SOME CRITICAL NOTES ON RUSSELL HITTINGER'S BOOK, *A CRITIQUE OF THE NEW NATURAL LAW THEORY* (Notre Dame, Ind.: University of Notre Dame Press, 1987),

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In this book, Russell Hittinger (hereafter "RH") attempts to provide an analysis and critique of what he calls "the new natural law theory" or the "Grisez-Finnis system." He claims this system is internally incoherent and that it is inadequate, particularly in its treatment of religion. He thinks the system fails because it does not take into account philosophical anthropology and metaphysics.

I have made the following notes as material for a review article which I will submit shortly to *New Scholasticism*. The review article will not use all this material and will reorder what it uses. I am sending these notes only to a few colleagues and friends who are likely either to wonder what I think of RH's book, or to wish to write something about it, or both.

In making these notes, I have not dealt with everything I noticed in RH's book. In many cases, the confusions which I ignore either are less important or are more complicated and would take too much space and effort to state and explain. Also, while I have noted some of the places where RH misinterprets Finnis, I have not followed out RH's remarks on Finnis's works as carefully as those on mine.

RH refers to *BNM* (*Beyond the New Morality*) without indicating first or second edition, and his references sometimes are to one, sometimes to the other. I indicate which is which only when I have checked the quote. My own references to *BNM* are to the first edition except where otherwise noted. Where Fppr appears without quotes, it is to be read as first principle of practical reason; with quotes it refers to my article commenting on St. Thomas.

Early in chapter one, RH outlines what he calls "system criteria" (11-14). They are: "1) *An adequate moral theory must account for the practicality of practical reason*"; "2) *An adequate theory of practical reason must account for our relationship to, and interest in, concrete*

goods"; "3) *A theory of practical reason must show both the distinctions, and interrelations, between values and specifically moral norms*"; and "4) *A Catholic moral theology must meet all the above requirements, as well as show what specific difference revelation makes for morality*". He says (11) that I use these criteria in my critique of the adequacy or coherence of other systems and that they constitute the standard I wish to meet myself. Admitting that I do not discuss them as "system criteria," RH nevertheless claims (11) that they can be found in chapter one of *CMP*.

RH provides four footnote references to support his discussion; two are to passages in chapters four and seven of *CMP* (published in 1983) and the other two are to passages in *CNL* (published in 1964).

In fact, none of the four criteria which RH discusses appear in chapter one of *CMP*. In chapter one (18) I do list several conditions for "an adequate treatise in Christian moral principles" and in chapter four (106-7) several *other* conditions for "a more adequate theory of moral principles," but neither of these lists corresponds to the four criteria RH sets out.

Nor, as RH formulates them, do these "system criteria" appear anywhere else in my work. The first seems to demand an account of why practical reason is what it is—something I never attempt and do not expect anyone else to offer. The second is a question which RH thinks an account of practical reason should treat, but one I think belongs to philosophical anthropology. The third is a rough approximation to something I do consider a task of ethical theory (not the theory of practical reason): to show how moral norms are grounded in human goods. The fourth errs insofar as in incorporates the first three, although it is true that I think moral theology should show what difference revelation and faith make to the lives of believers.

In discussing his third criterion (13), RH points out that I distinguish between principles of practical reasoning in general, and moral principles, and here he refers (with his note 4) to *CMP*, 183. He then goes on: "According to Grisez, Thomas Aquinas was able to provide a natural law account of the first part of this scheme, viz., practical reason's grasp of goods as possibilities for action; but he failed sufficiently to distinguish between the practical orientation towards goods and the norms of morality which govern choices."

However, on the page RH cites, I also say: “St. Thomas holds that the precepts of charity (see Mt 22.37-39) are the primary and general moral principles of natural law, and the Ten Commandments, which he also thinks belong to natural law, follow from these primary precepts as conclusions from principles (see *S.t.*, 1-2, q. 100, a. 3, ad 1; cf. q. 98, a. 1; q. 99, a. 1, ad 2; q. 99, aa. 2-3).”

RH notes that I criticize (*CMP,* 12) the rationalism of classical moral theology, quotes part of what I say about that, and says (15): “By ‘rationalism,’ then, Grisez means an overly theoretical determination of human nature, which leaves little or no place for understanding how reason operates creatively in a practical mode.”

What I mean by “rationalism,” however, is not precisely the theoretical determination of *human nature* (to which I see no objection); moreover, I mean by rationalism considerably more than RH says, and explicitly refer readers to the explanation (*CMP,* 29), which RH ignores.

After talking about some of my criticisms of conventional natural law theory, RH says (17): “Moreover, even apart from the post-Suarezian emphasis upon the preceptive force of divine commands, scholastic natural law theory uncritically accepted, according to Grisez, the Augustinian and Thomistic teaching that man’s end consists ‘more or less exclusively in the vision of God after death.’ [Here he refers to *CMP,* 25.] Grisez holds that Aristotle and Augustine ‘pointed St. Thomas in the direction of an overly definite conception of the natural end of human persons.’ [Here his reference is ibid., 26, note 29; the reference should be to 38, note 29.] This likewise reinforced a popular piety which not only demoted the value of this-worldly goods but also confused nature and supernature. [Here the reference is ibid., 17.]”

The fragments RH quotes here all have to do with the unsatisfactory condition of moral theology, not with scholastic natural law theory. I do criticize the teaching of Augustine and Thomas concerning the last end, but this criticism is an entirely distinct matter from my criticism of scholastic natural law theory. RH continues (20) commingling these two distinct issues.

RH wishes to indicate how my criticism of conventional natural law theory pertains to the morality of contraception. He says (18): “First, let us

consider what Grisez calls the 'syllogism of conventional natural-law theory':

> "Major: To prevent any act from attaining its natural end is intrinsically immoral.
> "Minor: Contraception prevents sexual intercourse from attaining its natural end.
> "Conclusion: Contraception is intrinsically immoral. [He refers to *CNL*, 20.]

"He correctly points out [RH goes on] that this conclusion follows only if the 'natural end' is something one is morally obligated to seek. Even if the major premise is changed to read 'the prevention of the realization of an end which one ought to seek is immoral,' it is still not revealed why 'the natural teleology of human functions requires absolute moral respect.' [Reference to ibid., 27f.] Moreover, he adds, if human nature is considered to the extent that it is already an object of moral knowledge, the 'determination that a certain kind of action would not agree with it is prejudiced by the moral knowledge that is assumed.' [Reference to ibid., 51.]"

While I do formulate the syllogism RH quotes, I do not call it the "syllogism of conventional natural-law theory." Rather, I propose it (*CNL*, 29) as an expansion of what I claim is an incomplete syllogism found in various arguments against contraception which proceed within the framework of conventional natural law theory. I do not point out that the conclusion follows *only if* the "natural end" is something one is morally obligated to seek. Rather, I suggest a variety of possible interpretations of the syllogism and criticize each of them (*CNL*, 21-32). The phrase, "the prevention of an end which one ought to seek is immoral," expresses one interpretation of the major premise; I point out that this is obviously true, and then go on to suggest a different interpretation, "the exercise of any human function in such a way that its given end is frustrated of attainment is intrinsically immoral," which raises the question why "the natural teleology of human functions requires absolute moral respect." The final fragment RH quotes from another context, more than twenty pages later, and is not concerned with the argument concerning contraception but with conventional natural law theory in general.

RH (17-19) treats what I say about certain arguments against contraception as if that were an application of my criticism of conventional

natural law theory. But in fact, the criticism of the arguments against contraception stands on its own in chapter two of *CNL*, and the critique of conventional natural law theory in chapter three builds on it, rather than vice versa.

RH says (19-20): "Grisez's dissatisfaction with the problems inherent in conventional natural law theory inclines him to the view that divine commands have little or no positive role in ethics—insofar, that is, as we understand ethics apart from divine revelation. Indeed, as we will see later, he holds that the obligation to obey a divine command depends solely upon the posture of faith. Any other sense of a divine command can be reduced to what is already known and assented to by unassisted practical reason. Yet, as we will also see later, Grisez does *not* hold that unassisted reason can demonstrate the existence of God as an object of religion . . .."

In reality, the problems I see in trying to ground ethics on divine commands (however large a role they may play otherwise) are more basic than and are among the reasons for my dissatisfactions with conventional natural law theory, rather than vice versa. Divine commands can become moral principles only if one knows both that one is commanded by God and that one ought to obey God's commands. Thus, no theory can account for moral obligation as such by appealing to God's command. However, while one cannot know that God commands anything unless God presents himself making a command, the obligation to obey what is recognized as God's command does not depend solely on faith. RH's final sentence refers to something he thinks he shows, but in fact does not show, later.

Turning to my critique of consequentialism, RH says (21): "It would not be unfair to say that Grisez's system is a sustained criticism of, and alternative to, consequentialist ethics."

Actually, this description is unfair, since it omits the far more extensive problematic with which I deal—for example, the inadequacies of St. Thomas's theory of the end of man, which are entirely independent of the problem of consequentialism.

RH goes on (21): "As we will see in due course, there are several features of Grisez's ethics which cannot be sufficiently appreciated without understanding why, and how, he wants to avoid the assumptions of the consequentialist or utilitarian tradition."

In thus interpreting my work by ascribed motives rather than in terms of arguments given, RH makes the positions I take seem arbitrary and the reasons I give appear to be mere rationalizations. He also excuses himself from dealing fully with the actual arguments I offer, and so prepares the way to dismiss positions whose foundations he never adequately considers.

RH says (22): "It is interesting that Grisez finds proportionalism superior to scholastic natural law theory, at least to the extent that it takes into account the 'important truth' that ethics must be rooted in choices which bring about 'human fulfillment.' [Reference to *CMP*, 166, note 16.]

However, the important truth enunciated in the sentence to which the footnote refers is "moral fulfillment is part of total human fulfillment" (*CMP*, 145). My actual position is (154) that proportionalism misconstrues the nature of morality precisely by focusing on what choices bring about: Proportionalists "misconstrue the nature of morality, reducing it to effectiveness in bringing about benefit and preventing harm." On my account, morality is rooted in a relationship of choices to human fulfillment, but not in the relationship of efficiency in getting results. Thus, RH also misrepresents my position when he says at the end of the same paragraph (22): "This lack of a 'workable' method, rather than the concern to maximize goods, is the focal point of Grisez's critique" and also when he later says (25): "As we said, Grisez is sympathetic to the effort of consequentialism or proportionalism to stress the relationship between practical reason and its role in bringing about outcomes which are fulfilling to human beings."

RH quotes (22) part of the argument which I offer to show that the two conditions proportionalist judgments must meet cannot be met simultaneously (*CMP*, 152). But he omits the final two sentences of that argument, and ignores the further argument (an entire additional paragraph) which concludes: "Therefore, proportionalism is inherently unable to serve as a method of moral judgment." Instead, he skips (23) from his partial quotation of the argument to: "Hence, Grisez concludes that 'proportionalism is not false but absurd, literally incoherent.'" This mutilated presentation of this important argument makes the final conclusion appear to be rhetorical excess, rather than a measured judgment.

RH says (23): "Grisez's second problem with an ethics that tries to determine the rightness or wrongness of choice on the basis of assessing

the ‘greater good’ or ‘lesser evil’ is that such a method assumes that ‘goodness is measurable and that diverse forms of it are commensurable’ and, further, that the result of these calculations is able to settle moral issues. [Reference to “AC,” 27-31. See *CMP*, 151.]”

But what RH refers to here are two preliminary statements in an earlier formulation of the same argument he already inadequately reported. Mixing references to different treatments of the same or similar matters, and almost always ignoring development of thought, RH often makes a similar mistake.

RH says (24): “In response to Richard McCormick’s contention that any hierarchy requires ‘some kind of commensuration,’ Grisez agrees; but he goes on to state that ‘commensuration does occur once one adopts a hierarchy,’ *yet only* ‘in the choice.’”

But, in fact, McCormick does not contend that any hierarchy requires some kind of commensuration; rather, he says that the commensuration he needs can be achieved by adopting a hierarchy. My remark here responds to that statement, and so what I am saying is that commensuration achieved by adopting a hierarchy, not necessarily any possible commensuration, occurs in the choice. RH supplies “yet only,” which he italicizes; it is critical to his later argument, but no part of mine.

I say (*CMP*, 156) there are two diverse ways in which there is not an objective hierarchy of values. One of these, RH quotes and comments (24-25): “Simply put: ‘When it comes to making choices, there is no objecttive standard by which one can say that any of the human goods immanent in a particular intelligible possibility is definitely a greater good than another.’ [Reference to *CMP*, 156.] We will have more to say about his position later, for it is obviously a central issue not only in terms of general axiological criteria, but in particular for the status of religion as a good.”

Here RH overlooks what immediately precedes his quotation: “However, there are two senses in which there is not a hierarchy among the basic human goods. In the first place, they are all essential and closely related aspects of human fulfillment. In the second place . . .” (*CMP*, 156). Thus, RH confuses the anticonsequentialist argument—that there is no objective premoral commensurability of *goods immanent in particular intelligible possibilities available for choice*—with a different thesis: one

about the status of the diverse categories of basic human goods, such as religion, truth, life, and so forth.

RH says (27): "In the chapter of *Christian Moral Principles* entitled 'Some Mistaken Theories of Moral Principles' (wherein Augustine is included among the mistaken theorists), his remarks on Kant are consigned to an appendix."

Augustine is not treated in this chapter. His position on a different matter—the human good as a whole—is treated and criticized as inadequate, not as mistaken, in the following chapter (*CMP*, 127-28).

RH says (28): "As we will see, Grisez himself advances at least seven basic goods as 'non-hypothetical principles of practical reason'—goods, he adds, which 'Kant wishes to discover.' [Reference to *AB*, 314.]"

But what I said was that "the goods are non-hypothetical principles of practical reason such as Kant wished to discover." Thus, I do not make the historically false claim that Kant wished to discover basic goods, but the historically accurate claim that he wished to discover non-hypothetical principles of practical reason.

RH thinks (29) that the "Grisez-Finnis position" shifts "focus from persons to goods." He asks (29-30): "Does this not assume, or suggest, that goods and persons are strictly coextensive both ontologically and in terms of actions which bear upon them? Is moral agency, for instance, something more than the sum of the parts of the goods with which practical reason is interested? In other words, is there something of value in personhood that needs to be affirmed in terms quite different from merely our concern for goods which fulfill persons."

But RH could have found the answer in many places in my works, including a page, which he elsewhere cites in my first book, on contraception, concerning the relationship between the good of procreation and the person of the child (*CNL*, 78):

> The good which is an object of the parent's effort is strictly speaking only what the parent can attain—not the child in his totality as a person but rather the child only insofar as his being and perfection depend upon the action of his parents.
>
> We easily become confused about this point because we assume that the relevant value is *what* is loved, and obviously the child as a

> whole is loved. However, persons are not among human goods as if they were values to be desired. Instead, they actualize and receive the human goods into personal existence. We love persons, including ourselves, when we will relevant values *to* the person, when we will that the person *have* the goods.

In an appended note (104, note 5), I explain that the distinction I make is the same as that which St. Thomas makes between love of concupiscence and love of friendship; the goods are loved with the former and persons are loved with the latter, and both are involved in every act of love.

RH says (32): "Grisez argues that the Fppr necessarily spawns a plurality of directives or 'practical principles.' There are as many practical principles as there are values grasped in the mode of 'ends-to-be-pursued' by action."

But I do not say that the Fppr spawns (generates, logically leads to) the practical principles corresponding to the basic human goods. My position, which RH quotes later on the same page, is: "The practical principle which directs thinking to each basic human good is a self-evident truth" (*CMP*, 180).

RH says (33): "Just as the principle of noncontradiction necessarily falls within one's grasp of being, so too the good necessarily falls within the grasp of practical reason."

But I nowhere say that the principle of noncontradiction falls within one's grasp of being (or that any other proposition is included in any simple understanding).

RH says (33): "In his interpretation of Aquinas's distinction between 'objective self-evidence' and 'self-evidence to us,' Grisez points out that it is the latter that is especially important for practical reason. [Reference to "Fppr," 173.]"

But I do not say that self-evidence to us is especially important for practical reason. Rather, I say that Aquinas "wishes to deal with practical principles that are self-evident in the latter, and fuller, of the two possible senses."

I say ("Fppr," 181) that a mistaken interpretation of Aquinas's theory of natural law "restricts the meaning of 'good' and 'evil' in the first principle to the quality of moral actions." RH comments (35): "To use older

Scholastic terminology, the Fppr is a *lex indicans* rather than a *lex praecipiens*."

But my point is ("Fppr," 190), "both that the first principle does not have primarily imperative force and that it is really prescriptive." RH goes on to say (35) that Grisez makes a "systematic distinction between the premoral and moral" and that "Grisez regards the Fppr as premoral." However, I make no distinction between two exclusive classes, which "premoral" and "moral" suggest. Rather, I hold that "good" and "evil" in the Fppr refer both to moral good and evil *and* to other intelligible goods and evils. That is why I say the mistaken interpretation "restricts . . .."

