

Objective Morality: A Natural Law Defense

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[1] What saying morality is objective means.

Moral truths are mind independent features of the world—meaning they exist like gravity, whether you believe in them or not. Moral truth is not dictated by consensus. Things are not ethical because most people feel that way. If this were the case then slavery would have been ethical at one time but no longer so. A moral realist can say that chattel slavery is and has always been morally wrong. We can also say that even though some Aztec's might have thought the gods commanded them to sacrifice their children to them, they were morally wrong, and gravely so. If their gods existed, they too would be wrong. That is an example of child murder and it violates natural law, full stop.

A **moral fact** is a real, mind-independent feature of the world based on the nature or essence of what it means to be human. Moral facts are discoverable truths of what constitutes the flourishing of a rational human animal based on our ends or *telos*. These do not depend on personal or cultural opinions.

I am going to provide an objective moral framework tied to the nature of humanity. There are two issues that need hashing out. The first is demonstrating that morality itself is an objective feature of the world which is a question of ontology. The second is in delineating how we determine moral facts which is a question of epistemology. It is quite possible that while morality is an objective part of reality, we simply are unable to access objective moral facts. It is my contention that morality is both an objective part of reality and we can know or access moral facts. While I will defend this position I also strongly believe that in practice, most of us have a mixture of objective and subjective moral views.

[2] What saying morality is objective does not mean.

Discussions of morality are typically charged and seem to come with baggage. Instead of focusing on what is actually being said or written, people will often raise or object to other issues. In lieu of that I want to make explicit two things I am not claiming:

- Everything written in the bible (or insert other Holy book) is morally true
- Every one of my moral beliefs is an objective fact.

If morality is objective and discoverable, then both atheists and Christians (theists) should be able to –in principle–agree on what constitutes moral facts. This does not mean they will agree on everything, but just that as atheists and Christians can both engage in quality science in the lab, they should also be able to work out quality ethical systems. I believe everything ultimately depends on God and theists can provide a more complete picture of reality, but nothing prevents us from dialoging with atheists to work out proximate ethics. Ed Feser wrote: “And thus, just as we can do physics, chemistry, and the like without making reference to God, so too can we do ethics without making reference to God, at least to a large extent.”

As an example, we can explain why it rains using efficient and material causes without requiring an appeal to God. I won't bore you with cloud microphysics –instead, I'll bore you with classical metaphysics. Christians such as myself in the Aristotle-Thomist (s) tradition view God as upholding all material things at all times. Therefore, God is not absent in an *ultimate* explanation of why rain exists. A-T Christians thoroughly reject a mechanistic image of God (“occasional deism”) who is out there that interacts with the world like a mechanic fixing an engine. We understand God's creative activity much more intimately in terms of causation *per se* which is vertical, sustaining or hierarchical in nature. That is a mouthful so let me explain.

Most people think in terms of causation in linear terms (what is more fancily known as causation *per accidens* or horizontal causation). If I knock over one domino, it knocks over another, and that domino knocks over another and the sequence continues until there are no more dominoes to fall over. This is linear causation and it traces causes and effects backwards into the past. In this type of causation, once the first domino falls over, it could disappear from existence but chain of causes and effect after it will continue. Sustaining causation (hierarchical, vertical, *per se*) is quite distinct. It asks why anything bothers to exist in the here and now. Think of a snapshot in time where there is a cup of coffee on a table. In this instant, the coffee cup is held up by a table, which in turn is held up by the floor, which is in turn held up by the earth. This is a hierarchical chain where if you remove one of

the earlier members in the chain, all of the other links after it cease to be. For example, if the floor collapse, the coffee can no longer be held up by the table which is no longer being supported by the floor. A-T Christians believe God is the prime mover or first member of a hierarchal series that explains the existence of all material objects (why anything bothers to exist). This was Aristotle's argument for God and what Aquinas first two ways attempted to demonstrate. Neither author was attempting to trace linear causes back in time and show how God was the first domino. Aristotle made this argument for God's existence fully believing the universe was eternal!

Creation *ex nihilo* then, is not something that happened in the past. God upholds and sustains (creates) the material world at every instant. As Jesus stated, "My Father is working until now." If God's creative activity truly ceased, nothing would exist. If the natural moral law is truly natural, and moral facts are discoverable, even though they ultimately depend on God in a hierarchical sense, basic ethical principles should be discoverable by everyone just as we can engage in science and discover efficient causes without direct reference to God.

[3] Diversity Does Not preclude Moral Objectivity

What we have are many different groups all claiming to have an objective standard, and they contradict each other. This can't be true if morality is objective. This can only be if those moral standards are subjective.

If moral facts are objectively true, they cannot disagree with one another. This would violate the law of non-contradiction. I agree with the quotation on this front, but I do not think disagreements about morality lead to the conclusion that morality must be subjective. If I enter a room and five people give me five different opinions on something, my conclusion should not be that it is impossible for any of them to be correct. That conclusion does not follow at all. Widespread disagreement only demonstrates that the answer is not universally *agreed upon* or not obvious to everyone.

Using an analogy from mathematics might be helpful. Suppose I assign my students the equation $2x = 4$ to solve and this is the response of three of them:

- Xander: “You need to multiply both sides by 2 and $x = 8$.”
- Willow: “You need to divide both sides by 4 and $x = \frac{1}{2}$.”
- Buffy: “You need to add 2 to both sides and $x = 4$.”

All three students are incorrect, and their math teacher should probably find a new occupation. But what if all the students agreed with Buffy (she is the chosen one)? What if they formed a club with other math students all around the world and they all agreed $x = 4$. Several students might even bring in their sacred scriptures and say, “Look, the book of Numbers was written by the great Sohcahtoa and verse 3:14 reads, ‘When $2x=4$ then x must equal 8. So declares the lord.’”

The verdict does not change. All of these students and their holy book are incorrect. Objective facts are such that they remain true even if everyone in the world disagreed with them. As an example, if every human being alive today thought it was objectively true that the moon was made of Cheese Whiz, they would all be mistaken.

Fortunately, bad mathematics doesn't eliminate good mathematics and just as bad science doesn't eliminate good science, bad morality does not eliminate good morality. It is true that a cursory glance at human history will reveal an alarming amount of moral diversity. Great acts of evil have been justified in the name of good. Infants the world over, have been nonchalantly exposed to the elements. Sifting through this can be overwhelming

– and maddening to the conscious individual – but we should temper our emotions and not fall victim to an argument from incredulity on this basis. Whether or not an argument is correct or not depends on two things:

- 1) Are the premises correct.
- 2) Does the conclusion follow from them.

In order to show how the A-T Christians defense of natural moral law is incorrect, one or more of its premises must be shown to incorrect, or it must be shown how the conclusion of objective morality does not follow from them. It can also be cogently argued there is quite bit of common ground or several underlying principles shared in common by diverse moral systems. A University of Oxford study ([Is It Good to Cooperate?](#)) looked at 60 diverse cultures and found them to contain seven “universal” moral rules pertaining to helping your family, helping your group, returning favors, being brave, deferring to authority, being fair, and respecting other people’s property. Common morality theorists such as Bernard Gert also argue that most people and societies agree on preventing basic harms such as death, pain, disability, loss of freedom and loss of pleasure.

I am not appealing to census here in favor of objective morality. I am simply pointing out that though there is a tremendous diversity in how moral rules are implemented and prioritized, there is also a strong underlying agreement on very basic moral principles. If nothing else, that is certainly **not** inconsistent with objective moral law.

[4] Defining the Is/Ought Divide

“Is” statements are descriptions of things. “Ought” statements are about actions or what should be done. Hume argued long ago that we cannot logically move from “is” to “ought” statements without other premises. Here are Hume’s own words:

"In every system of morality, which I have hitherto met with, I have always remark'd, that the author proceeds for some time in the ordinary ways of reasoning... when of a sudden I am surpriz'd to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not." [*A Treatise on Human Nature*]

A sample argument will be helpful:

- 1) Cyanide is poisonous to humans.
 - 2) Bob is a human.
- Therefore, you should not give Bob cyanide.

