arbitrary impositions. Ford did not share that view; he was a traditional natural law theorist who believed a good God created a good universe with laws reflecting his loving will. Certainly Ford had an enormous respect for conscience, but he maintained that Catholics should form their consciences in accord with Church teaching and obey that teaching.

I am among those who agree with Pinckaers that the manualist tradition was flawed in ways, but I also believe it had strengths and, indeed, that bioethics cannot function without casuistry, both the use of paradigm cases to help determine the morality of new issues and the use of probabilism to guide individuals when no authoritative teaching of the magisterium is available. I believe Ford's careful work shows how both are necessary and, when practiced with a true fidelity to the magisterium, are immensely beneficial to individuals and to the magisterium.

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The Perspective of the Acting Person: Essays in the Renewal of Thomistic Moral Philosophy

by Martin Rhonheimer

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Every so often, a book or collection of essays comes along that shifts a field in an entirely new direction. The ideas defended in such collections truly liberate one's mind from the perfunctory discussions preceding it. Examples from my own background and training include Linda Zagzebski's *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundations of Knowledge*, Alvin Plantinga's *Naturalism Defeated? Essays on Plantinga's Evolutionary Argument against Naturalism* and, closer to the field in which the *NCBQ* is situated, Eleonore Stump's *Aquinas: Arguments of the Philosophers*. I can add to this list Rhonheimer's work and especially the collection of essays under review here, edited and introduced by William F. Murphy Jr.

In this collection Rhonheimer tackles several errors manifested in somewhat recent moral theology. The three errors are: (1) the reduction of "natural law" to a law of nature, (2) the reduction of the moral act to a physical act, and (3) the idea that if one's intention indexes or en-*forms* the moral act, then moral realism is impugned. To be brief, and thus to avoid Rhonheimer's own nuances, his responses are roughly as follows.

To the first error, Rhonheimer argues that the natural law is

> 'human reason itself' because it commands us to do good and forbids us to sin. The natural law, therefore, is specifically practical reason, and, in more precise terms, the set of determined judgments of practical reason—those judgments, that is to say, that naturally make us do good and flee from evil. (164)

Natural law is not nature, as in physical biological nature. Reason does not "read off" from nature "out there," and determine what is good. Natural law, rather, is practical reason measuring human acts.

To the second, Rhonheimer argues persuasively that a human act *cannot* be reduced to a physical description of the act. In order to have a human act, a good must be apprehended by reason, and reason then commands the will to pursue the good. A moral act, then, must include what reason proposes as a good. Rhonheimer uses an illustrative example concerning theft. Consider two cases, one in which a magician surreptitiously removes the watch from an onlooker, and the other in which a thief surreptitiously removes the watch of an onlooker. Both are the same act

considered in their physical dimension, but they are completely different acts morally. The magician is harmlessly taking the property of another surreptitiously in order to entertain an audience, and the thief is taking the property of another surreptitiously in order to appropriate what is not his own.

To the third error, Rhonheimer argues persuasively again that moral realism is preserved in his action theory, for it is based on reason, and reason is an objective measure of human acts. A person's practical intellect may err, but that only means that the intellect did not track reason. Nothing in his action theory suggests subjectivism, anti-realism, or an openness to a whimsical redescription of human action.

Recent discussion in the *NCBQ* indicates that there is deep disagreement about whether Rhonheimer's action theory properly characterizes what the moral object is, and in particular whether his action theory preserves moral realism (the thesis that there are objectively true moral judgments.)[1] Some comment is in order to illustrate how this collection may address such issues.

Three essays are important in this regard: "'Intrinsically Evil Acts' and the Moral Viewpoint: Clarifying the Central Teaching of *Veritatis spendor*" (chapter 3), "The Cognitive Structure of the Natural Law and the Truth of Subjectivity" (chapter 7), and "The Perspective of the Acting Person and the Nature of Practical Reason: The 'Object of the Human Act' in Thomistic Anthropology of Action" (chapter 8). I will focus my comments on the latter two.

