

Experience and Development in Catholic Moral Theology

Neil Brown

Abstract: The Roman Catholic moral tradition appears completely to ignore contemporary human experience. Yet, there is a growing recognition by the tradition that such experience does lead to change. The 1993 encyclical, *Splendour of Truth*, acknowledged such development as integral to the moral teaching of the Catholic Church, while, at the same time, insisting on the preservation of the *identity* of "faith and morals" in the midst of diversity and change. The author explores what is involved in safeguarding this "identity" of the moral law in the many-layered reality of the moral teaching and life of the Church. A solution is sought in a clearer understanding of how Christian morality, which must preserve its own "integrity" as practical reasoning, receives its distinctive "character" from the faith in Christ on which it is founded. It is this "character", then, that acts as the final court of appeal for the insights gained in ongoing human experience.

ROMAN CATHOLIC MORAL THEOLOGY seems to many people a monolith, resistant to any wind of change. A recent example of such conservatism may be seen by some in the Vatican's rejection of medically supervised injecting service trials in Australia. But the tradition does change, even radically so, as any good account of the subject's history will show – the theology of marriage, usury, warfare, religious freedom, human rights and capital punishment, being perhaps the most recognisable examples.¹ The "fact", "need", and "inevitability" of such

1. For recent writing on this question of the development of Catholic moral teaching see John A. Gallagher, *Time Past, Time Future, an Historical Study of Catholic Moral Theology* (New York: Paulist Press, 1990); Donald L. Gelpi, "The Authentication of Doctrines: Hints from C. S. Peirce", *Theological Studies* 60 (1999), 261-293; David Hollenbach, "Tradition, Historicity, and Truth in Theological Ethics", in Lisa Sowle Cahill and James F. Childress (eds.), *Christian Ethics: Problems and Prospects* (Cleveland: The Pilgrim Press, 1996) 60-75; *International Theological Commission*, "On the Interpretation of Dogmas", *Origins* 20 (1990), 1-14; Werner Jeanrond, *Theological Hermeneutics: Development and Significance* (New York: Crossroad, 1991); Brian V. Johnstone, "Faithful Action: The Catholic Moral Tradition and Veritatis Splendor", *Studia Moralia* 31 (1993), 283-305; Brian V. Johnstone, "Faith and Reason in Morals: A Polyphony of Traditions", *Studia Moralia* 35 (1997), 261-82; John Mahoney, *The Making of Moral Theology* (Oxford: Clarendon, 1987); John T. Noonan, "Development in Moral Doctrine", *Theological Studies* 54 (1993), 662-77; Marciano Vidal,

historical development have long been officially acknowledged, always, however, accompanied by the insistence that in any authentic change the “integrity” and “identity” of Catholic faith and morals must be preserved. The 1993 encyclical, *Splendour of Truth*, sets out clearly what is at issue:

Certainly there is a need to seek out and to discover the *most adequate formulation* for universal and permanent moral norms in the light of different cultural contexts, a formulation most capable of ceaselessly expressing their historical relevance, of making them understood and of authentically interpreting their truth. This truth of the moral law – like that of the “deposit of faith” – unfolds down the centuries: the norms expressing that truth remain valid in their substance, but must be specified and determined “*eodem sensu eadem sententia*” in the light of historical circumstances by the Church’s Magisterium, whose decision is preceded and accompanied by the work of interpretation and formulation characteristic of the reason of individual believers and of theological reflection (§53).

What is involved in the *reformulation* of a moral norm to meet the challenge of changing circumstances? How does moral truth *unfold*, yet remain valid in *substance*? What is the point and function of the “technical” formula, “*eodem sensu eadem sententia*” (literally, “in the same meaning and in the same judgement”)? To what extent is this development of moral truth able to be *assimilated* to that of dogmatic truth? That the Catholic Church has and does make such determinations is clear from history, but the text leaves aside the puzzling questions of the “nature”, “limits” and “mechanism” of such crucial developments. The main purpose of this article will be to explore these and related issues. In particular, it will seek to understand how human experience and the insights gained as circumstances change and new challenges are met, can contribute to the continuing development of the moral tradition.

1. AUTHENTIC DEVELOPMENT

Following the example of the First Vatican Council (1870),² when speaking of doctrinal development, *Splendour of Truth* cites in support the work of the fifth century theologian, Vincent of Lérins entitled *A*

“Progress in the Moral Tradition” in James F. Keenan (ed.), *Catholic Ethicists on HIV/AIDS Prevention* (New York: Continuum, 2000) 257-70.

2. DS 3020: here defined meaning is *contrasted* with alleged deeper understanding. See also Pope John XXIII’s Opening Address to the Second Vatican Council: AAS 54 (1962) 792, where the point is to encourage development of doctrine. The latter and *Veritatis Splendor* also echo *Summa Theologiae* 1-11, 100, 8 ad 3: “Accordingly, therefore, the precepts of the decalogue, as to the essence of justice which they contain, are unchangeable: but as to any determination by application to individual actions... they admit of change....”

