

# The Catholic Lawyer

---

Volume 5  
Number 1 *Volume 5, Winter 1959, Number 1*

Article 7

---

May 2016

## The Morality of Situation Ethics

Aidan M. Carr, O.F.M. Conv., S.T.D., S.T.M., J.C.D.

Follow this and additional works at: <https://scholarship.law.stjohns.edu/tcl>



Part of the [Catholic Studies Commons](#)

---

### Recommended Citation

Aidan M. Carr, O.F.M. Conv., S.T.D., S.T.M., J.C.D. (1959) "The Morality of Situation Ethics," *The Catholic Lawyer*. Vol. 5 : No. 1 , Article 7.

Available at: <https://scholarship.law.stjohns.edu/tcl/vol5/iss1/7>

This Article is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in The Catholic Lawyer by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact [selbyc@stjohns.edu](mailto:selbyc@stjohns.edu).

# THE MORALITY OF SITUATION ETHICS<sup>†</sup>

AIDAN M. CARR, O.F.M. CONV., S.T.D., S.T.M., J.C.D.\*

**I**N VARYING DEGREES of explicitness, sometimes crudely and sometimes with the most exquisite refinement of tongue or pen, in the world of flesh and blood and in the world of philosophy and literature, men have expressed the sentiment that man is not bound, Prometheus-like, by the bonds of immutable principles governing human behavior.

If these men happened to believe in God and in the validity of conscience, then they declared that God would directly illumine them as to what course they should pursue if a decision with moral implications presented itself to them; no abstract principles and no universal law would then be necessary. If these men did not happen to believe in God, then they declared that what some call "a body of ultimate principles of morality" is merely a catch-phrase; a socially-constructed chimera devoid of any value except what expediency might accord it. As such, moral principles would have no genuine sanction if an individual should choose to violate them.

Others, without bothering their heads to dispute much at all about the existence of moral norms, even granting them some sort of spectral existence, have concluded that such principles are too remote from the practical exigencies of human living to offer any helpful solution when choices had to be made. At worst, such norms are unworkable; at best they are easily disregarded hints. "Human nature," "the natural law," "the dictates of right reason," "the Creator's demands upon His creatures," "the teachings of Christ's Church," "the example of Christ" — all these are too rarefied for the mart and the forum. The concretized

---

<sup>†</sup>Reprinted from the *Proceeding* of the Catholic Theological Society of America.

\*Vice Rector, St. Anthony-on-Hudson.

realities of man's life find precious little aid in anything so ethereal. The dichotomy of this now-to-be-performed action and any extra-mundane law is unbridgeable.

However differentiated and however so subtle the formulas in which the doctrine may be cast, all such approaches to the problems of man's moral life fall within the classification of Situation Ethics. The only way to find a trail through life's jungle is to hack it out with the machete of subjectivism, step by step. The urgency, the anguish and the perplexities which form the warp and woof of man's mortal experience allow of no other mode. Little wonder that Pope Pius XII said that there are few dangers so great or so heavy in foreboding as those which this "new morality" creates for faith.<sup>1</sup>

Situation Ethics is a more refined thing than antinomianism. The latter says, in effect, that the believer in it can do no wrong because everything he does is, *quoad eum*, sinless. Anything goes — for him. Msgr. Ronald Knox quotes a conversation carried on between an eighteenth century antinomian and a disciple of Wesley.

"Have you a right to all the women in the world?" asks the Wesleyan. "Yes," replied the other, "if they consent." "And is not that a sin?" exclaims the shocked Protestant. "Yes," returns the sinless one, "to him that thinks it is a sin, but not to those whose hearts are free."<sup>2</sup>

This is the attitude of one who affirms a belief in the existence of moral laws of universal validity, but who has argued himself into the conviction that he is above and beyond them. There is no need for him to fret about such paltry things as

transgressions of those laws. He is so perfect that he is freed from such narrow constrictions.

Things are not so simple for the situationist. While he does share the individualist's mentality with the antinomian, he lacks the latter's easy assurance that he has no decision to make; no issue to face. One who accepts situation morality as a way of life has always some sense of responsibility: to God if he is theistic; to himself and to existence if he is atheistic.

An example of how artful theistic Situation Ethics can become received a classic demonstration a few years ago. It appeared in connection with an effort to justify marital onanism by appeal to subjectivity and circumstance.

The proponents of this attempt began by pointing out that due to changed conditions of modern society, the married Catholic individual might well find himself in a position wherein contraception would not be wrong. How so? Well, the argument goes, while fully admitting the truth of the Redemption and the fact of salvation or loss of one's soul, nevertheless this particular married person finds it both impossible to remain continent and impossible, for some extrinsic reason, to have any (or any more) children.

This person does not, in theory at least, deny the existence of objective morality. His Catholic faith and his reason compel him to acknowledge, speculatively, that there is an ideal of behavior in these matters. Observance of this ideal, when possible, even leads one to higher perfection. Face to face with this ideal, with this body of norms of the moral order, the individual who is thus caught up in the vortex of his perplexity and his tensions, admits to him-

<sup>1</sup> 44 ACTA APOSTOLICAE SEDIS 419 (1952).

<sup>2</sup> KNOX, ENTHUSIASM 465 (1950).

self that he is at grips with something bigger than himself.

He may simply mold morality to his own likeness and proudly feel that what he does cannot be wrong precisely because he does it. This, allow the exponents of the doctrine in question, is a false subjectivism. But, if one is blessed with a genuine sense of Christian humility, he will admit that he is objectively a sinner but not subjectively one. He remembers that God loves him and so his objective "sins" are swallowed up in the greatness of God's love. It is a confrontation, immediate and intuitive, between the "I" of man and the "I" of God.<sup>3</sup>

This is a rank sentimentalism which effectively denies the existence of the moral law, emasculating it of any force it should have vis-à-vis a difficult moral situation. What is *of itself* opposed to morality and the divine law, ceases to be subjectively imputable if the law becomes, because of circumstances, allegedly impossible of observance.