However, RH goes on to take "premoral" and "moral" as exclusive categories, and in this way easily derives an apparent contradiction (37): "Grisez's inclusive rendering of the Fppr runs into the problem of having to regard moral goodness as moral *and* premoral. It is *premoral* in the sense that it is one good, *inter alia*, to which the Fppr directs us as a possibility rather than as an obligation; and it is *moral* in the sense that moral goodness is a specific attitude or manner of choice whereby we choose this or that good under obligation."

But the apparent inconsistency is produced by H.'s use of "premoral" and "moral" as exclusive categories.

RH says (38): "Finnis concedes that a deficient theory of nature or of humanity might tend to 'block' practical reason."

But Finnis says (*FE*, 22) that "a mistaken metaphysics or anthropology will block one's reflective understanding of the way in which one participates in the human goods (particularly the good of practical reasonableness itself)." "Reflective understanding" is the work of theoretical rather than practical reason. Thus, Finnis does not concede what RH thinks he does.

RH quotes (40) my statement (*CMP*, 115) that the moral obligation to obey divine commands, although rightly accepted by believers, is not self-evident." He suggests (41) that there may be a contradiction between this and my description (*CMP*, 124) of religion or holiness as "harmony with God, found in the agreement of human individual and communal free choices with God's will."

But there is no contradiction here, since the obligation to obey divine commands, while not self-evident, follows from first principles, including the principle that religion is a good to be pursued.

RH says (40): "Throughout his writings, Grisez has employed more than one term for the 'goods.' They are variously called: 'possibilities'; 'purposes'; 'values'; 'sources of motivation'; 'basic human needs'; 'tendencies'; 'basic inclinations'; and 'ideals.' Not infrequently, they are called 'primary practical principles.'" [Note refers to passages in which these expressions are found.] The terms are more or less equivalent, depending upon whether Grisez is emphasizing practical reason's grasp of the possibilities inherent in an inclination or emphasizing the way that the Fppr is directive of this grasp. Faced with this hodgepodge of terms . . .."

But while some of these expressions are used with the same reference, "tendencies" and "basic inclinations" are not (see *CNL,* 64-70, to which RH refers, in the context of 63, which he overlooks). "Tendencies" and "basic inclinations" refer not to the goods, but to appetites other than volitions which point to the goods. The goods are ends, not appetites. RH's confusion about this elementary distinction underlies much of his criticism of the theory throughout the remainder of the book.

RH says (40): "It is important to observe that all goods which are 'ends' are likewise 'final ends.' [Reference to *CMP,* 122, 393.] Although he rejects the notion of the existence of a determinate and objective Final End (insofar as we speak about human ends), he does hold the position that there are as many finalities as there are 'basic goods.'"

But I do not deny that there are goods which are ends, yet not final. Rather, in the places cited I say something quite different: that any of the basic goods *can* provide the ultimate reason for making a particular choice. Moreover, this is a statement of fact, not a normative statement about what people ought to seek.

RH says (41): "As definite possibilities of the fulfillment of human persons, these goods 'have a real objectivity, even though they are not actual entities.' [Reference to *CMP,* 125.] Again, Grisez is not speaking of 'natures' with determinate and proper completions; rather, they are 'definite possibilities' intuited independent of any other sort of knowledge."

But the third sentence after the one RH quotes is (*CMP,* 125-26): "However, human goodness is the fullness of which human persons are capable, insofar as we are creatures of a certain sort, endowed with some definite capacities and opportunities for being and being more." Moreover, "intuited independent of any other sort of knowledge" falsifies my account of how the basic human goods are known. For I say (*CMP*, 196) that "in the experience of tendencies, human understanding which is oriented toward possible action grasps the possible fulfillments to which the tendencies point. Thus one forms, naturally and without reflection, the truth: Such-and-such is a good."

RH says (42): "Grisez's repertoire of the basic goods prompts a number of questions regarding the criteria for the distinction between basic and nonbasic, and between reflexive and substantive. This is not to mention the further issue of how we undertake the transition from grasping a value as a *bonum mihi* (a good for me) to predicating it of human beings at large (as a universal form of good). [Reference is to *NLNR,* 33f.]"

Here RH creates an "issue" of a transition which has no basis in the place referred to or anywhere else in our writings. For neither Finnis nor I ever suggest that the grasp of any basic human good is of a *bonum mihi.* Rather, we always assume and sometimes expressly assert the opposite: "Understandable goods do not have anyone's proper name attached to them" (*CMP*, 576; cf. *NLNR,* 155).

This confusion is one of the most important bases of RH's entire critique. Later, RH asks (65-66): ". . . whether there is an ethically significant notion of transcendence in his system. By *transcendent* we do not necessarily mean supernatural, but rather an openness of practical reason to goods or values which are not simply immanent modalities of one's own fulfillment. For example, we can ask whether the good of friendship is merely the good of the realization of *my* capacity to have friends. Similarly, we can ask whether an act of injustice is merely a frustration of *my* capacity to be just, or whether we needn't take into account the harm done to someone other than myself."

It does not occur to RH that his interpretation of the basic human goods in my theory as egoistically bounded is highly implausible, inasmuch as a major part of my work has been devoted to arguments in defense of human life—live in others than those whom I have argued are wrong to try

to impede, destroy, or threaten it. Moreover, RH never considers many passages which would answer his question straightforwardly, such as the following summary of ideas of moral evil with which my account is consistent (*CMP*, 188): "It is sin (alienation from God), because it detracts from love of the goods God loves and prevents us from being open to him. It is likely to violate our neighbor's rights (or at least to lessen his or her well-being, which is unfriendly even when not unjust) inasmuch as it detracts from a will to integral human fulfillment, which includes our neighbor's good. It is surely a sort of folly, since it aims at unnecessarily restricted goods, while reason prescribes integral human fulfillment as self-evidently worthwhile, and to ignore in one's action the clear claim of reason is folly. And it is plainly a kind of self-mutilation, inasmuch as it detracts from the existential fullness of person's who choose wrongly, since by such choices they determine themselves to be less—and to be less open to goods—than they might be."

RH says (43): "Grisez does say that we are 'conscious' of the basic human goods 'by experience.' [He refers to *AB*, 313f.] We are aware of our own inclinations, longings, and delights. By practical intelligence, we grasp these facts not as a spectator, but as a 'moulder and director' of them."

What I say in the place cited is: "We are conscious of these basic goods in two distinct ways. By experience, we are aware of our own inclinations and of what satisfies them; our own longings and delights are facts of our conscious life that we discover as we discover other facts. At the same time, by understanding we interpret these facts in a special way; our intelligence is not merely a spectator of the dynamics of our own action, but becomes involved as a molder and director." Thus, RH confuses the motivational data, which are presupposed by insight into the principles of practical reasoning, with action, which practical reasoning directs.

RH, commenting on various treatments of knowledge of the basic goods, and noticing that I both affirm that they are self-evident as practical principles and subject to empirical inquiry insofar as tendencies or inclinations toward them are included in human nature, says (44): "Given the self-evident, and purportedly universal, nature of these goods, it is not explained why we should have to consult anthropological surveys to be reminded of them."

However, I do explain that there are two different questions *about* our knowledge of the basic goods: One is methodological, concerned with identifying the basic goods by theoretical reflection (*CNL*, 64; *CMP*, 121-25, 195), while the other (also theoretical) concerns the way in which the practical principles become known in the first place (*CNL*, 64-65; *CMP*, 195-96). On his own confusion between the original knowledge of practical principles and subsequent theoretical reflection upon them, RH bases one of his charges of inconsistency (165): "The foundation of the system is flawed, and this is manifest in the fact that Grisez himself cannot remain consistently within the intuitional approach that undergirds the Fppr, the *prima principia*, and the Fpm."

RH says (44-45): "It is clear that the 'empirical' approach (both Finnis and Grisez frequently equate theoretical reason with propositions concerning 'facts') . . .."

But we nowhere equate theoretical reason with propositions concerning facts. First, reason and propositions are not realities of the same sort. Second, we hold that there are nonempirical, theoretical, true propositions, such as that there is a creator.

Talking of my account of the ways in which the basic human goods are identified by theoretical reflection, RH says (45): "The other indirect route is by 'noticing the assumptions implicit in people's practical reasoning' [Reference to *CMP*, 133, *BNT*, 171.] This method is one of operational self-consistency. Grisez has employed it in his writings against determinism, but less so in his discussion of the human goods. [Reference to *Free Choice: A Self-Referential Argument*.]"

RH here confuses the method of self-referential argument with the simple method of analysis by which principles are disengaged from reasoning in which they are used.

RH rhetorically asks (47): "Turning to a good like religion, after the searching criticism of theorists like Hume, Feuerbach, and Freud, is it philosophically advisable simply to posit religion as a basic good? Is the commitment to bring one's choices into conformity to the will of God such a transparent good that one operationally refutes oneself in the act of questioning the value?"

We do not *posit* religion as a basic good. Nor do we anywhere claim that questioning it is self-referentially inconsistent. We do offer reasons for thinking that one of the nondemonstrable principles of practical reasoning picks out peace and friendship with God (or the more-than-human source of meaning and value) as a good to be pursued. The commitment to bring one's choices into conformity with the will of God is an act of religion, not the good of religion, which is the object of that act. Freely chosen acts for the sake of a good never are as transparently good as is the good itself.

RH says (52): "Under a premoral description, goodness is defined as a 'realization of potentialities.'"

But what I actually say (*CMP*, 185) is: "In general, goodness is in fullness of being—that is, in realization of potentialities by which one is open to further and fuller realization of potentialities." The difference is important, for I explain previously (*CMP*, 118) that "not every fulfillment of potentialities is good."

Summarizing my position concerning contraception, RH says (61): "What is wrong with contraception is not that it violates the natural teleology of a physiological, or even more generally, a 'human,' function, but that it violates the value or practical principle regarding the procreative good. Whereas, according to Grisez, the older natural law theory held that the 'given' function sets the norm (which seems to us to give the weakest rendition of the older system on this issue), Grisez proposes that the practical grasp of the given as an attractive possibility sets the norm."

The first of these two sentences is reasonably accurate. But the second introduces and then criticizes RH's own oversimplification of a position I criticized, and also reduces good to "an attractive possibility"—a reduction without foundation in my work, where instead the basic human goods are the content of the principles of practical reason (see *CNL*, 99-101), by virtue of which any possible object of interest becomes attractive.

RH asks (62): "How do we recognize that procreation is as irreducible a good as justice and fellowship, not to mention practical reason itself? What makes procreativity so attractive that it is a good that can never be submerged?"

I nowhere say that practical reason is a good, and RH makes no effort to show that it is—or even what it would mean to say that. Moreover, the

good is not procreativity, but the fulfillment to which the exercise of procreativity leads, namely, a "good of the child, the very beginning of his life" (*CNL*, 103).

RH says (62): "Grisez does make an effort to provide evidence for the basic nature of the good of procreativity." He then offers a paragraph of summary, which renders the considerations I advanced unintelligible. The paragraph begins, "He argues, in the first place . . .." But RH entirely omits what I put and explain for a full page in the first place (*CNL*, 78): "The first is the fact that having children and raising them is practically a universal phenomenon."

RH says (62-63): "Grisez does in fact directly rely upon anthropological, if not metaphysical, evidence for including procreation in the list of basic goods—not as a mere 'reminder' but as a 'determinant' of the practical principle. His conclusion that contraception is 'intrinsically immoral' clearly depends upon an antecedent argument that procreation is an intrinsic good, which itself depends upon a theoretical argument concerning what is essential or accidental to human organicity and how human organicity is related to the nature of being human." And (63): "Simply put, his use of this evidence (such as it is) is not consistent with his understanding of the inferential and deductive underivability of the basic practical principles, which are *per se nota*."

But the considerations RH partly and inadequately summarizes are offered to show (*CNL*, 81) that "the prescription, *Procreation is a good which should be pursued*, is a basic moral principle." They are not determinants of this principle, but dialectical considerations to identify it as one of several self-evident first principles. They do belong to theoretical reflection, not to practical insight itself, and I explicitly distinguish the two (*CNL*, 64). Therefore, there is no inconsistency. Thus RH should have said: His conclusion that contraception is intrinsically immoral clearly depends on the principle, *Procreation is a good which should be pursued*, which itself is shown to be one of the self-evident principles of practical reason by various theoretical arguments, including some which concern the organic dimension of the nature of human persons. But had he said this, he would have shown no inconsistency.

RH goes on (63): "In the very same book on contraception, for instance, he states that the 'whole problem can be seen to come down to

this one point' concerning first principles . . .," and he then quotes a passage from *CNL*, 110f.

The passage RH quotes does talk about first principles. But "the whole problem" refers back to the preceding paragraph, which is concerned with situationism, not with first principles. So what the quoted passage says about first principles is specified by a context RH overlooks.

After quoting this passage, in which I assert that first principles cannot be judged, RH says (63-64): "This passage indicates why we suggested earlier that too much was being built into the original practical 'insight.' In effect, the insight includes the Fppr, the primary practical principles, the difference between basic and nonbasic values, the difference between reflexive and nonreflexive values, the Fpm, and the modes of responsibility."

But nowhere do I suggest that there is any such single original insight. Each of the self-evident principles is known by an insight proper to it. The distinctions among basic and nonbasic, reflexive and nonreflexive values, are made by analytic reflection on the content of the principles. The modes of responsibility are deducible from the first principle of morality (and each of them is deduced in *CMP*, chapter eight). And all the self-evident principles are explained and defended dialectically.

RH pays no attention to the development of my thought. In criticizing the argument against contraception, he says (64): "In the case of contraception, does the Fpm really provide positive guidance? Setting aside the assumptions which we have questioned above, it is not clear that the ideal of integral human fulfillment immediately enters into the judgment concerning the malice of contraception."

That is so, for two reasons. First, not the first principle itself, but a mode of responsibility derived from it, appears in any argument for a specific moral norm. Second, the ideal of integral human fulfillment and the first principle of morality which makes reference to it were not articulated in *CNL*. There, other efforts are made to express the first principle of morality, including the formula (*CNL*, 69): "We shall explain in greater detail in the next chapter the various ways in which basic affirmative principles of practical reason cause definite obligations. For the present, however, it is enough to grasp the general way in which this is possible. Whenever it happens that an attitude of nonarbitrariness toward

the basic human goods requires us to have a certain intention, and that intention requires a certain action or omission, then we have a definite obligation."

RH says (67): "Grisez not only opposes the conventional natural law method on the grounds that it infers practical principles from metaphysics; he also is a sceptic regarding the prospects of resolving anthropological issues by means of any theory. In his book *Abortion: The Myths, the Realities, and the Arguments,* he eschews the notion that the ontological status of the unborn can be settled by anything other than 'facts'. [Reference to *AB,* 306.]" He then quotes two disconnected portions of an argument, beginning: "In the first place, we saw that beyond doubt the *facts* show the embryo at every stage to be a *living, human individual.* To go beyond this is not a question of fact but a question of metaphysics." And after the portions of the argument he quotes, he quotes another sentence: "'Anyone with sufficient ingenuity in metaphysical argument,' he concludes, 'should be able to construct some sort of plausible theory of personality according to which any one of us will turn out to be a non-person."

But RH overlooks the meaning of "metaphysical" in this context. Proponents of the moral acceptability of abortion had argued that one could regard the unborn as persons only by a metaphysical or theological postulate. So, I distinguished (*AB,* 273) between the factual question—at what point does the human individual originate—and the "metaphysical or theological question": "Should we treat all living human individuals as persons, or should we accept a concept of person that will exclude some who are in fact human, alive, and individuals, but who do not meet certain additional criteria we incorporate in the idea of 'person.'" I had treated this "metaphysical" question with some care (277-87), showing the arbitrariness of theories which deny personhood to the unborn. The argument from which RH quotes portions is not factual, but metaphysical, for it is designed to answer the question previously referred to as "metaphysical." The argument refers back to the earlier treatment, and its conclusion (which RH omits) is (*AB,* 306): "*To be willing to kill what for all we know could be a person is to be willing to kill it if it is a person.* And since we cannot absolutely settle if it is a person except by a metaphysical postulate, for all practical purposes we must hold that to be willing to kill the embryo is to be willing to kill a person." What RH quotes as the conclusion of the

argument actually is an ironic aside at the end of the second subsequent paragraph.

RH says (68): Grisez "does not mention that Thomistic hylomorphism is significantly different from Aristotle's." However, in a note to the passage concerning Aristotle he is discussing, I say (*BNT*, 405, note 6): "Thomas Aquinas, *Summa contra gentiles*, 2, ch. 68, holds that the soul of a person is both an immaterial substance and the substantial form of the human body. He also thinks Aristotle held the same view (ch. 78)." Since the interpretation of Aristotle I propose is that according to which the agent intellect is a separated substance, this note does point out a significant difference.

