

Commentary on Steven A. Long's *The Teleological Grammar of the Moral Act*

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SAPIENTIS est ordinare. In his remarkable book *The Teleological Grammar of the Moral Act*,¹ Steven Long has wisely demonstrated how one should put into order St. Thomas Aquinas's demanding teaching on the object of the human act. But far more importantly, Long's book provides us with the key to understanding the very objectivity of the moral order, which is to see it precisely *as an order*, both in the microcosm of the simple human act, and in the macrocosm of the natural hierarchy of human ends. For this reason *The Teleological Grammar of the Moral Act* bravely echoes the prophetic cry of *Veritatis Splendor* regarding the intrinsic evil of certain human acts, acts that simply are "not capable of being ordered to God and to the good of the person" (*Veritatis Splendor*, §81). In what follows I would briefly like to develop four appreciations of Long's admirable account.

Human Action as Essentially Teleological

At the core of Long's argument is the claim that human action can only be understood according to its teleological grammar. What this means, I take it, is that human action is essentially *movement*, understood as efficient causality, directed toward an *end* as final cause. When Hamlet proposes to put "an antic disposition on" he does so because he thinks it is the best means of moving toward his desired end of smoking out his murderous uncle. In the Congregation for the Doctrine of the Faith's recent clarification of August 1, 2007, it is declared that the administration of food and

¹ Steven A. Long, *The Teleological Grammar of the Moral Act* (Naples, FL: Sapientia Press, 2007).

water to patients in a persistent vegetative state, whether naturally or artificially, is in principle “an ordinary and proportionate means” of preserving the end of human life. Human action, as Long puts it, “is a species of efficiency” that is “unintelligible apart from teleology” (Long, 23).

The means-end relationship of human action can exist either *per se* or *per accidens*. If the end absolutely requires a certain means, or if a certain means is one among several that tends essentially toward the end, the means-end relationship exists *per se* (Long, 27). If no necessity exists between means and end, then the relationship exists *per accidens*. Food and water as means are *per se* related to the end of human life, but there seems to be only an accidental relationship between discovering the truth about a possible murder and feigning madness.

The object of the human act, simply speaking (*Summa theologiae* I-II, q. 18, a. 6), evinces just this means-end structure. That object is twofold: (1) “the act itself and its integral nature”—or the object of the external act; and (2) the relation to the end desired by the agent—or the object of the internal act of the will (Long, 12). The “act itself and its integral nature” is the means chosen by the agent to achieve the end he desires. When the relationship of chosen means to desired end exists *per se*, then the moral species derived from the end is the most formal and containing and defining moral species (Long, 26). In the *per se* case, end exists as form and chosen means exists as individuating matter. So the administration of food and water to a patient in a persistent vegetative state is morally speaking an act of preserving life.

But central to Long’s case is that “the act itself and its integral nature,” the external act, possesses its own teleology, apart from whatever end is desired by an agent. Aquinas says that external acts can be called good or evil in two ways: (1) according to the kinds of acts they are and the circumstances connected with them; and (2) in relationship to the end sought by the agent (*ST* I-II, q. 20, a. 2). Giving alms in and of itself is good granted an appropriate set of circumstances (for example, I am not giving away stolen money), but becomes evil if done as a means to vain-glory. Certain external acts are evil by their very nature, such as denying food and water to a patient in a persistent vegetative state. For denying food and water has a *per se* relationship to the end of death, and so is manifestly contrary to the normative end of health care.

Long is insistent and right on the point that because certain means exhibit a *per se* order to certain ends, those means are open to moral assessment *irrespective* of the further end or ends desired by the agent (Long, 15). The danger lies in making the relation to reason, the end principally desired by the agent, the sole constituent of the object of the

moral act. That would enable Hamlet to describe his cruelty to Ophelia as simply “ridding Denmark of a tyrant,” or a physician to describe his refusal of food and water to a patient as “administering care.” Adultery has as its *per se* ends the satisfaction of lust, the endangering of children, and the shattering of trust between spouses, and because of this is morally illicit, *no matter* the further ends desired by those involved (see *ST* II–II, q. 154, a. 8).

The complete moral assessment of a given act, however, must take into account the complete moral object simply speaking, which is *both* the act itself and its integral nature *and* the end desired by the agent (Long, 24). A health care worker or family member may deny food and water for the sake of relieving the patient and the family from suffering. The moral object in this case is complex: it involves the illicit choice of denying food and water, which is its own simple act, desired as a means to relieving suffering. A good end of course never justifies a means illicit in itself, though it may mitigate or exacerbate the evil done in choosing so.

