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Caring for Persons: An Introduction to Natural (Person) Law, Part II
Robert E. Joyce

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Caring for Persons: An Introduction to Natural (Person) Law, Part II

Robert E. Joyce

Editors' note: The following is Part II of a four-part series on the natural moral law, written with the natural family planning advocate in mind. The next two issues of the IRNFP will publish Parts III and IV, respectively. Dr. Joyce's outline of the complete series, which follows, will assist the reader in putting Part II in perspective:

Part I: The Meaning of Morality
1. Why Learn about the Natural Moral Law?
2. Integrating Your Personal Behavior
Part II: The Horizons of Freedom
3. Basic Viewpoints on Human Action
4. Choosing Well
Part III: Being Who You Really Are
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7. Necessary Conditions for a Loving Action
8. How to Resolve Moral Dilemmas

Part II: The Horizons of Freedom

3. Basic Viewpoints on Human Action

RALPH IS swimming against the swift current of a river while people are standing on a boat dock cheering him on. After a minute or so, someone observes, "He's not even moving!" Someone else says, "That's right!"

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Ralph drags himself up on the dock several minutes later, and we ask him, "Ralph, were you moving?" What do you think he would say? Probably he would gasp something like this: "You're darn right I was moving!"

We might distinguish two basic viewpoints on what we have observed.

One viewpoint is the relativist perspective[1]: Ralph was not moving relative to his goal upstream (a large platform rock in the middle of the river, let us say), relative to the dock or any other fixed reference point of the observers, or even relative to his own individual purpose (stretching out on the rock).

The other viewpoint is the absolute perspective: Ralph was moving absolutely, vigorously exercising his whole physical and mental being. If he was in good physical health before he started, he definitely grew in physical strength. His cardiovascular system was definitely improved. He is now healthier than when he began to swim.

Both viewpoints, the relative and the absolute, are valid. They contribute to our knowledge about Ralph. But the relative viewpoint regards him as an object, having value mainly in so far as he measures up to something outside himself. The absolute viewpoint regards Ralph *mainly* as a subject, revealing his value in and through himself, independent of whether he achieves his own goals or goals others have for him.

From the relativist standpoint we can further distinguish at least three perspectives.

Two perspectives can be called goal observation. Some people center their concern on goals that they observe in Ralph's action. They put the major importance on whether Ralph is achieving his own goals through his swimming. If Ralph has in mind getting to the rock, or at least moving closer to it, or even keeping himself from being moved downstream by the current, then his action is meaningful to the extent that it achieves *his* satisfaction. Other goal observers place the emphasis on whether Ralph is achieving the goal that satisfied the greatest number of people—including Ralph, of course. They might take delight in Ralph's eventually

climbing up on the rock, thumping his chest, and then reclining on the hard-surfaced prominence for a much-deserved rest and a suntan.

A third kind of relativist standpoint, however, would *impose* a goal on Ralph. By cheering for him they intend to convey the idea that he must attain the rock or they will be disappointed and displeased with him. From their perspective, Ralph's goal is something over which he has no control. It is his duty to achieve it, whether he likes it or not. His action is considered to be basically a means to attaining a goal or living up to a principle (such as "always do your best").

In contrast to these three relativist views, the absolute standpoint allows for Ralph's having goals for himself and for others. As long as his goal-striving does not harm him internally, as long as it does not violate his good health and safety, this standpoint affords a wide variety of choice among ways for Ralph to maintain and increase his health through his activity. Ralph's activity of swimming is, above all, a good in itself. The swimming action is secondarily, but nonetheless importantly, a means to achieve some goal.

We have noticed four particular viewpoints on Ralph's swimming. One says that his swimming is good mainly because it brings satisfaction to Ralph. Another says that it is good mainly because it brings satisfaction to most people, including Ralph. A third says that it is good mainly because it satisfies the commands of a power greater than Ralph. And a fourth says that it is good in itself, just by being the kind of action it is, independent of whether it satisfied the goals of Ralph, of the group, or of a somewhat arbitrary dictation.

Swimming as such is not necessarily a morally significant activity. But this example of Ralph's swimming can illustrate the different perspectives we can take in evaluating action from a moral point of view.

Four Kinds of Ethical Theory

Ethical theories today tend to regard specifically human or moral activity in one of four basic ways. The particular area of

moral concern—business ethics, sexual ethics, bio-medical ethics, or whatever—generally draws four kinds of philosophical perspective: ethical egoism, utilitarianism, deontologism, and natural law. Many individual thinkers in the field of ethics try to combine elements of more than one of these perspectives, but their main or overriding principles are derived largely from one of these positions.

The four kinds of ethical theory can be distinguished in various ways. But perhaps their chief differences are revealed in the way they view any morally significant action.

