

QUESTION OF DISPENSATION OF THE *INTRINSICALLY EVIL ACTS* ACCORDING TO ST. THOMAS AQUINAS*

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ABSTRACT

If some action is *intrinsically evil*, it lacks all moral goodness. This act keeps some physical goodness in the sense that it is real, but it suffers from a real deficient moral disorder. It is morally evil in its essence because its moral privation shapes its objective character. Its disorder defines the act at its core. Such an act is not only affected by evil; it is constituted by evil. The evil shapes the formality and the identity of the action itself. St. Thomas Aquinas argues that these actions cannot be rightly performed under any circumstances and for no end. However, could Almighty God in some specific situations give a dispensation from the negative absolute prohibition? Some biblical cases seem to support this explanation. In many morally difficult situations, some kind of mental reservation, or dispensation that would render an otherwise evil act at least morally permissible, might be very convenient. Aquinas explains that God cannot dispense from the precepts of the decalogue because he would deny himself, who is Justice itself. We will see how it was possible to order Abraham to kill his son and other similar morally disputed cases. Later, we will consider cases of lying and fraud, which frequently appear in the Bible.

Keywords

Human action; Intrinsically evil; Dispensation; Lying; Thomas Aquinas; *Veritatis splendor*

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‘And do they still exist?’ This is the first question often asked regarding *intrinsically evil acts*. Of course, one normally does not think that the state of human spirit today is better than it was before and that, therefore, evil acts of this kind have simply disappeared. Rather, it seems that people often do not believe that there is such a thing as an objective reality of the actions about which real truth can be known. Because of the varieties of different cultures, personal experiences and characteristics, some people are sceptical about objective truth and reality of this kind.¹ That is why the question of intrinsically evil acts is still at the centre of discussions of moral theologians. A discussion restarted with a publication of *Humanae vitae*² and continues until the present day.³ It includes the positions concerning concrete urgent problems discussed in the general public, like contraception, abortion, artificial procreation, various other medical acts, torture, lying, etc. If such actions are intrinsically evil, they can never be committed under any circumstances. *Veritatis splendor* expresses it clearly.⁴

Although St. Thomas did not employ the term ‘intrinsically evil acts’, which came into use only in the 16th century,⁵ he argues that certain actions cannot be rightly performed under any circumstances and for any end.⁶ However, could Almighty God in certain specific situ-

¹ This situation is, of course, not new. On December 1, 1924, the Holy Office condemned 12 propositions, among them also a *new definition of truth*: ‘Truth is always in a state of becoming, and consists in a progressive alignment of the understanding with life, indeed a certain perpetual process, by which the intellect strives to develop and explain that which experience presents or action requires: by which principle, moreover, as in all progression, nothing is ever determined or fixed.’ Cf. Réginald Garrigou-Lagrange, ‘Where is the New Theology Leading Us?’ transl. Suzanne M. Rini, *Catholic Family News Reprint Series* 309 (1998): 3.

² The encyclical of Paul VI, published on July 25, 1968.

³ For a penetrating presentation of the history of thinking about intrinsically evil acts, from the Church Fathers until the proportionalists of recent days, see Servais T. Pinckaers, *Ce qu’on ne peut jamais faire: La Question des actes intrinsèquement mauvais, Histoire et discussion* (Fribourg; Paris: Editions Universitaires Fribourg; Cerf, 1995), 20–85.

⁴ Cf. John Paul II, *Veritatis splendor* (August 6, 1993), 80.: ‘Reason attests that there are objects of the human act which are by their nature ‘incapable of being ordered’ to God, because they radically contradict the good of the person made in his image. These are the acts which, in the Church’s moral tradition, have been termed “intrinsically evil”.’

⁵ Pinckaers, *Ce qu’on ne peut jamais faire*, 21.

⁶ Cf. *In II Sent.* d. 40. 1. 2.

More recently James Keenan tried to argue that Thomas Aquinas’s moral teaching did not include a prohibition of some human acts as intrinsically evil, cf. James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins*

ations give a dispensation from this negative precept? Some biblical cases seem to support this explanation.⁷ In many difficult situations which life brings, it would be convenient to have some kind of mental reservation that would render an otherwise evil act morally permissible, if not good. Is this possible with intrinsically evil actions? With the substantial assistance of St. Thomas Aquinas, in this article, we will explore a possible dispensation of intrinsically evil actions. We will argue that no dispensation is possible when the negative moral absolutes are understood in the formal sense.