RH says (69-70): "What interests us here, however, is Grisez's contention that the phenomenological approach 'is connected with a very questionable philosophical theory of man.'"

But the subject of the predicate RH quotes is much more specific (*CNL*, 41): "My conclusion, then, not only is that a pure phenomenological argument against contraception has no cogency with regard to the point it attempts to prove, but that it is connected with a very questionable philosophical theory of man and of the marital society." In the context, "pure phenomenological argument against contraception" refers to an argument which entirely omits from consideration the bearing of sexual intercourse on procreation. I nowhere criticize phenomenological method as such, and sometimes employ it.

RH goes on (70): "He explains: 'The subjective and interpersonal life of the spirit is no more human than is the *humblest* [RH's unnoted emphasis] of human functions. And it is a mistake to yield to the temptation to attribute superiority to the immanent value of marriage over the transcendent value of the procreation and eduction of children to which marriage is ordained.' [Reference is to *CNL*, 41.]"

RH here overlooks the fact that five pages earlier he was asking (65) "whether there is an ethically significant notion of transcendence in his system"—meaning by "transcendence" "an openness of practical reason to goods or values which are not simply immanent modalities of one's own fulfillment."

RH says (72): “Given his system, abortion can only be wrong because it violates what we find attractive about the good of life rather than the ontological, much less moral, status of the one who lives. This should immediately strike one as the worst possible way to go about making an argument against abortion; yet Grisez firmly believes that he has avoided the problem of subjectivism, because he believes he has made good on his claim that the first principles (i.e., the attractable [sic] goods) are objective and indubitable.”

The words “what we find attractive about” have no basis in anything I say about the basic human goods as principles or morality, and they insinuate a subjectivism which I nowhere accept. RH himself later says (79): “It has been insinuated that Grisez is a subjectivist.” H.’s statement as a whole (on 72) assumes a dichotomy between the basic human goods and the ontological and moral status of persons in whom they can be realized. Such a dichotomy is not mine. For example, I explain how violating the principle of morality, as I understand it, affects other persons (*AB,* 316): “Their good, which I do not choose, will become for me at best a non-good, something to which I shall remain indifferent. Egoism can decrease only to the extent that I am open to the embrace of all goods, those as well as these, yours as well as mine. The attitude of immorality is an irrational attempt to reorganize the moral universe, so that the center is not the whole range of human possibilities in which we can all share, but the goods I can actually pursue through my actions. Instead of community, immorality generates alienation, and the conflict of competing immoralities is reflected by incompatible personal rationalizations and social ideologies, each of which seeks to remake the entire moral universe in conformity with its own fundamental bias.”

RH says (72-73): “Grisez, however, does *not* want to limit the meaning of personhood to the existential level of choice, even though it is only on that level, he argues, that the category *person* has any unity an hence intelligibility.”

But I nowhere argue that. Again, RH says (73): “Grisez holds that in the act of choice the ‘self is a unifying principle,’ but he hastens to add that the ‘various aspects of the person are unified by the self but not identified with it.’ [Reference is to *BNT,* 351.]”

But the quoted sentence is not concerned with the act of choice; RH simply imports this. This misunderstanding should have been blocked by an explicit statement on the following page (*BNT,* 352): ". . . the self which is the principle of the unity of a human person is not identical with the knowing subject, the existential agent, or the culture-maker. All of these are included in the self; they are aspects of it."

RH goes on (73): "If we press the issue by asking how it is possible to envision four irreducible aspects of the person—one of which is the existential order of choice itself—which are not identified with the self that unifies them in the existential act of choice, Grisez appeals to the 'mysterious' nature of it all:

> "The unity of the person is mysterious and must remain so. This unity is immediately given in human experience, and it cannot be explained discursively, since reason cannot synthesize the distinct orders in a higher positive intelligibility. . . . Thus I conclude that the complex unity of the human person is a fact for which one ought not to expect an explanation. [RH's footnote here refers to *BNT,* p. 352.]
>
> "This passage represents the upshot of Grisez's position."

All three of the sentences RH quotes are in the book, but not all are on page 352. The first two are on page 349, and the dots replace more than three full pages of text. Thus, the three sentences as RH quotes them hardly constitute a passage which represents the upshot of my position.

RH goes on (73-74): "The problem, as it now stands, can be cast in this way. Grisez wants to hold on to what could be called a 'realistic' ontology of the four irreducible orders, just as he does with regards to the goods in the area of axiology. In order to maintain their real irreducibility, however, he posits a self whose task is to unify the orders in choice, while not being identified with them. As an account of the self, the theory wants to be a full-blown existentialism, because one of the orders, the existential, is given primacy in terms of being the agent of unity; but so long as the three orders other than the existential are given equal primacy, the theory will be unable to resolve itself."

But there is no problem. RH says "Grisez wants" and "he posits," suggesting that the irreducibility of the four orders is arbitrary, but he ignores the arguments sketched out for their irreducibility (*BNT*, 238-40).

In any case, the self does not "maintain their irreducibility," but simply is the original unity of the person which is the point of departure for any philosophical account of the person's complexity. And the self does not have the task of unifying "the orders in choice"—that is RH's misunderstanding, which entirely lacks foundation in the text (*BNT*, 343-53) with which RH is dealing.

RH says (74): "In his debate with proportionalists such as Richard McCormick, Grisez concedes that 'there are several senses in which goods form a hierarchy.' [Reference to *CMP*, 156.] In the first place, there is a hierarchy of values insofar as the basic goods are to be preferred (strictly interpreted, they must be preferred) to the merely instrumental goods."

But RH omits an important part of what I actually put in the first place in the passage he cites, namely, the priority of intelligible to sensible goods: "There certainly is a hierarchy of values in one sense: Sentient satisfactions as such are not adequate human goods. They are valuable only insofar as they contribute to some aspect of intelligible human fulfillment. Moreover, extrinsic and merely instrumental goods, such as money, are not in themselves fulfillments of the human person. They can be means; they also can be obstacles."

RH says (75): "Grisez argues that there is no objective hierarchy among the basic goods because each is 'essential.' When it comes to making choices, 'there is no objective standard by which one can say that any of the human goods immanent in a particular intelligible possibility is definitely a greater good than another.' [Reference to *CMP*, 156.] Their irreducibility militates against finding a standard by which to commensurate. In *Beyond the New Morality*, to illustrate his point he gives the example of a person who, on Sunday morning, must face the choice of whether to go to church, play golf, or read the papers."

But in *CMP*, 156, I say: "However, there are two senses in which there is not a hierarchy among the basic human goods. In the first place, they are all essential and closely related aspects of human fulfillment. In the second place, when it comes to making choices, there is no objective standard by which one can say that any of the human goods immanent in a particular intelligible possibility is definitely a greater good than another." This is not an argument that there is *no* objective hierarchy among the basic human

goods, but a statement of *two* (entirely different) senses in which there is not a hierarchy.

The example from *BNM* which RH discusses is not offered to illustrate the second point, but to illustrate something quite different: the nature of immorality, as it is manifested in morally wrong choices among alternatives all of which are in themselves morally acceptable. RH could have considered the example which I offer directly after the sentence he quotes from *CMP* to illustrate the point I make there: "For example, parents who deliberate the evening before Thanksgiving whether to spend the next morning having a leisurely family breakfast or to use it to join in a special liturgy (which would mean getting up at a certain time, dressing the children, and so on) cannot reach a conclusion by comparing goods or bads to find which alternative is measurably better." The point of this example is that *despite* the objective hierarchy of values, known by faith, the goods *immanent in the particular intelligible possibilities* cannot be measured by an objective standard.

Arguing against my thesis that there is not an objective hierarchy of values among the basic human goods, RH quotes a sentence and interprets the reference of the word "they" in it (76): "Grisez states: 'The fact that they [the goods] may seem more important to an individual or a group simply reflects the cultural conditioning or psychological leaning of that individual or group. [Reference to *BNM*, 73.]" The quoted statement is in 1st ed. *BNM,* 70; a somewhat different statement is in 2nd ed. *BNM,* 73.

However, "they" does not refer to the basic goods; rather it refers (*BNM*, 2nd ed., 73) to "purposes which to particular individuals or particular cultures seem or have seemed far more important than any of the ones listed here"—that is, than any of the basic human goods.

RH goes on (76): "Elsewhere, in the same vein, he says it is simply a 'matter of subjective choice and temperament.' [Reference to *BNM,* 74f.] Indeed, this may be true in fact, but the question is moral—regarding what and how I *ought* to choose. When it comes to this matter of hierarchy, is there any principle under the rug of convention and temperament of which we might avail ourselves?"

Here RH omits the beginning of the sentence (*BNM,* 2nd ed. 74): "Everyone has a rough hierarchy of values insofar as some purposes are more important to him or her than others, but this is a . . .." And he

overlooks the following sentence, which makes the point that moral requirements set a true, objective hierarchy of values, although not a hierarchy among the basic human goods as such.

Finnis argues that some of the basic human goods may seem more important than others, but that one's focus among the categories of goodness can shift. He offers an example, which RH quotes (77):

> "if one is drowning, or, again, if one is thinking about one's child who died soon after birth, one is inclined to shift one's focus to the value of life simply as such. The life will not be regarded as a mere precondition of anything else; rather, play and knowledge and religion will seem secondary, even rather optional extras. [Reference to *NLNR*, 93; he says that Grisez uses the same example, *BNM*, 65, but it is not there in either edition.]

"In the first place," RH goes on, "it is interesting that a person who grieves over a departed loved one is described as focusing upon the good of life rather than upon the *person* who is loved. Here we can recall our earlier remarks about the way in which this system tends to focus upon goods rather than persons. There is something curiously, if not ironically, Platonic in this focus upon a general form of a good rather than the concrete good of the person in question."

But the alternatives Finnis considers are not goods and persons, but diverse categories of goods. In many places, we make it clear that (*CMP*, 121): "These goods are aspects of persons, not realities apart from persons." More discursively, in a later chapter of the very book to which RH refers in his note (*BNM*, 130): "The goods are not abstractions existing 'out there' beyond us and other people. Rather, as we experience them, the goods are aspects of human persons, ourselves or others, aspects which either already exist in actuality or have the potential of being realized. Thus, to act directly against one of the fundamental goods is to violate an actual or possible aspect of the personhood of a real person or persons: to violate 'life,' for example, means violating somebody's life. This amounts to using a human person as a means to an end."

RH discusses what I say about choosing a life plan, and says (79) that "there is nothing to be found in the basic goods to justify the superiority of one life plan over another. Provided, of course, that there is no direct violation of a basic good, the adage *de gustibus non est disputandum* would

seem to apply." A few sentences later, he says (79): "Questions regarding possible conflicts, and contrasts of importance, among the goods are consigned first to the Fpm, which orders us to let them bloom and enjoy life, and then to the final mode of responsibility, which requires us not to disrespect any of the goods."

But according to my theory, the basic human goods as such cannot conflict, and contrasts of importance among them are a theoretical, not a moral, question. Choices are made among possibilities which involve instantiations of the basic goods, and all the modes of responsibility, not only the final one, guide every choice, not least the choices which constitute one's plan of life. I do consider the eighth mode of responsibility important, but not uniquely so, and RH's treatment of it as especially important in guiding choices which make up a life plan has no textual basis.

RH says (79): "Grisez and Finnis appeal to life plans as a way to introduce an *ordinatio* to the goods. They derive the concept of a life plan from John Rawls . . .."

Both statements are false. RH mistakenly supposes that we "appeal" to life plans to solve what seems to him but not to us to be a problem. We do not derive the concept of a life plan from Rawls, but only the expression "life plan."

RH says (82): "Although Rawls cautiously admits that there is nothing in his theory that would guarantee that a dominant end model violates the principles of rational choice, it does strike us as 'irrational, or more likely as mad.' [Reference to Rawls.] It is right on the cusp of a kind of fanaticism that would disfigure the human self by submitting the heterogeneous aims of the self (here we find a similarity between Rawls and the Grisez-Finnis understanding of the self) to a single system." Again, RH says (83) we and Rawls "are in agreement about the problem of dominant end concepts. As we said, Grisez rejects the dominant end teleology of Augustine and Aquinas."

But Rawls excludes *commitment* to a dominant end, while we do not. We exclude only the notion that human *nature* establishes such an end. In theology, I hold that one ought to seek first God's kingdom and righteousness. We deny only that doing so is the natural end of human persons; Rawls (at least, as RH reports him) denies that doing so is rational.

RH says (83-84): "Against Aquinas's position that one cannot direct one's acts simultaneously to different ultimate ends, Grisez remarks: 'But as a matter of fact, people can pursue diverse goods without ordering them to one another and without ordering all of them to anything ulterior.' For example, he observes that 'a Christian girl of fourteen can sincerely try to live her faith insofar as she is aware of its requirements, yet simultaneously and without reference to her faith (and without serious sin) try to become a cheerleader for the sake of the activity itself and the status it will give her with her schoolmates.' [Reference to *CMP,* 393.] Apart from the fact that this is a psychologizing of Aquinas's metaphysical argument, Grisez appears to be at odds with his colleague on this matter. Finnis holds, as we have said, that the choice of a coherent life plan is the first mode of moral responsibility. Strictly applied, Finnis's injunction regarding the adoption of a life plan would appear to render Grisez's adolescent cheerleader either amoral or premoral as an agent, for she has not yet adopted a single world view."

The thesis of Aquinas against which I argue here may be based on metaphysics, but it is a thesis about the way people can order their lives. Just before the first sentence RH quotes, I say (*CMP,* 392): Aquinas "supposes that sinners seek absolute fulfillment in some definite goal, such as acquiring wealth (see *S.t.,* 1-2, q. 1, aa. 5-7)." And just after that sentence, and before the example of the schoolgirl, I offer a different example: "For example, a dissolute man can seek both sentient pleasure and status as a political leader." And after the example of the schoolgirl, I go on to point out that a Christian can choose at the same time to reaffirm his or her faith and to commit a mortal sin, and that these two acts cannot be directed to the same ultimate end.

RH simply refuses to face the challenge of the counterexamples to Aquinas's position that it is impossible that the will of one human individual be directed simultaneously toward many ultimate ends not ordered to one another (see *S.t.,* 1-2, q. 1, a. 5).

Moreover, not only Finnis but I at one time (*BNM,* 108) considered the first mode of responsibility to be "consistent commitment to a harmonious set of purposes or values." I now regard the obligation to organize one's life as a specific, derivative responsibility, so no longer treat it as one of the modes. In *CMP,* it is treated under the second mode both of

responsibility (207) and Christian response (637). Theologically, life plan is settled by personal vocation. Whether forming a plan of life is a mode of responsibility or a specific responsibility, however, there is no inconsistency between saying that one can live a disorganized or imperfectly organized life and that one ought to live a well ordered life. The adolescent cheerleader is not amoral or premoral as an agent; she is morally immature in a way I explain (*CMP,* 690-95).

RH says (85-86): "Grisez argues that anything sought for its own sake is an 'ultimate end in a given situation of choice.' [Reference is to *CMP,* 393.] There are as many ultimate ends as there are basic goods and life plans organized around them. 'No single complete good,' he states, 'is naturally available to human persons as their determinate, ultimate end.' [Reference is to *CMP,* 809.]"

I actually say (*CMP,* 393): "Anything sought for its own sake, not for something ulterior, is an ultimate end in a given situation of choice. Any such ultimate end must be or include an intelligible good spontaneously willed. But there are several such goods, which are organized into a single ideal of integral fulfillment only when one accepts and consistently lives by a single world view. Many people have no such coherent world view. Christian faith serves this organizing function in Christian life, yet one can, and the mortal sinner does, fail to live it consistently. Thus, one person at the same time can be self-determined in respect to two or more goods, without willing these for some one ulterior good."

The point is not, as RH suggests, that there are as many legitimate ultimate ends as there are basic goods and life plans organized around them. Rather, people actually act for many different goods as ultimate ends, but should organize their lives in harmony with moral truth. Yet to do this, the principles of practical reasoning and of morality, by themselves, are insufficient. They also need a coherent world view, by which to understand themselves and their place in reality. Some people attempt to do this philosophically, some by faith, and some by both.

At the end of his second chapter, RH raises a number of questions (90): "First, if religion is counted among the self-evident, basic goods, and is thereby a primary principle of practical reason, then it would seem that all persons are obligated to protect and promote the good of religion. Remember, Grisez does not speak of religion as a right, but as a basic form

of human well-being. How is such a moral theory able to handle not only the objections of an atheist, but the inevitable, if not intractable, differences between religious traditions on what constitutes the content of the basic good? At the very least, it will be necessary to distinguish between the good of religion and *a* religion, as well as to offer criteria for assessing whether the latter satisfies the nature of the general good of religion."

