

THE HUMAN PERSON EXISTS IN FREEDOM UNDER THE TRUTH

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WE ALL KNOW HOW OFTEN it happens that the freedom of human persons is asserted in such a way as to undermine pro-life positions. Whether it is the objective moral wrong of abortion and euthanasia that we affirm, or whether it is the legal proscription of them that we propose, we can expect to hear in response that our affirmations and proposals interfere with the freedom of the human person. To some ears the very idea of the objectivity of the moral law sounds coercive; these are the people who think that the freedom of persons requires that all truth and value be relative to persons, that each person have his own truth and his own system of value.

Years ago I was greatly struck by an essay of the enormously influential legal positivist, Hans Kelsen, who gave what seemed and still seems to me a paradigmatic expression of this philosophy of personal freedom. In his “Absolutism and Relativism in Philosophy and Politics,”ⁱ Kelsen takes absolutism in politics to mean simply the rule of a totalitarian tyrant over his subjects. Absolutism in philosophy means simply that truth and being are understood as independent of the human mind that discovers them, it means that the human mind is measured by truth and being and is not the measure of them. Then Kelsen connects the two absolutisms like this: if we understand the human mind as measured by truth and being, then we subject man to truth and being *in the same slavish way in which people are subjected to the totalitarian state that dominates and manipulates them*. The undeniable servitude that he sees in the totalitarian state is for him an image of a kindred servitude that he sees in our relation to a mind-independent order of truth and being. Hence Kelsen also affirmed a correspondence between the freedom of persons in a democratic regime and the relativity of truth and being to man. Human persons are free in relation to truth and being—free with a freedom analogous to that of the citizens in a democratic state—only if each of them is himself the source of truth and being. Now such a position obviously puts an end to our pro-life

position. My pro-life position is only true for me, but I would impose it wrongly on you, violating your freedom as person, if I assume that it is true simply speaking and hence also true for you, and if I therefore expect you as a rational being to share a pro-life stance.

Our task in the pro-life movement is to show that the freedom of persons is in reality not harmed but protected and perfected by depending on what John Paul II likes to call “the truth about good.” In fulfilling this task we must resist the temptation to fudge on personal freedom and to be suspicious of the growing understanding of it in our time. One has only to look at Vatican II’s “Declaration on Religious Liberty” to see this growth at work in the Catholic Church. We have to make our own this development with respect to freedom. And so we must not say that truth is more important than freedom, but rather that truth and freedom should not be played off against each other, since they in fact perfect each other.

Of course, you and I will want to ask: how can people possibly think that they are oppressed by the fact that they cannot make up their own truth about existence and the moral order of the world? Whence this fear not just of an error in moral principle but of moral truth itself? C.S. Lewis undoubtedly speaks for us when in *The Abolition of Man* he shows in the most convincing way that it is not living by the objective moral law, which he calls the *Tao*, that oppresses our freedom; what oppresses us is rather repudiating the *Tao*. He shows that if we will not live within the cosmos of objective value, we are inevitably abandoned to our arbitrary likings and aversions, which in turn has the effect of handing us over to those natural causes (such as the weather, heredity, digestion) that make things agreeable or disagreeable to us. But to live by being pushed back and forth by natural causes is to live a life utterly unworthy of a person who is called to freedom.ⁱⁱ Only the *Tao* gives us an alternative to the indignity of being ruled by nature; it is therefore the principle of our freedom. And so we to whom this seems self-evident are left puzzled at the claim that objective moral truth is the enemy of our freedom.

Our puzzlement is all the greater when we think more concretely about moral truth. Take the basic moral principle that persons are never to be used as instrumental means but are always to be taken as their own ends. We human beings did not posit this principle, we have no power to revoke

it; our highest wisdom is to discover the dignity of the person on which it rests. We are subject to moral judgment when we act against it, which means that this principle measures us and not the other way around. It has all the objectivity and universality that Kelsen dreads—but is he right in saying that we are enslaved to it when we order our lives according to it? Of course, if someone coerces us to live according to it, then it may be that we stand in a servile relation towards the coercing person. But take all the conscientious people who need no coercion to try to live according to it: they suffer no heteronomy at all as a result of living according to a principle whose authority they experience as lying beyond all human willing. The fear of heteronomy is particularly absurd when the principle is applied to oneself: I ought never make a mere means of myself. Although I am not the measure of even this moral norm—I am bound to respect myself even if I want to throw myself away, and I am in the wrong even if I do make myself the slave of some master—it is nevertheless not a norm that can be reasonably said to weigh oppressively upon me as some foreign force.