Commonitory. The stated aim of this work was to allow necessary theological reflection and development to occur while, at the same time, safeguarding the faith that has been held “everywhere, always and by everyone”.³ The problem as perceived by the text was twofold: first, how to judge the movement from what was previously obscure to a clearer understanding of the same thing; and secondly, how to preserve doctrine that must in some way express the same faith, but in ever new formulations.⁴ The solution of *The Commonitory* was to correlate “necessary progress” and “identity” of doctrine, so that development is effectively maintained, “*but precisely in its own kind, namely, in the same doctrine, in the same meaning and in the same judgement*”.⁵ By this formula, Vincent has been generally supposed to have provided a criterion or principle to judge true and false doctrinal development. The difficulty, however, is to determine precisely what that might mean. To begin, certain presuppositions should be examined.

First, the proposed solution presumes that it is possible to separate the formulation of a sentence from its meaning and judgement. Modern philosophy of language would, however, deny that such a separation is possible, maintaining rather that meaning is dependent on the formulation and use of a sentence – you can say the same thing in different words, but advances in understanding that thing will invariably mean changes in formulation, leaving you back with the problem of determining whether a new formulation is or is not preserving some original meaning that must be safeguarded. In addition, meaning itself is, in turn, inseparably linked to the conditions of judgement of the truth or falsity of a proposition. Thus meaning and truth are inseparably linked and neither is immune from change in the historical, social or cultural conditions within which a judgement must be made. As both Vincent and *Splendour of Truth* recognise, new frames of reference demand new formulations, but what must be realised further is that there remains nothing that can be separated from these new formulations that will allow *independent* understanding or judgement of the authenticity of the development in question.

Secondly, close inspection reveals Vincent’s formulation unable to operate as the starting point for a reasoning process to determine an instance of authentic development. Rather, the whole point of the

3. “*In ipsa item catholica ecclesia magnopere curandum est, ut id teneamus, quod ubique, quod semper, quod ab omnibus creditum est....*” *Commonitorium* II, Adolf Jülicher (ed.), *Vincenz Von Lerinum* (Tübingen : J. C. B. Mohr, 1925) 3 (my translation).

4. “*Intelligatur te exponente illustrius, quod ante obscurius credebatur. Per te posteritas intellectum gratuletur, quod ante vetustas non intellectum venerabatur. Eadem tamen, quae didicisti, doce, ut, cum dicas nove, non dicas nova.*” *Commonitorium* XXII, *ibid.*, 33.

5. “*Crescat igitur oportet et multum vehementerque proficiat tam singulorum quam omnium, tam unius hominis quam totius ecclesia aetatum ac saeculorum gradibus intelligentia, scientia, sapientia, sed in suo dumtaxat genere, in eodem scilicet dogmate, eodem sensu eademque sententia.*” *Commonitorium* XXIII, *ibid.*, 34 (my translation).

judgement is to determine whether it *is* the *same* doctrine, or not – that is, something that one seeks to know, not something known in advance. The formula, instead, articulates, as a heuristic device, the form of the judgement that the Catholic Church must ultimately make about a particular development. In short, the formula identifies the necessary *conclusion* of the Catholic Church’s judgement concerning developments in its faith at the time: namely, that this development does safeguard the “same doctrine, in the same meaning and in the same judgement”. What is left unaddressed are the criteria which form the basis of this judgement, a matter which needs to be considered if any sense is to be made of the formula.

Finally, also questionable is the procedure whereby *Splendour of Truth* simply assimilates changes in moral understanding to doctrinal developments. The unfolding of faith depends intrinsically on the fidelity of the tradition to the original witness preserved in the scriptural canon; whatever the criteria of judgement might be in cases of authentic development of doctrine and whatever the reasons that may be offered for it, they will all be criteria and reasons ultimately *of faith*. Morality, on the other hand, is a logically independent realm of human judgement, distinct from faith, with its own structures of principles, concepts, criteria for application to changing circumstances, and practical reasoning processes, all serving to distinguish it from other human enterprises. While an integral element of the deposit of faith, Christian morality’s relationship to belief is more *indirect* than direct in that the moral implications of faith – namely, what it implies for our understanding of what it is to be human – must be *translated* into substantive moral standards in a form that satisfies the generic requirements of a logically coherent moral system. This is a point that will be developed later.

Catholic moral theology is a specifically distinct variety of moral expression, with some features “definitively” declared in faith to belong to it, such as the prohibitions against “killing the innocent”, “abortion” and “euthanasia”.⁶ Faith in Christ, as its supreme norm, determines it throughout. Even so, the moral system as a whole must preserve its logical structures and reasoning procedures, as it develops along its own distinctively Catholic lines. While, therefore, the criteria for faith development will always be relevant, and the nature of this relevance will also need to be precisely determined, *moral* doctrine and teaching will demand their own criteria for judging true from false developments in their own realm.

It will be the argument of this essay that human experience functions as an indispensable, although not ultimately determinative, agent for change in Catholic moral understanding at all levels. Experience of what it is to be human is integral to the logical functioning and

6. *Evangelium Vitae* (1995) §§ 57; 62; 65.

application of moral standards to the changing circumstances and contexts of human life. Its necessity, therefore, cannot be denied. While faith itself must always provide the ultimate criteria for preserving the integrity and identity of its own distinctive moral expression, it will only be by attending both to the *particular way* in which morality is linked to faith and to the logical structures and procedures of *moral* reasoning and judgement that the general criteria for judging authentic development will appear. This is not to say that such criteria can be *sufficiently* determined in advance. As Karl Rahner concisely expresses the point:

The unfolding of the final divine revelation is a process. As a process through which the divine revelation passes it is unique. Therefore it has no *a priori* categories, distinct from itself and superior to itself and likewise adequately determining it.⁷

Particular developments in Catholic dogmatic or moral teaching will always create their own specific criteria of judgement, discernible only through their own historical and theological development and the particular interrelationships they have with other elements within the tradition as a whole. This is especially true of development in moral matters, given their intrinsic ties with changing circumstances and contexts. This should not mean, however, that general criteria of authentic development are not to be found at all, or that the typical processes of its evaluation are unknowable. Such judgements are not blind, and, although each case will demand its own specific criteria of insight and judgement, there must be some general understanding of what the process entails for it to begin at all.