Let us examine a morally significant action and see how each of the four philosophical perspectives might evaluate it. I say *might* evaluate it, because I am simplifying something that is complex and that cannot equally represent all of the variations within a given perspective. Nevertheless, these characterizations do reflect the broad lines of difference between perspectives.

Consider an act of incest. A father and his two daughters are home alone when they are suddenly confronted by three armed intruders. The three men are masked. Unknown to the father, these terrorists are carrying out the wishes of one of his former friends and a fellow employee. The fellow employee has paid the thugs to make the father suffer for his deeds. Several weeks before, the father had testified in a court of law against his associate, who was charged with sexploitation of female employees.

The intruders order the father to have intercourse with his own eighteen-year-old daughter. They threaten to kill his twelve-year-old daughter, if he does not. The father offers them all the money and valuables in the house in lieu of their demanded action. But they refuse. With deep regret and torture of the soul, he consents to the intercourse. Before he completes his action, the thugs leave, being satisfied by the half-hour of excruciating mental anguish they visited upon the pleading man.

Ethical Egoism

In evaluating the action of the father, an ethical egoist might say that, under the circumstances, it was the best thing he could do. As long as he did what appeared to him to be the action that

was most gratifying or least abhorrent to him, it was morally right. The ethical egoist might even appeal to the situation, by saying that this unique situation called for such an action on his part. Considering the probable fate of his younger daughter, it was really the loving thing to do. Although the ethical egoist might appeal to love, it is important to notice that he or she will assume that self-love is the chief love. In this kind of evaluation what is the loving thing to do for self is not just a necessary consideration along with what is the loving thing to do for one or more others in the total situation. Self-love is supreme love.

The whole orientation of the ethical egoist is like the perspective of those who thought Ralph was swimming well, as long as he was achieving his own personal goals. In this kind of theory, the human action is regarded strictly as a means to achieving goals—*my* goals. The human act has value only to the extent that it is a *means* for me—for the satisfaction of the ethical agent. What are the *consequences* of this or that alternative course of action for *me*? The major or overriding concern of the ethical egoist is found in that question. Performing actions that have good consequences for others is ethically sound only if these consequences work toward my best interests.

Utilitarianism

The utilitarian ethicist is also concerned with the consequences of the father's action. But the chief concern is the consequences for all who are involved. What is the best way for the father to act so that his action results in the greatest benefit for the most people or the least net harm?

The utilitarian realizes that it is extremely difficult to know, first of all, how many people will be affected by a given action. Perhaps, the whole world will be. Moreover, even if only a few seem to be affected—say, the ethical agent and one other person, or even the ethical agent alone—who can possibly calculate the net good or net evil of various courses of action from which one might choose? The utilitarian has a weighing problem. Nevertheless, this ethical theory holds that the big job in being morally

good is for the person to make a sincere attempt to discover and choose that alternative action which promises the best over-all consequences.

The utilitarian might readily agree that the father's course of action in this situation was the best under the circumstances. While the father, in this view, would have to try to take into account what satisfied him or what would be best for *him* and for *his* future relations with his daughters, his wife, his business associates, and the general public, he must also sincerely take into account—to the best of his ability—the physical, mental, emotional, and spiritual consequences for *all* of the others, including the thugs. One utilitarian might say that what the father did was right for any number of complex reasons. Another utilitarian might say it was wrong for many other equally complex reasons. For instance, the consent or lack of consent on the daughter's part might be decisive for an utilitarian.

Utilitarianism, like ethical egoism, is a relativist type of ethics.[2] The utilitarian perspective is like that of the people who thought Ralph was swimming well, as long as he was trying to satisfy the greatest number of people, including himself. The ethical agent is regarded as a moral object that has value to the extent that he or she is moving toward a complex set of goals imposed upon self by others, as well as by self, in the total situation. These goals are conceived as good, essentially because they fulfill the present desires of the totality of the people involved, not necessarily because they are intrinsically valuable. The action of the ethical agent is regarded chiefly or exclusively as a *means* to these goals. The action, like Ralph's swimming, is valuable only in so far as it is directed to achieve the projected goals. Human actions are conceived not as means to self-gratification, but as means to the best over-all results: the greatest good for the greatest number of people (among whom the ethical agent is just one of many).

Deontologism

The deontological theory of ethics is an approach to the father's moral dilemma that would likely issue in a strong stand against

his action. This approach holds that there are moral absolutes (Never tell a lie, always be fair, never commit adultery, and so forth). There are different forms of this theory, but the general approach suggests that we discover within ourselves, through intuition or simple recognition, various imperatives. These inner commands are experienced as absolute moral principles. They are statements, as it were, that are felt to be universal—without exception. Our ethical task is to do our *duty* by obeying, no matter how we or others might feel about it. Deontological ethics largely consists of articulating these interior maxims, seeing their interrelationships, and showing how they can be applied to moral cases with maximum logical consistency.

