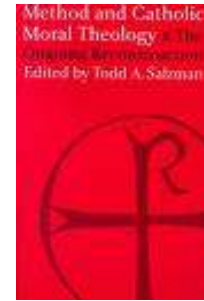


# Moral Theology

- By Rev. Fr. Nilindra Gunsekera sss



Moral has as its end the scientific discussion and establishment of the moral precepts applicable to all states of Christian life. The precepts of Christian morals are part of the doctrines of faith, for they are confirmed by Divine Revelation. Moral theology, is limited to those doctrines which discuss the relations of man and his free actions to God.

The subject-matter of natural morals or ethics, as contained in the Decalogue, has been included in positive, Divine Revelation. It has passed into moral theology. Moral theology deals of everything relating to man's free actions and the last, or supreme, end to be attained through them.

For St. Thomas Aquinas, man as a free agent (cf. "Summa theol.", I, Q. i, a. 7 and Q. ii in the proemium and in the prologus of I-II; likewise by Fr. Suárez in the proemium of his commentaries on the I-II of St. Thomas). Man was made after the image of God, by his intellect, his free will, and a certain power to act of his own accord.

The scope and the subject-matter of the moral part of theology is to examine the tendency of rational creature towards God (I, Q. ii, proem.). Francisco Suárez calls this tendency of the creatures towards God 'the return of the creatures to God.'

St. Thomas regards sin chiefly as a transgression of the law, and of the 'lex æterna.' (Q. ii, a. 6). Sin is a human act. Morality is supernatural morality. It exceeds the nature and the faculties of man, Divine grace, is the other exterior principle of man's morally good actions. St. Thomas states his division briefly as follows: 'The exterior principle which moves us to good actions is God; He instructs us by His law and aids us with His grace. Hence we shall speak first of the law, secondly of grace' (cf. exordium to Q. xc.)

Moral theology considers free human actions only in their relation to the supreme order. Man is one being, and all his actions must finally lead him to his last and highest end.

The chief source of moral theology is Sacred Scripture and Tradition together with the teachings of the Church. Not all precepts of the OT., are universally valid. The special law and rituals of the Jews never obligated the non-Jewish world, and was considered abrogated by the New Covenant. Ritual observances proper have thus been rendered illicit.

Pope Pius IX pointed out that another valid source of theological doctrines, and morals, was Tradition. It is a dogmatic principle that the whole Church cannot err in matters of faith and morals.

Moral theology, must accomplish in moral questions what dogmatic theology does in questions pertaining to dogma. The latter explains clearly the truths of faith and prove them to be such. It also shows their accordance with reason, defend them against objections. Moral theology must follow the same processive questions of morals.

Moral theology concerns duties and virtues which help man attain his last end. It includes all virtues, even those which mark the height of Christian perfection, and their practice, not only in the ordinary degree, but also in the ascetical and mystical life. Hence, asceticism and mysticism are also designated as parts of Christian moral theology.

Moral theology, is essentially a practical science. Its instructions must extend to moral character, moral behaviour, the completion and issue of moral aspirations, so that it can offer a definite norm for the complex situations of human life. Moral theology must



enable the spiritual guide to distinguish correctly and to advise others as to what is sin and what is not, what is counseled and what not, what is good and what is better; it must provide a scientific training for the shepherd of the flock, so that he can direct all to a life of duty and virtue, warn them against sin and danger, lead from good to better those who are endowed with necessary light and moral power, raise up and strengthen those who have fallen from the moral level.

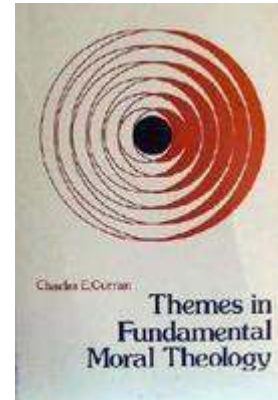
They cannot speak of moral theology who reject supernatural Revelation. To distinguish between moral theology and ethics is to admit a science of ethics without God and religion. This contains an essential contradiction.

Without God, an absolute duty is inconceivable, because there is nobody to impose obligation. I cannot oblige myself, because I cannot be my own superior. This superior being is the Lord of all, God. It is also plain that although this Supreme lawgiver can be known by natural reason, neither He nor His law can be sufficiently known without a revelation on His part.

This being the case, there remains only one question to be discussed: What has been the actual development and method of moral theology in the Church?

