

NATURAL LAW IN THE DEFENSE OF LIFE

The reasons for and limits of defending physical life

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Life has always used morals in order to delineate the possibilities and conditions of intervening on behalf of life, and the obligations and limits of life's defense. Today protecting life has become more pressing, complex, and urgent because of biomedical advancements and biotechnology. Great questions emerge from the increasing manipulative and invasive possibilities that technological advancements bring. Is their use legitimate? Is it even needed? Is it needed in every case? What are and from what are determined the limits of intervening and defending life? Morality competes to offer the answers. These answers are not to be only normative – meaning, outlining the boundaries of right and wrong and formulating obligations and their enforcement. These answers are to be also justified (something that's being talked a lot about today). Justified, here, means including that which gives reason for the norms, in a way that they will be found to be not only binding, but also credible. This credibility then is not just within one's own belief system, one's traditions or own *ethos*, but on the global scale. The global scale in fact is the level to which today's bio-ethical questions rise up to out of the progresses made in biomedicine and biotechnology. These issues have also become more acute because of the wave of secularism and relativism that has hit and polemicized the meaning and value of life. We are now facing one of the biggest challenges with the globalization of ethics.

It is a challenge for the Church. The Church has been called upon to reveal to all humanity the way of salvation upon the road toward a moral life¹. In this prospective the teachings of the Church and theology find, rethink, and recapitulate the perennial timelessness of human nature and natural law as source and criteria for ethical understanding –an understanding that is particularly in tune with the truth of life and moral duties.

Here I would like to delineate and propose human nature and natural law in order to outline the reasons and limits surrounding the defense of physical life. This will be at a twofold level of reflection. It is first, *foundative* –this means to credit nature and natural law as the principle and foundation of ethics. The second, *normative*, means to outline the moral duties that result from the first. With the goal being to illuminate the relevance and timelessness for the Church of *the way of nature and natural law to the knowledge and awareness of God's plan of life*. I've chosen to accompany and support this study with documentation that draws from the highest level of Church teaching.

¹ Cf. John Paul II, Encyclical Letter *Veritatis Splendor* (abbr. *VS*) 6 August 1993 n°3.

I. Nature and natural law

The cultural climate has hit head on and swept away any concept or reference to nature and the natural law. It is, therefore, necessary to reestablish a genuine and full meaning that salvages nature and natural law from past distortions and present misunderstandings. A more attentive and up-to-date consideration is needed and possible for the intellect. This consideration has been prompted by the inescapable instances and the radical challenges of all the complexities, historicity and praxis of today. Theology and the Church do not run from these things, but rather they are ready and waiting – vigilantly watchful and listening, ready for dialogue.

Turning our attention now to the critics: many of their arguments are legitimate and stimulating. To start off with these, we, first of all, need to show the logical and epistemological foundations of every ethical and in particular bio-ethical reference to nature and the natural law.

1. Nature and life

Nature and life are correlative terms. Nature embraces life and has its highest and most notable manifestation in life. Life, on the other hand, is understood to be on the horizon of a sense of nature². Without this constitutive reminder of nature, life tends to lose every element of meaning and differentiation, and every immutable and perennial worth. Life becomes a part of culture, relative to the ebb and flow of opinions, sensibilities, and ideologies. Without any relation to ontology, it means in essence – that is, to the being that substantiates it and that nature expresses (essence from *esse*: to be) – life becomes a variable that's relative to everything and everybody. When each person can pattern it for oneself, we lose a single and shared sense of this basic and primary good. This is a sign of decline because to be at variance with life puts distance between people's consciences; it impedes sharing, communication, and reciprocity. Now, if the concept of nature can run through the critics' mill, as has happened in this era, we cannot set aside nature and banish it to a semantic grave (almost a notion from bygone days). To lose reference to nature is to lose the hermeneutic habitat of life and to expose it to all expropriations and interpretations of meaning.

To put ourselves in the cognitive context of nature means to approach and understand life through a phenomenology of getting to the heart of data, that is of metaphysical reading – being capable of going beyond experimental and descriptive events, through the knowledge of meaning and worth. That way, life which underlies every living being is brought into light. The only life that can turn a being into a living being differs according to the ontological make-up of each person. Nature is the way towards being and, because of this, is the way towards the primary and specific truth of living

² Cf. John Paul II, Encyclical Letter *Evangelium Vitae* (abbr. *EV*), 25 March 1995, n°2, 57.

“species”. An empirical and descriptive approach is not enough because this only gathers elements that are experimental and superficial. These elements are important and indispensable in order to have scientific and technical knowledge, but the method is insufficient and inadequate for perceiving substance and value. For these reasons, a meta-empirical understanding is required. One that is able to get to the heart of datum (the *empiria*) and grasp *nature* (the *physis*) – the essence of every living being – and to assert dignity according to species.

Today, this needs to be said explicitly and convincingly, because empirical knowledge now has absolute reign and the anti-metaphysical nature of today’s dominant thinking closes the doors to any understanding in terms of *nature*. Today, all talk about meaning, dignity, and worth revolves around and leans heavily toward *culture*. The result is a general leveling of all forms of life and then from there man autonomously and arbitrarily decides which meanings or values are the most prominent and then he becomes the ruler and referee of life. This is always the result when life has been emptied of all objectivity and has been made relative to the opinions of its thinkers. Nature thus slips into culture. Man “does” this and, therefore, it is relative to man: subject to his sensibilities and receptiveness. Nature, on the contrary, has already been “made” beforehand, by a knowing creator who calls upon man to contemplative and cognitive listening³.

It’s not about putting nature in opposition to culture, but rather to hold back the cultural drift that has subordinated “the truth of life” and to uphold the necessary cultural instances in which life cannot be taken away. Without a doubt, past reflection on life saw an imbalance, but it leaned more toward nature with little attention paid to cultural aspects. The methodology was almost deductive; it had too few and, then, often incomplete and inadequate scientific and phenomenal contributions at its disposal. The reflection did show traces of abstracting the terms of essence, substance, and accidents from discourse. However, dismissing nature for the benefit of a method that would be exclusively inductive of the truth and of the dignity of life, brought about a total lack of value references and left it in a heap of aporia in which the issues of life, today, get entangled. Or if not there, then it is left to a world with a lack of or indifference to meaning. Life extracts meaning and value from nature, but it finds concrete and historical form in culture. As culture changes with time and context, it can either shine upon or eclipse life’s value. Culture is a habitat of presuppositions, opinions, and moods which scientific development has deepened further and mass media have globalized even more. How permeable nature is to consciousness depends in large part on the quality of culture. The truth of nature – without the mediation of culture – lacks, especially today, the immediate and pervasive support of communication. This means, the ways and aspects of culture not only cannot be ignored and evaded, but the conscience and the sense of responsibility must take them on for every consideration and love for life.