Why, then, do people feel cramped in their freedom by a moral law presenting itself as objectively and universally valid? It is tempting to answer merely in moral terms, saying that they want to be free to do whatever they feel like doing and that the moral law obviously interferes with their unbridled gratification. There are, of course, those who will brook no hindrance to the fulfillment of their “unbitted lusts.” But there are others, such as Kelsen, who have plausible reasons for setting freedom against truth, and these deserve to be taken intellectually seriously. Let us try to engage them in discussion, and let us do so by identifying the circumstances under which the objectively valid moral law really can be confining for persons.

1) It goes without saying that persons suffer if certain precepts are erroneously put forth as belonging to the moral law. Thus if one reads into the moral law a puritanical aversion to sex and the body, then one harms oneself by subjecting oneself to the moral law thus understood. Indeed, people will be particularly harmed by the fact that the erroneous conception of the body is invested with the authority of the moral law. It is one thing for someone to say that he despises the body, it is another thing

for someone to present his despising of the body as being in accordance with the truth about the human body and hence as binding on all human beings. With this moral claim his erroneous conception gains entrance into the consciences of people, thus harming them at their deepest level. It is all-important that we “get it right” when we proclaim the moral law. This much is fairly obvious.

2) Can it ever happen that the moral law becomes oppressive to persons even when they commit no error about its content? I submit that it can and that we have in fact arrived at an all-important point in the discussion of freedom and truth.

Let us think of the child early on in its moral development. At first the child does not fully understand all that it is taught; it takes over the way of life proposed by its parents, but not because it understands what they understand, but rather because it at first exists as a kind of moral extension of them. The child’s “conscience” is a kind of internalized parental voice; it is not yet the voice of the child himself. If this state of conscience, normal as it is in the young child, were to continue into later life, we would all agree in seeing in it a serious moral immaturity. If even as an adult the former child continues to be inhabited by his parents and their traditions, which continue to speak through him in place of his own moral voice; if he fails to become a free citizen in the moral universe; if he fails to develop for his part the same relation to morality that they have; if he fails to gain that independence from them that befits his distinct personhood, then we do indeed have to say that the morality he learned at home has become oppressive to him. In his best moments he will feel weighed down by a morality that he has not been able fully to make his own. If he has studied philosophy he might even speak of the “heteronomy,” the foreignness of all the moral precepts he carries around with him. It is a heteronomy that becomes still more painful if others put pressure on him to conform to this morality or if they try to coerce him to live in accordance with it. But even without being subject to pressure and coercion he has plenty of heteronomy to suffer.

Let it again be noted that the precepts are not oppressive for him because they are false—let them all be as true as ever the moral precepts of human beings can be—they oppress him because he has never learned how to

speak in his own name in professing them. The truth, which is supposed to make us free, has not made him free.

It can hardly be denied that people today are more sensitive than they were formerly to this heteronomy; they do not want to live their whole moral lives as the moral extension of some tribe or tradition; they sense more keenly than ever the moral indignity of a tribal solidarity that interferes with them being their own persons. They have an instinctive aversion to all unjustified coercion. And I think we have to admit that this growing need for a certain moral independence represents an entirely positive development. If it is positive for people to awaken from their immersion in social groups, where they feel themselves to be mere parts of a social whole, and to discover themselves as distinct, incommunicable, unrepeatable persons, then it is positive for them to want to have a conscience which is their own moral voice and not someone else's. This striving for greater moral authenticity is nothing but a positive moral sign of our times. The Vatican Council's "Declaration on Religious Liberty" is a capital expression of this sign.

We come now to the supremely important question: how does a person, oppressed by the heteronomy we have described, break through to the desired moral independence, or as we could as well say, to the desired moral autonomy? Some say that he posits his own morality, setting up a moral universe that is true for him but perhaps not true for anyone else. They evidently think that if the moral law is objectively and universally valid, it must remain outside of us in a heteronomous way; that morality can become our own only if it is of our own making. We need to understand this plausible logic that drives some people's thinking away from the freedom of persons to a subjectivism of truth and value.