### The Church Speaks

Aside from more or less implicit reprovals of errors in this field to be found in the writings of the Fathers<sup>4</sup> and in the Church Councils,<sup>5</sup> it has remained for our times to see several explicit condemnations of Situation Ethics by the Apostolic See.

Within a few months after his elevation to the Chair of Peter, Pope Pius XII wrote in the encyclical *Summa Pontificatus*: "It is well established that the first and profound source of the evils by which the modern state is afflicted, issues from this fact, that

the universal standard of morality is denied and rejected, not only in the private lives of individuals but also in the state itself. . . ."<sup>6</sup> In *Humani generis*<sup>7</sup> the Pontiff condemned the works and pomps of "a new erroneous philosophy" under the name "existentialism" and concerned only with the existence of individual things, neglecting their immutable essences.

In March, 1952, addressing a group of Italian Catholic Action, the Sovereign Pontiff spoke on one of the chief concerns of modern educators: the struggle for the recognition of the natural law and its moral implications in the human conscience. The Pope reminded his audience that the divine norm is the ultimate and personal rule for deciding, in particular cases, what will constitute a moral action. A man's internal and external acts, freely chosen by him, must conform to the will and commandments of Christ. Opposed to this traditional doctrine is the belief of those who desire to liberate consciences from the "sophistic subtleties of casuistry" in order to bring the moral law back to its original form.

In this way, the moral law will be left simply to the intelligence and determination of each one's individual conscience. By leaving all ethical criteria up to the individual this "new morality" would disrupt the very foundations of liberty. It would make every man's conscience something jealously closed up within itself; the absolute master of its own decisions. This "individualist autonomy" affirms that, instead of encouraging the law of human liberty and love, instead of insisting on it as the driving force in man's moral life, the Church appeals almost exclusively (and

<sup>3</sup> Cf. *Changements de perspectives en morale conjugale*, REVUE EUCHARISTIQUE DU CLERGE 457 (1950).

<sup>4</sup> Cf. AUGUSTINE, THE CITY OF GOD, bk. 19, c. 14.

<sup>5</sup> Cf. DENZINGER-BANNWART, EUCHIRIDION SYMBOLORUM Nos. 473-74 (1928).

<sup>6</sup> 31 ACTA APOSTOLICAE SEDIS 423 (1939).

<sup>7</sup> 42 ACTA APOSTOLICAE SEDIS 561-77 (1950).

with excessive rigidity) to the firmness and intransigence of Christian moral laws.<sup>8</sup>

Less than a month later, the Holy Father again assailed the "new morality" in an address to an international congress meeting in Rome.<sup>9</sup> This allocution took a crystallized form with regard to Situation Ethics and it clearly presaged a not-too-distant formal condemnation of the error. It was the Pope's express intention to uncover the hidden sources of this erroneous concept of Christian morals.

The Pope referred to reports that many young persons, confusing Christianity with a code of precepts and prohibitions, feel that they are suffocating in a climate of moral imperative, and are consequently throwing off the "cumbersome baggage" of traditional morality in favor of "ethical existentialism," "ethical actualism," "ethical individualism," all to be understood as identified with "morality according to situations." The distinctive mark of this morality, explained the Pontiff, is that it is not based on universal moral laws such as the Ten Commandments, but on the real and concrete conditions in which men must act, and according to which the conscience of the individual must judge and choose. Each judgment relates itself to a state of things which is unique; applicable only once for every human action. For this reason, any decision made by the conscience cannot be commanded by principles or universal laws.

This system of ethics may not always deny moral concepts and principles, but it relegates them to the periphery of importance, away from the center of pertinent consideration. "It may indeed happen," admit the disciples of Situation Ethics,

"that the determination of conscience will be in harmony with universal moral norms." But this is not at all because the universal principles provide a body of premises from which conscience, by a reasoning process, may draw conclusions in a particular case, always "unique."

At the center of the situation moralist's decision of conscience is found some "good" which must be actuated or conserved; this good is the thing of real and personal value; this good is what must be considered the decisive norm ruling any concrete moral judgment. For example, in the area of faith, the good is the personal link which binds us to God. If the seriously formed conscience, therefore, decides that abandoning the Catholic religion and joining another Church will bring one closer to God, then this step would be justified, even if, generally speaking, such a move is termed a defection. Again, in the domain of inter-personal relationships, the mutual gift of themselves, physically and spiritually, among young people, is a further example. In this case, the seriously formed conscience might decide that, because of a sincere mutual attraction, intimacies permitted solely between married persons are also here allowed. Such an "open" conscience reaches this decision because it believes that in the hierarchy of values the one which is primordial is the "personality value." Being superior, this one will properly make use of the inferior values of body and sense according to the suggestion of each situation. Such choices perfect personality value, and even though they may seem to be contrary to divine precepts, the sincere and seriously formed conscience which makes these choices takes precedence over precepts and laws in the eyes of God. The decision of such a conscience is there-

<sup>8</sup> 44 ACTA APOSTOLICAE SEDIS 274 (1952).

<sup>9</sup> *Id.* at 413-19.

fore "active" and "productive," not "passive" and "receptive" in relation to God's natural and positive law.

This new ethics, adapted to circumstances, explained the Pope in his allocution, is eminently "individual." In the determination of conscience, each individual finds himself immediately confronted with God, and on the basis of this immediate relationship the individual man makes his decisions without any intervention whatsoever of law, of authority, of religion. God is thus not the God of law; He is God the Father with Whom man ought to unite himself in filial love. What God requires, maintains the theistic situationalist, is right intention and sincerity; He is not concerned with the action done. Since it does not really matter *what* one does, it follows that divorce, abortion, bad marriage, refusal of obedience to lawful authority — all these (and more besides) are fitting for a man who has achieved his maturity. If he happens to be a Christian, these acts would not be out of harmony with the filial relationship to a loving Father in heaven.

