

Aquinas on the Object and Evaluation of the Moral Act: Rhonheimer's Approach and Some Recent Interlocutors

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Abstract: *This essay briefly contextualizes Martin Rhonheimer's work in Thomistic action theory in light of the contemporary renewal of Thomistic ethics, while further noting some of interpreters who influenced the development of his thought. The primary goal, however, is to offer an exposition of his approach to the object and evaluation of human acts, and note how its key aspects draw upon Aquinas's texts, and how they relate to alternative readings. Among the key emphases of his approach are (i) an explicit denial that the object is simply a "thing" of the physical order, (ii) a corresponding affirmation that the object is a human act ordered to an end, (iii) an insistence on the contribution of practical reason to the formal constitution of the object, (iv) a further insistence that the rule and measure for human action is reason, and (v) an emphasis on the rational structure of the virtues as reflecting this rule and measure.*

Those familiar with the post conciliar history of moral theology are well aware that, following a decline in the post conciliar years, Aquinas's ethics is enjoying a renewed prominence among a wide range of moralists, including both theologians and philosophers, and – among the former – both Catholics and Protestants. Followers of developments in Catholic moral theology are also aware of the centrality, during this period, of debates regarding the good and evil of human actions. In recent years we have therefore witnessed a great renewal of interest in the Thomistic theory of the moral act or “action theory,” with an increasing number of scholars offering their contributions.¹ A major stimulus to

1. An earlier form of this article was written in 2005, but it was not previously published, largely because the subject matter of Rhonheimer's reading of Thomistic action theory was considered too controversial by the relevant journals, which preferred an alternative approach emphasizing a physical account of the object. Given that more recent scholarship seems to be vindicating the general directions of Rhonheimer's approach,

the recent – that is, post *Veritatis splendor* – scholarship in action theory has been the work of the Swiss philosopher Martin Rhonheimer, who first gained the attention of English language readers through his incisive and influential engagements with leading revisionists and in defense of the encyclicals *Humanae vitae* and *Veritatis splendor*.² On the other hand, Rhonheimer's articulation and development of Aquinas's teaching on the moral act, and its application to particular questions, has more recently raised various objections, and even harsh critiques, from scholars seeking to support contested Magisterial teachings.³

Does his work contribute – as he hopes and as I will suggest he does – to a much needed recovery of a “first person” ethic of the acting person as encouraged by *Veritatis splendor* no. 78, thereby rescuing Aquinas from the distortions of casuistry, from the physicalist moral theories that contributed to the post conciliar turmoil, and from a merely “third person” ethic of the external observer? Or, as some have feared, does his insistence on an intentional account of the moral object reveal him to be an Abelardian in disguise, sowing the seeds of moral relativism? Or, as some critics have suggested, does his emphasis on reason over the

and to be discrediting the opposing theories, it seemed appropriate to publish this essay now, especially as it provides a context for some of the other contributions in this issue of the *Josephinum Journal of Theology*. To the extent that was possible, I have updated this essay with references to some of the work published since 2005 so it can also provide a framework from which to investigate the state of the question. An overlapping, but considerably shorter, essay was recently published as “A Reading of Aquinas in Support of *Veritatis splendor* n. 78 on the Moral Object,” in *Logos: A Journal of Catholic Thought and Culture*, 11:1 (Winter 2008): 100-126. In my “Developments in Thomistic Action Theory: Progress Toward A Greater Consensus,” which was published in the *National Catholic Bioethics Quarterly* (Autumn 2008): 505-527, I begin by sketching a reading of key phases in the post-conciliar scholarship on moral action, then argue that a recent attempt to defend an approach based on natural ends (i.e., “natural teleology”) fails, and finally summarize where consensus seems to be building and where further work is required. The two essays by Duarte Sousa-Lara, included later in the present journal, reflect some of the latest scholarship on these matters, and support the central points of the present essay.

2. Regarding *Humanae vitae*, Rhonheimer's initial work in English was his “Contraception, Sexual Behavior and Natural Law: Philosophical Foundations of the Encyclical *Humanae vitae*” in *The Linacre Quarterly* 56:2 (1989), 20-57. An expanded version of this essay is forthcoming as the first two chapters of his *Ethics of Procreation: Contraception, Artificial Fertilization, Abortion* (Washington: Catholic University of America Press: 2009), edited by William F. Murphy, Jr. I draw upon both of these works in my “Forty Years Later: Arguments Supporting *Humanae vitae* in Light of *Veritatis splendor*” in *Josephinum Journal of Theology*, 14:2 (August 2007): 122-167. Regarding *Veritatis splendor*, Rhonheimer's key essays are collected in his *The Perspective of the Acting Person: Essays in the Renewal of Thomistic Moral Philosophy* (Washington: Catholic University of America Press, 2008) edited with an introduction by William F. Murphy, Jr.
3. Regarding moral theory in general, Rhonheimer's critics have been those seeking to support a more traditional approach in which the moral object is seen to be something of the physical order, typically a “thing” or a caused effect without reference to the end

bodily aspects of human nature show him to be, not really a Thomist, but a Cartesian or Kantian undermining Thomistic ethics?⁴

The goal of this paper is to offer a reasonably concise and accurate exposition of Rhonheimer's action theory, making clear the sources and presuppositions on which it is based, while offering some observations about how it compares to some Thomistic alternatives. To do so, I will briefly (in Part I) note three presuppositions that locate Rhonheimer's work in action theory within his broader reading of Aquinas. Second, (II) I will note the primary Thomistic interpreters who have influenced his retrieval of Aquinas's action theory. Third, (III) and primarily, I will sketch the main characteristics of his reading of Aquinas on the object of the moral act, while noting points of comparison with other interpreters.⁵ By so doing, I hope to illustrate how this work contributes to a broader recovery of Aquinas's action theory that promises an era of greater consensus among moralists. My thesis, then, is that although some tradition-minded thinkers have seen Rhonheimer's retrieval of Thomistic action theory as novel and problematic, it is better seen as a particularly helpful contribution to an ongoing conversation.

intended by the agent, and excluding any contribution by the practical reason (since things, for example, can be understood by the speculative intellect). The particular occasion for this criticism of Rhonheimer's work, and a reversion to a physical account of the object, is his assessment regarding the open question, reportedly under evaluation by the Vatican, regarding the use of condoms to prevent the transmission of HIV. Rhonheimer's assessment regarding a married couple in such situations is that they should normally abstain, but that it would not be intrinsically evil if they judged that they could use condoms to lessen the risk of disease prevention while continuing marital intercourse. The most recent critical engagements with his action theory are found in the Winter 2008 issue 6.1 of the of the journal *Nova et Vetera*, English edition. They include Stephen L. Brock's thoughtful essay "*Veritatis splendor* N. 78: St. Thomas and (Not Merely) Physical Objects of Moral Acts," 1-62; and Lawrence Dewan, OP's "St. Thomas, Rhonheimer, and the Object of the Human Act," 63-112.

4. For an example of such charges - indefensible in my opinion - see pages 519-20 of my "Developments in Thomistic Action Theory." Besides my previously cited essays, I address the contrast between such an approach and those of what can be categorized as more "traditional" - but difficult to justify - readings of Aquinas in my "*Veritatis splendor* and Traditionally Naturalistic Thomisms: The Object as Proximate End of the Acting Person as a Test Case," *Studia Moralia*, 45.2 (December 2007): 185-216.
5. I will not attempt to document most of what I write with references Rhonheimer's works, but rather synthesize his positions and their bases in my own words. For Rhonheimer's most recent and comprehensive treatment of these matters, which serves as the primary source for this essay, see his "The Perspective of the Acting Person and the Nature of Practical Reason: The 'Object of the Human Act' in Thomistic Anthropology of Action," *Nova et Vetera* 2, no. 2 (2004): 461-516. This essay was originally written in Italian and partially presented at the Congress "Walking in the Light. Perspectives for Moral Theology Ten Years after *Veritatis splendor*" (Pontificia Università Lateranense / Pontificio Istituto Giovanni Paolo II per studi su matrimonio e famiglia, Rome, November 20-22, 2003). Italian text was published in the proceedings of the Congress, *Camminare nella Luce. Prospettive della Teologia morale a 10 anni da Veritatis splendor*, eds. L. Melina, J. Noriega, (Rome: Lateran University Press, 2005).

I. Three Guiding Presuppositions to Locate Rhonheimer's Action Theory

It is important to locate Rhonheimer's account the moral object in light of his presuppositions or judgments regarding (i) the complex, insufficiently clear and perhaps underdeveloped character of Aquinas's teaching on the moral object,⁶ (ii) how this rendered the subsequent tradition vulnerable to distortion, and (iii) the implications of the first two points for contemporary Catholic moral philosophy and theology.

First, regarding difficulties in understanding Aquinas's teaching and its underdeveloped character, we should first note that Rhonheimer holds that it is fundamentally coherent. Still, he recognizes that Thomas does not offer an explicit and comprehensive treatise on the object of the human act as evident in the absence of even a single article dedicated to defining it.⁷ Moreover, he proposes the notion of a "basic intentional act" to clarify Aquinas's theory.⁸ More generally, we

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6. Although some earlier interpreters had suggested Aquinas's teaching was relatively clear and straightforward, some of the recent interpreters are now more ready to acknowledge the complexity of Aquinas's teaching and the need for additional efforts to give a complete exposition of it. In this regard, we might note the previously cited essay by S. Brock, and Joseph Pilsner's *The Specification of Human Actions in St. Thomas Aquinas* (Oxford: Oxford University Press, 2006).
 7. The articles of *ST* IaIIae q. 18 touch on the object as they address, respectively (i) that actions are good or evil, depending upon whether they possess their proper *fullness of being* according to a proper determination of reason, due place, etc.; (ii) that the primary goodness and evil of moral actions is derived from the *object*, which "stands in relation to the act as its form, ... through giving it its species"; (iii) that this moral goodness or evil depends accidentally on the *circumstances*; (iv) that moral goodness or evil is derived from its *end (fins)*; (v) that actions are either good or evil in their moral species depending on whether, respectively, they do or do not conform to reason; (vi) that the action formally receives its moral species of good or evil from the end, whereas a material species comes from the end of the exterior act; (vii) that, in cases where the object of the exterior act is naturally ordered to the end [as fighting to victory], the species derived from the end is more general and contains the species derived from the object of the exterior act; that an action of one natural species can be of another moral species because of supervening moral conditions (i.e., ends); (viii) that some "actions" [actually "acts of man" and not human/moral acts], like picking up straw, are indifferent in their species; (ix) that no individual "human actions" in the proper sense are morally indifferent, because all have ends and circumstances; (x) that some circumstances, by becoming a principal condition of the object (as a form conceived by reason) and specifying it as good or evil, can give an action the species of good or evil; (xi) and that not every circumstance that makes a moral action better or worse changes its species.
 8. Rhonheimer's discussion of the basic intentional act is presented most fully in his *Die Perspektive der Moral: Philosophische Grundlagen der Tugendethik* (Berlin: Akademie Verlag, 2001), which is forthcoming in English under the tentative title of *The Viewpoint of Morality: Philosophical Bases of Thomistic Virtue Ethics* (Washington: Catholic University of America Press). Although his new study, *A especificação moral dos actos humanos segundo são Tomás de Aquino* (Rome: Edizioni Università Santa Croce, 2008), confirms many of Rhonheimer's key insights, Duarte Sousa-Lara will argue that Rhonheimer's articulation of the "basic intentional act" becomes superfluous, once one corrects a widely-held mistake regarding Aquinas's understanding of the interior and exterior acts, as we will discuss below.

might say that Rhonheimer's assessment is reminiscent of Jacques Maritain's remark in the preface to the latter's moral philosophy: "...a moral philosophy conceived in the light of [Thomas's] principles, and capable of illuminating our modern problems has yet to be developed..."⁹ On the other hand, Rhonheimer certainly thinks that it is possible to draw from Thomas not only a comprehensive moral philosophy, but a coherent and rich philosophy of the moral act.¹⁰ However, although Rhonheimer reflects the more recent trend to give greater importance to the place of moral action in Thomistic ethics, he would not go as far as Christopher Kaczor who writes that "most central to Thomas's account of the moral life is not natural law, conscience, commandments, or even, as many modern interpreters contend, virtue, but rather human action."¹¹ Instead, following the programmatic statement in the prologue to the *Secunda Secundae*, where Thomas writes of his intention to treat all of morality through a consideration of the virtues, Rhonheimer recognizes virtue as the central theme of the moral teaching found in the *Secunda Pars*.

Second, we consider the way in which Rhonheimer thinks this lack of development influenced the strands of tradition that developed in reliance upon Aquinas. In brief, he thinks the lack of a more explicitly developed theory of the moral act renders the subsequent tradition vulnerable to distortion, contributing to the post-conciliar crisis in moral theology.¹² In this respect, his work aligns with Servais Pinckaers' argument about how the Thomistic ethic of interiority, human flourishing, natural law, virtue, and excellent action was distorted by the nominalistic and casuistic presupposition that morality should be understood primarily in terms of obligation.¹³ Pinckaers' proposed reading of the history of ethics from the perspective of a biblically informed Thomistic moral theology - though in itself needing further development - correlates with Rhonheimer's somewhat implicit view that strands of the subsequent tradition devolved towards what could be

9. Jacques Maritain, *Moral Philosophy: An Historical and Critical Survey of the Great Systems* (Scribner's: New York, 1964), ix.