This argument is not valid meaning the conclusion does not follow from the premises. We would need to smuggle in a hidden premise such as “It is wrong to poison humans.” We would need to establish morality is objective and more specifically, that such a moral statement is correct in order for the argument to hold. What happens if we add a few more premises:

1. Cyanide is poisonous to humans.
 2. Bob is a human.
 3. If you give Bob cyanide he will suffer.
 4. If you give Bob cyanide he will die.
 5. If Bob dies his family will be sad and miss him.
- Therefore, you should not Give Bob cyanide.

Even if all five premises are true, the argument is still not valid in that the conclusion does not follow. We could stack one million descriptive or “is” statements, but it will not matter.

We cannot deduce morals or values from statements that don’t already have them.

Just because something “is” does not mean we “ought” to act a certain way. Now someone might claim, “Well, harming innocents is obviously bad” but this is actually the sort of claim this article is attempting to demonstrate can be objectively true.

[5] Bridging the Is/Ought Divide

If a human being is just a collection of atoms and molecules bumping into each other via only material and efficient causes, then Hume is right; you cannot derive a moral duty from any interactions of them. No matter how many bricks we stack in a circle, they will not magically become a sphere. However, the A-T tradition rejects this mechanistic view in favor of *teleology*—the idea that things have inherent ends, goals, or purposes (final causality). *Telos* is the end that a given action drives towards. It is important to understand that teleology in an Aristotelian sense has nothing to do with intelligent design or Paley's watchmaker argument. We must put this out of our head **immediately**. This is not an attempt to prove God exists via gaps in scientific knowledge or to show that evolution could not have occurred or that there is inexplicable irreducible complexity in nature. Thomists are often quite critical of such arguments that depend on scraps on the floor as opposed to a main entrée that sits in front of them getting cold. Aristotle put forward the notion that any object can be described by four causes:

Material (matter): what something is made of, its physical composition.

Formal Cause (form): structure, pattern or essence that defines what something is.

Efficient (Agent): source of change be it a force or agent.

Final Cause (purpose): the goal or end purpose for which a thing exists.

In order to better understand these four causes, let us see how they would apply to a statue of David Hume. The **material cause** would be what the statue is made of (bronze metal or bronze atoms). The **formal cause** is the shape or design of the statue (resembling his human body as opposed to a pile of metal). Given the statue is an artifact, its form is accidental, or imposed on it from the outside. The **efficient cause** is how the statue came to be (an artist sculpted and molded it). The **final cause** is the purpose of the statue (to honor David Hume and his contributions to philosophy).

Since around the 17th century, science has largely moved towards efficient, and material causation at the methodological exclusion of the other two. It has done well for itself, and is generally interested in what things are made of and how they came to be. But these two causes alone do not provide a comprehensive description of something. For example, we can look at what a car is made of and how it was made in a factory, but this does not tell us the purpose of a car: a machine that can safely and efficiently provide transportation of people and goods from A to B. We can examine the underlying matter that makes up a watch and we can even witness it being made step by step. None of this tells us its end, purpose or *telos*: to tell time.

In a world without *telos*, the Humean gulf between “is” and “ought” is infinite in extent. But if the world has *telos* and we can know the ends or purpose of something, we can move from is to ought because value is intrinsic to what a thing is. Look at the following argument:

- 1) The watch is missing a hand.
 - 2) This watch has a warped spring.
- Therefore, this is a bad watch.

We have moved from two objective descriptions of a thing to its value. It may appear that we have uncritically moved from is to ought, but this is not the case. The purpose or end of a watch is to tell time. A watch that doesn't work is objectively broken. A watch that tells time poorly is objectively inferior to one that tells time accurately. Once we know the function or purpose of a thing, “good” and “bad” become objective descriptions of how well something is at achieving its ends or fulfilling the purpose intrinsic to its nature. We can break it down as follows:

- **Fact:** The watch has no hands.
- **Value:** It is a **bad** watch.
- **Why?** Because we know the **function** of a watch.

Other examples abound. One purpose of a heart is to pump blood. One end of the human eye is to see. We can know when something is good or bad once we know its function or purpose. I find buying a car a good example because it consists of a mixture of subjective preferences and objective facts that more closely resembles the messy nature of reality. You can have a subjective preference over the type of vehicle you buy. Maybe you want something big or maybe you want something small that is good on gas. Maybe you want black, but the wife wants red. Maybe you want a minivan, but she wants a pickup truck. You might want something that goes egregiously fast and prefer something more sporty than safe (our wants and desires do not have to correspond to what is best for us) . We could want things that harm us or are not good for us or others (they thwart our ends). Maybe you want a leather interior, but the wife wants cloth. There are a number of subjective features or preferences that go into the car buying process. These will be different from person to person.

So what is the primary purpose of a car? For someone it could be a status symbol or even a way to compensate for some perceived “deficiency” in their physical anatomy. An object can have multiple ends. I am confident that we can all agree that one primary end of a

vehicle is to provide safe transportation of people and goods from A to B. Vehicles that are safer and more reliable are thus **objectively** better given this purpose. A vehicle without anti-lock brakes is objectively less safe than one with anti-lock brakes. This is not a matter of subjective preference. This is a physical fact based on empirical tests of static and kinetic friction. A vehicle without anti-lock brakes, headlights, brake lights, seat belts and airbags is objectively bad compared to one that has all of these things—all other things being equal.

Ed Feser is fond of using a triangle to explain this point and his analogy can also serve double duty in that triangularity as a concept is a powerful argument for the immateriality of the intellect. What is the essence of a triangle? A triangle a closed plane figure with three sides (made of line segments) and three interior angles (which add up to 180 degrees). We can draw good and bad triangles. A good triangle is one that is as close to this description as possible. If each of our line-segments were in the shape of a parabola, this would be an objectively bad triangle. This demonstrates that something can be a triangle (a certain type of thing) even if it fails to perfectly instantiate the essence of triangularity (the nature of a thing). What constitutes a well-drawn triangle is fairly obvious most of the time. A good or bad triangle is based on the definition or nature of what a triangle is. That makes it entirely objective. If you said red triangles are the best or you liked small triangles better than big triangles, those would be personal preferences. A modern artist might intentionally draw a skewed triangle, and it can inevitably be a good drawing to them insofar as it expresses some meaning they wish to convey about reality. But it would not be good in the sense of accurately instantiating the essence of what a triangle is and this is not an issue because we only know the *triangle* is skewed because we understand the objective nature of the essence of a triangularity to begin with. Drawing triangles is, of course, not a moral issue. Ed Feser has articulated this position on his blog:

Human beings, like every other natural substance, have a nature or substantial form, and what is good for them – what constitutes *their* flourishing – is determined by the ends or final causes that follow upon having that sort of nature or substantial form.

A "good" heart is one that pumps blood efficiently. A "bad" root canal is one that fails to remove the infection. These are objective facts, not matters of opinion. Now there is a chief difference here. Only rational beings with intellect and will can engage in morally good or bad decisions. These other examples have been analogies primarily intending to demonstrate that once you know something's nature, you can decide on whether it is good or bad at fulfilling that function. An eye that cannot see is not morally bad and neither is a

heart that pumps blood poorly. Neither can behave otherwise. Even animals cannot engage in moral behaviors. Feser [writes](#):

“If a squirrel were rational, it would be natural and good for it to will to escape predators and to gather nuts for the winter, and unnatural and bad for it to will to offer itself up to predators and to eat only toothpaste or stones. And the latter would be unnatural and bad for it whatever the reason it willed these things—brain damage, genetic anomalies giving rise to odd desires, bad squirrel upbringing, squirrel peer pressure, the influence of squirrel pop culture, arguments from squirrel philosophers who were hostile to natural law, or whatever.”

Human beings on the other hand can choose to pursue the ends our nature intends for us or to go against them. Determining what is morally good or morally bad for humans then, is not a matter of inventing arbitrary rules, but of discovering what facilitates our flourishing given our nature and what thwarts it. Establishing a natural moral law is an objective enterprise insofar as we humans share an essence and we can understand the ends or telos of our nature.

[6] A Defense of Final Causality

Considering that final causality provides the rational basis for objective morality and it bridges the so-called “is/ought” divide, it is worth exploring a little further. Bridge is not the best word choice as intrinsic meaning or telos means the is/ought divide doesn’t exist for classical theists.