In the case of moral theology these general criteria of judgement may be obtained by careful attention both to the *nature* of the link between faith and morality, and to the *structure* of moral reasoning itself within a context of faith. Is capital punishment, for example, something long accepted as legitimate by the tradition but seen now in a new light, to be regarded as consistent with other aspects of Catholic moral teaching on the value of human life and with the foundational beliefs of faith itself? In the words of *Splendour of Truth's* recasting of Vincent's formula, the final judgement of the Catholic Church to conclude any such discernment of the authenticity of a particular moral development must be that "the norms expressing that truth remain valid in their substance", having been specified and determined "*in the same meaning and in the same judgement*". Discovering what that might entail for the tradition will be the purpose of the remaining sections of this article.

7. Karl Rahner, "Considerations on the Development of Dogma", *Theological Investigations IV* (Baltimore: Helicon Press, 1966) 7; see also Karl Rahner, "The Development of Dogma", *Theological Investigations I* (Baltimore: Helicon Press, 1961) 39-77.

2. EXPERIENCE AS A MORAL SOURCE

Experience, taken here in a general, non-technical, sense, arises from the human capacity to encounter the surrounding world consciously, to observe it, be affected by it, and to learn from it. For a human being, experiencing is a continuous process, holistic in character, with pre-reflective depths, and with various shades and degrees of attentiveness and innumerable shifts in focus. Interpretation is the key to its understanding: in Hans-Georg Gadamer's terms, "it is part of experience itself that it seeks and finds words that express it... the right word, i.e. the word that really belongs to the object, so that in it the object comes into language".⁸ Furthermore, according to J. E. Malpas, an Australian philosopher, the intelligibility of experience depends upon a constellation of concepts, which are then constitutive of the self, its identity, capacity for agency, and ability to interpret the data of experience:

Inasmuch as the concept of belief, attitude and action, of subjectivity and objectivity, of self and world, are embedded in a network of concepts such that no one concept can stand alone, so only if we have access to that conceptual system in its entirety can we have access to the capacity to formulate questions, to advance answers, to doubt, hope, fear or believe.⁹

It is thus a characteristic of all human experience that it is "constructed", that is, socially and culturally conditioned, and therefore open to different interpretations.¹⁰ For example, human beings are beings of a certain kind, having biological, psychological, cultural, ecological and social needs, which, while they can be described as universal, are open to myriad forms of specific construction and interpretation, as history and the variety of cultures attest. Such "constructed" interpretations of needs, whether of oneself or others, are of vital interest to morality. The changing forms and sources of people's experience will then always require close attention.

Integral to human experience is also its emotional tonality, drive and perceptivity, which enable contact with the surrounding world, unavailable in other ways. The rehabilitation of the Platonic and Aristotelian "estimative" capacity of emotion, replacing a long-dominant Stoic reductionism, allows a clearer view of the indispensable discrimin-

8. Hans-Georg Gadamer, *Truth and Method* (New York: Seabury, 1975) 401.

9. J. E. Malpas, *Place and Experience* (Cambridge: Cambridge University, 1999) 155.

10. See Donald L. Gelpi, *The Turn to Experience in Contemporary Theology* (New York: Paulist, 1994) 121-57; other recent writing on the contribution of "experience" to theology includes Margaret A. Farley, "The Role of Experience in Moral Discernment", in Lisa Sowle Cahill and James F. Childress (eds.), *Christian Ethics: Problems & Prospects* (Cleveland: The Pilgrim Press, 1996) 134-51; Servais Pinckaers, *The Sources of Christian Ethics* (Washington, DC: Catholic University of America Press, 1995) 47-94; George P. Schnier, "The Appeal to Experience", *Theological Studies* 53 (1992), 40-59.

atory capacities of emotions.¹¹ Through emotion, our concerns, commitments and abilities to register the world around us, are formed. Without emotions, or with damaged or truncated emotional experience, much that is essential to proper moral reasoning is lost, just as emotions that are let run wild will provide a distorted view of reality, again to the detriment of morality.

Experience, then, in all its dimensions, is a fundamental source for morality, not because of any claims to authority that might be made in its favour, or because other factors such as principles or rules are unimportant, but because it is the sole realm where the full import of situations demanding moral response can be fully appreciated for what they are, a point that Kenneth Melchin makes succinctly:

The moral judgement pertains not to a hypothetical situation but to the concrete reality occurring now. It is this concrete intelligibility which can only be known by the subject on the spot, even if this knowledge of the concrete is achieved by the subject grasping this experience as an instance of a class which has been understood and evaluated adequately by the authorities. The moral judgement pertains to the single, total, unified intelligibility which constitutes the moral nature of the concrete experience.¹²

Experience is, then, an indispensable source of information and evaluation of ourselves and the changing world around us. Of particular value to morality is the sensitivity of individuals and groups to new insights emerging from such things as altered conditions, different conceptions of reality, changed praxis, and particularly from the distress or outrage of victims of injustice or oppression. Experiences such as the latter can form the bedrock of moral conviction. Yet experience does not come with any inbuilt authentication. Distortions can arise in many ways, e.g. from prejudice, bias or other defects of character. Also, given the constructed nature of all experience, modern pluralism, as seen in competing worldviews, subcultures and value systems, means that a supermarket of conflicting interpretations of human experience is always on offer.