From the deontological perspective, the father's action (or choice of intention) to have intercourse with his daughter is wrong because incest is always wrong and adultery is always wrong. The deontological ethicist is not situational when certain ethical principles are at stake. No matter how torturous the situation may be for the father, in having incestuous intercourse he is going against an inner command of practical reason. If incest is allowed in this circumstance, why could not someone allow for it in a slightly less serious circumstance? Where could one draw the line? There is an absoluteness about reason that must always be respected. Reason demands that one must always do one's duty.

The whole orientation of the deontological approach is like the perspective of those who thought Ralph was swimming well only to the extent that he was satisfying a goal or objective imposed upon him. If Ralph achieved that goal he would be rewarded. If he failed he would be punished. Ralph's duty was to achieve this goal, whether he liked it or not. If he liked it, that would be OK, but it would not count one way or the other as far as achieving the universal goal. Similarly, our feelings do not count as far as ethical rightness or wrongness is concerned. What is morally sound is a good will—a will that is revealed in doing one's duty.

In this deontological approach the inner commands of a good will constitute moral absolutes. The demands of duty are imposed

upon the action. In this way of thinking, it is the *ethical agent* himself or herself who *imposes* these absolute principles on the action, but they are nonetheless imposed. The ethical action is not regarded as good in itself. The principles of duty do not serve just to illuminate the nature of the morally right course of action: They also serve as goals that the ethical choice is chiefly a *means* of fulfilling. The action or choice is good only in so far as it measures up to these inner directives. In evaluating a moral action, the deontologist is still a relativist, because he or she regards the ethical action chiefly or solely as a means to fulfilling the duties that are imposed on—not discovered in—the action itself.[3]

Deontological ethics, *from the standpoint of the human action itself*, is like ethical egoism and utilitarianism. All three approaches are relativist. Ethical egoism says that the action is relative to the goals of the agent. Utilitarianism says that the action is relative to the goals of the whole community or society. Deontologism, generally speaking, implies that the action is relative to the goals of someone or something transcendent (God, the Spirit, Will).[4]

Natural Law

The Personal Development Theory of natural law is different from the other three theories.[5] Its whole orientation emphasizes the nature of the moral act itself, independent of its good or bad consequences and independent of the imperatives of inner experience or social custom. This approach does take into account both consequences and inner commands—even social customs, to some extent—but the primary point of focus is the action itself.

Like the deontological theory of ethics, however, the Personal Development Theory involves an absolute stand against the father's intention to do what is objectively an incestuous act. Since incest always treats one or more persons directly as a means to an end such as self-gratification, the "least net bad results," or the like, such an act is always wrong. Any person who deliberately and freely wills to do this kind of action is saying that he or she is *willing* to treat a person directly (solely or chiefly) as a means to an end. But since the nature of a person consists precisely in being

primarily an end in himself or herself, and never principally a means, the ethical agent is saying in and through the action that he or she is willing to foresake the status of personhood and become, if necessary, like the object of his or her action: a means to an end. Such a stand is a direct attack on one's own development as a person, and is therefore morally wrong.

From the Personal Development viewpoint, the father is willing to treat his own and his daughter's personal powers (to give life and to share a special kind of intimacy) as primarily a *means*. This intention and action are bad for their development *as persons*, even though it may be difficult in the present circumstances to see *how* this is so.

The younger daughter, of course, might be killed. But the father's choice to refrain from incest would not *be* the decision or action of killing her. Nor would the decision to refrain from incest specifically result in the killing. The decision to kill the younger girl is in the hands of the intruders. By his action of refraining, the father would not be saying, "Go ahead and shoot, I do not care; her life is a means to my ends, too." (At least he does not have to mean that.) The father would be saying (if his intentions were good): "Do as I am doing, refrain from using any person chiefly as a means to get something done or to get out of a predicament." In fact, by committing an act of incest with his older daughter, he is saying to his younger daughter (as well as to his wife and the world-at-large): "I am an incest-willing person; if you were in her position I might treat you in this incestuous way, too." He is not necessarily saying that he *wants* to do this action, but that he is *willing* to do it.

Although more background is needed to understand fully that the person is always an end in himself or herself, here it can be said that the father's act is not something he *has*, but something that he *is*.[6] Of course, the act is *not all* that he is. He is much more than any one act. But he *is* what he does by deliberation and free choice. If the stress of the situation rendered him relatively incapable of choosing freely—if he was largely the victim of his emotions at the time—then his culpability (ability to be faulted

for this wrong act) is greatly reduced. But such a constriction of his freedom to act, does not mean that the act itself should have been done.

