



Title: *Intrinsic evil and political responsibility: is the concept of intrinsic evil helpful to the Catholic Voter?*

Pub: *America*

Detail: M. Cathleen Kaveny. 199.13 (Oct 27, 2008): p15(5). (3375 words)

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AS THE NOVEMBER NATIONAL ELECTIONS approach, we need not delve too deeply into Catholic political discussions to realize the importance of the term "intrinsic evil." The term is used not only in such documents as *Forming Consciences for Faithful Citizenship*, the 2008 Voting Guide for Catholics issued by the U.S. Conference of Catholic Bishops, but also in political skirmishes among American Catholics. But what, exactly, is an "intrinsic evil"? Why should voters give special attention to intrinsic evils in considering the candidates? Almost no Catholic opinion-maker who invokes the term goes on to ask these questions, let alone to answer them.

Perhaps this is because the answers seem obvious. After all, the term "intrinsic evil" seems to connote great and contaminating evil--evil that we take inside ourselves simply by associating with it. The term itself suggests that "intrinsic evil" involves wrongdoing of an entirely different magnitude than ordinary, run-of-the-mill wrongdoing. Consequently, intrinsic evils must pose great moral dangers to both individuals and society at large, and these dangers ought to dwarf all other considerations in casting one's vote.

Forming Consciences for Faithful Citizenship tells us that intrinsically evil actions "must always be rejected and opposed and must never be supported or condoned," because "they are always opposed to the authentic good of persons." At the same time, in national debates during the current election season, some Catholic political commentators have complained about Catholics who support candidates who do not, in the commentator's judgment, adequately oppose such intrinsic evils as abortion, euthanasia and homosexual acts, the last of which are implied by gay marriage.

The foregoing is meant to illustrate how the term "intrinsic evil" is used in the passionate give and take that characterizes many Catholic discussions about voting for a pro-choice politician. It is, however, in significant tension with the great weight of the church's long moral tradition. The term "intrinsic evil" does not have its roots in the expansive imagery of the church's prophetic witness, but rather in the tightly focused analysis of its moral casuistry. It is not a rhetorical flourish, but rather a technical term of Catholic moral theology. Ultimately, as Pope John Paul II reminds us in his encyclical *The Splendor of Truth* (*Veritatis Splendor*), it is rooted in the action theory of St. Thomas Aquinas.

The Meaning of 'Intrinsically Evil'

In a nutshell, the fact that an act is called an intrinsic evil tells us two and only two things.

First, it tells us why an action is wrong--because of the "object" of the acting agent's will. To identify the object of an action, one has to put oneself in the shoes of the one acting, and to describe the action from her perspective. The object is the immediate goal for which that person is acting; it is "the proximate end of a deliberate decision" (VS, No. 78).

Second, the fact that an act is intrinsically evil tells us that it is always wrong to perform that type of act, no matter what the other circumstances are. A good motive cannot make an act with a bad object morally permissible. In other words, we may never do evil so that good may come of it. To echo an example used by both Pope John Paul II and St. Thomas, a modern-day Robin Hood should not hold up a convenience store at

gunpoint in order to give the money to a nearby homeless center. Robin Hood's good motive (altruistic giving) does not wash away the bad object or immediate purpose of his action (robbery).

But to say that an act is intrinsically evil does not by itself say anything about the comparative gravity of the act. Some acts that are not intrinsically evil (driving while intoxicated) can on occasion be worse both objectively and subjectively than acts that are intrinsically evil (telling a jocose lie). Some homicides that are not intrinsically evil are worse than intrinsically evil homicides. Furthermore, the fact that an act is intrinsically evil does not by itself tell third parties anything at all about their duty to prevent that act from occurring.

The following analyses and reflections may provide some clarity and further issues for reflection as we continue to debate the use and misuse of church teachings in the political realm.

1. "Intrinsically evil" does not mean "gravely evil."