This convenient subjectivism spares one the need to ask himself, at any given moment, whether the decision he is about to make squares with law or with abstract norms and rules. Further, it spares him the hypocrisy of a pharisaical fidelity to laws; it spares him from pathological scrupulosity; it spares him from levity or lack of conscience. How so? Because this subjectivism makes the entire responsibility before God rest upon the Christian personally. Moral evaluation can be derived only from the terms of that personal relationship.

### Decree of Holy Office

In view of what was said by the Sovereign Pontiff on previous occasions, it is not sur-

prising that the Sacred Congregation of the Holy Office condemned Situation Ethics *nominatim* by a formal decree early in 1956.<sup>10</sup>

This document observed that the "new morality" has insinuated itself even among Catholics, despite the fact that it is contrary to moral doctrines as taught and applied by the Catholic Church. Situation Ethics rests not upon principles of objective ethics rooted in being itself, but rather it claims to transcend the limitation of objectivity. Promoters of the system maintain that the ultimate and decisive norm of human activity is not some objective order of right, determined by the law of nature and certainly known in virtue of that law. Rather, they assert that the correct rules of moral action lie in some intimate light and judgment rooted in the mind of each individual person. This subjective intimation enables one who is placed in a particular concrete situation to determine for himself what he is morally obliged to do in each *hic et nunc* case. There is no dependence on any immutable rule of action external to man; there is no measure of truth and rectitude beyond oneself; man suffices for his own moral guide.

The devotees of Situation Ethics do not accord any value to the traditional concept "human nature," except perhaps as something relative and mutable existing in this individual person in these individual circumstances. As a corollary, the concept "natural law" is of the same mere relative worth. Many things which are called absolute postulates of the natural law are, in point of fact, rooted in existential human nature. Fortified by this doctrine of the

---

<sup>10</sup> 48 ACTA APOSTOLICAE SEDIS 144-45 (1956).

total adaptability of all principles to any challenge in one's moral life, a man is no longer conscience-bound by objective law. By a kind of intuitive and personalized light, ethical problems that until now seemed virtually insoluble are susceptible of ready solution. In this way, one is freed from bothersome and perplexing moral dilemmas.

The Congregation of the Holy Office proscribed this Situation Ethics, by whatever name it may be called, and interdicted its being taught in Catholic schools or its being propagated or defended in books, writings of any kind or in conferences.

#### Basic Errors as Sources

The fundamental philosophical error in Situation Ethics is Existentialism, which either prescind from God's interest in moral matters, or denies His existence, or falsely interprets His role in the evaluation of man's acts. In any case the *leitmotiv* of this error is a distorted exaltation of subjectivism; a species of morality that works on the "do-it-yourself" formula. Since the decree of the Holy Office mentions, more or less directly, Modernism and Illuminism, in addition to Existentialism, we shall briefly examine these errors in relation to Situation Ethics, as well as Kantianism and Pragmatism.

Modernism, especially in its atheistic or at least agnostic flavor, restricts human reason so rigidly to phenomena that man's intellectual processes cannot transcend the ambit of closed natural causality. Some Modernists, however, while not repudiating divinity, nevertheless view man's relationship to God in terms of man's need to *think* his faith out "on his own." Faith is therefore built up on personal experience in such wise that personal consciousness and revelation

have interchangeable meanings. Such an attitude, subjective to the core, is fertile breeding ground for Situation Ethics. For it maintains that dogmatic *symbola*, and hence any moral principles deduced from them are, in virtue of "vital immanence," unstable and in flux.<sup>11</sup>

That man should strive to live his moral life in blithe reliance on some quasi-mystical (or rather, pseudo-mystical) interior illumination is no Johnny-come-lately on the stage of heresy. A kind of Illuminism can be detected as early as the rigoristic Montanist movement in the second century.<sup>12</sup> In the sense in which the Holy Office relates it to Situation Ethics, Illuminism flowered in the eighteenth century as a philosophico-religious current, particularly in England, France, Germany and Italy. It developed along the lines of Humanism and the private-judgment doctrine of Lutheranism, affirming the autonomy of the will in the field of morals: neither the laws of religion nor of the state are sources of morality. Man's sole guide is his individual conscience operating under a kind of instinct — an ethico-aesthetic sense.<sup>13</sup>

Kantianism, although it attempts some universal formulations of the Categorical Imperative, is nevertheless quite explicit in its affirmation of the autonomy of the Practical Reason, *i.e.*, it does not consider that law is something imposed *ab extra*, even though moral law does reach all men by its strict obligation. How does Kant explain this? Not, surely, because of any objective good commonly sought by all men. For in Kant's theory of human knowledge, the only ob-

<sup>11</sup> Encyclical letter of Pius X, *Pascendi Dominici gregis* (1907).

<sup>12</sup> Cf. KNOX, *ENTHUSIASM* 25-49 (1950).

<sup>13</sup> Cf. PARENTE, *DICTIONARY OF DOGMATIC THEOLOGY* 131 (1951).

jects after which man could strive would be phenomena, *i.e.*, sensuous good. Hence an objectively motivated morality for Kant is necessarily hedonistic and egotistical, *i.e.*, not a morality at all. In this position, Kant reveals his Puritanical and Pietistic leanings. (It might be noted that God is not attained by man as an object of knowledge, according to Kant — not even in the *Critique of Practical Reason*.)

Only one way is possible to safeguard true morality, explains Immanuel Kant, and that is by looking for the *form* of law, not for its *matter*, which is sensuous. This form is pure obligation, demanding of every moral act a total disinterestedness on the part of the agent: “duty done for duty’s sake.” But the consciousness of such an obligation, says Kant, is the basic fact of moral life — the very form of moral consciousness. This “fact” of the Practical Reason is the Categorical Imperative itself. It provides the command which must be the unique and final goal of moral action: “Come what may, do what should be done.”

Kant’s axiom: “Act in such a way that your will could consider itself as making universal laws by its maxims,” indicates how subjective and independent must be his system of moral philosophy. Man’s practical reason finds itself the unique source of obligation, fully exempt from any objective influence.<sup>14</sup> The Kantian man would be no intruder in the dust of the situationalist world.