1. General Basis for the Intrinsically Evil Acts

Even after releasing *Veritatis splendor*,⁸ there are some contemporary Catholic theologians⁹ who question the reality of such acts, which are so morally disordered in themselves that they can never be justified, regardless of the intentions, the agent, or the circumstances. A primary argument they raise against intrinsically evil actions is based on the individual person of the agent with all his history and dispositions and on their different understanding of natural law and its universally binding precepts. Natural law, they claim, does not and cannot include ‘specific, concrete, behavioral norms, universally binding, which proscribe specifiable kinds of human acts describable in morally nonevaluative language, such as norms proscribing contraception, direct abortion, adultery, etc’.¹⁰ In various ways, they assert that the intrinsically

to *Liberating Consciences* (New York: Continuum, 2010), 45. An interesting response to Keenan’s claims is to be found in Matthew R. McWhorter, ‘Aquinas and Inherently Privative Moral Acts,’ *Angelicum* 89, no. 3/4 (2012): 715–34. Cessario and Kaczor also affirm that St. Thomas describes certain acts as intrinsic evils, cf. Romanus Cessario, *Introduction to Moral Theology*, rev. ed. (Washington DC: Catholic University of America Press, 2013), 38; Christopher Kaczor, *Proportionalism and the Natural Law Tradition* (Washington DC: Catholic University of America Press, 2002), 184.

⁷ Cf. *Gn* 22:2, 27:19, *Ex* 1:15–19, 12:36, *Jos* 2:4–5, *Jud* 11:5–19, *Hos* 1:2.

⁸ Cf. John Paul II, *Veritatis splendor*, 80; *Reconciliatio et Paenitentia* (December 2, 1984), 17: ‘there exist acts which *per se* and in themselves, independently of circumstances, are always seriously wrong by reason of their object.’ Among the latest magisterium on the intrinsically evil acts, there is also Paul VI, ‘Address to Members of the Congregation of the Most Holy Redeemer,’ *AAS* 59 (September 22, 1967), 962.

⁹ E.g., Charles E. Curran, *The Moral Theology of Pope John Paul II*, 2nd ed. (Washington, DC: Georgetown University Press, 2005); Richard A. McCormick, ‘Some Early Reactions to *Veritatis Splendor*,’ *Theological Studies* 55, no. 3 (1994): 481–506, doi: 10.1177/004056399405500303.

¹⁰ William E. May, ‘*Humanae Vitae*, Natural Law, and Catholic Moral Thought,’ *The Linacre Quarterly* 56, no. 4 (1989): 64, doi: 10.1080/00243639.1989.11878033. May is here

evil acts are in themselves only *prima facie* (pre-moral, non-moral, ontic, or physical) evil, but they cannot be declared morally bad prior to a consideration of their circumstances and end.¹¹

These elements seem to them to be neglected by the simple claim that certain physical actions are just despite their object being morally evil. Thus, *Veritatis splendor* summarises this position with: ‘Even when grave matter is concerned, these precepts should be considered as operative norms which are always relative and open to exceptions.’¹² By affirming the existence of intrinsically evil acts, however, *Veritatis splendor* did not exclude the personal point-of-view of the acting agent (with his intrinsic intentions, history, personality, and conscience).¹³

How is it possible that there are any acts evil ‘*always and per se*, in other words, on account of their very object, and quite apart from the ulterior intentions of the one acting and the circumstances’?¹⁴ Human actions are specified by their end, which is ‘the origin and the termination of an action in the same time’.¹⁵ The relation between the object and the end of an act is essential for the determination of its moral species because some objects and ends of actions are simply not compatible. If one intends an evil end, his act is evil. When he intends a good end, the act is not necessarily good, since (abstracting, for the moment, from the circumstances of the action, which also affect the morality of the action) it is possible for an act to be evil *per se* and thus permissible in no way.¹⁶

There are two possible reasons for this claim: 1) These acts cannot be ordered to any due end because they are joined to an evil proximate end.¹⁷ 2) They are generically incompatible with the normative

writing about ‘the revisionist theologians’ among those he counts Böckle, Curran, Fuchs, Häring, Janssens, McCormick, Scholz, Schüller.

¹¹ Cf. John F. Dedek, ‘Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas,’ *The Thomist* 43, no. 3 (1979): 385–86, doi: 10.1353/tho.1979.0023. Rhonheimer seems to hold a similar above-described position, see Martin Rhonheimer, “Intrinsically Evil Acts” and the Moral Viewpoint: Clarifying a Central Teaching of *Veritatis Splendor*, *The Thomist* 58, no. 1 (1994): 1–39, doi: 10.1353/tho.1994.0041.

¹² John Paul II, *Veritatis splendor*, 75.

¹³ Cf. *ibid.*, 78: ‘In order to be able to grasp the object of an act which specifies that act morally, it is therefore necessary to place oneself in the perspective of the acting person.’

¹⁴ *Ibid.*, 80.

¹⁵ Joseph Bobik, *Aquinas on Matter and Form and the Elements: A Translation and Interpretation of the De Principiis Naturae and the De Mixtione Elementorum of St. Thomas Aquinas* (Notre Dame, IN: University of Notre Dame Press, 1998), 39.

¹⁶ Cf. *In II Sent.* d. 40. 1. 2.

¹⁷ Cf. *In II Sent.* d. 40. Expositio textus.

finality of a good life,¹⁸ which is not possible to supersede by any further purposes of the agent because the goodness is from integral causes.¹⁹ The integral nature of the act is always materially included within the object of the moral act.²⁰ If the acts are not good in themselves, it does not matter what the further intention, previous history, or personality of the agent may be. They are objectively (*ex obiecto*) evil, *mala in se*.

