered acts were asserted, they were and are reinforced with reference to interpersonal and relational categories such as "the language of the body" and the "truth" of the marital bond. For example, according to John Paul II, the sexually articulated "language of the body"

is the constitutive element of the communion of the persons. The persons—man and woman—become for each other a mutual gift. They become that gift in their masculinity and femininity, discovering the spousal significance of the body and referring it reciprocally to themselves in an irreversible manner—in a life-long dimension (Paul 1983).

Those who take issue with the way magisterial teaching after the Council continues to assert more or less the same norms in personalist guise share with their adversaries a more contextual view of moral realities and a more relational view of the agent. Typically, they also share a primary focus on the individual agent, illustrated for example by appeals to "conscience." Nevertheless, despite this turn to subjects and relationships, the 20th century debates in moral theology remained centered on the individual agent—his or her embodiment, relationships, intentions, and acts.

Selling's center of gravity is the contraception debate, as it was for traditionalist morality during the same time period. Page 3 of the book highlights "the extended controversy over contraception", and the last page (200) recommends that the idea of intrinsic evil be dropped from the vocabulary of "traditional, personal, and especially sexual morality". Sexual ethics and contraception come up multiple times elsewhere, for example on pages 17–19, 115, 171, 180, 186, and 196. The contraception debate as a whole has tended to focus on individual couples, and their conscientious yet "objective" decisions as personal agents.

³ I will not address the morality of means of preventing HIV transmission in themselves, nor whether they are effective. My focus will be on the view of the person that is implied by Selling's own discussion of this topic.

⁴ See (Christie 1990).

⁵ These are all discussed by McCormick in the essay cited in n. 1. See also (McCormick 1994).

Perhaps it is time that we all turn greater attention to the social and political aspects of sex and gender; to the intersection of gender, race, class, and economic inequality; and, in particular, to the difference perspectives from the global South might make to our methods and conclusions. For instance, one big difference in the way persons understand and exercise their agency derives from the tendency of some cultures to see the individual as the primary religious and moral point of reference, as contrasted to the tendency of more communal cultures in the global South to view the community as primal, and individual identity as constituted by relationship.

“I am because we are” is an African adage embedded in the African philosophy of *ubuntu* espoused by Nelson Mandela.⁶ In this and similar worldviews, collective wellbeing and harmony among humans, nature, and the spiritual world are more important than individual choice and self-realization. (In more communal cultures, the person experiences the divine through spiritual beings and forces that interconnect communities, their members, and other creatures historically. In many African cosmologies, individual welfare is one with the community and subordinated to it⁷). In contrast, modern, capitalistic democracies in the global North tend to see the self as striving within social opportunities and constraints to maximize its own potential and happiness—of which relationships are a part, including a personal relationship to God.⁸ Yet, if the person is socially constituted and socially accountable in a radical way, then moving from personal act to personal motivation, while important and necessary, still does not provide a big enough frame for a global theological ethics. I will return to this point when addressing Selling’s characterization of the “multi-dimensionality” of the human person.

First, though, let us look more carefully at our 21st century context.

3. The 21st Century Context

In the present century, a more global consciousness increasingly pervades theological ethics. Under the influence of postmodern and postcolonial philosophies, our view of the person in community has expanded. In a basic though non-reductionist way, agents are *constituted by* the communities and relationships in which they are born and raised to be deliberating, deciding, and acting social subjects. Both persons and communities are accountable to the basic material and social needs of other persons and societies near and far. Paradoxically, complex networks and structures at once *dilute* personal responsibility for the (distant) other, and *magnify* that agency by enabling collective, structural action.