The point I most want to appreciate in all this, once again, is the particular causal ligature at play in human action. Human action is teleological, efficiency toward a desired end. Distinctions between *per se* and *per accidens* means-end relationships, and then between moral and immoral means-end relationships, are parasitic upon this basic causal structure (Long, 25, n. 21). But this brings me to my second appreciation, which concerns Long’s understanding of how this causal ligature characterizes the broader structure of the human quest for happiness.

The Larger Hierarchical Structure of the Human Quest for Happiness

Long affirms that *both* according to the teaching of Aquinas *and* according to the necessities of moral reality human action can only be understood properly against the backdrop of a natural hierarchy of ends, a hierarchy that evinces the same means-end structure that we find in the object of the human act. This is not always claimed to be the teaching of Aquinas, and it would be generous even to call it a minority view among contemporary Anglo-American moral philosophers. Nonetheless it is an account that I believe to be very much correct. Granted, a full-blooded justification of a natural hierarchy of ends is not the business of Long’s book. But in the introduction and in chapter one he gives us at a first sketch of a justification for it, the importance of which cannot be underestimated.

The basic picture Long paints for us is this: at the font of every contingent choice there is “not alone the proximate end, but a further and natural end which accounts for our desire for the proximate end” (Long, 2).

The natural ends of human beings serve as the original, non-contingent sources of our movement, without which we would literally have no reason to get up off the couch and do anything (see *ST* I–II, q. 1, aa. 4–5).

Yet here is the rub. These natural ends “are not just a dis- or non-ordered plenum, for they exhibit an intelligible order” (Long, 2). Life is desirable both in itself and for the sake of other and more desirable ends, such as wisdom, virtue, holiness. Both nutrition and friendship are ingredients of a happy life, but clearly friendship is the more important good and hence is situated higher in the natural hierarchy of ends.

Long counterposes this understanding of a natural hierarchy of ends existing prior to choice to what he calls the idea of incommensurability, but what I think ought more accurately to be called the *leveling* incommensurability thesis. This is the claim that prior to choice the array of intrinsically valuable goods, or final ends, possesses no intrinsic ordering. The array of final ends is simply the various entrees on the menu of happiness, having no relationship of prior and posterior. It is important to distinguish this *leveling* incommensurability thesis because the notion of incommensurability, in and of itself, poses no threat to a natural hierarchy of ends. Incommensurability simply refers to the lack of a common quantitative measure between two or more items, and the final ends that comprise human happiness certainly do not possess a common quantitative measure. Friendship is a “higher” end than nutrition, not because friendship possesses “more” of some quantity than nutrition, but because friendship more fully meets the criteria of human perfection, criteria which are not univocal but analogous.²

The dangers of the leveling incommensurability thesis, Long observes, are twofold: first, it unwittingly destroys the nature of the good. For no good that is not intrinsically ordered to the highest and best good can even be called “good,” for goodness without qualification can only be ascribed to the absolutely ultimate end, or to something somehow tending to the absolutely ultimate end (see *ST* I–II q. 1, a. 6). Hence the meaning of Christ’s reply to the rich young man: “There is only one who is good.”

The second danger of the leveling incommensurability thesis is that it makes ethics a subjective affair. If no order exists among final ends prior to choice, then order can only be manufactured by choice itself. As *Veritatis Splendor* reminds us, the morality of the human act depends primarily and fundamentally on the object rationally chosen by the deliberate

² A much more developed critique of the leveling incommensurability thesis can be found in Daniel McInerney, *The Difficult Good: A Thomistic Approach to Moral Conflict and Human Happiness* (New York: Fordham University Press, 2006).

will, and whether that object “is capable or not of being ordered to God, to the One who ‘alone is good,’ and thus brings out the perfection of the person” (*Veritatis Splendor*, §78). This is to say that human action manifests both goodness and truth insofar as what is chosen can be situated within an order that man discovers but does not make.

This natural hierarchy of human ends evinces the same means-end structure we saw in the object of the moral act. And it is crucial to note that this structure includes the ordering of *final* ends. The “act itself and its integral nature” has its own intrinsic moral character, even as it also serves as a means to the end desired by the agent. So too, the final end of nutrition enjoys its own integral goodness even as it serves as a means to the higher final end of friendship. Our actions manifest moral integrity, or the lack of it, insofar as they measure up to this natural hierarchy of final ends.