The evaluation of a human act as evil does not mean that there is something which is intrinsically evil in the sense of its essence. That is why, technically speaking, one must understand the phrase ‘intrinsically evil’ as synonymous with the precise description of acts as ‘objectively evil’ – since evil has no proper intrinsic content. It is in this precise and nuanced sense that we interpret and employ the phrase ‘intrinsically evil acts’.²¹ The term ‘intrinsically evil’ also supposes the necessary existence of ‘the extrinsically evil acts’ as well, which are the acts not *mala in se* but determined as such ‘from outside’ – by a decision of a legitimate authority, for example, trespassing certain traffic regulations.

Aquinas never used the formulation ‘intrinsically evil actions’.²² But he claims that certain actions must never be done – under any

¹⁸ On how bad actions thwart human flourishing see Romanus Cessario, ‘On Bad Actions, Good Intentions, and Loving God: Three Much-Misunderstood Issues About the Happy Life that St. Thomas Aquinas Clarifies For Us,’ *Logos* 1, no. 2 (1997): 113–18, doi: 10.1353/log.1997.0015.

¹⁹ Cf. *STh* I-II. 18. 4 ad 3.

²⁰ Cf. Steven A. Long, ‘Natural Law, the Moral Object, and *Humanae Vitae*,’ in: *Ressourcement Thomism: Sacred Doctrine, the Sacraments, and the Moral Life*, eds. Reinhard Hütter and Matthew Levering (Washington, DC: The Catholic University of America Press, 2010), 290.

For more about teleological structure of a human act read also Steven A. Long, *Teleological Grammar of the Moral Act*, 2nd ed. (Ave Maria, FL: Sapientia Press of Ave Maria University, 2015); Steven J. Jensen, *Good and Evil Actions: A Journey through Saint Thomas Aquinas* (Washington, DC: The Catholic University of America Press, 2010). More general studies regarding the moral act according to Thomas Aquinas worthy of attention are: Ralph M. McInerney, *Aquinas on Human Action: A Theory of Practice* (Washington, DC: The Catholic University of America Press, 2012); John Rziha, *Perfecting Human Actions: St. Thomas Aquinas on Human Participation in Eternal Law* (Washington, DC: The Catholic University of America Press, 2009); Kevin L. Flannery, *Acts Amid Precepts: The Aristotelian Logical Structure of Thomas Aquinas’s Moral Theory* (Washington, DC: Catholic University of America Press, 2001).

²¹ Cf. Jan A. Aertsen, *Medieval Philosophy and the Transcendentals: The Case of Thomas Aquinas* (Leiden; New York: Brill, 1996), 334. For example, John Paul II with the tradition of the Church uses the term ‘intrinsically evil’ in *Veritatis splendor*, 80–81. The term ‘intrinsically evil’ is questioned, however in a slightly different sense, also in Pinckaers, *Ce qu’on ne peut jamais faire*, 43.

²² Scholz concluded that Aquinas even prepared a basis for a refusal of the notion of intrinsically evil acts simply by distinguishing between physical and moral evil (for

circumstances or for any end.²⁵ They are bad because of their nature (which comes from their object).²⁴ Just to mention at least some actions that are evil *secundum se* according to Aquinas, we cite theft, adultery, or murder.²⁵ Similarly, somebody who fornicates commits evil and is not excused by having a good intention, the same as with a person who steals to give an alms, because fornication by its nature has an inordinate end.²⁶ The same thing Aquinas says about lying - it must not be done for any expediency, not even to help someone's neighbour, because a lie has a disorder inseparably joined to it.²⁷

2. Possibility of Dispensation

The teaching of St. Thomas on objectively evil acts lines up with the whole tradition of his predecessors like Peter of Poitiers,²⁸ Hugh of St. Cher,²⁹ St. Albert the Great,³⁰ or St. Bonaventure,³¹ who claimed that some actions never can be good because a malicious object is

example, between a fact of killing and a concept of murder that includes a moral evaluation), cf. Franz Scholz, 'Durch ethische Grenzsituation aufgeworfene Normenprobleme,' *Theologisch-praktische Quartalschrift* 123 (1975): 341–55.

²⁵ Cf. *In II Sent.* d. 40. 1. 2.

²⁴ John Paul II assumes the argumentation of St. Thomas. Cf. John Paul II, *Veritatis splendor*, 78.

²⁵ Cf. *De malo* 2. 3.

Pastoral constitution *Gaudium et spes* (December 7, 1965), 27, and *Veritatis splendor*, para. 80, gives a number of examples of such acts: 'any kind of homicide, genocide, abortion, euthanasia and voluntary suicide; whatever violates the integrity of the human person, such as mutilation, physical and mental torture and attempts to coerce the spirit'. Also adding the contraceptive practices from Paul VI, *Humanae Vitae*, 14, and *Veritatis splendor*, 80.

