WHAT I HAVE DONE AND WHAT I HAVE FAILED TO DO:
Responsibility for Mortal Sin in the Catholic Catechetical Tradition

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Introduction

There is a long history among scholars in the Catholic Church to call philosophy the *ancilla theologiae*, or the handmaiden of theology. As Pope John Paul II was quick to clarify in his encyclical *Fides et ratio*, though, this term should not be understood in a sense which diminishes the importance of philosophy. On the contrary, he wrote, "Were theologians to refuse the help of philosophy, they would run the risk of doing philosophy unwittingly and locking themselves within thought-structures poorly adapted to the understanding of faith."[1] Since the field of philosophy enjoys its own independence today, it progresses at its own pace, working on problems of its own interest, with little attention paid to how its results may be used in a theological domain. This independence makes the process of drawing on philosophical theories for theological purposes at best an uneven one. Theologians are occupied with their own set of problems and concerns, so even if a work makes a big impact on its area in philosophy, if it is not closely related to a topic of contemporary theological concern, it may have no discernable consequence in theology. Because a fruitful area of philosophical research can remain unmined by theologians for significant periods,[2] it is worthwhile from time to time to focus on such an area and see if it may shed new light on a theological topic. This thesis is an exercise in doing just that. The topic of moral responsibility has been an active area of research in English-language, analytic philosophy over the past few decades. New theories of moral responsibility

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1. John Paul II, Encyclical Letter on the Relationship between Faith and Reason (*Fides et Ratio*) (September 14, 1998), [77], at The Holy See, https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.html.

2. To illustrate this point, consider the principal philosophical work that this thesis will draw on, John Martin Fischer and Mark Ravizza's *Responsibility and Control* (Cambridge: Cambridge University Press, 1998). It is by far the most popular theory of moral responsibility in philosophical literature, and Google Scholar counts 2617 citations of it as of April 2022. However, a search of the following theological journals returned not a single citation of it: *Journal of the Society of Christian Ethics*, *Studies in Christian Ethics*, *Journal of Moral Theology*, *The National Catholic Bioethics Quarterly*, and *Theological Studies*.

have been put forward, critiqued, revised, discarded, and preserved. This thesis aims to put the best fruits of these philosophical labors to use.

The Catholic catechetical tradition traditionally teaches that three conditions must be met for a sin to be mortal: the matter of sin must be grave; it must be done with full knowledge; and it must be done with complete consent.[3] The first condition is an objective criterion, having to do with the severity of the kind of sin committed. The last two conditions are subjective criteria, having to do with characteristics of the individual committing the sin. This thesis contends that the two subjective criteria should be revised in light of the contemporary philosophical work on moral responsibility just mentioned. As currently stated, the two subjective criteria are meant to capture the idea that a person must be fully or truly responsible for their behavior for it to constitute a mortal sin. It is argued that contemporary philosophical reflection on moral responsibility offers a better conceptualization of such responsibility than does the formulation "full knowledge and complete consent."

The goal of this thesis is not simply to show the superiority of one conceptualization of moral responsibility over another. If it remained at that level, it would hardly be a work of theology. Rather, the goal is ultimately to affect pastoral practice by proposing a new set of criteria for the subjective responsibility required for mortal sin. These criteria, if they represent a legitimate improvement over "full knowledge and complete consent," would appear in the Catechism and be taught in the course of Catholic religious instruction. Seminarians would receive instruction in them for application in their future ministry as confessors. The practice of the sacrament of confession would be refined and deepened. Potential effects like these are far in the future, but they are possible if the argument of this thesis is successful.

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3. United States Catholic Conference, trans., *Catechism of the Catholic Church*, 2nd ed. (New York: Doubleday, 2003), paragraphs [1857-1860]. Henceforth abbreviated as *CCC*.

The thesis proceeds in four chapters. Chapter 1 provides the basic background about the scriptural, theological, and magisterial foundations of Catholic teaching on mortal sin. A particular focus is the development of the two subjective criteria for mortal sin in the current Catechism. Chapter 2 lays out four criticisms which together cast doubt on the tenability of the formulation "full knowledge and complete consent." Either it needs to be specified to remove the ambiguities present in it, or it needs to be scrapped completely and the subjective criteria rebuilt on an alternative conceptual foundation. The thesis opts for the latter strategy. Chapter 3 looks to contemporary philosophical writings on moral responsibility for those alternative conceptual resources to aid the reconstruction project. Drawing on those resources, Chapter 4 proposes and defends a set of alternative criteria for the subjective responsibility required for mortal sin.

Chapter One

Teachings on Mortal Sin in the Catholic Tradition

In order to offer a constructive critique of the current catechetical teaching on mortal sin, it is necessary first to trace the conceptual background of this teaching. Although this chapter does not offer an exhaustive history of mortal sin in the Catholic tradition, it aims to canvas enough scriptural, theological, and magisterial thought to capture the principal commitments of Catholic teaching on the subject. The goal is to develop a sufficient understanding of the current catechetical teaching on mortal sin so that an alternative catechetical proposal can be shown both to preserve its fundamental tenets and to advance our understanding. The chapter proceeds chronologically in five parts. The first part looks at the various ways sin is presented in the Bible through vocabulary, images, and conceptual distinctions. The second part turns to theme of sin in the two great luminaries of medieval Catholic theology, St. Augustine and St. Thomas Aquinas. The brief third part covers the dogmatic statements about mortal sin made at the Council of Trent. The fourth part takes up the theme in the work of the patron saint of moral theologians, St. Alphonsus Liguori. The last part outlines the statements on mortal and venial sin made in several post-Vatican II magisterial documents. There no doubt are other theologians whose writings on mortal sin merit attention, but looking at these five groups of sources should be sufficient to cover the traditional core of Catholic teaching on the subject.

I. Mortal/Venial Sin in Scripture

Any investigation of sin in the Christian tradition must begin with scripture. In the Old Testament, there are four main words in which the concept of sin is implicated: *ḥeṭ' / ḥaṭṭā't*

("offense," "guilt"), *peša'* ("to rebel"), *'ăwōn* ("iniquity," "guilt"), and *shâgâh* ("to err"). Of these, *ḥeṭ' / ḥaṭṭā't* appears most frequently, followed by *'ăwōn*.[4] All of these words had a secular sense as well as a religious sense, with the religious usage typically deriving from the secular one. The first, *ḥeṭ' / ḥaṭṭā't*, carried a secular sense meaning "to miss a mark" or "to go astray." The LXX translates *ḥeṭ' / ḥaṭṭā't* into Greek as *hamartánein*, a verb whose secular meaning was also "to miss a mark." Its noun form, *hamartia*, is the primary word for "sin" in the New Testament. While the meanings of these four Hebrew words differ among themselves in subtle ways, there is a certain unity to them as well, evidenced by verses (e.g. Ps. 32:5) in which multiple ones are utilized with no apparent nuances in meaning intended by the author.[5] In Gottfried Quell's opinion, "As a rule, it is not so much from the root selected as from the context in which it is used that we can fix the intellectual or emotional content of the individual statements, or place the religious accent which is not immediately obvious in itself."[6]

Gary Anderson concurs with Quell's opinion. In a study of the metaphors for sin used in scripture, he focuses not on the particular Hebrew word employed for "sin," but rather on the verbs which, along with the nouns, form images of how sin afflicts humanity. He argues that the central image shifted from the First Temple to the Second Temple periods. In the First Temple period, sin was most often conceived of as a heavy burden which the sinner bears. Less frequently, but still commonly, it was seen as a stain which mars the sinner. A heavy burden needs to be lightened or taken away, and a stain needs to be cleansed or purified.[7] When control

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4. Gottfried Quell et al., "ἁμαρτάνω, ἁμάρτημα, ἁμαρτία," in *Theological Dictionary of the New Testament*, ed. Gerhard Kittel, trans. Geoffrey W. Bromiley, vol. 1 (Grand Rapids, MI: William B. Eerdmans Publishing Co., 1977), 270–71.

5. Quell et al., "ἁμαρτάνω, ἁμάρτημα, ἁμαρτία," 271-278, 293.

6. Quell et al., "ἁμαρτάνω, ἁμάρτημα, ἁμαρτία," 279.

7. Gary A. Anderson, *Sin: A History* (New Haven, CT: Yale University Press, 2009), 16.

of the Levant passed to Persian rulers (c. 550-330 BCE), Aramaic became the common language

of business, which precipitated a shift in the image of sin in scripture. Rather than a burden or a

stain, the dominant image of sin became a debt, which needs to be remitted or forgiven.[8] This

image of sin as a debt is part of the Semitic context of Jesus' life and ministry. It is prominent in

the Our Father, in which Jesus instructs us to pray, "Forgive (*aphiemi*) us our debts (*opheilema*),

as we forgive (*aphiemi*) our debtors (*opheiletes*)" (Mt. 6:12). Anderson highlights the insight of

Fr. Raymond Brown that "debt (*opheilema*)" had no religious connotation for the Greeks;

therefore, this expression standing for a religious fault only makes sense in a Semitic context in

which the word had already been imbued with religious meaning.[9] In addition, several of Jesus'

most famous teachings on forgiveness employ the debt metaphor: the parable of the unforgiving

servant (Mt. 18:21-35), and the pardon of the sinful woman (Lk. 7:36-50).[10] Whether it be a

burden, stain, or debt, sin is a sort of reality which afflicts the sinner.

Beyond using metaphors for sin, the New Testament includes myriad assertions about

sin. In general, according to Gustav Stählin, the word "sin (*hamartia*)" takes one of three

referents, usually connoting "offence in relation to God with emphasis on guilt."[11] First, it is used

to denote a particular action of a person. Second, it denotes a quality of a person's nature. Third,

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8. Anderson, *Sin: A History,* 27–29. Anderson demonstrates that Hebrew images of sin as a burden get translated into the image of sin as a debt in the Aramaic Targum. The influence of this shift is present in Hebrew sources as well; rabbinic midrash sees sin through the lens of debt.

9. Luke the Evangelist, in contrast, records, "Forgive (*aphiemi*) us our sins (*hamartia*)" (11:4), in his version of the Lord's prayer, making the expression more intelligible to speakers of non-Semitic languages.

10. Anderson, *Sin: A History,* 31–33. For the rest of the work, Anderson argues that seeing sin in economic terms influenced both Christian thought, particularly in understanding Christ's act of atonement, and Christian practice, especially in the development of almsgiving.

11. Quell et al., "ἁμαρτάνω," 295.

it denotes a personified, cosmic power.[12] Many of the assertions about sin concern

Christological topics, such as the incarnation and the atonement.[13] Others describe actions that

are sinful.[14] Still others prescribe remedies for sin, with baptism being the chief one.[15] Doubtless,

other categories of statements about sin in the New Testament can be delineated.

Of these statements about sin in the New Testament, several are notably influential in the

post-biblical development of the distinction between mortal and venial sins. The existence of a

gradation in severity of individual sins is attested to in multiple passages. Jesus says to Pilate,

"The one who handed me over to you has the greater sin" (Jn. 19:11).[16] He warns the residents of

Chorazin, Bethsaida, and Capernaum of the consequences of refusing the call to repentance, "It

will be more tolerable for Tyre and Sidon on the day of judgement than for you" (Mt. 11:20-24;

Lk. 10:13-16). The severity of a sin can be measured from different points of view, such as how

much societal damage it causes or how explicitly it transgresses a divine command. Jesus points

to another way in his teaching that some sins are *unforgivable*. He asserts, "Every sin and

blasphemy will be forgiven people, but blasphemy against the Spirit will not be forgiven. And

whoever speaks a word against the Son of Man will be forgiven; but whoever speaks against the

holy Spirit will not be forgiven, either in this age or in the age to come" (Mt. 12:31-32; also Mk.

3:28-29, Lk. 12:10). While there are differing interpretations of this sin against the Holy Spirit,[17]

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12. e.g., Rom. 5-7, Jn. 8:34.

13. e.g., Lk. 5:32, Rom 3:24-25, Rom. 8:3, Heb 2:17, 1 Tim. 1:15.

14. e.g., 1 Cor. 6:15-20, 1 Tim 1:8-11.

15. e.g., Acts 2:38, Acts 22:16, Rom 6:1-11.

16. All quotations from Scripture are taken from the New American Bible, Revised Edition (NABRE).

17. Aquinas addresses three of them in ST II-II, q. 14, a. 1.

there remains the suggestion of a fundamental distinction between pardonable and unpardonable sins.

Outside the gospels, there are other hints in the New Testament of a gradation or distinction among sins. The author of the Letter to the Hebrews speaks in absolute terms in claiming it is impossible to bring to repentance someone who, having been "enlightened" and "shared in the Spirit," subsequently fell away from the faith. That person is "recrucifying the Son of God" (Heb. 6:4-6). The clearest statement of a distinction among sins occurs in the First Epistle of John where sins that are deadly are contrasted with those that are not deadly. Its author instructs, "If anyone sees his brother sinning, if the sin is not deadly, he should pray to God and he will give him life. This is only for those whose sin is not deadly. There is such a thing as deadly sin, about which I do not say that you should pray. All wrongdoing is sin, but there is sin that is not deadly" (1 Jn. 5:16-17). Once again, biblical scholars have proposed varying interpretations of what the deadly sin is. [18]

This brief survey of sin in scripture is enough to raise some points of tension for a theology of sin. One tension is between comparing the severity of different sins by *degree* and comparing them by *kind*. On the analogy of sin as debt, the severity of sins differs by *degree*. A less severe sin has a smaller debt attached to it; a more severe sin, a greater debt. On the other hand, categorizing sins as *forgivable/unforgivable* or *deadly/not deadly* assigns them to different kinds. Integrating these two viewpoints together into a coherent whole would require deciding where the break between the two different kinds of sins would fall along the spectrum of degrees

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18. For a summary of the proposals, see Raymond E. Brown, SS, *The Epistles of John*, The Anchor Bible, v. 30 (Garden City, NY: Doubleday, 1982), 612–19. He prefers the interpretation that "deadly sin" refers to those sins committed by ex-members of the Johannine community who broke away from it and are the "antichrists" (1 Jn. 2:19) referred to in the letter.

of sins. Another point of tension is between the labels *unforgivable* and *deadly* for kinds of sins.

Are the extensions of these two categories identical? In other words, are all sins that are

unforgivable also *deadly*, and are all sins that are *deadly* also *unforgivable*?[19] Given the

differences in genres, authors, and contexts of these scriptural texts, it is not surprising that such

tensions exist. It is the task of theologians to ponder the biblical data and develop theologies of

sin, aiming to accommodate all such data. Two luminaries of the Catholic theological tradition,

St. Augustine and St. Thomas Aquinas, reflected considerably on this data, and the next section

looks to glean their insights.

II. St. Augustine and St. Thomas Aquinas

When St. Thomas Aquinas (c. 1225-1274 C.E.) considers the distinction between mortal

and venial sin in *Summa Theologiae*, St. Augustine (354-430 C.E.) is by far his most-cited

authority. Augustine did not develop the distinction between mortal and venial sins

systematically, but he does address the gradation among sins in several places in his corpus. In

his homily on John 8:31-36, Augustine explains the nature of the freedom from slavery to sin

which Jesus declares comes from knowing the truth. He has in mind 1 Jn. 1:18, which cautions,

"If we say, 'We are without sin,' we deceive ourselves, and the truth is not in us." It seems, then,

that the truth both frees the Christian from sin and testifies that the Christian is a sinner. To

dissolve this seeming contradiction, Augustine introduces the notion of a *crime*. He writes,

"Clearly many have been called just without complaint, because [the term] is understood as

without crime; for no complaint is just in human affairs about these who have no crime. But

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19. It seems possible that a sin could be *unforgivable*, but *not deadly*, and vice versa. A crime that merits life in prison, for instance, may be considered *unforgivable*, but *not deadly*. An action such as a fatal self-inflicted wound is *deadly*, but could be *forgivable*.

crime (*crimen*) is serious sin (*peccatum grave*), most deserving of accusation (*accusatione*) and condemnation (*damnatione*)."[20] Because of weakness, the Christian remains prone to sinfulness in this life. Yet, he or she is freed from committing crimes or serious sins.

Augustine repeats this idea in his work, *Faith, Hope, and Charity*, claiming, "From the fact that every crime is a sin, it does not follow that every sin is a crime."[21] He goes on to instruct that the Our Father is an efficacious prayer for the forgiveness of some sins, "Our daily sins of a momentary and trivial (*brevibus levibusque*) kind, of which no life is free, find satisfaction in the daily prayer of the faithful ... [The Our Father] completely washes away very small sins of daily life (*minima et cotidiana peccata*)."[22] He counsels against despairing of God's mercy even in the case of great crimes, provided one does proper penance. In a few places, Augustine introduces the term "venial" to describe a sin which is not deadly. For example, writing about marriage, he says, "Marital intercourse for the sake of procreating is not sinful. When it is for the purpose of satisfying sensuality, but still with one's spouse, because there is marital fidelity it is a venial sin (*venialem culpam*). Adultery or fornication, however, is a mortal sin (*letalem culpam*)."[23] Other examples could be added. Even though he can be seen to vary his preferred terminology among

20. Augustine, *Tractate 41 On John 8.31–36*, section 9. Quotation taken from Augustine, *Tractates on the Gospel of John 28-54*, trans. John W. Rettig, vol. 88, The Fathers of the Church (Washington, D.C.: Catholic University of America Press, 1993), https://doi.org/10.2307/j.ctt32b344. The original Latin texts from Augustine can be found in Augustine, *Saint Augustine: Opera Omnia CAG. Electronic Edition.*, ed. Cornelius Mayer (Charlottesville, VA: InteLex Corp., 2000), http://www.nlx.com/.

21. Augustine, *Enchiridion on Faith, Hope, and Charity*, 17(64). Quotation from Augustine, "Faith, Hope, and Charity," in *Christian Instruction; Admonition and Grace; The Christian Combat; Faith, Hope and Charity*, trans. Bernard M. Peebles, vol. 2, The Fathers of the Church (Washington, D.C.: Catholic University of America Press, 1947), 357–472, https://doi.org/10.2307/j.ctt32b344.

22. Augustine, *Enchiridion on Faith, Hope, and Charity*, 19(71).

23. Augustine, *De bono coniugali*, 6(6). English translation from *The Excellence of Marriage* in Augustine, *Marriage and Virginity: The Excellence of Marriage, Holy Virginity, The Excellence of Widowhood, Adulterous Marriages, Continence*, ed. David G. Hunter and John E. Rotelle, OSA, trans. Ray Kearney, vol. I/9, The Works of Saint Augustine: A Translation for the 21st Century (Hyde Park, NY: New City Press, 1999).

"momentary," "light," "daily," and "venial" to describe the sins of the just during their earthly

life and among "grave," "damnable," and "lethal" to describe sins that deprive one of eternal life,

Augustine is giving shape to the systematic distinction between mortal and venial sins.