³ Cf, John Paul II, *VS* n°53

2. Human life

Up until now, I have spoken about life *tout court*, referring to nature that signifies life. However, nature is the one that carves out and differentiates the forms and here we highlight the most eminent and singular form: human life. In the human, life arrives at and expresses the highest form of dignity and value. However, it is *a transcendent elevation* because it is discontinuous and dis-homogenous in regard to other forms of life. Plant and animal life belong to the world of elements, or rather, to predetermined beings, in which life has been entirely marked and preordained by nature. Through a system of induction and reactions that are vegetative for plants and psycho-physical for animals, nature presides over the activities and vital cycles of each organism. The same impulses, instincts, sensations, and feelings in animals respond to this said predetermination. But to the contrary, human life is elevated with the *spirit* upon pre-human forms of life. To talk of spirit is to talk of freedom; through this the human living is able to take on his own life (and the animated and inanimate reality that surrounds him) and to give it direction and guidance. Man understands life with intelligence and decides on it with his will: the two spiritual faculties which are the framework for freedom. With the spirit, the living human transcends every other living being. His life is at the top of the hierarchy of living creatures because he is not entirely predetermined by nature. From nature, he is “placed in his own hands”; he is the subject of determination. Of the human individual, one can say that he truly lives, because he is *subject* of his own life: he lives – he is not lived by life. His spirit is the active principle of his life. Animals without spirit *magis aguntur quam agunt*, because they are determined and driven by their nature. Individual humans, however, from nature are constituted active subjects in their own lives⁴.

Nature is the chief, perennial, articulated principle of human life and its truth, because it reveals the essence, the substantial and, therefore, characteristic and immutable quality. Without this logical and epistemological grounding in nature, human life is at the mercy of the ideologies “du jour” and prevailing opinions. If we are not able to give worth to an axial truth, that is a substantial truth (to which we articulate each concrete cultural aspect), then human life experiences the imbalance of socio-cultural tendencies and preferences. Human life is made up of and defined to come from these things, rather than from a descriptive ontology of human living. With understanding’s disaffection and weaning from metaphysical knowledge (which otherwise would be able to arrive at transcendental truth), the mind keeps up a more modest and weaker profile of the descriptive type, determined from the criteria of efficiency, convenience, and satisfaction⁵.

Out of this comes an undifferentiated concept of life; it is incapable of gathering and safeguarding the singular value and dignity of human life in respect to other living beings. It gets to the point of equalizing animal life or some animal species to human life.

⁴ Cf. *VS* n° 43; Saint Thomas Aquinas, *Summa Theologiae*, I-II, q.90, a.4, ad 1; *Quaestiones Disputatae*, q. XX, a.4.

⁵ Cf. *EV* 19-20.

Or else, this concept of life doesn't recognize the human dignity of life in determined stages of man's development or conditions of his being in the world.

3. Which nature?

The term, nature, comes loaded with a whole range of meanings. This has resulted in a word that has so many different attributes and uses, that many of those meanings have not been previously clarified and shared; this confusion has thus thrown fuel on the fire –so to speak – in today's debate on nature. This has also caused many confusions and misunderstandings. The distancing from and abandonment of nature as source of knowledge are in large part from mistaken and misinterpreted concepts. The word has abundantly lent itself – as we have seen – to an abstract and essentialistic use, which means to say (in the case of its traditional users), to an a-historic and disembodied concept of nature. The concept is quite more speculative than meaningful, and as such, is averse to the cognitive associations of the practical and concrete man of today.

The notion of nature has undergone two substantial and radical imbalances or reductions. The first is the *spiritualistic* kind, which tends to see nature as an abstract essence, incapable of fully gathering and giving an account of the existential, individual, corporeal, social, historical, cosmic, and concrete qualities of human life (as also an account of the historic-salvific plan of biblical God and of the Christological event). This way, man and his life are left to be given and understood according to a biased conception about spiritual faculties and dimensions. The nature of man essentially would coincide with the soul.

The second imbalance and reduction is the *physicalistic* kind, in both the cosmological and biological sense. In the first sense, nature corresponds to that which we call the created, which encompasses all the infra-human world of the universe – inanimate, vegetal and animal. There is more sensibility and increased attention today towards this meaning and form of nature, because of the debate ecological issues have stirred up: the need to protect the earth's resources and to keep the world's ecosystems in balance – safe from the growing and progressive power of man's exploitation. This is the meaning and range that the term, "nature", generally and immediately conjures up in the collective imagination; nature as the world in its wild and spontaneous state, untouched and uncontaminated, and therefore as a context of life for man. In the second sense, nature corresponds to the physical life of man, that is to say, to the bodily expression of human life. This means that natural becomes anything that corresponds to the anatomical make up or physiological functions of the human organism. It is in opposition to the artificial --all that compensates for, supplements, or substitutes an organ or biological function. That way, for example, natural childbirth, breast-feeding, a diet of wholesome foods, and the rhythm method for regulating fertility are natural. On the other hand, caesarian birth, infant formulas, a pharmacological diet, and contraceptives are artificial⁶.

⁶ More on different conceptions of nature today ref. *VS* 46.

These are only partial and unilateral conceptions and, therefore, they are inadequate to express the deep and fertile richness of nature in general and of human nature which is the fulcrum and the cipher of significance. Nature expresses the original reality and primary truth of existence. In its light, we are able to comprehend the essence of beings; we know the constitutive truth of everything that is: the truth of being (ontological) and of value (axiological) and of the relationships between beings. To know nature is to bring oneself to the roots, to the native manifestations of the truth. By means of the self-consciousness of the thinker, who asks himself what is the essence of his own being: who am I? It is from this self-consciousness, and from the knowledge which establishes and expands, that the *personal* sense of nature emerges: nature as person. Nature surfaces in the consciousness as perception of the centrality and wholeness of the knowing person and of the ties that put him in relationship to all other beings. How much the concept of person expresses involves and integrates all of this. It is not about an abstract and disembodied nature or a nature that's cosmological and physical in a reductive sense, but of the *nature of the person* (personalistic): individual, onetotality of spirit and body, in relation to God as creator and savior, in friendly and social rapport with other human beings, in solidarity with the world and history. This is an expression of a global conception of nature, integrator of all components and the relationships of all human beings. This conception of nature includes launching from the human subject and from his relationships – from which beings and the bonds⁷ share take on meaning and value⁷.

The truth which emerges out of this – the truth of nature – is not a derived truth, a “product” of man nor is it the “result” of mental or cultural formulation. It is the constitutive truth of beings and their relationships. It is the essential and decisive truth and, therefore, inescapable and inalterable. One cannot leave this truth out, and it is not subject to man's arbitration. In regard to this truth man has no manipulating power. Rather he places himself in the mode of listening, recognition, and faithfulness. Nature is not a design of his genius nor is it the work of his hands. Nature is presupposed and is the first original principle – “that beginning from which” the human mind reasons and elaborates and the hands of man transform and shape things. To leave out nature is to attribute oneself as having the power of creator of the truth which, instead, man does not have. Every time that he goes against this, he always ends up heading down a road that is humanly lost and disappointing.

4. God and nature

The truth of nature belongs to our Creator, who thought of it, and turned it into reality, and gave man the intelligence to know it and the will to become fully with it. The nature of man as subject is that his being is not simply a part of nature, but extends beyond

⁷ Cf. Second Vatican Ecumenical Council, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes* (abbr. *GS*), n°51; *VS* 13, 50, 79. For this globality of meaning, the true advancements of all branches of science contribute to a better and more adequate understanding of nature.

it with his spirit, in order to comprehend and take on the truth. For this, man reflects the personal dignity (he is “in the image”, the Bible says) of God. Once man knows nature, he can recognize the divine project of the Creator and once he assumes his responsibility of it, he can continue with God’s creative actions. Man is a co-subject of the plan and work of God the Creator.

The believer has an explicit and reflected awareness of this; however, for the non-believer, the awareness is only implicit and not reflected. To watch and listen attentively and respectfully to nature has not only cognitive significance, but also religious. It has more than noetic worth – it has theological value as well. A mindfulness and loyalty to nature is mindfulness and loyalty to God. The way to nature is the way to God – an ecumenical path for all. Through nature, God reveals Himself and speaks to the understanding of every man and every man answers God.