²⁶ Cf. *De malo* 15. 1 ad 3.

²⁷ Cf. *In III Sent.* d. 38. 1. 3 ad 6. See also *De malo* 15. 1 ad 5.

²⁸ Cf. Philip S. Moore, *The Works of Peter of Poitiers: Master in Theology and Chancellor of Paris (1193–1205)* (Notre Dame, IN: University of Notre Dame Press, 1956). Peter of Poitiers lectured and became chancellor of the University of Paris in 1167–1193.

²⁹ Cf. Magdalena Bieniak, 'The Sentences Commentary of Hugh of St. Cher,' in: *Mediaeval Commentaries on the Sentences of Peter Lombard*, vol. 2, ed. Philipp W. Rosemann (Leiden–Boston: Brill, 2010), 111–147. Hugh of St. Cher taught at the University of Paris (1230–1235) among the first Dominicans. He became a Cardinal in 1244 and was instrumental in getting Aquinas to Paris.

³⁰ Cf. Albert the Great, *Commentarium in libros sententiarum* (Paris, 1895). *In III Sent.* d. 37. 13 ad 1, 8; d. 38. 1; and Stanley B. Cunningham, *Reclaiming Moral Agency: The Moral Philosophy of Albert the Great* (Washington, DC: The Catholic University of America Press, 2008), 93–158. St. Albert the Great taught at the University of Paris in 1240–1248 when he wrote his *Commentary on the Sentences*.

³¹ Cf. St. Bonaventure of Bagnoregio, *Commentaria in Quatuor Libros Sententiarum*, d. 47, q. 4. St. Bonaventure lectured at the University of Paris in 1248–1257. Probably,

inseparable from them. However, there are a few cases in the Bible where it seems that God either allows or even commands someone to perform such an action. For example: the issue of Abraham, who was commanded to kill his innocent son,⁵² theft by the Israelites,⁵³ and Hosea seemed to be ordered to fornicate.⁵⁴ Another very particular subject is that of lying and fraud, which also appears in the Bible⁵⁵ and has been studied with special care lately in connection with the unjust totalitarian regimes which often want to know and misuse the truth.⁵⁶ That is why we deal with this issue in the following independent section.⁵⁷ Now we will proceed to investigate the possibility of the dispensation from prohibition to commit intrinsically evil actions.

When God ordered Abraham to slay his son Isaac, the act itself would contain a disorder in that an innocent⁵⁸ person was about to be killed. However, God, the source of life and the Supreme Legislator, is the only one who can order such an act without any injustice: 'By the command of God, death can be inflicted on any man, guilty or innocent, without any injustice whatever.'⁵⁹ Aquinas teaches that the same applies to evil-doers or foes of the common good, who be slain without

he completed or at least most of his Commentary wrote before St. Thomas between 1249–1255.

⁵² Cf. *Gn* 22:2 (All following English translations of the Bible are from the English Standard Version): 'He said, "Take your son, your only son Isaac, whom you love, and go to the land of Moriah, and offer him there as a burnt offering."'

⁵³ Cf. *Ex* 12:36: 'Thus they [Israelites] plundered the Egyptians.'

⁵⁴ Cf. *Hos* 1:2: 'The Lord said to Hosea, "Go, take to yourself a wife of whoredom and have children of whoredom."'

⁵⁵ Abraham seemed to lie and even forced to lie his wife Sarah that she was his sister while they were in Egypt and in Gerar, cf. *Gn* 12 and 20. Jacob lied to his father Isaac in order to receive the blessing that belonged to his brother Esau in *Gn* 27. The midwives of Egypt lied to Pharaoh and were blessed by families in *Ex* 1. Rahab lied to the king of Jericho to save the spies of Joshua in *Jos* 2, and Judith is even praised in *Jud* 15:10–11, although she lied to Holofernes.

⁵⁶ Often discussed is the case of Nazis asking about hidden Jews when there are some in the house. Servais Pinckaers presented the cases of Dr Augoyard captured by Soviets in Kabul v 1982 and proposed to lie publicly for his liberation, and Polish priest asked to make a false accusation in order to save the life of a 19-year-old girl, cf. Pinckaers, *Ce qu'on ne peut jamais faire*, 11–19.

⁵⁷ Cf. section 5.

⁵⁸ Meaning 'somebody who should not have undergone a death,' cf. *In III Sent.* d. 37. 1. 4 ad 4. This is in contrast, for example, with a death penalty commanded by an entitled judge that is according to Aquinas permissible under certain conditions, cf. *Quodlibet* VIII. 6. 4 ad 1.