David Hume is famous not only for the is/ought divide, but also for the problem of induction. Hume’s argument basically says that just because the sun may have risen the last ten-million days, there is nothing logically necessitating or even stating that it will do so tomorrow. We must assume a uniformity of nature that cannot be proven by logic or experience alone. Any attempt to justify induction becomes circular. For example, saying “it has always worked before” assumes it will continue to work, which is the very premise being questioned. Induction is then demoted to habit and the logical basis for assuming unobserved instances of something (e.g. gravity) resemble observed ones is lost.

This stems from Hume’s mechanistic view of nature. In an A-T framework, things have inherent natures (formal causes) that are directed toward specific ends (final causes). The end of an acorn is directed at becoming an oak tree and so too is a struck match directed toward the generation of fire. The basic idea is that A produces B because barring outside interference, it is in A’s nature to produce B. We don’t have to be skeptical that fire might not burn cotton tomorrow even though we only know it does so today. This is because in the A-T framework, things have real, objective ends.

That A generates or is followed by B in a consistent and regular fashion should tell us this is not a chance occurrence. Feser [wrote](#):

“Unless we suppose that an efficient cause A inherently “points” beyond itself to its typical effect (or range of effects) B as toward an end or goal, we have no way of making sense of why it is that A reliably does in fact generate B rather than C, D, or no effect at all.”

Physical things do consistently produce specific effects which means they have inherent directedness. It is not simply a happy accident that pushing a ball does not turn it into a frog some of the time. As Aquinas wrote:

“We see that there are things that have no knowledge, like physical bodies, but which act for the sake of an end. This is clear in that they always, or for the most

part, act in the same way, and achieve what is best. This shows that they reach their end not by chance but in virtue of some tendency. (*Summa Theologiae, Part I, Question 2, Article 3*.)”

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The tendency of some modern thinkers is to deny the distinct nature of substances as composites of form and matter and reduce everything to atomic bits. Reality is nothing more than an arrangement of atoms or quarks. Things like table, chairs, acorns, people and so forth, are not real objects in and of themselves. Only the elementary particles or quantum fields making them up are truly real. If such mereological nihilism was true then we wouldn’t exist as distinct substances either since we would be nothing more than an aggregate of cells, molecules and atoms. It seems quite absurd for the self to deny the self exists but such is what happens when reality is atomized. Timothy Hsiao put forth the following argument in favor of teleology:

“Here is the basic argument: Let us suppose that there are no purposes, functions or goal-directed forces of any kind. If that is the case, then our intellect isn’t purposed toward the attainment of truth. Indeed, it wouldn’t be purposed toward anything at all. But if that is true, two problems arise. First, since rational deliberation is a teleological operation that depends on goal-oriented inferences aimed at producing true conclusions, the absence of teleology would undercut the very possibility of rational thought. Second, since a rational person is one whose thought is guided by noetic and epistemic norms (such as “We ought to believe what is true and reject what is false”), and since the non-existence of teleology implies the non-existence of these norms, then it follows that the denial of teleology undercuts rational discourse. Taken together, these points show that teleology is very much a real thing that is relevant in determining norms of reason and morality.”
[*Consenting Adults, Sex, and Natural Law Theory*]

In addition, granted the findings of quantum mechanics, modern science has increasingly moved back from physicalism to a world described by act and potency (e.g. electrons and slits). The regularity we observe in nature provides compelling evidence for built in teleology. That final causality avoids mereological nihilism and solves two very longstanding problems that vex modern philosophers is surely a good reason to consider it carefully. These two problems only arose when philosophy/science started its move to

only considering material and efficient causes. For these philosophers and scientists, this was an act of sawing off the branch they were sitting on.

A Key Point About Final Causality:

Extrinsic/Intrinsic: Final causality can be classified as intrinsic or extrinsic. That the purpose of a vehicle is safe and reliable transportation has nothing to do with the nature of the metal and plastic parts making it up. This purpose is imposed from the outside and it is extrinsic to them much in the same way it is for the parts of a watch that is used for telling time. The metal bits making up the watch are just that and timekeeping is not intrinsic to them. Note that a table when left alone will eventually rot and lose its function. The individual atoms and molecules making up an acorn in and of themselves do not have becoming a tree as their end. It is the acorn itself as a substance --a composite of form and matter—that has this telos (as we saw earlier, denying this leads to denying the self exists). It is intrinsic to an acorn to become a tree. No one has to impose this meaning on it. All we have to do is leave it alone. A table, watch or car would be considered an artifact whereas an acorn is a natural substance. In one sense you can say that in an artifact, *form* is at war with *matter*. The table will rot as the wood naturally wants to decompose. But for an acorn, a natural substance, matter and form are allies.

[7] Euthyphro's Dilemma

Whether real or imagined, Plato records Socrates as posing a question to Euthyphro 'is an action right because it is commanded by the gods, or do the gods command it because it is right?' Neither option is attractive to classical theists. The first side of this coin is basically a form of divine command theory. If something is only good because God commands it, does that make morality arbitrary? What if God willed us to torture babies? If there is some standard external to God, we have to wonder who or why it exists and why God feels compelled to obey it. God cannot retain His classical attributes if this is the case. The Christian appears stuck between Scylla and Charybdis, a rock and a hard place. Atheists will sometimes claim the Christian no more has an objective morality than they do. But from the A-T perspective, this is a false dilemma and there are a few different ways to approach the issue.

If we start with divine simplicity as Eleonore Stump does, then God has no parts and His attributes are identical to His existence. Since God has no parts and is devoid of potentiality, He does not possess attributes the way created beings do. God does not have goodness. God *is* goodness itself. God is not one being among many. God is the source of being, or Being itself. This resolves both horns of the dilemma. God is not arbitrarily commanding us to perform moral actions and He is not appealing to an external standard. He is the standard and since God's will is perfectly united with His perfectly good nature, He cannot command something contrary to Himself. This reasoning is sound but divine simplicity has to justify its consistency with the Trinity, defend against modal collapse and explain why something absolutely simple can be described as personal as opposed to an abstract force. The modal collapse argument is considered by many to be the strongest objection to divine simplicity and it has been articulated by even Christian philosophers such as Plantinga and Craig. I believe Thomism is adequate to the task of resolving these difficulties but these are certainly complex discussions.

We have just seen a *top-down* way of resolving Euthyphro's dilemma from God's nature. Another way of approaching the issue is to start with telos or our intrinsic nature and work from the *bottom up*. What is good or bad for humans is based on our natural ends. God can no more give us a "good" command to torture babies than He can create a round square. But God is also the ultimate author of our ends so he is not appealing to some external standard. Feser puts it as follows:

"What is good or bad for us is determined by the ends set for us by our nature, and given the essentialist metaphysics Aquinas is committed to, that means that there

are certain things that are good or bad for us absolutely, which even God could not change (since God's power does not extend to doing what is self-contradictory). Now God, given the perfection of His intellect, can in principle only ever command in accordance with reason, and thus God could never command us to do what is bad for us. Hence the first horn of the Euthyphro dilemma is ruled out: God can never command us to torture babies for fun, because torturing babies for fun is the sort of thing that, given our nature, can never in principle be good for us. But the essences that determine the ends of things – our ends, and for that matter the end of reason too as inherently directed toward the true and the good – do not exist independently of God. Rather, given the Scholastic realist understanding of universals, they pre-exist in the divine intellect as the ideas or archetypes by reference to which God creates. Hence the second horn of the Euthyphro dilemma is also ruled out.”

Feser and Stump do not disagree here. They simply approach the issue from different directions and end up in the same place. In my view the Thomists have the better arguments compared to modified divine command theorists like Craig and Plantinga. When God is a composite being with distinct properties like goodness, justice and love, this indicates he has parts and parts requires a cause.

[8] The Telos of Human Nature

Morality is an objective part of reality and ties to the nature of what it means to be human. As noted earlier, determining what is morally good or morally bad for humans is not a matter of inventing arbitrary rules, but of discovering what facilitates our flourishing given our nature. That which frustrates or thwarts our nature is considered morally bad. So how do we go about in attempting to construct an objective morality? We need to figure out what our ends or purpose are and insofar as we can do that, we will achieve this goal. I will do my best to lay out the essentials of natural law with the goal of demonstrating broad principles of a zoomed out objective morality based on natural moral law. I am saving the perverted faculty argument for the next section entirely.