10. Rhonheimer offers his systematic account of such a contemporary Thomistic moral philosophy in his previously cited *Viewpoint of Morality*. From a theological perspective, we might argue that the New Testament demands an ethic that addresses the interiority of moral action, and that Aquinas provides the basis for a comprehensive account. Regarding Scripture, this can be drawn from reflection upon a Pauline understanding of the human person called to true freedom through faith in Christ. One could further support this point by considering the interiorization of the moral law by Jesus in the Sermon on the Mount.

11. See Christopher Robert Kaczor, *Proportionalism and the Natural Law Tradition* (Washington, D.C.: Catholic University of America Press, 2002), 45.

12. For example, in his debate with Richard McCormick, he charges that proportionalism relies upon a "merely physical" understanding of the moral object, following the casuist tradition out of which it grows. See his "Intentional Actions and the Meaning of Object: A Reply to Richard McCormick." *The Thomist* 59, no. 2 (1995): 279-311. This essay is reprinted as chapter 4 of the previously cited *Perspective of the Acting Person*.

13. See especially the second (historical) part of Servais Pinckaers's *The Sources of Christian Ethics*, Translated by Mary Thomas Noble, (Washington: The Catholic University of America Press, 1995).

called a naturalistic legalism¹⁴ that departs from Thomas in various respects. These departures would include several tendencies: (i) to emphasize law either to the neglect of virtue or in a way that lacks sufficient integration with virtue; (ii) to reject or downplay the role of the proximate end – and what John Paul II called “the perspective of the acting person” – in determining the moral species of the act; (iii) to see, in general, the intention as inherent in the physical performance of the bodily behavior, such that the third-person observer – whether confessor, metaphysician, or ethicist – can judge the act from an external observance of a behavior pattern;¹⁵ and (iv) the tendency to emphasize the role of what we might call our “pre-rational nature” or the physical species of the act (or what some later commentators called the “material object”) over both reason and intention in its moral specification, such that the actor is seen to intend as good that which he merely accepts as an undesired evil.¹⁶ Moreover, as we will see, Rhonheimer sees such tendencies in tension with the teachings of Aquinas that “reason is the rule and measure of human acts,” that “the relation to a natural end is accidental to morality,”¹⁷ and that “moral acts take their species according to what is intended, and not according to what is beside the intention, since this is accidental.”¹⁸

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14. Others have argued that, in the Jesuit tradition, Francisco Suarez was decisive in furthering this naturalistic distortion of Thomistic ethics. See, for example, Germain Grisez’s *Christian Moral Principles* Vol. 1, *The Way of the Lord Jesus* (Chicago: Franciscan Herald Press, 1983), 103-104 and notes 19-20. Although this requires further investigation, many additional recent scholars (i.e., Christopher Kaczor, Brian Johnstone) recognize how the Thomistic speculative tradition following certain great commentators moves in a similar direction. Compare Rhonheimer’s reading of Aquinas with, for example, Dennis Doherty’s *The Sexual Doctrine of Cardinal Cajetan* (Regensburg: Pustet, 1966), 50-56. See also Duarte Sousa-Lara’s discussion of the shift toward a material understanding of the moral object initiated by some classical commentators and influencing more recent scholars, which he treats in sections 2 and 3 of his “Aquinas on the Object of the Human Act: A Reading in Light of the Texts and Commentators” in *Josephinum Journal of Theology* 15:2 (August 2008). In the same issue, see also section 4 of his “Aquinas on Interior and Exterior Acts: Clarifying a Key Aspect of His Action Theory.”
15. One must admit, however, that there are only a limited number of intended ends that can inform certain physical behavior patterns.
16. Christopher Kaczor provides a complementary discussion of these historical issues, and the way they inspire efforts such as that of Rhonheimer, in his *Proportionalism*.
17. *ST IaIIae*, q. 1, a. 3, ad 3 “ratio naturalis finis accidit morali.” In my “*Veritatis splendor* and Traditionally Naturalistic Thomisms: The Object as Proximate End of the Acting Person as a Test Case,” I trace this basic teaching throughout the moral section of Thomas’s *Summa Theologiae*, showing its programmatic nature, in spite of its neglect in traditional interpretations of Aquinas.
18. *ST IaIIae*, q. 64, a. 7, “Morales autem actus recipiunt speciem secundum id quod intenditur, non autem ab eo quod est praeter intentionem, cum sit per accidens...” Similarly, in *Ia-IIae*, q. 43, a. 3, “...scandalum est accidentaliter quando est praeter intentionem agentis...” “Scandalum autem activum potest accipi dupliciter, per se scilicet, et per accidens. Per accidens quidem, quando est praeter intentionem agentis...” Of course, Thomas’s theory of how a human act gets its moral species is more complex. Pilsner’s *Specification of Human Actions*, for example, gives a very helpful account of Thomas’s discussion of ends, object, matter, circumstance, and motive.

Rhonheimer's third guiding presupposition follows from the first two. In light of what we have called the complex, and perhaps underdeveloped, state of Thomas's thought and the problems to which this leads, he judges that contemporary Thomistic moral philosophy must render explicit (i) Thomas's somewhat implicit account of a first-person ethic of the acting person, as opposed to an approach that will often be rejected in the contemporary context as a naturalistic legalism, and (ii) his philosophy of the moral act and the moral object, including the proper relationship of the moral object to the objects of the exterior and interior acts. Therefore, his project anticipates and furthers the emphasis of *Veritatis splendor* n. 78 that "In order to be able to grasp the object of an act which specifies [an] act morally, it is therefore necessary to place oneself *in the perspective of the acting person*." It has seemed to me, therefore, that those who are willing to entertain the feasibility of such a project from a Thomistic perspective should find Rhonheimer's body of work a valuable resource. Similarly, his work should be of interest to those who are willing to investigate whether this central text from the encyclical actually offers a helpful contribution toward a resolution of the post-conciliar crisis in Catholic morality, rather than reading the encyclical as merely reiterating what all orthodox Thomists already knew (i.e., that the moral object is something of the physical order, that any inclusion of the ends intended by the agent leads to subjectivism, etc.), and requiring no significant advances in moral theory.

To better understand the state of the question, in the third and primary part of this essay, I will synthesize Rhonheimer's reading of Thomistic action theory, and offer commentary aligning the different elements of his account with those of other interpreters. Although there is not much direct interaction between the work of Rhonheimer and Ralph McInerny, I will present the latter as a primary dialogue partner because he offers what was – at least until recent years – some of the most extensive discussion of these matters available in English, and because he has a reputation as a trustworthy interpreter of St. Thomas. In so doing, I will attempt to show (i) that Rhonheimer's reading is closer on primary points with that of a trusted Thomist like McInerny than many traditional students of Aquinas might suspect; and (ii) that he proposes advances that draw upon primary texts and seek to clarify disagreements in moral theory, such that they therefore deserve careful study. In the footnotes, I will also note some of the more recent work, which seems to indicate areas of growing consensus among moralists. But before so doing, it will be helpful to note the primary interpreters who have informed Rhonheimer's reading of Aquinas, which helps us to locate his work as part of an ongoing conversation.

II. Primary Intellectual Influences behind Rhonheimer's Action Theory

Rhonheimer insists that his action theory, along with his broader work in moral philosophy, should not be understood as a departure from, but rather an interpretation and development of a rational virtue ethic in the tradition of Aristotle and

Aquinas.¹⁹ Indeed, compared to earlier works, his writings reflect the shift toward a more serious engagement with the range of primary and secondary sources.

Of course, all serious scholars of Aquinas are also influenced by secondary sources. But which of these have been most important for Rhonheimer's action theory? First, he credits Servais Pinckaers' work on the role of the end in moral action²⁰ with helping him to understand (i) the importance of the *finis* (end), (ii) the object as goal of the will, (iii) the need to overcome the object/subject dichotomy, and (iv) the importance of understanding of human actions as intentional actions (i.e., those done for the sake of an end) – something which he also learned from the writings of G. E. M. Anscombe. Another important influence was the work of Theo G. Belmans on the objective meaning of human acts, from whom Rhonheimer first came to understand the “object” of a human act as a chosen action and not a thing.²¹ As we will see, this point is central to the most recent critical engagement with Rhonheimer's work by more traditional natural Thomists (like S. Brock and L. Dewan), but it is supported by other scholars (like Sousa-Lara). We might also note that Rhonheimer credits Giuseppe Abbà with helping him to better understand how Aquinas shifted from an ethical outlook centered on “law” to one more centered on the virtues.²²

Moreover, Rhonheimer originally learned, from various sources, and accepted the traditional interpretation of Aquinas on the relation between nature and morality. This interpretation built upon the teaching of Thomas that the intellect was primarily speculative and became practical by extension, which Rhonheimer accepts as fundamental. However, this line of thought sometimes presupposed that *practical judgments* are grounded in *theoretical judgments* about the order of nature.²³ A decisive shift in his reading of Aquinas began when he encountered the

19. This section, which was originally written in 2005, is developed more fully in my editor's introduction to Rhonheimer's *Perspective of the Acting Person*, xiv-xviii.

20. S. Pinckaers “Le rôle de la fin dans l'action morale selon Saint Thomas,” originally published in *Revue des Sciences philosophiques et théologiques* 45 (1961), 393-421, which is reprinted in *Le renouveau de la morale* (Casterman, Tournai 1964), 114-143. Although Rhonheimer disagrees with this work at important points – especially regarding Pinckaers' near equation of physical and moral species – he considers it a seminal contribution towards the renewal of Thomistic action theory.

21. See Theo G. Belmans, *Le sens objectif de l'agir humain. Pour relire la morale conjugale de Saint Thomas*, (Libreria Editrice Vaticana, Città del Vaticano 1980) Studi Tomistici 8, pp. 175 and ff. Although it does not pertain directly to action theory, we should also note that Rhonheimer credits the work of Joseph de Finance in helping him to see in Thomas a notion of human moral autonomy, and to articulate it as participated theonomy. Rhonheimer also credits the scholarship of Angel Rodríguez Luño with enriching his understanding of Thomistic virtue ethics, especially regarding moral virtue as a *habitus electivus*.

22. Here I refer to Giuseppe Abbà's *ex et Virtue: Studi sull'evoluzione della dottrina morale in san Tommaso d'Aquino*, (Roma: LAS, 1989).

23. As I will discuss later, the key point for Rhonheimer is that the *major premise* of the (Aristotelian) practical syllogism is *practical* (i.e., it is good to relieve my headache) and the *minor premise* is *speculative* (aspirin has the property of relieving headaches),

article by Germain Grisez on “The First Principle of Practical Reason,” which convinced him that practical reason has its own starting point.²⁴ Therefore, Rhonheimer seeks to further articulate the distinctive character of practical reason. From this article by Grisez, he began to see a fundamental incompatibility between his earlier reading of Thomas, the texts themselves, and their Aristotelian sources. This shift was reinforced by the deepening insight that our understanding of human nature – and thus the moral good – is not originally derived from metaphysical speculation (hopefully no serious scholar holds this today), but is rather gained through the subject’s practical insight as embodied in the inner experience of its natural inclinations. In this, Rhonheimer’s reading of Jacques Maritain’s *Neuf leçons sur les notions premières de la philosophie morale* and John Finnis’ *Fundamentals of Ethics* were crucial. From this new perspective, Rhonheimer also came to appreciate Wolfgang Kluxen’s work in Thomistic ethics, especially his insistence that ethics should not be understood as methodologically subordinated to metaphysics, that is, derived from it, although he does see them as interrelated as we will discuss below.²⁵ However, because of Rhonheimer’s ongoing attention to the primary texts of Aquinas, it would be a mistake to attribute to him any errors in these secondary sources that he does not explicitly embrace. For example, as we will also discuss later, his insistence upon the distinctive character of the practical reason does not deny that the intellect is a single faculty, which is primarily speculative, or that speculative knowledge is included in practical reasoning. His distinctive emphasis, rather, is on the person as an inseparable unity of body and soul acting to achieve perceived goods, and secondarily upon the faculties, such as the intellect and will, through which he acts.

whereas what I call the “traditionally naturalistic Thomist” position seems to think the major premise is speculative.

24. In other words, the major premise is practical. Although he appreciates various aspects of their work, Rhonheimer does not follow the “new natural law” or “basic human goods” theory of Germain Grisez and John Finnis, but interprets Thomas as offering a rational virtue ethic in the Aristotelian tradition. Moreover, Rhonheimer has expressed various criticisms against (i) certain aspects of their action theory, (ii) their understanding of practical reason, (iii) their neglect of virtue, and (iv) their treatment of particular questions like contraception. Although Rhonheimer will speak like Finnis regarding the distinctive character and “autonomy” of practical reason, his discussion of “autonomy as participated theonomy” is not a capitulation to Kant (as a traditionally naturalistic Thomist might charge) but a refutation of Kant in light of Aquinas; there is, moreover, a surprising amount of agreement between Rhonheimer and Ralph McInerney about the way in which practical reason is dependent upon speculative. Still the former thinks the latter’s presentation does not adequately reflect the complexity of Aquinas’s action theory, and that it does not address various problems requiring clarification.
25. Although he studied Wolfgang Kluxen’s work and takes from him the understanding that Thomas does not subordinate ethics to metaphysics, but rather upholds its distinctive scope, Rhonheimer does not take any other significant positions primarily from Kluxen. Moreover, as will be discussed below, some of his most serious disagreements are with former students of Kluxen, whose revisionist divergences from Aquinas have

III. Rhonheimer's Reading of Thomas on the Object of the Moral Act

In this section I will offer a synthesis of, what seem to me, the primary characteristics of Rhonheimer's reading of Aquinas on the object and species of the moral act.²⁶ I will use this synthesis as a framework for remarks regarding how his interpretation compares to that of others, on what is perhaps the most important and contested topic in Thomistic ethics. This synthesis will include the following features of Rhonheimer's account of the moral object: (A) that it is always an object of the reason and an object of the will; (B) that - in contrast with his tradition-minded critics - it refers to a human act and not merely things, processes, events or caused effects; (C) that its formal aspect is conceived by reason and informs the external or material aspect; (D) that this conception or constitution of the moral object includes a rational commensuration of exterior matter and circumstances; (E) that the moral object is presented to, and chosen by, the will as the good and the proximate end of the act; (F) that a proper description of the moral object necessarily includes a "basic intention" of the (normally) proximate end, which indicates the aspect under which the intelligible content and material doing are chosen; (G) that its moral quality depends upon its conformity to right reason; and finally, (H) that some circumstances are "principal conditions" that determine the species or kind of the act.