Reflecting Aquinas's action theory, the Catechism of the Catholic Church teaches that for an act to be morally good, it needs to be good in every respect. For an act to be morally wrong, however, any single defect will suffice. It can be performed for the wrong motive; if I give alms solely in order to earn fame, then my act is morally wrong. It can be performed under the wrong circumstances; it is entirely good for a newly wedded couple to consummate their union, but not in the church vestibule immediately following the ceremony. Most significantly for our discussion, the immediate "object" of the acting agent's will can be disordered or defective. Because an act takes its identity primarily from its object, Catholic moralists say that an act with a defective or disordered object is "intrinsically" evil.

Intrinsically evil acts are acts that are wrong by reason of their object, not by reason of their motive or their circumstance. The Splendor of Truth (No. 80) states that they are "'incapable of being ordered' to God, because they radically contradict the good of the person made in his image." Consequently, they can never be morally good, no matter what the intended outcomes. What are some examples? It is always wrong to act with the intention of killing an innocent human being, no matter what the context or larger motivation. This prohibition rules out not merely contract killing but also intentional killing of the dying in order to end their suffering, intentional killing of unborn children and saturation bombing of cities in wartime.

The church has taught, however, that there are other intrinsically evil acts that have nothing to do with violent assault. Not surprisingly sex, like death, also provides fertile ground for their identification. Masturbation, homosexual acts and contracepted heterosexual acts are all, according to Catholic moral teaching, intrinsically evil, in part because "they close the sexual act to the gift of life" (Catechism, No. 2357). It is never licit for a married couple to use contraception, even if a pregnancy would threaten the life of the woman and the baby she carried. The church teaches that if natural family planning does not provide sufficiently reliable protection, the couple must refrain from sex until menopause rather than use contraception even once.

One might argue, in response, that contraception in this case is acceptable because of the serious threat to the mother and child. Pope John Paul II, however, rejected that form of argument in The Splendor of Truth. No virtuous motive and no other feature of an intrinsically evil act can make it a good act, although it can mitigate the wrongdoing substantially. To hold otherwise, according to the pope, is to be a "proportionalist" and thereby to place oneself outside the Catholic moral tradition. Needless to say, there are Catholic moralists who disagree with the tradition, and who argue for its revision on a number of grounds. But this is official Catholic teaching.

Over the centuries, Catholic moralists have also identified other acts as intrinsically evil. For example, lying (defined as making a false assertion with the intent of deceiving) has often been identified as an intrinsically evil act. Consequently, it too is always wrong. So it is wrong to lie to the F.B.I.; it is also wrong to tell your

Aunt Edna that you think her purple sunflower hat is fabulous if you think it is hideous. While such a lie would be intrinsically evil, it would not be a serious evil. To recognize that an act is intrinsically evil does not necessarily mean that it is a grave evil, either objectively or subjectively. While the church has long taught that all sexual misdeeds are objectively serious, it has also recognized that subjective culpability can vary from case to case. Objectively speaking, lying is not always seriously wrong. And few moralists would deny that contraception is less seriously wrong than abortion, which involves the taking of human life.

Furthermore, not all intrinsically evil acts involve a significant violation of justice, the precondition for making an act illegal. No serious candidate for national office maintains that masturbation, homosexual acts or contraception should be outlawed in the United States today; and most Catholic legal theorists, whether conservative or liberal, would agree with them.

2. An intrinsically evil homicide is not always worse than every other wrongful homicide.

At this point, someone might object: "The foregoing reflections may be true about intrinsically evil acts in general, but not about intrinsically evil acts involving the taking of life--particularly innocent life. Surely these must be the worst acts of all and the greatest acts of injustice, and therefore are the acts that the law needs to condemn most harshly." But even this claim does not hold up under closer scrutiny. Intrinsically evil acts do not necessarily make for the worst form of homicide, with respect either to the subjective culpability of the killer or to the objective wrong done to the innocent victim. The following two examples ought to make that clear.