Pragmatism, as expounded by John Dewey, is no more than a cater-cousin to Existentialism. They have some kinship insofar as neither takes cognizance of natural

law.<sup>15</sup> Whatever may be the lamentable errors of Pragmatism, it does hold the individual “morally” responsible to norms of ethical behavior emanating from outside himself. These principles are the excrescences of the accepted *mores* of social institutions. For Dewey, morality has an experimental quality.<sup>16</sup> The social order is the matrix of ethical theory — as societies change, so must their ethical formulations. Hence, the “good self” is, by definition, the “social self.” It is a rank humanitarianism that evaluates moral ideals and ideas in terms of growth.<sup>17</sup> While this is assuredly moral relativism, it is not a genuinely subjective morality, since one who is faced with a decision must solve his problem on the basis of standards enunciated by his social milieu. These standards operate, it should be noted, as guides and schemata, rather than as rules.

### Existentialism

Pius XII has stated that the “new morality” is the offspring of Existentialism.<sup>18</sup> This paper is not the place, of course, to conduct a tour through the labyrinthine ways of the aberrant modern philosophy originally inspired by Søren Kierkegaard, a religious man, and developed along atheistic lines by Jean-Paul Sartre and Simone de Beauvoir at the *Café des deux Magots* (*The Coffee-house of the Two Baboons*) on the Left Bank. But it will be necessary, given the interdependence of Existentialism and Situation Ethics, to scan the area where the former’s philosophical content impinges on morality

<sup>15</sup> Cf. Palmer, *The Natural Law and Pragmatism*, 1 PROC. NATURAL L. INST. 30 (1949).

<sup>16</sup> See DEWEY, *THEORY OF VALUATION* (1939); DEWEY, *ETHICS* (1938).

<sup>17</sup> See *ENCYCLOPEDIA OF MORALS* 134-46 (1956) (chapter on John Dewey).

<sup>18</sup> 44 ACTA APOSTOLICAE SEDIS 416 (1952).

<sup>14</sup> Cf. COLLINS, *A HISTORY OF MODERN EUROPEAN PHILOSOPHY* 523 (1954).



and produces the latter.

Kierkegaard rightly rejected the total "objectivity" of Hegel with its complete disregard for the finite existent and the world of contingent freedom. Hegelian Christianity, Kierkegaard rightly recognized, is a contradiction in terms, since Hegel has no place for the individual soul and its work in the drama of salvation. But Kierkegaard's reaction went to the opposite extreme. Hegel was exclusively objective; Kierkegaard rejects all objectivity. For Kierkegaard, "subjectivity is truth" and "Christianity is subjectivity."

Man's ethical effort is to become "subjective," the Copenhagen thinker taught. Man's first lesson is to learn that the individual stands alone, since the only reality with which the ethical deals is the individual's own reality. There are no objectively valid standards by which man is to act. While he did not at all deny God (in fact, his philosophy is replete with religious thought), nevertheless this God (the Absolute) does not demand actions of men which can be styled "right" or "wrong." Not, at least, once a man really grasps who and what this God is.

The reason why there is no divine command, the observance or violation of which would warrant the description "right" or "wrong," is simply because there is a suspension of the ethical when faith is achieved. Faith is a refuge, not a persuasion. The relationship between God and man is at its highest when man annihilates himself before God to the extent that man's individuality is suspended from ethical-moral requirements. This state results in suffering; in anguish, in the Christian sense of "sin."<sup>19</sup>

<sup>19</sup> See *ENCYCLOPEDIA OF MORALS* 281-86 (1956) (chapter on Søren Kierkegaard).

Kierkegaard's central error in this field is the setting off, as mutually opposed, the world of "generality" (universal law) against the world of the "Knight of the faith" — of his unique (and unjustifiable by mere human reason) witness. This, of course, suspends the effect of ethics. In reality, universal law and the individual are in continuity, we hold, for both together comprise the universe of ethics.<sup>20</sup>

Evidently, it is in fact impossible to draw out any genuine ethical system from a philosophy that is purely subjective. Kierkegaard admitted this when he painted the ideal man as somehow beyond the need, or the ability, to establish himself in relation to any ethics.

Sartre has pretended not to be interested in moral philosophy, although he admits that ontology and ethics are somehow inseparable.<sup>21</sup> He has promised to coin a brand of ethics; an inconsistent stand to take, but nothing is really surprising which comes from anything as tortured and double-talking as Existentialism.

Simone de Beauvoir, in *Ethics of Ambiguity*,<sup>22</sup> has attempted a formulation of Existential ethics, thereby keeping a jump ahead of her friend-of-long-standing, Sartre. She admits that her school of philosophy is individualistic, but she disavows any claim that it leads to the anarchy of personal whim. "Man is free," she writes, "but he finds his law in his very freedom."<sup>23</sup> How Existentialism can help but lead to anarchy in the moral order is not easily understood in the light of her concluding words: "It is up to

<sup>20</sup> See *MARITAIN, EXISTENCE AND THE EXISTENT* 65 (1956).

<sup>21</sup> See *JEANSON, LE PROBLEME MORALE ET LA PENSEE DE SARTRE, passim* (1947).

<sup>22</sup> *DE BEAUVOIR, ETHICS OF AMBIGUITY* (1948).

<sup>23</sup> *Id.* at 156.

each one to fulfill his existence as an absolute. . . . [A]ny man who has known real loves, real revolts, real desires, and real will knows quite well that he has no need of any outside guarantee to be sure of his goals; their certitude comes from his own drive."<sup>24</sup>

According to this brand of Existentialism, man's *self* is a *not-being* ("*néant*"). "[M]an, that being whose being is not to be."<sup>25</sup> Therefore, there can be no "human nature" nor the traditional affirmations about man which the acceptance of the concept "human nature" entails. Essence is not a datum; it is a goal of subjectivity toward which man strives.

Along with the rejection of all essence, Sartre rejects the ethical universal. Man is free; so free that through his freedom he creates his own essence, (*i.e.*, the "essence" of the Sartrean man); so free that he is "condemned to be free." Hence, all absolutes must be denied inasmuch as they place limits to liberty.