Notice that this presentation does not follow the sequence as presented by Thomas in *ST IaIIae* qq. 18-20, where the first question speaks of the good and evil of human acts in general, the second addresses the goodness and malice of the interior act of the will, and the third considers that of exterior action. Rhonheimer's interpretation follows from a familiarity with both these primary texts and those of various interpreters, and seems to reflect a reading of particular texts in light of the larger whole. Thus, for example, his approach seeks an integration of Thomas's understanding of the "exterior act" and the "object chosen by the will" in the "moral object." In effect, he seems to be reading questions 18 through 20 in light of a principle articulated in q. 20, a. 3,²⁷ building upon what

no direct grounding in Kluxen's work, although they stem from certain ambiguities in his interpretation of Aquinas. On the other hand, Kluxen did support the project which led to the publication of Rhonheimer's *Praktische Vernunft und Vernünftigkeit der Praxis: Handlungstheorie bei Thomas von Aquin in ihrer Entstehung aus dem Problemkontext der aristotelischen Ethik*. (Berlin: Akademie Verlag, 1994), during which time the two were in contact. Note that henceforth, this work will be referred to as *PVVP*.

26. Readers interested in a more detailed and first hand account should refer to Rhonheimer's previously cited work, "The Object of the Human Act," which is over 28,000 words with 141 notes.

27. *ST IaIIae*, q. 20, a. 3 sed contra "Sed contra est quod supra ostensum est quod actus voluntatis se habet ut formale ad actum exteriorem. Ex formali autem et materiali fit unum. Ergo est una bonitas actus interioris et exterioris" (It was shown above [18, 6] that the act of the will is the form, as it were, of the external action. Now that which

unfolds in q. 17, a. 4, and q. 18, a. 6, namely that “the interior act of the will and the exterior action, considered morally, are one act.”²⁸ This approach is illustrative of his project to make explicit, and further articulate, a Thomistic ethic that addresses the perspective of the acting person, who – with a given character and in a given ethical context – perceives goods to be achieved and exercises dominion over his actions through the light of reason and through free choice.

(A) *The Moral Object is the Object of Both Reason and Will*

Following the ordering of the *Secunda Pars*, an appropriate starting point for our discussion of the moral object is the teaching of Thomas that “human actions” are those that are “proper to man as man,” namely those over which he has dominion through reason and will.²⁹ Therefore, a bodily movement such as sneezing, which does not proceed from both reason and will, is merely what Thomas calls “an act of man” and not a human act. A human act is voluntary, done for the sake of an end, proceeding from will and reason (q. 6). On this much all Thomists must agree. Thus, Ralph McInerny writes that “[t]he description of the human act without reference to its being deliberate and voluntary is an abstraction.”³⁰ Therefore, Rhonheimer will insist that an adequate philosophy of the moral object, which determines the moral species of the human act – and upon which its primary goodness depends³¹ – must include reference to its rational and volitional components, showing how it is both the object of reason and the object of the will.³² Such an approach involves taking Thomas’s basic understanding of a

results from the material and formal element is one thing. Therefore there is but one goodness of the interior and external act). The corpus of this article reads “...actus interior voluntatis et actus exterior, prout considerantur in genere moris, sunt unus actus” (...the interior act of the will, and the exterior action, considered morally, are one act).

28. *ST IaIIae*, q. 17, a. 4 teaches “Unde patet quod imperium et actus imperatus sunt unus actus humanus, sicut quoddam totum est unum, sed est secundum partes multa” (Hence it is evident that command and the commanded act are one human act, just as a whole is one, yet in its parts, many). Q. 18, a. 6 treats the form/matter unity between interior and exterior act: “...etsi accidat exteriori actui, non tamen accidit actui interiori voluntatis, qui comparatur ad exteriorem sicut formale ad materiale” (Although it is accidental to the external action to be ordained to some particular end, it is not accidental to the interior act of the will, which act is compared to the exterior act, as form to matter).

29. *ST IaIIae*, 1, “Est autem homo dominus suorum actuum per rationem et voluntatem...”

30. See his *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas*, Rev. ed. (Washington, D.C.: Catholic University of America Press, 1997), 84.

31. *ST IaIIae*, q. 18, a. 2. “so the primary goodness of a moral action is derived from its suitable object...so the primary evil in moral actions is that which is from the object.” Similarly, *Veritatis splendor* n. 78 identifies the object as that upon which the moral quality of the act “depends primarily and fundamentally.”

32. As we will discuss below, Rhonheimer cites Thomas that the rational aspect of the moral object is “a form conceived by reason,” and “a work of reason.” And this moral object, understood as the intelligible content of the moral act is the *finis proximus* of

human act – i.e., one done through reason and will for the sake of an end – and reading it in light of the teaching that “the interior act of the will and the exterior action, considered morally, are one act” (ST I-II, q. 18, 6); this leads to an understanding of the object of the human act that unifies “the exterior act” and the “object of the will.” Such further clarification seeks to address the ambiguity and diverse interpretations of Thomas’s teaching on the moral object. Indeed, even Ralph McInerny, who seeks to offer a clean exposition of the Thomistic texts on the moral act,³³ admits that “St. Thomas’s use of the phrase ‘object of the action’ is an ambiguous one, and it is not always easy to see what distinction [Thomas] wishes to draw between the object of the will and the object of the action.”³⁴ Therefore, our first point, regarding how a philosophical account of the moral object requires rational and volitional components, leads to – and is continued in – our next point.

(B) The Moral Object is Not a Thing, but is it a Human Act?

Rhonheimer is clear that the “moral object” for Aquinas is not merely a “thing” or physical object. Instead, he presents the moral object as a moral act; but to avoid confusion, we must be more precise. Properly speaking, he would see the “moral object” as the exterior act, precisely as an object chosen by the interior act of the will.³⁵ Moreover, as we will discuss more fully below, because the will chooses not external things themselves, but them as presented to it by reason under an aspect of the good (*sub ratione boni*), the moral object is the exterior act, but the basic intelligible content of this exterior act that should be understood specifically as what Aquinas calls “a good understood and ordered by reason” (*bonum apprehensum et ordinatum a ratione*). As we will also discuss further below, this means the moral object – properly and formally speaking – is the intelligible content of a human act (ordered to an end), or the basic intentional content (as presented by reason to the will) of a human act. *It is crucial to note that, in speaking of the moral object formally as the intelligible and basic intentional content of a human act, Rhonheimer does not neglect the role of the material components of the act, but argues from Thomistic texts and principles that this*

the will. In this sense, the moral object must be chosen by the will as its *finis proximus*, which shows that there is what Rhonheimer calls a “basic intentionality” included in the very notion of the object.” Of course, the moral object involves not merely our spiritual faculties but also physical realities, so below we must also discuss how the external matter and morally relevant circumstances pertain to the object.

33. In light of the growing consensus regarding the complexity and difficulty of Aquinas’s teaching, there are grounds to object that McInerny gives the impression that things are much tidier than they actually are, a tendency that is reflected more recently in the Dewan’s previously cited criticism of Rhonheimer.

34. See his *Ethica Thomistica*, 81.

35. As previously noted, the present essay was originally written in 2005, drawing especially upon Rhonheimer’s “The ‘Object of the Human Act’ in Thomistic Anthropology of Action,” which was originally written in 2003 and published in an English translation in

“matter” *pertains to the moral order precisely as it is understood by reason and ordered by reason toward an end and chosen by will.* Because Rhonheimer typically speaks of the moral object in this formal sense as something conceived by reason and ordered by it to an end, so it can be chosen by the will, less careful readers may think his theory neglects the material elements, which is incorrect.

Therefore, to emphasize that the moral object refers to a human act – precisely in its intelligible content – and not a “thing” is another way of saying that a proper account of the moral object must include reference to what is understood, chosen – and presumably carried out – by the agent. It is the object both of reason and of will. In taking the object as a human act, as noted above, Rhonheimer was influenced by the interpretation of Theo G. Belmans. However, the same point seems implicit in the previously cited texts from q. 20, a. 3, q. 18, a. 6 and q. 17, a. 4 regarding the unity of “the exterior act” and the object of “the interior act of the will” in the “moral object.” Rhonheimer’s work should be more attractive to Thomists when read in light of these texts. But without this understanding of the moral object, unified in perspective of the acting person, there is the temptation to artificially separate the object of the exterior act from the moral object; this, among other factors, leads to ambiguous descriptions of “moral objects” by Thomists as merely things – which is to confuse physical objects with moral objects – or as observable behavior patterns.³⁶ By denying explicitly that the “moral object,” *formally speaking*, can be anything less than the intelligible content of a human act – described sufficiently so as to identify its moral species – Rhonheimer is pushing for clarity with two groups of interlocutors.

Challenging Revisionists to an Account of Human Action

Against the revisionists, Rhonheimer insists with *Veritatis splendor* that the moral object is not “a process or event of the merely physical order, to be assessed on the basis of its ability to bring about a given state of affairs in the outside world.”³⁷ Indeed, he accuses the revisionists of implicitly following what he calls

2004. For a recent and important effort toward clarifying Aquinas’s understanding of the interior and exterior acts, see Duarte Sousa-Lara’s “Aquinas on Interior and Exterior Acts: Clarifying a Key Aspect of His Action Theory” in *Josephinum Journal of Theology* 15:2 (August 2008). As I note elsewhere, Sousa-Lara makes a strong case – perhaps unique among contemporary interpreters – that Thomas’s *actus exterioris* should be understood as not simply the commanded act, but the choice (*electio*) plus the act commanded by the will of other powers. If his impressive argument stands, this would require a clarification of Rhonheimer’s account of the exterior act while upholding the substance of his action theory, such as that the object is properly a human act and not a merely physical thing or caused effect. Note for Thomas’s *interioris/exterioris*, I will normally use the English interior/exterior, and sometimes the equivalent of internal/external.

36. As evident through the recent and previously cited studies by S. Brock, J. Pilsner and D. Sousa-Lara, the confusion is rooted in the various analogous ways in which Thomas often employs terms, such as “object.”

37. *Veritatis splendor*, n. 78.

a “causal-eventistic” understanding of the moral act that treats human actions like natural events, intelligible to the outside observer, to be evaluated only upon their consequences.³⁸ In this, he thinks the revisionists have inherited a merely physical understanding of the moral object from the post Tridentine and casuist tradition. Although it is now clear that this later “natural law” tradition, though appealing to Aquinas, actually reflects a significant departure from Thomas’s virtue-centered moral theory under the influence of the nominalist presupposition that morality is fundamentally a question of obligation and law, a comprehensive explanation of this departure has yet to be written.³⁹

Challenging More Traditional Thomists to Understand “Moral Objects” as “Basic Intentional Actions”

Similarly, in a way that also challenges more traditional interpreters of Aquinas to articulate a more comprehensive action theory, more faithful to their master, Rhonheimer further insists that the “moral object” of a human act is neither a mere “given” such as a physical or biological reality, nor a simple physical good considered without reference to both the reason that orders them into a plan of action, and the will that chooses them as good. For example, he would not accept – as a proper description of a moral object – the performance of a particular behavior pattern without reference to the intention for which the agent chooses it, such as “shooting someone with a gun.” Instead, he insists that the moral object, formally speaking, must be understood as the primary and fundamental intentional content of a human act, described – in those elements essential to its moral specification – as it proceeds from reason, and as it is chosen by the will for the sake of an end: “using violence to defend oneself.”⁴⁰

Rhonheimer sees it as almost self-evident that, to describe properly that object which fundamentally determines the moral quality of a human act, one must speak of a moral act, what he will call – and we will discuss below – as a “basic intentional act,” including rational and intentional components, where the rational component involves an understanding and ordering (*apprehensum et ordinatum*) of the external matter, as we will further discuss below. But he would admit both that Aquinas does not make all of this sufficiently clear in his presentation, and that some texts can be read to indicate the opposite, namely that the moral object is simply the external matter of the act.

38. Such an approach, for example, fails to distinguish sufficiently between death caused by an earthquake and a death caused by a planned and freely chosen human act. See, for example, his “Reply to McCormick.”

39. Such an account might build on the historical sketch offered by Servais Pinckaers in his *Sources of Christian Ethics* (Washington: Catholic University of America, 1996), part II, and the previously cited works by Kaczor, Johnstone, Rhonheimer (his *Natural Law and Practical Reason* (New York: Fordham, 2000), hereafter NLPR) and Sousa-Lara.