To ignore people's experience entirely would be to lose touch with and to devalue their lives, and, in effect, by doing so, to lose moral

11. See *Nicomachean Ethics* I 1102b6-28; II 1106b 21-23; III 1115a6-1117b28; also Sidney Callahan, *In Good Conscience: Reason and Emotion in Moral Decision Making* (San Francisco: Harper, 1991); Martha C. Nussbaum, *The Fragility of Goodness* (Cambridge: Cambridge University Press, 1986) 307-309; Justin Oakley, *Morality and the Emotions* (London: Routledge, 1992) 38-85; Michael Stocker and Elizabeth Hegeman, *Valuing Emotions* (Cambridge: Cambridge University Press, 1996) 24-87; Nancy Sherman, *Making A Necessity of Virtue: Aristotle and Kant on Virtue* (Cambridge: Cambridge University Press, 1997) 24-120.

12. Kenneth Melchin, "Revisionists, Deontologists and the Structure of Moral Understanding", *Theological Studies* 51 (1990), 404.

authority by freezing moral understanding in a form alien to contemporary experience. To allow experience free rein, on the other hand, would cause any moral system to disintegrate in chaos. The crucial question, then, facing any moral system, and *a fortiori* a faith ethic such as Catholic moral theology, is to determine how to recognise and integrate significant moral insights which derive from experience, even when they are perceived to be challenging or uncomfortable, perhaps radically so. The current controversy about "safe" injecting room trials is a case in point. Is the Catholic Church paying sufficient attention to the public health issues involved, especially when all other means seem to be failing; or, rather, is the solution better care of the people at risk and better preventive measures? In the last analysis, what is at stake is the choice between a moral system that remains vibrant and resonant with people's lives or one that stays locked in on itself and therefore unavoidably remote. It is to this issue that we now turn.

3. MORAL JUDGEMENT

First-hand experience which is integrated into a person's conscience judgements will have authority for that person, but it will provide no guarantee of objective moral rightness, which is the precise point at issue here. How, then, does a tradition accept or reject such information with regard to its judgements of moral right and wrong? Particularly in question is the "meaning" that a given experience might have for the tradition. Again, no *a priori* answers are possible, but, instead, the resources of the tradition itself will need to be called upon so that reasoned judgements of objective right and wrong can be made by the tradition.

A good example of people's experience calling for such a response from a tradition is the modern concept of "discrimination". Originally the word meant "discerning taste", but in recent decades it has accrued a moral connotation to give voice to the experience of unequal treatment at the hands of others, a voice previously suppressed or unheard because of political, social and economic powerlessness. Since the introduction of "discrimination" into modern moral vocabulary, an ongoing task has been to make its meaning more precise: for example, to nominate the "grounds" on which it occurs, such as religion, gender or race; also the "criteria" for determining when such differences are relevant or irrelevant to equal treatment; and then to investigate the innumerable hidden forms of discrimination which show up only statistically, because of inequality deeply ingrained in current structures, conditions and policies. Such a term then gains a life of its own as it is developed by people's experience and insight, just as other terms, such as the "virtue of magnificence", important to Aristotle, or "usury", tend to fade or die with changing needs and perceptions. Some such con-

cepts are engendered and determined expressly by moral traditions, but the possibility always remains for such development to take place to a greater or lesser extent apart from any tradition, or, at least, from a particular tradition: How then is a tradition to respond in such cases?

A tradition, insofar as it is coherent, is not simply an assortment of accumulated items, such as principles, rules or concepts, but rather seeks to express holistically its underlying *judgement* of the moral standards embedded in what it is to be “truly human” in one’s dealing in the world. The agents for its discernment are those who have deeply assimilated its standards into their thinking and acting. “Virtuous agents acting”, in Robert Sokolowski’s precise formulation, “are the measure of what ought to be done”.¹³ It is thus ultimately a matter of moral character, or as the English philosopher, David Wiggins,¹⁴ expresses it, of achieving the “right distance” within a situation so that it can appear as it really is from the moral point of view and a right judgement can be made. The objects of such judgements are the “meanings” or “evaluations” embedded in exercises of human agency within the changing conditions and contexts of action. In the words of the Australian philosopher, Julius Kovesi: “moral notions do not evaluate the world of description; we evaluate that world by the help of descriptive notions. Moral notions describe the world of evaluation.”¹⁵

The description of these human “meanings” or “evaluations” from the moral point of view is an application of the tradition’s standards to the concrete conditions of life. As such it involves three interrelated variables: the kind of beings human beings are and the possibilities open to them at a particular moment in history; the challenges and circumstances of the world at any given time and place; and the cultural constructs through which these realities are perceived by the tradition. This judgement is therefore historically conditioned – the tradition being required to reassess its particular judgements as the variables change.