New Natural Moral Law (NNL vs Old): It is worth noting that some modern natural law theorists (Finnis, Grisez and Tollefsen) prefer to start with self-evident "basic goods" and use practical reason rather than metaphysics and biological functions. When it comes to sexual ethics these authors run into all sorts of problems which tend to suggest they are attempting to justify their prior beliefs in an *ad hoc* fashion. For example, without the perverted faculty argument which we will discuss later, one reasoning on why contracepted sex is wrong is that it fails to achieve one bodily unity which requires a procreative act. Homosexual relations are wrong in that they objectify a person or use them as a tool or instrument of pleasure. They would argue, instead of two organisms interlocking and becoming one in a unitive and procreative act, we have two individuals using one another as pleasuring devices. Or so the argument goes.

But if I pay someone give me tennis lessons for 30 mins, am I objectifying them as a mere impersonal repository of tennis knowledge for me? Am I using them as a mere tool to justify my purpose of winning at tennis? When someone gets a massage are they treating the massage therapist as a sub-human, friction generating machine? Martha Nussbaum (*Objectification*) argues that treating someone as an instrument is a totally benign and a necessary part of human life. The problem occurs when it is totalizing—when you treat the person as nothing but a tool for your pleasure, denying their autonomy, feelings and right to walk away. Nussbaum writes:

“If I am lying around with my lover on the bed, and use his stomach as a pillow, there seems to be nothing at all baneful about this, provided that I do so with his consent (or, if he is asleep, with a reasonable belief that he would not mind), and without causing him pain, provided, as well, that I do so in the context of a relationship in which he is generally treated as more than a pillow. This suggests

that what is problematic is not instrumentalization per se, but treating someone *primarily* or *merely* as an instrument.”

Hiring a tennis coach is hiring a tennis coach. Not a great moral evil any more than using your partner's stomach as a pillow is. It is hard to see how most sexual acts new natural lawyers reject are nor in the same boat. A man (or vice versa) could make love to a woman or view and use her as a whore who exists solely for his pleasure. In one case a charge of objectification would stick, in another it would not. I do note that in porn and often in practice, the denigration of women is a common part of sexual activity and is morally wrong. New natural law theorists end up trying to justify traditional beliefs in ways that feel entirely ad hoc. For example, they struggle mightily to explain why sex between an infertile married couple is morally proper, while non-coital sex between that same couple is morally wrong. If the infertile couple cannot become one in a procreative act, why are they not just 'using one another for pleasure'? The distinction collapses into arbitrary rulemaking. I may actually find myself stuck between these two camps, but the rest of this article will focus on the reasoning of the older natural moral law approach.

If Humans were Only Animals

If we were to look at humans through an entirely naturalistic lens on the level of the species, several ends of our nature would be quite easy to identify. Self-preservation is a biological imperative. Humans have a desire to live. Like plants (vegetative ends) and animals (sensitive ends), humans have basic biological ends that are essential for our continued existence such as eating and drinking. In one sense, that is probably why food tastes good. It is quite clear that our nature intends for us to “be fruitful and multiply” Sexual intercourse is quite pleasurable, which acts as the drive, but the biological *telos* is procreation and union. Men and women have reproductive parts that fit together like pieces of a puzzle. That we are driven to reproduce is not a secret to anyone, but a lot of people miss the unitive purposes of sex. Given that women are vulnerable during pregnancy (which nature orients them to be quite frequently) and that human infants and children are uniquely vulnerable and require years of care, human procreation is inherently unitive/familial. Sometimes this unitive nature is so strong people will kill potential rivals or their own mates out of jealousy! Humans are also social animals. We are not like tigers. We are more like bees or ants, specifically oriented to live in communities. This is going to entail abiding by certain rules or norms in our community.

We can glean a significant amount about the animal nature or essence of humanity from simple observations. In fact, much of what was just discussed would be considered factual by a biologist describing humanity on a species level. If we stopped here a good

human is one that acts to self-preserve, secures nutritional foods, one that reproduces, lives harmoniously in a community where they raise their children. Anything that thwarted these ends would be objectively bad.

What is moral is not dictated solely by our sensitive ends but we should not be surprised when our ends align with what is good for the body. There is much more to the story though as human beings are not merely animals. We have intellect and will which indicate certain actions can be morally good even if they are contrary to what our vegetative and sensitive ends alone might suggest to us (e.g. jumping in front of a bullet to save a friend).

Our Human nature (The Rational Ends)

We are creatures with an intellect and a will. The purpose or end of the intellect is to know truth. The will allows us to freely choose or reject that which is good (leads to our flourishing). Ed Feser writes:

“The intellect can come to understand what is morally good for us by nature, and the will can either choose to pursue that or refrain from doing so. Discovery of what is objectively good for us is part of the end for which the intellect exists, and choosing what is good for us is the end for which the will exists.”

This also means we can choose the opposite or choose to behave in such a way that thwarts our ends which is what a morally wrong behavior is. To live in willful ignorance, error, or to engage in deliberate falsehood is to go against the very nature or purpose of the intellect which is to seek truth. Lying is intrinsically wrong as it thwarts our most basic rational end. We should not deceive, defraud or bear false witness to our neighbors. The purpose of our rational end is to seek truth. Not only does this violate the telos of our intellect, it also negatively impacts our relationships in a community as a social animal.

Constructing Some Moral Imperatives

It goes without saying that a dead human is not a flourishing human any more than watch permanently incapable of telling time is a good watch. A dead human can no longer physically use their intellect and will. This means there are certain actions which quite obviously thwart our natural ends or those of others. Murder would be an obvious case along with suicide. Most people rightly recognize these as immoral actions. We also need to appease what Thomists describe as our vegetative and sensitive ends. We can't flourish without eating and drinking. We can desire a certain type of food (pizza vs salad) that is prepared in a specific way, but one of the objective ends of eating is to sustain the body and extend life. It's not difficult to see here how a lifestyle of intentionally over-eating

(obesity) or intentionally undereating (anorexia) reduces our longevity and thwarts our flourishing.

Humans are social animals, specifically oriented to live in communities. We cannot achieve our natural ends in isolation. It is only in a community that we learn language, acquire complex knowledge, reproduce and have virtues like justice and courage. Both physically and psychologically, humans require a community to flourish. Thus, behavior that thwarts social harmony (such as theft, murder, rape, etc.) is contrary to our flourishing and therefore morally wrong by definition.

Slavery is based on a lie that some humans exist for their own sake while others exist for the sake of others. All humans are rational and share the same substantial form. Slavery turns some humans into tools and whereas tools exist specifically for the user (e.g. a hammer), humans have their own intrinsic ends. Humans are beings of intellect and will and slavery strips a person of their agency. It actively frustrates human nature by turning a rational being into an animal (breeding and working).

Rape is a sub-human act. It is wrong because it does unimaginable harm to a person that strips them of their agency. Because humans are rational, having intellect and will, we have autonomy or self-possession. Rape also turns something that is meant to enjoyably create a physical and emotional bond between two rational agents into an instrument of violence. Something meant to build community and produce offspring (family) is being used to destroy community and family.

Some Potential Difficulties:

Self-Sacrifice: Is jumping on a grenade to save a friend's life, and thereby ending your own a moral crime? Most people would consider this a self-less act but doesn't it thwart our end to survive? Also, if it is not a moral wrong, can natural law say that ending your life in such a way is a moral good? For a strict Thomist this is not the same as killing yourself because your death is only an unintended consequence of you choosing to throw your body on a grenade to protect a friend. You are intending to use your body as a shield to protect your friend.

Natural law theorists would use what is called a counterfactual test to demonstrate this is not simply logical hair-splitting. If the soldier jumps on the grenade, he may survive intact either through some anomaly of physics or more likely via a malfunction of the fuse. In this case did the soldier fail in his mission? His friend's life is saved, and the soldier is not

disappointed that he lived, he is overjoyed at his own survival. His death was not the intention but an acceptable consequence of the action. His shielding his friend was the means of rescue, not his death.