40. Below we will discuss how the reason understands and orders the external matter and circumstances.

For example, one could easily misread *ST IaIIae*, q. 18, a. 2 in this way. Here, Thomas makes an analogy between the *natural thing*, which receives its species and primary goodness from its form, and the *moral action*, which receives its species and primary goodness from its “*obiectum*: object.”⁴¹ But, we should note, he has not yet explained what the “moral object” is. In the reply to the second objection, Thomas writes that the “object” is “the matter about which (something is done),” the “*materia circa quam*.”⁴² If we stopped there, we might be tempted to understand the moral object simply as the external matter. Indeed, such texts are at the root of a tradition of understanding the “object of the moral act” as “the exterior thing about which the exterior action concerns itself.”⁴³

But Thomas continues this sentence with a statement emphasizing the formal character of the object, on which Rhonheimer will insist against a merely material understanding, which requires the reader to keep in mind how he accounts for the material components of the act. Rhonheimer will say that the *materia circa quam* is considered here by Thomas in its formal and proper sense, as shaped by reason toward an end, whereas elsewhere it is used in a merely material sense.⁴⁴ Thomas writes that the object “stands in relation to the act as its form, as it were, through giving it a species.”⁴⁵ But at this point, the presentation remains ambiguous because Thomas has yet to make clear the formal and material characteristics of the moral object. As we will discuss below, other texts exclude a simple equation of the moral object with the external matter. For example, the specific references in the

41. “Sicut autem res naturalis habet speciem ex sua forma, ita actio habet speciem ex obiecto ... Et ideo sicut prima bonitas rei naturalis attenditur ex sua forma, quae dat speciem ei, ita et prima bonitas actus moralis attenditur ex obiecto convenienti...”

42. “Ad secundum dicendum quod obiectum non est materia ex qua, sed materia circa quam, et habet quodammodo rationem formae, in quantum dat speciem.” Later work has offered helpful clarifications regarding Thomas’s usage of key terms such as the *materia circa quam* and the *materia ex qua*. See Brock’s “*Veritatis splendor* n. 78: St. Thomas and (Not Merely) Physical Objects of Moral Acts,” 24-40; Pilsner’s *Specification of Human Actions*, chapter 6; and the previously cited work of Duarte Sousa-Lara.

43. See Chad Ripperger, “The Species and Unity of the Moral Act.” *The Thomist* 59, no. 1 (1995): 74-75, who points to Osterle, Cronin, and Garrigou-Lagrange as proponents of this tradition. Note that Ripperger himself seems to take “the object of the exterior act” as the exterior matter and “the exterior act” itself as the behavior involving this exterior matter. He cites Henry Davis as illustrative of an alternative tradition that sees the “moral object” to be the exterior act itself. From these examples of earlier scholarship, we can see the need for further clarification. Since the original drafting of the present essay, considerable progress in this clarification has been achieved in the sources I have previously cited. A careful assessment of their conclusions, however, is beyond the scope of this essay.

44. The recent study by Sousa-Lara supports Rhonheimer’s reading. For a recent and extended discussion of *materia circa quam* that understands it (primarily) as “that which the action bears upon” (i.e., a thing), see Brock’s “On (Not Merely) Physical Objects of Moral Acts.” A careful study of this piece, in light of other recent work, is beyond the scope of this essay and suggests a next phase in the conversation.

45. “et habet quodammodo rationem formae, in quantum dat speciem.”

corpus of a. 6 to the “object of the exterior act” (*obiectum exterioris actus*) and to the “object of the interior act of the will” (*obiectum interioris actus voluntarii*), and not simply the *obiectum* alert us that Thomas’s more comprehensive account includes various distinctions. So, as we will see below, Rhonheimer works toward a synthesis that addresses these distinctions and other teachings, such as (i) the reference in a. 10 to the constitution of the species of moral actions “by forms as conceived by the reason,”⁴⁶ and (ii) that in q. 20, a. 1, ad 1, regarding the exterior action as a “good apprehended and ordered by reason.”⁴⁷

How does Rhonheimer’s claim that the “moral object” can be spoken of – at least in a carefully qualified way – as a human act compare with the claims of earlier interpreters? In general, it is uncommon if not unique, but there are points of agreement along with the potential for greater consensus. For example, Rhonheimer would see a close affinity in the previously cited statement by McNerny: “The description of the human act without reference to its being deliberate and voluntary is an abstraction.” Similarly, in an article published in *The Thomist* in 1995, Chad Ripperger offers a study on “The Species and Unity of the Moral Act,” which argues that the object of the exterior act, and “the object of intention” – that is, of the interior act of the will – are unified by the intellect in the moral object, which resembles Rhonheimer’s interpretation.⁴⁸ In general, to the extent that his way of treating the moral object formally – where he insists that it is the primary and fundamental intelligible and intentional content that morally specifies a deliberate choice – is not separated from the way he understands the matter of the act to be understood and ordered by reason, there should be potential for greater consensus.

On the other hand, an implicit lack of consensus regarding “the moral object as a human act” can be seen in the way the different scholars describe actions and moral objects. For example, Rhonheimer insists upon describing human acts and their objects intentionally, as what he calls “intentional basic actions,” building on the work of Anscombe, and A.C. Danto’s concept of “basic action,” which leads to his central notion of “intentional basic actions” or “basic

46. The broader citation follows: *species moralium actuum constituuntur ex formis prout sunt a ratione conceptae* (the species of moral actions are constituted by forms as conceived by the reason). I will treat this further in the following subsection.

47. *ST IaIIae*, q. 20, a. 1 ad 1: *bonum apprehensum et ordinatum per rationem*.

48. See his “Species and Unity,” esp. 77-78, 85-90. Stephen L. Brock suggests that, for Thomas, *usus* is the hinge linking exterior and interior elements of the act. See his *Action and Conduct: Thomas Aquinas and the Theory of Action*. (Edinburgh: T&T Clark, 2004). Ripperger, on the other hand, discusses how “the object of the exterior act is also the object of the interior act with the aspect of the good or end added to it.” He says these come together in the act of election (i.e., choice), which “possesses the complete object of the moral act, because there all the circumstances, the end of the agent, the object of the exterior act, and exterior act itself come together.” See his “Species and Unity,” 87. This emphasis is consistent with the more recent work of Sousa-Lara.

intentional actions.”⁴⁹ From this understanding of the “basic intentional action” as the minimum threshold below which we are not speaking of a human act, it seems to me that Rhonheimer’s work can contribute to a more consistent means of describing moral objects and acts with a verb and a statement of basic intention:⁵⁰ “raising my arm to greet a friend,” “shooting a man to carry out capital punishment,” “taking an antiovulent pill to treat endometriosis.”⁵¹

In comparison to this more disciplined description of “intentional basic actions,” the majority of Thomists who have not developed or accepted the description of moral objects as “basic intentional actions.” Given that Aquinas himself neither proposes nor exemplifies a consistent way of describing moral actions and objects, this is not surprising. The result, however, is that moral objects are described haphazardly, through some combination of things, processes, events, performances of behavior patterns (in abstraction from any ends intended), intentions, species or morally relevant circumstances, which can render the moral tradition vulnerable to revisionist critique. The recognition that Thomas uses terms like object, for example, in various analogous ways, can lead some interpreters toward a view that there is not a single proper sense of the object on which the morality of the human act depends “primarily and fundamentally” (Cf. *Veritatis*

49. See A. C. Danto’s “Basic Actions,” in *American Philosophical Quarterly* 2 (1965): 141-148. However, although Rhonheimer adopts this notion from Danto’s article, he does not follow the latter’s use of the term in continuity with much analytic philosophy, where it designates basic (“atomistic”) bodily movements by which a behavioral pattern is formed. Instead, for Rhonheimer, the “basic intentional act” or “intentional basic act” can be understood as the “atom” of *human acts*, not bodily movements. In other words, it is the minimal threshold below which there are only bodily movements, but no intelligible human action which could possibly be the object of choice. This follows from Aquinas’ principle that nothing can be willed without first being presented to the will by reason. Similarly, we can not reasonably choose (and intend) any set of bodily movement without ordering them to an end. Though he supports many of Rhonheimer’s insights, Sousa-Lara will argue that the former’s notion of basic intentional act is superfluous once one recovers a correct understanding of the interior act (as the *intentio*) and the exterior act as the choice/*electio* plus the commanded act, i.e., the choice as incarnate in a commanded act.

50. In some cases, where circumstances determine a different moral species, a proper description of the object would also require reference to morally determinative circumstances. Rhonheimer observes that when Aquinas talks about moral objects, he always uses verbs. Examples for Thomas would include “*tollere aliena*,” and “*falsum enuntiare*.” In the first case, for example, Rhonheimer wants to clarify that the moral object is not merely “*aliena*” but “*tollere aliena*,” and he would add the basic intention for which it is taken, such as to make it ones own.

51. Compare this to the account of proximate intention as presented by Kaczor, who similarly describes acts according to the physical act, proximate intention, and remote intention. In his example, the physical act of “handing money to another” could be done for three different proximate intentions (bribing, loaning, giving a gift), corresponding to 3 remote intentions (to save a life, to manipulate, to show love). For him, the remote intention or motive is “that which could remain unrealized after realizing the proximate intention, which is accomplished “without remainder” in the physical act. See his *Proportionalism*, 96-97.

splendor no. 78). Instead, there would be many “moral objects” for a given act, including things, objects of choice (i.e., means to ends), remote or further ends, and various circumstances.⁵² Against such approaches, which would arguably make it more difficult to defend the doctrine that some acts are evil by their object (since “object” is not a single kind of entity), Rhonheimer, offers a proposal worthy of careful consideration.⁵³

To conclude our discussion on Rhonheimer’s equation of the moral object with a basic intentional act, we might also note that – in the works under consideration that have been translated into English – he has relatively little to say about “means,” because they are simply other examples of human acts with their own

52. Stephen L. Brock, in his “On (Not Merely) Physical Objects of Moral Acts,” advances the view that a single human act can have multiple, or even many, “moral objects.” He does so as part of his argument, against Rhonheimer, that “things,” “whether physical or bodily entities can be objects of moral acts” (12). On p.7, he indeed acknowledges that the object of choice – which for Thomas is a means to an end and a human act – is “the moral object *par excellence*” (Cf. 14); Rhonheimer and others might respond that this object of choice and human act is the moral object itself, or properly speaking. Brock then discusses what he understands to be other “moral objects” (apparently things that can have moral relevance), including the further intentions of remote ends (11, 13), consequences (11), and things (10). In apparent contradiction with this view (regarding things, for example, as objects), he also writes that “no one is saying that what is merely pre-moral can itself be a moral object” (12); to resolve the apparent contradiction, he will therefore discuss these “things” in the context of a broader discussion of voluntary action. As all serious interpreters recognize, Thomas clearly teaches that some circumstances (including relevant things) can be “principal conditions” of the object, which determine the object and species (whether good/evil or a particular “kind” of act) of the human act. If I understand him correctly, Brock’s argument against Rhonheimer regarding “things” as moral objects draws upon Thomas’s analogous use of the term object (i.e., that a thing like an apple can be an object of the sense of taste), and his doctrine of that some circumstances are principal conditions of the object. It seems to me that Brock’s approach has the disadvantage of distracting attention from what Brock himself calls “the moral object *par excellence*,” a proper understanding of which is precisely what requires clarification. More helpfully, Joseph Pilsner, having previously noted the various analogous ways in which Thomas uses terms, offers a helpful discussion of how Thomas treats material and spiritual things as “objects” with a sometimes decisive role in determining the morality of human acts. Pilsner further explains, however, the limitations of this lesser analogous notion of object (i.e., treating things as objects) and discusses how, from the perspective of the agent, Aquinas includes a more adequate sense of the moral object that includes an action ordered to an end, which in a way also includes the lesser sense of object. See his *The Specification of Human Actions*, 88-90.

53. As previously noted, Rhonheimer observes that when Aquinas talks about moral objects, he always uses verbs, implying that they are human acts. Examples for Thomas would include “*tollere aliena*,” and “*falsum enuntiare*.” Rhonheimer wants to clarify that the moral object is not merely a thing belonging to another (*aliena*) but “to take a thing belonging to another” (*tollere aliena*). On the other hand, Rhonheimer will grant that we can also describe moral objects by their basic intention alone, such as “to defend oneself,” because this also identifies the decisive basic intentional content of the action. Though this is true, it leaves him open to the charge that he has reduced the moral object to mere intention, whereas in reality this must be understood in light of the broader theory as discussed above.

distinguishable basic intentionality.⁵⁴ We might also note that, although they are not as explicit as Rhonheimer in asserting that the moral object is a human act and denying that it is a mere thing, other trusted moralists express positions that have much in common with his approach and are open to further embrace his further articulation.⁵⁵

(C) The Formal Aspect of the Moral Object is a Form Conceived by Reason that Informs the External Act

Rhonheimer argues that *formally* the moral object should be understood as what Thomas calls a *forma a ratione concepta* “a form conceived by reason.”⁵⁶ His primary text from q. 18, a. 10 was previously cited and reads “...the species of moral actions are constituted by forms as conceived by the reason...”⁵⁷ In this light, we can see the formal constitution (i.e., the conceiving through reason) of a moral object as analogous to the rational conceiving of the idea that will inform a work of art. In other words, through the use of reason, the person conceives the intelligible and basic intentional content that will inform the exterior act he performs, including its bodily and material dimensions (which in some cases decisively bear upon what this intelligible and basic intentional content can possibly be).

54. Here we must clarify Rhonheimer’s use of intentionality and intention. In particular, he distinguishes between the “basic *intentionality*” contained in the choice of a *means*, from the “*intention*” of the *end*. By intentionality he means not the act of intending, but the intelligible content thereof. See *PVVP* and *The Viewpoint of Morality* for his most extensive and comprehensive treatments of action theory, where he addresses at length the questions of “means” and “ends,” and of “choice” and “intention.”