RH simply assumes here that moral theory must deal with all the theoretical and practical questions relevant to the religious quest. But nothing in my account of the principles of practical reasoning and morality suggests that these, by themselves, are sufficient to guide action to authentic fulfillment. Health, for example, is an element of one of the categories of basic good, but my moral theory does not pretend to answer all the questions dealt with by the biomedical sciences and arts. Similarly, the providing of criteria for assessing whether the practice of a particular religion really will fulfill human persons as individuals and as a community is the task, not primarily of moral theory, but of other branches of philosophy and theology, including philosophical anthropology, metaphysics, apologetics, and so forth. But just as the self-evident truth that health is a good to be protected and promoted by human action is presupposed by all the biomedical sciences and arts, so the self-evident truth that harmony with the more-than-human source or sources of reality, meaning, and value is a good to be protected and promoted by human action is presupposed by all forms of thinking and other action relevant to the religious quest.

RH goes on (90): "Second, if there is no objective hierarchy among the basic goods (which include religion), what are we to make of religion serving as an architectonic for one's life? If it is not ultimate, then what is it? Moreover, inasmuch as individual life plans are determined by different religions, how are we to deal with what appears to be an incommensurability between different religious life plans? Does each one (that of a Muslim and that of a Unitarian) share equally in the same general form of religion? This poses a problem of how Grisez can undertake a consistent transition from his ethical principles to the moral theology of a specific religious tradition."

The problem of transition is solved very easily: In moral theology I assume the truth of the Catholic faith. Because I make this assumption, my

work neither on ethical principles nor on moral theology deals with the many interesting and relevant questions which pertain to other fields. There is no inconsistency here. RH's prior questions in this paragraph involve the same assumption as in the previous paragraph.

RH goes on (90): "Third, Grisez defines the good of religion as a harmony between choice and the will of God. He also contends that it is not self-evident that the will of God must be obeyed. Does this not suggest that the self-evident basic good of religion depends upon an act of faith that is not accounted for in his description of the goods?"

The answer is: No. For one can know some normative truths which are not self-evident independently of an act of faith. I point out (*CMP,* 115) that the moral obligation to obey divine commands is not self-evident in explaining why this obligation is not the *first* principle of morality. But there is another category, which RH overlooks, besides self-evident moral principles and moral norms which presuppose faith: the category of moral norms derived by applying moral principles to various kinds of acts. I hold that the obligation to obey God's commands follows from moral principles (*CMP,* 278-79). An individual who does not already have faith, if confronted with something recognizable as a divine command, can (and should) judge on the basis of moral principles that the command ought to be obeyed, and can (and should) act on that judgment by submitting to God with the obedience of faith.

RH goes on (90-91): "Fourth, Grisez contends that it is only possible for one to love all of the goods properly if one considers them to be participations in a divine goodness. If this insight depends upon an act of faith, it would seem that no one can fulfill the modes of responsibility without the data of a revealed religion. Would not this lead to a kind of hyper-Augustinianism that Grisez himself rejects?"

This question must be put into context. A few pages previously, RH discusses portions of two different statements of my position that the account of the first principle of morality I propose is in harmony with a religious view. In those statements I argue that the human will can and should be open, beyond the basic human goods, to a good in which they participate. Of this, RH says (88): "He is quite clear that this only acquires content, and thus becomes a determinate objective, in the light of faith. His point is that there is nothing in his system that is an obstacle to making

such a move. In fact, he states that '*it is only possible for man to love all of the goods properly if he considers each of them a participant in perfect goodness.*' [Reference to *CNL*, 71, emphasis RH's.] We shall explore the meaning of this remark in more detail in the next chapter. Taken at face value, his statement suggests not only that his system is not an obstacle to making an act of faith, but that such an act is necessary in order to achieve, in the order of motivation, all of the requirements of his system."

But the sentence RH quotes and emphasizes is part of a sketch of a philosophical account of the end of man and its relationship to morality. The remainder of that paragraph and the next two complete this philosophical sketch. Then follow (*CNL*, 72) two paragraphs providing a complementary theological sketch. They begin: "Thus far philosophy. If the teaching of the Christian faith be considered . . .," in order to mark the transition. The second of these paragraphs summarizes the impact of Christian revelation: "The result is that the perfect Good which man must love if he is to love anything well becomes actually attainable not only in Its participations but even in Itself. In this way the openness of human nature is fulfilled without any restriction. But man's natural values also are completely respected, for the Good Itself is not opposed to any of Its participations." Thus, taken at face value, contrary to what RH says, the quoted statement in no way suggests that faith is necessary to meet the motivational requirements of the ethical system, but rather to enable one to attain God in himself, not merely in the finite goods which are participations in his goodness.

With his questions, RH goes on (91): "Fifth, if each of the human goods can be regarded as participations in a divine goodness, and if this can be established by reason, then are we to conclude that an ultimate transcendent good is proportionate in some minimal way to human nature? If so, then it is unclear why Grisez rules out the Augustinian 'restless heart' position and Aquinas's argument that God is man's final end by nature, for Aquinas's position explicitly involves a doctrine of participation that enables him to bring metaphysics or natural theology to bear upon practical rationality. If not, then it is unclear why a belief in a metaphysics of participation alluded to by Grisez has any significance for ethics; for a good that is in no way proportionate to man could not be a matter of moral judgment and choice."

The answer is that the ultimate transcendent good is proportionate to human nature insofar as human nature includes free choice and an indefinite potentiality for fulfillment in human goods *as participations* in goodness itself. I rule out the Augustinian 'restless heart' position and Aquinas's argument that God is man's final end by nature because these seem to me to imply what I believe to be impossible: proportionality between human nature and fulfillment in divine goodness, not in its participations, but *in itself*. RH might ask: How can human persons ever be fulfilled by divine goodness in itself if there is no proportionality between human nature and that fulfillment? The answer is: Human persons can be fulfilled by divine goodness in itself insofar as they share (by divine adoption or a second birth) in divine nature.

With his questions, RH goes on (91): "Sixth, the Fpm obligates the moral agent to remain continually 'open to' an integral human fulfillment. What are the systematic implications of annulling the ideality of the Fpm by an act of faith? Would this not suggest that those who remain under the ideality of the Fpm and those who have annulled it are living in two different moral spheres? We would have a natural law ethics of indeterminate openness on one hand, and on the other hand a theological ethics (purportedly consistent with natural law) that determinately shapes the openness according to a specific and concrete end."

To clarify the confusion underlying this question, I must review RH's treatment of the first principle of morality in a previous section of his book. RH there quotes (50) my formulation (*CMP*, 184; RH omits the emphasis, without noting that he does so): "Grisez defines the Fpm as follows: '*In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment.*'" This formulation does not obligate the moral agent to remain "open to" integral human fulfillment, as RH says (91); he has imported the idea of openness from other texts.

Commenting on my formulation of the first principle of morality, RH says (50): "The first thing to notice about the Fpm is its ideality." He then quotes a passage which in my text (*CMP*, 185) begins with the word "Moreover," but omits that word without indicating that he does so. This

passage states that integral human fulfillment is an ideal, not that the first principle of morality which refers to it is an ideal.

But immediately after the quotation, RH goes on: "The Fpm of morality is an ideal for at least three reasons." In his statement of the three reasons (which I do *not* give for the thesis RH mistakenly attributes to me), RH manages to include part of the reason I give for the ideal character of integral human fulfillment (under "In the second place" on 51). He also lays a basis for his later argument by saying (51): "In his transition from moral principles to moral theology, Grisez regards Jesus as the concrete good that annuls the ideality of the Fpm. Its ideality, therefore, makes room for (even requires) a move into moral theology."

But since I do not hold that the Fpm is an ideal, everything RH builds on this confusion is unsound.

RH also says (51): "Given the ideality of the Fpm, how is it derived? Grisez answers very simply that 'reason does not exclude the possibility of integral human fulfillment.' [Reference to *CMP*, 185.]"

But the quoted remark refers to integral human fulfillment, not to the first principle of morality. As a first principle, the Fpm cannot be derived, but I do offer a dialectical argument for it (*CMP*, 186-89), which begins: "Because it is basic, the first principle of morality cannot be proved directly by being deduced from prior truths. However, several considerations indirectly support this formulation." RH quotes (52) part of the first sentence but not the second, and ignores the dialectical argumentation which follows.

Moreover, in reporting my formulation of the first principle of morality, RH says (50): "Grisez defines . . .."

But I do not define the principle. I introduce the formulation by saying (*CMP*, 184): "The basic principle of morality might best be formulated as follows." Before coming to that point, I carefully explain (*CMP*, 183-84) that there are various formulations of the first principle of morality, including that of the two precepts of charity, which, according to St. Thomas, "are the first and common precepts of the law of nature, which are per se known to human reason, either through nature or through faith" (*S.t.*, 1-2, q. 100, a. 3, ad 1).

Coming to the end of his questions, RH asks (91-92): "Seventh, to the extent that Grisez's system includes both a respect for goods and a eudaimonistic quest for self-fulfillment, is there any provision in the system to prevent the value of one's relationship to God from being reduced to a mere 'good for me'? Simply put, is the 'person' of God yet another immanent aspect of my 'full-being'? Here, we return to a more basic meaning of *transcendent* as that which is not merely immanent. Grisez's axiology includes at least two basic goods—friendship (which includes justice) and religion—which involve someone other than oneself in the description of the value. Is the disvalue of injustice simply a violation of one's potential to be just? If not, then there is a transcendent pole to the value which cannot adequately be understood by describing the value simply in terms of the immanent modalities of one's own fulfillment. We are asking whether this does not need to be firmly established before moving to the issue of nature and supernature in order to prevent a dichotomy between a naturally closed practical reason and a supernaturally open one." RH later (117-18) returns to this same line of argument.

To clarify the confusion underlying this question, I must review RH's treatment of a series of points concerned with the relationship of the goods to the moral agent.

RH asks (53): "Is the emphasis or focus of morality given to the goods, or to my own fulfillment?" He says: "Grisez often speaks in a way that appears to give emphasis to one or the other. Thus, on the one hand he says, 'moral goodness is characteristic of choices in which one avoids unnecessary human self-limitation'; on the other hand we can find him saying that 'right choice is in accord with open-hearted love of all the basic human goods.' [Reference to *CMP*, 185; "Reply to Ralph McInerny," 128.] The first statement underscores moral respect for the good as a *bonum mihi*, while the latter suggests not only that what is good for me is good for others, but that I am morally obligated to respect and promote it among others."

The problem is created by RH's reading "self-limitation" in an individualistic sense which has no basis in the text. The previous sentence is (*CMP*, 185): "Moral goodness is in choices which not only lead to some participation in particular human goods—as all choices do—but which maintain a constant disposition to all human possibilities." Within a dozen

lines before that I say (*CMP,* 185): "The ideal of integral human fulfillment is that of a single system in which all the goods of human persons would contribute to the fulfillment of the whole community of persons." And within a dozen lines after (and in a paragraph from which RH quotes other bits, *CMP*, 186): "Integral human fulfillment is not individualistic satisfaction of desires; it is the realization of all the human goods in the whole human community."

RH goes on (53-54) to quote one paragraph from my answer (*CMP*, 574-77) to the question: "What is human love?" After making some statements about Aquinas's theory of love, RH says (54): "Setting textual questions aside, there is an important substantive issue involved in whether or not Grisez's axiology, in not distinguishing between different kinds of love with regard to the differences between persons and things (either of which may be fulfilling in some respect or another), thereby becomes one-dimensional, with the emphasis weighted toward goods characterized simply as one or another *bonum mihi.*"

However, the answer from which RH excerpted his quotation precisely is making the point that all love is of persons. Love always is of oneself and often of another or others. I go on to point out (*CMP,* 575): "Love is always in the first place a disposition to the fulfillment of the one loving; for love disposes to fulfillment through action, and every action is a fulfillment of the one who acts. This ought not to be rejected moralistically as an expression of selfishness; rather, it is a basic fact about created persons (see *S.t.*, 2-2, q. 25, a. 4; *S.c.g.*, 3, 153)." And then (576): "Still, neither emotional nor volitional love is of itself limited to caring about the good only insofar as it is one's own." And: "Understandable goods do not have anyone's proper name attached to them."

RH says (55): ". . . since all the goods are defined as actions which are attractive to the agent, there is still a distinction missing that would allow us to speak of 'respect' for something more than ourselves."

But I nowhere define the goods as *actions* (attractive to the agent or otherwise); one acts for the goods, shares in them by acting, but actions and goods are not identical. Moreover, the subjectivist connotation of "attractive to the agent" is without foundation in the account I offer of the basic goods. Rather, they are principles by which anything is rationally attractive.

RH says (59): “It is significant that neither the virtues nor the moral attitudes are included among the list of basic goods.”

However, I explain that people are good without qualification only if they are morally good, and say (*CMP*, 129): “It follows that moral uprightness is an essential part of human fulfillment. It leads to harmony on all levels.” And, in treating the relationship of modes of responsibility to virtues, I say (*CMP*, 193): “. . . one who understands the virtues sees the essential point of being morally good, since good action of itself makes one virtuous, and being virtuous signifies fulfillment of the person with respect to the existential goods.”

RH says (59): “. . . the fifth mode appears to presuppose not only a distinction between goods and persons, but also some way to universalize the categorical of respect—viz., that the good is something good not only for me, but for others, and that one is morally obligated to promote it among others. Here and elsewhere in Grisez’s work, this is not justified but simply posited or implied.”

Partly, RH is confused here because he has imposed on me an egoism alien to my account of the basic human goods. Instead of taking my account of the modes of responsibility as an indication that his interpretation is mistaken, RH takes it as evidence that I have failed to justify what in fact is self-evident: that intelligible human goods are good for every human person.

Moreover, he ignores the derivation of the modes of responsibility, each of which is deduced from the first principle of morality. In the case of the fifth mode (*CMP*, 211-12): “Violations occur when, responding to feelings of partiality, one adjusts one’s choices in such a way that one does not act altogether in accord with the possibilities for realizing intelligible goods; that is, in making a choice which affects two or more persons, one subordinates the good of all to the advantage of some. This also obstructs the formation and smooth functioning of community, without which integral human fulfillment is impossible. *Instead of proceeding in a manner consistent with a will toward integral human fulfillment, one who acts with partiality settles for an unnecessarily limited fulfillment of certain people.*”

Later RH notes that I deny that the common good as a principle of the moral rectitude of social action refers to some good in addition to the basic

human goods. He says (87) that this "seems to limit the motivational life of practical reason merely to a concern, or respect, for modes of one's own well-being and fulfillment."

But on the page after the one from which he quotes I say (*CMP,* 271): "In general, the basic human goods are not good precisely insofar as they are realized in this or that individual or group; they are good because they are humanly fulfilling. There is a constant danger that my or our experience of sharing in a good will become an empirical objective whose emotional appeal will override reasonable judgments about the pursuit of that which is good—for example, peace and justice. The appeal to the common good in part attempts to forestall this danger."

Speaking of my philosophy of God, RH says (101-2): "This uncaused entity *D* necessarily obtains, and causes contingent states of affairs to obtain. Thus, three things can be affirmed: it is uncaused; it obtains; and it causes contingent states of affairs to obtain. [Reference to *BNT,* 230.] To say anything else is either to move into scientific inquiries concerning particular states of affairs, or to tred on the thin ice of metaphor about the uncaused cause."

However, RH overlooks three chapters of other things one can say which are neither scientific inquiries not mere metaphor. On the very page he cites, I outline the three chapters, saying: "What I said of *D* in part two can be distinguished into three closely related points: 1) that *D* is *uncaused,* 2) that *D obtains,* and 3) that *D causes* contingent states of affairs to obtain. In chapter fifteen I consider how *D* is said to be *uncaused* and show what else can be *denied* of *D.* In chapter sixteen I consider how *D* can be said *to obtain* and show that some other metapredicables can be *affirmed* of *D.* In chapter seventeen I consider how *D* can be said *to cause* contingent states of affairs and show that some other relational predications can be made involving *D.*" Moreover, I explicitly distinguish these ways of predicating from metaphor (*BNT,* 255).

RH says (102): "Grisez argues that 'no predicable of anything in experience can be affirmed of *D* [the uncaused entity]. [Reference is to *BNT,* 233.]"

But I do not say what RH quotes me as saying. Rather, I say (and here I add emphasis): "But in chapter fifteen I will argue that no predicable

which is descriptive of anything *given* in experience can be affirmed of *D*"—an entirely different position.

RH says (102): "In the same vein, he denies that the term *holy* can be predicated of the deity, unless it simply means that the uncaused entity is something other than what is found in experience. [Reference is to *BNT,* 249.]"