5. Nature and natural law

Nature’s truth isn’t only aimed at man’s conceptual understanding, it is also turned to his practical reason. The truth of nature, in fact, carries not only theoretical meanings, but also ethical ones – meanings that are not merely conceptual (expressions of essences), but also practical (expressions of requirements). In general, the consciousness derives scientific and day-to-day practical knowledge from the inner truth of beings, their dynamism and connections. This is the law (methodology) of knowledge. Now, workability pertains to not just peoples’ empirical and productive *making*, but also to their moral and realizable *doing*. The first applies to instances of *poietic* knowledge, which is precisely about physical knowledge. The second is an example of *ethical* knowledge, which is specifically about metaphysical knowledge. *Poietic* knowledge derives technical laws of operation and production from the data of empirical or positive sciences. *Ethical* knowledge derives moral norms of behavior and action from the meanings of meta-empirical or philosophical sciences. These meanings have the value not only of truth (*verum*), but also of good (*bonum*) as well as of beauty (*pulchrum*). A phenomenology of the person – in the wholeness of his individual being (*in oneself*), created and transcendent (*from and for God*), interpersonal and social (*with others*), cosmic and historic (*in the world and history*) – focuses on a plurality of good, in which the central goodness of a person is refracted and sparkles. Through them the person expresses himself and is fulfilled⁸. This is the same as saying that all forms of the good are necessary in an original and finalizing way for the person –they belong to his identity and his realization. In these forms, the nature of the person takes on primary shape⁹. We have, for example, the good in physical life, corporeal integrity, sexuality, freedom, work, rights, friendship, marriage, family, society, politics, prayer, faith, culture, the environment etc...

⁸ Cf. *VS* 13.

⁹ Cf. *VS* 79.

The good in these things is first of all *ontic*, in the sense that it reflect the person's being, in which being takes shape under a particular aspect. Classical morals categorized this types of good under *physical* good: elements, qualities, needs, inclinations relating to the person. With this definition, an ontic evil results from a lack of a physical good –for instance, a physical anomaly (the simple lack of something that a person is commonly born with). That way, for example, a person suffering from something physically or ontically bad could be someone who has a physical or mental handicap, someone who is out of work, or lives under restricted freedoms, someone who has lost a loved-one, or who hasn't had a sufficient level of education.

Looking at the *requirements of respect*, the good in those things is *moral*¹⁰. And as such, it brings with it obligations, restraints, duties, responsibilities. It is not only indicative, it is also imperative. The good is a *value* to recognize, adopt, safeguard, honor and promote. So that to refuse to know it or to offend, damage, or violate it is a moral evil, and, therefore, ethically wrong, inadmissible, and shameful – it is a sin. This makes the individual bad or evil. No one is blameworthy for a the defect of a physical good or for the pain of a physical evil: for example sickness, poverty, illiteracy, lack of knowledge of the Gospel. Instead, sin comes out of the negligence of a moral good and, above all, for committing something morally evil -for example, slander, hypocrisy, betrayal, apostasy.

This means that nature is a principle not only of an ontology, but also of an axiology and, therefore, of an ethics. At the base of ethics lies the entirety of the moral good or values expressed by the person's nature and in the motives for the duties they carry out. These make up something like the ABC's of ethics: the very first, basic materials that take on imperative and immediate shape in the apodictic propositions. In permissive or forbidding form, these propositions express the charge of first, general, and immediate necessities of each and every value. The most important example is with the Decalogue: the commandments of Mosaic law are none other than the major, imperative translation of very precise values or moral good¹¹.

The natural law thus comes from this and takes on form. Of this law, moral good and apodictic propositions make up the original expressions¹². Saint Thomas Aquinas called them the “first principles” of natural law. These are given with the self-same conscience of the person, of his truth, and dignity. They are part of the synderesis, which is at the original core of the conscience. Knowledge of these principles isn't based on argument, but rather on perception, if not outright intuition. This means they are grasped by the person's own sense and value. The person has no meaning without them and in them the good of the person finds expression and takes on shape¹³.

¹⁰ “It is in the light of the dignity of the human person ...that reason grasps the specific moral value of certain goods towards which the person is naturally inclined...the primordial moral requirement of loving and respecting the person...implies, by its very nature, respect for certain fundamental goods, without which one would fall into relativism and arbitrariness.” (VS 48). These goods “take on moral relevance only insofar as they refer to the human person and his authentic fulfillment, a fulfillment which for that matter can take place always and only in human nature.” (VS 50).

¹¹ Cf. VS 13. 79.

¹² Cf. VS 79.

¹³ Cf. *Summa Theologiae*, I, q. 79, a. 12-13; I-II, q.94, a.1.

The first principles express norms of action that are quite generic and abstract. They say a lot in general and little in particular – little about the concrete, the complexity and problems of real and contextual actions. Therefore, a normative mediation is necessary in response to the ethical questions coming out of recurrent and specific moral questions. Here the first principles become criteria and reference points of the specific and concrete norms of behavior, elaborated from a moral authority through argumentation. These also are norms of natural law since they are logical implications and applicable conclusions based on first principles. As such they are called “derived” or “second principles” of the natural law.

The natural, and therefore rational, character of these norms is the reason for and the guarantee of their universality. This means they can be shared and communicated between men, over time and distance. Natural law is *the ethical common denominator* in the multiplicity and diversity of cultures¹⁴. This is needed even more with the world heading toward greater globalization, and with research so engaged in an ethical code – something that would be a normative code for the “global village” and “common home”. For all the criticism and resistance the natural law may encounter today, man and communities nevertheless cannot leave out the natural law. There is an insuppressible and impelling need for natural law. It is a guarantee that the good and the fundamental, universal rights will be demand and assured for all people.

6. Law of the person

Since the natural law has its identity and goal in the truth of the person, it isn't then based on precepts or legalities: expression of a heteronomic voluntarism, even if it were of theonomic origin. The natural law is not worked out to be nor does it include anything like a code of behavior and deeds that are the commands of someone from the outside, not even God. It is proposed and perceived as a mixture of requirements and duties kindled by the truth of the person, who is the same agent-subject. Its foundation is made up of the *logos* (truth) of the person, which implies an *axios* (worth), that in itself carries a *deon* (duty), which takes shape in the *nomos* (law), in sight of the realizing *telos* (end) for the person. At the beginning, center and end of the natural law there is the person¹⁵. Natural law declares the *ought-to-be* of the person's being – an *ought-to-be* at the same time ontological-realizing and ethical-normative (the latter in order to get to the former and the former as a prospective of meaning for the latter). This way, the natural law is not a legal code from a law-giving and judicial God, who imposes on man the conditions for salvation.

¹⁴ Cf. *VS* 51, 53.

¹⁵ The natural law “expresses the dignity of the human person” (*VS* 51), “the absolutely essential demands of man's personal dignity” (*VS* 96), of the “transcendent value of the person” (*VS* 101), of the “transcendent dignity of the human person” (*VS* 99). “Natural law expresses and prescribes the finality, rights, and duties that base themselves on the corporeal and spiritual nature of the human person” (Congregation for the Doctrine of the Faith, Instruction on Respect for Human Life in its Origin and on the Dignity of Procreation *Donum Vitae*, 22 February 1987, Introd. 3; cf. Paul VI, Encyclical Letter *Humanae Vitae*, 25 July 1968, 10).

The natural law is, instead, the harmony and order of nature according to how the Creator forged it and put his creatures in relationship to one another (who also reflect these things)¹⁶.