55. See, for example, Duarte Sousa-Lara’s “Aquinas on the Object of the Human Act,” where he discusses several trusted Catholic thinkers whose thought at least moves in this direction. Besides Pilsner, who I have already discussed, he notes that Ralph McInerney’s statements that “the object of the act is that which the agent sets out to do” or “what I am doing” are not far from Rhonheimer’s approach, although I doubt McInerney would embrace Rhonheimer’s explicit claims about the object. Sousa-Lara similarly discusses the approach of Angel Rodríguez Luño (a CDF consultant and professor at the Pontifical University of the Holy Cross), who also explicitly rejects that the moral object is a physical thing (*res physica*), and sees it formally as a proposal conceived by reason, while also noting the unity it involves between interior and exterior acts. He notes similarly that Carlo Caffarra (former president of the John Paul II institute in Rome) rejects that the object is a thing (“the object of the theft of a horse is not the horse” ... “things are not the object,” “the object is not the effect or consequence”) and claims that the object is “the response that one reasonably gives to the question ‘what are you doing?’.” For Caffarra, similar to Rhonheimer (and Thomas), the object is not reducible to the physical act or effect but depends upon the ordering to the proximate end intended by the agent.

56. This pertains to the “order of specification” (*ordo specificationis*), where the intellect conceives the object, which will be presented to the will as a good. Later, we will consider the “order of execution” (*ordo executionis*) where the will is in the forefront and where the moral quality of the action depends upon the free choice to do what we understand to be good.

57. See IaIIae, q. 18, a. 10 “...sicut species rerum naturalium constituuntur ex naturalibus formis, ita species actuum constituuntur ex formis prout sunt a ratione conceptae.”

For the sake of precision, and to avoid misrepresenting Rhonheimer's understanding of the relation between the formal and material aspects of the object, we should specify that he sees them not as separate things, *nor as hylomorphic coprinciples*, but related as color is to light. Thus, not only are the formal and material inseparable, but the action is not visible in its moral specificity without reference to the formal aspect, the *ordo ad finem* and the *ordo rationis*.⁵⁸ This understanding of the formal dimension of the object, or the object as "a form conceived by reason," has not been widely held among interpreters. It is given the most attention by those who see a need for a unified understanding of the moral object, one that makes sense of how it relates to the object of the exterior act and the object of the interior act of the will.⁵⁹

This leads to our consideration of the key question of how Rhonheimer understands the practical reason to take into account the exterior matter and circumstances in formally conceiving the act.

(D) Constitution of the Moral Object through a Commensuration of the materia circa quam

Rhonheimer understands this incorporation – "within" the object conceived by reason – of the external matter and circumstances through Thomas's teaching in *ST IaIIae* q. 20, a. 1, ad 1 that the "exterior action" is a good apprehended and ordered by reason (*bonum apprehensum et ordinatum per rationem*). In other words, he thinks that the intellect grasps the intelligibility of the material elements (and circumstances) involved in the act and incorporates them into an intelligible proposal or plan of action. He further explains this rational ordering as a *commensuratio* or "ordered unification" of the *materia circa quam*, the external matter and morally relevant circumstances of the act.⁶⁰ Rhonheimer finds this notion of commensuration in the *Summa*, but draws it especially from Thomas's *Scriptum* on the Sentences of Peter Lombard, from which he gets his best supporting text.

58. See his *NLPR*, 91 and nn. 63 and 64. In n. 63, he cites *ST IaIIae*, q. 12, a.4, ad 2 and *In II Sent.*, d.38, q. 1, a.4, ad 1 that "the end (*finis*) and what pertains to the end (*id quod est ad finem*)...are one object (*unum obiectum*) in which the end is as it were formal, as a certain manner of willing; but that which pertains to the end (*id quod est ad finem*) is as it were material, just as light and color are one object." In n. 64, Rhonheimer cites *De Caritate*, a.4, that "the formal in an object is that according to which the object is referred to a potency or habit; the material is that in which it is founded..."

59. These include Sousa-Lara and Ripperger. Ripperger tries to make sense of what Thomas says about the form of the moral act. See his "Species and Unity," 85-90. His task is complicated by what he calls "the problem of dual forms of a moral act," which arises because Aquinas says in q. 18, a.2, ad 2 that the object, as *materia circa quam*, "stands in relation to the act as a form, giving it its species."

60. Works written since my original drafting of this essay – i.e., those by Brock and Sousa-Lara – have tried to explain more precisely what Thomas means by terms such as *materia circa quam* and *materia ex qua*. As far as I can tell, there is not yet consensus on the meaning of these terms, so I will simply keep my original definition, which should be sufficient to articulate Rhonheimer's approach, while acknowledging that further precisions may be needed.

Here, Thomas teaches that “the good proper to any human faculty [the will in this case] is that which suits it according to reason, because that goodness derives from a certain ordered unification [*commensuratio*] of the act with respect to the circumstances and to the end, which unification reason performs.”⁶¹ From this, Rhonheimer sees the practical reason as commensurating – that is, understanding and rationally ordering – the external matter and circumstances as it conceives the intelligible content of the proposed act.

Although he sees natural law as providing a morally regulative element in this practical reasoning,⁶² Rhonheimer takes this *commensuratio* or “ordered unification” as something more than merely “reading off” the moral requirements imposed by the external reality. Instead, the priority is on the way the agent exercises dominion over his acts by taking into account the relevant matter and circumstances in conceiving a plan of action, without neglecting the regulatory role of natural law, right reason and judgments of conscience.

This understanding of a “constitution of the moral object through a rational ordering of the external matter and circumstances” apparently indicates a decisive point of debate between Rhonheimer and other interpreters of Thomas, some of whom fear his approach is Kantian and does not acknowledge the constraints of “being” (especially a metaphysical reflection upon natural ends) upon action.⁶³ Does his understanding of the “rational ordering” of external matter and circumstances in

61. As cited and translated in “The Object of the Human Act,” 471, and n. 36. *In Sent.*, II, d. 39, 2, 1: “...bonum autem cuiuslibet virtutis est conveniens homini secundum rationem: quia talis bonitas est ex quadam commensuratione actus ad circumstantias et finem, quam ratio facit.” Rhonheimer also cites *ST IaIIae*, q. 71, a.6 as illustrative of Thomas’s notion of commensuration. “Habet autem actus humanus quod sit malus, ex eo quod caret debita commensuratione. Omnis autem commensuratio cuiuscumque rei attenditur per comparationem ad aliquam regulam, a qua, si divertat, incommensurata erit. Regula autem voluntatis humanae est duplex: una propinqua et homogenea, scilicet ipsa humana ratio; alia vero est prima regula, scilicet lex aeterna, quae est quasi ratio Dei.” The text from the *Scriptum* would support Rhonheimer’s case even more strongly if it spoke not of “the good proper to any human faculty” but of “moral good,” or if it specified “the good proper to the will.”

62. Much like the primary sense of natural law in *Veritatis splendor* (nn. 12), based on Aquinas’s teaching about “the light of understanding infused in us by God, whereby we understand what must be done and what must be avoided,” Rhonheimer emphasizes that natural law, in its primary sense, is a cognitive reality through which the acting person is able to make regulative judgments according to right reason and the eternal law. For a detailed discussion, see his “The Cognitive Structure of the Natural Law and the Truth of Subjectivity” in *The Thomist* 67, no. 1 (2003): 1-44, reprinted as chapter 7 of *The Perspective of the Acting Person*.

63. It seems to me that such fears and charges often reflect questionable interpretations of Aquinas (that deny the contribution of practical reason), and inadequate readings of Rhonheimer’s work. Often they reflect the deficient understandings of action theory, natural law, and practical reason that characterized the pre conciliar tradition. See Rhonheimer’s response to the critique of Kevin Flannery in his previously cited “The ‘Object of the Human Act’ in Thomistic Anthropology of Action,” reprinted as chapter 7 of *The Perspective of the Acting Person*, pages 215-16.

the conception of the formal aspect of the object provide a needed clarification in Thomistic moral theory to better address the perspective of the acting person? Does it illumine what we really do when we act or does it undermine moral objectivity and realism? Are our moral acts truly such “works of human reason”? Or should our action be understood more as choosing among possible “behavior patterns” to be “performed” with their morally specifying natural ends/ teleology, and therefore their moral quality, already “built-in” such that the performance of these behavior patterns – without reference to what is understood and chosen by the agent – is sufficient to identify the act in its moral species and determine its moral quality?⁶⁴ A broader discussion would need to discuss how some behavior patterns are limited in the intentions that can inform them.

For now, let us consider a simple example. If I were hungry at the end of the day and needed some relaxing and friendly conversation to unwind after reading my paper and after struggling to field a round of challenging questions, my practical reasoning would take into account the fact that the external matter of Rocco’s is just down the street, that he serves a great pizza, has a nice selection of beer, and provides a great environment for continued discussion. I would then conceive, choose and execute a plan to organize a dinner excursion taking into account further external matter and circumstances such as the schedule of our conference, my desire for some exercise, the number of interested participants, the number of cars, etc. I would choose not the external matter of Rocco’s, pizza, beer, and dinner companions, but a rational plan of action conceived through an understanding of this external matter as good and an ordering of it in light of the relevant circumstances. By the grace of God, my practical reasoning would be regulated by right reason and moral norms regarding safe driving, speed limits and the virtuous amount of alcohol to consume. Rhonheimer would want to emphasize that our practical reason conceives the intelligible content of such actions rather than choosing from a set of behavior patterns whose moral quality is predetermined because of some implicit intentionality. Of course, Rhonheimer would agree that moral quality of the proposed venture to Rocco’s is governed by the eternal law, right reason, the intelligibility of the virtues, the rational constraints of our bodily nature, the moral teaching of the Catholic Church, etc.

64. See my essays cited in footnotes 1 and 4. As I will discuss below, this understanding seems to go together with a particular notion of the *finis operis*, such that the intention and free choice to perform a certain behavior pattern is seen to imply a free choice precisely to bring about the natural ends (in the sense of primary caused effects) of that behavior pattern, even if the agent merely foresaw them but only accepted them as undesired consequences of pursuing some other good. According to this understanding, the choice/intention is understood to be the *finis operis* or *finis actuum*, the “end of the work” or “end of the act.” We will discuss below Rhonheimer’s arguments from the *Corpus Thomisticum*, which are also recognized by serious scholars, for rejecting this understanding of the *finis operis*. Notice that he does not deny that some external behavior patterns, such as the physical act of intercourse between two males, will be irrational regardless of the proximate intention that informs them.

Let us consider a second example, illustrating how Rhonheimer's interpretation of Aquinas on this commensuration the external matter and circumstances separates him from the new natural law theory of Grisez, Finnis and Boyle. As I understand their analysis, the man who blows up an airplane full of passengers with the intention only of collecting the insurance does not intend the death of the passengers. They would see his specifying object and proximate end as "to destroy the airplane" with the ulterior intention of "enriching himself." Therefore, they would not see his action as a case of direct killing, although they clearly acknowledge that the unintended effect of killing is foreseen and unjustifiable. Rhonheimer, on the other hand, cites as decisive the teaching of Thomas in q. 18, a. 5, ad 4 that "A circumstance is sometimes taken as the essential difference of the object, as compared to reason; and then it can specify a moral act."⁶⁵ On this basis, he insists that "killing the passengers" must be included in the description of the object, and "would be" the object, in the sense of its "basic intentional content."⁶⁶ This illustrates how the rational ordering of the external matter and circumstances, in the conception of the moral object, is not some unregulated creativity, but is constrained by regulative judgments of reason.

Rhonheimer's understanding of the moral object as constituted by reason through a rational ordering of the relevant matter and circumstances has gone largely unnoticed and generated little commentary.⁶⁷ However, some apparently acknowledge a limited ordering by reason without articulating an explicit theory.⁶⁸ On the other hand, this insistence upon the contribution of practical reason to ordering the act might raise objections - or even charges of Kantianism - from

65. "...And it must needs be so whenever a circumstance transforms an action from good to evil; for a circumstance would not make an action evil, except through being repugnant to reason." Ad quartum dicendum quod circumstantia quandoque sumitur ut differentia essentialis obiecti, secundum quod ad rationem comparatur, et tunc potest dare speciem actui morali. Et hoc oportet esse, quandocumque circumstantia transmutat actum de bonitate in malitiam, non enim circumstantia faceret actum malum, nisi per hoc quod rationi repugnat.

66. See his "The Object of the Human Act," 473, n. 43, which is n. 42 on p. 207 of *Perspective of the Acting Person*.

67. Although this was true when I drafted this essay in 2005, the previously noted recent work by Pilsner, Brock and Sousa-Lara has advanced the question and requires careful assessment. Note how Rhonheimer credits McInerney with an "accurate and brilliant exposition," and argues that the latter should more explicitly acknowledge "the object of the external act is precisely this act as its matter and circumstances are understood and ordered by reason, which presents it to the will as a good." See his "The Object of the Human Act," 477, n. 49, which is n. 48 on pp. 210-11 of *Perspective of the Acting Person*.

68. For example, Ripperger writes that "the unity of moral action resides in the fact that it is *conceptualized* as having unity, i.e., the end and the means are related. Or, in other words, the end is in some way in the means and *the intellect puts them together through counsel and judgment and proposes this one object* to the will." Emphasis added. See his "Species and Unity," 88.

traditionally naturalistic Thomists⁶⁹ who see practical reason as little more than the application of truths grasped through the speculative reason whereas for Aquinas it involves the reason that directs human acts to ends.