Morally significant actions say who we *are*, but also what we will do—to everyone, if the circumstances are right. If the terrorists had demanded that the father kill one of his children in order to save the lives of his other seven children, he would be morally obliged to refuse. If he freely and deliberately, though extremely regretfully, agreed to these terms, he would be saying to each of the children whom his action was designed to "save": I would do the same to you, if you were the one they wanted me to kill; your life is not primarily good in itself, but primarily a means to an end." He would not really be valuing any of them as good in themselves.

The Personal Development Theory of natural law is an approach that is *like* the perspective of those who would regard Ralph's swimming as essentially good in itself, in as much as it fulfilled his nature as an exercise-needing being. The swimming increased his potential for maintaining and enriching his physical life (and, of course, more remotely, his emotional and spiritual life). If the action had good consequences, such as helping him attain his objective of sunning himself on the platform rock, so much the better. Ralph's goals—his own, other people's for him, or felt commands from within—are something that he *has*. They may be quite good or quite bad. But the act of swimming is something that Ralph *is*—absolutely. He *is* his swimming. He only *has* his goals. What primarily determines him to be a swimmer is his act of swimming itself, not his goals.

If Ralph were to have heart-trouble his activity of swimming would be bad in itself—an action against his nature—whether he realized it or not and whether it enabled him to reach some goals or not. Similarly, a moral action may be good or bad in itself, independent of its consequences. In the case of Ralph's swimming, the action takes on moral significance to the extent that Ralph reflects on whether and how such an action will be good or bad for him—whether and how it is harmonious with or goes against

his rational nature for him to swim at this time in this way.

A morally good person determines himself or herself to be a morally good person by morally good acts, not simply by good motives and the circumstances. A morally bad person determines himself or herself to be morally bad by acts, not simply by bad motives or the circumstances. An ethics of self-determination is an ethics of natural law—the law of what it is to be a human person in attitude and action.

Attitudes Toward Love

The ethics of natural law is an ethics of love.[7] The morally or ethically significant action is regarded as inherently loving or unloving. Each of our deliberate, freely chosen actions says, in itself, "I love you" or "I do not love you" (I will your good, despite the cost or I do not will your good).

This ethics of free, self-determined choices is distinctive in the way it views human action and human good. Its meaning for love is different from the other approaches to moral behavior.

Ethical egoism and utilitarianism settle on the consequences of human actions as most significant. People who share their approach are trying to say with their choices and actions: "I love you *because* . . ." (because this action will produce these consequences). They think morally right acts are chiefly means or stepping stones to get something done or to produce a future state of affairs. The ethical egoist is willing to love you, if necessary, by sacrificing or subordinating your good to his or her own good. The utilitarian is willing (not necessarily wanting) to sacrifice or subordinate your good and his or hers to the good of society-at-large.

Deontologism tries to get a fix on absolute principles of right and wrong that are *found* in one's consciousness, without necessarily being able to derive them from an objective analysis of human nature and human motivation. People evaluating actions from this approach are trying to say with their choices and actions: "I love you *if* . . ." (if this action measures up to a principle or principles that form the dictates of a good will). They regard morally right acts as chiefly means or stepping stones to live up to interior

judgments that appear to be practically necessary—including the *idea* that you as a person are good in yourself and are never to be treated chiefly as a means. You are loved because you measure up to an idea or a judgment of practical reason, not because you are intellectually known in the concrete fullness of your real presence. You and the ethical agent himself or herself are being sacrificed or subordinated to a set of moral principles; and the very real act by which you are loved is regarded as a means to the goal: self-justification by the good will these principles are supposed to represent.

An authentic ethics of natural law *uses* principles, not persons. People who live by this kind of approach are trying to say in their choices and actions: "I love you, period." They think morally sound acts are—like the real persons who choose and do them, and like the real persons for whom they are chosen and done—good in themselves, whatever their apparent consequences may be.

The distinctive nature of natural law ethics is also revealed by examining the meaning of freedom that underlies the crucial question of how to make sound ethical decisions. Let us consider the levels of freedom that are needed to support the critical human activity of choosing well.

4. Choosing Well

Today it is fashionable to be pro-choice. Pro-choice on family planning and abortion, as well as on what you buy in the supermarket. As long as you are choosing among alternative objectives and ways of satisfaction, it does not seem to matter what your choice is; or, if it does, the more important thing is that the choice is yours. Good choice is good because it is yours, not necessarily because it is *this* or *that* choice. If you choose to use a diaphragm and spermicide as a means of family planning, most people might

regard this choice as right and good, as long as you freely make it and think it is right. Something is thought to be well-chosen if it gets the job done, and ill-chosen if it does not.