For this reason, Saint Thomas did not define the natural law as being a command (*imperium*) based on God's will, but as being an order of reason (*ordinatio rationis*). The natural law expresses a normative and binding order that the mind can know and put forward¹⁷. This highlights and focuses on the anthropological worth of the natural law -the law that comes out of intelligence, the rational norm¹⁸. But, one catches sight of the theological background as one would see a watermark. Using his reason correctly, man can be in tune with divine, creative wisdom. In this sense, the natural law is the reflection of the *eternal law* (the same natural law as exists in the mind of the Creator) in man's conscience and reason¹⁹. This is, as Saint Thomas wrote, "participation of the eternal law in the rational being"²⁰. God, therefore, does not hand orders to follow His laws down to man, but He instead gave man the intelligence with which to seek them out, to know them, and make them his own²¹. This supports an understanding that's based on the person and not on precepts -a foundation that's built on autonomy not on heteronomy of the natural law. It's significance is deeply human and together, divine. The God of the natural law is not the law-maker and judge of the divine heteronomies, but rather He is the Creator and Redeemer of the autonomy of the ethical human subject²².

The same revelation and faith strengthen this anthropological value and personalistic system of the natural law. They are not principles of a biblical voluntarism that brushes the ethical reason aside. They are of the ethical Christian newness – of a new call for and contributions (that are of the word and grace) to the consciousness and understanding of man. This is especially highlighted by the principle of creation and the Christological principle. The first is to call back again nature's belonging to the history of salvation; this already starts with Genesis, that means to say with creation, which is integrated fully in God's Covenant with man. The Christological principle means the participation of human nature with divine nature –both with the Son of God's Incarnation into the nature of man, and then with his Resurrection in which he elevated this nature to the life of God. Together the two principles stand to show us how the supernatural order of grace is not an order that's appositive or unknowledgeable of the order of nature, but rather that it is about recognition, assumption, redemption, and a rising up to this order. The

¹⁶ Cf. *VS* 12, 42-44.

¹⁷ Cf. Saint Thomas Aquinas, *Summa Theologiae*, I-II, q. 90, a. 1-4. "Natural law is nothing other than the light of understanding infused in us by God" (Saint Thomas, *In Duo Praecepta Caritatis et in Decem Legis Praecepta. Prologus: Opuscula Theologica*, II, 1129, ed Taurinens 1954, 245).

¹⁸ Law "inscribed in the rational nature of the person" (*VS* 51); "law of reason" (*VS* 61). Cf. *VS* 12. 40. 42-43. 72. 79.

¹⁹ Cf. Second Vatican Ecumenical Council, Declaration on Religious Freedom *Dignitatis Humanae*, 3; *VS* 40-44. 72.

²⁰ Cf. *Summa Theologiae* I-II, q. 91, a.2.

²¹ "The light of natural reason whereby we discern good from evil –which is the function of the natural law- is nothing else but an imprint on us of the divine light" (Saint Thomas Aquinas, *Summa Theologiae*, I-II q.91, a.2. cf, *ivi* q.90, a. 4.

²² Cf. *VS* 40-41.

natural law is the law that Christ did not come to abolish. It is the law that he came to bring fulfillment in the fullness of meaning and requirement. The *new law* (law of grace, law of charity, law of the Holy Spirit, law of perfection and of freedom) is not alien to nor something other than the natural law. It is its knowable and operable fulfillment: it is the natural law within the economy of the illumination and power of grace. *Gratia non tollit sed perficit naturam*: grace does not leave out or cancel out nature; it completes it and brings it to perfection²³.

II. Natural law and the defence of life

The truth, value and law of life is outlined and silhouetted against the backdrop of nature. Nature constitutes the background of true and normative meaning of human life. Upon this background we can understand the duties that the good of life brings with it in order for it to be protected and promoted and, at the same time, we can understand the limits of its defense. Without this rational and universal reference point of nature, human life would be exposed to evaluative criteria that are inconstant and arbitrary. Life would not be aligned with any objective importance, but instead with subjective preconceived notions, changing cultural tastes, which would be at the mercy of the strongest forces - manipulators of public opinion and democratic processes. Even despite all this, human life is an objective good and promotes objective requirements for its respect. This objectivity is shaped and guaranteed by nature and the natural law²⁴.

1. Natural law and bioethics

In regard to life, nature's expressions of *logos*, *axios*, and *deon* have a basic sphere of acquisition in the *bios*. One cannot understand human life and the obligations that come with it by leaving out biological corporeality. This carries the decisive and true elements necessary in order to know the ontological and ethical rules of human life, because the body is a manifestation of the spirit and is a co-essential component of human living. In its corporeal *bios*, the life of the person takes on visible shape. This way, the person's bodily nature has more than biological importance –it also has “moral significance”²⁵. That which the body reveals in its organic make up –and in its physiological processes- is not ethically indifferent, rather, it is significant; it is important in order to map out the need for respect, guardianship and promotion of human life and also

²³ Cf. *VS* 24. 45.

²⁴ Cf. *EV* 19-20.

²⁵ *VS* 49. Cf. *VS* 48-50.

when these demands no longer apply²⁶. This means that in the sphere of life, the knowledge and determination of the natural law require and avail themselves of biological rationality. This, for example, can tell us when individual human life begins and ends, in order to establish the exact range – starting from the exact initial moment to the last moment – of our obligations, that is of needed interventions on behalf of life. The developments and contributions of the biological and medical sciences have been important for a better and more precise understanding and determination of natural moral law in the sphere of life.

The *nomos* expressed by the natural law (that is, the system of norms that safeguard physical life and which today comes under the name of *bioethics*) has in itself and cannot have otherwise, its own intrinsic reasoning. Taught by the Church, there is nothing dogmatic about it, because it draws from biological and meta-biological knowledge –fruit of a fact-finding and interpretive intellect. This understanding is empirical and evaluative and, therefore, it is communicable and shareable with every man -independently of his religious creed. Obviously, the Church does not leave out faith, the *intellectus fidei* of the Gospel. The Church proclaims the “Gospel of life” – which is the principle source and inspiration of the Church’s bioethical message. But the Church does so having its explicit and declared conviction of the Gospel’s deep and intrinsic anthropological meaning – that is to say, it is humane and humanizing and, therefore, rationally understandable to every intellect²⁷. Dignity and supernatural destiny of human life presuppose all natural significance and bring it to a fullness of meaning and worth²⁸. For the Church, nature is a source of truth, like revelation; and reason is a cognitive path, that’s in synergy with faith. This way, the Church proclaims the “Gospel of life” on the wavelength of natural law, it is to say God’s creative plan, which is inscribed in nature and is intelligible to every man²⁹. “It is not a case – John Paul II says – of imposing on non-believers a vision based on faith, but of interpreting and defending the values rooted in the very nature of the human person”³⁰.

I emphasize this here in order to deny the secularist belief that the Church’s and theology’s bioethical teachings are nothing other than religious and dogmatic creeds. This bias is how the secular world shuts itself off from these teachings using argued reasons. But this outlook hides the preclusive closure to every understanding of nature and the natural law, that doesn’t find favor nor credit today among the champions of, so-called, lay

²⁶ The corporeal nature of the person “cannot be thought of as a simple set of norms on the biological level; rather it must be defined as the rational order whereby man is called by the Creator ... to make use of his own body” (VS 50).