The writings of Pope Francis illustrate this shift of theological-ethical paradigm. Francis has decisively undermined the “objective physical act” frame of moral judgment by asking divorced couples to discern their moral state within multiple relational obligations, by warning against a rush to judgment of homosexual persons, and by suggesting that contraception can be an appropriate response to the Zika virus. In *Laudato Si’*, he highlights collective responsibility for the natural environment and references structural protections, such as UN climate agreements. Although I believe that issues of war and violence, economic inequality, ecology, racism, and gender discrimination are more important than sexual ethics as such, it is obvious that all these issues are intertwined. I will today keep my focus on sexual ethics as most key to Selling’s book, and due to constraints of time.

Much could be said about reframing Catholic ethics on the basis of *Laudato Si’*, but the more pertinent document here is *Amoris Laetitia*. The most widely discussed moral controversy behind this document is the ethical and religious significance of remarriage after divorce, represented by ecclesial regulation of participation in the Eucharist. Going beyond this one issue, Francis proposed and embodied a new approach to Catholic theological ethics when he called two Synods on the Family to precede the eventual document, prepared for those by instituting processes of wide consultation;

⁶ See (Onyebuchi Eze 2010).

⁷ These are not only huge generalizations, but they would be much better approached by a thinker from the global South. See for example (Orobator 2008).

⁸ See for example (Ortner 2006) and the appreciative yet provocative review by (Mukerji 2009).

encouraged open discussion at the Synods themselves; provided a year between the two Synods, so that ideas could circulate and percolate in the Church at large; proposed in *Amoris Laetitia* an open and flexible (“ambiguous”) resolution rather than a definitive policy; and referred the question of the Eucharist back to local dioceses and individual couples who, together with their pastors, are asked to consider their relational obligations holistically. We must regard the exclusion of women from the synodal consultations as a significant liability. Nevertheless, the message has been sent that moral discernment and agency are collective, inductive, and locally variable, even if responsible to larger, nonrelative goods.

Considering the diversity of standpoint that was in evidence during the Family Synods, we all have to acknowledge the limits of our perspectives, as Selling does when he identifies his own as that of “an older, white, male, Christian European inhabitant” (Selling 2016, p. 161). This is also true of Pope Francis! Still, the question here is not only about the starting point; it is about those to whom one is reaching out and those from whom one wishes to learn. Older, white men and women, Western Europeans or North Americans like myself, can benefit tremendously by engaging other standpoints. Through engagement, we can together realize the intercultural and interreligious potential of our future discipline of theological ethics.

4. Joseph Selling’s Framework and its Promising Trajectory

In Chapter 5, Selling defines “The Human Person Integrally and Adequately Considered” in eight points, of which I want to explore the interdependence of the fifth and the sixth (Selling 2016, pp. 137–46). These are: 5. “the human person stands in relation to other persons”, and 6. “the human person becomes a conscious interiority, a subject”. On the one hand, says Selling, our “intimate relationships” provide “the process of becoming human”. Our culture, history, and relationships are all mediated through other persons. On the other hand, “the person is not simply a material, cultural, social, historical entity”, but also “an inner self, a subject endowed with freedom and called to responsibility” (Selling 2016, pp. 142–43). This is beautifully said! Yet I wonder whether the dialectic of society and self also signifies that so single-minded a focus on “the person” as the governing category can no longer inspire an adequate frame for ethics. Should the title of this chapter be changed from “Morality and the Human Person” to “Moralities, Persons, and Communities”?

I titled this paper with a question: “Reframing Catholic Ethics: Is the Person an Integral and Adequate Starting Point?” My answer is that person is not an “integral” starting point because of the ongoing social constitution not only of the person, but also of moral knowledge, intention, and action. Similarly, the person is not an “adequate” starting point because the communities and social relations that shape personal identity and agency are also essential. In addition to the person, we need to consider traditions and communities “integrally and adequately”.

