

On Choosing Evil

by Father Daniel Callam, C.S.B.

IN GRAHAM GREENE'S NOVEL *Monsignor Quixote*, Sancho says, "Men will always have to choose a lesser evil and the lesser evil may mean the state, the prison camp, yes, if you like to say it, the psychiatric hospital." The idea that there are occasions in which we must choose the lesser evil is a commonplace today. A Catholic ecumenist, for instance, stated, "it's only in certain circumstances [the Anglican House of Bishops] might recognize that an abortion could be the lesser of two evils." There is nothing new about the idea, however. In 1982 Marian Engel, a popular author at that time, wrote:

Philosophically, supporting abortion is justifying the bad in terms of the worse. . . . the termination of pregnancy is not some kind of selfish dance, it's a form of chosen rape, an alternative that leads to stress and unhappiness and guilt, but still an alternative."¹

Thus everyone seems to agree that there are times when one may choose to do an evil action. Miss Engel explains why: it is that the universe is flawed:

How can I defend something that is genuinely, morally wrong? . . . I have to take a practical utilitarian view that abortion, however immoral, has always existed and is a regrettable part of the reproductive cycle, and less undesirable than infanticide. It's not that women are immoral, but simply that biology doesn't understand morality.

This is the reason for some theologians saying that there are situations in which the best one can do is to act in a way which is objectively wrong. Consider, for instance, this summary of Helmut Thielicke's view of abortion:

Nothing we can do in a conflict situation will correspond to what we really ought to do—that is, to what would be right in a world unspoiled by sin. In this sense, any solution contravenes God's will and contributes to the extension and perpetuation of sin. For this reason, the killing of the unborn child, even to save its mother's life is

¹ *MacLean's*, 8 April 1982.

truly a sin. But it also is forgiven, and somehow will be overcome in the providence of God, who already has saved the world from sin and who will in due course make that salvation manifest.²

Catholic teaching on this point is radically different: one must never do or intend an evil action. Hence, it is possible, and therefore obligatory, always to act with a clear conscience. This difficult ideal is based on the Catholic teaching that to every moral question there is a right answer. Knowingly to choose a wrong one is immoral.

For complicated moral issues Catholic theology has recourse to the principle of double effect. It is based on the fact that an act usually has more than one result. A child who wants straight teeth must tolerate the disfigurement of braces; a gangrenous limb may be amputated for the sake of good health; we tolerate seasickness when, in rough weather, we take a ferry from Vancouver to Victoria. The effect that is desired and intended must be commensurate with what is merely tolerated, even if this involves taking a human life. In self-defence, for instance, I may have to kill the assailant, but my intention must be not to murder the attacker but to save my life. The argumentation in support of war or capital punishment is also based on the principle of double effect, by extending the notion of self-defence.

Besides proper intention and proportionality, there are two other conditions to be fulfilled in applying the principle of double effect: the action itself must be good, and all the consequences must come from a single act. The former of these is usually described by saying that a good purpose does not justify the use of immoral means; I may not cheat or lie to gain an inheritance, even though the money may be desperately needed for a good cause. Self-defence provides a good instance of the latter—the unity of the act and its consequence—for I harm my attacker in the very act of defending myself. But it would be wrong, for example, to kill a prisoner of war in order to intimidate the enemy; there is no immediate connection between the execution and the end sought, and the effect could well be the opposite of the one desired; people often respond to intimidation by heightened courage.

It is in the case of abortion that the principle of double effect has been most clearly enunciated. An abortion is morally justified when a treatment that is necessary to save the life of the mother has as an unintended but unavoidable consequence the death of the foetus. All four conditions are fulfilled. The intention is good: to save a life, not to end one. There is proper proportionality between the intended effect (the saving of a life) and what is

² G. Grisez, *Abortion: the Myths, the Realities and the Arguments* (New York, 1972), p. 30.

tolerated (the termination of a human life). The act itself (medical treatment) is good. And there is a unity between the action and its consequences because the foetus is killed by the very operation that preserves the life of the mother. It is this situation that Catholics refer to when they say that they do not oppose *indirect* abortion.

The theory of double effect has been criticized for being overly subtle in distinguishing what is intended from what is tolerated. So to claim, however, is to ignore that the intention is an essential part of a moral act. Consider the various interpretations possible to the slamming of a door, depending on the intention of the slamming agent; it could simply have been a draft. Certainly one does not visit the dentist with the intention of suffering pain. Another criticism points out of the difficulty of anyone's knowing enough to make a wise decision. Who can foresee all the effects of a single act? Who can accurately bridge the gap between moral principles and a concrete situation, given the limited powers of reasons and experience? Granted that a person may be ignorant of all the consequences of a particular act, with a consequent reduction or elimination of moral responsibility, it must still be maintained that it is degrading to the moral agent to presume that in a difficult situation he has to revert to a sub-rational state. Where there is humility, inner freedom, and a habitual dependence on the grace of God, the power to act rightly will not be lacking. ❧