The notion of "value," maintains Existentialism, is the consequence of man's constant tendency to objectify his own strivings to change his existence into being.<sup>26</sup> Due to this striving, man accords "values" objective worth, as if they really existed outside of man himself. Once humankind attains a general sense of this "objectivization," men adhere to it in blindness. They find this easy and convenient to do, says Existentialism, precisely because freedom means anguish, and by following already "established values" man escapes this anguish. Such a (slavish) acceptance of norms results in a lack of "authenticity."

<sup>24</sup> *Id.* at 159.

<sup>25</sup> See ENCYCLOPEDIA OF MORALS 165 (1956) (chapter on French Existentialism).

<sup>26</sup> See DE BEAUVOIR, *op. cit. supra* note 22, at 14.

Any relationship of man to some absolute, *viz.*, God, annihilates man as a subject by making him an object of Another. The perfect liberty of the individual must be constantly affirmed; man is freed by increasing always his possibilities of choice. By creating one's own values, one leads the "authentic" life. Writes Simone de Beauvoir: "Man will understand that it is not a matter of being right in the eyes of God, but of being right in his own eyes. Renouncing the thought of seeking the guarantee for his existence outside of himself, he will also refuse to believe in unconditioned values which would set themselves up athwart his freedom. . . ."<sup>27</sup>

In a word, as Jacques Maritain expresses it: "[T]hey [the Existentialists] have thrown out reason and make the formal element of morality consist in pure liberty alone."<sup>28</sup>

Gabriel Marcel, a French Catholic, has made tentatives toward incorporating a philosophy of existence, akin to Existentialism, within the framework of his faith. Marcel believes that the anguish experienced by modern man is attributable to an excessive "functionalization" of life which empties it of its basic reality. Man feels a sense of restlessness, uneasiness, emptiness, despair. This sense (or temptation) should be a passing thing, and it would pass if man would recognize the emptiness of existence through his experience of it. To fill this void he must strive against alienation from himself and from his fellow men; this leads him out of the way of despair into the realm of hope. Not hope in the theological dimension of the word, but an assertion that there is

<sup>27</sup> *Ibid.*

<sup>28</sup> MARITAIN, EXISTENCE AND THE EXISTENT 68 (1956).

at the heart of being a mysterious principle which cannot but will that which man wills, if what man wills deserves to be willed.<sup>29</sup> It is difficult to derive clear ethical indications from Marcel. In his latest work, *The Decline of Wisdom*, he has modified his previous anti-universal, anti-essence position.<sup>30</sup> With reference to ethics, he writes: "In reflecting on the ever-increasing aberrations in the sphere of ethical and speculative thought . . . I have found myself by reaction growing increasingly aware of certain values which I had spontaneously depreciated during the formative years. . . ." <sup>31</sup>

Marcel still appears to believe that the presentation of morality has been over-systematized and that this is a cause of much moral confusion today. He does not like what he calls a "codification of ethics," since the Christian Existentialist does not hold for an ethic that is theoretical, philosophical, conceptual. He pleads for what he describes as a "dynamic morality" as contrasted with what he feels has become the form of Catholic ethical teaching: an unduly-systematic mold influenced by post-Cartesian rationalism and one which minimizes human experience.<sup>32</sup>

### The Reply to Errors

Said Pope Pius XII: "It is not difficult to recognize how the new moral system derives from Existentialism, which either prescind from God, or simply denies Him, and in any case, leaves man to himself."<sup>33</sup> Man left

to himself is no longer man, for as God is intelligible only in terms of Himself, so man is intelligible only in terms of his relation to God. Through the very fact that this is a created world, man's reason catches sight of the power of God; of His wisdom; of His providence, and concludes to transcendent obligations: man has to obey the laws God has impressed upon man's nature.

Existentialism has for its *bête noire* the rational process. It is anti-intellectual, for all its brilliant phosphorescence of decay. Its method is to look to whatever is mysterious and illogical in human living to find any explanation of life. "The exploration of the irrational," proclaims Sartre, "is the special task of the 20th century."<sup>34</sup>

The refusal to use the intellect, the substitution of emotion for the rational process — these were linked to the denial of natural law and objective morality by Archbishop (now Cardinal) O'Hara in his address opening the annual convention of the American Bar Association just a few years ago.<sup>35</sup> Nothing so pointedly reveals the split between Christian ethics and situation morality as the former's ubiquitous insistence on reason in relation to morals. "Reason is the rule and measure of human acts; it is their first principle," teaches St. Thomas. While it is the rational appetite which produces the moral act, it is, nevertheless, the reasoning intellect which provides the formal principle of the moral modality of that act.<sup>36</sup> Hence, the moral order is an order of reason: the order of real beings governed in their *esse* and in their *operari* by the eternal and immutable law of God running through the warp and woof of human nature. Natural

<sup>29</sup> ENCYCLOPEDIA OF MORALS, *op. cit. supra* note 25, at 170.

<sup>30</sup> MARCEL, *THE DECLINE OF WISDOM* at vii (1955).

<sup>31</sup> *Ibid.*

<sup>32</sup> See Newman, *The Ethics of Existentialism*, IRISH ECCL. RECORD 421-32 (1952).

<sup>33</sup> 44 ACTA APOSTOLICAE SEDIS 416 (1952).

<sup>34</sup> See Newman, *supra* note 32, at 321-32.

<sup>35</sup> Our Sunday Visitor, Sept. 11, 1955, p. 6.

<sup>36</sup> SUMMA THEOLOGICA, I-II, q. 90 art. 1.

law, with its universal and timeless character, can be understood only in light of the metaphysical nature of man; moral norms are precisely the moral expression of an objective reality: who and what man is. The existential man is at the same time the essential man.