5. Aquinas on a Teleological Ethics and Practical Reason

An important contribution of Selling is to recover the thought of Thomas Aquinas in the service of his program, specifically on the importance of intention to the character of moral acts, and an interpretation of the natural law as not a series of specific laws, but the participation of the human creature in the eternal law or divine wisdom. With Aquinas, Selling believes that one’s motivation is virtuous if one is attempting to accomplish a good (Selling 2016, pp. 62, 68). Selling thus relies on a teleological model of ethics for which, I would argue, ends or goods are actually more basic than intention.⁹ This leads to two further issues: identifying the goods at which moral intention and action aim, and recognizing that we do so by means of practical reason.

Selling notes that both Aristotle and Aquinas were teleologists, for whom happiness is the ultimate goal or good, with Aquinas following Augustine in referring happiness (and virtue) to

⁹ As Selling says, “a systematic method of ethical reflection and decision-making that takes goal-seeking as its point of departure is referred to as ‘teleological’” (ibid., p. 26, cf. 103). He also speaks of “an intention as directed to a circumstantiated end”, designating “a circumstantiated action as a behavior” (ibid., p. 170).

humanity's highest end and good, God. Selling underscores the biblical sources of this perspective in the ministry of Jesus and his preaching of the kingdom or reign of God.

While happiness as a comprehensive human end is widely recognized, the identification, interrelation, and priority of more limited temporal goods is a much more controversial territory. This is true whether one's approach is Christian or not. In my view, the identification and realization of common human goods in and through the reality of pluralism is one of the greatest challenges to Christian ethics today. Aquinas would say that we can avoid relativism by recognizing that some basic human goods are shared. Further, we can account for particularity by recognizing that moral reason is practical reason.

First, goods. Even if, as in the Christian view, moral agency and discernment are informed and guided by the theological virtues and the "infused" moral virtues, Christian ethics still relies heavily on natural knowledge of the natural inclinations of humans to goods that are shared across cultures, though instantiated differently. As salient instances, Aquinas offers the tendency of all things to stay in being, the tendency of all animals to mate and nurture their young, and the tendency of humans specifically to live cooperatively in political society, as well as to "seek to know the truth about God." Human beings share certain basic physical, psychospiritual, and social needs, such as for food, physical safety, human companionship, ritual connection to the transcendent, and political participation. However, the refinement of these goods in the concrete requires inductive experience, as well as cross-cultural elaboration and correction.

This brings us to practical reason. The inductive knowledge of basic goods and the contextual knowledge of specific goods are both functions of practical reason. (See Aquinas's treatment of the natural law in *Summa Theologiae*, I-II.Q94.a2). Practical reason is distinguished from speculative reason as reason about things to be done, and it deals with "contingent matters, about which human actions are concerned". In practical action, there is potential unclarity and diversity, "the more we descend to matters of detail" (a4). Pope Francis quotes Aquinas on exactly this point, when he calls for the specific discernment of cases in *Amoris Laetitia* (Chapter 8, no. 304). Selling does not discuss practical reason, but he does say that to make choices instigating action that leads to happiness, "one needs wisdom primarily practical wisdom (*phronesis*) which is oriented to practical choices".¹⁰ Practical wisdom or prudence is the virtue of right practical reason.

6. The Example of HIV/AIDS

Consider an example introduced in Selling's first chapter: the use of condoms to prevent the transmission of HIV/AIDS in heterosexual marriage. I totally agree with Selling's conclusion that condoms should in such cases be an option. This is an example of practical reason, discerning in a specific kind of situation how to prioritize and realize competing goods, such as the marital bond, its sexual expression, children and new life, and the lives and health of the spouses. But what would we learn about the importance of these goods, their endangerment, and their order of priority, if we included experiences and theological-ethical analyses from the global South?¹¹ Globally, girls and women are hardest hit by new infections, including those who are married and are faithful to their husbands. According to UNAIDS, adolescent girls and young women aged 15–24 years are at particularly high risk of HIV infection, accounting for 20% of new HIV infections among adults globally in 2015, despite accounting for just 11% of the adult population. In geographical areas with the higher HIV prevalence, the gender imbalance is more pronounced. In sub-Saharan Africa, adolescent girls and young women accounted for 25% of new HIV infections among adults, and women accounted for 56% of new HIV infections among adults. Harmful gender norms and inequalities, insufficient access to education and sexual and reproductive health services, poverty,

¹⁰ (Ibid., p. 122).