Consider first a man who burns down his own building one night for the insurance money, foreseeing but not intending that a single mother at work there will die in the blaze. He does not want her to die; her death forms no part of his purpose or plan. He simply does not care whether she dies or not. Now this is a heinous act, revealing great depravity on the part of the perpetrator and causing great harm to the victim. It is not, however, intrinsically evil. The object of his act, to burn down his own building, is not wrong in and of itself. The act is wrong because of its motive (theft by insurance fraud) and because of its circumstances: the likelihood that an innocent woman would lose her life in the course of it.

Contrast this with a situation involving an elderly man suffering from Lou Gehrig's disease. Fearful of undergoing a protracted and difficult death, he begs his wife to kill him. Finally, she acquiesces to his pleas and kills him painlessly with an overdose of barbiturates. The wife has committed an intrinsically evil act. She has intentionally killed a helpless, innocent person. Her act is seriously wrong, yet her personal blameworthiness is mitigated by her motive of alleviating suffering. Moreover, the objective injustice is mitigated by the fact that her husband not only consented to the act, but begged her to do it.

The law ought to prohibit both acts, because both harm the common good. At the same time, however, the legal system ought to recognize that the first act, which is not intrinsically evil, is morally worse, both subjectively and objectively, than the second act, which is intrinsically evil. District attorneys would be eager to prosecute the death-dealing defrauder to the full extent of the law, but many of them would decline to press a murder case against the wife whose love and loyalty to her suffering husband took a deeply misguided form.

3. Preventing intrinsically evil acts is not always our top moral priority.

Some commentators have suggested that voters ought to prioritize opposition to gay marriage and abortion because third parties have an overriding duty to prevent intrinsically evil acts and to protect their potential victims. But this argument is incorrect. It is not always most important for third parties to intervene to prevent harm caused by intrinsically evil acts. Sometimes preventing harm caused by other kinds of wrongdoing, or even harm caused by natural disasters, can take priority.

Let us return to an earlier example. If a third party were unable to help both, he or she could legitimately choose to save the woman about to die as a result of her boss's fire-setting (an evil act, but not an intrinsically evil one) rather than to protect the man with Lou Gehrig's disease who is about to be voluntarily euthanized by his wife (an intrinsically evil act). Furthermore, under some circumstances one might legitimately choose to protect a person endangered by a natural disaster before coming to the rescue of a victim of human wrongdoing. One might choose, for example, to save a toddler about to drown in a flash flood rather than prevent that act of euthanasia, although the toddler's death would not be due to any human wrongdoing at all.

More generally, one's obligation to intervene to prevent harm to others, whether or not it is directly caused by an intrinsically evil act, depends upon a number of factors. Is one in any way responsible for the harm about to occur? Does one have a special responsibility for either the perpetrator (if there is one) or the victim? What is the likelihood that one's efforts to intervene will succeed? Will those efforts make matters worse if they do not succeed? What good will one fail to do, what evil will one fail to prevent, if one devotes oneself to this particular rescue effort rather than to another? Is intervening in this situation incompatible with performing other duties?

4. The motive and circumstances of particular actions also deserve moral scrutiny.

Some Catholic commentators have claimed that the certainty we have about the wrongfulness of intrinsically evil acts means that we should give their prevention priority over other acts, which may or may not be wrong, depending upon the circumstances. Their argument seems to run like this: the church teaches that abortion, euthanasia and homosexual acts are always wrong, but not that war or capital punishment is always wrong. Therefore, good Catholics ought to focus their political efforts on preventing acts they know to be wrong, and remain agnostic about the rest. One commentator has suggested that the church gives us "wiggle room" on issues that do not involve intrinsically evil acts.

This way of understanding a Catholic approach to the morality of human action is deeply mistaken. The church teaches that acts can be wrong because of their object, motive or circumstances. If a particular act is not wrong by reason of its object, we have a duty to consider motive and circumstances before performing it or endorsing it, particularly if the consequences might bring great harm to other people (as, for example, collateral damage in war).