Prior to Thomas Aquinas, the distinction between mortal and venial sins and their

connection to the sacrament of penance were being worked out. Peter Lombard (1096-1160 C.E.)

dedicated nine distinctions (#14-22) of Book IV of his Sentences to penance. The influence of

Augustine is manifest, especially in the terminological distinctions. For example, Lombard

quotes Pseudo-Augustine's *De vera et falsa poenitentia*, "For that which was criminal in activity

is made venial through confession; and if it is not purged at once, nevertheless what one had

committed mortally becomes venial."[24] The assumption is that a crime, or serious sin, is

pardoned through the sacrament of confession; thus, it no longer leads to death. However, the

complete purgation of the sinner requires penance for that sin. This assumption is especially

relevant to the issue of death-bed confessions, which Lombard introduces in Distinction XX.

While someone responsible for a serious sin may be forgiven on his deathbed, he will be liable to

some penance even after death. At the time of Aquinas, then, the terminology of mortal sin,

venial sin, crime, penance, confession, and forgiveness had already undergone a significant

process of standardization.

Aquinas weaves the theme of mortal and venial sin into his intricate theological system,

connecting it with considerations about human action, the virtues, the sacraments, law, etc. He

treats sin explicitly in the *Pars prima secundae*, questions 71-89, but much of the material prior

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24. Peter Lombard, *Sentences, Book IV*, Distinction XVII (4): "Fit enim veniale per confessionem quod criminale erat in operatione, et si non statim purgatur, fit tamen veniale quod commiserat mortale." Peter Lombard, *Petrus Lombardus: Sententiarum Libri IV*, ed. Joannes Aleaume, Francisco Garcia, and Jacques-Paul Migne (Charlottesville, VA: InteLex Corp., 2017), http://www.nlx.com/.

to these questions is assumed. He understands the human person as striving through his or her actions for a perfection which completely fulfills human nature (I-II, q. 1). For Aquinas, there are two perspectives from which human actions are measured or judged as good or bad: a) human reason, and b) God's law (I-II, q. 19, a. 3-4). The power of human reason is not acute enough to derive all of God's law; it is only through God's revelation to us that we can know his law. Since each of these measures provides humans with guidance towards a good, there are in fact two sorts of fulfillment for humans, one which they can obtain through their own efforts, the other which they can only be helped to by God. In Aquinas's terminology, the first is our "natural end," which consists in well-ordered human affairs, while the second is our "supernatural end," which is a certain partaking in the divine nature (I-II, q. 62, a. 1).

For Aquinas, the virtues are good habits or dispositions which orient a human person's actions toward his or her fulfillment (I-II, q. 55). Since human fulfillment is twofold, there are two sorts of virtues. Aquinas calls the ones which can be developed through human striving guided by human reason the "acquired virtues," while those which can only be gifted by God the "infused virtues" (I-II, q. 63, a. 2-3). The acquired virtues help a person tend to his or her natural end, while the infused virtues help a person toward his or her supernatural end. Aquinas follows a long intellectual tradition of acknowledging four cardinal virtues: prudence, justice, fortitude, and temperance. A person who has acquired the cardinal virtues and lives according to them achieves that sort of happiness which is consonant with human reason. Aquinas expands this list of cardinal virtues, prefacing them with the three theological virtues of faith, hope, and charity. A person can possess these theological virtues only through the action of God infusing them in him or her, and these help that person achieve his or her supernatural end, an eternal life of

friendship with God. It is in this context of ends, virtues, and actions that Aquinas expounds the distinction between mortal and venial sin.

When considerations of mortal and venial sin are scattered throughout the *Summa*, Aquinas addresses the topic specifically in I-II, questions 87-89. In question 87, he lays out a theory of punishment according to which punishment is the consequence of a given order "pushing back" (*deprimere*) against a disorder introduced into it. A sinful action perverts three orders: human reason, human society, and God's law. Therefore, punishment can arise internally when someone feels remorse, from other people in authority, or from God himself (I-II, q. 87, a. 1). He considers the possibility of an eternal punishment, answering the reasonable objection that it seems unfair that a temporary sin could be punished eternally. Aquinas responds that someone who acts against his supernatural end of friendship with God cannot repair that order himself. So, in the sense of being irreparable by human power, a sinful act merits eternal punishment. Only through an act of God can the sinner be restored to the path leading to eternal life (I-II, q. 87, a. 3). Aquinas does not hold that every sinful act deserves an eternal punishment, however. One can commit errors in the means to the end, while remaining aimed at the end. In this case, the punishment for such disorder in the means is temporary (I-II, q. 87, a. 5).

In the first article of I-II question 88, Aquinas explains the somewhat awkward terminological opposition between "mortal" (deadly) and "venial" (forgivable) sins. "Mortal" is to be taken metaphorically as signifying, not bodily death, but the loss of the principle of the spiritual life (*principium spiritualis vitae*), which is life according to the infused virtues. A person committing a mortal sin is no longer tending toward his or her ultimate end of eternal life with God because she has lost charity in her soul. Drawing on his discussion of punishment, Aquinas says, "Mortal and venial are opposed according to the reparable and the irreparable.

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And this I say referring to an internal principle, not, however, with regard to the divine power, which can repair every illness both bodily and spiritual."[25] A bad action receives its character as mortal or venial from two sources: a) the object of the act, and b) from the agent's disposition (*dispositione agentis*). The object of the act is the kind of act performed, like perjury, murder, lying, idle conversations, etc. Some actions are mortal in kind; others are venial in kind. Yet, Aquinas leaves open the possibility that a sin that is mortal in kind can become venial due to certain interior dispositions an agent might have. The reverse is also possible: a sin that is venial in kind may become mortal depending, again, on the agent's dispositions (I-II, q. 88, a. 2).

For a sin to be imputable to a person, the action or omission must be voluntary on the part of that person. Thus, the concept of the *voluntary* is of central importance in a theory of sinful behavior. Aquinas expounds intricate theories of the human soul (I, q. 75-89) and of human action (I-II, q. 6-21). These give him the conceptual tools for characterizing voluntary actions and omissions. For Aquinas, the rational part of the human soul consists of two powers, the apprehensive power of the intellect and the appetitive power of the will (I, q. 79-80). The intellect apprehends an object as sensible or intelligible, while the will desires that object as fitting or good (I, q. 80, a. 1, ad. 2). Together the intellect and will produce action that is voluntary on the part of the person. He says, "Because man especially knows the end of his action and moves himself, in his actions particularly is found the voluntary" (I-II, q. 5, a. 1). There are obstacles, however, which can impede an action from being fully voluntary. Aquinas accepts things such as violence, which affects the will, and ignorance, which affects the intellect, as factors which diminish the voluntariness of an action (I-II, q. 6). As mentioned above, he

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25. *Summa theologiae* I-II, q. 88, a. 1: "Mortale et veniale opponuntur sicut reparabile et irreparabile. Et hoc dico per principium interius, non autem per comparationem ad virtutem divinam, quae omnem morbum et corporalem et spiritualem potest reparare."

thinks it possible that an action which is a mortal sin in kind can be venial in actuality due to the agent's dispositions. Those factors that lessen the voluntariness of an action, like violence and ignorance, reduce the gravity of a sin.

Aquinas's idea of the voluntary plays an important role in the critiques of the current catechetical formulation in Chapter 2, and more detail of Aquinas's account is presented there. For now, it suffices to have laid out his broad conception of sin and the distinction of mortal and venial sin within it. Notably, no formula as succinct as the threefold criteria for mortal sin that emerges later with St. Alphonsus Liguori is used by Aquinas. His investigations typically are subtler, drawing on a larger set of concepts to explain the reality of mortal sin.

III. The Council of Trent

The Council of Trent (1545-1563 C.E.) clarified and defined numerous points of Catholic doctrine in response to doubts raised in the Protestant Reformation. Several chapters and canons from the Decree on Justification touch on the distinction between mortal and venial sin. Canon 23 denies that a just person can avoid all venial sins throughout life, except with the help of a special grace from God. Canon 25 rejects the claim that every good work is tinged by venial, or even mortal, sin. Chapter 15, with the accompanying Canon 27, asserts that there are mortal sins beyond unbelief, citing St. Paul's list of sins (1 Cor. 6:9-10) which exclude from the kingdom of God.[26] The document on the sacrament of penance likewise contains claims about mortal and venial sin. The Council declared that all mortal sins must be confessed to a priest, who, as judge, pronounces the sentence of remission or retention of those sins. Even hidden, interior sins, such

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26. DS 1544, 1573, 1575, 1577, in Heinrich Denzinger, *Enchiridion Symbolorum: Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, ed. Peter Hünermann, 43rd ed. (San Francisco: Ignatius Press, 2012).

as those transgressing the ninth and tenth commandments against coveting, must be confessed, since they, too, may be mortal sins. Finally, the penitent should be careful to confess the circumstances of a sin which may "change the species" of that sin (from mortal to venial, or vice versa).[27] These definitions from Trent offer little in terms of an explanation of mortal and venial sin, but they do offer data points which any Catholic theology of mortal and venial sin must accommodate.

IV. St. Alphonsus Liguori

While St. Alphonsus Liguori (1696-1787 C.E.) conscientiously follows Aquinas's lead in theological matters,[28] he explicitly avoids composing an elaborate scholastic treatise on human action and sin. Since he was writing on moral theology, "the whole of which is directed to the practice," Liguori "devised to select only those matters which are more useful in this matter, and everything considered necessary to know for praxis."[29] He examines the *knowledge* (*advertentiam*) and *consent* (*consensum*) required for sin, since these affect the moral responsibility of the acting subject. He first describes the stages of a sinful action, "The object is represented to the senses, and it moves the sensitive appetite by its physical delight. Then the

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27. DS 1679-1681, 1707.

28. At the beginning of his treatise on human actions, Liguori writes, "I do not think one should recoil from the sound doctrine of the Angelic Doctor wherever it can be held, for with his guidance one shall walk in theological matters without tripping upon his feet as it were." Liguori, *Moral Theology, Vol. 1*, 358.

29. Alphonsus Liguori, *Moral Theology Volume 1: On Conscience, Law, Sin and Virtue*, trans. Ryan Grant (Post Falls, ID: Mediatrix Press, 2017), 358. This translation is not an academic translation, so quotations are checked for accuracy against Heilig's 1852 edition of Liguori's *Theologia moralis*, found in the public domain at https://books.google.com/books?vid=IOWA:31858042751622. Grant's translation is amended where noted.

intellect adverts (*advertit*) to it and to its malice. Finally, the will consents (*consentit*) in it, thus known."[30]

The main issue regarding mortal sin on the side of the intellect is whether actual and express knowledge of the malice of the act is required, or whether virtual and interpretative knowledge is sufficient. Without going into the subtle scholastic distinctions, the main debate in the question is over how explicitly one must know, while acting, the wrongness of the action for it to be a mortal sin. Liguori, drawing mostly on Aquinas, isolates four ways in which actual knowledge of an act's malice can be lacking, yet the action still be imputable as a mortal sin to the agent. These four ways are "on account of negligence, or passion, or bad habits, or even a voluntary lack of consideration in acting."[31] First, culpable ignorance by neglecting to know occurs when one fails to learn what he or she can know and ought to know (*scire tenetur et potest*).[32] Second, culpable ignorance through passion occurs when one allows oneself to be overwhelmed by strong feelings such that, although one is unaware of what he or she is doing in the moment, he or she is still responsible for what happens. Liguori gives the example of someone bent on vengeance, who does not anticipate the specific way he will act out of such vengeful feelings. He uses the concept of actions which are "voluntary in their cause" (*voluntarii in sua causa*), meaning that these actions are consequences of some initial event for which the agent bears responsibility. Third, culpable ignorance by bad habit occurs when one is responsible for developing a bad habit. Unreflective actions proceeding from that habit are still imputed to

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30. Liguori, *Moral Theology, Vol. 1*, 391, translation amended.

31. Liguori, *Moral Theology, Vol. 1,* 393.

32. This standard of "can know and ought to know" is from ST I-II, q. 6, a. 8, and I-II, q. 76, a. 3, among other places. Elizabeth Anscombe discusses this phrase of Aquinas at length in her critique, which will be covered in the next chapter.

the agent; such actions are also voluntary in their cause. Fourth, culpable ignorance through lack of consideration occurs when one knows he or she should deliberate more about a proposed course of action, but still proceeds anyway.[33]

Liguori considers the opinion that all ignorance about matters which one "can know and ought to know" is vincible and hence culpable. He rejects this opinion, citing Suárez and Aquinas. Suárez, in particular, maintains that the will does not seek knowledge unless prompted by some cognition. Therefore, without some such instigating cognition, one cannot be held responsible for his or her ignorance, even of a matter which can and should be known. Liguori gives the following maxim: "where there is no cognition, there is no liberty; and where there is no liberty, there is no sin."[34] He also distinguishes between cognition of the object of an act and cognition of its malice. He writes, "[A man] will know his action, whereby it is an action, but he will not know it in the respect to which it is evil, for cognition of the object alone in its nature is not a sufficient principle for discerning nor inquiring about the object in its moral aspect, which indeed differs entirely from the nature."[35] Thus, for Liguori, some cognition of the moral aspect of an act is necessary for it to be imputable to the agent.

On the side of the will, Liguori offers more practical advice on avoiding sin (especially, that of venereal delight) than conceptual distinctions pertaining to acts of the will. However, the few distinctions and clarifications he does offer deserve mention. First, he asserts his agreement with the statement, "Perfect consent is altogether required for mortal sin, or the deliberation of the will."[36] Second, Liguori says consent can be either directly given to an action, or indirectly

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33. Liguori, *Moral Theology, Vol. 1*, 393-396.

34. Liguori, *Moral Theology, Vol. 1*, 400, translation amended.

35. Liguori, *Moral Theology, Vol. 1,* 397, translation amended.

36. Liguori, *Moral Theology, Vol. 1,* 402.

given to an action by directly consenting to its cause. Third, there are three stances one can adopt in the face of an evil object: positively consenting to it, neither consenting to nor resisting it, or positively resisting it.[37] Finally, when it comes to sins of omission, he holds that some positive act of the will (*actum positivum voluntatis*) must take place, because "the will is not exercised, nor sins, except through act."[38]

In his treatise on sin, Liguori includes a small section on what is required for mortal sin. Here, he does not write much of his own thought. He is content to quote the Jesuit Fr. Hermann Busembaum's *Medulla theologiae moralis*,[39] upon which Liguori wrote a commentary that eventually grew into his *Theologia moralis*. Busembaum gives three criteria for mortal sin which come to be standard in the Catholic catechetical tradition. He says, "Three things are required for a mortal sin. If one of these is lacking, what is otherwise mortal in itself becomes venial. 1) On the part of the intellect, full advertence and deliberation. 2) On the part of the will, perfect consent. 3) Gravity of the matter at least as much as possible."[40] Notably, his criterion on the part of the intellect is actually twofold. He asserts both *perfect advertence of the malice* and *deliberation* are necessary for a mortal sin. Busembaum also marks a shift from Aquinas in the terminology used for mortal sin. Whereas Aquinas usually uses "imperfect" to describe an *act* as a whole, Busembaum and others following use "imperfect" to describe *parts* of an act, such as "imperfect deliberation" or "imperfect consent."

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37. Liguori, *Moral Theology, Vol. 1*, 403.

38. Liguori, *Moral Theology, Vol. 1*, 406.

39. This work appeared in either 1645 or 1650. Timothy Barrett, "Hermann Busembaum," in *The Catholic Encyclopedia* (New York: Robert Appleton Company, 1908), https://www.newadvent.org/cathen/03086c.htm.

40. Liguori, *Moral Theology, Vol. 1*, 452, translation amended.

V. Post-Vatican II Magisterial Documents

The moral manuals and catechisms of the late 19th and early 20th centuries formulated the

three criteria for mortal sin more or less in the same way as Liguori.[41] The distinction between

mortal and venial sin, even though a standard topic in the manuals prior to the Second Vatican

Council, makes no appearance in the documents of Vatican II. It reemerged after Vatican II in

multiple documents during the pontificate of St. John Paul II. Three in particular should be

highlighted: the apostolic exhortation *Reconciliation and Penance* (1983), the Catechism of the

Catholic Church (1992), and the encyclical *Veritatis Splendor* (1993). The apostolic exhortation,

which was the result of the Sixth General Assembly of the Synod of Bishops, includes a

substantial section on mortal and venial sin.[42] Here, John Paul II underscores the importance of

the biblical texts 1 Jn. 5:16-17 on *deadly* sin and Mt. 12:31 on the *unforgivable* sin, and he cites

Augustine and Aquinas as authorities on the distinction. He gives a constellation of definitions of

mortal sin: "the ideas of [spiritual] death, of radical rupture with God, the supreme good, of

deviation from the path that leads to God or interruption of the journey toward him." He affirms

the traditional teaching that unremitted mortal sin deserves eternal punishment, while venial sin

incurs temporal punishment. In the same section, John Paul II also rules out three positions in

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41. A catechetical example: "Venial sin is a transgression of God's Law in a small matter, or a transgression that is not quite wilful…A transgression is not quite wilful when we do not plainly see the evil or do not fully consent to it." P.N. Lynch, ed., *A Catechism of the Catholic Religion*, trans. Joseph Deharbe, SJ (New York: The Catholic Publication Society, 1889), 121. An example from a moral manual: "A bad act must have three conditions in order to be mortally sinful: a. There must be full advertence to the grave malice of the act… b. Besides advertence of the mind to the malice of the act, there must be full and free consent of the will to do it… c. The object or the matter to which consent is given must be seriously against the moral law in order that a sin may be mortal." Thomas Slater, SJ, *A Manual of Moral Theology for English-Speaking Countries*, vol. I (New York: Benziger Brothers, 1908), 137–38.

42. John Paul II, Apostolic Exhortation on Reconciliation and Penance (*Reconciliatio et Paenitentia*), (December 2, 1984), §17, at The Holy See, https://www.vatican.va/content/john-paul-ii/en/apost_exhortations/ documents/hf_jp-ii_exh_02121984_reconciliatio-et-paenitentia.html.

then-current moral theology. First, some theologians were denying that there are "intrinsically grave" actions, i.e., actions that are seriously wrong no matter the circumstances.[43] John Paul II insists there are such actions. Second, some theologians were exploring the possibility of adding a third category, "grave" sins, to "mortal" and "venial" sins, resulting in a threefold division of sins.[44] The pope refuses these speculative efforts, saying, "The essential and decisive distinction is between sin which destroys charity and sin which does not kill the supernatural life: There is no middle way between life and death." Third, John Paul II denies *fundamental option* theories according to which one's standing before God (i.e., his or her "fundamental option") is generally unaffected by any particular concrete action.[45] Rather, there remains the possibility of rejecting God through a single action.

The encyclical *Veritatis Splendor* likewise has a section on mortal and venial sin.[46] This time, however, it occurs in the midst of the pope's criticisms of fundamental option theories, of teleology in ethics, and of positions which deny there are intrinsically evil actions. This section refers back to *Reconciliation and Penance* extensively and asserts little new, but it does strongly reiterate the reality of mortal sin, which John Paul II sees as threatened by the separation of one's fundamental option from his or her deliberate choices.