It is inescapably true that the fundamental duties of the universal moral law have their binding force in the concrete (in the case that "happens only once") precisely because that law is universal. It includes, necessarily and intentionally, all the individual instances that may confront man.<sup>87</sup>

Evidently, the certitude with which one acts in his correspondence to the exigencies of the moral order is not always the same. That is to say, the decision one must make in a time of moral challenge appears with special force when negative obligations are in question. But it is not alone in circumstances where one must omit some action that the force of the universal and natural moral law asserts itself in the conscience of man. It operates on the level of all essential relationships of human life. This is so simply because that moral law is ineluctably tied-in with the very nature itself of man. The Christian law, in the degree that it is superior to the natural law, is based on the essence of the supernatural order as established by Christ.

In view of this twofold order in which redeemed man lives and moves and has his being, the Church holds unswervingly to the essential evil of many acts. Directly to quote Pope Pius XII:

From the essential relationships between man and God, between man and man, between husband and wife, between parents and children; from the essential community

relationships found in the family, in the Church and in the State, it follows (among other things) that hatred of God, blasphemy, idolatry, abandoning the true faith, denial of the faith, perjury, murder, bearing false witness, calumny, adultery and fornication, the abuse of marriage, the solitary sin, stealing and robbery, taking away the necessities of life, depriving workers of their just wages, monopolizing vital foodstuffs and unjustifiably increasing prices, fraudulent bankruptcy, unjust maneuvering in speculation — all these are gravely forbidden by the divine Lawmaker. No examination is necessary. No matter what the situation of the individual may be, there is no other course open to him but to obey.<sup>88</sup>

The metaphysical foundation of the natural law is the ontological truth of things, *i.e.*, as they really are in their conformity to the divine mind (God's essence). The essences of all created things, and that includes the moral order itself, are, therefore, not dependent on things as they are in the existing order. Rather, things in the existing order are dependent on the exemplary ideas in God. For this reason, the essential nature of things is inalterable. From this stems the immutability of the natural law and the natural goodness (or badness) of certain actions.

The obliging power of the natural law does not rest on man's knowledge of God, although that knowledge is relevant to the discussion, but on the truth of things as they are. The natural moral law does not presuppose morality; it constitutes it through its expression of the truth of things as they are; this expression produces its activity in man's reason. A good act is according to right reason; a bad act is opposed to right reason.

The exact meaning of *recta ratio* is disputed. A satisfactory interpretation of its

<sup>87</sup> 44 ACTA APOSTOLICAE SEDIS 417 (1952).

<sup>88</sup> *Ibid.*

meaning is this: man is formally perfected by his rationality; he is specified by the possessing of a reasoning intellect. This *ratio humana* is the principle of rightness in his voluntary acts. The more perfectly man acts in accord with reason, the more perfect he will be as man. In his acts of reasoning, ending in right judgment, the intellect does not work estranged from the real world about one. Speculative reason achieves right judgments when it is in conformity with the existing nature of its real objects. The practical reason is rectified by the judgments of the speculative reason, by which the real order is primarily known. Accordingly, the morality of an act is determined by the consonance of practical reasoning with speculative reasoning, not immediately by comparison of the act with the nature of things.<sup>39</sup> Existing things regulate speculative reason; speculative reason regulates practical reasoning.

If we stopped here, we should not have carried the analysis to its full term: the application of the natural law to the choice of human acts. Ultimately, reason is rectified, not by created and finite realities, but by the ordering mind of God which submits man, who participates in this eternal law, to its dictates. In this way, man's elections and the motions of his free will fall under Providence, to whose rule they are morally subject.<sup>40</sup> Pius XII drew the antithesis between the demands of this natural moral law and the pretenses of Situation Ethics when he said in an allocution in March, 1952:

The Christian moral law is in the law of the Creator, engraved in the heart of each one, and in Revelation. . . . The first step or rather the first attack against the struc-

<sup>39</sup> BOURKE, ST. THOMAS AND THE GREEK MORALISTS 24 (1947) (published lecture).

<sup>40</sup> AQUINAS, *SUMMA CONTRA GENTILES*, bk. III, cc. 90, 140.

ture of Christian moral norms would be to free them from the narrow and oppressive surveillance of the authority of the Church. This would be done in such wise that, once liberated from the sophistic subtleties of the casuistic method, the moral law might be brought back to its original form, leaving it simply to the intelligence and determination of each one's individual conscience.<sup>41</sup>

Any deliberate divergence between a judgment of reason and the natural law is either a formal sin or the product of an erroneous conscience.<sup>42</sup> As the Pope declared in an allocution on psychotherapy in April 1954, there are instances where, through a faulty conscience, wrong things are done which are not necessarily imputable to the agent. But even with regard to these acts, they are "in contrast to the divine mode; they still run counter to the ultimate finality of man's being." These materially wrong acts are not realities "indifferent in the moral order."<sup>43</sup>

### The Role of Prudence

Where there are no absolutely binding standards, independent of all circumstances (as there are such standards in the cases, e.g., of abortion, blasphemy, denial of the faith, etc.), there is often need to weigh carefully the circumstances of the unique instance in order to decide what moral rules are to be applied and how. Catholic moral philosophy has always and extensively treated the problem of the formation of conscience, especially through the cultivation of the cardinal virtue of prudence. Catholic theologians and philosophers have given adequate study to the question of personal

<sup>41</sup> 44 ACTA APOSTOLICAE SEDIS 272-73 (1952).

<sup>42</sup> See Fuchs, *Situation Ethics and Theology*, 2 THEOLOGY DIGEST 25-30 (1954).

<sup>43</sup> See 2 UNWEARIED ADVOCATE 151 (Yzermans ed. 1956).

activity and of the response to actuality.