Is this action morally good? The Thomist says yes because we are not to be concerned with only our own ends. We are not biological machines predestined to survive at all costs. We are rational creatures made for love and community. If everyone in a community only willed their own good (pure selfishness), the community would collapse, and therefore, *your own* ability to flourish would also collapse. Worrying about the ends of others is an invisible gravity that holds a community together. Since humans share the same rational interdependent nature, we need to apply what is good to all human beings. Giving up one's physical life to preserve the life of another is the top of the ethical food chain. It is here where our rational ends supersede our vegetative and sensitive ends. The truest form of human flourishing happens when the rational soul perfectly governs the physical body and you are willing to suffer great harm and even death to save another. Jesus was correct when he said, "No one has greater love than this, to lay down one's life for one's friends." We will analyze a more difficult scenario during the perverted faculty argument where we discuss what happens if an intruder says, "kill yourself and I will spare your children." Is it ethical to kill yourself in order to save your children?

Lying to the Gestapo at the Door:

Suppose you are harboring Jewish people from Nazis intending to kill them. The Gestapo knocks on the door and asks if you are hiding any Jewish people. Most people would find telling a simple lie here acceptable. The strict natural moral law theorist completely rejects this as utilitarianism. For them following Augustine, lying is always morally wrong in that it directly thwarts the purposes of our intellect. They would point out that you do not have to answer the Gestapo's question. Nothing requires you to provide information to someone if they intend to use that information for harm or if it violates someone's right to privacy. I wouldn't tell one student other students grades and if a student asked me the easiest way to build a bomb using a pressure cooker, a step-by-step procedure will not be forthcoming to say the least.

This is certainly hard for modern thinkers to accept but the argument is that we cannot justify doing something morally wrong even if it brings about a desirable or good outcome. Most people today default to a form of utilitarianism or consequentialism. It's the end result that matters for morality and whether or not it is the greater good. In conjunction with this is the idea that "as long as it doesn't hurt someone else" it is morally permissible. Those lead to subjective moral claims (even utilitarianism) whereas natural moral law is an

objective system based on the nature or essence of a human being. Immoral actions are those things contrary to achieving our intrinsic ends (human flourishing). The "rules" of Natural Law do not bend based on stress, good intentions, or extreme circumstances. That is what it means to say certain actions are objectively wrong. 2+2 does not stop equaling four if someone is having a bad day. Natural moral law dictates what *ought* to be done in a perfect alignment between truth and action. We are also responsible only for our own actions and should act accordingly. For the Christian this entails trusting God, behaving morally, and letting the chips fall where they may.

Now this naturally brings up the issue of moral culpability. The natural law theorist distinguishes between an action being objectively wrong and the moral guilt or responsibility we bear. Premeditated lying to defraud someone for monetary gain is much worse than lying on the spot to a band of murderers who want to kill people in your home. Our moral culpability is based on knowledge of the action being wrong and our full consent without coercion. A gun to your head or armed soldiers at your door is certainly going to count as coercion which means even though the action was morally wrong, your moral fault will be negligible considering the extreme duress.

There is also the idea that you can be intentionally ambiguous. For example, you could say to the murderers at your door, "No one else is here" meaning that no one else is in the room with you. How they interpret your words is up to them. Technically you are not lying but I have some difficulty with this because this is intentionally deceiving someone which feels like a form of lying. In most other contexts this would be wrong. Janet Smith agrees with this and offers another approach ([Fig Leaves and Falsehoods](#)) that distinguishes between a falsehood (objective untruth) and a lie. Her argument is that a lie is speaking a moral untruth to someone that has the right to know the truth. Lethal self-defense is considered moral under natural law so just as a murderous intruder in your home forfeits their right to life, the Gestapo at your door also forfeits their right to truth. Lying here is akin to verbal self-defense. Smith writes:

"Aquinas' rigorism about uttering falsehoods is certainly cogent, but hard to reconcile with some of his other positions. Aquinas (and the Church) approve of killing someone for the sake of protecting innocent life as well as commandeering or destroying the property of another to protect other goods. Thus the question: Why shouldn't Aquinas (and the Church) permit false signification uttered in order to protect innocent life and other important goods?"

This issue is about more than simply lying. Are spies and undercover police stings immoral? Per Smith:

Aquinas condemns all false representations of reality, including saying something false for the sake of amusement, ruling out what is known as a “jocose lie.” The same holds for dissimulation designed to smooth over awkward social situations or designed to calm the immature or deranged.

Strict natural law theorists like Feser would disagree with Janet Smith here but it is worth noting that she does not appeal to utilitarianism and meets Aquinas on his own terms.

He [Aquinas] generally discovered the purpose of something by observing how it “operated”: *operatio sequitur esse* . We know the essence of something by observing what it does. Thus, we should determine the purpose of signification by observing what it does. As argued above, in this postlapsarian world, people, saints and sinners, in every place and culture, use signification for purposes other than conveying the concepts they hold in their mind. What culture doesn’t permit spying, police sting operations, and research programs involving deception, let alone jocose lies and social courtesies involving falsehood? Catholics are generally proud that many priests in the Vatican gave false passports to Jews. Should we revise our evaluation of that action?

I have attempted to present a zoomed-out version of natural moral law with a few worked out examples. The next section is going to zoom in and look at the perverted faculty argument.

[9] The Perverted Faculty Argument and Sexual Ethics

I have intentionally avoided the perverted faculty argument (PFA) until now. It certainly provides the backbone for traditional Catholic sexual ethics but it is fiercely debated even by those who agree on the basic general ends of human nature. My goal here is to provide an overview as I think not including it would do a disservice to the readers. For the best modern defense of the PFA, I recommend Ed Feser's Article, 'In Defense of the Perverted Faculty Argument' in *Neo-Scholastic Essays*. *It should be noted that most philosophers disagree with the PFA but this is not due to evaluating it on its own terms.* Following Hume, most philosopher do not accept final causality as a part of the world and are stuck with the is/ought problem and the problem of induction. The basis of the PFA is teleology in conjunction with hylomorphism. It attempts to bridge the gap between biological reductionism and ghosts in a machine Platonism. The argument does not have any force outside of that context. For this reason, I offer this quote from Timothy Hsiao as a summary of what moral natural law entails:

“For the natural law theorist, both our understanding of both moral and non-moral goodness depends on our first understanding something’s function or nature. We cannot say that something is good or bad unless we first know what its function is. To borrow an example from Peter Geach (1956), I cannot know what a good hygrometer is if I do not know what hygrometers are for. As Geach points out, ascriptions of goodness and badness only make sense when considered under a description. “There is no such thing as being just good or bad, there is only being a good or bad so-and-so.” Goodness and badness, in other words, are species-specific concepts. A firefighter is good by fighting fires, since that is what firefighters as a class are supposed to do. A vehicle is good by transporting people and goods well, since that is how vehicles as a class are supposed to function. An orange tree is good by producing fruit, since that is how orange trees as a class are supposed to develop. Good firefighters, good cars, and good orange trees are all good in the sense that they are fulfilling their respective ends. Something that is good for one thing may not necessarily be good for another. Nevertheless, all good things are similar in the sense that they are all good by functioning as they should.”
[Consenting Adults, Sex, and Natural Law Theory]

What is the PFA: In a nutshell, the perverted faculty argument says it is intrinsically immoral to actively use a natural human faculty while simultaneously and deliberately thwarting its inherent, objective purpose. This is extended by strict natural law theorists to basic biological functions. This is believed to follow from all that we have said before. Immoral actions are those that go against our ends as dictated by our nature. A good

triangle is one with three straight sides, a good heart is one that efficiently pumps blood and so forth. A good human is one that functions according to their essence. Humans are both physical and immaterial. We are composites of matter and form –with the immaterial soul being the substantial form of a human being. The essential question here will come down to how much can biology dictate the nature or essence of what it means to be human.

Why is the PFA Important? If you have been following, the end of our intellect is to know truth and determine what is good. The end of the will is to be able to choose that good or what leads to our flourishing. This leads to the obvious conclusion that we should want to know if the perverted faculty argument is correct or not. In simpler terms, we cannot make good decisions without knowing the truth. It is also important to some as it is the only viable means of justifying traditional sexual ethics based on reason alone (new moral law fails). Feser writes:

“there are no serious alternative arguments for the intrinsic immorality of contraception, homosexual acts, etc. (apart, that is, from sheer appeals to the authority of scripture, tradition, or the Magisterium).”