²⁷ “In Christ the *Gospel of life* is definitively proclaimed and fully given that...written in the heart of every man and woman, has echoed in every conscience ‘from the beginning’, from time of creation itself, in such a way that... *it can also be known in its essential traits by human reason*” (EV 29). As such “the Gospel of life is not for believers alone: it is for everyone” (EV 101). This “has a profound and persuasive echo in the heart of every person, believer and non-believer alike” (EV 2).

²⁸ “The *Gospel of life* includes everything that human experience and reason tell us about the value of human life, accepting it, purifying it, and exalting it, and bringing it to fulfillment” (EV 30).

²⁹ Christians are called to “emphasize the *anthropological reasons* upon which respect for every human life is based. In this way, by making the newness of the *Gospel of life* shine forth, we can also help everyone discover, in the light of reason and of personal experience, how the Christian message fully reveals what man is and the meaning of his being and existence” (EV 82).

³⁰ John Paul II, Apostolic Letter, *Novo millennio ineunte*, 6 January 2001, 51.

bioethics (which prevailingly base their principles on efficiency and individual desires). An ethics of life cannot be either secular or religious: it must simply be reasonable. Whoever expresses values, rights and norms of behavior must be able to legitimize them through reason. The Church and theology do so under the name of human nature and the natural law. Such are the mainroad of ethical understanding; thus far, humanity has always depended on them and so to abandon them today would be a regression and grave loss.

Thus the idea that the exigent truth of life, illuminated by the Gospel, only applies to Christians is very widespread today. This truth, instead, contradicts those opinions that claim non-Christians do not have (sufficient) reasons in order to recognize the truth and to carry it out: “The issue of life and its defense and promotion is not a concern of Christians alone. Although faith provides special light and strength, this question arises in every human conscience which seeks the truth and which cares about the future of humanity”³¹

2. Axiological values and principles

This is the way in which the natural law is recognized and legitimized; it has taken on a logical and methodological criterion of an ethics of life in order to arrive at what the conscience and knowledge of the human good are and what tasks and responsibilities come with them. To say human life is to say the life of a being who has the dignity of person, of whom life naturally shares and reflects the value. Here I would like to sketch out the particular values in which human life take shape and the axiological principles that express its requirements.

The value of subject and the principle of cure and therapy

First of all, the dignity and the value of *subject* because, life is not an abstract concept nor is it a thing -an object to possess. Life is not anything, it is always *someone*: a living individual. As such, life reflects the dignity of subject (person). A human individual does not have the worth of an object; he cannot be compared to or confused with things: in a word, he is not able to be reified. Because to be spiritual – through knowledge and will (freedom) – man rises above pre-human beings, becoming their master. The life of every man and woman participates in this subjectivity, in the one-totality of spirit and body (spirit in the body)³² which everyone is. This way, corporeal life also shares the dignity and value of the spirit: body-subject, non body-object: *I am my body*, rather than I have a body. “In reference to the human person in his ‘unified totality’ that is, as ‘a soul which expresses itself in a body and a body informed by an immortal spirit’, can the specifically human

³¹ *EV* 101.

³² “*Corpore et anima unus*” (GS 14). Cf. *VS* 48-49.

meaning of the body be grasped”³³ (that is not merely the physical, material and biological meaning of the body).

This is the reason why the corporeal *bios* has moral significance and is a source of morality: that which the body reveals (and, in the body, is fulfilled) is not ethically irrelevant and negligible. It is essential and decisive for setting up what the good is and the duties and obligations that it entails. Let’s take, for example, the biological genome: this is expression and revelation of –as a way of saying– an ontological genome. Only an individual with a human genetic inheritance can be a human subject. It cannot be otherwise and he must be recognized and respected as such.

The dignity of subject of the body is also the reason for which attention should be paid to it and concern should be shown which is particular for the person. Here *the principle of cure and therapy* arises. It proclaims the need to respect the body and protect one’s own and others’ health as moral duties. To heal the body is to heal the person. Therapeutic (and also prophylactic and rehabilitative) care is the single, privileged way towards inter-subjective recognition and reciprocity. But it is also the recognition of one’s own subjectiveness, which no one has the power, the will or indifference over that one can have over objects. This counts not only with curing disease, but even beforehand with taking care of the body. The body cannot be neglected or altered or infringed upon, nor can it be submitted to stimulants and uppers, to excessive tests and burdens, to living and working conditions that disrespect the person and, in the long-run, are harmful to one’s health.

The value of purpose and the principle of unavailability and inviolability

The value of purpose of human life is tightly and inseparably tied to the dignity of subject. Because the person cannot be made an object, this entails and means his value is not instrumental. This way, he must be sought “for oneself” and not “for something else” or “for others”. The Second Vatican Council points out, man is “the only creature that God has wanted for *its own sake*”³⁴. Man’s life reflects the “for the self” of the person. Therefore, life cannot be placed at the whim of outside interests. Life cannot be utilized for ends which are alien to it. This, therefore, brings into focus the *absolute value* of human life in the sense that it is not relative to anything nor anyone, except for the Creator. God, the Living One, is the subsisting absolute. The human living, instead, is the participated absolute. Value of purpose and worth “in oneself” and “for oneself” imply and concur to lighten this absolute.

From here, the *principle of unavailability and inviolability* of human life arises. Life doesn’t have a use-value, that allows it to be disposed of as a means to something else, nor can its integrity and existence be violated as if it were a cybernetic mechanism or a

³³ *VS* 50. Quotes inside the quotes refer to John Paul II, Apostolic Exhortation *Familiaris Consortio*, 22 November 1981, 11.

³⁴ *GS* 24.

mere organism in the hands of man³⁵. The value of purpose excludes the instrumentality and exploitation of life and requires that all research, experiments and operations, that deal with life, must be for the benefit of life, and if there be any other benefit it must only be within the moral certainty of protecting life and not inflicting any serious damage to it. Likewise, this value de-legitimizes every manipulation that is not therapeutic for the physical (biological and genetic) integrity of life and every voluntary and direct suppression of innocent life. The value of purpose decides on and measures the abundance of human life not from its “way of being” (*sosein*) but from its simply “there-being” (*dasein*): from its being to the world as the life of an individual with the dignity of person. So that this way nobody from the outside – no legislative power, no parental claims, no social consensus – has the right to make the decision about a person’s life, but rather they only have the duty to consent to and support the vital period of life.

In spite of the fact that human life doesn’t get enough attention or doesn’t satisfy people’s feelings, and despite its smallness, infirmity and disparagement, a human life is always valuable because it has self-worth; it is not in function to someone or something. Therefore, every harm done to life of every kind and condition should be denounced. Particularly –as the Pope called for in the Encyclical *Evangelium Vitae*- the suppressive violence of life at its very beginning and end should be denounced. This should be done because the practice of abortion and euthanasia -the true and actual “structures of sin” against life- are taking such deep root within and are so diffused throughout society and culture today, that public opinion and the conscience’s imagination have gone from considering them to be crimes to now making them into rights³⁶.

Theological value and the principle of veneration

The values of subject and purpose make human life a transcendent and absolute good: it rises with his spirit beyond every object good; it is not relative to anything and anyone, excluding oneself and God. This outlines the *theological* value of human life, which includes the participation and reflection of the dignity and the glory of God. In the Bible this is expressed with man’s divine “image” and “likeness” (cf. *Gen* 1:26-27; *Sir* 17: 3). This way, goodness takes on the sacredness and sanctity of the life of God, and kindles the reverence and the adoration due to the sacred and holy. This gives a religious stamp and importance to moral responsibilities towards life, and calls every respect and protection of life as *veneration*, and injury and disinterest as profanity³⁷.