Such adjustments of the tradition to the new meanings presented to it can occur at a number of levels, depending on the “extent” of the challenge encountered: it may occur primarily at the level of a particular moral concept requiring refinement, for example, capital punishment; or, more deeply, at the level of the whole network of concepts within the tradition, as in “sanctity of life”; or, at the most radical level, that of the ultimate beliefs and standards that determine the shape of the tradition and preserve its coherence, for example, the intrinsic worth of each person. At each of these levels, appropriate moral judgements will need

13. Robert Sokolowski, *Moral Action: A Phenomenological Study* (Bloomington, IN: Indiana University Press, 1985) 149.

14. David Wiggins, *Needs, Values, Truth* (2nd ed.; Oxford: Blackwell, 1991) 173; see also a similar consideration of the “ranges of fact” available only to a virtuous agent: Bernard Williams, *Ethics and the Limits of Philosophy* (London: Fontana, 1985) 10.

15. Julius Kovesi, *Moral Notions* (London: Routledge and Kegan Paul, 1967) 161.

to occur if the tradition is to accept or reject new experiential data – a process that will be discussed in the next section. These judgements express the tradition’s ability to interpret and judge the changing conditions of the world “insightfully” and “realistically” in the light of its fundamental moral vision.¹⁶

4. JUSTIFYING CHANGE

A moral concept, such as “justice” or “theft”, sets standards to preserve or foster some vulnerable, but integral, aspect of the human good. Such concepts are open-ended – they must be so to be effectively applied to the flux of changing perceptions, conditions and historical challenges within which the good they protect inescapably exists. Each concept encapsulates in its understanding criteria and descriptions that have emerged from consideration and judgement of situations already encountered: such evaluations are then encoded in the concept’s definitions or formulated rules. New situations will demand adjustment in a concept’s criteria of application if the features they present require further efforts in the “defence” or “promotion” of the “good” in question. The “meaning” of that good is itself the source of reasons for and against any such adjustment, although, to the extent that the “good” is considered “basic” to human integrity, it will be resistant to any alteration. Ultrasound, for example, now allows for a very early diagnosis of the anencephaly of a foetus, thus placing great strain on the parents who must decide whether or not to continue the pregnancy to term. Does the fact, then, that their baby will never be truly viable, change their “duty of care” as parents? Whatever the answer to such questions, the understanding of the concept involved and the scope of its judgement will be enlarged by these new considerations.

The justification of any change will turn on a judgement about the “fit” of the meaning of any proposed action in the context with the understanding of the good in question. There may, of course, be other cases where it is found that a new concept will need to be created and its moral content articulated in order to respond appropriately to the new situation or experience, as has happened in the case of “discrimination”. In all of these cases, what is at stake is the “meaning” and “judgement” of a moral good, or, in *Splendour of Truth’s* terms, its “substance”, which has been developed in strictly moral terms by processes of justification grounded in the “good” itself.

Human goods are intricately interconnected. While, therefore, it is important to understand how individual moral concepts develop, it is always artificial to isolate one moral concept from all the others in a

16. See Charles Taylor, *Sources of The Self* (Cambridge, MA: Harvard University Press, 1989) 69; also Wiggins, *Needs, Values, Truth*, 356.

system. Rather, the meaning of each concept must be seen to be codetermined by its place in the whole and according to the grammar of application developed over time. The human good is an interrelated set of incommensurable goods, which, together, constitute our understanding, at any given time, of what it means to be human.¹⁷ Concepts will play various roles in this whole, some applying immediately to concrete situations, such as “theft” or “murder”, others to moral character, as in virtue terms, such as honesty or courage, while others will have a regulative or procedural function, such as the Principle of Double Effect. As an integrated whole, the system will be responsive to experience, but will also be linked by “intralinguistic hookup”, whereby some concepts will principally relate to the “formation” of other concepts rather than to experience itself.¹⁸ Application, then, will involve the whole system of concepts, not, however, by way of deduction, but rather, as Nancy Sherman argues, through an assemblage of “premises” by means of which we can describe, as clearly as possible, a particular situation from the moral point of view:

It is not primarily a movement to a conclusion or, in reverse direction, to premises from a conclusion, but a more encompassing argument about how to understand objectives and the particular circumstances one faces so that a choice is rational. The work is not in drawing what follows from assembled premises, but in assembling those premises – in understanding what lies before one and what the nature of one’s commitments are so that a particular choice is grounded.¹⁹

This “assemblage” or “selection” of premises from the available repertoire of the tradition is done for the purpose of articulating the moral meaning of some proposed action in a given context. This may happen more or less automatically in commonly occurring situations which have already been satisfactorily evaluated by the tradition. New situations, however, will demand new “assemblages”, perhaps calling deeply on the resources of the tradition, in order to fully describe the situation from the moral point of view. These “assemblages” will be, in part, called forth by various features or obligations discerned in the situation, but also by the interconnections already forged within the tradition itself, with both movements mutually conditioning each other. It may, of course, happen that “blocks” to the proper assessment of new

17. Here I am following Jean Porter, *The Recovery of Virtue* (Westminster: John Knox Press, 1990) 69-99; see also, Nussbaum, *The Fragility of Goodness*, 318-72; Henry S. Richardson, *Practical Reasoning about Final Ends* (Cambridge: Cambridge University Press, 1997) 49-86.