In the first years of the early Church, morals were treated in a popular, parenetic form (for the purpose of exhortation). Throughout the Patristic period, hardly any other method for moral questions was in vogue. One of the earliest works of Christian tradition, the 'Didache' or "Teaching of the Apostles", is chiefly of a moral-theological nature. The "Pastor" of Hermas, composed a little later, is of a moral character, that is, it contains an ascetical exhortation to Christian morality and to serious penance if one should have relapsed into sin.

There exists a long series of occasional writings bearing on moral theology: (1) from Tertullian (d. about 240) we have: "De spectaculis", "De idololatria", "De corona militis", "De patientia", "De oratione", "De poenitentia", "Ad uxorem", not to take into consideration the works which he wrote after his defection to Montanism and which are indeed of interest for the history of Christian morals, but cannot serve as guides in I; (2) from Origen (d. 254) we still possess two minor works which bear on our question, viz., "Demartyrio", parenetic in character, and "De oratione", moral and dogmatic in content; the latter meets the objections which are advanced or rather reiterated even today against the efficacy of prayer; (3) from St. Cyprian (d. 258); among the former must be numbered: "De mortalitate" and "De martyrio", in a certain sense also "De lapsis", though it bears rather a disciplinary and judicial character; to the latter class belong: "De habitu virginum", "De oratione", "De opere et eleemosynis", "De bono patientiæ", and "De zelo et livore"; (4) from Clement of Alexandria (d. about 217).



When the persecutions ceased, and patristic literature began to flourish, exegetical writings and apologetical works, as well as moral-theological treatises, principally sermons, homilies, and monographs began to be compiled. Notable amongst these were the orations of St. Gregory of Nazianzus (d. 391), of St. Gregory of Nyssa (d. 395), of St. John Chrysostom (d. 406), of St. Augustine (d. 430), and above all the "Catecheses" of St. Cyril of Jerusalem (d. 386).

Moral presents a clear notion of the various sins and their species, of their relative grievousness and importance, and of the penance to be imposed for them. Related writings are contained in the pastoral or canonical letters of St. Cyprian, St. Peter of Alexandria, St. Basil of Cappadocia, and St. Gregory of Nyssa; the decretals and synodal letters of a number of popes, as Siricius, Innocent, Celestine, Leo I, etc.; canons of several ecumenical councils.

With the introduction of 'penitential books' in the seventh century, the practice of ecclesiastical penance began to be transformed. The ancient law in the Church that the three capital crimes: apostasy, murder, and adultery, were to be atoned for by an accurately determined penance. Public sins were to be atoned by public penance. Such atonement, consisted in severe fasts and public, humiliating practices.

Later the capital sins were divided into sections, according as the circumstances were either aggravating or attenuating. For secret sins, the priest determined the penance, its duration and mode, by the canons. The seventh century, pecuniary donations to the poor or to public utilities, gained entrance and vogue. So, to establish a certain uniformity among confessors as to the treatment of penitents in the administration of the sacraments, several 'penitential books' were compiled. These books were written for a practical juridical purpose.

When public penance ceased, the 'penitential books' lost their importance. The focus shifted to the essential object of the sacrament, which is the reconciliation of the sinner with God. To meet this need, St. Raymond of Peñafort wrote (1235) the "Summa de poenitentia et matrimonio". In 1317, an unknown member of the Order of St. Francis at Asti in Upper Italy, compiled the "Summa de casibus conscientiae," and which is known as "Summa Astensana" or "Summa Astensis." Many other penitential books followed.



The twelfth century produced men like Hugh and Richard of St. Victor, and especially Hugh's pupil, Peter the Lombard, called the Master of the Sentences, who flourished in the cathedral school of Paris towards the middle of the century, and whose "Libri sententiarum" served for several centuries as the standard text-book in theological lecture-halls.

The work of constructing moral theology as a speculative science was undertaken and completed by that great luminary of theology, St. Thomas of Aquin, in his masterpiece "Summa theologiae." The tract on ascetical theology was cultivated with extraordinary skill by St. Bonaventure of the Franciscan Order. Although in subsequent centuries theologians such as Duns Scotus contested various doctrines of Aquinas, Scholastic theology held sway over the rest. In the fifteenth century, Dionysius the Carthusian and St. Antoninus, Bishop of Florence made notable contributions to theology. Dionysius the Carthusian was well known for his ascetical works. St. Antoninus devoted himself to the practice of the confessional and the ordinary work of the pastor. The esteem in which St. Antoninus was held is reflected in the reference to him in the Roman Breviary as "Antoninus consiliorum", Antoninus of good counsel.

New life was breathed into the Catholic Church at the Council of Trent. Eminent scholars such as Thomas of Vio (usually called Cajetan), Victoria, and the two Sotos, proved of immense benefit to the Council itself.