If the PFA is wrong, or being implemented incorrectly, then we have no natural reason for objecting to contraception and no natural reason to view two consenting adults of the same sex engaging in safe sexual activities as morally wrong. It is for this reason that many critics dismiss the PFA as an *ad hoc* attempt to justify outdated sexual ethics. This may very well turn out to be true but this, of course, cuts both ways. Uncritical dismissals and eye-rolling at the PFA may just as likely be fallacious attempts at justifying one’s own sexual status quo (through begging the question, confirmation bias or incredulity).

Example of the PFA:

- **The Digestive / Nutritional Faculty:** the inherent end of chewing, tasting and swallowing food is nourishing the body. The classic example is a person who feasts and then purges before digestion so they can eat more. In this instance, they actively used digestive faculties for pleasure while deliberately, thwarting its natural end of nourishing the body.
- **Communicative faculty:** the inherent end of communication or speech is to convey truth. Lying is actively using the biological faculty of speech to thwart its ends.
- **Reproductive Faculty:** sex is procreative and unitive. Engaging in homosexual relations is to use our sexual faculties for non-procreative means—thus thwarting

them. The same can be said of contraception and ejaculation anywhere outside of a woman's vagina. Sexual ethics based on natural moral law, especially those associated with Catholicism are not just about homosexuality. Anyone who masturbates is guilty of using their sexual organs to achieve pleasure in a way that thwarts both of its ends. This also holds true for IVF (in-vitro fertilization). While this process is procreative, it actively bypasses the unitive purpose of sex. Not to mention, the semen used for IVF is mostly obtained from samples produced via masturbation which is itself considered morally wrong. This is the most contentious point of the PFA and what leads many to reject it. I note that none of us are unbiased when it comes to sexual ethics.

Avoiding Straw Man Critiques:

Sometimes people object to the PFA using a host of counter examples that don't seem immoral to anyone. It is important to note that the version of the PFA Feser promotes clearly says that **your actions must use a faculty to thwart its specific end**. This means you can use a faculty for another purpose. For example, you can use your leg to hold up a table. But you cannot actively thwart the ends of your own leg. It would be immoral to cut off your leg and use it as a permanent table fixture. It is also worth noting that objects can have multiple ends. The male sex organ is also used to excrete liquid waste.

Active-Frustration vs Non Use: According to proponents of the PFA you do not have to use a faculty all of the time. Fasting, for example, is deemed acceptable if it is meant to achieve spiritual growth or teach self-discipline. Feasting and then purging food is not acceptable. Similarly, celibacy would be acceptable whereas contraception is not since it engages a faculty while directly thwarting its end. For this same reason it is not immoral to choose not to have children. A person may forego a family life and dedicate their life to science in an attempt to cure a disease or someone may take a vow of celibacy like a priest or as Mary, the mother of God did.

Common Critiques of the PFA

As noted above, many common critiques of the PFA are dealt with rather easily and show that objectors have not adequately dealt with or understand what they are talking about. I reiterate that using something for other purposes that do not thwart the ends of the faculty and non-use are both acceptable to strict natural lawyers.

The Chewing Gum Objection: chewing sugar free gum is using a faculty of the digestive system (chewing) with no intention of digestion. The table below shows how this reductio ad absurdum argument is intended to work with contraception.

	Chewing Gum	Contraception
Faculty	Digestive: teeth, saliva, and the chewing reflex are biologically intended to break down food so that it can be swallowed, digested, and used for nutrition.	Reproductive: the reproductive organs are intended to unite into a singular organism that creates life.
Pleasure	Food tastes good	Sex feels good
Perversion	Chewing gum with no intention of swallowing thwarts the nutritional end of digestion.	Contraception thwarts the procreative purposes of sex.

Unless we are prepared to think chewing piece of trident gum is a moral crime, we must reject the PFA as it has reduced to absurdity. A similar argument about drinking diet soda is also made along with using earplugs to block out sound. We are enjoying the taste of diet soda without any nutritional value and thwarting the purposes of our ears.

How would a PFA advocate respond? Chewing gum is considered *stopping short* as opposed to active sabotage. Partially engaging a faculty (chewing) without achieving its final end (digesting) is not a perversion of the faculty. It is just an incomplete use of it. This would be comparable to kissing and hugging. These are affectionate and arguably sexual acts but they stop short of intercourse and do not violate the PFA. An actual violation would be throwing up after eating (bulimia or the ancient Roman Vomitorium).

PFA Proponents are clear:

[Feser](#): The perversion of a human faculty essentially involves both *using* the faculty but doing so in a way that is positively *contrary* to its natural end. As I've explained many times, simply to *refrain* from using a faculty at all is not to pervert it. Using a faculty for something that is merely *other than* its natural end is also not to pervert it. Hence, suppose faculty *F* exists for the sake of end *E*. There is nothing perverse about not using *F* at all, and there is nothing perverse about using *F* but for the sake of some other end *G*. What *is* perverse is using *F* but in a way that actively

prevents *E* from being realized. It is this *contrariness* to the very point of the faculty, this *outright frustration* of its function, that is the heart of the perversity.

In justifying gum chewing above, I wonder if PFA advocates would consider homosexual foreplay and sexual act acceptable as long as they stopped short? Some dissenters would attempt to frame this differently. What if we say gum is not food, it is artificial rubber and putting this into your digestive tract and engaging in its faculties (chewing and tasting) is a putting it in a place it does not belong. The PFA advocate might respond: the mouth is meant for chewing and tasting and gum is a chewable object. It is like using a hand to grip a rubber stress ball.

The Musical Instrument Objection: Something like the mouth has many purposes. It can speak, kiss, lick envelopes, whistle or play the flute. If you use your mouth to blow into a saxophone does this frustrates its natural end (eating/breathing)? The answer is no and playing an instrument, unlike vomiting after eating, does not directly thwart the faculty. The PFA allows refraining from using a faculty and it allows repurposing insofar as it does not thwart the primary end of the faculty in question. It must be understood that most of these objections are about sex. They will lead to something like, “The mouth/Organs do many things, why can’t we use them to do what makes us happy?” I note that this objection is a textbook example of subjective morality (what makes us happy) and has no force against the PFA which says you can do many things with your mouth/organs them insofar as you do not pervert the faculty itself.

Can you Kill yourself to Save Your Children?

Earlier it was noted that you can jump on a grenade to save a friend’s life. The reason this is not immoral is you are not choosing to kill yourself. You are choosing to use your body to shield a friend from an explosion even if you will likely die as a consequence. A counterfactual was used to justify this and this sort of argument is known as the double effect which means: : an action with both a good and a bad effect is permissible if the intention is solely to achieve the good, the action itself is not evil, the bad effect is not a means to the good, and the good outweighs the bad.”

But what if a madman told you to kill yourself or they would kill your children. Under PFA you could not kill yourself. It is not moral to bring about good by doing evil. You can fight, jump in front of a bullet and die as a consequence but you could never take your own life and have this considered morally good. The principle of double effect does not work here as it does in the case of diving on a grenade. Many people would have tremendous

difficulty with this. Of course, for the Christian, we are called to do good, trust God and let the chips fall where they may. Romans 12:12: says not to overcome evil with evil.

Critique: PFA is Based on Biological Reductionism:

Melissa Moschella (Old Natural Law Theory, Marriage, and Sexual Ethics) put forth an argument you will find in several new natural law theorists:

Consider another example. Our sweat glands exist for a clear biological purpose of thermoregulation, and recent evidence indicates that the odor that results from our perspiration, particularly in the armpits, seems to have a biological purpose of sending pheromonal cues regarding the biological suitability of potential mates. Yet no one thinks that the use of antiperspirants and deodorants, which act contrary to these biological purposes, is morally wrong, even while one is *intentionally* engaging one's sweat glands (by, for instance, sitting in a sauna). This is because acting contrary to these biological purposes does not entail a failure to respect an aspect of human well-being. There is no one-to-one correspondence between biological purposes and human well-being. Impairment of biological functions can be wrong if it is contrary to health, the preservation of life, or some other human good, but it is not wrong in and of itself.