But is this logic irresistible? Does an objectively valid moral law have to remain heteronomously outside of us? Can it not be brought inside of us without being eliminated as objectively and universally valid? Can we not come to own it in some way other than enacting it for ourselves? We can indeed! We can take it into ourselves, living and thriving as irreducibly distinct persons, *in virtue of understanding the objectively valid moral law.*

There is an understanding of moral norms and ideals whereby we do not posit, enact, or otherwise set up the norms and ideals, but rather find them

as already given, but find them in such a way that we approve of them and take them into ourselves, making them the innermost principles of our acting. If these norms did not already exist, we would make them exist by setting them up; since they already exist, we ratify them, willing them not because someone else inhabiting us wills them, but entirely in our own names. This means that we can satisfy the thirst for freedom, autonomy, and authenticity without subjectivizing moral truth. Let moral truth be understood, let the goods and values calling for certain actions be experienced, and moral truth will be internalized in us, or (as we could just as well say) we will come to stand within it. We will possess it in a manner appropriate to our being distinct persons; we will show forth our personhood in our way of holding it. Go back for a moment to the case of moral immaturity discussed above; if only the person who continues to live in unquestioning solidarity with his tribal traditions can come to understand the moral point of the traditional way of life, he can come to will it in his own name and to will it as much in his own name as anyone else could will it for him. It is not necessary that he break with what he has grown up with; he may, of course, have to do that, but it may also be that he can take over much of it, making it his own in a properly personal way.

An example. A person grows up learning the norms of chastity. At first he remains strongly tethered to his parents, his conscience in matters of chastity being to a great extent their internalized voice. He comes into adolescence and is capable of understanding more and more the moral rhyme and reason of chastity. Suppose that he is not encouraged to grow in this understanding and that his parents proclaim the prohibitions connected with chastity in an arbitrary way—in response to his questions they have nothing better to offer than “because I said so.” Then chastity begins to present itself to this adolescent as “one long no” (Wojtyła) and begins to be experienced as oppressive. This does not just mean that chastity is difficult to live; “oppressive” here has the very different sense of remaining painfully outside of the adolescent because of an apparent meaninglessness; it is the oppression of heteronomy. What effects the transition from heteronomy to autonomy? Does the adolescent have to devise his own truth about sexuality? No, it suffices that he understand the truth that already exists and that is founded in the nature of man and

woman as persons. In understanding it he makes it his own and lets it become the innermost principle of his acting. He takes it into himself, yet without interfering in any way with its objective validity. Others can take it into themselves, and yet there remains one truth about chastity that is between, or rather above, all men and women. It is, then, not truth in the abstract but truth as understood, as internalized, that sets us free.

3) But there is another consideration that lies behind the fear that truth is the enemy of freedom. As Charles Taylor has shown, a new understanding of each human person as an unrepeatable individual has emerged in the last two centuries:

Herder put forward the idea that each of us has an original way of being human. That each person has his or her own "measure" is his way of putting it. This idea has entered very deep into modern consciousness. It is also new. Before the late eighteenth century no one thought that the differences between human beings had this kind of moral significance. There is a certain way of being that is *my* way. I am called upon to live my life in this way, and not in imitation of anyone else's.ⁱⁱⁱ

Thus one now stresses that each human person is a human being in his or her own unrepeatable way. Human persons are not just instances or specimens of the human kind, but there is something in each person that cannot exist again in any other human being, something that is incommunicably, unrepeatably each person's own. We can hardly understand the dignity of each human person without understanding this unrepeatable selfhood of each one.

Max Scheler has developed this idea by saying that each human person has his or her own unique moral calling or set of moral tasks. This means that a person does not just have to fulfil universal norms that bind him as they bind everyone else, but also has to fulfil certain personal norms that bind only him and no one else. Maritain says that no one knew about these personal norms like the saints did:

The saints always amaze us. Their virtues are freer than those of a merely virtuous man. Now and again, in circumstances outwardly alike, they act quite differently from the way in which a merely virtuous man acts. They are indulgent where he would be severe, severe where he would be indulgent.... What does that

signify? They have their own kind of mean, their own kinds of standards. But these are valid only for each one of them.... This is why we utter something deeper than we realize when we say of such acts that they are admirable but not imitable. They are not generalizable, universalizable. They are good; indeed, they are the best of all moral acts. But they are good only for him who does them.

We are here very far from the Kantian universal with its morality defined by the possibility of making the maxim of an act into a law for all men.^{iv}

As I say, the basis for these highly personal moral tasks is the unrepeatable personal identity of each person: as each person is unrepeatably himself, so he has moral tasks entrusted only to himself.

Now we can understand why the talk of the moral law as universally binding can seem threatening to those who are keenly aware of the unique moral calling that grows out of their unique personhood. We can understand why they can perceive a certain antagonism between the universality of the moral law and the unrepeatable individuality of each person. Above, it was the objectivity of the moral law that seemed threatening, that seemed to keep the moral law heteronomously outside of the person; here, it is the universality of the moral law that threatens, and it threatens by seeming to have a depersonalizing effect on those who conform to it. But here as above, it seems that moral truth is in some way at odds with man as person and that it has to be subjectivized or relativized so as to be brought into harmony with our personhood.