In former centuries, Peter the Lombard's "Sentences" had been the universal text-book, and more prominent theological works of subsequent ages professed to be nothing else than commentaries upon them. After the Council of Trent the "Summa theologiae" of St. Thomas was followed as guide in theology and a large number of the best theological works, written after the Council of Trent, were entitled "Commentarii in Summam Sti. Thomæ". Among the earliest classical works of this kind is the "Commentariorum theologicorum tomi quattuor" of Gregory of Valentia. Vols. III and IV of this work contain the explanation of the "Prima Secundæ" and the "Secunda Secundæ" of St. Thomas. This work was succeeded, at the end of the sixteenth by a number of similar commentaries Gabriel Vásquez, Lessius, Francisco Suárez, Becanus, and the works of Thomas Sanchez "In decalogum" as well as "Consilia moralia", which are more casuistical in their method.

In the course of the seventeenth and eighteenth century, there appeared a number of similar, though conciser, works which treat moral-theological questions as a part of

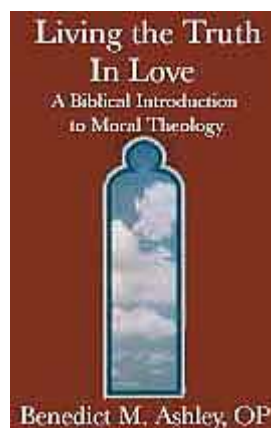
universal theology with the genuine spirit of Scholastic science. There are those of Tanner, Coninck, Platel, Gotti, Billuart, and many others. John de Lugo traced new paths towards the solution of moral questions in his dissertations on practical moral theology. Speaking of his moral theology, St. Alphonsus styles him "by all odds leader after St. Thomas". The works that have come down to us are: "De fide", "De Incarnatione", "De justitia et jure", "De sacramentis", viz., "De sacramentis in genere", "De baptismo et eucharistia", and "De poenitentia". It is above all the volume "De poenitentia" which, through its sixteenth disputation, has become the classical handbook for casuistical moral theology and particularly for the specific distinction of sins.

The method which Lugo applies to moral theological questions, may well be called mixed, that is, it is both speculative and casuistical. Such works of a mixed character treat the whole subject-matter of moral theology, in as far as it is serviceable for the confessor and the pastor.

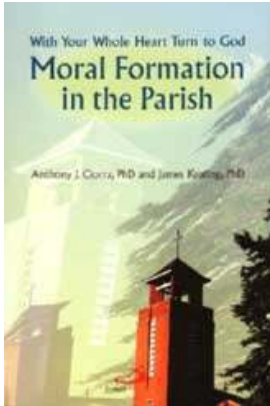
Another work extensively used in the 16<sup>th</sup> Century was the so-called "Medulla theologiae moralis" of Hermann Busenbaum (d. 1688) (forty editions in less than twenty years during the lifetime of the author) and the number of its commentators. A redoubtable 18<sup>th</sup> Century author was Claude Lacroix, and St. Alphonsus Liguori whose works heralded an entirely new epoch in moral theology.

Before entering upon this new phase, suffice to state that systems of morals had been developed in Catholic moral theology and that controversies sprang up among Catholic scholars, as well as at the casuistical method of treating moral theology in general. The controversies centered around the casuistry of moral theology. The controversies were stoked by J. B. Hirscher (d. 1865), Döllinger, Reusch, and a group of Catholic scholars who in the years 1901 and 1902, demanded a 'reform of Catholic moral theology.'

Fundamentally their accusations were erroneous. The "Summa theologica" of St. Thomas proves that Scholasticism and casuistry know not only individual good acts and individual virtues, but also concerns itself with discussions of a general nature on the last end, the goodness and malice of human actions, the eternal law. The accusation that Scholastic casuistry confuses the mind by its mass of duties and non-duties, can only refer to those works which aim at the instruction of the clergy, pastors, and confessors. Such confusion in the hearer or that he has does not have the of confessor or spiritual guide. vocation. The accusation that life, is refuted by the fact that casuistry state that without the intention, all external works, God. The accusation that grave theological errors is heinousness of sin and in and venial sins, casuistry takes element. Every compendium of



reader, shows by this very fact capacity necessary for the office He should choose another casuistry neglects the interior every manual of scholastic state of grace and a good are valueless in the sight of Scholastic casuistry contains refuted because in judging the distinguishing between mortal into consideration the subjective moral theology meets this



requirement. Every manual distinguishes sins which arise from ignorance, weakness, malice, without, however, labelling all sins of weakness as venial sins, or all sins of malice as mortal sins; for there are surely minor acts of malice which cannot be said to cause the death of the soul. Every manual also takes cognizance of sins which are committed without sufficient deliberation, knowledge, or freedom: all these, even though the matter be grave, are counted as venial sins. On the other hand, every manual recognizes venial and grievous sins which are such by the gravity of the matter alone.