Consider the moral act of fornication. On the one hand, we want to say that this act is not reducible, in its moral dimension, to a physical act of intercourse. Otherwise, we will have no grounds for distinguishing between the conjugal act and fornication, because they are identical acts considered physically. But clearly they are different moral acts. Hence, the moral object cannot be reduced to the physical act. On the other hand, moral acts do not float above or supervene on physical acts. If a moral act is constituted by something other than the physical act, then there are some set of properties that supervene on a physical act, making the moral act what it is. But then, in virtue of what would such actions take on their distinct identities? One candidate is to say that such properties are the intentions of the agent. The consequence of saying this, though, is that moral actions would be subject to redescription. Cashing out this consequence, Steven Long says,

> the treatment of the object of the moral act as merely an ideational "proposal" rather than as the act itself in relation to reason yields different moral objects merely by *redescribing* the act: "I'm not really murdering a child, I'm preventing dynastic war." "I'm not really contracepting, I'm preventing the spread of AIDS." "I'm not fornicating with Wanda, I'm just cheering her up."[2]

The point is, if we mark off moral acts with reference to properties of the act that supervene on the physical act, then we must be adverting to some intentional aspect of the agent. Once we do this, moral acts are subject to redescription, and thereby what a person is doing morally is solely a function of subjective aspects of the act. Now, moral realism is the thesis that moral judgments are true independently of what we may think. If subjective aspects determine the moral object, then moral realism is jettisoned as are *intrinsically* evil acts. This is, of course, not a consequence Rhonheimer accepts.

Rhonheimer accepts neither horn of the dilemma. However, Rhonheimer also rejects a hylomorphic account of human action analogous to a hylomorphic account of human beings as being composites of soul and body.[3] How, then, does Rhonheimer understand the moral act (synonymous with human act for this discussion) without reductionism or redescription?

To put his answer briefly, the moral act is identified, or specified, by its object. The object of a moral act is determined by reason. The moral object is the object of the interior act of the will. Being an object of the interior act, it is the very exterior act *understood as a good measured by reason*. The moral act is not a physical act, as is clear from above, but it is the exterior act understood by reason as a good. The exterior act is just the act of "doing" that the agent performs. For

example, the moral object of thievery is the act of taking another's property unjustly. The moral object of contraception is a willed act rendering the reproductive potencies inert. The moral object of self-defense is the act of protecting oneself from an unjust attack. In all these acts, there is an end apprehended by reason under the aspect of good, and this end specifies (i.e., places the act into a moral category) the act as thievery, contraception, or self-defense:

> The objects that morally specify such actions are not "human life," "another's property," or "the conception of new life," but precisely the respective actions *inasmuch as they are the intelligible contents of concrete ways of acting*, "goods understood and ordered by reason," and willed as such. (214)

One does not have a moral act unless there is an act of reason which apprehends a proximate end under the aspect of good, and wills that end. Acts are good or evil on this account depending on the extent to which the act is "fitting" or "appropriate" in the circumstances, and this is a judgment of reason. Does this suggest subjectivism, or moral anti-realism? Here, Rhonheimer notes that corrupt reason is not reason at all (216). The fittingness of an act to an end is measured by reason, and reason cannot err. Reason can be led astray by the sense appetites, but its nature is to apprehend truth. Does this account admit of redescription of an act? Any *human* act, in order to be distinctively human, must involve reason. But if the moral object is specified as a good understood and ordered by reason, then some actions cannot be redescribed without being repugnant to reason. An agent cannot shoot another person and call his act an act of love. (The cases presented by Steven Long require a more extensive reply than permitted in this review.[4])

Concluding this review, I have to note some grievances. First, a minor quip pertaining to the idea that the moral object is a "good understood and ordered by reason." In reply to an objection that his theory collapses into subjectivism, Rhonheimer says that corrupt reason is not reason. It seems to follow from this, however, that one cannot sin. Why? To sin involves performing a moral act. But Rhonheimer tell us that the object of a moral act is a good understood and ordered by reason, and that reason cannot err. It follows from these three propositions that one cannot sin. I suppose there are numerous ways to avoid the conclusion, but none are obvious. Rhonheimer takes no time to respond to this apparent *reductio* on his action theory.