(E) The Moral Object as Constituted by Reason is That Which is Chosen by the Will as the Good and End of the Act

As Rhonheimer reads Thomas, to speak of choosing an exterior act is also to speak of choosing the object presented to the will by the practical intellect as good and the end of the act; but to choose what is presented by the intellect is not merely to choose an external behavior pattern prior to its ordering by reason. Rather, this form conceived by reason, this intelligible content of a human act, this formal aspect of the moral object – which is not separable from, but inherently related to the exterior, material act as color is to thing – precisely this is presented to the will as good to be done and chosen as end or goal of the will. Combined with what was said in the previous subsection, we can now explain how the object of a distinctively human and moral act is shaped by both reason and will: it is both constituted or conceived by reason as a good understood and rationally ordered, and it is chosen by the will as ordered to the good to be achieved, the *finis* or end of the act.⁷⁰

Let us reinforce a central point that distinguishes Rhonheimer from some alternative Thomistic interpretations that are more difficult to align with VS 78. Whereas a lack of clarity between the object of the exterior act and the moral object might lead some toward an interpretation in which the object of choice would be simply the external matter of the act,⁷¹ Rhonheimer finds this imprecise and deeply problematic, inclining towards physicalism. He specifies that the choice concerns the external matter and circumstances – the *materia circa quam* –

69. Along with Rhonheimer's denial that the object can be a physical thing, his claim that its formal constitution necessarily requires the contribution of practical reason is a major point of disagreement with Stephen L. Brock in his previously cited "On (Not Merely) Physical Objects of Moral Acts." Brock thinks a speculative grasp of the intelligibility of the thing (*a res physica*) can indeed determine the species and morality of a human act without the contribution of practical reason. This corresponds to Brock's view that "physical nature" "can play a *formal* role" in "the constitution of a moral act and its object" (15). Unfortunately, the present context does not allow a careful engagement with Brock's thoughtful essay.

70. We will defer discussion of how to specify, terminologically, this *finis* until later where we will both argue that the notion of *finis proximus* should be preferred over the distinction between *finis operis* and *finis operantis*, and propose how these terms should be understood.

71. As noted above, Rhonheimer admits that Thomas occasionally calls this external matter and circumstances the "object of the external act," as in q. 18, aa. 6 and 7, but he says this formulation fails to specify the moral object. The previously cited recent works on this topic by Brock, Pilsner and Sousa-Lara clarify some of the textual basis for the disagreement, namely the fact that Thomas uses the term object analogous ways. Further work is required to assess these studies and draw conclusions. Sousa-Lara's analysis both proposes a correction to Rhonheimer while supporting his general direction.

precisely “as understood and ordered by reason.” We don’t – and indeed can’t – just choose “things” or “behavior patterns” out there in the world; rather we choose proposals of action that include the rational ordering of external matter into a practical good. Thomas apparently presupposes such an interpretation in q. 20, a. 1, ad 1 where he writes that “The exterior action is the object of the will, inasmuch as it is proposed to the will by the reason, as a good apprehended and ordered by the reason...”⁷² That an exterior behavior pattern, such as bodily movements, cannot be that which is immediately chosen by the will follows from the basic Thomistic principle that “the will cannot desire a good that is not previously apprehended by reason.”⁷³ In this, Rhonheimer has offered a further precision that has grounding in the texts of Aquinas but needs to be evaluated in light of the latest scholarship.

Example: Rhonheimer and Pinckaers on Moral Object as Object of Will

Let’s consider an example. As we noted above, Rhonheimer credits Pinckaers’ early work on the moral act with helping him to understand the moral object as the goal of the will of the acting person, and he works to further this line of investigation by further articulating the role of practical reason. Although, Rhonheimer will emphasize his agreement with Pinckaers, attributing problems in the latter’s work to terminological imprecisions, his critique identifies major weaknesses, especially (i) in neglecting the constitutive role of practical reason in the conception of the moral object, and (ii) in presenting – at least terminologically – the practical reason as a form of *poiesis* or technique. From these weaknesses follow apparent inconsistencies in Pinckaers’ presentation (iii).⁷⁴

First (i), regarding the constitutive role of practical reason, Rhonheimer notes that Pinckaers fails to clarify the way the reason “understands and orders” the matter and circumstances of the external act to constitute the moral object chosen by the will as its end. He thinks that Pinckaers’ insufficient attention to Thomas’s understanding of the object as a “form conceived by reason” (q. 18, a. 10) leads him to see the *materia circa quam* as “an aggregate of pre-existent matters” on which the will confers moral significance, but not the external matter as “conceived” by practical reason into a proposal for action. But, as Pinckaers knows, the will can only choose what is presented to it by reason, so – like the Thomistic tradition in general – he has failed to provide an adequate account of this constitutive role of practical reason.⁷⁵

72. “...actus exterior est obiectum voluntatis, inquantum proponitur voluntati a ratione ut quoddam bonum apprehensum et ordinatum per rationem...” As already noted, Sousa-Lara makes a good argument that the “exterior act” should be understood as the choice as incarnate in the act commanded by the will.

73. *ST IaIIae*, q. 19, a. 3, ad 1: “...appetitus voluntatis non potest esse de bono, nisi prius a ratione apprehendatur.”

74. For the following paragraphs, see especially Rhonheimer’s “The Object of the Human Act,” 469-70, n. 30.

75. Pinckaers’ example of theft illustrates both this neglect of the constitutive role of reason, and a related problem regarding intentionality of the end. In this example of theft, Pinckaers understands the object of the exterior act as “the good of another as desirable.”

Second (ii), Rhonheimer criticizes Pinckaers' interpretation of practical reason as a sort of "technical" or poetical reason. For example, Pinckaers uses the metaphor of a "*projet de construction*," to illustrate practical reason, which Rhonheimer considers an "unfortunate" choice, precisely because it confuses practical and technical reason.⁷⁶

Third, these weaknesses lead to inconsistencies such as the following. On the one hand, Pinckaers writes that the object of the exterior act, by which he means the *materia circa quam* unordered by reason, such as the "good of another," "confers on the act its first *moral* [emphasis added] specification." Rhonheimer would object that we have here merely a thing that is understood by reason, but not yet ordered by reason into a proposal for action, reflecting Pinckaers' neglect of the constitutive element of practical reason. On the other hand, Pinckaers writes that the exterior act cannot yet possess any *moral* significance until it is grasped by the will as an end, which seems inconsistent with his above position. Rhonheimer, in contrast, thinks an exterior act – one that has been conceived by reason but not yet chosen by the will – has a moral significance, *in abstracto*, as a "*bonum apprehensum et ordinatum a ratione*." But the will cannot grasp it as an end until it is presented as a practical good by reason. So from Rhonheimer's perspective, the second position – that the exterior act cannot yet possess any *moral* significance until it is grasped by the will as an end – seems to contradict the first, that the good of another confers a first moral specification. Apparently, in the first case, Pinckaers sees the external matter as grasped by speculative reason and desired under a *ratio*, but not informed and ordered into a proposal for action by an object conceived by practical reason.

Let us now consider the crucial question of the relation between moral object and intention.

(F) *The Moral Object "Includes" the Proximate or Basic Intentionality*

When the role of intention in the evaluation of moral acts is raised among those who support traditional moral norms, the specter of Peter Abelard and the warning against a moral relativism of intentions is frequently heard.⁷⁷ On the other

Notice that this description also includes a volitional component, "as desirable," which Pinckaers will understand as the *finis operis*, taken as equivalent with the *finis proximus*. As we will discuss further in the next subsection, Rhonheimer will speak of this intentional component as a basic intention of the proximate end (*finis proximus*), the object that is the end of the will. Pinckaers, on the other hand, seems to understand this *finis proximus* in a more restricted sense as the aspect under which a "thing" is desired. The difference in these approaches can be seen in Rhonheimer's description of theft, not as a thing under an aspect – as in Pinckaers' "good of another as desirable" – but as a "basic intentional act," best described with a verb and reference to the act's basic intentionality: "to appropriate [i.e., to take with the intention of making my own] that which belongs to another against his will."

76. See Rhonheimer's, "The Object of the Human Act," 422, n. 30, citing Pinckaers.

77. See McInerney, *Aquinas on Human Action*, 100-101, 233; *Ethica Thomistica*, 83ff; Romanus Cessario, *Introduction to Moral Theology, Catholic Moral Thought* (Washington, D.C.: Catholic University of America Press, 2001), 175; Steven A. Long,

hand, the crucial paragraphs of *Veritatis splendor* nn. 78-82 employ a variety of volitional terms to articulate an account of the moral object, strongly suggesting that its proper description must include an intentional component.⁷⁸ Therefore, we can say – at a minimum – that the place of intention in the evaluation of acts deserves renewed attention.

This subsection will summarize Rhonheimer’s understanding of the decisive role of intention, or more precisely “intentionality,” which identifies the *content* of the act of intending, as distinguished from the act. In a nutshell, he argues that a Thomistic account of the moral object must include reference to a “basic intentionality” to choose an act with a particular intelligible content. This basic intentionality is necessary if the moral object is to be the *finis proximus* of the interior act of the will, as Thomas insists in q. 19 of the *Prima Secundae*. It enables Rhonheimer to offer a comprehensive account of the moral object as a human act, an object conceived by reason and chosen as the proximate object of the interior act of the will.

Moreover, this “intentional understanding of the moral object” also facilitates Rhonheimer’s relatively disciplined approach to their description as “intentional basic actions,” which would normally include verbs and statements of the basic intention of the proximate end.⁷⁹ By pointing towards a well conceived and disciplined approach to the description of moral objects, Rhonheimer contributes to an important advance in action theory. According to this approach, a proper description of the moral object would be, not “my arm” – which is merely a thing – and not simply “raising my arm” – which cannot yet be chosen – but “raising my arm *in order to greet someone*”; not “removing Mrs. Jones’s watch,” but “removing Mrs. Jones’s watch to play a trick”;⁸⁰ not “shooting someone,” but “shooting someone *to repel his aggression*” or “shooting someone *to carry out capital punishment*”; not “taking an antioyulent pill,” but “taking an antioyulent pill *to prevent the procreative consequences of the marital act*,”⁸¹ or “taking an antioyulent pill

“A Brief Disquisition Regarding the Nature of the Object of the Moral Act According to St. Thomas Aquinas,” *The Thomist* 67, no. 1 (2003): 58-59.

78. For example, *VS* n. 78 includes the following statements: “The morality of the human act depends primarily and fundamentally on the ‘object’ rationally chosen by the deliberate will...”; “The object of the act of willing is in fact a freely chosen kind of behavior.”; “...that object is the proximate end of a deliberate decision which determines the act of willing on the part of the acting person.”
79. Note that Rhonheimer will also identify “moral objects” by their basic intentional content such as “to defend oneself,” “to murder someone,” or “to prevent conception” which is often sufficient to identify their moral species. However, descriptions of moral objects with verbs and statements of basic intention more fully illustrate his theory, and help to avoid the charge that he has reduced the object to intention, or ignored its material element.
80. For a detailed discussion of theft, see “The Object of the Human Act,” 484-486, which is found on pages 218-222 of *The Perspective of the Acting Person*.
81. Compare how well his approach accommodates the articulation of the contraceptive act as found in *Humanae vitae* n. 14, and as quoted in the *Catechism of the Catholic Church* n. 2370: “Similarly excluded is every action which, either in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural

to treat endometriosis”; not “driving a car,” but “driving a car to attend mass”; not “abstaining from eating,” but “abstaining from food to make an act of love of God” (fasting) or “to abstaining from food to lose weight” (dieting).⁸²

Some of the crucial texts concerning the proximate end, the *finis proximus*, are found in *ST IaIIae*, q. 1, a. 3, where Thomas teaches that “moral acts... receive their species from the end...”⁸³ In the reply to the third objection, Thomas specifies that a given act is ordained “to but one proximate end (*finis proximus*), from which it has its [moral] species.” Therefore, the proximate end is precisely the object of the choice to carry out the intelligible proposal that is presented to the will, by the practical reason, and in the moral object, as good and end of the act.

As I will discuss further in a subsequent essay, some Thomists apparently disagree with this line of interpretation. On the other hand, Rhonheimer would agree completely with the following statements which are characteristic of Ralph McInerny’s discussion of these matters: (i) that the proximate end is “that which the mind proposes to the will as good, that which is to be done...”; (ii) that “The proximate end is synonymous with the object of the action...”; (iii) that “The object of intention is an end-like good that reason judges to be perfective or fulfilling of the kind of agent we are”; and that (iv) the remote end, by contrast, is “the further purpose for the sake of which one does what he does.”⁸⁴

Unfortunately, just as Thomas usually doesn’t specify whether he means “the moral object,” the “object of the exterior act,” and the “object of the interior

consequences, proposes (*intendat*), whether as an end or as a means, to render procreation impossible.”

82. It is possible that this proximate intentionality be implicit in a particular description. This would be the case when there are a very limited range of basic intentionalities that can rationally inform a given physical action, such a “playing solitaire.” However, Rhonheimer normally states the proximate intentionality explicitly, in the description of an act. Also, Rhonheimer also allows that the moral species of the act indicates the moral object, which means the basic intentionality to do that species of act is implied. For example, “fasting,” implies abstaining from food for love of God. See also, in “The Object of the Human Act,” 490-491, his discussion of “taking a walk” or “walking,” where that simple description implies the basic intention “to enjoy oneself,” but where the same physical act can be done for other basic intentionality, such as “to maintain my health.”
83. “...actus morales proprie speciem sortiuntur ex fine...” See also Pilsner’s *Specification of Human Acts*, chapter 9, for a discussion of proximate and remote ends. See also my “Veritatis splendor and Traditionally Naturalistic Thomisms: The Object as Proximate End of the Acting Person as a Test Case,” *Studia Moralia* 45.2 (December 2007): 185-216.
84. McInerny, *Ethica Thomistica*, 82-83. See also McInerny’s *Aquinas on Human Action*, 221-223, where he discusses the *species naturae* as an abstraction to which the proximate intention “is added” to give the moral species. On proximate end, McInerny also cites *In II Sent.*, d.36, q. 1, a. 5, ad 5 “quod actus aliquis habet duplicem finem: scilicet proximum finem, qui est obiectum ejus, et remotum, quem agens intendit: et ideo cum bonum ex fine distinguitur contra bonum ex genere, intelligitur de fine remoto, quem agens intendit,” and *Q.D. de malo*, q. 2, a. 4, ad 9, “Duplex est finis, proximus et remotus. Finis proximus actus idem est quod obiectum, et ab hoc recipit speciem. Ex fine autem remoto non habet speciem sed ordo ad talem finem est circumstantia actus.”

act of the will,” he often doesn’t specify whether he refers to the proximate end intended or some further intention, although he does specify this proximate end numerous times. Because of this lack of specificity, some interpreters apparently do not take the text from a. 1, ad 3 – that the act gets its [moral] species from its one proximate end – as a basic principle of Thomistic action theory, whereas Rhonheimer does, although he usually calls it the basic intentionality. We can further test the credibility of his interpretation by the coherence of the broader theory within which his account of *finis proximus* is located, and by its consistency with and explanatory power regarding other aspects of Thomistic theory.