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43. For example, John Dedek argues that Thomas Aquinas did not accept the category of "intrinsically evil" actions, but rather that it was an innovation of Durand of St. Pourçain. See John F. Dedek, "Intrinsically Evil Acts: The Emergence of a Doctrine," *Recherches de Théologie Ancienne et Médiévale* 50 (1983): 191–226.

44. For an in-depth summary of the various proposals for a threefold division of sins, see Eugene J. Cooper, "A Newer Look at the Theology of Sin," *Louvain Studies* 3, no. 4 (Fall 1971): 259–307.

45. To get started on the large literature on fundamental option theories, see the collection of essays, "The Annual Rahner Papers," in *Philosophy and Theology* 10, no. 1 (1997).

46. John Paul II, Encyclical *Veritatis Splendor* (August 6, 1993) §69-70, at The Holy See https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html.

The Catechism of the Catholic Church traces the fundamentals of a theology of sin in Part 3, Article 8 [*CCC* 1846-1877]. This section generally follows Aquinas's thought, but with much less exposition of the technical concepts. The primary definition of sin is a "failure in genuine love for God and neighbor caused by a perverse attachment to certain goods" [1849]. The Catechism acknowledges the distinction between mortal and venial sin, citing 1 John 5:16-17 as a scriptural reference. Whether or not a sinful action destroys charity in the heart determines whether that sin is mortal (which destroys it) or venial (which does not). Aquinas's understanding of charity, that it is an infused habit in the soul which enables a person to act so as to achieve his or her supernatural end of eternal life with God (ST II-II, q. 23), is presumed. A mortal sin "turns man away from God, who is his ultimate end and his beatitude, by preferring an inferior good to him" [1855]. Drawing on Aquinas's view that mortal sin is *irreparable* by human power alone, the Catechism explains, "Mortal sin, by attacking the vital principle within us—that is, charity—necessitates a new initiative of God's mercy and a conversion of heart which is normally accomplished within the setting of the sacrament of reconciliation" [1856]. The consequence of leaving mortal sin unrepented and unrepaired is "exclusion from Christ's kingdom and the eternal death of hell, for our freedom has the power to make choices for ever, with no turning back" [1861]. The Catechism rightly notes that we must always, even in the case of persons who have committed grave actions, trust in the mercy of God.

The Catechism [1857] says, "For a *sin* to be *mortal*, three conditions must together be met: 'Mortal sin is sin whose object is grave matter and which is also committed with full knowledge (*plena conscientia*) and deliberate consent (*deliberato consensu*).'"[47] In [1859], the

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47. The quotation inside this paragraph is from *Reconciliatio et Paenitentia* 17 §12, the same apostolic exhortation cited above. *RP 17*, however, does not give a citation for the threefold criteria. It does cite the Decree on Justification from the Council of Trent as affirming both the distinction between mortal and venial sin and the existence of intrinsically grave and mortal sins by reason of their matter.

subjective criteria are reiterated, although in slightly different terms: "Mortal sin requires *full knowledge* and *complete consent* (*plenam cognitionem plenumque consensum*)." Several short expansions on these two criteria are given in [1859, 1860]. On the side of full knowledge, two assertions are included. The first is focuses on *what* must be known for a sin to be mortal. The agent must have knowledge "of the sinful character of the act, of its opposition to God's law." The second focuses on *who* has such knowledge. The Catechism instructs, "No one is deemed ignorant of the principles of the moral law, which are written in the conscience of every man."

Two assertions occur on the side of complete consent as well. The first ties together the notion of *complete* consent with that of *deliberate* consent, claiming that mortal sin "implies a consent sufficiently deliberate to be a personal choice." In other words, a mortal sin must be a personal choice, which requires some level of deliberate consent. The second gives three things which can lessen the "voluntary and free" character of a sin: "the promptings of feelings and passions," "external pressures," and "pathological disorders." No further detail about these three factors which can diminish the voluntariness of an action is provided in the Catechism.

The Catechism's presentation of the difference between mortal and venial sin is brief. All the instruction it provides has been covered in the last several paragraphs. The Catechism thus leaves significant room for interpretation of the criteria "full knowledge and complete consent." The question for this thesis is whether or not such space for interpretation is desirable.

Summary

This chapter presented the development of the notion of sin from the biblical witness to present-day magisterial teaching. Scripture contains seeds of the mortal/venial distinction in the gravity of sins, which were expanded and systematized by Patristic and medieval theologians,

particularly St. Thomas Aquinas and St. Augustine. Subsequent writings from theologians, like St. Alphonsus Liguori, and from the burgeoning Magisterium of the Catholic Church contributed to the evolution of the doctrine of mortal and venial sins to its current form.

This thesis is concerned with one specific part of this doctrine: the subjective criteria for mortal sin as delineated by the Catechism of the Catholic Church. The Catechism serves as the basis for much of the Church's pastoral practice. Since the Catechism has such great influence, it is crucial that the doctrine found there is robust. Regrettably, as the next chapter argues, the formulation "full knowledge and complete consent" suffers from several significant problems which merit attention and resolution.

Chapter Two

Criticisms of the Teaching on Mortal Sin in the Current Catechism

The first chapter surveyed the notion of mortal sin in the Catholic tradition, beginning with its roots in the use of the concept of *sin* in scripture. It traced the chief lines of theological and magisterial developments regarding mortal sin up to the current catechetical teaching, which states that grave matter, full knowledge, and complete consent are required for a sin to be mortal. The task of this chapter is to scrutinize that teaching, especially the way it conceptualizes the two subjective criteria for mortal sin by the formulation "full knowledge and complete consent."

Four critiques of these subjective criteria are elaborated in this chapter. The first three point out either ambiguities in the formulation or inconsistencies in its use. The first critique is that "full" does not typically mean full in practice. The second critique is that "knowledge" is ambiguous, due to the fact that no object is specified in the formulation. The third critique is that "knowledge," at least in practice, gets substituted with a variety of different concepts which do not mean the same thing as knowledge. The fourth and final critique of the chapter is different. It charges that the concept of "consent" is the wrong concept to employ in these subjective criteria. Consent is intended to constitute the notion of voluntariness. That is to say, the current formulation assumes that an agent does or omits something voluntarily just in case he or she consents to it. The fourth critique charges that problems arise when consent is thought of as an act specific to the will, which is how it is usually characterized in Catholic theology. While the first three issues could, in theory, be rectified by revising the criteria to remove ambiguities and to solidify their use, the fourth issue is harder to resolve. It would necessitate building an alternative theory of consent to be employed in the criteria.

The upshot of this chapter is that the formulation "full knowledge and complete consent" cannot stand as is. Either it needs to be amended for use in catechesis, or it should be discarded for an alternative way of conceptualizing moral responsibility. Given the considerable philosophical work done on moral responsibility in the past few decades, it appears the latter is preferable. But before turning to that contemporary work in the next chapter, the case must be made against the current formulation.

Criticism 1: "Full" does not mean full.

Jesuit Fathers John Ford (1902-89) and Gerald Kelly (1902-64) were two influential 20th-century moral theologians toward the conservative side of the moral theology spectrum. Ford, for instance, famously defended the prohibition on artificial birth control during his time on the *Pontifical Commission on Birth Control* in the 1960s. Together, Ford and Kelly published a two-volume series of essays on what they considered important and controversial topics in moral theology in the late 1950s. A substantial number of essays dealt with subjective responsibility, particularly in light of Freudian theories of unconscious motivation and of a new appreciation of the dynamics of addiction. When they consider how previous moralists had explained the criteria of "full knowledge and full consent," they conclude, "Such explanations … make it clear that the theologians who speak of full or complete or perfect deliberation and consent are really demanding only sufficient deliberation and consent."[48] Ford and Kelly ask the reader to imagine a scale from 0% to 100%, with 0% being the level of no responsibility (encompassing acts like digestion and respiration) and 100% being the level of truly full responsibility (encompassing the acts of angels and devils). Assuming that humans in earthly life can achieve at most 99%

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48. John C. Ford, SJ and Gerald Kelly, SJ, *Contemporary Moral Theology, Volume I: Questions in Fundamental Moral Theology* (Westminster, MD: The Newman Press, 1962), 207.

responsibility, what is the threshold required for mortal sin? While conceding that only God could answer this question accurately, Ford and Kelly venture to give some guideposts towards an answer.[49]

Ever conscious of avoiding the extremes of rigorism and laxity, Ford and Kelly suggest three guideposts for avoiding the lax extreme, followed by two guideposts for avoiding the rigid extreme. The first to avoid laxity is to remember that Church practice assumes that people are normally free and responsible enough to sin gravely. Moreover, many theologians set the bar for freedom to marry at least as high as the bar for grave culpability. Therefore, if valid marriage is ordinarily possible, so is grave sin.[50] The second guidepost is that "there are a great many mortal sins in the world."[51] To back this judgment, they appeal to the traditional Catholic practice of confession and to a quotation from Pope Pius XII. The third guidepost is the doctrine of grace, which states that God will give us sufficient grace to withstand severe temptations to sin. The Church upholds the demand for heroic sacrifice in some contexts—e.g., not to apostatize in the face of the threat of death—and considers capitulation a grave sin. This demand would be incoherent if a person were not free and responsible even under great duress.[52] On the side of avoiding rigorism, Ford and Kelly adopt a practical approach, putting forward two questions which can be used in pastoral settings: "Did you fully realize it was a grave sin?" "Could you have resisted?" A "yes" to both, or even to one, may indicate a mortal sin, although it is not

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49. Ford and Kelly, *Contemporary Moral Theology, Volume I*, 203-214.

50. Ford and Kelly, *Contemporary Moral Theology, Volume I*, 214-16.

51. Ford and Kelly, *Contemporary Moral Theology, Volume I*, 216.

52. Ford and Kelly, *Contemporary Moral Theology, Volume I*, 217-19.

necessarily so. On the other hand, a "no" to one or the other indicates that mortal sin has not taken place.[53]

Ford and Kelly are not the only mid-20th century moral theologians to express dissatisfaction with the "full" of "full knowledge and full consent." The Redemptorist Bernhard Häring (1912-98), a revisionist moral theologian whose work *The Law of Christ* (1954) helped move the field past the manualist tradition, also harshly criticized this catechetical formulation, saying,

> The catechisms' inadequate mode of discussion on the imperfection or perfection of the act fails to alert about dangers of misunderstanding. It provides a thousand motives for self-excuse. Where do we ever find perfect knowledge, perfect deliberation, perfect liberty? The least we can expect from a catechism is a more careful formulation about *proportionate* knowledge, *proportionate* deliberation and freedom—that is, the degree of knowledge and freedom that is commensurate with a penalty of mortal sin, namely, eternal damnation.[54]

Whereas Ford and Kelly wish for greater specification of "sufficient" knowledge and consent, Häring desires to shift the language to "proportionate" knowledge and freedom and demands an explanation of such proportionality. He is reacting against setting the standard of knowledge and liberty required for mortal sin at the level of "perfect" or "full," a standard which seems unattainable for humans in practice. Häring thinks a more careful formulation of the criteria for mortal sin would have reference to the penalty it merits, which is eternal damnation. In setting up a proportion between penalties and degrees of responsibility, a more severe penalty should require a higher degree of moral responsibility. However, that degree of responsibility cannot be

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53. Ford and Kelly, *Contemporary Moral Theology, Volume I,* 240. They conclude, saying, "We believe, however, that given the traditional conceptions of sufficient deliberation and sufficient consent, and given the psychological knowledge we now have as to emotional and instinctive obstacles to human acts, we are staying well within the bounds of the theological requirements in concluding that we should judge much more leniently than we have in the past a great many individual cases of human misconduct and frailty. 'Though man may be more reasonable than the psychiatrists believe; he is less so than the philosophers think.'" (247)

54. Bernard Häring, CSsR, *Sin in the Secular Age* (Garden City, NY: Doubleday, 1974), 179.

so extreme that mortal sin becomes an impossibility. That would allow people to evade full responsibility even for the most serious wrongs they could knowingly and willingly commit. What the teaching needs to do is set a high bar for responsibility for mortal sin, given its high penalty, but at the same time, make it a realistic possibility.

Given the differences in sources, method, and viewpoints between Ford and Kelly, on one side, and Häring, on the other, the fact that they are all displeased with the catechetical tradition points to an underlying confusion about "full" knowledge and consent. It is true that even the most recent Catechism itself wavers between "full" or "complete" consent and "sufficient" consent.[55] An adequate formulation of subjective responsibility should meet their call for a more precise degree for the epistemic and volitional conditions of mortal sin.

Criticism 2: "Knowledge" is ambiguous.

The second criticism of "full knowledge and complete consent" is that "knowledge" is ambiguous. More precisely, an object of knowledge is lacking in this formulation, which makes the criterion of "full knowledge" ambiguous. Since knowledge is always of something, what is it that one must know in order to commit a mortal sin? There are multiple possibilities for the types of objects which could be supplied in the formulation. These objects differ in the content which constitutes them. Some of them include moral evaluations; others make explicit reference to God. Some of the possibilities include the following:[56]

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55. CCC [1859]: "Mortal sin requires full knowledge and *complete* consent … a consent *sufficiently deliberate* to be a personal choice." Italics changed for emphasis.

56. No attempt will be made to give an exhaustive list of the possibilities nor to define precisely the different types of objects of knowledge that are possible. It is maintained that the differences in items on this list are intuitively obvious. Later, they are referred to a "types of knowledge" as a shorthand for "types of objects of knowledge" which could be supplied in the catechetical formulation. It is enough for establishing the critique that different possibilities exist and that each one results in a different teaching on mortal sin.

1. *Knowledge of what a person is doing*, i.e., knowledge of a description under which his or her action falls. Examples include "sawing a plank," "sawing Mr. Smith's plank," "building a seesaw," etc.

2. *Knowledge that was a person is doing is wrong*. Examples include "sawing Mr. Smith's plank is wrong" or "it is wrong to hit a child."

3. *Knowledge that what a person is doing violates God's commandment*. Examples include "missing Mass on Sunday violates the 3rd commandment" or "lying is prohibited by God."

4. *Knowledge that what a person is doing is a mortal sin*. Examples include "I am committing a mortal sin by cheating on my spouse" or "I will end up in hell if I steal that car."

5. *Knowledge that what a person is doing merits punishment from God*. Examples include "God will punish me if I steal from my boss" or "I will be punished if I continue my affair."

6. *Knowledge that what a person is doing is against the teachings of the Catholic Church*. Examples include "I know the Church prohibits IVF as a means of conception" or "Catholic believe abortion is wrong."

There are other types of knowledge which could be put forward. Which of these is included in the traditional criterion of full knowledge?

The current Catechism gives only two brief specifications of such knowledge. First, it states, "[A mortal sin] presupposes knowledge of the sinful character of the act, of its opposition to God's law" [1859]. Therefore, knowledge of a description under which an action falls (i.e., knowledge of type 1) is not sufficient for mortal sin. One must know his or her action is a sin, a

transgression of God's law (i.e., knowledge of type 3), for it to be a potential mortal sin. Second, the next paragraph asserts, "No one is deemed ignorant of the principles of the moral law, which are written on the conscience of every man" [1860]. This statement implies that everyone knows the principles of the moral law in some way.

Even with these brief expansions on the knowledge requirement for mortal sin, many questions remain for the Catechism's teaching. To begin, in what form are the principles of the moral law in the consciences of all people? It appears more reasonable, for instance, that the principle "murder is wrong" is universally in the human heart, rather than "murder transgresses God's law." Yet, knowledge that murder is wrong (knowledge of type 2) is insufficient for mortal sin, which, according to the Catechism's first specification, would require knowledge that murder transgresses God's law (knowledge of type 3).

Historically, the Church has tried to close the gap between type 2 and type 3 knowledge. After some had suggested a distinction between philosophical sin (requiring knowledge of type 2) and theological sin (requiring knowledge of type 3), with only theological sin being potentially mortal, Pope Alexander VIII condemned this distinction in 1690.[57] The problem with discarding the notion of philosophical sin is justifying how knowledge of the wrongness of an action amounts to knowledge of its transgressing God's law. The entry on sin in the first edition of the *Catholic Encyclopedia* (1912) argued that if an action is perceived as wrong, then that act is also perceived as prohibited. Furthermore, prohibitions make sense only with reference to an authority making the prohibitions. Since God is the only one with authority to rule human

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57. The following opinion is censured as "scandalous, rash, an offense to pious ears, and erroneous": "A philosophical or moral sin is a human act that does not agree with rational nature and right reason; a theological and mortal sin is the free transgression of the divine law. A philosophical sin, however grievous it may be, if committed by one who either does not know God or does not actually think of God, is a grievous sin but not an offense against God; nor it is a mortal sin that breaks off the friendship with God and deserves eternal punishment." [DS 2291]

actions, then an action perceived as wrong amounts to, at least in a "confused" (i.e., an implicit) way, an action perceived as transgressing God's law.[58]

This argument stretches credibility, however. Thinkers who have reflected deeply on the sources of mortality often do not trace the source of prohibitions to God, and it would likely be taken as an offense by them to insist that they, nevertheless, are "confusedly" perceiving the authority of God in their thought. John Rawls, for example, thinks the source of morality is in the speculations of rational persons adopting the original position and explicitly denies this is the work of a transcendent being.[59] The entry on the theology of sin in the *New Catholic Encyclopedia* (1967, 2003) drops the argument from the original edition. Whereas the *Catholic Encyclopedia* tried to close the gap between type 2 and type 3 knowledge by insisting all perceptions of moral wrong are perceptions of God's prohibitions, the revised version suggests the gap could be closed by rejecting as illusory all perceptions of moral wrong not rooted in God's law. In other words, a nonbeliever who feels an action is wrong, understanding the source of this feeling as someone or something other than God, is simply operating under an illusion. Without true knowledge of the source of right and wrong, a person fails to be a moral agent. The entry cites the conservative Jesuit theologian Louis Billot, SJ, as holding the astonishing opinion that many adults are actually incapable of moral acts since they are invincibly ignorant of

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58. Arthur Charles O'Neil, "Sin," in *The Catholic Encyclopedia* (New York: Robert Appleton Company, 1912), http://www.newadvent.org/cathen/14004b.htm.

59. John Rawls, *A Theory of Justice*, Rev. ed (Cambridge, MA: Belknap Press of Harvard University Press, 1999), 514, says, "To see our place in society from the perspective of this position is to see it *sub specie aeternitatis*: it is to regard the human situation not only from all social but also from all temporal points of view. The perspective of eternity is not a perspective from a certain place beyond the world, nor the point of view of a transcendent being; rather it is a certain form of thought and feeling that rational persons can adopt within the world."

God.[60,61] The entry's author does not endorse this position, but offers little illumination of how to identify type 2 and type 3 knowledge beyond repeating that knowledge of God can be implicit.