The good moral act, we know, is something in conformity with right reason under the aegis of prudence, the *recta ratio agibilium*. The supreme importance of prudence in the solution of moral problems, in cases where the logical mode of action is not immediately apparent, is underscored by the words of Pius XII: "St. Thomas' treatment of the virtue of prudence . . . contains whatever is true and positive in Situation Ethics, while avoiding its deviations from the truth and its confusion. It will suffice, therefore, if the modern moralist, desirous of penetrating the new problems, will follow along the same lines."<sup>44</sup>

The pertinence of this remark of the Pope is manifest when we observe the stress placed by St. Thomas on the concrete quality of the function of prudence in moral choices. He writes: "The practical reason must be perfected by some habit, so that it may judge rightly concerning human good in regard to singular actions. This virtue is called prudence, and its subject is the practical reason . . . the rightness and fulfillment of goodness in all the other virtues arise from prudence."<sup>45</sup>

It is in the area of human moral activity which is neither perfectly black nor perfectly white, but rather gray, that prudence enables one to reach a felicitous (or as felicitous as may be) decision. It is in the area of selection of one good from among apparently opposed goods; or of selection of a greater good from among other goods; or a selection of simply a good from among a variety of possible evils, that prudence is most indispensable to man. When the case is a clear-cut application of moral logic, as occurs in

the examples already mentioned, there is not much work for prudence.

"What must I really do?" is the practical question that asserts itself in the soul of a man of good will faced by a diversity of apparently conflicting duties, to be satisfied, he hopes, through the instrumentality of perhaps multiple rules. Choices might arise, for example, concerning: membership in a particular union; a conflict between filial duty to one's family and the demands of patriotism; the employment of certain types of drugs or surgery; the problems of youth in dating; the risks allowed in some kinds of hazardous recreation; business dealings that give rise to delicate questions of finance; political maneuvering; the stand to be taken by a Christian statesman when aid to a communist government is proposed; intricate racial-relation issues; acts of censorship — these and countless other situations call for the prudential judgment of a properly formed conscience.

Catholic teaching has always stressed the formation of the conscience and the need to examine the circumstances in a case to be decided. This is not to neglect personality values nor to strangle initiative. Sound education is directed, in a very real sense, at freeing one from the necessity always to turn to a teacher at every step in one's moral life. Within proper limits, the educated man must be independent; mature; self-reliant.<sup>46</sup> Above all, he must be prudent.

Prudence it is which carves the way of reason through this often miasmatic world: man must observe; he must judge; he must act. These acts of prudence are essential to the good life because of the infinite variety of means which free men use in their pursuit of the goals of reason. The virtue of pru-

<sup>44</sup> 44 ACTA APOSTOLICAE SEDIS 418 (1952).

<sup>45</sup> AQUINAS, DE VIRTUTIBUS IN COMMUNI, art. 6.

<sup>46</sup> 44 ACTA APOSTOLICAE SEDIS 418 (1952).

dence accomplishes right things in the right way; it orients the powers of the practical intellect; it makes tactical decisions in life's battle. A prudent man may indeed make wrong decisions, but not nearly so many and not nearly so wrong ones as will the imprudent man. Prudence does not relieve anyone of the need to take calculated risks in his mortal pilgrimage; perfect certitude cannot be always ours. A just God does not demand that we refrain from action until we have supra-human certitude.<sup>47</sup>

It is the role of prudence to assure us of the reasonable safety of our application of general principles. Obviously, for example, a man acts immorally if he drives recklessly, but it is the duty of the virtue of prudence to decide what kind of driving is not reckless.

#### Prudence and the Concrete Act

The uniqueness of an individual case is never incompatible with general principles.<sup>48</sup> Christian moral philosophy is speculative in its mode, but practical by reason of its object: moral conduct.<sup>49</sup> The qualification "moral" inevitably introduces the question of voluntariness.

A man is good or bad from his will; the acts of his practical judgment are truly good or bad dependent upon the actual condition of the rational appetite in relation to the ends of the agent. We Christians are profoundly interested in the acts which free men bring into existence through the exercise of their liberty. We appreciate the "creative" importance of these acts as well as the uniqueness of the moment, and its vastly

ramified context. We also acknowledge the totally intrinsic freedom of the will which elicits or commands human actions. In these matters, we'll go along with Existentialism wherein there is found *some* good and *some* truth. We readily admit that it is a problem of notable importance to establish a meaningful contact between the objective norms of morality and the concrete circumstances confronting man. We have never denied that account must be taken of circumstances, but we do deny that the circumstances are all that matters; or that sincerity is all that matters. God does want, first and always, a right intention. But that is not enough. He also wants a good work. Further, there may be situations in which a man, and especially a Christian, cannot ignore his duty to sacrifice everything, including his life, for the attainment of his own ultimate good: the salvation of his soul.<sup>50</sup> A moral philosophy really apt as a guide to action is incomprehensible if it fails to take into its calculations the existential state of humanity, *i.e.*, under the burden of Original Sin but aided by grace, the virtues, the Gifts of the Holy Spirit. Situation Ethics does not merely dogmatize against nature; it also denies supernatural. It appraises life with an *a priori* conviction that life is absurd, without efficient causality and without finality. Situation Ethics is blind because it has neither faith nor prudence; it despairs because it has no hope; it is heartless because it excludes charity.

Dominating the entire field of any discussion of the virtue of prudence is the question of the moral conscience and the manner in which, at the core of concrete existence, the will enters into the picture of reason's regulation of the moral act. Under this aspect,

<sup>47</sup> 3 FARRELL, A COMPANION TO THE SUMMA 144-57 (1940).

<sup>48</sup> 44 ACTA APOSTOLICAE SEDIS 417 (1952).

<sup>49</sup> MARITAIN, EXISTENCE AND THE EXISTENT 56 (1956).

<sup>50</sup> 44 ACTA APOSTOLICAE SEDIS 418 (1952).

the rectitude of the intellect depends upon the rectitude of the will because of the practical (not speculative) existentiality of the concrete moral judgment. Not only is the truth of the practical intellect in conformity with a rightly ordered will inasmuch as the end of the practical intellect is to operate in the production of a good free act, but also because the act of moral choice is so individualized, through the individuality of the agent and the individuality of the context of contingent circumstances, that the practical judgment which expresses the moral choice can be *hic et nunc* right *only* if the dynamism of man's willing is right, *i.e.*, is tending toward the genuine good of human life.