What then is casuistry? Casuistry is a method of case reasoning especially useful in treating cases that involve moral dilemmas. Casuistry is a branch of applied ethics. Casuistry is the basis of case law in common law. It is the standard form of reasoning applied in common law.

Casuistry involves The application of general principles of morality to definite and concrete cases of human activity, for the purpose, primarily, of determining what one ought to do, or ought not to do, or what one may do or leave undone as one pleases; and for the purpose, secondarily, of deciding whether and to what extent guilt or immunity from guilt follows on an action already posited.

Being merely a science of application, casuistry must be based on the principles and established conclusions of moral theology and ethics. Casuistry does not define objective morality, nor the objective circumstances that modify morality, nor the psychological conditions that fix motive and consent; but, borrowing from the moralist the principles that determine these elements of a volitional act, its inquiry regards the extent of their presence or absence in a given case. Neither does casuistry establish the existence of moral obligation; but, assuming the precepts of morality as already established, its only office is to determine the subjective morality of an individual act. The decisions of the casuist are right or wrong, only in so far as they are or are not in accord with a particular science of morality, which it is meant to subserve.

The special function of casuistry is to determine the presence or absence of a definite moral obligation. Casuistry does not pass judgment on what would be more advisable, or on what may be recommended as a counsel of perfection. That is the works of pastoral and ascetical theology.

The necessity of casuistry and its importance are obvious. Casuistry aims uniting scientific knowledge of morality with practice in its application so that problems of conscience could be solved promptly and safely.

The casuistic method was popular among Catholic thinkers the more famous among whom were Antonio Escobar y Mendoza for his work *Summula casuum conscientiae* (1627), Thomas Sanchez, Vincenzo Filliucci (Jesuit and penitentiary at St Peter's), Antonino Diana, Paul Laymann (*Theologia Moralis*, 1625), John Azor (*Institutiones*

Morales, 1600), Etienne Bauny, Louis Cellot, Valerius Reginaldus, Hermann Busembaum (d. 1668), etc.

One of the main theses of casuists was the necessity to adapt the rigorous morals of the Early Fathers of Christianity to modern morals, which led in some extreme cases to justify what Innocent XI later called "laxist moral" (i.e. justification of usury, homicide, regicide, lying through "mental reservation", adultery and loss of virginity before marriage, etc. — all due cases registered by Pascal in the Provincial Letters).

The progress of casuistry was interrupted towards the middle of the 17th century by the controversy which arose concerning the doctrine of probabilism, which stipulated that one could choose to follow a "probable opinion," that is, supported by a theologian or another, even if it contradicted a more probable opinion or a quotation from one of the Founding Fathers. The controversy divided Catholic theologians into two camps, Rigorists and Laxists.

Western casuistry dates from Aristotle (384–322 B.C.), yet the zenith of casuistry was from A.D. 1550 to A.D. 1650, when the Jesuit religious order extensively used casuistry,



particularly in practicing the private, Roman Catholic confessional. The term casuistry quickly became pejorative with Blaise Pascal's attack on the misuse of casuistry. In *Provincial Letters* (1656–7)[2], he scolded the Jesuits for using casuistic reasoning in confession to placate wealthy Church donors, whilst punishing poor penitents. Pascal charged that aristocratic penitents could confess their sins one day, re-commit the sin the next day, generously donate the following day, then return to re-confess their sins and only receive the lightest punishment; Pascal's criticisms darkened casuistry's reputation.

In 1679 Pope Innocent XI publicly condemned sixty-five of the more radical propositions (*stricti mentalis*), taken chiefly from the writings of Escobar, Suarez and other casuists as *propositiones laxorum moralistarum* and forbade anyone to teach them under penalty of excommunication. Alphonsus Maria de Liguori (d. 1787), founder of the Congregation of the Most Holy Redeemer, then brought some attention back to casuistry by publishing again Hermann Busembaum's *Medulla Theologiae Moralis*, the last edition of it being published in 1785 and receiving the approbation of the Holy See in 1803. Busembaum's *Medulla* had been burnt in Toulouse in 1757 because of its justification of regicide, deemed particularly scandalous after Damiens' assassination attempt against Louis XV.