The Catholic philosopher Elizabeth Anscombe (1919-2001) weighs in on the problem of "knowledge" being ambiguous. She criticizes the formulation "full knowledge and full consent" in three separate essays, one at the beginning of her career and two near the end. Comparing the criterion of full knowledge with that of *mens rea* in law, Anscombe says she used to think these two were roughly the same. Both meant that you needed the first type of knowledge, knowledge of a description under which an action falls, to be responsible for that act under that description. She uses the example of a wife poisoning her husband's food. The wife needs to know she is putting a harmful chemical in the food, not that this is unlawful or that it is a mortal sin, to be held fully responsible. Anscombe expresses her fear that the common interpretation of "full knowledge" among committed Catholic is not this one, but the one which requires the fourth type of knowledge, that is, knowledge that an action is a mortal sin.[62]

Her principal worry is that requiring knowledge of type 4 for mortal sin implies that one must conceive of his or her an action as a mortal sin for it to be so. But this would make mortal sin exceedingly rare or even impossible. She prefers to interpret "full knowledge" as involving knowledge of type 1, but she doubts that even this type of knowledge is necessary for grave sin.

60. Joseph Ignatius McGuiness, OP, "Sin (Theology Of)," in *New Catholic Encyclopedia* (Detroit, MI: Gale, 2003), 151–52.

61. James Keenan identifies several developments in the manuals of moral theology during the first half of the twentieth century. One is that they progressively conceived of the human person as a less and less capable moral agent, beset as he is by ignorance, confusion, sickness, and psychological disorders. (James F. Keenan, SJ, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (New York: Continuum, 2010), 27, 30.)

62. G. E. M. Anscombe, "Morality," in *Faith in a Hard Ground: Essays on Religion, Philosophy, and Ethics*, ed. Mary Geach and Luke Gormally, St. Andrews Studies in Philosophy and Public Affairs (Charlottesville, VA: Imprint Academic, 2008), 114–15. Anscombe blames this common interpretation for what she perceives as a decline in moral standards among 20th-century Catholics.

While it is true that knowledge of what one is doing is necessary for an action to be intentional, what about for omissions or sins committed with the intellect, neither of which are considered intentional actions? Omissions will be covered in the next critique, but the issue of sins committed with the intellect is pertinent to the present critique.

What sort of knowledge is required for grave intellectual sins? Consider the example Anscombe uses of a rash judgment. In the majority of cases, a rash judgment is not preceded by a decision to judge rashly. Rather, one just makes the judgment.[63] The sinful matter falls under the description "a rash judgment," but the person making the judgment knows herself as "thinking the truth of the matter" or "noticing the injustice taking place." A rash judgment may lead to gossip or slander which has damaging consequences, and it would hardly excuse the person making the judgment if she said she was only acting on what she thought was true in the moment.

If a rash judgment can be mortally sinful, then this is a case which seems not to require even knowledge of type 1, that is, knowledge of the description under which what occurred was sinful. On the other hand, if "full knowledge" at least of type 1 is truly a necessary condition for mortal sin, then rash judgments and other intellectual sins are impossible to commit. Abandoning the faith when one sincerely believes that what the Church teaches is untrue would not be reckoned a grave sin.[64] One does not propose to oneself abandoning the faith and then perform an action of abandoning the faith. Certainly, formal actions renouncing the faith may follow such intellectual abandonment of the faith, but it is also possible to abandon the faith while continuing

63. G. E. M. Anscombe, "On Being in Good Faith," in *Faith in a Hard Ground: Essays on Religion, Philosophy, and Ethics*, ed. Mary Geach and Luke Gormally, St. Andrews Studies in Philosophy and Public Affairs (Charlottesville, VA: Imprint Academic, 2008), 101–3.

64. Anscombe, "On Being in Good Faith," 101–2.

to perform all the actions involved in the practice of the faith as before. There may be no exterior change accompanying renunciation of the faith, which shows that such intellectual changes operate on a model different from that of intentional action.

Anscombe's own judgment about how to disambiguate the "full knowledge" criterion is as follows,

> This, then is the truth in the condition of 'full knowledge' for mortal sin: where the mortal sin is a specific act in a kind of case which requires intention on the part of the accused, then the act of mortal sin was not committed by an agent who did not have full knowledge.[65]

She means knowledge of type 1 here, which has the advantage of avoiding the issue of how to close the gap between type 2 and type 3 knowledge mentioned above. Yet, Anscombe's proposed disambiguation does not work toward a general account of mortal sin. It supplies only a necessary condition for those mortal sins which are intentional actions. There are, though, other things which can qualify as mortal sins. As she notes, the voluntary is a much wider category than the intentional, and moral responsibility attaches to what is voluntary, not just to what is intentional.[66] Anscombe gives the following examples of things voluntary, but not intentional: "Rashness, carelessness, omission to think or to act, negligence."[67] Personal beliefs, like assenting to faith or not, perhaps also fall under the category of voluntary-but-not-intentional. She concedes "everything turns" on the "very difficult question" of whether thoughts are

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65. Anscombe, "On Being in Good Faith," 105.

66. Anscombe, "On Being in Good Faith," 105. See Anscombe's seminal work *Intention*, especially §49, for the distinction between the voluntary and the intentional (G. E. M. Anscombe, *Intention* (Cambridge, MA: Harvard University Press, 2000).). It is uncontroversial to note that sin attaches to the voluntary. Aquinas in *ST.* I-II, q. 76, a. 3, says, "Voluntariness is essential to sin." See *CCC* [1734] as well.

67. Anscombe, "On Being in Good Faith," 105.

voluntary.[68] At the very least, it appears such things can be grievously sinful, and they would be accompanied by knowledge only in some uncommon and extended meaning of "knowledge."[69]

If the sense of "knowledge" in "full knowledge" is ambiguous, then an adequate formulation of the subjective criteria for mortal sin must resolve this ambiguity. This section raises several thorny issues for a resolution. Is it possible to construct a single epistemic criterion which applies to all mortal sins? If not, how many criteria need to be formulated such that together they cover all cases? In each criterion, whether just one is sufficient or several are needed, which type of knowledge would be involved? Type 1, 2, 3, 4, or something else? If it is type 2 or type 3, is it possible to close the gap between them so that their extensions are the same? These questions will be revisited in Chapter 4 after a new proposal for the subjective criteria for mortal sin is made.

Criticism #3: "Knowledge" does not always mean knowledge.

While the second critique emphasized the need to specify what the object of knowledge is in the formulation "full knowledge and complete consent," the third critique concentrates on the term "knowledge" itself. Often, other concepts are substituted for "knowledge" when the criterion of "full knowledge" is discussed. A survey of the literature on mortal sin in Catholic theology shows that the epistemic concept involved in the subjective criteria varies among authors. The current translation of the Catechism in English uses knowledge as the basic concept, but this translates both *conscientia* [1857] and *cognitionem* [1859] in the Latin. St. Alphonsus

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68. Anscombe, "On Being in Good Faith," 111-112.

69. Anscombe, "On Being in Good Faith," 105. Joseph Boyle attempts a formulation and defense of such an extended sense of "knowledge" in Joseph M. Boyle, "The Personal Responsibility Required for Mortal Sin," in *Moral Truth and Moral Tradition: Essays in Honour of Peter Geach and Elizabeth Anscombe*, ed. Luke Gormally (Dublin: Four Courts Press, 1994), 149–62.

Liguori used advertence (*advertentia*) primarily, but he also quotes Busembaum, who added deliberation (*deliberatio*) to advertence. Philosopher Joseph Boyle, in a paper on the subjective criteria for mortal sin, preferred speaking of sufficient reflection.[70] "Consciousness," "knowledge," "idea," "advertence," "awareness," "deliberation," "reflection," among others, are all concepts that could be used to specify the epistemic condition for mortal sin. The main concern in this critique is that these concepts are not all equivalent. Each results in a criterion which, at first glance, may seem similar enough to the others that it does not matter which one we choose. However, a deeper analysis shows these criteria differ in important ways.

Consider these four concepts: advertence, deliberation, reflection, and knowledge. To my mind, these have connotations like the following:

1. Advertence: to take note of something. For example, there are many possible objects in my field of vision. Adverting to one is to focus on it for some period of time, however brief.

2. Deliberation: to consider various options. This involves advertence to at least two different objects. The process of deliberation can last but a few moments or take place over and extended time.

3. Reflection: to deliberate, but with a second-order awareness that you are deliberating. It is possible to deliberate with little reflection, and most of our daily choices are likely of this sort. Reflection adds greater depth of awareness.

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70. Joseph M. Boyle, "Objective and Subjective Sin: Reflections on Full Consent," in *Persona, Verità e Morale: Atti Del Congresso Internazionale Di Teologia Morale (Roma, 7-12 Aprile 1986)*, Studi Sulla Persona e La Famiglia (Rome: Città Nuova, 1987), 453, 458.

4. Knowledge: a relation between a subject and an object of knowledge (a proposition, a noun phrase, a form, etc.). This relation can be written simply as "*S* knows *p*" for a subject *S* and an object of knowledge *p*.

The first thing to notice is about these concepts is that, unlike the first three, knowledge is not a psychological phenomenon. It does not refer to an event in the consciousness of a person, whereas the other three refer to psychological processes of increasing complexity. Shifting the epistemic concept from knowledge to any of the others thus significantly changes the criterion in question.

The need for an epistemic component of moral responsibility stems from the conviction that ignorance of a matter can exculpate the one who is ignorant.[71] The Catholic moral tradition has reflected on the nature of ignorance and its connection to the voluntariness of human actions and their imputability. Elizabeth Anscombe argues, though, that there is inconsistency in the tradition after St. Thomas Aquinas. The following paragraphs elucidate her critique, but it may be summed up by saying the tradition has failed to keep apart psychological and non-psychological concepts.

There is a problem at the outset in setting the epistemic component of moral responsibility in psychological terms, such that full/sufficient advertence, full/sufficient deliberation, or full/sufficient reflection is a necessary condition for mortal sin. The problem is that lack of advertence, lack of deliberation, or lack of reflection may themselves be grievously sinful. Anscombe objects to Joseph Boyle's use of "sufficient reflection" for this reason.[72]

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71. CCC [1735].

72. G. E. M. Anscombe, "Sin," in *Faith in a Hard Ground: Essays on Religion, Philosophy, and Ethics*, ed. Mary Geach and Luke Gormally, St. Andrews Studies in Philosophy and Public Affairs (Charlottesville, VA: Imprint Academic, 2008), 135.

Consider the following example she raises. There is a boss in a research department who suspects an employee is selling information to a rival company. She knows she has the obligation to fire that employee before he has access to a new finding by another brand of her team. They are presenting it the following week. She makes up her mind to fire the employee the day before the presentation, and she turns her attention to other business. When the day comes to fire the employee, she has second thoughts about whether her suspicion of the employee is correct, but she has to act now and does not have enough time to do a proper investigation. Therefore, she fires the employee, even though he is innocent in reality.[73] Has she potentially committed a mortal sin in this case?

Keeping in mind that, even with perfect information about the case, we humans are not competent to render a final judgment on any individual case of mortal sin, I think this is a situation of danger for the agent. Whether Anscombe was aware of it when choosing the example or not, employer/employee relations is a domain for grave matter. Injustice to the wage earner is one of the sins that cry to heaven.[74] The main issue is whether there is an excusing factor for the boss in this case. We may assume there is no external pressure that is forcing her hand one way or the other. Given a psychological criterion for mortal sin, it appears the boss did not commit one. The only moment in which she adverted to, deliberated over, or reflected upon her decision to fire the employee was on the day she had to act. At that point, there was not enough time remaining to launch a full investigation. Moreover, the thought of some alternative to firing/retaining the employee never occurred to her. The boss may be said to be in a state of invincible ignorance, or ignorance which cannot be remedied, regarding the truth of her

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73. Anscombe, "On Being in Good Faith," 106.

74. CCC [1867]; Deut. 24:14-15, Jas. 5:4.

suspicion that the employee was selling information. Since she had not adverted to, deliberated over, or reflected upon her decision to fire the employee during the previous days, she is not guilty of mortal sin.

Anscombe rightly points out the absurdity of this conclusion. Making a rash judgment on a serious matter, forming an intention to act, then forgetting about the matter until it is time to act should not be grounds for excusing the action. While the boss's ignorance may have been invincible the day of the firing, it only became invincible due to her negligence in carrying out an investigation during the time it was possible.

There is a trend in the history of Catholic moral theology to psychologize the notion of invincible ignorance. St. Alphonsus Liguori's conception of invincible ignorance was covered in the last chapter. His maxim was "where there is no cognition, there is no liberty; and where there is no liberty, there is no sin."[75] He makes the distinction between a remote power and a proximate and expedient power to know.[76] The remote power to know seems to refer to the circumstances in which a person finds himself and to his intellectual capabilities. The proximate and expedient power seems to refer to the inner psychology of the person. Liguori strongly endorses Francisco Suárez (1548–1617), who wrote, "When no such thought gets into the mind, by which the will may be aroused to look for knowledge, it is not in the man's power to move himself towards it; and consequently such ignorance cannot be charged against him."[77] Thus, for Liguori (and Suárez), unless there is some sort of thought which sparks a search for knowledge, a person is in a state of invincible ignorance. She may have the remote power of knowing

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75. Liguori, *Moral Theology, Vol. 1*, 400.

76. Liguori, *Moral Theology, Vol. 1*, 397.

77. Francisco Suárez, *Disputationum de Censuris in Communi, Excommunicatione, Suspensione, & Interdicto*, disp. 4, sect. 8. Quoted in Liguori, *Moral Theology, Vol. 1*, 397, as well as Anscombe, "Sin," 135. The translation is Anscombe's.

something; that is, she may be in the right circumstances to learn it and have the capacity to do so. Yet, she may not have the proximate and expedient power of knowing it, which is that thought which spurs her to seek knowledge. In the example of the boss, if it did not occur to her to investigate the case between the time she made her initial judgment and the time she fired her employee, even though she was capable of conducting the investigation, then, on this view, she was invincibly ignorant.

Liguori claims that St. Thomas Aquinas agrees with Suárez, quoting Aquinas as saying, "Ignorance of those things one ought to know is a sin due to negligence. However, it is not imputed to a man as negligence if he does not know those things which he is unable to know: thus ignorance of these things is called 'invincible,' because it cannot be overcome with effort."[78] Anscombe, almost incredulously, objects that it is not the case that Suárez and Aquinas are asserting the same thing.[79] She appears to have a point. In *ST I-II*. q. 76, a. 2, Aquinas does not employ psychological discourse about arousing the will to seek for knowledge. Rather, he speaks of those things which one is capable of knowing and those things which one is obliged to know. Among these latter, Aquinas includes what belongs to the faith, to the universal precepts of law, to one's state in life, and to one's job. He does not specify what it means to be incapable of knowing. The distinction between a remote power to know and a proximate and expedient power to know is foreign to his treatment of ignorance. Yet, given the context of the quoted statement, Aquinas likely holds that invincible ignorance has to do with one's circumstances, not with the

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78. Aquinas, *Summa Theologiae I-II. q. 76, a. 2.* Quoted in Liguori, *Moral Theology, Vol. 1*, 397 (translation amended), as well as Anscombe, "Sin," 135.

79. Anscombe, "Sin," 135.

inner processes of one's mind. That Aquinas and Suárez in fact disagree appears to be confirmed

in the next article. Aquinas explains when ignorance can be considered voluntary,

> It is voluntary either directly as when someone purposely wills not to know
> something so as to sin more freely, or indirectly when someone, either because of
> work or because of other occupations, neglects to learn what would draw him
> away from sin. Such negligence makes the ignorance itself voluntary and sinful;
> so long as it is ignorance of things which one ought to know and can know.[80]

In the case of the boss, she neglected to carry out an investigation into the employee's behavior

because she busied herself with other tasks until the day of the firing. According to Aquinas, her

failure to investigate would be indirectly voluntary, and hence the unjust firing is imputable to

her.

Anscombe believes Aquinas's, not Liguori's, is the proper understanding of invincible

ignorance. She summarizes her thought,

> 'Invincible ignorance' is sometimes spoken of as if it were a psychological
> condition—not necessarily of mental defect or insanity. I am suggesting that it
> means 'ignorance that the man himself could not overcome'; as appears from the
> standard example, that the man who has never heard of Christ is invincibly
> ignorant of Christianity. Here the impossibility is not an impossibility because of
> the bent of his mind; he simply has not the information available to attend to.[81]

Her critique of the use of psychological terms in criteria for mortal sin is sound and should be

taken into account. To claim "the thought never occurred to me" exonerates one from

wrongdoing only in particular circumstances. As the example of the boss suggests, it cannot be

used to exonerate generally.

In sum, the issue in this third critique is not necessarily with the use of "knowledge" in

the formulation "full knowledge and complete consent." Rather, the issue is that other concepts,

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80. Aquinas, *Summa Theologiae I-II., q. 76, a. 3*. Quoted in Anscombe, "Sin," 132 (translation Anscombe's).

81. Anscombe, "On Being in Good Faith," 111.

like deliberation, reflection, advertence, and so forth, frequently are substituted for knowledge when these criteria are discussed. While the change from knowledge to one of these other concepts may seem minor on the surface, it actually has wide-ranging ramifications both for the Catholic doctrine of mortal sin as well as for pastoral practice. The position of this thesis is that psychological epistemic concepts, that is, concepts that refer to occurrent phenomena in one's mind, should be eschewed in favor of non-psychological ones, like knowledge. Thus, this third critique may not warrant a revision of the current formulation as much as an explanation of it emphasizing that "knowledge" means knowledge and not something else.

Criticism #4: The will's consent does not constitute voluntariness.

Voluntariness is essential to sin.[82] What is not voluntary cannot be a sin. The criteria for subjective responsibility for mortal sin are meant to characterize the concept of voluntariness. Thus far, the first three critiques have focused mainly on the epistemic component of voluntariness. But, just as there is knowing and doing, there is an epistemic and a volitional component to voluntariness. This fourth critique questions whether consent of the will is the correct way to characterize the volitional aspect of voluntariness.

Peter Abelard (1079-1142) made consent (*consensus*) the key concept in his definition of sin.[83] He is often credited with moving the location of sin from a person's external action to something more interior to the human person. He identified it as a person's consent, which lies

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82. Aquinas, *Summa Theologiae I-II, q. 76, a. 3.*

83. Peter Abelard, *Ethical Writings: His Ethics or "Know Yourself" and His Dialogue between a Philosopher, a Jew, and a Christian*, trans. Paul Vincent Spade (Indianapolis: Hackett Pub. Co, 1995), 2.

between a vice (the mere disposition to sin) and a willed action.[84] At least since Abelard, consent

has been a key concept in Catholic thought on sin and moral responsibility.

Aquinas's view of consent is given both in his treatise on human acts (I-II, q. 15) and his

treatise on sin (I-II, q. 74, a. 7-10). He is explicit in maintaining that, while consent is an act of

an appetitive power, the will exists in reason.[85] Thus, consent can be attributed to both reason and

the will.[86] Later thinkers increasingly separated reason and will such that they became two

faculties that could operate independently of one another, and consent became an act of will.[87]

Liguori, for example, described the sinful act in stages, "The object is represented to the senses,

and it moves the sensitive appetite by its physical delight. Then the intellect adverts (*advertit*) to

it and to its malice. Finally, the will consents (*consentit*) in it, thus known."[88] It seems as if the

will acts subsequently to and independent from the intellect.