⁵⁹ *STh* I-II. 94. 5 ad 2. All English translations of *STh* used here are based on the translation of the Fathers of the English Dominican Province (New York: Benziger Brothers, 1981).

contravening the precept of the decalogue. Such a killing would not constitute murder.⁴⁰ Moreover, this particulate command to kill Abraham's innocent son served to manifest the faith and the love of Abraham so as to be an example for his descendants (by blood and in faith) and as an image signifying the death of Christ.⁴¹ And it was to this kind of death ordered by the divine authority that the will of Abraham agrees with reason, as St. Thomas states.⁴²

The same goes for Aquinas's understanding of the Israelites' stealing from the Egyptians in *Ex* 12.⁴³ God, who is the Lord of all things, has, in some situations, the right to attribute to someone else something that belongs to another. Similarly, legitimate authorities may for a good reason transfer ownership of property so that taking such an object is not stealing.⁴⁴ In addition to the decision of a legitimate authority, a case of extreme need makes another's property legitimately one's own because 'that which he takes for the support of his life becomes his own property by reason of that need'.⁴⁵ Thus, taking the property under such circumstances is not a theft.

Now, in the case of *Hos* 1:2, we think that Hosea was ordered to marry a prostitute, which is expressed by the command: 'Take to yourself.' The continuation of the command: 'Have children of whoredom,' according to the notes from *La Bible de Jérusalem*⁴⁶ means just that these children will be the children of a prostitute, not that they would be born from fornication. In our opinion, this interpretation matches better with the fact that the prophet Hosea represents here God in his relationship to the people of Israel, who are symbolised by Hosea's 'wife of whoredom'. However, St. Thomas, with the previous tradition of authors,⁴⁷ interprets this case as one of God ordering Hosea to unite to a woman who is not his wife. His solution lines up with what was said

⁴⁰ *STh* I-II. 100. 8 ad 3.

⁴¹ Cf. *Heb* 11:19.

⁴² *In I Sent.* d. 47. 1. 4.

⁴³ However, we see that Egyptians gave the property at least partially voluntarily to Israelites on their demand: 'The people of Israel [...] had asked the Egyptians for silver and gold jewelry and for clothing. And [...] the Egyptians [...] let them have what they asked' (*Ex* 12:35–36).

⁴⁴ Cf. *In III Sent.* d. 37. 1. 4 ad 3. See also *STh* I-II. 94. 5 ad 2; and 100. 8 ad 3.

⁴⁵ *STh* II-II. 66. 7 ad 2.

⁴⁶ Ecole biblique de Jérusalem, transl., *La Bible de Jérusalem* (Paris: Cerf, 1988).

⁴⁷ For example, Peter of Poitiers, Philip the Chancellor, Hugh of St. Cher, The *Summa Fratris Alexandri*, St. Albert the Great, or St. Bonaventure, cf. Dedek, 'Intrinsically Evil Acts,' 389–99.

before about Abraham sacrificing Isaac, and so, God, who is the source of marriage, can make 'that sexual union was not fornicacious which otherwise would have been fornicacious'.⁴⁸

In the decalogue, as well as in every legislation, a legislator cannot cover all possible cases by establishing certain law but only those which occur the most often. A rule for interpretation of laws is then the intention of the legislator. Aquinas uses the example of someone who does not return his deposit to somebody who fights against the faith or his homeland. In such a case, one should act with the virtue called *epikeia* by Aristotle, which means that the person follows the intention of the legislator rather than the literal law.⁴⁹ The orders which are commanded by the divine law are changeable or can be dispensed with only by divine precept. That is why dispensations would be possible just by a quasi-miraculous operation of God⁵⁰ and are not made in a general manner to all but rather only to particular persons.⁵¹

In his *Commentary on the Sentences*, Aquinas argues that in the order of creatures related to God as their ultimate end, no dispensation is possible (in actions like despair or hatred of God) because if the good from this fundamental ordering disappears, no good can remain. But in the order of things in relation to one another, as, for example, in the case of homicide or disobedience of one's superior, the goodness from the order of the fundamental relation to God may remain. Therefore, Aquinas states that, in these situations, 'God can dispense but not men.'⁵² Later, however, St. Thomas develops his opinion and claims that 'the precepts of the decalogue [from both tablets] admit of no dispensation whatever'.⁵³ He explains that God cannot dispense from the precepts of the decalogue because he would have to deny himself, he who is Justice itself.⁵⁴

⁴⁸ *De malo* 15. 1 ad 8. English translation by Jean Oesterle of St. Thomas Aquinas, *On Evil* (Notre Dame, IN: University of Notre Dame Press, 1995). See also *De malo* 5. 1 ad 17.

⁴⁹ Cf. *In III Sent.* d. 37. 1. 4.

⁵⁰ Cf. *In I Sent.* d. 47. 1. 4.

⁵¹ *In IV Sent.* d. 35. 2. 2 qc 1.

⁵² *In I Sent.* d. 47. 1. 4: 'Therefore, we say that God cannot dispense against the precepts of the first tablet [of the decalogue] which are immediately directed towards God; but against the precepts of the second tablet, which are immediately oriented towards a neighbor, God can dispense but not men.' My translation.

⁵³ *STh* I-II. 100. 8.