But choosing well is not merely a matter of satisfaction and success. Choosing well occurs only when certain other conditions are fulfilled, especially conditions of genuine freedom. In natural law ethics we discover a mature meaning for freedom that makes choosing well really possible. This ethics of self-determination provides a wide horizon of freedom in contrast to other approaches.

Let us explore the natural law meaning for freedom and then contrast it with lesser horizons.

We can begin by noticing that you are reading the lines of this page on three levels. Because your eye balls are moving as you read from one side of the page to the other, we know you are enjoying a freedom of movement. This can be called your first level of freedom. At the same time, you are doing the reading as a means to achieve one or more particular goals. Perhaps you want to increase your ability to answer questions on what ethics is or what freedom is. At this second level of freedom you exercise your ability to choose to do a particular action (this reading) as a means to attain some benefit to yourself and others. The benefit will come only when the action is completed.

But you probably desire another kind of benefit from the action of reading. In so far as you are reading at a third level, you are not simply looking for some good to come from it *after* you have done it. You are benefiting from the reading in the very act of reading. If you are appreciating what you are reading—as a good in itself—you are not simply striving for a goal. You are participating in a good; the good of the action itself and the knowledge it brings at the very time you are engaged in it.

These three levels of freedom call for investigation.

Freedom of Nature

The most basic level of freedom is what might be called the freedom of nature. All creatures have this freedom. Essentially it

is the freedom to move or act. A rock is falling from a cliff. A bird is singing in a tree. The tree is growing and developing new branches. A baby is crying. A child is doing arithmetic. Someone is sleeping and dreaming. Someone else is conversing with a friend. By doing something, the doer goes from one position or condition to another.

The most obvious instances of the freedom of nature are often called physical acts. Movements that can be seen and measured surely proceed from the freedom of nature, as in the case of the falling rock. But the freedom of nature also includes internal acts. People and some animals seem to experience, and be the source of, internal movements called acts of imagination. Dreaming is an instance of natural freedom.

Even non-material activities such as thinking and willing, which are purely intangible, are real changes in a person that he or she necessarily effects. A person cannot really make himself or herself into the kind of being that does not spontaneously tend to think and to will, to know and to love. We may try to keep ourselves and others from engaging in these internal, spiritual activities; but we do so against our nature and at our own peril.

The spontaneous tendency in human beings to move about, dream, create, love, and so much more are instances of first-level freedom.[1] Beyond our power to choose wholly against them, they are exercises of the freedom of our nature. The human being is basically free to act physically, psychically, and spiritually.

Freedom of Choice for Goals

The second level of freedom is shared only among human beings. We have the ability to choose goals for our behavior and to choose the appropriate means for attaining them. This freedom is not simply a freedom to move instinctively toward a particular objective, as a dog does in chasing a cat. It is a freedom to know alternative goals or objectives precisely *as* goals and to know the means precisely *as* means.

A dog knows his objective, the cat. But he does not know the cat *as* a goal, just as he does not know the cat *as* a cat. Animals

seem to share in our goal-choosing freedom by their goal-striving behavior. But their freedom essentially consists in a more or less complex excercise of the freedom of their nature.

When you chose to begin reading this page, you were not only displaying your freedom of nature to tend toward a goal: scanning the lines. You were also demonstrating (to some extent) your specifically human freedom to *choose* to do so, from among many other possible things to do. And you know the scanned lines—your goal—*as* a goal.

At this level of freedom, your action is always a means to an end. Your action is some kind of striving for a goal. The end or goal is always other than the action itself. The acts of walking over to a table, of taking the book in your hand, and of opening to this page are means to achieving the desired objective: reading the lines. These instrumental actions are limited actions. They are limited by the objective for which they are done.

The goals that we choose are also limited. Yet we grow as persons only through an infathomably complex series of goal-setting and goal-striving behaviors. Whenever we exercise our freedom of choice, some kind of goal-directed behavior is inevitably involved. To be human is to be naturally (if not always functionally) capable of engaging in choosing goals and working toward their attainment. But there is so much more.

Freedom of Choice Among Goods

The heart of human freedom is the freedom to become deeply, richly, magnificently who we somehow already are. When we deliberately and freely choose to do something, we are not simply choosing limited objectives or goals. In the midst of choosing and striving to attain these goals we are also choosing the kind of person we will be.

A dog has no choice about the manner in which he chases a child down the street. The animal does its chase in a manner entirely predetermined *for* him by nature and environmental conditioning. You can chase the same child in a manner that is largely predetermined by your nature and your environmental condi-

tioning (just like your mother used to do, perhaps). But you can also chase in a manner that is partly determined by you.