What I actually say is: "'Holy' has a richer meaning than the other expressions ['wholly other' and 'transcendent'], but part of what it seems to mean is the otherness of *D*." I then point out that these expressions cannot be said of God in the same senses in which they are truly said of human persons.

RH says (102-3): "Grisez likewise rejects the soundness of any argument based upon design or telic order in nature, [reference to *BNT,* 301, 12] or any other 'way' to God that would enable one to affirm a property of God other than obtains—including the Kantian notion that practical discourse is able to speak philosophically where metaphysics fails. [Note omitted.] Since the argument is not grounded in an explicit philosophy of being, Grisez has no use for the traditional ways of analogical reasoning—such as the *analogia entis* and the *analogia eminentiae.* He is, however, left with the *via negationis,* which he vigorously employs."

I do say (*BNT,* 301): "I do not think the argument from design or orderliness in nature is cogent," but "the argument" refers back to a sentence in the previous paragraph, concerning the debate during the Enlightenment: "The favorite argument from reason for the existence of God at the time was one based upon the wonderful orderliness and design one finds in the world—for example, the complexity and beauty of the plan of the organism or of the mechanics of the heavens." I nowhere reject all arguments based on telic order in nature. And in an earlier section of the same book which RH cites here, I say (*BNT,* 90): "Arguments quite different from the one I propose also yield definite descriptions of something which I would call 'God' without qualification. For example, many philosophers and theologians reject a straightforward cosmological argument in favor of a moral argument for the existence of God."

Also, while chapter fifteen of the book is concerned with the *via negationis,* chapter sixteen is concerned with analogical predication concerning God and chapter seventeen with relational predication

concerning him—both of which are conditioned by but neither of which is reducible to the *via negationis.*

Moreover, in that same book (*BNT,* 85-87), I sketch out the way of reasoning to God characteristic of believers, show that the general pattern of such reasoning is the same as that of the cosmological argument I propose, and point out that any specific way of reasoning to God following this pattern reaches a reality of religious significance. But RH overlooks this explanation.

In *Christian Moral Principles,* I begin to explain the way of reasoning to God by saying (*CMP,* 65): "The general form of the reasoning by which one comes to know God from experience is simple enough. In many ways humankind experiences the world as incomplete, as in need, as somehow unsatisfying to the human mind and heart." The explanation goes on for a half-dozen more sentences and then concludes: "Virtually every human group seeks ways to live without tension and in harmony with this quasi-personal Other. The ways diverse peoples find and use constitute their religions. Thus, religion of some sort is almost a universal phenomenon."

RH does notice this passage, quotes parts of it (115-16), and then says (116): "These remarks concerning the experiential soil of reasoning about God appear at first glance to move well beyond the argument given in *Beyond the New Theism*. If they are read carefully, however, it is clear that Grisez is not attempting to demonstrate the existence of God, but is rather speaking in general of experiences which prompt interest in the good of religion. This can prove confusing, because he mixes together the conclusion of his philosophical argument (that a transcendent Other exists) and general psychological (religion is attractive) and anthropological (everyone does it) observations of the sort we have encountered in his previous works."

The fact, however, is that while I do not try here to lay out a complete demonstration of God's existence, I am not simply "speaking in general about experiences which prompt interest in the good of religion," but explaining the way in which God can be known with certainty by the natural light of reason. RH overlooks the immediately prior paragraph, which makes clear what I am doing. That paragraph quotes St. Paul and Vatican I on the knowability of God by reason, and provides the context for my explanation, which begins: "The general form of the reasoning by which

one comes to know God from experience is clear enough." Here, "the reasoning" refers to what Vatican I said about God's natural knowability.

RH says (103-4): "Yet even the characterization of God provided by faith describes him not as he is in himself, but only 'insofar as he draws us into personal relationship with himself in the order of salvation.' [Reference to *CMP*, 480, 477.] In other words, what one knows about God through faith is based upon God as a *relatum*, namely, the good things he has done for me, not what he is in himself."

But there is no basis in my text for RH's interpretation "in other words." I hold that the relationship we have with God by faith is based on his entire revelation, not simply on the good things he has done for me. And what we know of God by faith, although not a description of him in himself, is knowledge of what he truly is, insofar as he makes himself available to us and relates us to himself by revelation and faith.

RH says (104): "We see, then, that Grisez's philosophical theology provides little positive guidance to practical reason in terms of the value of religion as grounded in a natural theology. 'The invocation of a metaphysics of divine causality and providence,' he argues, is of no immediate help in the construction of basic moral principles, 'since such a metaphysics consists exclusively of theoretical truths from which reason can derive no practical consequences.' [Reference to "Fppr," 196.] This statement suggests that no matter what kind of metaphysical affirmations are made about God, they would have little bearing upon practical reason anyway."

But I do not say that the invocation of a metaphysics of divine causality and providence is of no help "in the construction of basic moral principles" (whatever that might mean), but that it is of no help to someone who "must respond to the objection that it is impossible to derive normative judgments from metaphysical speculations." I nowhere suggest that the kinds of metaphysical affirmations made about God have little bearing on practical reason. My position is that first practical principles cannot be derived from metaphysics, but what one thinks God is like affects one's judgment as to how should act in respect to him, and so bad metaphysics can impede the religious quest while good metaphysics will facilitate it.

RH says (105): “Grisez argues that no divine command can be anything other than a command to act in accord with the Fpm and integral human fulfillment. What is revealed accords precisely with what we wanted all the way along.”

But I argue something quite different from what RH says: that no divine command can be *contrary to* the Fpm, but that God in his revelation commands specific actions which human persons would not otherwise think of doing (*CMP*, 278-79). Moreover, I do not hold that either moral truth or the Gospel is “what we wanted all the way along.” What is revealed is bad news for those who hate the light and beyond the fondest dreams of those who love it.

RH says (105): “He states that God cannot be a condition for forming any of the self-evident principles of practical reason ‘unless those principles happen to be ones that especially concern God.’ [Reference to “Fppr,” 192f.]

However, I actually say: “a *knowledge* of God is by no means a condition for forming self-evident principles” and so on.

RH goes on (105): “Among these latter ones, Grisez explicitly mentions the principles that ‘God should be loved above all else,’ and that ‘God should be obeyed before all else.’ [Reference to “Fppr,” p. 172.] These, however, cannot be among the primary principles of the natural law—not, at least, as Grisez interprets it, because they are not self-evident; indeed, as he says, they rely upon faith. [Ibid.]”

But the passage to which RH refers here is part of a commentary on Aquinas. I mention the two precepts and say: “Man can be ignorant of these precepts because God does not fall within our grasp so that the grounds of his lovability and authority are evident to everybody.” To this I append a footnote (“Fppr,” 172-73): “Thus Aquinas remarks (S. T. 1-2, q. 100, a. 3, ad 1) that the precept of charity is ‘self-evident to human reason, either by nature or by faith,’ since a knowledge of God sufficient to form the natural law precept of charity can come from either natural knowledge or divine revelation.” Thus, contrary to what RH says, the position asserted here (primarily as Aquinas’s, rather than as my own) is that these precepts are self-evident in themselves, but not to those who lack adequate knowledge of God; however, they are self-evident to those who have

sufficient knowledge of God, whether they have this knowledge by reason or by faith.

Later on, having summarized some of my treatment of divine positive law (121-22), RH goes on (122): "It is interesting to note that the morally obligatory laws which come into effect *with the faith relationship* include the two rules to love and obey God above all else, as well as the obligation to observe the superordinate status of the good of religion. This is interesting because while the Scholastic Catholic tradition and traditional Protestant thought have ordinarily regarded these either as precepts of the natural law, or at least as intuitions of conscience by which humanity is held accountable (e.g., in Calvin), Grisez now appears to place them exclusively within the category of divine positive law. [Note omitted.]"

But I nowhere say that these "rules" are divine positive laws. RH here confuses the *moral* grounds I offer for obeying divine positive laws—that God ought to be obeyed—with the *laws* which are to be obeyed.

RH later says (125): "Thus far we have seen that the religion of faith brings into effect the command to obey God above all else, the command to love God above all else, and a new appreciation of religion as a particularly important value. All of these are generated by faith in a personal God who reveals himself as a lawgiver. We have underscored the point that none of them are given in Grisez's basic account of practical reason and morality. It is necessary, then, to inquire into the systemic relations between the fideist elements and the overall framework constituted by the Fpm and the modes of responsibility."

Thus, on the basis of his own confusions, RH thinks he has established that my position is fideism. This accusation recurs throughout the remainder of RH's book, and is the basis of one of his claims to have found my position inconsistent. For example, on the next page, RH says (126) that my statement that moral principles can in principle be known without faith "is not consistent with what Grisez says concerning the fideist condition built into his more recent definition of the good of religion (one of the principles of the natural law), not to mention his position on the two commandments which give a superordinate status to obeying and loving God above all else."

RH says (106): “In *Contraception and the Natural Law* (1964), Grisez defines the good of religion as ‘the tendency to try to establish good relationships with unknown higher powers.’”

But the phrase quoted (from *CNL,* 64) is not offered as a definition of the good of religion. It is, instead, a brief reference to the basic human inclination toward religious activity. The good of religion is not the tendency but the object of a practical insight. As I explain (on 65): The role of the inclinations “in the formation of the principles is this, that our understanding grasps in the inclinations the possibilities to which they point.”

RH goes on (106): “He states that anthropology can confirm the list of goods, including religion, ‘precisely because these motives are the principles which collectively define whatever human life might be.’ [Reference to *CNL,* 64.]”

But the phrase RH quotes is not offered to explain why “anthropology can confirm the list of goods,” but rather to explain why “these basic motives are the topics according to which anthropological investigations commonly are conducted.” And “list of motivations” here refers to the inclinations toward the goods, not to the goods themselves.

RH says (107) that: “religion is defined as an anthropological constant; that is, it is something that is found among persons everywhere, presumably because everyone finds it attractive.”

But I do not define religion as an anthropological constant; instead, I observe that it is a standard topic for anthropological investigations. My point is not that religion is found among persons everywhere, but that those who study peoples everywhere make the heuristic assumption that they will find religion of some sort. And the point of the argument is not that everyone finds religion attractive, but that the inclination toward religion must be one of the natural tendencies of human persons.

RH quotes (109) me as saying that “being good and being religious are separate and distinct. [Reference to *BNM,* 2nd ed., 199.]” He then attempts to point out an inconsistency, by saying (109): “Again, in the same book, Grisez maintains that ‘a true religious act’ can be ‘described as “living a holy life”.’ [Reference to *BNM,* 2nd ed., 201f.] This description, however,

does not sit well with his previous statement that 'being good and being religious are separate and distinct' . . .."

However, the first statement is a conclusion of fact, based on two stated premises (*BNM*, 2nd ed., 199): "People who hold very strong religious beliefs can commit moral atrocities. People with no visible or identifiable religious convictions can lead morally exemplary lives." The second statement RH synthesizes is not mine, for I do not say that *a* true religious act can be described as living a holy life, but (*BNM*, 2nd ed., 201): "A pattern of [true religious] acts of this sort can be described as 'living a holy life.'" And the point of this statement is not that such a description is necessarily accurate with respect to the claim about holiness, but that when one speaks this way about people "one is speaking of them as doing something here and now. Their action represents present participation in a good: in this case the good of religion."

RH says (110): "Grisez's philosophical theology does not establish a deity who is a moral sustainer of human goods—it only affirms the existence of a transcendent Other. We will see in the next section of this chapter that this condition will require faith in a historically determinate revelation in order to be available in any significant way for practical reason."

It is true that I nowhere argue for the existence of God as a moral sustainer of human goods. However, I take it for granted throughout my work that people reason in this way, and explicitly suggest (*BNT*, 90) that Plato's argument that there must be a transcendent Good is probably the model every upright person follows: "Perhaps every morally good person reasons along the lines Plato marks out. If so, every morally good person accepts the reality of something which most Christians and Jews would identify with God." Such knowledge of God is a presupposition of faith, although it also is confirmed by divine revelation.

RH raises the question of morally unacceptable practices, such as Aztec rituals and Huxley's chemically induced psychedelic "doors," and says (111-12): "It must be said that Grisez has reserved moral grounds for objecting to such religious practices. For instance, he might argue that these practices violate some other human good, such as life; but this moral judgment does not disqualify the rituals as the good of religion; it only indicates that this particular religious observance violates the good of

morality by failing to respect other basic goods. In other words, the Aztecs, according to nature, participate in the good of religion, for they find their religious practices attractive and gratifying; yet the practices, according to natural moral norms, violate the eighth mode of responsibility. Nature appears to speak with a forked tongue."

Here, the phrase "does not disqualify the rituals as the good of religion" makes no sense, since actions never are the basic human goods, but only ways of realizing and participating in them. Likewise, the phrase "for they find their religious practices attractive and gratifying" expresses RH's misunderstanding of the basic human goods as merely subjective motives. According to my theory, Aztec rituals, insofar as they were sincerely undertaken, did find their reason in the basic human good of religion. But like acts done for justice in virtually every society, those religious acts were more or less seriously distorted by errors and moral faults. Nature does not speak with a forked tongue, but fallen humankind knows and follows moral truth only partially and inconstantly. A theory of practical principles which rendered it impossible to understand Aztec religious rituals as human acts aimed at the basic human good of religion would be inadequate, for such a theory would make it impossible even to criticize such religion.

RH says (113): "Grisez's shift of emphasis from religion as a way of adjusting to some sort of deity, to religion as a manner of adjusting to the range of human goods, is nicely summarized in the following passage." He then quotes a block of text, and goes on (113-14): "Here, the theistic referent is invoked not in order to specify a special object of religion, but in order to authorize an inclusivistic attitude toward all of the goods. What is not answered in why the nonabsolute good of religion should be made the basis of a basic commitment in which it is no longer seen as merely one good among others."

But RH is dealing with several sentences (*BNT,* 308) which are part of an attempt neither to define religion nor to explain why it should be the object of an overarching commitment. Instead, the section from which he quotes here is answering an objection against traditional theism: Feuerbach's argument that religion and humanistic values necessarily are incompatible because religion is necessarily fanatical (*BNT,* 306). In this answer to Feuerbach, RH thinks he finds a shift in emphasis from religion

as harmony with God to religion as "a manner of adjusting to the range of human goods"—whatever that would mean.

RH says (114): "Grisez states that the good of religion is realized in 'the relation of harmony or friendship between created persons and God.' This harmony or friendship 'does not add anything to the creator; he is an uncaused cause.' Therefore, 'religion is *man's* relation to God.' [Reference to *BNT,* 308; RH says "emphasis added," but it is in the text.] The relational problem is apparent, first of all, in the description of a friendship that has no mutuality. One pole of the relation appears to be inert."

Here, the position I take simply is classical theism. It does not entail that the relationship has no mutuality or that God is inert. RH's position here is like that of some process theologians, but I deal with their view by consistently following the way of negation—to which RH also objects.

RH goes on (114-15): "This problem pertains to all of Grisez's 'goods' to the extent that it is not clear how inclinations, actions, and objects are interrelated to constitute specific goods. How religion is the realization of the good of a 'relation,' in this respect, is less than clear. This perhaps is why, in the passage above, the 'relation' is defined entirely as the realization of immanent human goods *inter alia*. In this case, the theistic referent is quite extrinsic to the precise good being realized; that is to say, religion is envisioned as a mode of harmonizing other human goods, and it is *to* (i.e., for the sake of) these goods that the value is made clear."

Since inclinations, actions, and objects do not constitute goods—the goods are indicated by inclinations and participated in by actions—how they constitute goods cannot be made clear. Religion realizes the relation of harmony between humankind and God; precisely how it does so is not a matter of first principles, but of religious thought and action. I never define religion as RH says. Nor do I ever say that the other human goods need to be harmonized, much less that religion harmonizes them. These notions are RH's own.

RH says (115): "Moving to the first volume of his theological *summa, Christian Moral Principles* (1983), the good [of religion] is defined as 'religion or holiness, which is harmony with God, found in the agreement of human individual and communal free choices with God's will."

This theological description of the good of religion naturally is enriched by faith. I do not offer it to replace previous philosophical descriptions. RH apparently assumes that self-evident principles are immune from dialectical unfolding. I point out the opposite with respect to the principles corresponding to the reflexive goods (*CMP,* 196): "The various levels of existential harmony are understood as good on the basis of human tendencies no less fundamental than the urges to survive, to play, and to understand. For everyone wants peace of mind, friends, and a favorable relationship with unseen Power. But differences in experience and in theoretical beliefs make a great difference in how people conceive these goods in specific detail."

RH says (116): "Nevertheless, the problems and loose ends noted in the previous books continue in *Christian Moral Principles.* In the first place, Grisez continues to argue that the 'starting point for humankind's relationship with God is the reception of his revelation with living faith.' [Reference to *CMP,* 706.] He frequently reminds the reader that it is only by faith that God is known as personal, and as a lawgiver. Therefore, the definition of the good of religion, so described, includes a condition that can only be met by faith. As we will discuss in more detail in the next section, the good of religion is inconsistent with Grisez's account of the first principles of practical reason, which are self-evident and universally accessible to the natural light of practical reason."