⁵⁴ *Ibid.* ad 3: '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

Because God creates all things as ordered to a certain end, the eternal law ordains human nature to certain types of actions that are proportioned to man's happiness. Although not every human act is performed in accordance with this end, human nature is *per se* inclined to cause good actions.⁵⁵ And since the eternal law moves humans to act in accord with their nature, man's reason is, in this way, at the foundation of moral actions. Human acts are morally specified by their end, which is the origin and the termination of the act. Thus, the nature of human action depends principally on the agent's intention,⁵⁶ and the choice of a certain act involves a movement towards the good which is its end. It includes a selection of appropriate means in order to achieve the desired end.⁵⁷ Through the intention of an agent, a natural object becomes the moral object of a particular human act.

The most defining and universal moral determination is derived from the end and its relation to the object of the action. If we want to determine the moral species of action, we must know whether the object is, or is not, by itself ordained to the end of this action. This way of evaluation enables us to properly analyze the most crucial current moral challenges. For example, in the case of euthanasia, killing not only ends pain - which is one's desired end - but it also *per se* ends the life of that person. Therefore, to choose it necessarily is to choose non-justifiable homicide.

Thus, no dispensation is possible when the precepts of the decalogue are understood in the formal sense, that is in so far as they contain the order of justice itself. However, the determined ways of observing justice in individual actions differ.⁵⁸ Murder, theft, or fornication are evil because they are contrary to right reason. Man's reason is right in so far as it is ruled by the Divine Intellect and Will as the first and supreme rule, as St. Augustine states: 'For as among the powers of human society, the greater authority is obeyed in preference to the lesser, so must God in preference to all.'⁵⁹ Therefore, when somebody acts in obedience to

actions [...] they admit of change; sometimes by Divine authority alone, namely, in such matters as are exclusively of Divine institution, as marriage and the like; sometimes also by human authority, namely in such matters as are subject to human jurisdiction: for in this respect men stand in the place of God: and yet not in all respects.'

⁵⁵ In which manner it is so, see Rziha, *Perfecting Human Actions*, 81–112.

⁵⁶ Cf. *STh* II-II. 64. 7.

⁵⁷ Cf. *STh* I-II. 12. 1 ad 4.

⁵⁸ Cf. *ibid.* ad 1.

⁵⁹ Citation of *Confessiones* III. 8 in *STh* II-II. 154. 2 ad 2.

a divine command, it is not contrary to right reason, though it may seem to be against the general order of reason. Just as a miracle done by the power of God is not against nature but against the usual course of nature.

3. The Case of Lying

One may assume that the rule of different determinations and applications of justice (as it was said in cases like murder, theft, and adultery)⁶⁰ would be valid also for lying. Precisely the important question is this: is it permissible to lie for a good and just reason, for example, to save the life of an innocent? As we have said above, this question is of pressing concern in light of various unjust totalitarian regimes which demand the truth in order to use it against their real or putative enemies. This question has been carefully explored by many scholars. For example, Immanuel Kant considered lying even in order to save one's life as very bad because even though life is spared, the lie undermines the basis of law and contracts.⁶¹ In Christian terminology, every lie for Kant would be mortally sinful. On the contrary, Lawrence Dewan claims that for Aquinas the lie to save one's life is 'only a venial sin'.⁶² The famous case of St. Robert Southwell⁶³ revealed the doctrine of mental reservation, or equivocation, the origin of which is traced back to Martin de Azpilcueta, also known as Doctor Navarrus,⁶⁴

⁶⁰ Cf. *STh* I-II. 100. 8 ad 3.

⁶¹ Immanuel Kant, *Critique of practical reason and other writings in moral philosophy*, ed. and transl. Lewis White Beck (Chicago: University of Chicago Press, 1949), 346–47: 'Truthfulness in statements which cannot be avoided is the formal duty of an individual to everyone [...]. If, by telling an untruth, I do not wrong him who unjustly compels me to make a statement, nevertheless by this falsification [...], I commit a wrong against duty generally in a most essential point. That is, so far as in me lies I cause that declarations should in general find no credence, and hence that all rights based on contracts should be void and lose their force, and this is a wrong done to mankind generally. [...] For a lie always harms another; if not some other particular man, still it harms mankind generally, for it vitiates the source of law itself.'

⁶² Lawrence Dewan, 'St. Thomas, Lying, and Venial Sin,' *The Thomist* 61, no. 2 (1997): 279–99, doi: 10.1553/tho. 1997.0036.

⁶³ While working as a missionary in England, Southwell was betrayed by his former patron, Anne Bellamy, and arrested. During his trial, which ended with Southwell being condemned to death in 1595, Bellamy testified that Southwell had suggested to her to practice equivocation for saving herself from a lie, and him from imprisonment.