Your freedom is specifically different from that of an animal in two fundamental ways. The first way is your ability to choose between many limited objectives or goals for your behavior, as well as between various means to reach them, and to do this with at least minimal awareness of the goals as goals and of the means as means. The second way is your ability to choose among unlimited "objectives" that the limited ones presuppose. These unlimited "objectives" or Fundamental Human Goods (to be discussed in Part III) are the content of your free acts at the third level of freedom.

When you choose to chase a child down the street, you do so not only to achieve some limited objectives, such as getting exercise, releasing physical tension, or preventing the child from playing where his life and health are threatened by passing automobiles. You likewise do so with an attitude toward the underlying basic human Goods of Play (doing something for the sheer goodness of the performance itself), of Life (living in health and safety), or of any other ultimate purpose for which a deliberate, free human act is done.

These Goods, such as Life, Play, Aesthetic Experience, Integrity, Friendship, and others are parts of what it is to *be* a person-in-action. All human acts imply a positive or negative attitude toward one or all of them. Some people are more or less positive toward the Good of Life and of Play when they chase a child. Others are more or less negative. Positive persons desire to achieve their limited objective of apprehending the child, but they choose to do so with an attitude of openness toward their Big Purpose: to participate in all the Goods that necessarily make us human persons. They do not desire merely to get the job done. They appreciate the activity all along the way. Their action is valued in itself.

Our attitudes toward persons, places, things, and especially toward what is involved in our own actions, are most decisive in developing the kind of person we are coming to be. If you are

chained to a wall and are being beaten to death, you do not have as much freedom as you desire. You *move*, from side to side as best you can, in order to escape the blows. In other words, you exercise first and second level freedoms. But, as long as you are conscious, you have the freedom that is crucial in determining the kind of person you are: you are free to determine your attitude toward your persecutors. You are free to choose to bless or curse them—to forgive or to hate them—even as you scream out in agonizing pain.

Third-level freedom is the freedom to love or not to love, no matter what you are doing. Whatever limited objectives you may be pursuing at a given time, you are always free to hold a positive or negative attitude toward yourself and others in the midst of the action. You are free to choose among the fundamental Goods that are necessarily involved in being a person and in fulfilling human possibilities. More specifically, you are free to choose in a positive or negative manner. (The general principles involved in choosing responsibly or irresponsibly will be discussed in Part IV).

Third-level freedom is called the freedom of self-determination. You and I are free to determine the kind of self or person we *will* to be. We may fail at achieving our limited objectives or even at creatively proposing to ourselves all of the possible courses of action that might truly lead to their attainment. But we need never fail to deepen our participation in our own nature as persons. We can always *will* to let ourselves be deeply human, deeply alive.

The difference between second-level and third-level human freedom can be seen by considering a couple who are being married.

Saying "I do" for the sake of all the things they can accomplish together in their married life might exemplify their second-level freedom: the freedom to choose between possible goals for action and between the possible means to effect the goals that are chosen. Since marital life is not simply another goal, but an important human good, their commitment to each other and to

society (marriage is a personal, social act; not a private pledge) exemplifies their third-level freedom: the freedom to choose among goods in a positive or negative way. If they make a truly positive, loving marriage commitment, then they open themselves up for growth in all of the fundamental human Goods—especially, in the case of marriage, the Goods of Life and Friendship. Marriage is a special way of celebrating and growing in the practically inexhaustible Goods of Life (their own lives and their children's) and of Friendship or Community (with each other, with their children, relatives, friends, and with all others in the society, who have taken them implicitly, but actually, as husband and wife).

The Goods that form the content of third-level acts of freedom and that thereby underlie every means-to-an-end (second-level) type of action are the *ultimate* purposes for which any person *as a person* can act. They are *unlimited* objectives. No one ever exhausts or fully reaches them. You cannot have a life that is too healthy or too vibrant. Two people can never be too deeply friends, if their friendship is authentic. You can never be finished with friendship. Third-level freedom is a freedom of *being*: the freedom not only to *do* good, but to *be* good, and there is no limit to that.

Briefly, then, the three levels of freedom concern *moves*, *goals*, and *goods*. First-level freedom is a Nature-determining freedom; we are determined by the nature of our movements or acts. Second-level freedom is an Other-determining freedom: we are determined by goals that are necessarily *other* than the actions that we perform. Third-level freedom is a Self-determining freedom: we are ultimately determined by our own selves as persons choosing how we will stand toward the fundamental Goods.[2]

Freedom and the Moral Point of View

All three levels of freedom are found in every deliberate, freely-chosen action. From the viewpoint of the Personal Development Theory of natural law, the ethical evaluation of an action requires a recognition of these three levels and the attempt to

focus specifically on the third-level characteristics of the act. But the three other major approaches to ethical evaluation seem to be largely or totally unaware of third-level freedom.