The passage RH cites about the starting point of humankind's relationship with God is in an answer to the question: What is prayer. The remainder of the paragraph concerns the roles of hope and charity. The next paragraph begins: "Even before hearing God's word, one might be moved by the grace of the Spirit to be ready to hear it and, as it were, be aware of the awesome silence enveloping the whole world and the constant talk which fills it."

RH goes on (117): "In the second place, the problem of the relation constituted by religion is not resolved. For instance, Grisez defines *sin* as 'moral evil considered precisely insofar as it is contrary to the good of religion—contrary, that is, to the fulfillment of humankind's potential for harmony with God.' [Reference is to *CMP,* 314.] On the other hand, he maintains: 'We tend to think of friendship with God as something too elevated to list alongside other human goods, and of sin as if it were an

injury to God rather than a deprivation of human fulfillment.' [Reference is to *CMP*, 136.] When one acts against the good of religion, is one violating the friend, or the Other (God), or is one violating oneself? One would be tempted to say that the proper answer is *both*, for the value of a relationship requires reciprocity. Grisez, however, does not say this, but rather contends that sin, like immorality in general, is an act or attitude that is not in accord with one's self-fulfillment."

However, by "self-fulfillment" I do not mean what RH supposes—namely, individualistic self-fulfillment. Moreover, RH ignores my answer to the specific question, "In what sense is sin an offense against God?" That answer makes it clear that although creatures' sins cannot injure God, they are not mere self-violations. Moreover, it makes it clear that religion does not entirely depend on faith. For, after explaining how sin violates covenant friendship with God, I go on (*CMP*, 317): "However, even the pagans, although not within the covenant, know what is right and are capable of sin (see Rom 1.18-22). For even without faith, people can realize that immorality offends not only against reason and, often, the rights of one's neighbor but also against the more-than-human source of meaning and value called 'God.' One who violates moral requirements refuses to accept his or her limitation as a creature and implicitly aspires to be beyond boundaries, as God is. [Note omitted.] Thus, in sinning, one implicitly rejects God's wisdom and love, the source of meaning and value in creation at large and in human life in particular. But those who reject God's wisdom and love in effect declare their independence of God and so alienate themselves from him. This alienation, implicit in every immoral act, is sin."

RH says (121): "Grisez holds, in *Christian Moral Principles*, that the 'starting point for humankind's relationship with God is the reception of his revelation with living faith.' [Reference to *CMP*, 706.] He defines faith as a 'special relationship' to someone who 'is not a human person.' Faith 'is not an experience of that person,' he explains, for 'the other's self remains hidden.' [Reference to *BNT*, 361.] Rather, by faith one accepts the hidden God and makes a commitment. This includes 'both welcoming God's deeds and assenting to the truth of the words by which he gives propositional expression to the mystery contained in the deeds.' [Reference is to *CMP*, 482.] In short, faith is a submission to divine revelation by way of an assent to revealed truths."

The passage RH cites about the starting point of humankind's relationship with God is in an answer to the question: "What is prayer?" The remainder of the paragraph from which that passage is taken concerns the roles of hope and charity. The next paragraph begins: "Even before hearing God's word, one might be moved by the grace of the Spirit to be ready to hear it and, as it were, be aware of the awesome silence enveloping the whole world and the constant talk which fills it." RH's reference to *BNT,* 361, is misplaced; it should be attached to the preceding sentence. The phrases he quotes from that place refer to faith in God but are not part of a *definition* of faith. The phrases "is not an experience of that person" and "the other's self remains hidden" (I actually say, "the other's *inner* self remains hidden") are drawn from *CMP,* 481, where the question being answered is: "What is it to have faith in a human person?" RH's "in short" falsifies the account of faith as submission to God, not merely assent to truths, which I give on the basis of Vatican II (*CMP,* 482): "The Council thus makes it clear that by faith one personally submits to God and for this very reason assents to revealed truth (cf. *S.t.,* 2-2, q. 2, aa. 1-2; q. 4, a. 2)."

After quoting a passage from *CMP,* 666, RH moves (123) to another passage over three hundred pages earlier: "When he goes on, in the same work, to say that 'there would be no genuine religious community to which any person could belong apart from God's redemptive work,' [Reference to *CMP,* 349] it is exceedingly difficult to see not only how we are referring to the same value of religion, but how the value can be upheld as a good that satisfies moral requirements in *any* respect without an explicit faith in Christianity."

The statement RH quotes is part of my answer to the question, "How can those who come after the first humans inherit original sin?" RH interprets "apart from God's redemptive work" to mean "without an explicit faith in Christianity," but these are not the same, as I begin to explain (*CMP,* 655): "Nevertheless, the Church clearly teaches that God provides every person with the opportunity for salvation [cross reference]. Such salvation comes only by the grace of Jesus; somehow those who have not heard the gospel can be united with Jesus by living faith." And the explanation goes on at length. RH is aware of this explanation, for he later cites (133) but sets it aside as "a matter of theological doctrine beyond the ken of our inquiry."

RH says (124-25): “Grisez has to come down one way or another, and either say that we are dealing with two intrinsically different values (one of which is available to, and incumbent upon, choice only for those who believe), or say that we are dealing with one and the same value, but that without faith one cannot act rightly with regard to the value. Either of these options would be more internally consistent, but would lead to undermining the relationship between ethical and theological principles. The first option undercuts the continuity between the value and motivation in the transition from ethics to theological morality; the second option, which in our view is more serious, is tantamount to saying that ordinary morality is inefficacious without faith.”

In reply to this argument of RH’s, I distinguish the second option. Without faith one cannot act *entirely* rightly with respect to religion: I affirm. Without faith one cannot do *some* right acts with respect to religion: I deny. Moreover, insofar as RH wishes to challenge my theological work, his positions also should square with theological sources. If he wishes to hold that ordinary morality not only is knowable but is *efficacious* without faith, his quarrel is not with me, but with St. Paul’s Epistle to the Romans.

After RH quotes, with only fragments of their explanation, my statement of the modes of responsibility, he says (59): “Our principal interest is in the seventh and eighth modes. These indicate most clearly the absolute prohibition, in Grisez’s system, against subordinating one good to another. They represent, in essence, rules against proportionalism. This is not to suggest that the other modes are superfluous extras.” (The seventh mode, which excludes acting out of anger or hatred, has nothing to do with proportionalism.) Later, what RH’s first introduces as *his interest* becomes *my position,* for he says (125): “As we interpreted the system earlier, the weight of moral norms is given to the seventh and the eighth modes, which stipulate that no basic human good is to be demoted or directly acted against. One stays in accord with the general dictate of the Fpm insofar as one remains open to—that is, refuses to act directly against—each and every basic human good.” Thus, the other modes, which RH earlier admitted are not superfluous extras, become so.

RH says (126): “In *Christian Moral Principles,* the fideist content is brought to bear upon the ideality of the Fpm in this way:

> "The first principle of all human morality is: In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will toward integral human fulfillment. Such a fulfillment is more than an ideal; it is being accomplished in the fulfillment of all things in Jesus. Thus, Christian love transforms the first principle of morality into a more definite norm: *One ought to will those and only those possibilities which contribute to the integral human fulfillment being realized in the fulfillment of all things in Jesus.* [Reference to *CMP,* 605, emphasis added.]

"'Herein,' he adds, 'lies the ultimate significance of realizing human goods and of the first principle of morality which guides choices toward these goods' [Reference to *CMP*, 459.] What concretely is added or changed by this far-reaching specification of the Fpm? Grisez answers that there is given 'a new *incentive* to pursue human goods in a morally upright way.' [Reference to *CMP*, 606.]"

RH here assumes that drawing out the implications of faith in moral theology is bringing "fideist content" to bear. He continues his earlier confusion between the first principle of morality, which is not an ideal, and integral human fulfillment, which is an ideal in relation to unaided human effort. When he says "he adds," RH quotes a fragment from the introduction to an earlier chapter. The phrase he quotes in answer to his question about what the specification of the first principle of morality adds is not part of an answer to that question; the sentence in which it appears is: "The love command of the New Testament adds a new incentive to pursue human goods in a morally upright way." And this sentence introduces an explanation which shows that this incentive is not all that faith adds.

RH says (127): "Grisez argues that in moral theology there are no specific norms 'other than those required to direct action to the fulfillment of the possibilities proper to human nature as such.' [Reference to *CMP,* 607.] Whatever the fideist version of the Fpm accomplishes, it cannot fundamentally alter the fact that moral norms govern choices about human goods. Grisez holds, for example, that even charity 'does not dispose to any human fulfillment other than that in basic human goods.' [Ibid] The problem, then, is clear enough. How does the transformed version of the

Fpm give any material content or direction to choice that is not already available?"

RH here is excerpting from my answer (*CMP,* 606-9) to the question: "Are there specific norms knowable only by faith whose fulfillment is strictly required by Christian love?" His first quotation omits what immediately precedes it (*CMP,* 607): "An adequate answer to this question requires a synthesis of both the preceding points of view. On the one hand, ..." He also omits: "But, on the other hand, there are specific moral norms knowable only by Christian faith," and all the subsequent elements of the answer to the question which make clear how this is so. Having done that, RH reduces (128) my account of the specificity of Christian morality to a new incentive: "Christianity, therefore, introduces a new motivational 'appeal' to be morally upright, and to reject any course of action that does not promise our integral human fulfillment."

In saying this, RH overlooks the precise answer to the question I ask, which is printed in bold type (*CMP,* 608): "In taking the actual human condition into account, divine revelation proposes specific norms, which can be derived from the general norms of human morality, yet are unknowable without the light of faith. Christian norms add to common human moral requirements from within, by specifying them, not from without by imposing some extrahuman demand upon human acts."

RH later refers to specifically Christian norms, but, having reduced specifically Christian morality to incentive, says (129) "the specific norms introduced by faith are only buttressing the motivation that should be operative in the first place."

RH says (130): "In a commitment to Jesus, he argues, we understand that 'there is no need to choose between human good and friendship with God.' Precisely because it is no longer necessary to envision a conflict between human goods and the choice of a greater good, the either-or ethics of sinful humanity is overcome. This is what grounds the 'hope sufficient to motivate Jesus' disciples.' [Reference to *CMP,* 514.]"

The text from which RH here excerpts is: "Jesus, being both God and man, shows that there is no need to choose between human good and friendship with God. Moreover, the eternal kingdom proclaimed by the gospel provides an object of human hope sufficient to motivate Jesus' disciples to follow him lovingly, for the kingdom includes all the things for

which a good person would long." Thus, I do not say it is in a commitment to Jesus but from the Incarnation and life of Jesus that we learn that human good and divine friendship are not alternatives. And the ground of hope is not the overcoming of "the either-or ethics of sinful humanity" (whatever that means); rather, the object of hope is the promised kingdom.

RH quotes (130-31) fragments from the summary of my chapter on the modes of Christian response, and then, after some other remarks, says (131): "With the impetus gained form the modal specifications of the Christian life, one might expect Grisez to emphasize the unique motivational and behavior aspects of Christianity." The treatment of the modal specifications of Christian life is in chapter twenty-six of *CMP*. Then RH goes on, at once (131-32): "He does not do this but, instead, abruptly changes course back to the problem of obedience to God versus the pursuit of human goods, and states: 'In most cases we can see, with the help of faith, the wisdom of norms proposed in divine revelation, for they can be reduced to human goods and the modes of responsibility [i.e., the nontheological list].' [Reference to *CMP,* 278.]"

But it is RH who, now dealing with divine positive law, in chapter eleven, has abruptly changed the course of my treatment. He simply overlooks the explanation of the Christian modes of response, in chapters twenty-six and after, which does show the specificity of Christian moral life (and not simply of "motivational and behavioral aspects of Christianity"). Having done this, RH concludes (132, emphasis his): "*Having diluted the efficacy of morality without faith, he now speaks in a way that dilutes the unique features of morality with faith.* A moral attitude (or norm) such as mercy, for instance, is to be reduced back to the motives and norms of the initial framework of morality."

RH thus introduces the absurd notion that the norm of Christian mercy is simply a matter of divine positive law. He also neglects to notice that the norm of Christian mercy follows from two things together: the principles of morality (which are known naturally) *and* the revelation of God's mercy in Christ.

RH says (132): "The fact of the matter is that Grisez returns over and over again to the problem of consequentialism, and his moral theology appears to be another (and perhaps the ultimate) way to overcome it. Just as in the previous list of modes of responsibility, Grisez here reemphasizes

the importance of the seventh and eighth theological modes. The difference made by specifically Christian norms is the motivation with regard to the goods. As Grisez argues, the nonbelieving person who is inclined to respect the basic principles of morality can enjoy a kind of 'fragile rectitude.' Such a person, he says, 'might consistently respect all the other modes of responsibility, but sooner or later will be tempted to violate the eighth one.' [Reference to *CMP*, 652.] He continues by saying, 'One either accepts a share in Jesus' self-oblation or separates oneself from him by irreverently violating a human good."

The quotations are not from a general statement about Christian morality, but from a paragraph in a question dealing with the eighth mode of Christian response. The questions on the other modes of Christian response do not refer to consequentialism, but this one naturally refers to the eighth mode of responsibility, which consequentialism rejects. RH's statement, "The difference made . . .," reflects his misreading of my account of the specificity of Christian morality. The person of fragile rectitude I refer to here is not the nonbelieving person, but the Christian who (*CMP*, 652) "does not wish to sin but seeks fulfillment in this world."

RH says (133) that what Grisez "is saying is that the chief importance of the Christian faith is that it is necessary for living in conformance with human morality." Again (134): "For Grisez, faith is principally marked by the assurance of the concrete possibility of self-fulfillment."

But I make it clear (*CMP*, 482) that faith is necessary because "without it we cannot share in the fellowship of divine family life." Also (*CMP*, 609): "Those who enter this community [the new covenant] by faith are really freed from the fallen human condition. Since they are aware of God's redemptive work, kinds of acts otherwise impossible become possible for them. Chief among these are the acts by which one finds and commits oneself to one's personal vocation."

RH says (134): "His theory takes a decidedly eudaimonistic turn once it moves into moral theology, for faith in the Kingdom allows one to envision integral human fulfillment as something more than an ideal. This makes the human pursuit of morality more 'appealing,' because Jesus makes it clear that a 'life of good deeds' is a 'guide to one's own true self-interest.' [Reference to *CMP*, 493.]"

But in the place cited, "life of good deeds" does not refer to what I say is a guide to one's own true self-interest, and I do not say that Jesus makes morality more appealing. What I am explaining is that the sometimes difficult demands of Christian life are not an arbitrary divine imposition: "The demand to live the life of the child of God one is and to live the life of human fulfillment for which one has been liberated is not arbitrary. It is a logically necessary consequence of one's acceptance of redemption and new life in Jesus. If we do not live the life of good deeds which God offers us as part of his loving gift, we are tragically untrue to ourselves. The *ought* of every Christian moral norm is the same as the fundamental *ought* in 'One ought to accept redemption.' It appeals to one's reasonableness, and it is a guide to one's own true self-interest."

RH says (135): ". . . the achievement of the state of integral human fulfillment (the goal of the moral life for ethics and moral theology) is not a human act either. While we can 'cooperate with God by a life of faith in Jesus,' integral human fulfillment 'in relation to human moral effort alone' remains only an 'ideal, not a goal toward which we can project lives.' [Reference to *CMP*, 222.] This appears to be a case of taking away with one hand what was just given with the other; that is to say, the new Fpm referent that makes possible the new, or efficacious, motivation is not a part of human moral work. It appears to be a contradiction in terms, or at least a paradox of some sort that goes beyond a simple rejection of Pelagianism."

However, integral human fulfillment (*CMP*, 222: "a single system in which all the human goods would contribute to the fulfillment of the entire human community") is not the goal of moral life for ethics; rather, it is an ideal (*CMP*, 222): "Human power cannot raise the dead or even make peace on earth among living men and women." For moral theology, integral human fulfillment is not simply a referent which makes possible new or efficacious motivation, but part of the kingdom of God. I do not take away integral human fulfillment as a goal for Christians; RH only makes it appear that I do by the way he excerpts phrases from two sentences (*CMP*, 222, emphasis added): "As chapter nineteen will show, integral human fulfillment will be realized by God's action; human persons *can pursue it as a real goal* only insofar as they can cooperate with God by a life of faith in Jesus. Considering integral human fulfillment in relation to human moral

effort alone, however, it remains an ideal, not a goal toward which we can project our lives."