⁶⁴ Martin de Azpilcueta or Doctor Navarrus (1491–1586) was a Spanish canon law professor at the University of Salamanca, and later at Coimbra University.

but was developed later mainly by Jesuits in order to avoid telling the truth.⁶⁵

St. Thomas argues that language was invented ‘to express what a heart conceives’⁶⁶ and ‘words were invented to be signs of what was understood’. That is why when someone expresses by words what he does not have in mind – the definition of the word ‘lie’ – there is a disorder by abuse of words.⁶⁷ Thus, every lie not only injures one’s neighbour but has an inordination *de se* and so never can become good or allowed, no matter what good one lies for. Therefore, Aquinas, citing St. Augustine, concludes that every lie is a sin.⁶⁸ An action is evil either in itself or in its end.⁶⁹ And so, just as it is evil to steal in order to give alms – even though the thief may have a good intention, he has a bad will⁷⁰ – ‘it is not lawful to tell a lie in order to deliver another from any danger whatever.’⁷¹ Evil may not be done so that good may come of it. And in this case, in addition to a bad will, the action is evil *secundum se*. But, as Aquinas, together with St. Augustine, states, it is lawful to hide the truth prudently under some dissimulation.⁷²

Now we will look closely at the lies described in the Bible.⁷³ Abraham seemed to lie and even instructed his wife Sarah to lie about who she was in order to save his life while they were in Egypt and in Gerar.⁷⁴ However, from *Gn* 20:12,⁷⁵ we know that she was his half-sister; thus, he did not lie but hid the truth. In the case of Jacob, who said to his father that he was his firstborn Esau,⁷⁶ St. Thomas explains that it was said in a mystical sense because the birthright was rightly his by the election of God, and Jacob was speaking this way in order to express a mystery,

⁶⁵ Cf. Stefania Tutino, ‘Nothing But the Truth? Hermeneutics and Morality in the Doctrines of Equivocation and Mental Reservation in Early Modern Europe,’ *Renaissance Quarterly* 64, no. 1 (2011): 115–55, doi: 10.1086/660370.

⁶⁶ *In III Sent.* d. 38. 3.

⁶⁷ Cf. *Quodlibet* VIII. 6. 4.

⁶⁸ Cf. *STh* II-II. 110. 3, quotation from St. Augustine, *Contra Mendacium* I. 8. 19.

⁶⁹ Cf. *De malo* 2. 5.

⁷⁰ Cf. *De malo* 2. 2 ad 8.

⁷¹ *STh* II-II. 110. 3 ad 4.

⁷² Cf. St. Augustine, *Contra Mendacium* I. 10. 23, and *STh* II-II. 110. 3 ad 4.

⁷³ We have mentioned them in the section 2.

⁷⁴ Cf. *Gn* 12:11–13: ‘When he [Abram] was about to enter Egypt, he said to Sarai his wife, [...] “Say you are my sister, that it may go well with me because of you.”’ *Gn* 20:2: ‘And Abraham said of Sarah his wife, “She is my sister.”’

⁷⁵ ‘She is indeed my sister, the daughter of my father though not the daughter of my mother, and she became my wife.’

⁷⁶ *Gn* 27:19: ‘Jacob said to his father, “I am Esau your firstborn [...] your soul may bless me.”’

that the younger people (i.e., the Gentiles) should supplant the firstborn (i.e., the Jews).⁷⁷ And so, Jacob spoke under the inspiration of the Holy Spirit, and his words were ordered towards the interpretation of the Spirit.⁷⁸

The case of the two midwives of Egypt was different. They lied in the literal sense to Pharaoh.⁷⁹ But they were rewarded⁸⁰ not for their lie but for their fear of God⁸¹ and for their goodwill.⁸² The subsequent lie was not, however, meritorious.⁸³ The same rule applies in the case of Rahab when she deceived the king of Jericho,⁸⁴ and Judith when she lied to Holofernes.⁸⁵ We might say, though, that Judith was telling the truth in a mystical sense.⁸⁶ Thus, a lie is evil in respect of its genus since it is an action bearing on undue matter. For as words are naturally signs of thought, it is unnatural and undue for anyone to signify by words something that is not in his mind.⁸⁷

One may still ask how a virtuous man should act in the following famous situation: during the Second World War, for example, the virtuous man hides some Jews in his house, and Nazis ask him if he knows about the location of any Jews. First of all, he should not be satisfied with the proposition that a lie under these circumstances would only constitute a venial sin, as some authors have suggested.⁸⁸ Every sin is evil no matter how bad it is because it is not ordered to the truth about the good, and the principal rule for a moral life is that good is to be done and pursued while evil is to be avoided.⁸⁹ Second, in the case of somebody hiding Jews during the Second World War, the host must be prepared for a Nazi inspection. Therefore, normally, the Jews would not be watching television in the living room. In case of an unexpected

⁷⁷ Cf. *STh* II-II. 110. 3 ad 3.

⁷⁸ Cf. *In III Sent.* d. 38. 1. 3 ad 1.

⁷⁹ Cf. *Ex* 1:15–19.

⁸⁰ Cf. *Ex* 1:20: ‘So God dealt well with the midwives.’

⁸¹ Cf. *Ex* 1:21: ‘And because the midwives feared God, he gave them families.’

⁸² Cf. *In III Sent.* d. 38. 1. 3 ad 2.