¹¹ In fact, going back to 2004, the bishops of Africa have been the most vocal in supporting condom use for so-called "discordant couples", and in 2010, Pope Benedict opened the door to condom use to prevent disease transmission. See (Condoms4Life 2015).

food insecurity, and violence are at the root of the increased HIV risk of young women and adolescent girls (UNAIDS n.d.).

These women and girls become infected, not just because of some idea that condoms are intrinsically evil, but because of their unequal status in sexual relationships, married or unmarried, a status that is embedded in social structures generally, and maintained by both individual and collective agency. The women most vulnerable to AIDS typically lack the power to choose their spouse, refuse sex, demand that their husband wear a condom, or insist that he be faithful. In fact, condom use generally is rejected by African men for cultural reasons, not primarily because of Catholic teaching. When we look at the global picture of HIV/AIDS, we realize more deeply that the basic goods of life, human equality, moral freedom, social responsibility, marriage, sex, and family are all profoundly implicated, in culturally varied ways, that go far beyond condom use.

Stigma and discrimination exacerbate lack of treatment and the spread of the disease in the global South. “In approximately half of countries with available data between 2009 and 2014, over 50% of women and men aged 15–49 years reported they would not buy vegetables from a shopkeeper living with HIV” (UNAIDS n.d.). If a married man learns he is infected, the blame will be cast upon his wife, and she will be repudiated and ostracized in many cases, as a danger and a disgrace to the community as a whole. If a woman has HIV/AIDS, she will hide her condition due to these same consequences. This signals a high likelihood that neither spouse would share their disease status or initiate condom use. While affected Catholic couples who are honest about their situation should certainly be advised to use condoms, gender inequality, stigma, and poverty are much greater obstacles to morally responsible sex than Catholic Church teaching about condoms.

Further, we should ask whether Catholic models of gender complementarity are a contributing factor, in addition to whether our insistence on framing questions of sexual ethics as they are seen in the U.S. and Western Europe prevents us from confronting the much direr sexual injustices that the less privileged suffer. We in the global North can learn from worldwide realities. We must also recognize our own complicity in creating social conditions that help create poverty and injustice.

The relevance of Catholic theological ethics to HIV/AIDS cannot be “reframed” without the insights of cultures and theologies in Africa, Asia, and Latin America, nor without explicit consideration of gender, race, economic status, and sexual orientation. Three book titles dealing with AIDS, Catholic theology, and ethics give a quick indication of the analytical scope now required to frame the theological ethics of AIDS: *When God’s People Have HIV/AIDS: An Approach to Ethics*; *Calling for Justice Throughout the World: Catholic Women Theologians on the HIV/AIDS Pandemic*; and *HIV and AIDS in Africa: Christian Reflection, Public Health, Social Transformation* (Cimperman 2005; Jo Iozzio et al. 2009; Azetsop 2016).

Selling’s book skillfully and admirably expands our vision of what an agent is and does. Yet it remains centered on the individual agent as envisioned at the time of Vatican II. Nevertheless, Selling decisively opens the door to the further steps needed if Catholic theological ethics is to be transformed for a new century by the contributions of plural cultures and religions. Most basically, he contextualizes the agent’s behavior, and therefore also the intentional and motivated agent him- or herself. He states explicitly that virtues are cultural and historical, that they are shaped by cultural traditions, and that they must “respond to specific, challenging situations” (Selling 2016, p. 158). This move, taken seriously, leads us ineluctably to a reframing of Catholic ethics that is cross-communal and dialogic, because together our cultural traditions lead us to a deeper appreciation of what we share as human beings, and an appreciation of our vital differences.

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