18. Frank B. Farrell, *Subjectivity, Realism and Postmodernism* (Cambridge: Cambridge University Press, 1996) 184.

19. Sherman, *Making a Necessity of Virtue*, 277.

experience will appear at this level. The Catholic Church's view of "safe" injecting rooms from the point of view of the "principle of cooperation", for example, means that the focus is entirely on the wrong action of the addicted person. The question then is: Does this allow proper attention to be given to the public health issues involved?

This process is best described as one of "specification", which Henry Richardson sees as "setting out substantive qualifications that add information about the scope of applicability of the norm or the nature of the act enjoined or the end aimed at".²⁰ In a sense, the premises assembled, perhaps also reassessed in the subsequent reflection, are the possible conclusions of the whole process, the precise point of which is to determine the *right* way to describe the situation morally, that is, in other words, to determine *which* premise or particular assemblage of premises is the right one to use to describe this situation. In the case of the "safe" injecting room, then, it is a matter of either describing it as vital to public health in the current state of the war against drugs or seeing it as failing the person at risk by not making more resources available for rehabilitation.

In this context it is not a particular concept that is undergoing change but rather the "meaning" and "judgement" of a significant part of the tradition. If the outcome of the reasoning process is that capital punishment should be outlawed, it would mean that the tradition now sees things in a new light in response to changed conditions and perceptions. It would show that the changes in the relevant notions and their new interconnections have produced a "meaning" and a "judgement" that reflects a deeper understanding of the tradition than previously, for example, a more holistic understanding of sanctity of life. In other cases, of course, the traditional response may be reaffirmed and change resisted, but here again with some renewed appreciation of what is at stake.

The Catholic Church's moral reflection about capital punishment has also raised issues concerning the "dignity" of the individual person, even, as in this case, of convicted criminals. These issues have implications for the tradition as a whole, a move that places the focus on a deeper level of the tradition still, namely, its fundamental beliefs and standards. A moral system rests ultimately on some or other understanding of what it is to be human, what value if any is to be placed on the various objects of experience, what the governing concepts of the system are to be, and so on. Widely different construals are here possible. They range, for example, from Peter Singer's rejection of "speciesism" ("the fact that a being is a human being, in the sense of a member of the species *homo sapiens*, is not relevant to the wrongness of

20. Richardson, *Practical Reasoning about Final Ends*, 73.

killing it),²¹ to the other end of the spectrum, where the philosopher Raimond Gaita sees that “the power of human beings to affect one another in ways beyond reason and beyond merit...is partly what yields to us that sense of human individuality which we express when we say that human beings are unique and irreplaceable”.²² Whatever these beliefs might be, even though they are to a large extent tacit and resistant to articulation, they determine the shape and contours of the tradition as long as it lasts. In addition, Alasdair MacIntyre points out that such beliefs have a “narrative” base, through which they are conveyed to us, and within which they are made “intelligible”.²³ They come to us in a tradition, therefore, not as isolated items, but as already linked in intricate ways to form a whole “picture” with an inbuilt identity and a substantive content.

Resistance to change does not equal total intractability, but at a certain level the identity and integrity of the tradition itself is held together, and, therefore, some “goods” will always remain integral if that identity and integrity are to be maintained. Examples in the Catholic tradition would be “charity”, “justice”, and “sanctity of innocent human life”. What may change, however, even with these basic values, and *a fortiori* with other “goods”, given new insights, conditions, or frames of reference, is their place and meaning in the weft and warp of the whole system of foundational beliefs, sometimes with even radical shifts taking place. It is at this level, therefore, that stability is maintained, while at the same time there is allowance for fundamental changes to take place coherently in response to new insights and experience.

A good example of such a profound shift can be seen in the Church’s social teaching. In his encyclical, *Liberty* (1888), Pope Leo XIII stated a tenet typical of an earlier way of thinking: “while not conceding any right to anything save what is true and honest, she (the Church) does not forbid public authority to tolerate what is at variance with truth and justice, for the sake of avoiding some greater evil, or of obtaining or preserving some greater good”.²⁴ This statement is in stark contrast to John XXIII’s approach in the encyclical, *World Peace* (1963): “one must never confuse error and the person who errs, not even when there is question of error or inadequate knowledge of truth in the moral or religious field”; the “person who errs is always and above all a human being and retains in every case his dignity as a human person” (§§186-

21. Peter Singer, *Practical Ethics* (2nd ed.; Cambridge: Cambridge University Press, 1993) 182.

22. Raimond Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999) 27.

23. Alasdair MacIntyre, *After Virtue* (2nd ed.; Notre Dame, IN: University of Notre Dame Press, 1984) 204-25.

24. Claudia Carlen (ed.), *The Papal Encyclicals 1878-1930* (Wilmington: McGrath, 1981) 178-89.

87). In the *Syllabus of Errors* (1864), Pius IX condemned the proposition that the "Roman Pontiff can and ought to reconcile and harmonise himself with progress, with liberalism, and with modern civilisation".²⁵ It can now be seen that it was the basic premise of the "Church's truth", a relic of a former age, with its strict delineation of the role of the State in the service of that "truth", that posed a block to any accommodation with the emerging democratic spirit in the Western world. John XXIII's new premise became the key that would open the Catholic Church's door to the contemporary experience of democracy. *World Peace* itself incorporated, with some adjustment,²⁶ much of the 1948 United Nations' *Declaration of Human Rights*, thus laying the foundation for a radically new development of the Catholic Church's social teaching.