A Word about Lethal Private Defense

My third appreciation concerns Long’s discussion of lethal private defense as discussed by Aquinas at *ST* II–II, q. 64, a. 7. His position is that in lethal private defense we intend, as the object of the interior act of the will, defense, whereas we choose, as the object of the exterior act, a means whose *per se* end is taking the life of an assailant. The death is thus *praeter intentionem*, literally “beside the intention,” though it is not “beside” the choice.

In his recent book *Double-Effect Reasoning*,³ Tom Cavanaugh argues that for Aquinas intention is of the complex *end-through-means*. He then pictures the following scenario: “I (a private individual) and my assailant have swords. We begin to fight. I realize that my aggressor has far greater endurance; the only way I can preserve my life is to kill him. According to Thomas, I may not do so because I may not intend his death” (Cavanaugh, 10). Cavanaugh then goes on to develop an analysis of “risking” the assailant’s life, of knowingly endangering another’s life. His conclusion is that in self-defense a private citizen can only licitly take an action that foresees death as a *possible*—as opposed to a *per se*—consequence (Cavanaugh, 11).

But what Cavanaugh misses in this interpretation is Long’s distinction, taken from *ST* I–II, q. 12, a. 4, response and especially ad 3, between what is intended and what is chosen, between the final cause and the efficient moving cause that together make up the object of the moral act. Cavanaugh assumes that if one *chooses* a means that has, as the object of the external act, the *per se* end of killing someone, then one *intends* to kill.

³ T. A. Cavanaugh, *Double-Effect Reasoning: Doing Good and Avoiding Evil* (Oxford: Oxford University Press, 2006).

Without further qualification, this doesn't seem to be the way to interpret Aquinas's text. Long seems to be more correct in saying that, for Aquinas, intention is principally of the end, choice is of the means, and only derivatively and analogously do we speak about intention of the means (Long, 41).

So in an act of lethal private defense what is chosen is some means of moderate self-defense that *per se* brings into being defense. Morally, all rides on the nature of the means, the act itself and its integral nature, and its *per se* end. Presumably one can inflict a wound that *may* result in death. But can one shoot straight at the heart? At the head? Can one licitly choose an act whose *per se* end is death?

In his response Aquinas says: "But as it is unlawful to take a man's life, except for the public authority acting for the common good, it is not lawful for a man to intend killing a man in self-defense, except for such as have public authority. . . ." To be sure, at the beginning of this sentence Aquinas says that it is unlawful "to take a man's life." But clearly he doesn't mean that it is unlawful "to take a man's life" *tout court*, for then he would contradict himself in ad 4, where he argues that it is not always unlawful to take a man's life.

It may be retorted: in ad 4 he simply means when the death comes about *per accidens*. For in ad 4 he refers to the act of moderate self-defense as the act "whence sometimes (*quandoque*) results in the taking of a man's life."

But Aquinas in ad 4 seems to be concerned with those instances when the taking of another's life is *per se* and not merely *per accidens* ordered to defense. Long's observation that Aquinas never argues that direct killing cannot be an act of moderate self-defense, and the fact that Aquinas in the very next article goes on to discuss chance killings, confirm Long's interpretation. In this light, the *quandoque* in ad 4 simply refers to the fact that moderate self-defense does not always end in a killing. When faced with a gun, the assailant may back down.

A Disputed Question about the Rescuing of Frozen Embryos

Finally, I want to appreciate what I take to be the truth in Long's argument against the morality of rescuing frozen embryos, and then to raise a disputed question about it. The moral object of such an act he assesses as "having a child not conceived within one's marriage with one's own husband and implanted in one's womb for the sake of saving its life" (Long, 135). On this analysis, frozen embryo rescue is placed within the moral species of surrogacy, and so is rendered illicit according to the teaching found in *Donum Vitae*.

This seems right. But then what of the following scenario: what if a couple, after having generated by IVF several frozen embryos, sees the moral light about the use of IVF, but nonetheless desires to rescue as many of *their own* frozen embryos as possible? The couple grants that the artificial fertilization of the embryos was illicit, and even has repented of it. The question is whether they can do anything now to save the children they illicitly brought into being. This would require, in the language of *Donum Vitae*, *homologous artificial insemination*. Should such an act be construed as an illicit replacement of legitimate, natural conjugal acts, or can it be construed as the kind of technological intervention designed to facilitate, rather than replace, the natural process of gestation and delivery? **NV**

