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Notes on pp. 217-233, Martin Rhonheimer, The Perspective of the Acting Person

(217) What is an exterior act as object? An exterior act, understood as the object of a human act, is not just a collection of bodily movements – it is the intelligible content of a concrete action. It is that which explains why one does what one does. It is this only when an intentional element is included in its description.

KD example: *Humanae Vitae* paragraph 14: “Similarly excluded is any action which either before, at the moment of, or after the conjugal act, is specifically intended to prevent procreation.” (This example also demonstrated what Rhonheimer later calls an “ethical context” – here, the conjugal act. Accordingly, use of a contraceptive device such as a birth control pill only constitutes an act of contraception when done in relation to the conjugal act (the context) and when the reason the actor uses the contraceptive device is to prevent procreation (the intentional element, which explains why the actor did what he did). This helps explain why P. Paul VI approves of the use of the birth control pill for therapeutic purposes (paragraph 15, HV): the context is not the conjugal act and the intention is not to prevent procreation but rather to heal the body.)

(218) Theft example: MR example: pickpocketing of Mrs. Jones’ watch versus removing Mrs. Jones’ watch from her wrist to play a trick on her or to entertain an audience. Same physical actions, yet different objects. An observer would not be able to tell the difference—only the acting person would know because only he knows the particular good he chose and acted to obtain.

(221-222) Objection 1: Is MR’s position subjectivism leading to arbitrariness? No, because every act of the will depends on reason and every action must be evaluated on the basis of reasonableness, i.e., objectively and not arbitrarily. For reason, there is a non-arbitrary connection between the material elements of the exterior act (e.g., removing Mrs. Jones’ watch from her wrist), its objective moral species (e.g., theft), and its consequent valuation as “unjust.”

(222) Objection 2. Another objection to MR’s inclusion of intentionality in the object is that it renders irrelevant those elements of the object which do not proceed from the intentionality. See Kevin Flannery. Example of taking morphine to relieve pain or to get a high.

(223) Objection 3. Another objection would view exterior actions such as removing Mrs. Jones’ watch as morally indifferent and argue that they only become good or bad based on a subsequent intention, e.g., to keep the watch for the taker’s own use. The objection misses the mark because the intention is the very reason for which the act was performed in the first place—it is not subsequent or ulterior. (226) We could describe the action as “taking the watch” without reference to a “why” or intention of the agent. But this would only describe physical processes, not a human act. *Veritatis Splendor* (para. 78) affirms, by contrast, that the morality of an action depends “on the object rationally chosen by the deliberate will.”

(225) Sex and Order of Reason. It is not enough to take into account the natural finality of an act to determine its moral significance—it is also necessary to take into account data from the order of reason, which cannot be observed. Procreation is not the object that provides an act of sexual copulation between a man and a woman with its primary and fundamental moral character. Only within the order of reason can the circumstance that the agents either are or are not married – that is, mutually bound in an indissoluble union, present itself as a decisive circumstance for distinguishing, on the basis of their object, the marriage act from fornication.

(227) Matter/Form of a Human Act. MR criticizes as misleading the statement that the object is “the matter of a human act.” He does that the words from St. Thomas on which the statement is based actually mean that the object is the form, or that which gives intelligibility, to a human act.

(228) Where is the Object? MR criticizes this statement from CCC: “In contrast to the object, the intention resides in the acting subject.” The example of the “theft” of Mrs. Jones’ watch shows, on the contrary, that the object depends on the subject.

Intrinsically Evil Acts. CCC’s treatment of the descriptions of various intrinsically evil acts (e.g., contraceptive acts) is consistent with MR’s position that an intentional element must be included.

(230-232) Lying. MR gives his take on lying. He prefers St. Augustine’s formulation to St. Thomas’s (Augustine defined lying as speaking falsehood with the intention of deceiving, whereas for St. Thomas it is enough intentionally to say what is false without intending to deceive.) MR seems to contradict himself, though, as he later argues that St. Thomas would not have defined as lies falsehoods spoken outside a context where truthfulness is required by justice. Here MR introduces the concept of an ethical context, which is necessary to determine the object of a moral act. For example, telling a falsehood in the context of a party game or a science experiment to ascertain whether a lie detector works is not a lie because it is not a violation of justice or the virtue of truthfulness. This allows MR to justify telling falsehood to Gestapo that Jews are not present. In the context of war and aggression, such a deception was an act of self-defense and defense of others.

(232-233) Synopsis of 217-233:

- 1) We cannot understand and define the object of a human act without including in the definition an intentional element that expresses the why the acting person does what he does
- 2) Such a basic intentionality can only be formulated and acquire its moral significance in relation to an ethical context. Example: athlete takes birth control pill to suppress menstruation during the Olympic Games. This is not a contraceptive act because it takes place outside the context of the conjugal act.

Other example for discussion:

- St. Pope John XXIII directs false baptismal certificates to be prepared and issued to Jews, saving thousands of lives. In doing so, did he lie? How can his action be defended on non-consequentialist grounds?
- Two priests in Shusaku Endo’s Silence