For example, Rhonheimer’s reading of Thomas on object and intention coheres well with the latter’s teaching on that which is *praeter intentionem*, which is usually translated as “besides the intention.” In *ST* IIaIIae, q. 43, a. 3, for example, Thomas teaches that “scandal is accidental when it is beside the agent’s intention.”⁸⁵ Similarly, in his discussion of self defense in *ST* IIaIIae, q. 64, a. 7, Thomas writes that “moral acts take their species according to what is intended, and not according to what is *praeter intentionem*, since this is accidental as explained above.”⁸⁶ These examples illustrate how the principle that Thomas teaches in *ST* IaIIae, q. 1, a. 3, namely that the act receives its moral species through the end intended – and explicitly the intention of the proximate end, according to ad 3 – is applied throughout the *Secunda Pars*. To this extent, it seems that Rhonheimer’s interpretation of what he calls the “basic intentionality” of this proximate end is well-grounded in the texts, integrated into a coherent theory of the moral object, and exhibits explanatory power in light of related teachings by Aquinas.

For the sake of completion – and because other authors systematically overlook and apparently exclude it – we must also mention the important distinction between two senses of intention. The first (i.e., I-II, 12) and narrower sense of “intention” is an act of the will regarding the end, which is distinguished from the act of the will regarding the means to the end, namely the choice or “election” of the means. The second and broader sense of intending, in the sense of “tending towards,” belongs to all acts of the will.

A More Contested Matter: “Nature,” Reason and Morality

Although one might expect that all Thomists would accept, as a basic principle, what has been said about the intending of proximate ends, this teaching touches upon an area of disagreement between Rhonheimer and certain interlocutors. The disagreement concerns (i) the complex matter of the way in which “sub or pre-rational nature” – often spoken of as “nature” – pertains to the morality

85. “Scandalum ... Per accidens quidem, quando est praeter intentionem agentis...”

86. “Morales autem actus recipiunt speciem secundum id quod intenditur, non autem ab eo quod est praeter intentionem, cum sit per accidens, ut ex supradictis patet.” See also *ST* IaIIae, q. 72, a. 1, where Thomas discusses how the voluntary act, whereby the person “intends such and such an act in such and such matter” is “essential” and gives the act its species.

of actions, (ii) the way in which reason grasps this “nature,” and (iii) the way in which intention relates to nature and reason.

We have already discussed how the reply to the third objection of q. 1, a. 3 teaches that a given act is ordained “to but one proximate end (*finem proximum* or *finis proximus*), from which it has its [moral] species.” This text goes on to say that “the relation to a natural end is accidental to morality,” and that “there is no reason why acts which are the same considered in their natural species, should not be diverse, considered in their moral species.”⁸⁷ To many interpreters, such statements would be contrary to what they understand to be the metaphysical foundations of Thomistic ethics. For example, in a laudable desire to uphold moral realism and to reject revisionist redescription of actions, some Thomistic interpretations seem very close to the position that the natural species determines the moral species,⁸⁸ and the closely related claim that nature – and not reason – is the rule and measure of morality. However, such a reading would seem difficult to reconcile with the texts just cited, among others. For example, it might grant that intention gives an accidental modification of the natural species to give the moral species, but Thomas says the opposite – that the natural species is accidental.⁸⁹

We might note that the above texts from q. 1, a. 3 seem to challenge the following positions: (i) that it is possible to determine the moral species (i.e., the kind) of an act excluding the basic intentionality implicit in its choice;⁹⁰ (ii) that, according to Aquinas, the natural species is the moral species, or its essence; (iii) that the moral species is an accidental modification of the natural species;⁹¹ or (iv)

87. “...ad unum finem proximum, a quo habet speciem...ratio naturalis finis accidit morali... Et ideo nihil prohibet actus qui sunt iidem secundum speciem naturae, esse diversos secundum speciem moris...”

88. Such a position might follow from a certain understanding of the *finis operis*, understood as the natural end of the act. [See, for example, William A. Wallace, *The Elements of Philosophy: A Compendium for Philosophers and Theologians* (New York: Alba House, 1977), 158: “the normal purpose or function of a thing or action, or the result normally achieved.”] For example, if one were to mistakenly understand the “proximate intention” as the choice of a behavior pattern with a certain natural finality “built in,” the above text from q. 1, a. 3, ad 3 would be seen as problematic, as would Rhonheimer’s reading of it. For a critical argument against a recent work emphasizing “natural teleology,” which comes close to such an approach, see pages 511-523 of my “Developments in Thomistic Action Theory.”

89. Therefore, such a naturalistic interpretation would be a reversion to the position of Albert the Great, which according to Tobias Hoffman, Aquinas repudiated. See his “Moral Action as Human Action: End and Object in Aquinas in Comparison with Abelard, Lombard, Albert and Duns Scotus.” *The Thomist* 67, no. 1 (2003): 73-94.

90. However, in Rhonheimer’s view, it is possible to judge that certain exterior behaviors are irrational, such that moral acts involving them will be evil regardless of the intended ends for which they are done.

91. In q. 18, a. 4, Thomas discusses the fourfold goodness of the human act. The first goodness is that which the act has to the degree that it has act and being (*actione et entitate*). McInerny, in his *Aquinas on Human Action*, 82, speaks of this as ontological goodness, and rightly says that this is judged according to reason. It would be a mistake, however, to claim instead that this ontological goodness depends upon the fulfillment

that an understanding of the metaphysics of human nature, such as the ends of the various powers and faculties, provides the inviolable foundation for the moral order. Rhonheimer would disagree with all of these.

Rhonheimer's approach to taking into account the physical characteristics of the act harmonizes with what Thomas says in q. 1 about how the one proximate intention of a given act determines the moral species. It also incorporates the teaching that "the relation to a natural end is accidental to morality," and – as we will discuss in the next subsection – the doctrine that reason, and not nature, is the proximate rule and measure of morality, with the eternal law as ultimate rule and nature as a remote rule. According to this approach, the use of earplugs with the proximate intentionality of protecting my ears from the noise of the jackhammer is not immoral because it frustrates the natural end of hearing, but good because it is reasonable to protect my hearing. Therefore, Rhonheimer would agree with McNerny that "The moral quality of intention is dependent on the rightness of the rational specification of its act."⁹²

On the other hand, Rhonheimer's explicit denial that pre-rational nature – or a metaphysical account of it – is the rule and measure of morality, combined with his emphasis on intentional and not merely external or physical descriptions of actions and objects, has a downside. That is, it obscures the fact that he holds that human reason can determine that the performance of certain exterior behavior patterns can never be good, regardless of the intention that informs them. To take an extreme example, Rhonheimer would agree that it is always against reason and, thus, immoral for a man to have sexual relations with an animal, regardless of the proximate or remote intentionality. However, his insistence that we are not speaking of the moral realm in the proper sense unless we reference volition and intention – an insistence meant to encourage more adequate descriptions of moral actions so they can be defended against revisionist critiques – frequently results in less careful readers thinking that he holds such acts to be good if undertaken for a good intention.⁹³ But what a "good" intentionality is depends on reason, and

of natural end, as if the natural species determined the essence of the moral act and the intention were accidental. Tobias Hoffman explains that this would be to mistake Aquinas' position for that of Albert, which he clearly rejected. See his "Moral Action as Human Action," 80-89.

92. See *Ethica Thomistica*, 83.

93. Matthew Levering, for example, surprisingly (i) groups Rhonheimer among the revisionists he singles out for rebuke, (ii) says he himself "doesn't deny" an intentional theory of action, and then (iii) criticizes Rhonheimer for insisting that actions and their objects require an intentional description. Apparently, he has not understood how Rhonheimer holds (i) that reason is rule and measure such that irrational behaviors are excluded, (ii) that nature is a remote measure such that reason is not arbitrary, and (iii) that a properly moral description includes reference to both reason and will. To avoid such misunderstandings, and although it is somewhat of an abstraction to speak of external acts disconnected from the reasoning of the acting person who conceives them, Rhonheimer may do well to balance his insistence on intentional descriptions of actions with more frequent reassurances that certain physical doings are irrational and

what is reasonable is not simply a matter of free choice, but in many cases depends in a decisive way on pre-rational nature.

In sum, by incorporating into his comprehensive account of the moral act what Thomas clearly teaches in q. 1, a. 3 about how the one basic or proximate intentionality of the human act gives it its moral species, Rhonheimer is able to specify how the moral object of a specifically human act is not only constituted by reason, but is also chosen with the basic intentionality of the will (formed, of course, by reason). Next, we must consider more carefully his understanding of reason as the rule and measure of morality.

(G) *Thomas on Reason as Rule and Measure for Human Action*

Rhonheimer follows the clear teaching of Thomas that reason is the proper standard, the rule and measure of moral action.⁹⁴ Thomas introduces this teaching, as we might expect, in the programmatic first question of the *Secunda Pars* (a. 1, ad 3), where he writes that reason is “the proper principle of human actions.” He further articulates, develops and applies it throughout the *Summa*, in the treatise on the good and evil of human actions,⁹⁵ in the treatise on law, and especially in his accounts of the various virtues. For example, in the first question of the treatise

would therefore be immoral regardless of the intention that might inform them in a human act. The confusion may also arise from the way Rhonheimer will sometimes describe a moral object simply through its basic intentionality (i.e., “to defend oneself”), which is a legitimate way to indicate the species, but opens him to critique. But Rhonheimer’s description of the moral objects of actual physical acts (i.e., “to use violence to defend oneself”), shows more clearly how the material element of the act is not overlooked. See Levering’s review of *The Ethics of Aquinas*, by Stephen J. Pope, in *The National Catholic Bioethics Quarterly* 5, no. 2 (2005): 430-32.

94. Rhonheimer recommends L. Léhu’s, *La raison, règle de la moralité d’après Saint Thomas*, (Paris, 1930), “for a correct understanding of Thomistic doctrine according to which the rule of morality is not ‘nature,’ but reason.” See *The Object of the Human Act*, 474, n. 45. Rhonheimer notes that Karol Wojtyła was well aware of this widely misunderstood Thomistic doctrine on the rule and measure of morality. This is clear from Wojtyła’s 1956/57 Lublin Lecture entitled “Norm and Happiness,” which is found in the chapter on Aquinas and in the section entitled “*Regula propinqua voluntatis*.” Much like Rhonheimer, Wojtyła cites Lehu’s book to emphasize that not nature but reason is the norm of morality, while recognizing (sub-rational) human nature as the fundament for reason as norm. Once we break from the mistaken view that conformity to (sub-rational) nature is the rule of morality, we can recognize the place of intentionality, as discussed above and as John Paul II does in the decisive texts of *Veritatis splendor* n. 78 and following.
95. In q. 18, a. 1, the action “is said to be evil, for instance, if it lacks the quantity determined by reason, or its due place, or something of the kind.” In a. 2, the rule of reason is implicit when Thomas speaks of the dependence of goodness on “due proportion” (ad 2 and ad 3). In the corpus of a. 5, he is more explicit: “... in human actions, good and evil are predicated in reference to the reason”; “the difference of good and evil considered in reference to the object is an essential difference in relation to reason.” In ad 1, an action is “good, inasmuch as it is in accord with reason, and evil, inasmuch as it is against reason...” In ad 2 an action is evil “because it has an object in disaccord with reason.” In a. 8, Thomas seems to indicate that the object can be in accord with, or

on law (q. 90, a. 1), Thomas reemphasizes that “reason is the first principle of action,” specifies that it is “*the* rule and measure of human acts,” and distinguishes it from law, which is “*a certain* rule and measure of acts.”⁹⁶

Key Distinctions Regarding the Rational Standard of Morality

Whereas the eternal law, or God’s reason, is the *ultimate* standard for human actions, human reason provides the *proximate* rule and standard (q. 21, a. 1). Sub rational human nature, such as the body and the natural inclinations, can not form a direct rule for moral action because the different faculties seek their own proper goods, and need to be directed by free choice to the good as determined by reason. Therefore, they provide only a *remote or indirect* standard.⁹⁷ In what way is reason the rule and measure of moral acts?⁹⁸ In a nutshell, an action is informed by right reason if it is rightly (i.e., virtuously) directed to a fitting proximate end in harmony with the true ultimate end in God. Such an action not only embodies right practical reason, but is virtuous, and a participation in divine providence and the eternal law.⁹⁹

How do we come to know this eternal law that correctly directs and measures human acts? Thomas teaches that, “although the Eternal Law is unknown to us as it is in the Divine Mind, nevertheless, it becomes known to us somewhat, either by natural reason, which is derived from the Eternal Law as its proper image, or by some sort of additional revelation” (q. 19, a. 4, ad 3). Therefore, he takes it for

repugnant to, the order of reason at the natural level, without reference to proximate intention. In a. 9, ad 3, he writes “evil, in general, is all that is repugnant to right reason.”