Such a shift in teaching defies description as a "logical" inference from what immediately preceded it. The "unfolding", then, which *Splendour of Truth* describes, must be able to take into account the radical breaks in continuity of thinking, which Alasdair MacIntyre's terms "epistemological crises", such as happen in other fields of human endeavour, for example, the Copernican revolution, Darwin's theory of evolution, or Einstein's theory of relativity.²⁷ The principal concern of the encyclical is, of course, to ensure the preservation of "identity" and "integrity" within the change. While *a priori* predictions of such shifts are to be ruled out, a reflection must occur whereby the Church "recognises" that a certain shift realises more fully significant elements in the Catholic tradition or, perhaps, is incompatible with it. In moral matters, this new "understanding" and "judgement" will be concerned with fundamental beliefs and standards about the "truly good". New assemblages of premises will, therefore, need to be made to make such recognition possible. Whatever the precise linkages made, in the case of the Catholic Church's social teaching, the shift has concerned an enlarged significance and a move to a more central place in the tradition's understanding of the value of *individual freedom* – a process by no means yet complete.

The acceptance or rejection of the changes discussed in this section, then, depends both on a regard for the logical features and processes of a moral system as such and on the recognition of the possibilities inherent in the substantive content of Catholic morality itself. New moral insights may enter the system at different levels provided the system is able to maintain its own identity and integrity throughout, despite possibly radical shifts in its thinking and responses.

25. "The Encyclical and Syllabus", *Dublin Review* 4 (1865), 515-29.

26. See Josef Fuchs, "Iura Hominum", *Periodica* 53 (1964), 8-30.

27. Alasdair MacIntyre, *Whose Justice, Which Rationality?* (Notre Dame, IN: University of Notre Dame Press, 1988) 362.

Within Christian morality, however, the moral itself can never be the last word. How, then, is this final judgement of faith to be related to the “moral” as such?

5. THE JUDGEMENT OF FAITH

Faith, as the full human response to God’s self-communication, is intrinsic to the event of revelation. As such, faith encompasses in its act a person’s moral commitment. For believers, this response of faith is always the overarching context within which moral acts will find their beginning, their ultimate significance and their end. Faith, then, will affect all aspects of moral life. In this section, the focus will be on how the articulation of faith affects, and, in turn, is affected by, the processes of moral reasoning. Reason, of course, as Aquinas points out, operates within faith in many forms. Here, however, the point is the operation of historical *moral* reason within faith.²⁸

Moral reason retains its integrity within its own domain, as the previous section has shown. For the believer, however, that domain exists wholly within a faith that has a “content” of its own. The “events” of revelation come with their own embodied “meaning” and “judgement”. Intrinsic to the Catholic Church’s faith response is an articulation of that “meaning” and “judgement”, which while never wholly adequate to the Mystery embraced by it, and, while always historically conditioned, remains still a true grasp of what is entrusted to it. In such a context, morality must itself, therefore, exist as *conformed* to that grasp in order to be its true expression. The whole of moral life, then, will depend *substantively* on this faith in Christ, even while preserving its own integrity as *moral* reason.²⁹ As such, this existence of morality within faith, and the nature of its interrelationship with it can only be finally grasped and articulated *theologically* with reasons of faith. Within the life of the Church, then, morality can be understood to be properly articulated only when it is judged to be a faithful expression of the faith that the Church possesses.

The foundation of a moral system, as noted earlier, is to be found in a narrative framework within which its understanding of the “truly good” is formed and becomes intelligible. In a Christian ethic that foundational narrative is also religious. There faith and morality will typically be found entwined, with multiple points of contact, too intricate for the threads to be ever entirely separated. *Methodologically*, however, it is important to highlight the link between the articulation of the Catholic Church’s faith and the moral beliefs and standards that form the basis of

28. *Summae Theologiae* 1, 1, 4c; I-11, 104, 1 ad 3.

29. “Now it is evident that the mean that is appointed...according to the rule of human reason, is seen under a different aspect from the mean which is fixed according to the Divine rule...” (*Summae Theologiae* I-II 63.4c).

its moral expression. It is exchange at this level that provides the point of reference both for the coherence of the system as a whole and for the many particular elements that make it up. These latter, if the system is to remain coherent, must find their final moral *justification* at the level of those foundational beliefs and standards, otherwise their presence in the system will remain "anachronistic", or even disruptive of the system as a whole.

There is not a "direct" or "logical" dependence of morality on faith, because the connection understood in that way would undermine the integrity of moral reason. Rather, the link is "indirect" via the exchange between beliefs of faith and the beliefs and standards about what it is to be human at the moral system's base. God's "action" in the world, articulated in the Church's faith, has embedded in its "understanding" and "judgement" implications for the "truly good". This "action" displays a "character" and "quality" of its own that radically challenges human perceptions of the "good". It is those insights, then, that must be *translated* into the beliefs and standards that govern the moral system's own endorsement of the "character" and "quality" that should be displayed in human action in the world. "Love one another *as* I have loved you" (John 15:12) is the most basic expression of such a translation. "There is no longer Jew or Greek, there is no longer slave or free, there is no longer male or female; for all of you are one in Christ Jesus" (Gal 3:28) is perhaps a good example of the need for translation, having encountered such resistance from social structures and practices that it has been effectively blocked or severely curtailed in its moral outcomes throughout the Catholic Church's history. This "translation" must itself be a work of the moral imagination and reason, informed by faith, operative within the lived reality of the Catholic Church's life, in conjunction with its teaching authority, the Magisterium.