That is why prudence, wisdom in act, is a virtue that establishes a modality both in the intellect and in the will. The practical quality of prudence — its concern with the right positing of *this* act *now* to be performed — is the reason why it cannot be supplanted by any kind of speculative knowledge. Exactly the same moral instance never happens twice; there will always be *some* differences that require individual evaluation. Each moral choice brings into existence a unique act, and this act must itself conform to the moral law. Texts and codes give universal rules we are obliged to apply, but they don't tell *you* or *me* how we shall, in this unique act we are about to do, apply them.

As Maritain so clearly demonstrates, "No knowledge of moral essences, however perfect, meticulous, or detailed it may be and however particularised those essences may be (though they will always remain general); no casuistry, no chain of pure deduction, no science, can exempt me from my judgment of conscience, and, if I have some virtue, from the exercise of the virtue of prudence, in which exercise it is the rec-

titude of my willing that has to effect the accuracy of my vision."<sup>51</sup>

In this way, the factual data of a moral situation are informed, so to speak, by the working-over given them by conscience and prudence and charity. The circumstances of the situation represent God's claim on the man whom they confront, and in this sense, man's encounter with God is not immediate; it is mediate. Thus we may say that the ontological reality of the situation reveals God's will to us, and we must resolve the demands placed upon us by this situation through the personalized application of objective principles.

But these objective principles of universal moral law cannot be properly applied unless they are embodied in the ends which actually attract *my* desire and in the actual movement of *my* will toward a good. I must recognize in objective norms, by a process of reflection, however swift it may be, an urgent demand of my individual and personal desire for the very ends upon which I have made my life depend. If I do not so regard these norms, then I shall not do good. This is what Maritain calls the "interiorization of the universal law." Objective motives are vitally referred to the inner world of man, many elements of which inner world are simply not susceptible of personal conceptual analysis. The most prudent decision may seem mysterious even to the man who makes it, almost as if it were irrational, inexplicable. The dictum of Pascal: "The heart has reasons which reason does not comprehend," can, if stripped of its sentimental, anti-intellectual overtones, be applied to the radar-functioning of prudence, particularly when prudence is considered as an infused virtue.

---

<sup>51</sup> MARITAIN, *op. cit. supra* note 49, at 60.



Implementation of the moral law is, in this supposition, not merely a logical process by which just *somebody* neatly catalogs a particular case under a universal law. It is *my* fear of doing something contrary to *my* deepest need; it is *my* conscience that has to answer. I align *myself*, unique as I am and finding myself in this unique situation, with the abstract and generalized "man," with "a person" subject to the universal moral law. In every authentically moral act, man, in order to apply and in applying the law, must embody and grasp the universal in his own singular existence.

The exponents of situation morality, by rejecting the ethical universal along with all essence, show that they feel that if there were a system of moral values, the rules of it would apply automatically and of themselves. They think that the morality of Christian moralists exempts one from the work of conscience by supplying a catalog of pat formulas to supplant the deeply personal, and often painfully worked out, decisions of conscience. They suppose that our morality offers a substitute for the judgments of prudence.

### Conclusion

No Christian evaluation of an ethical question can omit an explicit inclusion of the meaning of the Incarnation and Redemption to mankind. Christianity does change the significance of our being when we realize that the Transcendent One has anointed our nature with His divinity. We are contingent creatures to whom human nature is owed but to whom the limitless life of God is somehow freely communicated. Our being escapes the circle of natural fate; it is anagogical, sacramentalized.

We believe that man's perfection consists in charity, and that all are bound to tend toward the perfection of love. Any adequate

understanding of morality necessarily circles about those things which are most existential. Mutual benevolence and the exigencies that it places upon a finite lover do not deal with what is merely possible or what is merely an essence. There may be such a thing as Platonic love, but love itself is surely not something Platonic. It is concerned with existents: with persons — divine, angelic, human.

Writes Joseph de Finance, S.J., in his acute examination of the Thomistic concept of objectivity-subjectivity:

Love directs itself towards the other according to the latter's own proper existence; it takes up on its own account and prolongs within itself the act by which the other inserts itself in the order of existence. . . . The deepest relationship between beings and God is not one of resemblance or of difference. . . . It is rather an "existential" relationship, and therefore one that is strictly speaking impossible to define. One can do no more than evoke it by suggestion, as that act by which beings are both made present and present themselves before God, and thus at once are distinguished from Him and turn towards Him, adhering to Him as to the Source on which they depend.<sup>52</sup>

This is not the place to relate the so-called "new approach to moral theology" to Situation Ethics. It will suffice to note that it urges a more positive interpretation of man's moral duties, based upon increased attention to the moral and theological virtues, especially to the virtue of charity. Writes Gerard Gilleman, S.J.: "A moral theology which would succeed in separating the moral act from a consideration of man's final end (and hence would neglect charity), would be performing an autopsy and not

<sup>52</sup> de Finance, *Being and Subjectivity*, DOCTOR COMMUNIS 240-58 (1948) [reprinted in 6 CROSS CURRENTS 163-78 (Spring 1956)].

practicing a science of the living.”<sup>53</sup>

Because man's destiny is not a natural one, God has given him means proportioned to his end. That means is the supernatural organism of grace and its concomitants. Without this, life would be indeed absurd. Wrote Fyodor Dostoyevsky in *The Brothers Karamazov*: “On earth indeed, we are as it were astray, and if it were not for the precious image of Christ before us, we should be undone and altogether lost.”

---

<sup>53</sup> Gilleman, *Moral Theology and Charity*, 2. THEOLOGY DIGEST 18 (1954).

As Raskolnikov discovered, in *Crime and Punishment*, all men have to obey the moral law. Those who embrace Situation Ethics as a way of life will learn, sooner or later, as did Raskolnikov, that such a false interpretation of liberty leads freedom to degenerate into self-will — “the suicide of man by self-affirmation.” There can be but one genuine liberty for men: the acceptance of God's supreme role in human affairs, both in the intellectual order and in the order of the will. “You shall know the truth — and the truth shall make you free.”

---