She seemingly accuses the PFA of biological reductionism: "There is no one-to-one correspondence between biological purposes and human well-being." Proponents of the PFA believe they are avoiding a naturalistic fallacy and might actually accuse the pheromone objection of biological reductionism. That aside, Thomists argue that we cannot disconnect ourselves from the physical world and they reject both physicalism and Platonism in favor of hylomorphism. To deny our physical nature is to deny our humanity which is a composite of form and matter. Our physical nature is an inextricable part of our essence.

The sweating argument shows how complicated a simple perverted faculty argument becomes. Thomists might argue there are *vital vs incidental faculties*, and this means they are not all to be given the same metaphysical weight. The intellect (truth), digestive system (individual preservation), and the reproductive system (species preservation) are considered vital faculties. Others like the growth of fingernails, the shedding of hair, or the secretion of sweat are incidental or secondary biological mechanisms. Thus, wearing deodorant or trimming fingernails is how a rational agent manages lower biological functions to maintain social harmony (a higher end). In addition to the vital/incidental distinction, Thomists and advocates of the PFA will advocate the **principle of totality**. The

individual parts of the human body serve the whole. It is claimed that sweat is only being suppressed in a localized region, but your body will still regulate itself. Feser breaks it down as follows in his perverted faculty paper:

“A third point to keep in mind is that there are crucial differences between, on the one hand, an individual deliberate act of using a bodily faculty and, on the other, an ongoing and involuntary physiological process. Use of the sexual organs is an example of the former whereas hair growth, breathing, perspiring, and lactating are examples of the latter. Now the former has a specific end-state or climax, while the latter do not. In particular, the former has as its physiological end a specific emission (or reception) of semen, while the latter have as their end the continual generation of hair, sweat, and milk and the continual oxidation of the blood. There is no specific individual event that initiates the latter processes and there is no specific individual event that culminates any of them either. It is oxidation in general, hair production in general, sweat production in general, and milk production in general that is their natural end. And those general outcomes are not frustrated by any individual act of smoking, shaving, breast-pumping, or putting on antiperspirant. By contrast, the process that begins with arousal and ends with ejaculation within the vagina is episodic rather than ongoing, and its outcome, which is a specific event, is frustrated by contraception, masturbation, and the like.”

Inconsistency In Sexual Ethics: Masturbation, the use of contraception, contraception and homosexual sex are all considered immoral under natural law. All of them thwart the procreative end of sex. Male ejaculation must occur in a vagina in order to be morally good per the perverted faculty argument. PFA advocates will usually tell you that oral sex as foreplay before coitus is acceptable. But they would tell you that anal sex could not serve as foreplay and would be a violation of natural law. The reasoning is that the male sex member is mimicking sex by being placed into an excreting orifice that does not have reproductive teleology and was not designed for that purpose. This is a case of putting something where it doesn't belong. I admit I wonder how anal sex foreplay could be construed as inherently wrong since it mimics coitus within a biological system that has no teleological orientation toward reproduction, but somehow male to female oral sex does not do the same. This “gratuitous” inconsistency does not refute the PFA itself, but it makes you wonder how ad hoc some of the views based on it might be. Melissa Moschella raised an example that hammers home this point:

“I think Feser would agree that it is permissible to enjoy—even to the point of salivating at—the smell of fresh baked goods, even though one may not eat them because, say, they belong to another, and even when one is not trying to stimulate one’s appetite in preparation for a meal. That’s because, in doing so, one uses one’s nutritive faculty for something *other than* its natural purpose but not in a way that is *contrary to* that purpose. Yet if this is so, why is it not permissible (as Feser agrees it is not) to look lustfully at pornographic pictures, even if they are pictures of one’s spouse? These uses of the sexual faculties are no more or less *contrary to* the natural end of the sexual faculties than salivating at baked goods outside the context of a meal is contrary to the end of the nutritive faculties.”

It seems the sexual faculty is more stringently restricted by the PFA than other natural faculties.

A Sterile couple and the PFA

Suppose a woman has a hysterectomy to remove cancer and can no longer get pregnant. Would sex between her and a husband be excluded because it is no longer procreative? The sterile couple argument is problematic for new natural law theorists, but classical proponents of natural law would say you are not using the faculty in a manner contrary to its intended purpose. There is a difference between actively sabotaging a faculty and using a faculty that has a natural defect. This would be like claiming that a blind man opening his eyes would be immoral which no natural moral law theorist worth their salt would do. Thus, sterile sex is permitted.

A modern philosopher would strongly critique this on the grounds of intent and outcome. A couple having sex while using contraception intends on getting pleasure without a child. A naturally sterile couple also intends the same thing with the same outcome. Since it is known that the couple cannot produce a child they are knowingly engaging in a non-procreative act. If the unitive good can be achieved when the procreative end is factually impossible, then the unitive good is not ontologically dependent on the procreative outcome. As noted, the PFA proponent would distinguish between active sabotage and a natural defect and also reject outcome-based morality (consequentialism or utilitarianism). The modern philosopher might retort and see this as exploiting a defect to get the pleasure just the same. It seems proponents of the PFA are fine with a sterile couple having sex as long as they go through the motions of reproduction without any chance of procreation. It should also be noted that the unifying nature of sex is tied into reproductive capacity and child rearing. It would seem then that to be consistent, a proponent of sexual ethics based on the PFA should be opposed to sterile sex.

A PFA advocate would object the contracepting couple deliberately chooses to thwart the ends of the sexual faculty, whereas the sterile couple chooses to engage in a natural procreative kind of act but a natural defect prevents it from fruition. To use one of Feser's own analogies, a PFA advocate would claim that a three-legged dog is not a pantomime of a dog. It is a real dog that is missing a leg.

One Final Objection to the PFA: Natural Goodness and Sex

Christopher Arroyo (following the thinking of Michal Thompson and Philippa Foot) takes exception to the sexual ethics advocated by the PFA with a specific focus on Feser's work. Arroyo writes:

Where Feser and I disagree is in our understanding of the natural ends of human sexual activity. I think he too narrowly construes these ends because he fails to recognize some of the implications of how goodness depends on what X is, a failure that involves Feser not appreciating some of the implications of another philosopher on whose work he relies. In presenting his understanding of how the goodness of X depends on X's nature, Feser draws on Philippa Foot's *Natural Goodness*, as do I. But Feser and I arrive at different conclusions about the goodness of intrinsically nonprocreative human sex acts because Feser's account of natural goodness generalizes across species and, therefore, does not recognize some of the ways in which evaluative judgments of an individual human being as a member of its species depend on particular features of the human life-form that are not shared with all animal species.

Arroyo distinguishes between a good pen and a good martini and correctly tells us it is not intelligible to claim a good martini is one that writes well. What is good for something depends on its nature. After an example using claws from the animal world, Arroyo's argument is that we cannot generalize of sexual organs across animal species to make goodness evaluations for humans who are rational beings. Humans are holistic and there may be psychological goods to things that go beyond or even contradict our biology. Thus, Arroyo accepts goods based on our nature but would disagree with the PFA altogether. He writes:

"Feser spends almost half of his paper presenting and defending his version of the perverted faculty argument (2015, pp. 398–413). I neither present his version of the argument nor do I critically engage it because the argument of this paper is that

Feser's starting point (that is, his understanding and use of natural goodness arguments) is mistaken. So, if my argument is sound, his version of the perverted faculty argument does not get off the ground, since the first premise of his argument entails a mistaken understanding of how the good of members of a species living being relates to its natural ends, and his second premise mistakenly restricts the natural ends of human sexual faculties to procreative and unitive ends."

I think this is the strongest way to argue against the PFA. To attempt to show that it is illegitimate from the outset. Once it is granted, its internal logic holds up pretty well. While both Feser and Arroyo agree morality is based on our nature, they come to radically different conclusions. I think we can parse their views as follows. Feser determines flourishing from teleology, Arroyo determines our teleology from holistic human flourishing. Thomists like Feser posit a hierarchy of commensurable natural goods or ends whereas Arroyo subscribes to teleological pluralism and incommensurable goods.