It is this *translation* that functions as a process of justification of morality by faith. Within faith, moral life must be congruent with the nature of God as revealed. Proposed insights, then, emerging from moral experience, must be able to find their justification in the articulation of the Church's faith. This is not to suggest some form of automatic process. Again, it is a matter of moral imagination and reason operating in consonance with the "understanding" and "judgement" of faith.

Some insights may even demand a re-examination of faith's own sources and lead to a realignment of understanding within faith itself. It may also happen that faith's ultimate judgement will be to reject particular positions as incompatible with its own "character" and "quality", as, for example, the affirmation of the "goodness" of marriage against the Manichees, or "slavery", condemned rather belatedly, as contrary to the human dignity revealed in Christ. It is possible also that faith may, of its own accord, perhaps because of some new insight of its

own, exert pressure on moral reason to reassess its own position, as it did, for example, in the New Testament's articulation of "love" as the fulfilment of the law. This process, then, should be a continual exchange from faith to morality and back again, so that morality attains its needed congruence with the faith it expresses.

Doctrine has its own principles, grammar and fixed points of reference in definitive statements of the tradition. These will govern, though not terminate, its development. In this case also, though in its own distinctive way, the conclusion must be that the development in question satisfies the criterion that it is "the same doctrine, in the same meaning and in the same judgement". While the authentication of doctrinal progress is not in itself the focus of this article, the above process of justification should have made clear that moral experience is itself a source and impetus for doctrinal development.

As an integral element within Christian faith, morality plays a role, albeit indirectly, in the judgement of doctrinal development. Donald Gelpi points out in his study of that process that the violation of personal or social norms by a theological doctrine, either "directly or in what it entails", would call that doctrine "into question".³⁰ While the predominant movement is from faith to morality, it is also true that people's basic moral convictions and deepest moral aspirations need to find expression in the response of faith. The process of justification, then, is in both directions. Neither can be compartmentalised. One or other will require appropriate adjustment in the case of dissonance, and, on some occasions, it may be the moral that points to the required development. Perhaps a good example is the pressure the articulation of "a preferential option for the poor" has exerted on Catholic ecclesiology in recent times.³¹ Even at a more general level, it would seem that any articulation of faith that does not contribute to the vitality of the practical expression of faith should be itself a sign of a need to revisit the question of its proper formulation.

The articulation of faith and its moral expression must then be continually brought into dynamic interplay in the life of the Catholic Church. The complex nature of the exchange between "theory" and "practice" is well captured by Charles Taylor:

It is clear that change can come about in both directions, as it were: through mutations and developments in the ideas, including new visions and insights, bringing about alterations, ruptures, reforms, revolutions in practices; and also through drift, change, constrictions or flourishings of practices, bringing about the alteration, flourishing, or decline of ideas. But even this is too abstract. It is better to

30. Gelpi, "The Authentication of Doctrines", 286.

31. For example, Leonardo Boff, *Church: Charism and Power* (New York: Crossroad, 1985); Edward Schillebeeckx, *Church: The Human Story of God* (New York: Crossroad, 1990).

say that in any concrete development in history, change is occurring in both ways. The real skein of events is interwoven with threads running in both directions.... The skein of causes is inextricable.³²

Authentic development, then, means that faith must, in its implications for moral life, constantly challenge biases and prejudices, uncover illusion, expose oppression, and contribute to an even clearer vision of the "truly good". Moral praxis, in its turn, nurtured both by faith and reflection on experience, should be a catalyst for a renewed articulation of faith, as it enlarges the spiritual horizons of its practical basis, thus allowing new insights to fertilise faith reflection.

6. CONCLUDING REMARKS

Faith and its moral expression are both embedded in the life of the Catholic Church. Their authentic articulation will always depend on their nourishment by the many vital sources of that life: worship, prayer, the practice of virtue, theological and moral reflection, and also, as this paper has sought to show, human experience in all its forms. The process of the authentication of this articulation is multi-faceted, requiring such things as a character steeped in faith and virtue, a deep understanding of the tradition, respect for the "reason" that must be employed, an awareness of culture and context, and a sensitivity to what is being experienced. Justification will proceed from standards appropriate at one moral level to the more embracing standards of the next level, then to the standards of faith, and finally to the Church's own faithful grasp of the revelation that has called it into being. History and its challenges are inescapable, as also is the change that this necessitates. It has been the argument of this paper that it is the "meaning" and "judgement" of this process of justification that Vincent's formula captures so aptly. At each step the "meaning" and "judgement" of the "higher" stages will come into play, with the final appeal being to the "meaning" and "judgement" of revelation itself. Revelation, here, however, does not mean some static source, from which ready-made answers can be sought, but rather "revelation" in the sense of something that lives and is grasped in the very articulation by the tradition of its faith and moral life. In the words of the Second Vatican Council's *Decree On Divine Revelation*, it is the work of the Holy Spirit "active, making the living voice of the gospel ring out in the Church, and through it in the world" (§8).

32. Taylor, *Sources of The Self*, 205-206.