With the publication of *The Abuse of Casuistry: A History of Moral Reasoning* (1988), by Albert Jonsen and Stephen Toulmin, there began a revival of casuistry. They argue that the abuse of casuistry is the problem, not casuistry itself. Jonsen and Toulmin offer casuistry in dissolving the contradictory tenets of absolutism and relativism: "the form of reasoning constitutive of classical casuistry is rhetorical reasoning."

In all these branches of moral theology, a great advance was noticeable at the time of the Council of Trent. More stress was laid on casuistry in particular, because of the growing

frequency of sacramental confession. Döllinger and Reusch concede that casuistry underwent further development after the sixteenth century, because of changes in the penitential discipline. From that time on the custom prevailed of approaching the confessional more frequently, regularly before Communion, of confessing not only grievous, but also venial sins, and of asking the confessor's advice for all troubles of the spiritual life. So that the confessor became more and more a spiritual father and guide. The confessor needed this schooling and scientific training, which alone could enable him to give correct decisions in complex cases of human life, to form a correct estimate of moral goodness or defect, duty or violation of duty, virtue or vice.



In such a situation, it was inevitable that the confessor should meet cases where the existence or exact measure of the obligation remained obscure. Moral theologians establish this universal principle, by establishing a moral system; and the various systems were distinguished by the principle to which each adhered.

There arose in the 17<sup>th</sup> Century, a moral system called Probabilism which was concerned only about cases which are objectively doubtful. These systems abstract entirely from the wide sphere of certain, established truths. The certain and undoubted portion includes all the fundamental questions of Christian morals; it comprises those principles of the moral order by which the relations of man to himself, to God, to his neighbour, and to the various communities are regulated; it embraces the doctrine of the last end of man and of the supernatural means of attaining this end.

Probabilism, vix., does not induce people to evade the laws, nor does it harden them into callousness. He who proposes the question at all knows and confesses by that very fact: first, that it is not lawful to act with a doubtful conscience, that he who performs an action without being firmly convinced of its being allowed, commits sin in the sight of God; secondly, that a law, above all the Divine law, obliges us to take cognizance of it and that, therefore, whenever doubts arise about the probable existence of an obligation we must apply sufficient care in order to arrive at certainty. Frivolous disregard of reasonable doubts is in itself a sin against the submission due to God. The vagaries of a few Probabilists were condemned by Alexander VII on 24 Sept., 1665, and on 18 March, 1666, and by Innocent XI on 2 March, 1679. As a result of these condemnations, some theologians thought themselves obliged to oppose the system itself and to side with Probabiliorism. Such controversy resulted in glaring inequality and much confusion in the administration of the Sacrament of Penance and in the guidance of souls.

In this situation, Divine Providence raised up Alphonsus Maria Liguori, who died in 1787 at the age of 91, in the middle of the eighteenth century, who again insisted on a gentler and milder practice of moral theology. He received the ecclesiastical approbation of his doctrine. He worked out a manual of moral theology, basing it on the widely used "Medulla" of the Jesuit Hermann Busenbaum, whose theses he subjected to a thorough examination. The work was entirely Probabilistic in its principles. It was published in 1748. Received with universal applause and lauded even by popes.

However, it is not as if owing to the ecclesiastical approbation of St. Alphonsus and his moral writings, moral theology is now settled forever and crystallized. The Apostolic See itself, or rather the Sacred Penitentiary, when asked, "Whether a professor of moral theology may quietly follow and teach the opinions which St. Alphonsus Liguori teaches in his Moral Theology", gave indeed an affirmative answer on 5 July, 1831; it added, however, "but those must not be reprehended who defend other opinions supported by the authority of reliable doctors". He who would conclude the guarantee of absolute correctness from the ecclesiastical approbation of the saint's works, would make the Church contradict herself.

St. Thomas of Aquin was at least as solemnly approved for the whole field of theology as St. Alphonsus for moral theology. Yet, for eg., on the subject of the efficacy of grace, which enters deeply into morals, St. Thomas and St. Alphonsus defend wholly contradictory opinions; both cannot be right, and so may be freely discussed. The same may be said of other questions.

Lately, attempts have been made to develop moral theology along other lines. The reformers assert that the casuistical method has choked every other and that it must give place to a more scientific, systematic treatment. It is evident that a merely casuistical treatment does not come up to the demands of moral theology. But if there is question of a manual which is intended for the practical needs of a pastor and confessor and for their education, then the solid, scientific portion of general moral-theological questions must be supplemented by an extensive casuistry.