Let us consider the common ethical approaches in the light of the levels of freedom.

The ethical egoist is concerned about his or her own freedom first. The freedom of others is secondary and is regarded as good in so far as it contributes to the freedom of the self. Ethical egoism holds that the essence of a good act is the degree to which it satisfies or brings about the fulfillment of the ethical agent. Other people's satisfaction is also a good. But it is seen as necessarily subordinate to one's own satisfaction. This theory is devoted to second-level freedom, with the satisfied ego as the primary goal.

The utilitarian is concerned about maximizing the freedom of all concerned. The greatest happiness or satisfaction for the greatest number of people is the primary goal. The individual ego of the ethical agent is only one among others, and his or her satisfaction ought not to count (ideally) more than that of any other. The goal is to increase the happiness of everyone, at the expense of no one, or at the least net expense.

In evaluating a human action according to utilitarian theory, we are required to make a sincere and honest attempt at calculating how much good and how much harm will come to how many people. Such calculation is a more or less sophisticated endeavor by which we hope to determine the course of action that leads to the most beneficial results for all. The morality of an act, therefore, is determined by its good or bad consequences. Utilitarianism is devoted to second-level freedom, with the primary goal being the maximum happiness and the minimum dissatisfaction of all concerned.

The deontologist (ethician of duty) is concerned about the maximum applicability of absolute laws. The freedom of universal inner commands is the primary focus. How can we take those interior moral demands—Always keep your promises, never tell a lie, do not take anyone's property, or the like—so as to fulfill them in our lives without exception? Moral situations

are the occasions for exhibiting our good will by living up to principles that are right and just. That is our duty: to do what is right and true, whatever the cost. A human act is regarded as morally good in so far as it can be a kind of model and principle for the acts of any other person in similar circumstances.

Since the moral act is seen essentially as a means to fulfill absolute commands and as a means to the edification of others, one is devoted, in the deontological theory, to second-level freedom. The primary goal of moral activity is the maximum satisfaction of universal principles of human behavior. The act itself—and by way of implication, the agent—is regarded chiefly as a means.

Even though moralists in this ethical tradition stress the idea that a person is an end in himself or herself, the person as moral agent is required to obey inherent commands that he or she cannot *know* in a strict sense. The moral commands come from one's own mysterious depths without a foundation in ordinary knowledge. The ethical agent bases action on the *idea* of being an end in self, but not on the inherent goodness or badness of the action itself. Deontological freedom is the freedom to choose absolute principles as goals and to choose the appropriate actions as *means* to live up to them.

Besides deontologism, there is another moral point of view which emphasizes absolute duties at the goal-striving level of freedom. The kind of natural law theory that rather commonly conceives ethical activity as an obedience to God's will, written in the nature of human beings, seems to focus on second-level freedom and action. This theory puts God's will above God's wisdom. Human behavior is regarded *essentially* as a means toward getting to heaven or a condition of final fulfillment. The person's ultimate end is considered as a goal. It is largely overlooked as an intrinsic good, growing within every good act and inherent in every good person. Heaven and hell are conceived as similar to the rewards and punishments one might use in training an animal, rather than as the ultimate fruits *of* one's action and *in* one's action.

The Personal Development Theory of natural law, however,

regards every free, deliberate human act as an end in itself—for good or for bad. The act is where the action is. The act is where the person is in his or her heart. Goals are important; but they are always limited objectives. To make one's ultimately desired condition (heaven) into a goal is to lower one's sights on human freedom to the second level.

Like taking your eye off the ball in tennis or golf, taking your evaluating mind off the action itself can readily result in missing the truth of what is morally good or bad in a given case. We might say, in one sense, that a morally significant act is either a good end in itself or a bad end in itself. As a moral act—the act of a person as a person—it is never chiefly a means. Caring for your aged mother or robbing her: Either action is primarily an end in itself and secondarily (but importantly) good or bad in its consequences.

Moreover, the action is *not* good or bad *mainly* because it succeeds or fails to measure up to a command of God or of your inner self. It is good or bad chiefly because it makes you more or less a person in the very act of freely choosing it. You are acting at third-level freedom in an open or a closed way; you are choosing well or choosing ill. That is how you determine your destiny for good or for ill. Your destiny is now.

Freedom and the Judeo-Christian World View

The Personal Development Theory of natural law includes all three levels of human freedom. The highest level is the freedom to direct ourselves in harmony or disharmony with our own nature. This level of freedom is God-like freedom, because all actions at that level are ends in themselves. In the Judeo-Christian tradition, God is, above all, the being whose activity is good in itself—based, as it is, on God's wisdom and love. God's acts are not goal-strivings. They are good-doings and good-creatings. They are within us, as well as within God.