We speak about a theology in the order of nature – that which is not got from revelation and, therefore, is intelligible to all people³⁸. We find there the highest dignity and value of human life and, therefore, the reason and foundation for the one and greatest honor

³⁵ Cf. *EV* 5, 39-40. 53.

³⁶ Cf. *EV* 4. 11. 12. 18. 24. 58-67.

³⁷ Cf. *EV* 9-41. 53.

³⁸ Cf. *EV* 2.

and respect that it demands. The understanding that is able to grasp it is the highest and wisest form of knowledge – which is able to get to the heart of datum and assess the value, to get to the heart of the *bios* and recognize a man. Without this understanding (which is inhibited by empirical knowledge at the surface of the *bios*), the value in life doesn't shine through. But not because of a lack of presence – on the contrary – because there is a lack of knowledge. One cannot make the religious significance and value of life be understood only through revealed faith. It means to debunk and discourage the intellect, deprive it of the possibility of grasping the absolute which is in man and therefore to open oneself to the whole truth of life.

Social value and the principle of solidarity and subsidiarity

Every life is unique and unrepeatable in its individuality. But this autonomy is not a foundation for monadic and solipsistic conceptions. On the contrary it is the basic datum and condition indicated by every opening and relation to others. Every human life comes into the world and lives in the world according to constitutive and vital relationships with others. *Esse indigens et offerens*, every human life is interwoven in a fabric of dependant relations (on others) and of availability (to others). This is true starting from procreation and from birth and it carries on that way throughout life. This designates the *relational* and *social* value of every human life, from which the principle of solidarity and subsidiarity takes root.

Solidarity calls us to care for every life (by virtue of its being) within one's community of belonging: from the family to society, from the political collectivity to the entire human community. Subsidiarity is meant to define the auxiliary way people can set up to offer care and kindness in other people's lives. These things, on the one hand, must be measured and calibrated according to each person's needs. But, on the other hand, they must not substitute or stifle the legitimate decisions and abilities of the person. This way, for example, a life that comes into the world with a severe handicap can involve all levels of the community, integrating and supporting the particular problems that the family has to face. Suppressing this life with abortion or euthanasia is a sign of egotistical and opportunistic individualism, which excludes the weakest among us from the bountiful table of the common good.

Solidarity and subsidiarity are founded upon love and justice. These seek out, protect and promote, respectively, the basic and primary good and right of life. Solidarity and subsidiarity are inspired and invigorated by love and are instituted and structured by justice.

3. Mediation in the experienced

Life's absolute, the singular values that it reflects and the principles in which these values take normative form, do not bring forth an aesthetic of life. They foster an ethics of concrete and possible protection. Ethics is not speculation detached from values nor is it an ideal declaration of principles; it is the mediation of these things in the concrete, specificity, complexity, and struggle of lived experience – reality in which the purity of the good and the universality of principles are measured by the *limits* of the particular, of the physical condition, of insufficient resources, of the contrasting consequences, of the secondary effects, of the particular and extreme circumstances, of the wear and tear of time, as well as of the real actual liberty of the person. Ethics finds itself *between the absolute and the limit*: the absolute that human life is in itself (in its transcendent value) and the limits that mark out the physical and earthly condition³⁹. Ethics takes both into account and it shuns from the simplicity of a careless axiology of the experienced and the opportunism of a praxis estranged from principles. Ethics is the science of the *mediation* of the transcendental and ideal consciousness of values in the categorical and situational consciousness of action, where the principles turns into a the norm of action and the conscience into a sitting judge.

It's not about distilling the value and the good or debilitating the principle, thereby creating double ethics for theory and praxis. It's not about an ethics of accommodating the first to the second, which allows something in fact that in principle is wrong. It's not about dividing a deontologism of the norm from a teleologism of action: the first is regulated by duty expressed by the value and the principle, the second by the intentions of the person and by the calculation of the consequences of his act. This ethics of "double standard" is a morality that's dissociated and dissociating. In the presence of limit, such an ethics is ready to not recognize in reality what ethics recognizes in the abstract. It allows de facto the evil disapproved of in theory or renounces in action the good upheld in principle. Obviously, we are speaking of moral good and evil, which ethics does not allow to ignore (the first) and commit (the second). To ignore the moral good and commit a moral evil is always a *sin* which morality never allows: one cannot morally sin.

This does not mean that morality is not interested in physical good and evil. It is also concerned with them and tries to protect, promote, and maximize the physical good and prevent, avoid and eliminate the physical evil. Rather for morality, a physical evil and a physical good, according to the responsibilities they entail, do not merely have physical importance, they already have moral value: they are a moral evil to avoid and a moral good to fulfill. However, when an evil is only physical, morality can allow it or tolerate it. If morality calls to avoid and forbid every moral evil, one cannot say the same for a physical evil. Therefore, while it is always illicit to commit a moral evil, one can be licit in permitting a physical evil.

Looking at life, the moral value belongs to person; from whom the body derives moral value. The body is not a moral value in itself, in its biological existence, but the body

³⁹ Cf. *VS* 2. 47.

receives it from the person. We read in the Encyclical *Veritatis Splendor*: “Human life, even though it is a fundamental good of man, thus *acquires a moral significance in reference to the good of the person*, who must always be affirmed for his own sake”⁴⁰. The reason expresses such a significance: “It is in the light of the dignity of the human person – a dignity which must be affirmed for its own sake – that reason grasps the *specific moral value of some goods*, toward which the person is naturally inclined.”⁴¹. First among all those goods is physical life. This way, “for example, the origin and the foundation of the duty of absolute respect for human life are to be found in the dignity proper to the person and not simply in the natural inclination to preserve one’s own physical life”⁴². For this reason, the protection of physical life is not an unexceptionable duty and its deprivation, loss or impairment is not always a fault. But only in as much as it reflects the value of the person: “only in reference to the human person...can one read the specifically human importance of the body”. Reason for which – in an example in the Encyclical – “while it is always morally illicit to kill an innocent human being, it can be licit, praiseworthy or even imperative (cf. *Jn* 15: 13) to give up one’s own life out of love of neighbor or as a witness to truth”⁴³.

Life in its physicality is not enough by itself to identify the person and therefore to establish the moral good of life. This involves the person, whose physical body is an essential component but certainly not its entirety: “the life of the body in its earthly state not an absolute good”⁴⁴, it does not represent, that is, the total life of the person. The non-coincidence of life with its physicality means the non-coincidence or rather, the relative and not absolute coincidence of physical evil inflicted upon life with a moral evil. As such, the defense of physical life is based on conditions. If the bodily life and its biological integrity were to always make up, in any case, a moral good, there would be no limit to their defense. It is the bodily life’s giving itself as a physical (not yet moral) good and its manipulation and its loss as a physical (not moral) evil that places the conditions of limits on its defense: limits that are ethically acceptable and supportable. Because – in that case – to not defend life at all costs or to manipulate or constrain it does not constitute a moral evil. One simply tolerates an inevitable physical evil (or one does not reach a physical good).

From these basic distinctions come some guiding principles for concrete action. These principles aim to define the conditions for defending human life. They intend to rescue these conditions from the arbitrary wills of the subjects and to allow them to face and resolve the situation and the particular case in which they find themselves. These principles aim to help the person who finds himself in the singular, complex, problematic, and limited – without either the anxiety of doubt or the revocation of the duties spelled out by the good and the commandment.

⁴⁰ *VS* 50.

⁴¹ *VS* 48.

⁴² *VS* 50.

⁴³ Cf. *VS* 50.

⁴⁴ *EV* 47, cf. *EV* 2.