It is true, for example, that some wars are just and some wars are unjust. Yet this does not mean we can be agnostic about the justice of a particular war being waged by our own government here and now. We have a duty to evaluate that particular war according to the criteria set forth in just war theory. In order to justify the decision to go to war (*jus ad bellum*), seven criteria must be met: just cause, competent authority, comparative justice, right intention, last resort, probability of success and proportionality of means to ends. We cannot justify indifference to or agnosticism about a particular war on the grounds that war in general is not "intrinsically evil." If we judge a war to be just using these criteria (e.g., World War II), we ought to support it. If we judge a war to be unjust (e.g., the Vietnam War), we ought to oppose it. We cannot hide behind a veil of culpable ignorance. There is no "wiggle room" on such questions for morally serious citizens.

5. Intrinsic evil is not the only useful category in deciding one's vote.

Given the preceding analysis, how much help does the category of "intrinsic evil" offer us in deciding whom to vote for in an important national election? In my view, not much help at all.

A defender of the category's usefulness might say that the fact that a candidate does not disapprove of an intrinsic evil reveals an unworthy character. That may be the case. But so does callousness toward the foreseen (but unintended) consequences of an unjust war, particularly toward the children who are orphaned, maimed or killed. So does indifference toward starving children in this country and in the world as a whole, many of whom are done an injustice not by individual Americans, but by American policy as a whole. In this

fallen world, moral character alone is not enough. Political competence and other practical skills are also required. The person with the best moral character may not be the best president.

Second, a defender of the usefulness of the category of "intrinsic evil" might say that it helps us prioritize our actions, and that politicians have an obligation to oppose intrinsic evils, particularly those occurring within our borders, before addressing other sorts of evils occurring elsewhere. After all, we cannot police the world. The trouble with this argument is that in a democracy, we do need to police ourselves. If our policies, including our military policies, are unjustly harming the inhabitants of other countries, we have a duty to stop causing harm outside our borders that is at least as urgent as our duty to prevent harm within them. We Americans justly impose the same duty on other countries, including those harboring terrorists.

'Intrinsic Evil' as Prophetic Language

Finally, the defender might admit that there is one issue of overriding importance for which the term "intrinsic evil" is useful in political considerations: abortion. For more than three decades, the regime of legalized abortion has taken the lives of well over a million unborn children a year. The Supreme Court of the United States not only permits this regime, it honors it as the instantiation of a fundamental right. In this circumstance, the term "intrinsic evil" helps evoke why abortion deserves prime consideration in voting. Abortion happens inside a woman's womb, inside what should be the safest relationship of all: that between mother and child. Abortion happens deep inside our society, permeating big cities and small towns alike.

But note that this use of the term "intrinsic evil" has moved far beyond the technical use normally employed in Catholic action theory: it is evocative, not analytical. Its prophetic tone echoes Vatican II's "Pastoral Constitution on the Church in the Modern World" (*Gaudium et Spes*, No. 27):

Whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia or willful self-destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; as well as disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons; all these things and others of their like are infamies indeed. They poison human society, but they do more harm to those who practice them than those who suffer from the injury. Moreover, they are a supreme dishonor to the Creator.

Pope John Paul II used this passage to illustrate the incompatibility of intrinsic evil with human flourishing in "The Splendor of Truth" (No. 80). Like the use of the clearly prophetic word "infamies" in the "Pastoral Constitution on the Church in the Modern World," the prophetic use of the term "intrinsic evil" is meant to start an urgent discussion among people of good will about grave injustices in the world. It does not provide a detailed blueprint for action. Identifying infamies is one thing. Deciding upon a strategy to deal with them is something else again. For many pro-life Catholics, the issue of voting and abortion comes down to this: what does one do if one thinks that the candidate more likely to reduce the actual incidence of abortion is also the one more committed to keeping it legal? The language of intrinsic evil does not help us here. Only the virtue of practical wisdom, enlightened by charity, can take us further.

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Source Citation

Kaveny, M. Cathleen. "Intrinsic evil and political responsibility: is the concept of intrinsic evil helpful to the Catholic Voter?" *America* 27 Oct. 2008: 15+. *Academic OneFile*. Web. 29 Jan. 2010.
<http://find.galegroup.com/gtx/start.do?prodId=AONE&userGroupName=mlln_m_bostcoll>.

Gale Document Number:A188284894

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