The Judeo-Christian World View says that human beings are created in the image and likeness of God. We are regarded as especially like God in our primary human freedom: the freedom to determine who we are. We did not have anything to say about

whether we were to exist or not. Nor did we have anything to say about the fundamental kind of being we were to be (human, rather than animal, angel, or whatever). But we have everything to say about our destiny, precisely as a person, in this life and the next.

As the basis of ethical activity for choosing well, human freedom has three major levels: Nature-determining freedom, Goal-determining freedom, and Self-determining freedom. Only on the third level is human attitude and behavior specifically good or bad. The Personal Development Theory of natural law is basically the only approach that takes all these levels into account in moral reasoning. It can also serve as the best rational basis for the traditional Judeo-Christian morality.

In Part III, we will consider the absolute basis for choosing well. We may be able to grow in our realization that being pro-choice is incomplete without being pro-Life, pro-Play, pro-Integrity, pro-Authenticity, pro-Friendship, and other necessary, pro-personal values or goods. Perhaps we can learn to read better the lines of *living*—at every moment on all three levels of freedom.

Notes: 3. Basic Viewpoints on Human Action

1 The word *relativist* here does not necessarily mean subjective as opposed to objective. This perspecitve is called *relativist* because its main point of attention is *other* than the subject, Ralph, and his actions. Ralph and his actions are valued, not in themselves, but *relative* to something else.

2 Utilitarianism is not relativistic (arbitrary in standards, depending on the desires of the individual). It is theoretically objective in its main standard: Everyone must always strive to know and do what is the very best for the most people involved or what will entail the very least harm. But utilitarianism is relativist in keeping its center of perspective fixed on something beyond the ethical agent and his acts—something that has its value chiefly outside the agent and his acts. It treats the father, in this case, primarily as a means to the calculated good of others.

3 Immanuel Kant, along with many modern and contemporary moralists, held that we cannot really know the structure or essence of anything independent of our minds. Our minds impose form or structure on things as we know them. This viewpoint on human knowing makes it impossible for him to recognize an ability to *discover* what is the right moral choice or action. Accordingly, we find principles of right in our practical reason or will-life and legislate them for ourselves and our freely chosen actions.

4 In this kind of modern thought, since human knowers are considered unable to grasp the natures of things, natures take on the aspect of something to be desired,

but not yet present (goals). The human will is viewed as taking over for the deficiencies or inabilities of intellect. Natural law theory also relates ethical action to God, the Spirit, Will, and so forth; but as a good, not a goal. The important distinction between a good and a goal will be developed later.

5 Personal Development Theory of natural law is my term for the core meaning of natural law ethics, as taught by Thomas Aquinas, but developed and explicated by Germain Grisez.

6 This is one of the main differences between the deontological ethics inspired by Kant and the traditional natural law approach. For Kant, the ethical agent and all human persons are ends in themselves and are to be treated as such at all times. But the ethical act is regarded chiefly as a means to this treatment of persons, and not mainly as an end in itself. As a result, the principle of always treating persons as good in themselves is alien to the act itself and inevitably, if inadvertently, becomes a goal, for which the agent strives outside his or her own actions.

7 Some may wish to regard it as an ethics of justice. But justice is a form of love. And love is always just, even when it is merciful or compassionate. Love is never cold justice; it is warm justice, at the very least.

Notes: 4. Choosing Well

1 This freedom of nature really includes the other two in some respects. Even the freedom to choose goals and the freedom to participate in goods are natural to the human being. Choices are moves or acts of *human* nature. We need to distinguish between nature and reason or between nature and volition, the better to see their unity. Everything rational or volitional is natural even though not everything natural is rational or volitional. Freedom is natural to human persons, on all three levels.

2 These three levels of human freedom are intimately interrelated. Whenever you act or move—in any way—the freedom of nature is involved. When you freely choose a goal and an appropriate means to attaining it, both the freedom of nature and the freedom to choose goals are involved. To the extent that your goal-striving choice or activity is conditioned by your deeper choice about the kind of person you will to be—pro-personal or anti-personal—all three levels of freedom are involved. The third level freedom (self-determination) cannot exist without the other two levels—at least not in this life.

It is important to realize right from the start that third level freedom can be excercised well or poorly. Just as we can, at the second level of freedom, choose goals that poorly support third-level purposes or choose means that do not lead us effectively to those goals, so we can at the third level of freedom, choose to take a stand against a fundamental human Good. Acting at the third level is where we find ourselves really choosing well or ill.