These principles do nothing more than compose and spell out an applicable, concise synthesis of presuppositions, requirements, and conditions of fundamental morality. This shows that in the morality of an action three elements (object, circumstance, and intention) and two conditions (knowledge and will) contribute. The elements set morality under a profile of goodness or malice that is, of right or wrong. The conditions, instead, are under the profile of the ethical relevance or lack of and, therefore, of a moral or pre-moral character.

Looking at the elements: first, the object. To decide goodness or malice is the precise object of the act (the *finis operis*)⁴⁵: if this is a moral good then the deed is good, if it is a moral evil then the deed is evil. In subordinate and integrative form the circumstances in which the act is carried out contribute along with the intentions (the *finis operantis*) of the subject who set it up. Circumstances and intentions have repercussions on the objective goodness by increasing it, decreasing it or turning it into an evil. They have repercussions on the objective malice – increasing or decreasing it – but, certainly not turning it into a good. Therefore in the presence of an act in which the object is anyway and always a moral evil (*intrinsece malum*), favorable conditions and good intentions don't morally legitimize it – don't turn it from evil to good⁴⁶. There are, however, circumstances that are not accidental, but substantial, in as much as they weigh upon the object of the act in a way to transform the species (*circumstantiae mutantem speciem*) or namely the intrinsic quality, the specific essence. In such a case, the moral quality of the object must be considered to be indivisible from the circumstance in determining the morality of the act.

Concerning then the conditions of morality: the ethical relevance of an act involves the conscious knowledge of its meaning (physical and moral) together with the will free from coercion and conditioning. That way, what is ethically relevant can reveal itself as a known and willed act, in a word, a voluntary act. An involuntary act instead, due to lack of knowledge and/or of will is to consider itself ethically irrelevant: it is a pre-moral act. Under the profile of the effects or consequences, the indirect voluntary act is to be considered ethically irrelevant and therefore pre-moral. It is the dual effect act, in which its negative effect is a secondary consequence – foreseen yes, but not wanted – simply tolerated as something that comes inevitably from the first and good effect, that is the true and precise purpose of the act.

4. Intermediary principles

On the basis of these references of fundamental ethics, we come to the statement and application of some principles in the sphere of life.

⁴⁵ Cf. *VS* 79.

⁴⁶ Cf. *VS* 80-82.

Principle of legitimate defense

First of all, the principle of *legitimate defense*, which allows violence against the life of an aggressor even to the point of overpowering it, in determined conditions⁴⁷: the aggressor is committing the violence in that moment, and not that one is anticipating a suspected aggression; all the non-violent ways of dissuasion must have been tried; the violence done out of defense must be in proportion to the original aggression. The occurrence of all these conditions determines a circumstance that transforms the species of the act. It is not formally and therefore ethically about an act of violation and killing, but is the defense of a life. This way one does not transgress the commandment “do not violate life”, “do not kill”. Obviously one causes evil to the aggressor, but it is a physical evil and not a moral one.

To harm life, even to crush it, is not always and in every case a moral evil, an *intrinsece malum* and, therefore, a sin. Nonviolence is exceptionable from legitimate defense. Violence is an *intrinsece malum* and, therefore, should never be committed against the life of a just or innocent person. The lives of these people are always a moral good. This way to either harm them or end their lives is a moral evil. For this, the commandment “do not kill” (Ex. 20:13) by the same Word of God is made more precise: “Do not let the innocent and just die” (Ex 23:7). The Encyclical *Evangelium Vitae* precisely defines: “The commandment ‘you shall not kill’ has absolute value when it refers to the innocent person...In effect, the absolute inviolability of innocent human life is a moral truth”⁴⁸. One cannot see how and when just and innocent persons could find themselves in a state of aggression in relation to another. Therefore, one cannot see how the ending of their lives could ever not be considered a moral evil.

Principle of expendability

The principle of *expendability* of life means that in view of a higher good, like the love of neighbor or as a witness to truth, physical and earthly life may be submitted to high risk of danger and loss without this violating the moral duty of protecting and caring for one’s own life. By that one does not disclaim the absolute good of life, which belongs to the whole life of the person⁴⁹. Its physical and earthly state is an integrant part, but is not the whole. As *part*, life in time shares its dignity and value, with the requirements of respect that they exact and that take primary shape in the axiological principles we set out. But since it doesn’t encompass the person’s whole life, life in time can be made relative by a higher good⁵⁰. John Paul II points out in the Encyclical *Evangelium Vitae*: “The life of the body in its earthly state is not an absolute good...especially as he may be asked to give up

⁴⁷ Cf. *EV* 55.

⁴⁸ *EV* 57. Cf. *EV* 57; *VS* 50; Congregation for the Doctrine of the Faith, Declaration on Euthanasia *Iura et Bona*, 5 May 1980, in *AAS* 72 (1980) 546.

⁴⁹ “Man is called to a fullness of life which far exceeds the dimensions of his earthly existence” (*EV* 2).

⁵⁰ Cf. *EV* 2.

his life for a greater good”⁵¹ – just as Jesus says and does in the Gospel (cf. *Mark* 8:35; *Jn* 15:13).

The higher good – which is defined by the love of God and neighbor – allows and legitimizes the sacrifice of one’s own physical and earthly life. This is morally just because, in relation to a higher good, the sacrifice of one’s own life is a physical evil (the deterioration or loss of a physical good) not a moral one. Bringing about one’s own death for these reasons does not indicate a carelessness or negligence of life, much less is it about destroying life. The substantial circumstance of the higher good and of its love make it an act of donation, of consecration, of offering: a deed not only morally just, but good, noble and admirable. The highest expression of this is the martyr⁵². Obviously the principle of expendability refers only to one’s own life and not the lives of others.

Principle of totality

We have seen that physical life can be made relative to and given up for a higher good. However, there is also the good in bodily good, meaning its organic formation – composed of different parts that make up its structure. The physical integrity of the organism, which is a person’s good, takes on moral significance, that requires the protection and not the modification of organs, tissues, and biological functions. However, this is not absolutely, but relatively to the good of the whole. The principle of *totality* stems from this: it determines that the part is for the whole and it is legitimate to manipulate or sacrifice that part for the good of the whole.

Its application can be found in surgical therapy. The removal of an incurable organ or the elimination of one of its functions, because of the illness it brings about, constitutes a physical evil that is ethically licit (if not downright necessary). The good of the whole gives an act of manipulation a finality and character that are therapeutic and, therefore, –as we have seen – this act is meant to protect and to further the person and his good health. To the contrary, any manipulation that’s arbitrary, unnecessary, or done for other reasons makes this act morally evil and ethically inadmissible.

The principle of totality applies to the physical realm, dealing with a biological or organic cure of a pathology. The principle cannot be extended to include curing psychosomatic diseases or psychic and spiritual impairments. One cannot mutilate or inviolate the body because of demands and purposes alien to it. For this reason, one cannot use this principle to legitimize sterilization (for the sole purpose of eliminating the body’s procreative ability), sex-change operations, or certain excessive and obsessive practices in aesthetic surgery⁵³.

Principle of benefit

⁵¹ *EV* 47.

⁵² Cf. *EV* 47.

⁵³ Cf. Pontifical Council for Pastoral Assistance to Health Care Workers, *Charter for Health Care Workers* (abbr. *CHW*), Vatican City State 1995, n°66.