Once consent is identified as a faculty of the will alone, it becomes extremely difficult to

explain voluntariness in a noncircular way. Voluntariness is supposed to be marked by an act of

the will called "consent," but what constitutes consent? One cannot then appeal to the notion of

voluntariness to explain consent, otherwise we have gone in a circle. This is precisely the error

committed by the first manualist publishing in English, Thomas Slater, SJ (1855-1928). When

introducing the nature of sin in terms of advertence of the intellect and consent of the will, he

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84. The recent literature on Abelard and his notions of sin and consent is large. To begin, see David Decosimo, "Sin, Consent, and Apparent Confusion in Abelard's *Ethica*," *The Journal of Religion* 98, no. 1 (January 2018): 29–58, https://doi.org/10.1086/694691.

85. *Summa Theologiae I-II, q. 15, a. 1, ad. 3; q. 15, a. 4.*

86. *Summa Theologiae I-II, q. 74, a. 7, ad. 1.*

87. Ladislas Orsy, SJ, *Marriage in Canon Law: Texts and Comments, Reflections and Questions* (Wilmington, DE: Michael Glazier, 1986), 125–28.

88. Liguori, *Moral Theology, Vol. 1*, 391, translation amended.

defines consent, writing, "Advertence to an evil thought or motion does not constitute sin without free consent of the will. The will consents when it voluntarily accepts an evil suggestion presented by the mind."[89] It will not suffice to analyze consent in terms of "voluntary acceptance" unless the latter is then analyzed without reference to "consent." However, I believe Slater intended to analyze the voluntary in terms of consent. For example, he remarks, "The evil motions of anger, impurity, rash judgment which precede all advertence and deliberation of the mind, cannot of course be sinful, as they are not voluntary. They become sinful when consent is yielded to them after advertence to their malice."[90] In other words, consent of the will is what raises these evil motions to the level of the voluntary. Slater recognizes the difficulty of knowing what consent is and when it occurs,[91] but he is an example of how Catholic moral theologians have used the concepts of consent and voluntariness without shedding much light on either.

Ladislas Orsy, SJ (1921-), offers helpful thoughts on the topic of consent as it pertains to marriage in Catholic canon law. He understands the difficulty of treating consent from a legal perspective, which deals with the external world of social relations, when fundamentally, consent is an internal process in individual persons. He says, "The legislator can do no more than to catch a glimpse of the internal universe of the spirit and then propose some external norms by which the presence or absence of consent can be conjectured."[92] Yet, in the course of his commentary on the canons on marriage, he provides several of these glimpses into the spirit which are relevant for the present investigation into moral responsibility.

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89. Slater, SJ, *A Manual of Moral Theology for English-Speaking Countries*, I:135.

90. Slater, *Manual of Moral Theology*, I:36.

91. E.g., he says, "The conscience is sometimes uncertain and troubled as to whether full consent was given to sin." (*Manual of Moral Theology*, I:137).

92. Orsy, SJ, *Marriage in Canon Law*, 154.

His principal insight is that contemporary philosophy and psychology view the process of human decision making as a unified process.[93] Its epistemological and volitional aspects cannot be cleanly separated. He laments the split between mind and will which occurred in the work of philosophers after Aquinas and how it penetrated canon law to create a conceptually consistent, but rigid and unforgiving, code on marriage. The most recent Code corrects some of the harshest consequences of the prior Code, but the assumption of independently-operating faculties of mind and will still undergirds some canons.[94] Calling on lawyers to adopt a multidisciplinary perspective on the notion of consent, Orsy wants to draw especially on theology, philosophy, empirical psychology, and medical psychiatry. He commends canon 1095 in particular for opening the way for contemporary psychology to inform judgments about consent.[95] In Orsy, we find a guidepost directing us to think about consent in a way other than ascribing it to an independent act of the will.

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93. Interestingly, he believes canon law has done better in incorporating psychology than in incorporating philosophy. He points to Lonergan, Polanyi, and de Finance as three philosophers who give a philosophical articulation of this unified process. Orsy, SJ, *Marriage in Canon Law*, 154 fn. 6.

94. Orsy, SJ, *Marriage in Canon Law,* 125–29. The most explicit example of the new Code operating under this assumption is in Canon 1099. It supposes knowledge can either determine the will or not. Orsy comments, "One can admit in theory that *if* there is knowledge that is so purely cerebral that it does not affect the decisions and action of a person*, then*, that knowledge should be discounted in evaluating a decision. But the question is precisely if such an internal split between knowledge and decision can ever occur in a normal person. The answer of the Code is: yes it can. The answer of depth psychology is: no, it is not likely; if it does, a serious personality disorder may be hiding below the surface" (141). Orsy's judgement is echoed in the commentary on Canon 1099 in Canon Law Society of Great Britain and Ireland, *The Canon Law Letter & Spirit: A Practical Guide to the Code of Canon Law*, ed. Gerard Sheehy et al. (Collegeville, MN: Liturgical Press, 1995), 615.

95. Orsy, SJ, *Marriage in Canon Law*, 128-129. Canon 1095 lists the conditions under which a person is considered canonically incapable of contracting marriage. The third condition disqualifies "those who because of causes of a psychological nature, are unable to assume the essential obligations of marriage." This canon opens the door for sources outside the law itself to determine the necessary capacities for marriage. Moreover, since the field of psychology and allied fields are continually developing, Orsy notes that the meaning of this canon will develop through time as well.

Orsy's distaste for the separation of the faculties of intellect and will is surpassed by the near hostility with which Elizabeth Anscombe regards the idea of an act proper to the will.[96] Such a "quasi-Cartesian" mental act would strike the sensibilities of modern analytic philosophers as "peculiar."[97] Granting that Aquinas sometimes sounds as if he endorses such an act, Anscombe gives two related arguments which cast doubt on this interpretation of his writing. The first argument is that Aquinas does not require a person to act for something to be imputed to him. In *ST I-II, q. 6, a. 3*, he asks whether something can be considered voluntary in the absence of an act. He begins his response claiming that what is from the will is called voluntary. But, being "from something" can come in two ways, either directly, as when that thing acts, or indirectly, as when it does not act. He elaborates on what this means for the will,

> Because, therefore, the will, by willing and acting, can and sometimes ought to prevent not willing and not acting, such non-willing and not acting is imputed to it as if having existence from it. And in this way what is voluntary can be without any external action, as when one wills not to act; but sometimes also without any interior act, as when one does not will at all.[98]

Aquinas realizes that not everything that follows in the wake of omitting to act is imputed to the agent who failed to act; only those things which the agent could prevent by doing what he "can and ought" to do are imputable to him. This phrase "can and ought" is the same phrase which Aquinas uses in his discussion of ignorance and voluntariness presented above, and the arguments about voluntariness and the will parallel those about voluntariness and knowledge. This congruence between Aquinas's treatment of knowing and his treatment of doing is an indication that he indeed views the intellect and will as more unified than Liguori and Slater do.

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96. See, for instance, *Intention* §29.

97. Anscombe, "Sin," 137-38.

98. Quoted in Anscombe, "Sin," 131 (translation Anscombe's).

In her second argument, Anscombe looks at the way Aquinas describes an act of the will. He says there are in fact two types of acts of the will: *elicited* ones which involve the will alone, and *commanded* ones which involve the will working through other powers. He gives the examples of walking and talking as falling under the second kind.[99] Of the first kind, which is the act proper to the will itself, Aquinas says it is "nothing other than an inclination which proceeds from an interior principle with cognition."[100] To give concreteness to this definition, Anscombe considers this "inclination" as what happens when I see an apple, recognize it as such, and am "therefore just about to" reach out for it. Whatever this "therefore just about to" is, it can be posited as the act proper to the will. Yet, Anscombe has doubts that Aquinas could mean this "therefore just about to" to be a proper act of the will. The reason is that an act of "therefore just about to" does not seem to explain the voluntariness of actions, which is the whole point of speaking of the will in the first place. Anscombe elaborates, "What makes the action 'voluntary,' however, is not something at, or just before, the beginning of reaching out for an apple: reaching out for an apple is itself voluntary and we would have to ask what makes a movement merit the description 'reaching out for an apple.'"[101] The only way such a proper act of the will can be explanatory is if everything that can be ascribed to a person as voluntary were preceded by an act of "therefore just about to." As Anscombe's previous criticism noted, Aquinas thinks it is possible for something to be voluntary without any action, even an interior action, on the part of an agent. For example, the minister at a marriage ceremony instructs the congregation, "If any of you can show just cause why they may not lawfully be married, speak now; or else for ever hold

99. Aquinas, *Summa Theologiae, I-II, q. 6, a. 4.*

100. Aquinas, *Summa Theologiae*, *I-II, q. 6, a. 4* (translation mine). Quoted in Anscombe, "Sin," 137.

101. Anscombe, "Sin," 137.

your peace."[102] The persons remaining silent voluntarily give their approval of the marriage taking place, but it is likely not the case that every person had in his or her mind a moment of "therefore just about to remain silent." If this example, or others like it, demonstrate that voluntariness can be ascribed without any action, then it is not the case that what is voluntary is necessarily preceded by a proper act of the will. Therefore, this proper act of the will fails to have any explanatory power and should simply be discarded from a theory of voluntariness.

To sum up this fourth critique, it appears that taking consent as a proper act of will is the wrong way to construe voluntariness. Regardless of whether Anscombe's reading of Aquinas is accurate to his mind, she is correct in her skepticism of the explanatory value of a proper act of the will. Orsy's contention that philosophers after Aquinas split reason and the will far more than he did lends credibility Anscombe's reading of Aquinas. If voluntariness is the product of a unified process of human decision making, involving both knowing and doing without being able to separate the two cleanly, then there is little need to theorize a proper act of the will. It would be better to analyze the concepts of voluntariness and consent without reference to acts of the will.

Summary

In this chapter, four critiques of the formulation "full knowledge and complete consent" were advanced. The critiques point to a variety of problems with the formulation. The first two critiques highlighted two ambiguities that need to be resolved, one in the degree of knowledge and consent required for mortal sin, the other in the object of knowledge required. The third critique stressed the inconsistent usage of epistemic concepts in theological and pastoral

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102. Episcopal Church, ed., *The Book of Common Prayer and Administration of the Sacraments and Other Rites and Ceremonies of the Church* (New York: Church Publishing Inc., 1979), 424.

discussions of the criteria for mortal sin. The final critique questioned the value of the concept of consent in characterizing the idea of voluntariness.

There are several strategies for remedying these issues, provided these critiques are sound. One is to tweak the current formulation to address them. Another is to add explanatory paragraphs to the Catechism to accompany the formulation. A combination of these two strategies likely would be more effective than either one alone. A more radical solution would be to discard the formulation completely and rebuilt the subjective criteria for mortal sin on a distinct conceptual basis. Since there appear to be nearly intractable difficulties with using the idea of consent, it may be necessary to pursue the radical solution. The rest of this thesis attempts this third strategy. The first task, taken up in the next chapter, is to look to contemporary philosophical work on moral responsibility for concepts on which to build a new set of subjective criteria for mortal sin.

Chapter Three

Recent Philosophical Theories of Moral Responsibility

The last chapter was dedicated to a series of critiques of the Catechism's teaching that "full knowledge and complete consent" are required for mortal sin. These criteria are meant to conceptualize the subjective dimension of moral responsibility. As the discussion showed, these criteria need some measure of specification to remove ambiguity, at the very least. Otherwise, they will not function as pastorally useful tools for discerning a sin's gravity. A more radical approach is to revise the criteria by employing an alternative conceptual framework for moral responsibility.

This chapter pursues the second strategy by surveying three examples of recent literature on moral responsibility in contemporary philosophy. This literature is voluminous, and the debates contained in them often descend into fine-grained detail. Furthermore, as in most philosophical debates, there is no undisputedly correct theory of moral responsibility. Every theory suffers from weak points and thus has its detractors. What is needed for the purpose of this thesis is not the perfect theory, but rather one which aids in constructing an alternative formulation which improves on "full knowledge and complete consent." The most prominent theory of moral responsibility in the past few decades is *Responsibility and Control: A Theory of Moral Responsibility* (1998), by John Martin Fischer and Mark Ravizza, SJ.[103] The first part of this chapter summarizes the main features of their theory. Fischer and Ravizza put forward a unified account designed to apply to responsibility for actions, responsibility for consequences, and responsibility for omissions. The second part of the chapter covers a challenge to such a

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103. As measured by the impact rankings of literature in the subject area "Value Theory > Meta-Ethics > Moral Responsibility" in the PhilPapers database (philpapers.org), as of Spring 2022.

unified vision of moral responsibility. Randolph Clarke, in *Omissions: Agency, Metaphysics, and Responsibility* (2014), argues that responsibility for omissions should be treated separately from responsibility for actions. Both Fischer and Ravizza's and Clarke's books largely bracket the epistemic aspect of moral responsibility to focus on the freedom-relevant aspect. Clarke does touch on the issue of the awareness needed for moral responsibility for omissions, but because a full theory of moral responsibility must treat both aspects adequately, the third part of this chapter presents a proposal by Samuel Murray and Manuel Vargas specifically for the epistemic aspect of moral responsibility. They employ the notion of *vigilance* to ground the standard of awareness against which the performance of agents can be measured. Together, these three works enable the construction of a set of criteria for subjective responsibility which can be used in a catechism. This task of construction is taken up in the last chapter of the thesis once the theoretical groundwork has been laid.

Fischer and Ravizza's theory of moral responsibility

Fischer and Ravizza's goal is to provide a defensible, unified account of the "freedom-relevant" part of moral responsibility. They summarize their theory of responsibility for actions as follows:

> On this account, an agent is morally responsible for an action insofar as he has guidance control of it, where guidance control consists in the action's issuing from the agent's own, moderately reasons-responsive mechanism.[104]

This articulation of moral responsibility for actions rests on three technical terms: guidance control, agent's own mechanism, and moderately reasons-responsive mechanism.[105] For the

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104. Fischer and Ravizza, *Responsibility and Control*, 230.

105. Although I am offering my own summary of Fischer and Ravizza's book, one could also consult the summary they themselves give in John Martin Fischer and Mark Ravizza, "Précis of Responsibility and Control: A

present purposes, the second two terms are most important. Brief comments are sufficient for the first.

Guidance control is distinguished from the closely-related notion of regulative control in Fischer and Ravizza's terminology. At issue is the commonly-held assumption that moral responsibility requires alternative possibilities of action. It is usually thought that I am responsible for something I did only if I could have done otherwise. Since I could have stopped and read the recipe to figure out how much salt to put into the dish, I am responsible for carelessly overestimating the amount and ruining the dish. In contrast, if my child bumped into me while I held the box of salt over the dish, causing me to spill a large amount into it, then I typically would not be held responsible for ruining the dish. In the latter case, I had no choice in spilling the salt; my body was forced to follow the laws of physics. Since I had no choice in the matter, I had no responsibility either.

Fischer and Ravizza accept a well-known argument which denies that alternative possibilities are necessary for moral responsibility.[106] In response, they develop the notion of guidance control, which is "the freedom-relevant condition necessary and sufficient for moral responsibility."[107] An agent has guidance control, and hence moral responsibility, for an action if

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Theory of Moral Responsibility," *Philosophy and Phenomenological Research* 61, no. 2 (September 2000): 441–45, https://doi.org/10.2307/2653660.

106. The connection between moral responsibility and alternative possibilities was challenged by Harry Frankfurt, who, in an influential paper, constructed a series of cases in which an agent had no choice but to perform a certain action, but in which the agent still bore moral responsibility. The examples involve two people, Black and Jones. Black wants to make sure that Jones carries out a certain deed, and Black will force Jones to do it if Jones deviates from that deed in some way. Black could have, without Jones knowing, implanted a device in Jones's brain which gives Black control over the movement of Jones's limbs should he need to intervene. However, Jones performed the deed for his own reasons, and Black never had to intervene. It seems both that Jones is morally responsible for the deed, and that Jones could not have acted otherwise. Harry Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 66, no. 23 (1969): 829–39.

107. Fischer and Ravizza, "Précis of Responsibility and Control," 441, fn. 1.

two conditions are met. First, the action must issue from the agent's own mechanism. Second, the mechanism from which the action issues must be moderately reasons-responsive. In order to unpack these two conditions, the concept of a mechanism will be addressed first. Next, what it means for a mechanism to be moderately reasons-responsive will be explained. Finally, how an agent makes a mechanism his or her own will be taken up.

Fischer and Ravizza are vague about what a mechanism is. They write about their use of the term,

> Although we employ the term 'mechanism,' we do *not* mean to point to anything over and above the process that leads to the relevant upshot; instead of talking about the mechanism that leads to (say) an action, we could instead talk about the process that leads to the action, or 'the way the action comes about.'[108]

They are reticent to go into further detail about mechanisms and admit that this lack of specification poses a potential weak point in their theory. It would be reasonable to demand that the theory provide guidance for how to individuate mechanisms, that is, how to tell when actions issue from the same mechanism or when actions issue from different mechanisms. Fischer and Ravizza express confidence that there are "relatively clear intuitive judgments" about whether mechanisms are the same or different.[109] For example, it is intuitively clear that an action issuing from a command under hypnosis employs a different mechanism from an action issuing from practical reason.

Whereas Fischer and Ravizza spend relatively little space developing the concept of a "mechanism," they elaborate the concept of reasons-responsiveness at length. Reasons-responsiveness is the idea that the operation of an agent (or of one of an agent's mechanisms)

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108. Fischer and Ravizza, *Responsibility and Control*, 38.

109. Fischer and Ravizza, *Responsibility and Control,* 40.

changes based on the reasons for action that the agent has. For example, a woman may have good reasons to exercise every evening (e.g., she desires to maintain mental and physical health, it fits in her schedule, etc.). Yet, if her husband is in cardiac arrest one evening, she would call an ambulance and attend to her husband rather than exercise. The woman in this case is responsive to the reasons present in her context.

Reasons-responsiveness seems tied to moral responsibility in some way. A person who is unresponsive to reasons usually is not held to be responsible. Fischer and Ravizza give the example of a person who has been hypnotized to hit the person closest to him whenever a phone rings.[110] No matter the extremely strong reasons he may have not to hit the person closest to him (e.g., it is a child, or it is his spouse), he will do so anyway. In this scenario, the person intuitively should not be held responsible for the harm he does by the punch. The lack of reasons-responsiveness can rule out persons as suitable subjects for moral responsibility as well. The inability of a toddler or a person suffering from dementia to cognize the reasons for or against actions excuses her from responsibility for those actions.

In Fischer and Ravizza's theory, it is not the agent herself who must be reasons-responsive for the agent to be held morally responsible. There are cases in which an agent has no choice but to perform a certain action, yet in which the agent should still be held morally responsible based on how the action came about.[111] In such cases, the agent is not reasons-responsive because she will perform the action no matter what reasons are present. Because her mechanisms are still reasons-responsive, the way the action comes about can vary. If the action

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110. Fischer and Ravizza, *Responsibility and Control,* 36–37. There is debate over the extent to which hypnosis can induce behavior which is against the will of the one hypnotized. Nothing in Fischer and Ravizza's theory rises or falls on this debate; they simply use this example to illustrate the notion of reasons-responsiveness.