I would respond by saying, first of all, that a personal moral task that only I have is in its moral validity in no way subjective in the sense of subjectivism, or relative in the sense of relativism, just as the fact of my unique personal identity does not constitute evidence in support of subjectivism or relativism. For example, Socrates had a philosophical mission in Athens that no one else had. Let us assume that Socrates could have never discovered this mission by applying moral universals to himself, but discovered it only by taking account of who he unrepeatably was. This mission was nevertheless an objective moral reality; it was not indeed an instance of a moral universal, but it was just as objective as if it were such an instance. Socrates found this mission *given* to him, and precisely not devised or chosen by him, or revocable by him. He was aware of falling under judgment if he should betray his mission. Thus he

was aware of still standing *under* moral truth in being bound to do what only he was bound to do. Objective moral truth does not always only exist as universal; it also exists in the more concrete-personal form that Scheler and Maritain pointed out. Thus it does not have to be subjectivized in order to be adapted to unrepeatable persons.

And I have another response to make to this latest attempt to construe some antagonism between personhood and truth. As Scheler pointed out, *the unique moral task of a person presupposes all the universal moral norms and never contradicts these*. Thus, for example, Socrates presupposes that knowledge of truth is in principle (or in other words universally) good; his unique task of raising questions of fundamental truth with his fellow Athenians does not make sense apart from this universal. Nor does Socrates ever feel entitled to violate some universal in the pursuit of his personal mission. Karl Rahner has explained as follows the relation of the personal tasks to moral universals.^v He says that when we have applied to our concrete situation all the relevant universals, it commonly happens that several courses of action remain open to us; the universals do not always specify only one morally acceptable action but can often be fulfilled by several actions. It is, Rahner says, only within these several actions that I ask which one befits me as the unique person that I am. Thus my moral life is first of all governed by those norms that bind me as they bind all other human persons; only then is it also governed by norms more uniquely my own.

It follows, then, that we can recognize uniquely personal moral tasks and at the same time still affirm universal norms, such as the norm that innocent persons must never be directly killed. Indeed, such norms are presupposed by the more personal moral calls which some people receive and are never contradicted by these. We can even recognize more clearly than earlier generations recognized that I cannot lead a full moral life exclusively on the basis of universal moral norms, that personal moral tasks play a larger role in the moral life than had been appreciated. I can even think that I live and thrive more truly as person on the basis of this enhanced understanding of the moral life. And with all of this I do not cease to recognize universal moral norms, nor do I ever depart from the objectivity of the moral law. For all the personalism of my ethics, I have

nothing at all to do with ethical subjectivism and relativism.

Let us conclude. We have found three ways in which the moral law, understood as objectively and universally valid, can be harmful for persons and their freedom. If one makes a serious mistake about some content of the moral law, one is liable to suffer from living under a distorted moral law. Secondly, if one fails to develop a moral mind of one's own, one will experience the moral law as painfully outside of oneself. And finally, if one thinks that the moral law consists exclusively in universal norms, one will feel overlooked as an unrepeatable person. But none of these problems requires the subjectivization or relativization of the moral law. We have instead to determine rightly the contents of the moral law; we have to *understand* the moral law, thus letting it become the innermost principle of each person's moral life; and finally we have to recognize that the moral law, besides binding me as it binds everyone else, also calls me in a personal way.

When in the course of our pro-life work we hear people play moral freedom off against moral truth, we should listen closely to hear if they are perhaps thinking of one of these ways in which moral truth really can interfere with moral freedom. If they are, then there is a core of truth in their protest against the moral law; we have to know how to retrieve this core of truth even as we defend the moral law to them. Charles Taylor practices this strategy admirably in his *The Ethics of Authenticity*. He wants to find certain noble moral aspirations at work in the culture of authenticity despite all the subjectivism, relativism, and narcissism that disfigure it. He thinks that such often-criticized aspects of this culture are not the whole story and that in the midst of them important moral insights are struggling to be born. We need to know how to point out to our contemporaries the path leading from these insights to the fullness of the truth about freedom and law.

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- i. In Hans Kelsen, *What is Justice?* (Berkeley: Univ. of California Press, 1957).
 - ii. See especially C.S. Lewis, *The Abolition of Man* (New York: MacMillan, 1976), pp. 72-80.
 - iii. Charles Taylor, *The Ethics of Authenticity* (Cambridge Univ. Press, 1991), pp. 28-29.

 - iv. Jacques Maritain, *Existence and the Existent* (New York: Doubleday, 1948), pp. 63-64.
 - v. Karl Rahner, S.J., "On the Question of a Formal Existential Ethic," *Theological Investigations*, II (London, 1963), pp. 217-34.