A particular and distinctive good is the therapeutic benefit others may receive from having let one's own physical life be available for others, or by donating one's tissues or organs. This can be applied to the research and development in the field of biomedicine and to the science of transplanting from living people. Is there a limit here to the defense of physical life and its integrity? The good that others might receive from this act inscribes it with a finality of love. This, however, doesn't legitimize the destruction of a life, or a serious compromise of its integrity (mutilation), or putting one's own health at high risk, even with the end purpose being to save or heal other lives. That is because the principle of inviolability and unavailability doesn't allow for this. However, when it is not a case of violating or using one life for another, to do a gesture of therapeutic love with one's own life or with one of its parts is a good and licit act.

This is made legitimate by the principle of *benefit* on two conditions: the low rate of acceptable risk and that the gesture is freely consented to. This first condition requires that the donation will not cause serious damage to one's own health. The second determines that the act is a gift and has nothing to do with monetary gain or serving other interests. That way, not only is physical life not transgressed, but it becomes a singular "place" and a "way" of love that gives of itself for the life of neighbor⁵⁴.

Principle of proportion

Medicine possesses the ways and means of therapy. Biomedical and biotechnological progress today has multiplied exponentially the possible therapies now available to doctors. Are there limits to their use? Is one obliged to all the possibilities available? Does turning down a certain therapy always violate the principle of therapy, thereby committing a moral evil? How can we find middle ground between passive euthanasia (by not partaking of a cure) and today's therapeutic frenzy (meaning the overabundance of cures)? How to avoid the one extreme without lapsing into the other? To take care of one's physical life is a moral obligation proclaimed and motivated by the principle of therapy. But physical life is relative to the condition and passing of time, and must accept its physical limits and its ultimate limit of death. This means a disease has to be cured, but not at any cost. This way, one is allowed to refuse a particularly burdensome cure or a cure that has uncertain or precarious results. The criterion to justly arbitrate between one's duty and the refusal of a cure (a way to serenely decide what to do using both science and conscience) is stated by the principle of *proportion* in therapy. This principle states that one must always rely on a therapy that is in proportion and one must refuse that which is out of proportion (in order to not get caught up in the therapeutic frenzy).

The proportion's ratio is calculated by comparing the conditions of the patient and the therapy with the hoped-for results. When there is proportion, in the sense that the

⁵⁴ Cf. *CHW* 84-85. 90.

therapy will give sufficient and worthwhile results, going through with the therapy is a must. When instead the anticipated results would be scarce or precarious or inadequate on the base of the human and social costs involved in the cure, then one can refuse it. In such a case, one does not commit a moral evil by avoiding the cure, but rather one accepts a physical limit (in the end the final limit of death) that life brings with it in its biological and temporal condition. Therapeutic care takes the actual physical state and condition of each individual life into account and respects it so that life will not be submitted to undue therapeutic force and, at the same time, will not be deprived of ordinary and proportioned cures⁵⁵.

Principle of indirect effect

A highly problematic situation to deal with in defending life is the situation of serious conflict, when the life of an individual is seen to be incurable or can no longer be protected and the price paid is an evil like the death of that individual or of another. We see this in the case of euthanasia as therapy for pain and abortion to save the mother. Ethics never permits the commitment of a moral evil in order to achieve good *ends (non sunt facienda mala ut veniant bona)* (cf. *Rm* 3:8)⁵⁶. An example is the death of an individual in order to save another or to put the suffering of that individual to an end. Such an act violates the moral norm which prohibits every *voluntary and direct* elimination of innocent life⁵⁷. Defined as such, involuntary (due to lack of knowledge and consent) and indirect destruction of a life does not fall under the norm's prohibition.

This last eventuality is dealt with in the principle of *indirect effect* or of *twofold effect*. This illustrates the case in which a good act brings with it an evil effect; it was foreseen but not willed either as an end or as a means in order to bring about the end. It instead is simply tolerated as a secondary and inevitable consequence of the act. One can do such as act. Because the evil effect is not the objective purpose of the act (*finis operis*) nor is it the subjective purpose of the actor (*finis operantis*), it does not enter into the ethical structure of the act. As such, it doesn't constitute a moral evil, but a physical evil. The act – specified by its direct purpose (its own object), which is the act that is intended and wanted by the agent – is morally good and voluntary. The evil effect is indirect and as such does not influence the morality of the deed. For this reason, the loss of an embryonic or fetal life brought about by an unavoidable curative operation on the mother is considered an indirect miscarriage; the premature death of a sick person brought about by the administration of analgesic drugs which were part of the pain therapy is considered indirect euthanasia. As long as the qualifier of *indirect* has removed every ethical importance to the mortal effect of the act, one should not even speak, in these cases, of abortion and euthanasia. They, in

⁵⁵ Cf. Congregation for the Doctrine of the Faith, Document on Euthanasia *Iura et Bona*, 5 May 1980, in *AAS* 72 (1980) 549-551; *CHW* 64, 65, 120; *EV* 65.

⁵⁶ Cf. Paul VI, Encyclical *Humanae Vitae*, 25 July 1968, 14.

⁵⁷ Cf. *EV* 57.

fact, have in and of themselves a morally negative connotation. In the cases mentioned here, the act is not abortive or euthanasic, but is strictly therapeutic. The death of the embryo or fetus or the sick person does not constitute the purpose of the action or the tool in order to get that result. It is the consequence of an otherwise unattainable therapeutic purpose. It is the secondary side-effect that was known to be possible but was not wanted (is only tolerated) of an act that is objectively good.

Conclusion

Human life in its temporal and earthly phase – life in a biological body – is a part and condition of the life of the person, who is complete and whole in the supernatural and eternal condition. Temporal and earthly life partakes in and mirrors the absolute value that every human life is in itself; in the meantime, is connoted by the relativity and the penultimate nature of his earthly and biological condition that is subject to limits and is destined to end in death. In as much as life on earth expresses that absolute value, it is a moral good that brings with it intangible and unconditional obligations for its defense and respect. In as much as it reflects the relativity of man's physical and temporal condition, those obligations are relative to this: the defense of the physical good of life knows some limits. That way, it can become licit and sometimes needed to renounce the defense or only the integrity of physical life.

Such limits are *physical*, not *moral*. The moral good does not know limits: *bonum faciendum*. The moral good obligates. To not carry out the morally good is a sin and a fault that ethics can never legitimize. This means to say that ethics cannot put some *moral* limits on the needs of the defense of life in its physical and earthly condition: it would be a moral evil ethically inadmissible (*malum vitandum*). Instead it can and must verify the insuperable *physical* limits: to acknowledge and accept them don't implicate a moral evil, it is not a fault; rather, it can be a moral duty.

Where is this written? Who reads it? It is written in the great book of life, laid out by the Creator in nature. And it is read by understanding, which the Creator has given the human creature, in order to know the truth and to acknowledge the law.

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INDEX

I. Nature and Natural Law

- 1. Nature and Life*
- 2. Human Life*
- 3. Which Nature?*
- 4. God and Nature*
- 5. Nature and Natural Law*
- 6. Law of the Person*

I. Natural Law and the Defense of Life

- 1. Natural Law and Bioethics*
- 2. Values and Axiological principles*
 - Value of Subject and Principle of Cure and Therapy*
 - Value of Purpose and Principle of Unavailability and Inviolability*
 - Theological Value and Principle of Veneration*
 - Social Value and Principle of Solidarity and Subsidiarity*
- 3. Mediation in the Experienced*
- 4. Intermediary Principles*
 - Principle of Legitimate Defense*
 - Principle of Expendability*
 - Principle of Totality*
 - Principle of Benefit*
 - Principle of Proportion*
 - Principle of Indirect Effect*

Conclusion