RH summarizes and quotes (135) some fragments from my treatment of the eighth mode of responsibility, in chapter eight (*CMP*, 220 and 222). He then begins a new paragraph, saying (135): "Here it is necessary to keep in mind the context for these remarks." But to provide context, he quotes (136) a paragraph from chapter twenty-four (*CMP*, 588).

RH says (136): "According to Grisez's theory, all of the basic goods are immanent attractions, and Christianity makes not only religion, but the entire ensemble of the goods, all the more attractive. Given his own position, why shouldn't we say that Christianity makes religion a more attractive option or, to use his word, a better 'preference'? Indeed, since this is made possible by a commitment to the divinity of Christ, why not say that there is a hierarchy being introduced? That is to say, prior to choice the goods can be viewed merely as facets of our own fulfillment, or they can be viewed as participations in a divine good; and by faith we see the superiority of the latter (both because of the objective goodness of God, and because it entails a dominant end that is also inclusive)."

But according to my theory, the goods are not merely "immanent attractions"; they are the basic reasons for all human interests and choices. One does not choose among the basic goods as such, but among possible ways of instantiating goods. The goods are not biased toward egoism, as RH assumes without any foundation in my work; not only theologically but philosophically I maintain that one pursues human fulfillment uprightly only by loving the goods as participations in the good itself.

Talking about what I say about charity, RH says (137): "He first states that 'charity in the Christian life is the first principle of a specifically Christian morality,' and, by motivating faith itself, it is the 'fundamental option, the basic human act, of the Christian life.' [Reference to *CMP*, 599.] Then (on the same page) he notes that, since charity is a participation in the divine nature, 'Christian love itself is not a human act, although it is related to human acts.' Finally (and again on the same page) Grisez concludes that 'charity is a disposition toward fulfillment in divine life. As such, it is not something one is asked to do but something one is asked to remain in. Love of God is not a human action, and is presupposed rather than directly commanded.' The statements contradict one another."

But I do not say that *charity* is the fundamental option of Christian life; rather (*CMP*, 599, emphasis added): "It [charity] motivates faith itself, and *faith* is the fundamental option, the basic human act, of Christian life." Thus, RH creates the contradiction he thinks he finds.

In a footnote (215, note 115), RH attempts to reinforce his argument: "Grisez himself describes prayer as a human act of charity in *CMP*, p. 600."

But what I say is, not that prayer is a human act of charity, but that the expression "acts of charity" often is used to refer to certain human acts, including prayers: "Acts of religious devotion, such as a prayer expressing love toward God, also are called 'acts of charity'; in this sense, the offering of oneself with Jesus in the Eucharist is the most perfect act of charity."

As a basis for another argument that I am inconsistent, RH quotes (138) my statement (*CMP*, 601): "The love of God includes and transforms all the natural forms of simple volition," thinks it is a statement about the relationship between the transcendent and the immanent, and tries to interpret what I mean by saying (138): ". . . one cannot choose between the immanent and the transcendent because the choice of one, properly understood, includes the other."

However, this reading is mistaken, because I consistently deny that charity is a human act, much less a choice.

RH quotes (139-40) three passages, in the first of which I say (*CMP*, 485, with RH's added emphasis and omitted references): "In making an act of living faith (that is, faith motivated by the love of God), one makes a free choice to accept God's personal communication. The choice is made *for the sake of the human goods of truth and religion*. By the commitment of faith, one causes oneself to share in the human goods of the Christian community. The act of faith also contributes intrinsically to constituting, from the believer's side, the intimate relationship with God."

Of this RH says (140): "Grisez states in the first of the passages that the *act* of faith constitutes, at least in part, a relationship with God. In fact, he states that 'one causes oneself to share' in this good."

But I do not say that the act of faith *constitutes* (at least in part) the relationship to God, rather that it *contributes intrinsically to constituting, from the believer's side,* that relationship. And I do not say that one causes

oneself to share *in this good*, but *in the human goods of the Christian community*."

RH notices (140) that I say (*CMP*, 485) that the act of faith is done both out of love of the immanent goods of truth and religion, and out of love of God. He points out that there are differences in "motivational referent," and then says (140-41): "Once again, we find ourselves in the dilemma of either (1) separating the two orders of value, in which case when we consent to the good of religion we cannot be consenting to both orders as integrally the same value; or (2) reducing, for the purpose of choice, one value to the other, in which case the essential difference between them cannot be maintained—but it is precisely such a difference that justifies Grisez's argument that the value of God and the value of human goods cannot, in principle, be alternatives for choice. Without further distinctions, it is difficult to understand what is being loved for what reason."

But the act of faith is not a matter of "consent to the good of religion." The issue here is strictly a theological one concerning the relationship between the human and the divine in Christian life. RH overlooks the possible relationship which I am trying to explain: that the two are united, not separated, yet distinct, not commingled (as they would be if one were reduced to the other). Faith is acceptance of a relationship with God. This relationship is both human and divine. Insofar as it is human, one enters into it by the commitment of faith as a human act, motivated by human goods. My theory is that insofar as the relationship is divine friendship (charity), one is in the relationship by a divine gift, not by a human act, but that this gift itself also motivates one's faith.

RH recounts some of what I say about Jesus' religious commitment, which is illuminated by the Gospel accounts of his temptations. RH then says (141-42): "What moral lesson are we to learn from the story? Grisez has already made it clear that basic human goods—such as life or health—are not to be equated with the good of satisfying an urge. We might conclude, then, that Jesus chose to participate in a *basic* human good rather than in a merely instrumental one. However, if Jesus chose the human good of religion rather than health (which appears to be the meaning of Grisez's interpretation), then we want to know why he chose this value. To say that he chose religion because he had already made a

commitment to this particular value as a way of organizing his life plan simply does not answer the question. The story would work equally well (although the moral point would change dramatically) if he had gone into the desert to play the harp, and thereby participate in the basic good of play—in which case the devil might tempt him with the good of religion." RH's point is that (142) "if the story is to be read as a moral lesson in subordinating goods to one's relationship to God, then there is not only a hierarchy involved, but also a range of morally relevant choices: i.e., there are not only individual goods one can rightly choose, but also complex relations between goods which can profoundly alter the terms of moral choice."

But to say that Jesus chose in accord with his commitment does answer the question, for making a fundamental commitment (in our case, the commitment of faith) is a free choice *governed by moral norms* (see *CMP*, 222-24). Moreover, Christians' lives are shaped by their personal vocations, and they are morally obliged by the second mode of Christian response (*CMP*, 637) to accept and fulfill their personal vocations (*CMP*, 690-93). RH simply assumes that in the absence of a natural end and a hierarchy among the basic human goods as such, there are no moral norms ordering one's plan of life. But I nowhere say that.

Moreover, if someone uprightly committed himself to music, accepted the responsibilities (including those toward others, such as fellow performers and paying members of an audience) of being a musician, went into the desert to practice, and was tempted by the solitude to pray instead of practice, that person would be doing wrong to pray. But if those who wish to ground the order of one's life directly in metaphysics and philosophical anthropology were right, that could not be wrong if Jesus' choice was right.

RH attempts to argue (143) that my ethics "only avoids consequentialism *per accidens*." To make his argument, he assumes what I deny: that someone without faith "judges that human fulfillment requires him to act for the greatest net good in any situation of choice." I deny that anyone judges so, because I deny that the formula "greatest net good in any situation of choice" is even meaningful. Given this assumption, RH goes on to conclude (144): "In other words, the only thing distinguishing the believer and the consequentialist is the seemingly incidental factor that the

believer has certain information (through no agency of her own) that permits her to play the stakes of human fulfillment somewhat differently, as well as a gift of charity (again, through no agency of her own) which imparts efficacy to the eudaimonistic motive."

But RH's argument here depends on his reduction, which has no basis in my work, of the rational motivation of the basic human goods to egoistic self-interest.

RH says (144-45): "A careful reading of *Christian Moral Principles* indicates that Grisez *sometimes* suggests a transcendent pole for some of the values and, along with that, a respect or concern for values which go beyond a mere interest in self-fulfillment. For instance, he contends that 'no one can live with two ultimate orientations.' [Reference to *CMP,* 814.] Here, despite having argued to the opposite effect against Scholastic moral theory, he criticizes the proponents of 'liberalized' Christianity who 'generally ignore heaven.' [Reference to ibid., also 765, 810.]"

In all my work, basic human goods go beyond "mere interest in self-fulfillment"; RH's limitation of it to this is his mistake. "No one can live with two ultimate orientations" states the impossibility of ultimately directing the whole of one's life to this world and to heaven. That impossibility is compatible with the possibility of acting simultaneously without integration toward two nonordered ultimate ends, which I show to be possible against the position of St. Thomas.

RH goes on (145): "Furthermore, despite his argument, which we considered in the previous chapter, that the concept of the common good adds nothing to moral principles, Grisez now states: 'Plainly, the whole universe is the greatest good, because it is the fullest created expression of God's goodness. Human fulfillment is only a part of this whole and, as such, not ultimate. . . . We are called to live for God's glory, not merely for our own happiness.' [Reference to *CMP*, 460.]"

However, I argued that the common good does not add to moral principles, not because I exclude what transcends individualistic self-fulfillment, but because all the basic human goods transcend individuals and provide the reasons for acting for the fulfillment of others as well as oneself. Also, RH's quotations here are part of the answer to the question: "What is the relationship between human fulfillment and God's purpose in creating?" The first two sentences RH quotes here are not concerned with

the good to which human action is directed, but are part of the explanation of *God's purpose* in creating.

RH goes on (145): "While we had quoted him earlier to say that human beings cannot be ordered as a part to a whole, he is willing to say in this theological context that the concept of the body of Christ is important for Christian moral behavior, because 'the welfare and fulfillment of every part of the body is bound up with the welfare of the whole.' [Reference to *CMP,* 562.] The notion of a hierarchy prior to, and pertinent to, choice is introduced, along with a different emphasis on the level of motives." RH adds (216) in the note: "Yet elsewhere he says that persons 'cannot be ordered to a good as any part to a whole' (*AC,* p. 31). Thus in *CMP* Grisez has reversed, and perhaps contradicted, himself on the question of the common good."

RH overlooks the fact that in "AC" the argument is against Aristotle's doctrine of the end, according to which many people are natural slaves. The sentences from which he quotes one phrase are: "If persons are ends in themselves, they cannot be ordered to a good as any part to a whole or any means to an end. Aristotle either subordinates the lives of the many to the actualization of a few, or he admits the intrinsic value of lives other than the contemplative." And there is no contradiction, because in the body of Christ, created persons are *not ends in themselves* but ends in communion with the divine persons and with one another, since every aspect of true human fulfillment is embraced in the fulfillment of the heavenly kingdom, which is incipient in the body of Christ. Finally, that there are hierarchies prior to choice is not first affirmed in *CMP*, and the sorts of hierarchies previously denied are not finally introduced.

RH goes on (145-46): "Moreover, in *Christian Moral Principles,* one finds Grisez in some passages suggesting that moral growth in the Christian life (i.e., holiness) requires one to break out of the ordinary motivation with regard to immanent goods. For example, he writes: 'As St. John of the Cross explains, the good shared by God and the soul is common to both. Moreover, one who adheres to God with living faith is not seeking eternal life with God for the sake of something—a merely human good—other and less than God, but for the sake of the divine goodness by which one hopes to be fulfilled with God.' [Reference to *CMP,* 585.] Although the quest or 'hope' of self-fulfillment is still prominent in this passage, and although the

context is strictly theological, there is a strong implication that the motive is not operating solely within the ambit of self-fulfillment."

RH once again mistakenly assumes that the motivation of practical reason toward basic human goods operates "solely within the ambit of self-fulfillment." He also confuses moral growth with holiness, and overlooks the sentence next after the one he quotes (*CMP,* 585): "By God's love poured forth in our hearts through the Holy Spirit who is given to us, we are disposed to love supernaturally and spontaneously the superhuman good, namely, divine goodness (see *S.t.*, 1-2, q. 62, a. 1; q. 109, a. 3)." And RH is mistaken in thinking this passage unusual, since I explicitly and consistently maintain that charity is not a human act and that its proper object is not a human good.

RH goes on (146): "A 'personal loyalty' to God, he argues, is an 'aspect of the moral motivation of Christian life [that] is essential to its growth toward perfection.' [Reference to *CMP,* 577.] Here he reinforces his point by citing the passage from St. Paul: 'But whatever gain I had, I counted it as loss for the sake of Christ' (Phil. 3:7)."

RH's reference here is mistaken; the fragments are taken from *CMP,* 557, where they are part of the answer to the question, "What does it mean to follow the way of the Lord Jesus?" Personal loyalty, here not to God but to Jesus as man, is needed because in living our Christian lives "we effectively cooperate with Jesus by completing in our own lives the commitment we share with him: to do the will of our heavenly Father."

RH concludes (146): "These comments, of course, imply a more complex understanding of values and motivation. The fact that they are few and far between in his writings does not mean that they should not be taken seriously. Indeed, as Grisez completes the subsequent volumes in his *summa* of moral theology, it will be interesting to see whether the transcendent pole of values, and the corresponding difference it makes for motivation, is given more weight. At this point, we have to conclude that Grisez's remarks about the transcendent pole either contradict what he says elsewhere or, more seriously, are out of step with the main thrust of his systematic understanding of practical reason, moral principles, and the relation between values and motivation."

But all the apparent inconsistencies here arise from RH's misinterpretation of the texts he is dealing with.

RH tries to deal (146-54) with Finnis's treatment of practical reason and religion.

But he continues to assume that the basic human goods are in themselves good only for me, and so mistakenly thinks that Finnis is trying to break out of this egoism. RH fails to see that Finnis reserves until after his statement of the ethical theory the treatment of the goods as participations in divine goodness, while Grisez does not. Thus, he fails to see that Finnis takes the same positions as Grisez but explains them in a different order.

RH says (149): "The final chapter of *Natural Law and Natural Rights* is entitled,'Nature, Reason, God.' [Note omitted.] Finnis begins his reflections by observing that individual and communal participation in human goods is 'even at best, extremely limited.' [Reference to *NLNR*, 372.]"

However, the chapter begins on the previous page, and before the phrase RH cites, Finnis among other things says (*NLNR*, 371-72): "The basic aspects of human well-being are really and unquestionably good; but after all, they are not abstract forms, they are analytically distinguishable aspects of the well-being, actual or possible, of you and me—of flesh-and-blood individuals. This is equally true of the common good; it is the well-being of you and me, considered as individuals with shared opportunities and vulnerabilities, and the concrete conditions under which that well-being of particular individuals may be favoured, advanced, and preserved." This passage would have falsified RH's attempt to interpret the basic human goods as mere "good for me."

But on the next page RH says (150): "Furthermore, as we mentioned in connection with Grisez, a eudaimonism that remains on the immanent level of goods flirts precipitously with an understanding of any good as a mere *bonum mihi*. Why this or that should be a good for someone else, and why I am morally obligated to promote that good for the other person, require answers which are not easily extracted from the Grisez-Finnis system. At least indirectly, Finnis recognizes this problem too."

And so RH is ready to explain how Finnis tries but fails to solve a problem which exists only by RH's misunderstanding.

RH attributes (157) to me the position that "the specific revelation of Christianity, assented to by faith, discloses the ultimate meaning of the Fpm." He provides no reference for this statement, and in fact it is not my position. Rather, I hold something quite different: that in hope of heaven "lies the ultimate significance of realizing human goods and of the first principle of morality which guides choices toward these goods" (*CMP,* 459). "Significance" here means importance, not meaning.

RH summarizes (157-58) what he claims to have shown in the previous chapter, that "the religion of faith does in fact enter into the foundation, and does so in three respects [note omitted]. First, it is only by faith in a specific revelation that the good of religion acquires sufficient content and intelligibility to function as a *prima principia* [sic] of practical reason in the foundation. Second, the revelation brings into effect the obligations to love and obey God above all else. Both are superordinate obligations, and neither is justified in, or by, the foundation explicated prior to faith. Third, and perhaps more important, it is only with the *credenda* of Christianity that the eudaimonistic motive of practical reason acquires sufficient reason to overcome a consequentialist adjustment to the world as it is, or at least as it appears to be prior to faith. [Note omitted.] Grisez holds that faith simply renders the attractiveness of the foundational goods more attractive, and therefore revelation does not substitute for the foundation but amplifies and extends it."

But the first is false, for the good of religion has enough content and intelligibility to function as the principle of the religious quest, and to lead to a moral obligation to make the act of faith. The second is false with respect to the normativity of the principles, but might be true with respect to knowledge of God, which is required to understand the principles. The third builds in RH's false assumption of egoism and is formulated in terms of his ungrounded reduction of the goods to subjective attractiveness.