⁸³ Cf. *STh* II-II. 110. 3 ad 2.

⁸⁴ Cf. *Jos* 2:4–5: ‘But the woman [Rahab] had taken the two men and hidden them. And she said, “True, the men came to me, but I did not know where they were from. And when the gate was about to be closed at dark, the men went out. I do not know where the men went.”’⁸⁴

⁸⁵ Cf. *Jud* 11:5–19.

⁸⁶ Cf. *STh* II-II. 110. 3 ad 3.

⁸⁷ Cf. *STh* II-II. 110. 3.

⁸⁸ Cf. Dewan, ‘St. Thomas, Lying, and Venial Sin,’ 280–99.

⁸⁹ Cf. *STh* I-II. 94. 2.

arrival of unknown people, the Jews would probably be hiding in some secret parts of the house.

Of course, it would be understandable if the proprietor of the house, in this situation of extreme anxiety, did not react perfectly. But a morally impeccable answer to the menacing Nazis would be something like ‘Come and look,’ which would fit well with Aquinas’s permission ‘to hide the truth prudently, by keeping it back’,⁹⁰ or the *Catechism*’s proposition that: ‘No one is bound to reveal the truth to someone who does not have the right to know it.’⁹¹ This observation from the *Catechism*, of course, presents a type of non-disclosure that is not, in itself, disordered. Silence in the face of an unjust question is not the same as a lie in response to an unjust request.

Conclusion: Objective Truth about Objective Reality

We began this article with some people’s questioning the objective reality and truth. This is why they would find it convenient if an exception to or a dispensation from intrinsically evil acts exists. If objective truth and reality do not exist, what is man left with in such a case? The caprices of human appetite replace the eternal law of God’s wisdom.⁹² Then, man ‘creates’ and imposes various ‘realities’ and ‘truths’, he himself determines what is good and what is evil, and so man becomes ‘god’ according to his primordial project found in the Garden of Eden.⁹³ If one makes his own reality and his own truth about this reality, somebody else legitimately follows the same process and, therefore, creates his own different truth and reality. The validity of someone’s beliefs is acknowledged only as valid for himself. Relativism enforces the principle that ‘truth’ is a fluid concept that is determined by one’s own subjective preferences, experiences, and perspectives.⁹⁴ This relativism, no doubt, has also entered into morals with its fluidity regarding good and evil in human actions. Thus, certain theologians claim that an evil act

⁹⁰ Cf. *STh* II-II. 110. 3 ad 4.

⁹¹ *Catechism of the Catholic Church*, 2489.

⁹² For a thoughtful analysis of the metaphysical and theological implications of the eternal law, see Cessario, *Introduction to Moral Theology*, 50–95.

⁹³ Cf. *Gn* 3:5–6.

⁹⁴ Cf. Henry Denzinger, *The Sources of Catholic Dogma*, transl. Roy J. Deferrari (Fitzwilliam, NH: Loreto Publications, 2013), 512, a. 2058: ‘Truth is no more immutable than man himself, inasmuch as it is evolved with him, in him and through him.’

in itself can become good when some additional circumstances are taken under consideration.⁹⁵

In the end, no dispensation from the prohibition of committing an intrinsically evil act is possible. That is why even God cannot command anybody to lie. Such a command would contain an essential contradiction. When God ordered Abraham to kill his innocent son, this act was not objectively evil since God is the Source and Lord of life, and, therefore, he can kill and command such an act, just as someone can kill an assailant in legitimate self-defence without any moral violation. In the case of a lie, it does not only injure one's neighbour but also has a disorder *de se* (because of the abuse of words⁹⁶ by which one expresses what he does not have in mind) and thus, never can become good or allowed, no matter how good the reason for which one lies may be. Even with a mental reservation, evil cannot be done so that good may come of it.

Evil acts that violate the order of right reason fail to substantiate divine goodness and wisdom. They oppose the ultimate achievement of human nature.⁹⁷ Even in the case of ignorance, good intentions, or inconvenient circumstances, such actions are always harmful not only to their patient but also to their agent because they cause him to deviate from his perfection and they prohibit and frustrate his transformative union with Christ, who is also a real source of freedom and goodness.⁹⁸ Only good acts lead their authors to happiness because, by their nature, they are related to the divine Good, in which they participate.

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⁹⁵ Cf. Louis Janssens, 'Norms and Priorities in Love Ethics,' *Louvain Studies* 6, no. 3 (1977): 232–33; 'St. Thomas Aquinas and the Question of Proportionality,' *Louvain Studies* 9, no. 1 (1982): 26–46; 'A Moral Understanding of Some Arguments of St. Thomas,' *Ephemerides Theologicae Lovanienses* 63, no. 4 (1987): 354–60.

See also response of John Paul II, *Veritatis splendor*, 84.

⁹⁶ Cf. *Quodlibet* VIII. 6. 4.

⁹⁷ Cf. *STh* I-II. 3. 1.

⁹⁸ Cf. *Mt* 19:17–21.