111. See fn. 106.

comes about through outside intervention, then she is not responsible for the action. If it issues

from her reasons-responsive mechanism, then she may be responsible for the action.

Fischer and Ravizza do not take reasons-responsiveness *tout court* to be sufficient for

moral responsibility; rather, they develop the concept of *moderate* reasons-responsiveness as the

type of reasons-responsiveness required. They define:

> (MRR) This kind of responsiveness … requires that an agent act on a mechanism
> that is regularly receptive to reasons, some of which are moral reasons, and at
> least weakly reactive to reason.[112]

In this definition, Fischer and Ravizza distinguish between receptivity to reasons and reactivity

to reasons. A mechanism's receptivity to reasons consists in the set of reasons which the

mechanism accepts as justifications for the agent's actions, whereas the mechanism's reactivity

to reasons consists in the ability of the mechanism to issue in different actions based on the

reasons present in varying contexts. The reactivity component they defend is simple. If a

mechanism is reactive to some reason (i.e., in an alternative context, the mechanism would issue

in a different action than the action in the actual world due to the presence of an alternative

reason), then it can react to any such reason in the actual world.[113] Reactivity to some reason

implies that the mechanism which issues in the action is not forced to issue in that specific

action. Fischer and Ravizza call this minimal reactivity "weak reactivity," which, in their view,

suffices for the reactivity component of moral responsibility.

The receptivity component of moderate reasons-responsiveness is more complex. First,

the mechanism must be *regularly* receptive to reasons. The set of reasons which justify actions

issuing from that mechanism must have some objectively intelligible structure. Fischer and

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112. Fischer and Ravizza, *Responsibility and Control,* 82.

113. Fischer and Ravizza, *Responsibility and Control,* 73–76.

Ravizza envision a sort of hypothetical interview process in which an agent must articulate those beliefs, values, and principles which he or she would accept as sufficient reasons for action. Within those reasons, there must be an intelligible spectrum of strength of reasons (e.g., if it is wrong to kill one person, then *a fortiori* it is wrong to kill ten people) and consistency in moving from principle to application (e.g., if it is wrong to kill one person, then it is wrong to kill *this* person). Fischer and Ravizza do not assume there is a single objective set of reasons for action which all morally responsible agents must approximate. Rather, they mean "objective" in the sense that an agent's views should be understandable to a sufficiently large portion of the agent's community. One necessary aspect of someone's views being understandable is that they are based in reality, at least in some minimal sense. Our intuition is that an agent cannot be completely delusional about reality and still remain morally responsible.[114] Finally, it is not enough that the agent accepts an intelligibly coherent set of reasons for action. Fischer and Ravizza argue that some of the reasons in the set must be *moral* reasons. They do not give a precise characterization of moral reasons, but they gesture that moral reasons are those generated by an agent's recognition that other people's interests have claims on him or her. This condition would rule out animals, small children, and certain psychopaths from being morally responsible for their actions.[115]

Moderate reasons-responsiveness is paradigmatically a characteristic of the mechanism of reflective practical reason, but Fischer and Ravizza believe it can be extended to nonreflective mechanisms as well. Either the mechanism itself can be demonstrated to be reasons-responsive, or the agent could have employed a moderately reasons-responsive mechanism in *forming,*

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114. Fischer and Ravizza, *Responsibility and Control*, 69–73.

115. Fischer and Ravizza, *Responsibility and Control,* 76–81.

retaining, or *expressing* the trait which issued in action.[116] With this clarification, the principal pieces of moderate reasons-responsiveness are in place.

A mechanism being moderately reasons-responsiveness is the first of two conditions of guidance control for moral responsibility. The second condition is that the mechanism which issues in action must be an agent's own. While the theory so far has spoken of mechanisms as being reasons-responsive, reasons ultimately are recognized by an agent herself. Thus, there has to be a piece of the theory which connects agents and mechanisms. For Fischer and Ravizza, this connection is made through a process in which the agent takes responsibility for a mechanism and thereby makes it his or her own. They argue that this process is genuinely historical; it must take place at some point in the agent's history prior to the action in question for the agent to be considered morally responsible. Assessments of moral responsibility for an action, then, cannot be made solely based on the features of the world at the time of the action.[117] Without going deeply into their argument, their motivation for connecting an agent and a mechanism via a historical process of *taking responsibility* is to rule out scenarios of external manipulation or conditioning of mechanisms in which our intuitions usually exempt the person suffering from these from moral responsibility.[118]

Fischer and Ravizza describe the process of taking responsibility as one of an agent acquiring certain beliefs about himself or herself. They specify three conditions which mark this process. First, a person must see herself as an agent. In the usual case, it is part of a child's formation that she comes to see that her actions have effects in the world about her. These effects

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116. Fischer and Ravizza, *Responsibility and Control,* 85–89.

117. Fischer and Ravizza, *Responsibility and Control,* 194–202.

118. Fischer and Ravizza, *Responsibility and Control,* 230–36.

are not simply chance or due to other forces completely outside her control; rather, what she does

has traceable outcomes.[119] Second, the person must see herself as an appropriate subject for

reactive attitudes. Reactive attitudes, like gratitude, resentment, indignation, etc., are the wide

range of attitudes which a person may adopt toward another person once he sees her as a morally

responsible subject.[120] Again, in the usual case, a child in the course of formation comes to view

herself as a subject for such attitudes.[121] Third, Fischer and Ravizza stipulate that the group of

beliefs by which a person sees herself as an agent and as a potential subject of reactive attitudes

must be based on evidence in a suitable way. The purpose of this condition is to rule out

scenarios in which those agential beliefs have been induced through irregular means (such as

electronic manipulation).[122]

At this point, the notions of guidance control, of moderate reasons-responsiveness, and of

taking control have been laid out. These three are the principal elements of Fischer and Ravizza's

theory of the freedom-relevant component of moral responsibility. Absent are the concept

consent of the will and the qualifier *full*. The contention of this thesis is that the notions of

moderate reasons-responsiveness and *taking control* are more conceptually transparent, and thus

less prone to confusion, than is the formulation "full consent of the will." The next chapter

argues for this contention. While this thesis draws upon Fischer and Ravizza's theory to revise

the Catholic Catechism's criteria for mortal sin, the theory is not without critics. The

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119. Fischer and Ravizza, *Responsibility and Control,* 208–9.

120. The term "reactive attitude" was introduced by Peter Strawson in his classic essay, "Freedom and Resentment" (Proceedings of the British Academy, no. 48 (1962): 1–25). For a summary of Strawson's points relevant for their theory, see Fischer and Ravizza, *Responsibility and Control*, 5-8.

121. Fischer and Ravizza, *Responsibility and Control*, 209–13.

122. Fischer and Ravizza, *Responsibility and Control,* 236.

paradigmatic cases to which their theory applies are those of actions, but they believe their

theory can be extended in a natural way to responsibility for consequences and omissions. In the

next section, this claim is scrutinized by looking at the work of Randolph Clarke.

On responsibility for omissions

Fischer and Ravizza argue that their general theory of moral responsibility for actions

accommodates rather easily moral responsibility for omissions as well. The key is to formulate

conditions for guidance control of omissions, just as they formulated conditions for guidance

control of actions.[123] To begin, they distinguish between simple and complex omissions. Simple

omissions are those which involve bodily movements alone, such as omitting to raise one's arm.

Complex omissions are any other omissions. In addition to bodily movements, complex

omissions involve features of the world external to one's body. An example of a complex

omission is failing to send a birthday card to your mother, which presumes you have access to

the requisite materials, a means of transporting the letter, etc. Because complex omissions

involve both bodily movements and enabling circumstances, the guidance control of complex

omissions will need two criteria, corresponding to these two aspects of omissions. The criterion

corresponding to bodily movements suffices for guidance control of simple omissions.[124] Fischer

and Ravizza describe the two criteria for guidance control of omissions as two "sensitivities."

The first sensitivity, constituted by the agent's own moderately reasons-responsive mechanisms

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123. They actually develop an account of guidance control for consequences of actions first; then they apply it to formulate the account of guidance control for omissions. They say, "Moral responsibility for complex omissions can be treated as a *special case* of moral responsibility for consequence-universals, where the consequence-universals in question are relatively finely specified negative consequence-universals." (*Responsibility and Control,* 136). The account of guidance control for consequences and for omissions is detailed, but only its general conception is of interest in this thesis.

124. Fischer and Ravizza, *Responsibility and Control*, 132–34.

for moving her body, connects guidance control of omissions to guidance control of actions. The second sensitivity is the world's responsiveness to the bodily movements of an agent; that is, the agent's bodily movements must have been able to make a difference in the world for her to be held responsible for an omission.[125]

Randolph Clarke contends that this part of Fischer and Ravizza's theory, that is, their account of moral responsibility for omissions, misses the mark. The primary reason it fails is that the omissions covered by their view are only part of the entire class of omissions we should care about. In particular, many omissions are mental activities which are not easily characterized as even partly constituted by bodily movement. You may promise to consider a friend's dilemma so that you can give her advice, but omit to keep this promise. In this case, there is no bodily movement which naturally would constitute the omission of considering the dilemma.[126] Clarke proposes an alternative condition of moral responsibility meant to cover unwitting omissions, such as forgetting to keep your promise. He gives the following as a sufficient condition for blameworthiness:

> Provided that the agent has the capacities that make her a morally responsible
> agent, she is blameworthy for such an omission if she is free in failing to doing
> [sic] the thing in question and if her lack of awareness of her obligation to do it—
> and of the fact that she isn't doing it—falls below a cognitive standard that applies
> to her, given her cognitive and volitional abilities and the situation she is in.[127]

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125. "The intuitive idea of guidance control of a consequence involves two interlocked—and linked— sensitivities. As we have said, the inner mechanism leading to the bodily movement must be moderately reasons-responsive. Further, the outer path leading from the bodily movement to the event in the external world must be sensitive to the bodily movement in roughly the following sense: if the actual type of process were to occur and all the triggering events that do not actually occur were *not* to occur, then a different bodily movement would result in a different upshot (i.e., the obtaining of a different consequence-universal)." (*Responsibility and Control*, 112)

126. Randolph K. Clarke, *Omissions: Agency, Metaphysics, and Responsibility* (New York: Oxford University Press, 2014), 17–21. Clarke also argues that Fischer and Ravizza's criteria render wrong judgments of responsibility in a variety of cases.

127. Clarke, *Omissions*, 167.

Here, Clarke adds the condition of a cognitive standard which the agent must meet to be blameworthy for the omission. This sufficient condition is intended to cover cases in which an agent is blameworthy for an omission and this blameworthiness is basic to the case, that is, it does not derive from a prior blameworthy action or omission. In other words, Clarke is arguing that there are cases in which a person can be blamed for an omission even though she was in ignorance that she was omitting to do something (this ignorance being in no way due to a fault of hers).

For example, I may promise to take care of my nieces and nephews for a weekend, but, forgetting my promise, lock in plans to attend a conference that same weekend. I seem to be responsible for breaking my promise, even though it can be difficult to say exactly where my fault lies in forgetting. I usually keep similar promises I make. In this case, there are no major events or traumas that forced my attention from my usual routines and responsibilities. The conference I end up attending is a normal one, not one which is a career-making opportunity for me. In sum, my forgetting about my promise falls below the cognitive standard for promise-keeping applicable to me, and thus, I am to blame for that omission, at least on Clarke's condition.[128] In a different example, I slam the hatch of my car after unloading groceries, while, unbeknownst to me, my friend is reaching into the trunk to retrieve keys he dropped. I hit him in the head. Am I to blame for hitting my friend on Clarke's account? Usually, I do not thoroughly check around my vehicle before shutting the hatch. Neither do I inspect the interior of the car for things passengers might have dropped. At best, when unloading groceries, I make sure that everything I bought is out of the trunk before closing the door, and, as long as I do not sense the

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128. Clarke uses the case of forgetting to pick up milk on the way home to discuss the condition he constructs. (*Omissions*, 164-168).

presence of someone else around, I shut it. In this case, my friend ducked down right behind me, out of my line of vision, so I cannot be faulted for failing to register his presence in my visual field. All told, there is little to suggest I fell below a relevant cognitive standard in lacking awareness of my friend's presence in that moment. Thus, I am not blameworthy on Clarke's criteria in this latter case.

Clarke's suggestion for how to account for unwitting omissions may be seen as a supplement to Fischer and Ravizza's theory. It covers those cases of omissions which Fischer and Ravizza cannot accommodate. By introducing the notion of a cognitive standard against which a person's lack of awareness can be judged blameworthy or not, Clarke takes a step toward addressing the epistemic aspect of moral responsibility. However, he does not specify adequately what the cognitive standard consists in, nor does he explain why a person failing to meet that cognitive standard should be held blameworthy. To remedy these shortcomings, the next section situates Clarke's work among other recent work on the epistemic aspect of moral responsibility.[129] Drawing on authors in the same camp as Clarke, it works towards both specifying and justifying an appropriate notion of a cognitive standard.

The epistemic aspect of moral responsibility

Discussions of the epistemic aspect of moral responsibility have centered on whether we should accept a skeptical argument against responsibility for omissions, thus having to modify our usual practices of praise and blame, or, if not, how best to respond to the skeptical argument.

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129. The freedom-relevant aspect has attracted much more attention in analytic philosophy because the epistemic aspect is usually considered less problematic. However, a good amount of attention has recently been turned on the epistemic aspect. Fernando Rudy-Hiller, "The Epistemic Condition for Moral Responsibility," in *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Fall 2018, 1, https://plato.stanford.edu/archives/fall2018/entries/moral-responsibility-epistemic/.

This section first summarizes the skeptical argument. Then, it focuses on the so-called *capacities* response to the skeptical argument. Clarke's theory of omissions covered in the last section falls under the category of *capacities* responses, and, for the purposes of this thesis, this type of response is preferred for a theory of moral responsibility. In order to add more detail to Clarke's proposal, the section ends by presenting Samuel Murray and Manuel Vargas's capacities approach to responsibility which is grounded in the human capacity of vigilance.

The skeptical argument begins with the intuition that a person is blameworthy for an unwitting omission, *O*, only if he knowingly committed some action or intentional omission, *A*, which itself is worthy of blame and which led to *O*. There is a regress that follows upon this intuition. Jan Willem Wieland reconstructs the regress as follows, for an agent *S*, and actions or omissions *A1* and *A2*:

(1) S is blameworthy for A2 only if

    (2) S believes that A2 is wrong, or

    (3) S is blameworthy for her ignorance that A2 is wrong

(3) only if

    (4) S is blameworthy for the past omission A1 that resulted in her ignorance

    that A2 is wrong

(4) only if

    (5) S believes that A1 is wrong, or

    (6) S is blameworthy for her ignorance that A1 is wrong

(6) only if etc.[130]

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130. Jan Willem Wieland, "Introduction: The Epistemic Condition," in *Responsibility: The Epistemic Condition*, ed. Philip Robichaud and Jan Willem Wieland (Oxford: Oxford University Press, 2017), 12. This reconstruction is a streamlined version of an argument first appearing in Michael J. Zimmerman, "Moral Responsibility and Ignorance," *Ethics* 107, no. 3 (April 1997): 410–26, https://doi.org/10.1086/233742.

The idea is that anything for which an agent can be held worthy of blame must originate in some *akratic* behavior, that is, an action or omission done believing it to be morally wrong. The skeptical argument proceeds by claiming such instances of *akratic* behavior are exceedingly rare or even nonexistent.

Responses to the skeptical argument can be grouped into five categories.[131] In the first category are the *revisionist* responses, which accept the skeptical argument. They are revisionist in the sense that they deny many of our everyday judgments of moral responsibility.[132] The other four categories resist the skeptical argument by denying one or more of its premises in order to preserve more of our commonsense judgments.

For the purpose of this thesis, the most important category of responses is the *capacities* view, which grounds moral responsibility in the capacities for awareness a person possesses.[133] Similar to what Clarke does, advocates of capacities responses posit cognitive standards relative to agents against which their performance can be judged as blameworthy or not. They stop the regress argument at (1), since they think there are cases in which an agent's blameworthiness can be basic, that is, not derived from a prior blameworthy action or omission. The capacities view allows for fully unwitting omissions or actions to be held against an agent, even if they are not due to some epistemic vice the agent possesses. On the other hand, the capacities view accounts for historical conditions which affect an agent's capacities for awareness. The 18th-century

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131. The same five categories appear both in Rudy-Hiller's "The Epistemic Condition for Moral Responsibility," and Wieland's "Introduction: The Epistemic Condition."

132. "Most people would say, I believe, that the conditions for culpable ignorance are fairly easily and frequently satisfied, whereas I would say that the conditions are pretty restrictive and that therefore culpable ignorance occurs less frequently, perhaps far less frequently, than is commonly supposed." Zimmerman, "Moral Responsibility and Ignorance," 411.

133. Rudy-Hiller, "The Epistemic Condition for Moral Responsibility," 30.

slaveholder, given his historical context, likely was not capable of fully recognizing the

immorality of slavery, and so could be excused for this ignorance to a large extent.[134] St. Thomas

Aquinas's view, according to which an agent is responsible for ignorance of things she ought to

know and can know,[135] would fit into this capacities category of responses to the skeptical

argument.

One challenge for the capacities response is to identify the capacities and their standards

which are relevant for moral responsibility. Another challenge is to explain why it is appropriate

to consider people blameworthy for unwitting omissions when it seems that we lack control over

our awareness. To meet these challenges, one recent proposal brings in empirical considerations

from neuroscience to construct an account of moral responsibility based on the human capacity

for vigilance. Samuel Murray and Manuel Vargas define vigilance:

> Vigilance is a psychological capacity that is partially constitutive of the socially
> salient ability to manage informational demands. Vigilance is a capacity to
> become occurrently aware of morally or prudentially relevant considerations for
> acting. This capacity, then, is crucial for navigating the sorts of information-rich
> environments that moral agents find themselves in.[136]

Murray and Vargas cite research showing how the cognitive architecture of humans includes two

systems for processing information in information-rich environments like the ones we move in:

one automatic, fast-processing system and one non-automatic, slow-processing system. A

cognitive control system monitors the functioning of these systems. Usually, the automatic, fast-

processing system allows a person to operate out of habit and routine, which uses cognitive

resources in an efficient manner. However, when special obligations on the agent or unusual

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134. See, for example, Clarke's discussion of slaveholders in *Omissions,* 182-183.