96. Emphases added. “ratio, quae est primum principium in agendis,” “Regula autem et mensura humanorum actuum est ratio,” “lex quaedam regula est et mensura actuum.”

97. This is implicit in Thomas’s basic teaching of *ST* I-II, q. 1, a. 3, ad 3 (and elsewhere) that the relation to a natural end is accidental to morality, which suggests a relevance between none on one extreme and a reduction of the moral species to the natural on the other. See also the corpus of q. 21, a. 1, among other places.

98. And are we talking of speculative or practical reason? All Thomists recognize that there is only one intellect and it is primarily speculative. Moreover, when this intellectual faculty extends into practical reasoning, it does not leave behind that which was known speculatively. Therefore, it would be a mistake to exaggerate the distinction between practical and speculative reason. But Thomas does not teach that a speculative knowledge of natural finalities is the rule and measure of human action.

99. For example, in q. 21, a. 1 Thomas writes “When, therefore, the human action tends to the end, according to the order of reason and of the Eternal Law, then that action is right; but when it turns aside from that rectitude, then it is said to be a sin.” See also q. 21, a. 2, ad 2: “...in moral matters, when we take into consideration the order of reason to the general end of human life, sin and evil are always due to a departure from the order of reason to the general [i.e., last] end of human life.” Notice that, although an act might be rationally ordered in a way that achieves the proximate end, it lacks true rectitude if it does so in a way that is inordinate regarding the true last/ultimate end of happiness in God. We might also note that this notion of reason as measure of action and sharing in divine providence is open, for example, to a more biblical and “Logos centric” or Christocentric vision of life where human persons take up a personal mission “in Christ.”

granted that human reason can grasp the truth of things, at least “somewhat.”¹⁰⁰ And notice that the appeal to revelation does not always settle the question. For example, the morality of “killing” in self defense, just war and capital punishment are not clear from the fifth commandment itself, and continue to inspire philosophical efforts towards more adequate explanations.

To be good, an act must meet the test of reason in all respects. Therefore, it must be of an appropriate moral species or kind, done with the right intentions, and done in a fitting way, taking account of the circumstances and foreseeable consequences. In some cases, the determining factor may be whether certain basic intentions can rationally inform a given behavior pattern. For example, it is not rational that I intend to nourish myself by swallowing stones, or hydrate myself by drinking gasoline. In a small number of other cases, Rhonheimer would argue that the external behavior pattern is irrational regardless of the intention that might inform it. For example, sexual intercourse with an animal is irrational regardless of the proximate intention under which I choose it, such as to express affection.

The Appeal to Virtue to Determine the Moral Normativity of Nature

Rhonheimer’s account is unique in the way he appeals to the virtues to determine when actions are according to right reason and the eternal law, although other thinkers also look to virtue to determine the normativity of pre-rational “nature.” His interpretation recognizes how the eternal law, which is the divine reason, is also the creative wisdom that informs the cosmos. Therefore, our bodies and our natural inclinations reflect this eternal law; and through our prudential actions, we also participate in it rationally. Moreover, according to Thomas, these inclinations are the seeds of the virtues. It is only when the human person has developed the virtues that perfect these inclinations, that their moral relevance becomes more fully intelligible. Therefore, a consideration of the relationship between a given action and the resulting development of virtue or vice helps us to grasp the underlying “structure of rationality” and understand when going against a natural inclination, or the natural end of a faculty, is good or evil. For example, “vomiting dinner to stay thin” is immoral because it is contrary to the development of temperance, not because it is contrary to the natural finality of the digestive system, whereas “vomiting poison to save your life” is good because it is prudent, etc. Similarly, “wearing earplugs to prevent damage to my hearing” – while working a jackhammer – is not immoral because it goes against the natural finality of the ear, but reasonable because it protects my hearing while enabling me to support my family. However, “wearing earplugs so I am not awakened by the newborn baby” would be irrational to the extent that it goes against justice, fortitude, prudence,

100. This corresponds to his understanding of natural law, in its primary sense, as the light of human reason that helps us grasp the truth about moral actions under deliberation. This corresponds closely to the primary sense of natural law in *Veritatis splendor*, while contrasting with the Suarezian view.

and charity. But if I work out a rational plan with my spouse to care for Junior and get sufficient sleep, then the use of the earplugs could be prudent.

Consider the much contested case of contraception, defined by *Humanae vitae* n. 14 as an action that intends to prevent the procreative consequences of the marital act. The casuist tradition would often consider this immoral because it goes against the natural finality of sexual intercourse, a position that presupposes the problematic thesis that “nature” – presumably as grasped by speculative reason or natural philosophy – is the rule and measure of action. Rhonheimer, on the other hand, thinks the moral use of our sexual organs is best understood in terms of the virtues, especially chastity, which is a subset of temperance that helps us to moderate the pleasures associated with sexuality according to right reason. For married persons, the virtuous integration of our sexuality through chastity also includes the development of what Rhonheimer calls the sub-virtue of “procreative responsibility,” the habitual disposition to exercise dominion over our fertility through reason and will.¹⁰¹ In a nutshell, he argues that the practice of periodic continence helps us to develop this virtue of procreative responsibility, whereas contraceptive acts allow us to remove our fertility from those things over which we strive to gain virtuous mastery. In other words, it is a perfection of the human person to have this virtuous mastery over our fertility, and the practice of periodic continence helps us to achieve it, whereas contraceptive acts do not. Therefore, a consideration of the virtuous end of the sexual inclination shows us the moral relevance of that inclination.

In sum, the goodness or evil of a given moral act depends upon whether it is according to right reason, virtue and the eternal law, which ensures that the acts are directed to appropriate ends consistent with the ultimate end.

Consensus Among Thomistic Interpreters on Reason as Rule of Morality?

One might think that this teaching would be uncontested among Thomists. Ralph McInerny, for example, cites the same texts in a similar sense as Rhonheimer. In his *Ethica Thomistica*, he writes, “Reason obviously plays the central role and must be the measure of human action as human,” and further that “The action judged to be good is not merely a natural process or event with its intrinsic teleology but a human involvement in that process; the rational appraisal of it as something I might do.”¹⁰² This last phrase reflects Rhonheimer’s emphasis on the rational evaluation of actions. On the other hand, Rhonheimer would find

101. Rhonheimer would add that this mastery means that the body remains a *subject* and *principle* of human acts, and not simply an “object” to be regulated. This mastery, thus, corresponds to the essential unity of body and spirit such that virtuous acts of procreative responsibility (temperance) are understood as *bodily* acts, modified according to reason. This illustrates how his theory of human acts, their object and the reason that directs them can be understood as an anthropology of action.

102. See his *Ethica Thomistica*, 77 and 86. Of course, McInerny upholds this understanding of reason as norm of morality in his *Aquinas on Human Action*. See his *Aquinas on*

the following statement from McInerny as open to the misinterpretation that reason is not integral to human nature or that sub-rational nature provides the direct rule and measure for human action: “‘natural law morality’ suggests that in determining what we ought to do, we must take our guide from nature.”¹⁰³

Still, Rhonheimer has been severely criticized for explicitly denying that Thomas presents “nature” as the rule and measure of action, even though he then goes on to offer a theory of *the way in which nature pertains to morality*, based upon an exhaustive study of primary Thomistic texts in dialogue with the tradition of interpretation.¹⁰⁴ Both McInerny and Rhonheimer agree that reason takes into account the physical characteristics of the act. If I understand correctly, the former emphasizes that the moral order necessarily presupposes the natural order and that we can’t neglect the physical or natural characteristics of the act, but does not claim that the natural species determines the moral species. Rhonheimer would agree to this point, while also emphasizing that practical reason incorporates the external matter and circumstances when it conceives intelligible proposal for action that informs an external act.

(H) Circumstances and Consequences

Thomas’s teaching on circumstances is straightforward and Rhonheimer reads it much like other interpreters. These circumstances do not pertain to the substance, or essential being, of the act but are accidental qualities – like the color of a thing – that nevertheless contribute to its goodness or lack thereof (q. 18, a. 3).¹⁰⁵ However, Thomas recognizes that some circumstances are “principal conditions” that determine the species or kind of the action (q. 18, a. 5, ad 4 and a. 10).¹⁰⁶ For example, stealing under the circumstances that the stolen object is a chalice used for Eucharistic worship becomes not merely theft but sacrilege. Similarly, burning down a house to collect the insurance becomes not merely arson and fraud, but homicide, if one foresees the death of the inhabitants, even if one allegedly “intends” only to collect the insurance money, because there are limits on which proximate intentions can rationally inform a given physical doing.

Human Action, 77, where he writes, for example, that “moral action occurs when will is guided by reason, and moral action is good when the guiding reason is correct.” See also his citation and discussion of q. 19, a. 4, which emphasizes how the eternal law is the measure of human reason.

103. See his *Aquinas on Human Action*, 193.

104. This is the main task of his *Natural Law and Practical Reason*. For a detailed review, see my “Martin Rhonheimer’s Natural Law and Practical Reason.” *Sapientia* LVI (2002): 517-48.

105. In his *De Malo*, q. 2, a. 6, Thomas cites the maxim that circumstances include “Who, what, where, by what aids, why, how, when.”

106. For a further discussion, see his *NLPR*, 519-520ff, and n. 10 of his “Intrinsically Evil Acts and the Moral Viewpoint: Clarifying a Central Teaching of *Veritatis splendor*,” which is reprinted as chapter 3 of his *Perspective of the Acting Person*. *The Thomist* 58, no.

Concluding Remarks on Rhonheimer's Action Theory

Rhonheimer draws upon the texts of Aquinas, in dialogue with various interpreters, to articulate a robust theory of the goodness and evil of moral acts that upholds the traditional moral teachings of the Church in light of recent challenges. His account is centered on an understanding of the moral object as a human act in its primary and fundamental intelligible essence, which is its basic intentional content, described sufficiently to determine its moral species/kind and its moral quality as good or evil. I find it helpful to summarize his basic approach to the moral object from the perspectives of the intellect, the will and the relevant matter and circumstances. From the perspective of the intellect, the moral object can be understood as a form conceived by reason, through a rational ordering of the relevant matter and circumstances. From the perspective of the will, the moral object is the proximate end of its interior act, the practical good presented to it by reason and chosen as good and end, that is, the exterior act. From the perspective of the material components of the act, the moral object includes those elements as understood, ordered and informed by reason and chosen by the will. Understood in this way, "moral objects" are properly and formally described as the intelligible content of what Rhonheimer calls "basic intentional acts."

In my assessment, his contributions in action theory have not only helped to stimulate a promising period of vigorous and ongoing scholarship in this area, but have contributed to lasting advances in the contemporary recovery of Thomas's teaching. These contributions include (i) a recovery of moral analysis at the level of properly moral acts as opposed to merely physical behavior patterns, (ii) a recovery of the centrality of ends intended by the agent, (iii) a further articulation of the way in which reason contributes to the constitution of the object – i.e., the object as "a form conceived by reason" with a decisive role for practical reason, (iv) advances in our understanding of how the matter and circumstances relate to the formal aspect of the object, (v) a recovery of Aquinas's understanding of reason (and not merely "natural ends" or caused effects, for example) as the rule and measure of action, and (vi) the centrality of the rational structures of the virtues to this rational standard for morality.

These contributions in action theory are more worthy of note because of their relation to his broader body of work, which includes (i) extensive analysis of the questions raised by post conciliar revisionism,¹⁰⁷ (ii) a systematic account of Thomistic moral philosophy in dialogue with contemporary alternatives,¹⁰⁸ (iii) perhaps the most thorough treatment of questions regarding contraception and

1 (1994): 8. In both cases he refers to *In IV Sent* d. 16 q. 3 a. 1, which distinguishes between the "absolute consideration" of an act at the physical, "ontic" level, and its consideration in the "genus moris."

107. This occurs especially in his *Natural Law and Practical Reason*, but also in his *Perspective of the Acting Person*.

108. I refer to his previously cited *Viewpoint of Morality*.

related matters in print,¹⁰⁹ (iv) a proposed resolution of some long-disputed questions in medical ethics,¹¹⁰ and (v) an growing body of work addressing the interaction between Catholic social teaching and political philosophy.¹¹¹ As efforts toward consensus in action theory and broader matters of moral theory continue, so will efforts to address these related areas of applied ethics. If the present essay can facilitate an intelligent consideration of Rhonheimer's contributions in these areas, it will have served its purpose. ■

109. I refer to his previously cited *Ethics of Procreation*.

110. I refer to a study he did for the Congregation of the Doctrine of the Faith, which gave him permission to reveal its origins given the controversy surrounding its subject matter and conclusions, addressing the "vital conflict" cases of the craniotomy and the salpingostomy for ectopic pregnancy. This study is forthcoming with the tentative title of *Vital Conflicts, the Prohibition of Killing and Abortion: An Approach to Craniotomy and Tubal Pregnancies through Action and Virtue Analysis* (Washington: Catholic University of America Press, 2009).

111. His major essays in this field are being collected in a volume that is tentatively entitled *Essays in Political Philosophy and Catholic Social Teaching*. Rhonheimer's broad body of work is also distinguished by the extent to which it integrates a virtue-oriented personal ethic, with a positive assessment of constitutional democratic political order, while engaging modern political thinkers. Special thanks are due to Martin Rhonheimer and Steven J. Jensen for their thoughtful comments on the initial version of this essay.