RH claims (158-59) to "have found in Grisez's system—the problem of fideism in particular. By *fideism* we do not mean that the act or data of faith are given a place in one's account of practical reason, but rather we are referring to an account of practical reason that requires it in the foundation; in this case, faith supplies evidence for the basic principles and norms of what is called a natural law method of morality. To the extent that faith is built into the foundation, either in whole or in part, then to that

extent it suffers from fideism. Intuitionism does not necessarily imply any theistic or supernatural content; but, once again, to the extent that it supplies the foundational evidence for principles and norms, intuitionism differs from fideism only by denomination. Fideism can be defined as the intuition of revealed or supernatural data which are purported to be foundational."

Nowhere do I say that there is any intuition of revealed or supernatural data. Indeed, I do not know what an intuition of revealed data would be. RH seems to mean that any position which maintains that there are undemonstrable first principles of practical reason is fideist.

RH (159) outlines two ways in which he thinks fideism can be avoided. One, which he attributes to Aquinas, introduces enough at the foundational level; the other, which he attributes to Kant, keeps religion entirely out of the foundational level. He comments: "From the standpoint of consistency, either of these is preferable to Grisez's system as it presently stands."

Here RH forgets or overlooks the statement of St. Thomas that the precepts of charity "are primary and general principles of the law of nature, which are per se known to human reason, whether by nature or by faith" (*S.t.*, 1-2, q. 100, a. 3, ad 1). In general RH ignores the possibility of dialectical development both in the principles of reason and in faith, and with his distinction between the foundational and implicational wishes to allow us only to be neo-Platonists or secular humanists. A Christian humanism is ruled out a priori because it will not fit RH's procrustean bed.

RH says (160): "The goods are 'natural' in the sense that they are constitutive of whatever a human agent might find attractive . . .."

But I hold that they are natural because they fulfill human persons according to their nature, which is evidenced by their being known naturally in self-evident practical principles and willed naturally as a basis for all other willing.

RH says (162): "Grisez understands his system as departing from conventional natural law theory in one important respect. He argues that his theory does not require a speculative doctrine of nature in order to establish the foundational principles. The nature and proper ends of human inclinations, for instance, are not the objects of theoretical reason, but are objectives of practical evaluation."

I do hold that theoretical truths are not principles of the first principles of practical reasoning. But I nowhere say that the nature and proper ends of human inclinations are not the objects of theoretical reason. Nor do I say that the nature of anything is an "objective" of "practical evaluation," whatever that would mean.

In reference to my *CNL* argument against contraception RH says (163): "Grisez's distinction between biological functions and practical objectives is suggestive, but he is compelled nevertheless to appeal to theoretical data in order to show that the procreative power is a basic good. His arguments concerning the value of human organicity do not constitute a merely indirect confirmation of the original practical insight (or, as Finnis puts it, a mere 'assemblage of reminders'), but rather determine the practical insight itself."

In fact I do not try to show that the procreative power is a basic good. Powers are capacities, not fulfillments. I maintain in *CNL* (78) that among the principles of moral law "one such principle has the procreative good as its object." I then say (*CNL*, 78): "The only difficulty we shall have if we try to prove this point is the difficulty that is inherent in dealing with the obvious. Nevertheless, there are at least three considerations that can be brought to bear on it." These considerations constitute a dialectical defense of the self-evident principle. While RH asserts, he does not offer the slightest reason to show, that these considerations "determine the practical insight itself."

RH says (164): "Finnis readily acknowledges that the speculative issues concerning nature place a question mark over the project."

But Finnis does not say that. What he says is that in introducing the good of religion, he put off treatment of various questions about God, and so introduced that value with a question mark (*NLNR*, 410).

RH says (165) that he examined "various efforts by Grisez to reach a satisfactory definition of religion that would help us to understand its status as a basic good."

What he listed were not various efforts to define religion, but various formulations used to describe it. None of these are offered to help anyone understand the status of religion as a basic good, but only to say that religion is one of the sorts of human fulfillment which has this status.

RH goes on (166): "Grisez's own method dictates that the anthropological data—such as they are—cannot be foundational evidence. At best, the data might prove to be an indirect confirmation of the basal intuition. Grisez fails to provide a philosophical justification for moving from these rather casually posited anthropological findings to the practical judgments concerning the value of religion, much less to the matter of moral obligation."

But RH simply assumes that the practical principle (not judgments) must be theoretically grounded, and then finds my not doing what I deny can be done my failure to do what he assumes must be done. The argument is question begging.

RH refers (166) to my argument for the existence of God as one which "seeks to demonstrate by a *via negativa* that God exists."

But that is nonsense; the way of negation follows on the argument that God exists and is not the way of demonstrating that God exists.

RH says (166-67): "In *Christian Moral Principles* the problem becomes more acute, for here religion is defined as the good of harmony between the human will and the will of God. From a definitional standpoint, it is a clearer statement than what we find in previous works. However, both the descriptive and normative aspects of the issue now require the introduction of the data of faith. Grisez repeatedly insists that it cannot be known that God is personal, that he gives commands, or that he has any morally significant properties, except by an act of faith in revelation. What began as a problem of merely intuitional evidence for a foundational principle of practical reason now becomes a problem of fideism. Because one of the *prima principia* requires the mediation of faith for its intelligibility, at least part of the foundation rests on fideistic grounds."

In *CMP* (123-24), I infer the list of basic human goods from the privation which mutilates them according to the account of original sin in Genesis. Thus, in this theological context they are described with formulations which presuppose revelation. However, I do not say that religion is unintelligible apart from revelation. (RH explicitly puts [179] it so: "a good that has no intelligibility without faith.") Indeed, in this very same context (*CMP*, 123), I offer a broader formulation which does not presuppose revelation: "We experience sin and alienation from God; the

goods are the peace and friendship with God which are the concern of all true religion."

I do not repeatedly insist that it cannot be known that God is personal except by an act of faith in revelation. The tightly controlled line of argument developed in *BNT* leads to a hypothesis that the creator is personal (*BNT,* 270-71). But I also recognize other lines of argument which yield richer results although with less logical control (*BNT,* 90): "Perhaps every morally good person reasons along the lines Plato marks out. If so, every morally good person accepts the reality of something which most Christians and Jews would identify with God. Everyone, of course, is an atheist relative to the gods in which he does not believe. However, if moral reasoning along Plato's lines is correct, then any morally upright person who received a revelation—if revelation is possible—would be able to refer the revelation to the reality toward which he directs his moral aspiration, respect, and submission".

RH says (167): "Grisez argues that it is only by faith that we have sufficient data to establish the rationality of the eudaimonistic motive, and thus of the first principle of morality (as Grisez understands it)."

I do not say anywhere that there is a "eudaimonistic motive" whose rationality can be established in any way whatsoever. I do say (1984 *ACPA Proceedings,* 10) that "faith vindicate[s] for believers who are mindful of it the reasonableness of excluding every choice to destroy, damage, or impede any intrinsic good of a person or persons." However, I point out (ibid., 11) that in this matter "faith confirms what in principle can be known without it."

RH talks (170-71) about how Aquinas deals with religion, referring to some questions in the eighties of the *secunda secundae.* Then he says (171): "When, in the *Summa,* Aquinas finally concludes that 'all the other powers become inordinate' if the will is not properly oriented to God, the judgment proceeds from the foundational work that has already been set in place. [Reference to *Summa theologiae,* 1-2, q. 82, a. 3.]"

But the quoted statement, about original sin and concupiscence, is not based on what Aquinas says about religion in the next part of the *Summa,* as RH supposes.

RH says (172): "For Aquinas, the human relationship to goods is not open-ended, for the individual and the goods pursued have proper natural completions which are 'given.' Indeed, Aquinas argues that the first exercise of the will is not an act of freedom but a necessary inclination to beatitude (viz., God). [Reference to *Summa theologiae*, 1, q. 82, a. 2; reference to *Scg* omitted.]"

But while Aquinas does say that the will necessarily wills beatitude, and that those things by which one clings to God are necessarily connected with beatitude, he also says in the place cited in the *Summa theologiae* that "before the necessity of this link is shown to be certain by the vision of God, the will clings by necessity neither to God nor to the things of God. But the will of one who sees God's essence necessarily clings to God, just as we now necessarily will to be happy. Therefore, it is plain that the will does not will of necessity whatever it wills." And the answer to the first objection is: "The will cannot tend toward anything except under the *ratio* of the good. But because the good is manifold, it is not necessarily determined to one." This last point is one of the propositions which RH finds so objectionable in the "Grisez-Finnis system."

RH says (173): "We need not enter into a detailed account of Aquinas's philosophy of nature in order simply to point out that the good of religion is not posited by an intuition regarding the value of an inclination."

But Grisez and Finnis never say that the self-evident principle of practical reason which prescribes religion as a basic good is an intuition regarding the value of an inclination. If there were such an intuition, it would be theoretical, not practical. Also, RH overlooks what Aquinas says in *S.t.*, 1-2, q. 94, a. 2 about natural inclinations, naturally apprehended goods (including the good of knowing the truth about God), and the precepts of the law of nature.

RH says (174): "Once again, it is our judgment that the effort to retain a natural law foundation for practical reason by substituting intuitions for the evidence derived from a philosophy of nature does not work. It either presupposes or postpones a philosophical explication of the interrelation between inclinations, goods, and precepts, which in turn presupposes the intricate groundwork laid in philosophy of nature and in natural theology."

In fact, we are not carrying on some sort of arbitrary substitution. We argue that practical principles *logically* cannot be derived from theory, and

RH nowhere tries to answer this argument. We do offer an account of the interrelation between inclinations, goods, and precepts, which is an expansion of what Aquinas says in *S.t.*, 1-2, q. 94, a. 2. But this account is not acceptable to RH, since according to it the first principles of practical reason are not somehow derived from philosophy of nature and natural theology.

RH says (175): "Given Grisez's system, it is impossible to disqualify *per se* a religion or its practices as participations in the good of religion; he can only say that this or that religious practice bears unfavorably on some other good."

True, moral principles alone do not settle everything, just as they do not settle what sorts of treatment are conducive to health. But there is nothing in my system which precludes theoretical criticism of religious beliefs and practices; what involves or presupposes falsity can be disqualified insofar as it does so.

RH says (175-76): "To call an intuitional defense of traditional morality 'natural law' strikes us as misleading, for one of the main reasons that a defense of traditional moral precepts has gravitated to intuitionism is the fact that a natural law defense of those precepts has been proved wanting (or, as J. L. Mackie put is, 'queer') by the main lines of modern and contemporary philosophy. [Note omitted.]"

But we reject intuitionism (*CMP*, 98-100), which concerns judgments of conscience and/or specific moral norms. We maintain only that there are some self-evident principles of moral reasoning (which I say are "intuited," but not without data, and which Finnis therefore denies are "intuited")—a claim which must be accepted by anyone who grants that there is moral reasoning and denies an infinite regress in premises.

RH says (176): "As we have seen, Grisez does not adequately account for the inclusion of religion as one of the *prima principia* of practical reason."

However, he has not shown this. I offer the same sorts of reasons for counting religion among the basic human goods as all the rest. RH has made no effort to show that those reasons fail to make their point. Instead, he has asserted that by offering them, I am inconsistent with my position that the first practical principles are self-evident truths.

RH says (183): “Finnis tackles a problem that escapes Grisez’s attention, namely, whether it is possible to move beyond a pursuit of goods in which these goods are viewed primarily as forms of self-love or merely as forms of self-realization.”

But RH’s assumption that the basic human goods are of themselves egoistic is mistaken. Also, see *AB* (316): “The attitude of immorality is an irrational attempt to reorganize the moral universe, so that the center is not the whole range of human possibilities in which we can all share, but the goods I can actually pursue through my actions.” And (317): “From a religious viewpoint, any morally evil act, in which the good chosen is made to define goodness itself, really is an instance of covert idolatry.”

RH says (184): “Grisez’s effort to add supernatural content to the basic good of religion results, unfortunately, only in an effort to clarify *obscurum per obscurius*. Setting aside the other anomalies in his account, the problem of two different goods of religion has to be solved if the system is to speak with any coherence about practical reason and religion.”

There are not two different goods of religion. There is a single practical principle, but one comes to understand it more deeply and richly, and when one has faith, understands it in terms drawn from faith. RH systematically assumes a rationalistic epistemology according to which there is no dialectic between principles and what flows from them, no progressive enrichment of insight into principles as one acts on them.

RH says (185): “What is sorely underdeveloped in the philosophy of both Grisez and Finnis is an account of the self that would permit us to understand how it is open to God. At the very least, we need a theory of the moral subject, and its capacity for self-transcendence, as a propaedeutic to the problem of religion and to the problem of supernaturality.”

The basis of what RH says here is threefold: 1) RH’s gratuitous presupposition of egoism; 2) RH’s assumption that an adequate theory of moral principles must deal with all the metaphysical and anthropological questions relevant to their application; and 3) RH’s ignoring of almost all of what we do in fact say about the moral subject and its natural openness to faith.

RH says (186): “Indeed, in Grisez’s system as it presently stands, the value of a relationship to the person of God is simply posited by faith and,

once posited, has no proportionality to the human subject. To put it bluntly, it cannot be the implication of anything. For this reason, Grisez is forced to redefine the value of the relationship posited by faith as an instance of the immanent good of religion—which, as we have shown in considerable detail, is not itself adequately founded."

That a relationship of friendship with God is a human good is not posited by faith; it is presupposed as a moral ground for freely and uprightly choosing to make the act of faith (*CMP*, 485-87). However, the realization of this relationship is not a rational implication of anything, for it depends on grace and freedom. I nowhere redefine the value of the relationship "posited" by faith as an instance of the immanent good of religion; what I do is to point out (*CMP*, 485-88, 583-86) that faith as a human act is for the sake of religion and truth, but also that there is more than a human relationship with God in those who accept faith and are faithful to the gift of love which initially accompanies it.

RH says (187): "We are instructed by Grisez and Finnis on the meaning and value of goods, but it is not so clear in what the meaning and value of persons consists."

See, among other places, *CNL*, 78 on relationship of values to persons, 94 on the reason for the malice of contraception, and 102-3 on procreation as the common good of the married couple.

RH says (187): "The goods constituted by Grisez's axiology are curiously Platonic-like forms."

Actually, no goods are constituted by my axiology. And I in many places make it clear that the goods are aspects of persons, ourselves or others (e.g., *BNM*, 130).

RH says (191-92) that the Grisez-Finnis natural law system "has serious deficiencies. We focused upon the place of religion in their natural law system because it summarizes a number of problems which, for the most part, stem from their retrieval of the Thomistic Fppr, stripped of the philosophy of nature which sets the presuppositions for making sense of Aquinas's account of practical reason. The point is not merely historical and textual, but substantive. A natural law theory must show how nature is normative with regard to practical rationality. This has not been accomplished by the Grisez-Finnis method."

What RH means by "a natural law theory must show how nature is normative" is that it must show how nature which is given antecedent to human practical knowledge and known by a theoretical philosophy of nature is normative. But RH merely assumes and does not establish this premise of his critique. I deny it throughout my work. Thus, insofar as his critique depends on this assumption, it is question begging.

RH grants that in practice people get along without metaphysics, and goes on (193): "But what strains credibility is that one could purport to have a coherent theory of practical rationality, even while disclaiming to know (in the strong sense of the term *to know*) what it is to be human, whether human beings have ends, and how the overall setting of nature either orients or disorients human action. Credibility is further strained by one who would insist that the latter type of knowledge is unnecessary, even if one should have it. Such a notion would not be tolerated in the community of scientists, in which whether something is known or is merely conjectural has a direct bearing upon practice."

RH here insinuates that we disclaim to know various things that we do not disclaim to know, and that we consider such knowledge unnecessary absolutely, not merely unnecessary as a presupposition of the first principles of practical reason. Actually, we consider it unnecessary only insofar as it is thought to be the source of first principles of practical reasoning. RH's argument based on analogy with science shows that he does not understand the difference between knowledge of first principles and knowledge of practical judgments; the latter presupposes theoretical knowledge in a way that the former does not, since one takes into account how things are in deciding what to do.

RH summarily refers (197) to "the intricate mess which we encountered in Grisez's moral theology." I plead guilty of intricacy but credit RH himself for most of the mess.

RH ends (198): "What we are awaiting is a retrieval of natural law, or something very much like it. Having reached the end of this investigation, we are sorry to report that despite the ambition of the Grisez-Finnis project, we are still waiting. What is clear is that there is no way to recover natural law theory by way of shortcuts."

RH approached our work looking for retrieval and recovery, which, for the most part, is not our project. Rather, we are simply trying to deal with

the problems of ethics, philosophy of law, and moral theology, using earlier philosophic and theological work, but proceeding according to the issues, evidence, and arguments as we see them. RH looks at every text through the filter of his own assumptions about what must be retrieved and recovered, and hardly ever pays attention to what questions we are addressing, what arguments we offer for our positions, what distinctions we make, and precisely what we reject in the sort of position he wishes to defend. Thus, he systematically misunderstands what we say, and in doing so makes of our work his own fabric of inconsistencies.