135. *ST I-II, q. 76, a. 3.*

136. Samuel Murray and Manuel Vargas, "Vigilance and Control," *Philosophical Studies* 177, no. 3 (2020): 832, https://doi.org/10.1007/s11098-018-1208-2.

stimuli in the environment are present, the control system engages the non-automatic, slow-processing system to handle the need for more deliberate information-processing capabilities. Cooperation between these two systems allows the agent to manage both synchronic information-processing (isolating relevant information in the presence of an overwhelming amount of informational inputs) and diachronic information-processing (structuring activities in a manner which allows for the completion of long-term plans and goals).[137]

According to Murray and Vargas, vigilance is a cognitive control system that mediates an agent's cognitive performance in light of her long-term plans, values, commitments, and other identity-constituting dispositions. The fact that human agents possess vigilance allows us to make judgments about situations in which, given the available information and commitments of an agent, that agent shows substandard vigilance.[138] Murray and Vargas ask why self-control, as exemplified by the capacity for vigilance, is so important to theories of moral responsibility. Their answer starts with the fact that human beings have particular identities and self-conceptions about who they are and who they want to be. Self-control is the critical factor in identity formation because it is what enables an agent to choose and shape that identity. Humans want both to think of themselves as having an identity and to project that identity to the world through their behavior. These identities are constituted by all the various social roles which one is aware of occupying and which one intends to occupy. Some of those roles are given. Familial ties, national identity, religious identity, and so on, are social roles that are usually given at birth. Each of these roles carries with it expectations for behavior that the agent will fulfill in order both to see her identity as partially constituted by that role and to be seen by others as having that

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137. Murray and Vargas, "Vigilance and Control," 829-831.

138. Murray and Vargas, "Vigilance and Control," 834-836.

identity. Of course, a person may reject some or all of his given identities. He does so through his capacity for self-control by refusing to behave as is appropriate to those identities. Many other identities are intentionally chosen by an agent. These include bonds of friendship, professions, parenthood, and so on. An agent develops his identity by fulfilling the expectations of some social roles and not others. It is almost impossible to eschew completely the development of one's identity. Even if an agent tries to neglect all his social roles, he still could still conceive himself and be conceived of by others as a freeloader, a hermit, etc.

Thus, the standards by which an agent is judged are largely formed by the self-conception of the agent and the social roles he or she aspires to fulfill. There are socially-generated expectations that persons fulfilling social roles (such as parenthood, friendship, career-specific roles, etc.) possess particular sets of competencies which enable reliable performance of those tasks which constitute those social roles. A person who wishes to be seen as a reliable parent, teacher, friend, lawyer, etc., must possess the relevant competencies, and her self-conception is threatened when she does not meet the specific expectations. It is appropriate to hold people blameworthy for unwitting omissions because, while agents may not have direct control of their awareness, they do control their self-conception and have the capacity for vigilance in living out that self-conception.[139] By developing this account of self-conception, competencies, and self-control, they meet the two challenges facing a capacities approach to the skeptical argument given above. They identify vigilance as the relevant capacity and the socially-generated expectations as the relevant standards for moral responsibility. It is appropriate to hold an agent responsible for unwitting omissions because she has control over her self-conception.

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139. Murray and Vargas, "Vigilance and Control," 837-840.

Summary

This chapter covered three works on moral responsibility which can provide raw material for reconceiving the Catechism's criteria for mortal sin. Fischer and Ravizza's control-based theory will form the basis of the new criteria. Their work shifts the conceptualization of the freedom-relevant aspect of moral responsibility from the faulty and confusing "full consent of the will" to one grounded in the more robust concepts of *moderate reasons-responsiveness* and *taking ownership*. Their ambition was to draw moral responsibility for actions and omissions under one unified theory, but Clarke argued that they have not done so successfully. In particular, Fischer and Ravizza's theory cannot accommodate the class of unwitting omissions which intuitively can be the basis for blame. Clarke offers his own criteria for responsibility for unwitting omissions, doing so by appealing to the idea of a cognitive standard which an agent must meet to evade blameworthy omissions. Clarke's theory of omissions is incomplete, though, and needs to be underpinned by Murray and Vargas's work. In utilizing the phenomenon of vigilance, Murray and Vargas add specificity to the cognitive standard invoked by Clarke and justify it as a proper basis for judgments of moral responsibility. Clarke, in essence, is the bridge between Fischer and Ravizza, on one hand, and Murray and Vargas, on the other. Clarke convincingly showed that Fischer and Ravizza's work needs supplementation and gestured in the direction of a solution. It is Murray and Vargas who develop that solution in detail.

Having surveyed these prominent models of moral responsibility in contemporary philosophy, it is now possible to turn to the task of reconstructing a conceptualization of subjective moral responsibility for Catholic catechesis. The control-based theory of moral responsibility, supplemented by the capacities theory of omissions, laid out in this chapter provides a rich store of concepts for such a task. In constructing new criteria, the next chapter

combines the strengths of all three works, supplementing Fischer and Ravizza's theory covering

actions with Clarke's and Murray and Vargas's work covering omissions. If these new criteria do

not suffer from the ambiguities present in the formulation "full knowledge and complete

consent" and if they line up better with our commonsense judgments in concrete cases of mortal

sin, then they will be an advance over the current catechetical teaching.

Chapter Four

A New Catechetical Standard

The first chapter of this thesis provided a sketch of the history of Catholic teaching on mortal sin leading to the current formulation in the catechism that mortal sin requires "full knowledge and complete consent." This formulation of "full knowledge and complete consent" goes back at least to the mid-17th century manual of Fr. Hermann Busembaum. St. Alphonsus Liguori's *Theologia moralis* grew out of a commentary on Busembaum's manual, and, due to Liguori's immense influence on subsequent moral theologians, the formulation became orthodox Catholic teaching on the conditions of mortal sin. However, the magisterial weight behind this particular formulation is relatively light; it goes back only to Pope St. John Paul II's 1984 apostolic exhortation *Reconciliatio et paenitentia*. If, as Chapter 2 argues, there are conceptual issues with the formulation as is, then it seems open to developments that preserve its legitimate core and take steps to resolving those issues. The last chapter summarized some of the main literature on moral responsibility in contemporary analytic philosophy. While space constraints prevented pursuing all the relevant debates in detail, the chapter set out enough features of a control-based, philosophically-defensible theory of moral responsibility based in the work of John Martin Fischer, Mark Ravizza, Randolph Clarke, Samuel Murray, and Manuel Vargas that the task of developing new criteria for mortal sin can begin.

There are three goals for this final chapter of the thesis. The first is to propose a new catechetical teaching on subjective responsibility for mortal sin. The first three sections of this chapter are aimed toward this first goal. They give some initial considerations for the desired form and function of catechetical criteria, followed by the proposal of the new criteria, and end

with a discussion clarifying particular aspects of the new criteria. The second goal is to demonstrate that the newly-proposed criteria represent a conceptual improvement over the previous ones. If they largely evade the criticisms from Chapter 2, then they should mark progress over "full knowledge and complete consent." The fourth section of this chapter scrutinizes the new criteria in view of each of the four criticisms from that earlier chapter. The third goal is to reflect on how these new criteria would affect pastoral practice. A primary purpose of catechesis is to help Catholic grow in their moral and spiritual lives. Any new criteria for mortal sin should help Catholics form a healthy sense of their own sinfulness without inducing excessive scrupulosity and doubt in the loving mercy of God. They should provide solid guidance for examining one's conscience, particularly in preparation for the sacrament of confession, and they should aid priests in giving pastoral advice to penitents in the confessional. In the fifth section of this chapter, the usefulness of the new criteria in pastoral practice is tested with several cases, before a concluding summary is offered.

Initial considerations regarding criteria for mortal sin

Three initial considerations frame the goals and purpose of proposing new catechetical criteria for mortal sin. The first regards the proper characteristics such criteria should have. The formulation "full knowledge and complete consent" is not without certain advantages. It is a simple phrase, able to be memorized and repeated. It is supposed to be theoretically powerful, covering all possible cases of mortal sins, bringing both actions and omissions under a single set of criteria. In constructing a new set of criteria, these theoretical virtues need to be kept in mind. The criteria should be simple enough that a normal adult Catholic without any special training in philosophy or theology can understand them and apply them to concrete situations. They must

also cover all pertinent cases of mortal sins. Usually, however, there is a tradeoff between theoretical simplicity and power. A theory which is too simple runs the danger of being so general as not to be helpful in concrete situations, or too limited that it fails to capture the target phenomena. A theory which is too powerful might apply to all the relevant phenomena, but be much too complex and unwieldy to be useful in practice. A successful set of criteria will balance these desiderata of simplicity and power.

Another matter to be sensitive to is how closely judgments of concrete cases according to the new criteria match with or deviate from our pre-theoretical intuitions in those cases. This dynamic is common in the field of ethics. John Rawls describes a process of balancing considered judgments about justice with proposed principles of justice in coming to reflective equilibrium in a theory of justice,[140] and Fischer and Ravizza follow Rawls's methodology in constructing their theory of responsibility.[141] The aim in developing new criteria for mortal sin is not to force a radical revision of our commonsense judgments of cases in the Catholic tradition. Rather, this thesis intends to develop new criteria that better align with those commonsense judgments and intuitions than what is presently taught in the catechism. If the proposed criteria fail to render the commonsense judgment in a case, that's reason to jettison the criteria, not the judgment.

The third consideration concerns the function of catechetical criteria. In a philosophical theory of moral responsibility, the goal is to provide a comprehensive set of necessary and sufficient conditions for an agent to be held morally responsible. As can be inferred from chapter 3, this goal is enormously difficult to achieve. There still is no undisputedly correct theory of

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140. Rawls, *A Theory of Justice*, 40–46.

141. Fischer and Ravizza, *Responsibility and Control*, 10–11.

moral responsibility providing such necessary and sufficient conditions, and, as is the case in most philosophical debates, there likely never will be. That does not imply that philosophical reflection is useless. The hope is that the process of proposing, critiquing, revising, and abandoning theories leads to progressively better understanding. Catechetical criteria, on the other hand, should not be thought of as a set of necessary and sufficient conditions. For use as tools for teaching and discernment, they cannot be as theory-laden as the best philosophical theories. For example, they should not include such highly-developed concepts as *regular receptivity to reasons* and *weak reactivity to reasons*, such as appear in Fischer and Ravizza's theory. Catechetical criteria should draw on the fundamental ideas of the philosophical theories, but put them in common terms. Shifting to less technical language means a certain loss in precision. The claim for catechetical criteria is not that they are necessary and sufficient conditions for mortal sin; instead, they are reliable tools for self-examination of one's sins.

A proposal for new subjective criteria for mortal sin

　　　　With these initial considerations in mind, the following criteria are proposed as a new catechetical teaching on the subjective responsibility for mortal sin. The issue of grave matter for mortal sin has been bracketed in this thesis and so does not appear in the proposed criteria.

1. The nature of responsibility for actions and the nature of responsibility for omissions differ in important ways. Therefore, there are separate criteria for actions that are mortally sinful and omissions that are mortally sinful.

2. A mortally sinful action meets the following criteria:

   a. The person committing the action believes himself or herself to be an agent whose actions make a difference in the world and affect other people.

b. In general, the person committing the action understands reasons for action in a normal way.

c. A possible scenario, similar to the one in which the action occurred, can be imagined in which the person recognizes a reason to act differently and acts differently for that reason.

d. The person accepts a description of his or her action which he or she believes is seriously wrong.

3. A mortally sinful omission meets the following criteria:

   a. The person committing the omission believes himself or herself to be an agent whose actions make a difference in the world and affect other people.

   b. In general, the person committing the action understands reasons for action in a normal way.

   c. The person was able to perform the action omitted.

   d. The person understands himself or herself as occupying a morally-relevant social role which requires reliable performance of the action omitted.

   e. The person's lack of awareness of the omission falls below a standard appropriate to his or her context and cognitive abilities.

The criteria 2a, 2b, 3a, and 3b, correspond to Fischer and Ravizza's conditions of an agent's ownership of the mechanisms that issue in action and of regular receptivity to reasons. They are basic requirements that a person must meet to be appropriate subjects of moral responsibility. Criterion 2c attempts to encapsulate Fischer and Ravizza's notion of weak reactivity to reasons. Criterion 2d is an epistemic requirement for sinful actions which draws on the current Catechism's assertion that the moral law is written on every person's conscience [1860].

Criterion 3c is derived from Clarke's condition that an agent must be free in failing to do the omitted act in order to be held responsible. Criterion 3d is from Murray and Vargas's idea that a person takes on obligations for competence in virtue of the social roles he or she intends to fulfill. Criterion 3e is based on Clarke's proposal that agent-relative cognitive standards must be met for the agent to avoid blameworthiness for omissions. The human capacity for vigilance justifies holding agents to these cognitive standards.

Discussion of the new criteria

The proposed criteria are criteria for subjective responsibility for mortal sin. They are meant to replace the formulation "full knowledge and complete consent." They are insufficient in and of themselves to determine whether an action or omission is mortally sinful. For such a determination, it is necessary to consider the severity of the action or omission. It is outside the scope of this thesis to discuss what constitutes grave matter for mortal sin according to the Catholic Church. If the action or omission is grave and the agent meets the new criteria, then it is probable that a mortal sin has been committed and should be confessed.

These proposed criteria are clearly lengthier than the formulation "full knowledge and complete consent." Yet, when "full knowledge and complete consent" is specified further so as to be applicable to concrete situations, it soon reaches a complexity similar to the proposed criteria. It is possible to reduce the proposed criteria to compact form. For an action, assuming a you are a typical human agent, the criteria are that *you knew what you were doing* and *you could have done differently*. For an omission, assuming you are a typical human agent, the criteria are that *you were able to act*, *you identify with a morally-relevant role*, and *you did not meet the moral expectations of that role*.

When presented in a catechetical setting, the new criteria will need to be accompanied by supporting explanations, as it is not completely self-evident how one should apply them. However, the need for further explanation should not be taken as a defect in the new criteria. To be useful in practice, the formulation "full knowledge and complete consent" likewise requires explanation, too. For instance, it is unclear from the formulation how one should know whether or not he or she consented to an action, much less whether that consent was "complete." A problem would arise for the new criteria if the accompanying explanations were overly complex, to the extent that they could not be easily grasped by an average adult. The position of this thesis is that the supporting explanations are simple enough that the new criteria can be employed in pastoral settings.

On the side of responsibility for actions, the first two criteria (2a and 2b) are the easiest to grasp and apply. When a person meets these criteria, it can be confirmed through an interview with him or her. As long as he or she can connect reasons with potential actions in a way that is broadly intelligible, that person is an appropriate subject for moral responsibility. The second two criteria (2c and 2d) are the ones which require further comment.

Criterion 2c asks that a brief thought experiment be carried out. The agent imagines herself in the same physical scenario as when the action occurred. The same people are present (or absent), and the surrounding environment is the same. Then, the agent asks herself two questions. Can she think of some reason to act differently in the imagined scenario than she actually did? If so, would she act for that reason in the imagined scenario? A yes to both of these questions means the agent meets criterion 2c. This description of the thought experiment is too

abstract to be useful on its own, so a couple of examples should be provided to help people get the hang of performing it themselves. One example might be the case of a fight in which a woman slapped her husband in the face out of anger. The woman, when examining her conscience to see whether she is responsible for this action, would ask herself the two questions. She might think what would happen if she were on parole at the time and knew that a domestic violence charge would send her back to prison. She imagines she would have refrained from hitting her husband then. Here, the woman can think of a reason to act differently (it would violate her parole), and she would not have hit her husband for that reason. Thus, she meets criterion 2c. Another example would be a college student examining his conscience with respect to his responsibility for an instance of masturbation. He might be able to think of several reasons to do otherwise. Perhaps he imagines himself having made a pledge to his Catholic men's group to confess to them every time he masturbated, or he had to study for a test the following morning. Despite these reasons to do otherwise, he believes that none of them would have made him refrain from masturbating. This student would not meet criterion 2c in this case.[142]

Since criterion 2c is likely the most difficult to grasp, catechists and confessors should become thoroughly familiar with it. They should be able to guide someone through the process of imagining what she would do in the same scenario with alternative reasons present, and they also should be able to suggest examples of alternative reasons to aid the person's imagination. On the part of the agent, this criterion necessitates that she know herself and be honest in evaluating what she would do if alternative reasons were present. The agent is evaluating a very

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142. Criterion 2c has parallels to Ford and Kelly's suggested guidepost of asking the question, "Could you have resisted?" (Ford and Kelly, *Contemporary Moral Theology, Volume I,* 228-233; see fn. 53) Ford and Kelly use the example of masturbation to make their point, which is one reason it is brought up here. Criterion 2c is an advance over the question Ford and Kelly put forward. "Could you have resisted?" is even more abstract than asking someone to imagine what would happen if other reasons were present. On what grounds can a person say whether or not he or she could have resisted? On the other hand, asking someone to imagine alternative reasons takes him or her directly to the core of moral responsibility, that is, reasons-responsiveness.

specific conditional for truth or falsity: if she had reason to act differently in the same scenario, then she would have acted differently for that reason. She should try to make as objective an evaluation as possible, given the facts she knows about herself and about her behavior.

Criterion 2d needs further explanation as well. The notion of *accepting a description of an action* is a way of revealing what an agent's intention is when she acts intentionally. An agent accepts a description of her action by answering in a certain manner the question "Why were you doing *such and such*?" where *such and such* is a description of an action. The answer could be the agent's motive, or further intention in acting, or even the answer "just because." For example, the agent might respond to the question, "Why were you burying a body at night?" with the answer, "So no one else would notice it." This sort of response implies that the agent knew she was burying a body at night. On the other hand, someone can reject a description by saying something like, "I did not know I was doing that." In response to, "Why were you burying a body at night?" the agent could say, "I thought I was burying a time capsule, not a body." This shows the agent knew she was burying something, but was not intending to bury a body. There are usually many descriptions which an agent would accept for a given action (e.g., "walking to the store," "buying groceries," "feeding the family," can all be acceptable descriptions for a single action), and any one of the descriptions could meet criterion 2d. The criterion requires that the agent accept a description of his or her action that *he or she believes is seriously wrong*. The threshold at which an action is believed to be *seriously* wrong depends on the agent's own moral evaluation of his or her action. Many wrong actions will not meet this criterion due to the agent's believing that, while her actions are wrong, they are not seriously wrong. Yet, on these criteria, an agent cannot keep herself from mortal sin simply by believing that no wrongs can meet such a

threshold. Since the new criteria include criteria for omissions, issues of grave epistemic faults can be covered by the model of responsibility for omissions.

On the side of responsibility for omissions, the first two criteria (3a and 3b) are the same as on the side of responsibility for actions. The third criterion (3c) is straightforward. The fourth and fifth criteria (3d and 3e), however, need further comment. The fourth criteria is that the agent understands himself or herself as occupying a morally-relevant social role. Murray and Vargas described the interplay between self-control, self-conception, and social roles and how the human capacity for vigilance can ground evaluative standards for agents occupying social roles. Criterion 3d employs the qualifier "morally-relevant," which is meant to pick out those social roles which carry with them grave responsibilities. Not all social roles are morally-relevant in this sense. Some roles, such as a freeloader, a mafia don, a bank-robber, and so on, are more defined by expectations for blameworthy behavior than expectations for praiseworthy behavior. Failing to fulfill social roles such as these certainly cannot be grounds for mortally sinful omissions. The social roles which are morally-relevant, and the ones which can serve as grounds for mortally sinful omissions, are those which involve grave responsibilities to others and to God. Everyone, by virtue of belonging to a given society, has some basic responsibilities for others. For example, the typical adult has the responsibility to save a child drowning in shallow water, which poses no threat to the adult. An omission to do so could be mortally sinful. These responsibilities extend to providing basic care for others in need. The Great Judgment in Matthew 25:31-46 strongly suggests that omitting to provide for the basic needs of others is mortally sinful.[143] Occupying the morally-relevant social role of *member of society* makes the agent an appropriate subject for this mortal sin.