A second grievance is that Rhonheimer's writing is particularly difficult to comprehend. Apparent inconsistencies arise in key places. For example, in an argument to the effect that all human acts are intentional acts, he says,

> If in greeting somebody or giving a starting signal, I raise my arm, then "raising my arm" (the matter of action) is *as such* something which can be neither willed nor performed. The real content of an act of choice and of the describable behavior is *exclusively* the intentional, that is, human, action "greeting somebody" *or* "giving a starting signal." (59)

I emphasize "exclusively" here to point out that this cannot be what Rhonheimer means to say, for he does not wish to reduce the moral act *exclusively* to the intentions of the agent. Rhonheimer takes pains elsewhere to tell us that the moral act is constituted by the "physical" nature of the act:

> Even though every "object" is in fact a type of intentionality—a "proposal"—we must not forget that these proposals are also naturally conditioned. The object of an act is not therefore only "what I want" or "what I propose to do"; rather, a materiality proper to the "physical" nature of the act is also present, *a materiality which enters into the constitution of the object*. (241, emphasis added)

It is hard to understand in what way the physical aspect of an act *constitutes* the moral act if the intention does so "exclusively" as indicated in the previous quotation.

I suppose Rhonheimer *may* point out that it is the job of practical reason to judge in what sense "nature" is morally determinative. For example, it is against nature to give one's kidney for another, but it is certainly not immoral. It is against nature for a couple

to willingly render their fertility potencies inert, and this *is* immoral. It would seem then, that what Rhonheimer ultimately wants to say is that reason measures the *conveniens* or fittingness of the proposal with the naturally given aspects of the act. So it is incongruent with reason "to engage in sexual intercourse and pretend that this act has nothing to do with an act that is *by nature* procreative" (238, emphasis added).

But even this does not give us a "materiality which enters into the constitution of the object." For acts that are by nature ordered to *x* require reason to apprehend *x* as a good before they can be considered moral acts. The physical nature of the act alone is not enough to constitute a moral act. Conversely, whether the physical nature of the act is a good is solely a judgment of reason. To see this, consider again the following: it is against nature to have one's kidney removed, but this is a good act *qua* act of giving someone else a chance to live—i.e., "giving someone a chance to live" is a good conceived by reason. It is against nature to prevent the sexual act from being procreative, but this is a good in the context of an assault, and an evil in the context of the conjugal act. Reason apprehends "preventing the further effects of an unjust assault" as a good and is the moral act of self-defense. Likewise, reason apprehends "preventing a good specific to the conjugal act" as an evil and is the moral act of contraception. The question then remains, in what sense does the "materiality" enter into the constitution of the moral object when reason seems to be doing all the work?

In spite of placing demands on the reader, the essays are worth the work. What I (ultimately) understand Rhonheimer to be saying is refreshing and correct. Much more is contained in these essays, including extended responses to various critics, and detailed treatments of subjectivism, moral epistemological issues, and intrinsically evil acts. Given that most of these essays were written after the publication of some of his books, they serve to further refine and clarify his main arguments. Important nuances and additional clarifications are outlined, and thus the essays can benefit readers familiar with his previous work. Additionally, since Rhonheimer takes considerable time in each chapter developing his argument, it can benefit those unfamiliar with his previous works as well.

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[1]See William F. Murphy Jr., "Developments in Thomistic Action Theory, Progress toward Greater Consensus," *National Catholic Bioethics Quarterly* 8.3 (Autumn 2008): 505–527; and Steven Long, "The False Theory Undergirding Condomitic Exceptionalism," *National Catholic Bioethics Quarterly* 8.4 (Winter 2008): 709–731.

[2]Long, "Condomitic Exceptionalism," 724.

[3]See Rhonheimer's *Natural Law and Practical Reason: A Thomist View of Moral Autonomy*, trans. Gerald Malsbary (New York: Fordham University Press, 2000), 442.

[4]See Long, "Condomitic Exceptionalism," 724.

Why Politics Needs Religion: The Place of Religious Arguments in the Public Square

by Brendan Sweetman

256 pp., with bibliography and index, $19.00
IVP Academic Press, 2006, ISBN 978-0-83082-842-5

The main thrust of Sweetman's book is that religion has just as much right as secularism to state its case in the public square on matters pertaining to morality and legislation. Challenging the view that religion poses a threat to democracy, Sweetman insists that among the significant benefits it contributes, religion offers a better account of human rights and morality than does secularism. The basis for the latter claim is that rights are an extension of morality into the political domain. While secularism has