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143. It is unclear how the current formulation of "full knowledge and complete consent" would have to be interpreted to accommodate a mortally sinful omission to provide basic care for others.

Other social roles carry with them varying degrees of grave responsibility. By occupying the morally-relevant social role of *parent*, an agent takes on the responsibilities to feed, instruct, shelter, and love a particular child. By taking on the morally-relevant social role of *employer*, an agent embraces the responsibility to pay fair and timely wages. By assuming the morally-relevant social role of *priest* or *religious*, an agent takes on certain prayer and service responsibilities. By identifying oneself in the morally-relevant social role of *Christian*, an agent assumes responsibility for protecting and developing his or her faith. These are several examples of social roles which induce grave obligations. It is noteworthy that, on the new criteria, since agents have more opportunities to commit grave omissions the greater the social roles they fill, they thereby open themselves up to harsher judgments by filling those roles. Such a gradation in severity of judgment based on social roles has strong biblical support.[144]

The fifth criterion for omissions (3e) speaks of the agent's lack of awareness of the omission. It is assumed in these criteria that the omissions are unwitting omissions. If an agent is aware of omitting something he or she is able to do, then this case would be handled as if it were an intentional action, not an omission. Criterion 3e also uses the notion of a standard appropriate to the agent. Holding someone responsible to a standard is appropriate because humans have the capacity for vigilance; however, this standard, as stated in the criterion, varies both across contexts and even across individuals based on their cognitive capacities. Specifying where that standard lies for an individual is largely a matter of following our intuitions as a guide. A child is not held to as high a standard of vigilance as an adult. The average person living in the 10th century should not be held to the same standards of moral knowledge as someone living in the 21st century, given the former's comparatively meager access to information and education.

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144. See Luke 12:48 and James 3:1, for example.

Similar to the case of criterion 2c, the person examining her conscience in light of criterion 3e should strive to be honest with herself about where that standard lies for her.

This discussion of the new criteria was meant to clarify some of the individual criteria and to provide guidance on how to apply them. Even if this objective was achieved, the success of the new criteria is not ultimately to be measured by their clarity or their ease of application. Their success is to be measured by how far they can evade the criticisms of the formula "full knowledge and complete consent" laid out in Chapter 2 and by how well they can match our commonsense judgments about concrete cases of mortal sin. The next section looks at the new criteria in light of the criticisms in Chapter 2 before concrete cases are examined in the subsequent section.

The new criteria versus old criticisms

The first criticism was that "full" does not mean full; instead, in practice, it means sufficient. The problem which Ford, Kelly, Häring, and others raise is determining what level of knowledge and consent count as sufficient. In other words, they think the bar is actually somewhere lower than the extreme of "full" knowledge and consent. The effect of having the theoretical bar at the extreme and the practical bar at less than that extreme is that, in practice, agents will always be suspicious that they fall short of full responsibility for their actions. It has been noted that mid-20th century Catholic theologians doubted the average person's capability to be morally responsible.[145] This doubt is plausibly the result of the catechetical teaching setting the bar for responsibility at the extreme. While the pastoral impulse is to be gentle in assigning blame to people, it is not obvious that consequences of such an impulse are desirable. The reason

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145. Keenan, *A History of Catholic Moral Theology in the Twentieth Century*, 27, 30. See fn. 61.

is that if people are less than appropriate subjects for blame, they are less than appropriate subjects for praise, too.[146] Put another way, just as bad actions cannot be imputed to people, good actions cannot be imputed to them either if their capacity as moral agents is always diminished. The new criteria do not set the bar for responsibility at the extreme; they assume that the typical person is responsible for his or her actions and omissions. The new criteria thus eliminate much of the practical doubt that humans can be responsible for their actions. It means there are more opportunities for praise and blame, but this seems befitting the freedom possessed by persons created in the image and likeness of God.

The second criticism was that "knowledge" is ambiguous. The main reason for the ambiguity is that the Catechism largely avoids specifying the object of knowledge necessary for mortal sin. It requires "full knowledge," but full knowledge of what? Conversely, whenever the new criteria use epistemic terms like "understands," "believes," and "accepts," there is an object specified. Simply in virtue of supplying an object, the new criteria remove much of the ambiguity in the current formulation. It sets the epistemic requirement for responsibility for intentional action to knowledge of the moral valence of what is being done.[147] The problem of culpable moral ignorance remains. It is complex, but there are resources in the new criteria for dealing with it. Like the case of someone omitting to protect and nourish his or her faith, moral ignorance can be treated on the model of an omission to know. The 18th-century slaveholder was ignorant that his practice of slaveholding is morally wrong, but his omission to know that slaveholding is wrong does not fall below an appropriate cognitive standard. The contemporary Catholic who claims ignorance that adultery is wrong, however, likely would fall below that

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146. Ford and Kelly noted this tradeoff with the diminishment of responsibility. (*Contemporary Moral Theology, Volume I*, 202.)

147. This is what chapter 2 referred to as "knowledge of type 2."

standard. Difficult cases exist between these two clear cases. Nevertheless, the new criteria both preserve commonsense judgments and remove the ambiguous use of "knowledge" in the current formulation.

The third criticism was that "knowledge" is not always taken to mean knowledge. Instead, it is interpreted to mean advertence, reflection, or deliberation. The problem with these latter concepts is that they cannot be necessary for mortal sin, since lacking advertence, reflection, or deliberation might itself be mortally sinful. In splitting the conditions for responsibility for actions from the conditions for responsibility for omissions, the new criteria employ a variety of epistemic concepts in a comprehensive theory of moral responsibility. It is unreasonable to expect an adequate theory of moral responsibility to use only one concept from among knowledge, reflection, deliberation, etc. Rather, an adequate theory likely includes conditions employing at least the concepts of belief, knowledge, and awareness (if not more). The new criteria match our commonsense judgments better because they do not sacrifice theoretical power for conceptual simplicity.

The final criticism was that *consent* of the will is the wrong concept to mark voluntariness. In Catholic theology since Liguori, consent is usually supposed to be an act specific to the will which bestows voluntariness on actions and omissions. It is meant to encapsulate the freedom-relevant component of moral responsibility. Yet, as argued in chapter 2, the analysis of consent as an act of the will is plagued by conceptual difficulties. It is better either to analyze consent in some other way or to abandon the concept of consent for an alternative account of voluntariness. The new criteria drop the concept of consent altogether. They draw instead on Fischer and Ravizza's work, which theorizes the freedom-relevant component of moral responsibility is terms of reasons-responsiveness. The first three criteria for moral

responsibility for actions attempt to put Fischer and Ravizza's theory into nontechnical terms. In teaching them, some explanation of "understanding reasons in a normal way" would be needed, but the idea should not be too difficult to grasp. Most people understand reasons in a normal way. The key criterion for the freedom-relevant component of moral responsibility is 2c, as it is the one intended to rule out moral responsibility in cases of physical violence, intimidation, compulsive behaviors, etc. It may take some practice conceiving alternative scenarios in applying criterion 2c, but it is a more manageable task than searching for the elusive act of consent.

The new criteria appear to avoid the pitfalls of the formulation "full knowledge and complete consent." That is not to claim they are perfect as is, but they show distinct advantages over the current formulation. The new criteria presume a conception of the human person as an appropriate subject for moral responsibility, in line with the contemporary awareness of human dignity. While the new criteria are more expansive than the succinct "full knowledge and complete consent," a sacrifice in simplicity is a small price to pay for the considerable benefits gained by adopting the new criteria as the Catholic catechetical teaching. The remaining question is how well judgments in concrete cases made via these new criteria align with our intuitive judgments in those cases. The pursuit of this question is the topic for the next section.

Testing the new criteria with cases

To evaluate the new criteria, it will be useful to start with some test cases to ensure our commonsense judgements are covered by them. Of course, judgments in concrete cases are never definitive, because only God knows our hearts and is our judge. Our judgments about cases come from a combination of revelation and of our reason and moral intuitions. This thesis makes no

claim that these judgments are God's judgments, but rather that they are speculations based on the sources of knowledge available to us.

In typical circumstances, cold-blooded murder would be mortally sinful. It's an action, so the criteria for actions are germane. If the agent fails to fulfill criteria 2a or 2b, then he is likely suffering from some mental disorder and is not an appropriate candidate for moral responsibility. Provided he fulfills these first two criteria, there are two further criteria to check. With respect to 2c, can he imagine a scenario similar to the actual one in which there is reason to act differently? If so, would he act for that reason in the imagined scenario? Say, for instance, the murder is carried out as an act of revenge for his wife cheating on him. This circumstance makes the act of murder intelligible, given the man's anger and desire for revenge, and thus the man understands reasons for action in a normal (albeit, deeply troubling) way. What if a friend of the wife, foreseeing such danger to her friend, had offered the man $10 million dollars not to harm her? Would he have still carried out the murder? If not, then the man meets criterion 2c. Perhaps he still would have carried out the murder in the scenario where he is offered $10 million. Criterion 2c requires there be just one imagined scenario in which the agent has a reason to do otherwise would do otherwise for that reason. Provided a plausible one could be imagined, then the criterion 2c is fulfilled. Finally, the man must accept *killing his wife* or something similar as a description of his action and believe this action to be seriously wrong to meet 2d. This last criterion is the epistemic-relevant criterion for intentional action. If the man attempts to use moral ignorance, that is, denying he believes what he is doing is seriously wrong, as an excuse for his action, then it is possible to ask whether he is responsible for his omission to develop his moral knowledge. In some cases, this further line of questioning may be appropriate, but in the

case of cold-blooded murder, it likely is not . In the case of cold-blooded murder, the criteria indicate it is a mortal sin.

According to the Catechism [2291], illicit drug use is a grave offense. Consider the case of a person with substance use disorder who is in recovery. Addictions intuitively diminish an agent's blameworthiness, particularly if the agent is taking steps to rid herself of the addiction. Assume our person has been attending Narcotics Anonymous meetings fairly regularly, has a sponsor, and has rid her living space of drug paraphernalia and other known triggers. One night, she has a group of new friends over, and they begin using her preferred drug, something she had not foreseen this group would do. Try as she might, she cannot resist the temptation to join them. Is she committing a mortal sin? She is a typical agent (criteria 2a and 2b). She would describe what she was doing as taking drugs and believe it to be seriously wrong (2d). Is there an alternative scenario in which she would respond differently to other reasons? For example, if getting caught using one more time meant that she would be cut off from her family, or if it meant forfeiting a large inheritance, would she still have used in that situation? If even these strong reasons would not have prevented her use, then she likely did not commit a mortal sin. She lacked the necessary freedom for responsibility. However, if she would have acted differently in an alternative scenario, then she could have committed a mortal sin. These criteria preserve the intuition that strong addictions can diminish moral responsibility, while leaving open the possibility that a person's drug use amounts to mortal sin. Much depends on the person's own accounting of the strength of the impulse which led her to use. The catechetical criteria provide guidance for her examination of conscience, which is the proper function of such criteria.

Consider another case of a person with a substance use disorder11. He wants to move past his addiction, but he has put off attending support meetings. He still socializes with the same friend group that frequently does drugs together. Frequently, he joins in. Each time, he would say there is no alternative scenario with stronger reasons for abstaining in which he would abstain. By the criteria for actions, he did not commit mortal sins in using. Yet, what about his omission to take reasonable steps in his life to avoid using? He is a typical agent (3a and 3b), and he was able to take minimal steps, like ridding his residence of drug paraphernalia and getting a sponsor, to avoid triggers to use (3c). Does he see himself as occupying a social role which requires him to take steps to avoid drug use? There are multiple possibilities for him to meet this criterion. He could self-identify as a Christian and know that avoiding drug use is demanded of a Christian. He might understand how his drug use is affecting his work performance or his relationship with a significant other. If he conceives of himself as occupying these, or similar roles, with their attendant obligations, then he meets 3d. Finally, does his omission fall below an appropriate cognitive standard (3e)? It depends on the man. If he is of usual intelligence, then likely so.

As can be seen from the last two examples, the proposed criteria are powerful enough to discriminate between various levels of moral responsibility with respect to the same action. They preserve our commonsense judgments about the factors which diminish blameworthiness. By providing separate criteria for actions and omissions, the criteria allow for clearer guidance into the blameworthiness of omissions. Omissions can be mortally sinful,[148] but the criteria of "full knowledge and complete consent" struggle to capture responsibility for omissions.

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148. That omissions can be mortally sinful is shown in the parable of the rich man and Lazarus (Luke 16:19-31). The rich man ends up in torment in the netherworld, presumably because of his sin in not heeding Moses and the prophets and in omitting to care for Lazarus.

Recall Elizabeth Anscombe's example of an employer who makes a rash judgment, causing her to fire an employee she suspects of selling corporate secrets. Since the employer did not advert to, deliberate over, or reflect upon her decision, she is not culpable on the common interpretation of "full knowledge and complete consent." This determination seems to conflict with our commonsense judgment that she is guilty of serious wrongdoing in firing the employee without carrying out a proper investigation. The new criteria, in contrast, produce the commonsense judgment. The employer is a typical agent (3a and 3b). She was able to initiate a proper investigation, given the resources of her company (3c), and she certainly sees herself as occupying a professional role with attendant obligations (3d). Finally, her lack of awareness of the need to carry out an investigation falls below an appropriate standard (3e). Her excuse is that her attention was turned to other pressing matters, so she did not think about doing the investigation. However, in virtue of being a vigilant agent, she should have realized she needed to attend to this matter, which was incumbent on her as an employer.

Anscombe worried that other intellectual sins, like abandoning the faith, could not be mortal sins under the criteria of "full knowledge and complete consent." She admitted to being unsure how to account for personal beliefs, because it is difficult to say whether they are voluntary or not. How to the new criteria handle potential mortal sins, like abandoning the faith? It is difficult to construe *abandoning the faith* as an action, since coming to hold personal beliefs seems not to be intentional, or as an omission, since it is doubtful there is an ability to believe otherwise than what one believes. Therefore, neither set of criteria apply to the abandonment of faith. The Catechism offers only a general admission that the imputability of atheism can be "significantly diminished" based on a person's circumstances, without providing much detail on what those exculpating circumstances are [2125]. Criteria for judging one's responsibility for

abandoning the faith thus remain elusive. The Catechism does note an obligation "to nourish and protect our faith with prudence and vigilance." [2008] If one's abandoning the faith is a consequence of the omission to nourish and protect that faith, then the criteria apply to this omission. Baptized persons known themselves to be marked as Christians, whether they identify with it or not. At the very least, they are conscious of being in the social role of a baptized Christian (3d). The amount, quality, and availability of resources to nourish the faith are abundant for anyone with an internet connection; therefore, most people have the ability to do so (3c). Finally, it is possible to fall below a cognitive standard in omitting to nourish and protect one's faith. Someone with sufficient cognitive capacity likely understands the seriousness of the claims of Christianity. This is true especially of those who received solid religious education as youth. The cognitive standard is that faith should not be abandoned lightly through simple indifference, rather than through a measure of reflection and struggle with the faith (3e).

The new criteria show promise in lining up with our intuitions. In these few cases surveyed, they seem to get them correct when they are clear and to provide fruitful tools for discernment when they are not. They result in judgments on cases more in line with our intuitive judgments than does "full knowledge and complete consent," particularly in cases of grave omissions. Thus, they are candidates for achieving reflective equilibrium between our principles and our considered judgments.

Summary

In this chapter, a set of new criteria for mortal sin was proposed and defended. The intention was for these new criteria to improve upon the formula "full knowledge and complete consent" found in the current catechism. There are two principal markers which would show that

the new criteria are improvements over the old ones. The first is that the new criteria would escape the charges of ambiguity lodged against the old criteria. If the argument of this chapter was successful, then the new criteria do escape such charges. The second is that, over a range of concrete cases, judgments of mortal sin based on the new criteria would match better with our intuitive judgments than do judgments of mortal sin based on the old criteria. Assuming that there are mortal sins of omission,[149] then the match is better for the new criteria, given that "full knowledge and complete consent" seem unable to judge an unwitting omission as mortally sinful.

In view of these two signs of improvement, the only way the new criteria would not be a true advancement is if the new criteria suffered from criticisms similarly serious to the ones confronting the old criteria. It remains to be seen whether such criticisms of the new criteria will emerge. One potential serious criticism is that the new criteria are too convoluted to be useful in a pastoral setting. This chapter argued that, provided adequate accompanying clarifications, the new criteria can indeed be useful pastorally. The process of examining one's conscience with them is teachable, and priests educated in them can offer helpful guidance to a penitent in weighing the gravity of his or her sins. Another potential serious criticism would surface if the new criteria result in a judgment on a concrete case that is obviously wrong. Until these criticisms come to light, it appears the new criteria are truly improvements over the old ones.

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149. Again, the scriptural witness (Matthew 25:31-46; Luke 16:19-31) strongly implies that there are mortal sins of omission.

Conclusion

The topic of mortal sin is a sensitive and even scary one if one focuses on the horrific prospect of eternal separation from God and God's kingdom. This thesis is not intended to alter pastoral practice to instill greater fear of eternal damnation among believers who look to the Catholic Church for guidance. It is intended as a step toward deeper knowledge of ourselves as responsible agents whose lives are transparent to the God who is love and who wants to save us. By rethinking Catholic teaching on the subjective conditions of mortal sin, this thesis hopefully is in service of understanding better the truth of God's revelation. That revelation includes the fearful prospect of eternal punishment outside the kingdom.[150] Yet a much more important revelation than the prospect of eternal punishment is the promise of eternal life for those in whom Christ lives.[151] The Good News is that Jesus Christ came into the world to save sinners.[152] Even if we sin mortally, God still is working to reconcile us to himself in Christ and not to count our sins against us.[153] Therefore, we can live in hope because in hope we were saved.[154]

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150. Matthew 25:46.

151. Romans 8:10-11.

152. 1 Timothy 1:15.

153. 2 Corinthians 5:18-19.

154. Romans 8:24

Appendix 1

New Criteria for Subjective Responsibility for Mortal Sin

1. A mortally sinful action meets the following criteria:

   a. The person committing the action believes himself or herself to be an agent whose actions make a difference in the world and affect other people.

   b. In general, the person committing the action understands reasons for action in a normal way.

   c. A possible scenario, similar to the one in which the action occurred, can be imagined in which the person recognizes a reason to act differently and acts differently for that reason.

   d. The person accepts a description of his or her action which he or she believes is seriously wrong.

2. A mortally sinful omission meets the following criteria:

   a. The person committing the omission believes himself or herself to be an agent whose actions make a difference in the world and affect other people.

   b. In general, the person committing the action understands reasons for action in a normal way.

   c. The person was able to perform the action omitted.

   d. The person understands himself or herself as occupying a morally-relevant social role which requires reliable performance of the action omitted.

   e. The person's lack of awareness of the omission falls below a standard appropriate to his or her context and cognitive abilities.

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