An article cited earlier also thought Feser put the cart before the horse.]Melissa Moschella wrote:

Feser is correct to say that our sexual faculties have both a unitive and procreative function. Yet the moral significance of this factual claim depends on our *prior* grasp of the values of human life and interpersonal—specifically marital—union. Feser has the order of derivation backwards.

It is not that a theoretical understanding of the *telē* (plural of *telos*) of our sexual faculties then leads us to conclude that those *telē* are intrinsically valuable. In fact, a complete theoretical understanding of the natural ends of our sexual capacities depends on our *prior* practical grasp of the human good that possession of those faculties enables us to achieve. Theoretical knowledge of biology can reveal the *biological* end of our sexual faculties, but it is only to the extent that we properly understand the good of marriage that we can come to a complete and accurate understanding of the rational human purpose of our sexual faculties.

I think this objection is forceful. I am not sure what to make of teleological pluralism the manner in which Arroyo presents it. A good pen is one that writes well. But if a pen is meant to write well, how could there be another **objective** end that contradicts this? We could disassemble a pen and use it for something else. Maybe MacGyver would use it to help make a bomb, but this is to destroy its substantial form. For Feser the pleasure of eating is not its main end. Providing us with the nutrients we need to survive is the purpose of eating. No

one disagrees with this last statement but why can't eating also be a natural social good of? Arroyo writes:

In order to emphasize the differences between the functions of eating in the human life-form and the function of eating in the life-form of other animals, I want to sketch how eating contributes to human flourishing in ways that go beyond the mere intake of nutrients. Perhaps some other non-human animals eat in order to survive, but that is not the purpose of eating in a flourishing human life, even if it is true that human beings need nourishment. Nor is nourishment a necessary factor in all that counts as good eating in the human life-form. Here it is instructive to remember a remark of Gareth Moore on this topic: 'The best eating is often unnecessary; it is a treat, something that we do over and above what we need, just because it is delightful. We also recognize a value in positively feasting, in self-indulgence, occasionally eating beyond, or even far beyond, our needs as a form of celebration. To eat beyond necessity contributes to human well-being, as does most going beyond need' (1992, p. 68).

In making his observation about eating beyond need, Moore is arguing for the view that doing things just because we enjoy them is a crucial part of the human life-form (though he does not use that phrasing). Nevertheless, it is important to recognize that eating plays a number of roles in the human life-form, many of which involve more than the sheer enjoyment of eating. Take the following (incomplete) list of examples: eating a turkey with friends and family for Christmas dinner; eating cake to celebrate one's birthday; eating a pint of ice cream to alleviate the pain of a breakup; swallowing antacids to sooth one's upset stomach; eating as a courtesy, as when one accepts food from one's host even when one is not hungry; eating a chocolate lava cake for dessert, even though one is full; drinking a martini or two after a long day of work. Although eating or drinking for these various purposes may be (but need not be) enjoyable, one misunderstands the preceding examples if one construes them simply in terms of the pursuit of pleasure. On the contrary, these purposes have to do with a variety of distinctively human goods (that is, a variety of distinctively human natural ends), goods such as the celebration of accomplishments, familial bonding, the strengthening of friendship, healing over love lost, and commemorating traditions, to name just a few. The goodness of these natural human ends have nothing to do with survival or even the taking in of nutrients. In fact, some of these goods (such as the stiff drink at the end of a long day, or eating dessert at the end of a luxurious meal) run contrary to biological health—yet we acknowledge them as genuine human goods.

I quoted this in full because I think it is Arroyo's strongest point. Now Feser would probably say all of these things can be done without perverting our digestive faculties just as we can forego having children if we make a vow of celibacy (not using a faculty for a higher good is

not thwarting it). But those like Arroyo would push back and claim we are not thwarting a biological faculty but repurposing a biological tool for holistic-human wellness—which is flourishing. For example, when chewing gum you are using the digestive faculty (chewing, salivating) purely for sensory pleasure and stress relief, actively "frustrating" the end of nutrition by spitting it out. Is chewing gum an objective metaphysical perversion, or just a rational creature repurposing a biological tool for a minor psychological good? Of course, Feser would say that spitting out gum is not thwarting our digestive faculties, it is simply stopping short. The PFA is very specific that you must actively thwart the faculty but many common folk might start to wonder at what point we are simply playing semantics games. Arroyo also brings forth another objection:

He's essentially just taking it for granted that to use the sexual faculty in a non-procreative way *in every particular instance* is necessarily to frustrate the faculty. But that doesn't follow. For example, an act of oral intercourse when ones wife is pregnant does not in any meaningful way frustrate the sexual faculty. There's nothing to frustrate since the woman is already pregnant! To defend against objections like this, it seems all you can do is to say that it's the purpose of semen to go in the "right" place *even if the woman can't conceive because she's already pregnant*. But that seems really odd. Sure, semen is ordered towards impregnation. But if she's already pregnant what purpose is being fulfilled, what order is being respected by depositing semen in one place or another? Of course, the other approach one can take here is just to say that sex with a pregnant woman is *also* intrinsically evil, but the Church tends to allow for that (at least in modern times) so you won't find many defenders of the PFA going this route.

Feser would respond by pointing out this confuses the structure of the act with the outcome. They are performing an act that is – by its very nature—structured toward procreation. That conception will not occur because it has already occurred is an accident of biological circumstance. There is no defect in the act itself. Something failing to achieve its natural end through accidents of nature is not the same as actively thwarting it. Arroyo's rejection of Feser's generalizations at least opens the door to the possibility of a more integrated understanding of human intimacy. Here is how I synthesize these principles.

My Thoughts on Sexual Ethics.

These are my tentative thoughts that are subject to change upon further evaluation. If a couple can achieve the unitive end of sex while engaged in a procreative act they know is entirely stripped of its actual procreative power, then there really is no logical reason to

assume this unitive end cannot be achieved in other non-procreative sexual acts. If the unitive good can demonstrably survive the total known absence of the procreative outcome, demanding that the physical structure of the act remain identical is an exercise in empty biological reductionism that elevates the mere plumbing of the act above the rational, embodied intent of the spouses. If the unitive and procreative ends of sex are not impossibly intertwined, then traditional sexual morality based on the PFA falls apart.

The other prong I would take is pointing out how Thomists use the Doctrine of Double Effect. Sacrificing yourself to save someone else's life is considered ethical. If we are taking seriously the biological ends of humans, the will to live must be considered one of the most obvious and basic ends we have. Thomists have to do a bit of hoop jumping and claim the person is not choosing to kill themselves (as they don't want to actually die), they are choosing to shield a friend from the blast. Dying is simply an acceptable consequence. They use the idea of counterfactuals to demonstrate this, but I think most people who jump on the grenade know they are basically sacrificing their life for a friend. We certainly treat them as heroes so this this does appear to be splitting hairs. But if we accept this logic, we must apply it consistently. If I jump on a grenade, my primary act is 'shielding my friend,' not 'suicide' or 'the intentional frustration of my life.' Likewise, when I engage in non-coital sex, my primary act is not 'the intentional frustration of reproduction.' I want to be intimate with my wife and bond through the bodily giving of the self. That our actions are not procreative is merely a circumstance—a secondary consequence I am willing to endure for the greater good of our embodied union. A strict Thomist might claim that intentionally engaging in a non-procreative act violates the principle of double effect. But this is only true if the unitive and procreative ends are impossibly intertwined—a premise that advocates of sterile sex have already implicitly abandoned.

Another way of approaching this issue to consider non-coital or non-procreative sex as merely refraining from using the procreative faculty and as we know, not using a faculty is not morally wrong. In this context we would simply be abstaining from using the sexual faculty for procreation and instead using it for the other purpose of bonding and unity. If we are allowed to play semantic games, then I am not sure why I can't distinguish between "not using" and "thwarting" for non-procreative sex.

The advocate of the PFA allows thwarting lower functions for the good of the whole human but not when it comes to sex. One cannot intentionally engage in non-procreative sex in a moral way. One can intentionally engage in non-procreative sex if the non-procreative aspect is due to biological accidents. One can spend their entire life abstaining from the good of procreation and be seen as morally good, but one cannot engage in a unifying and embodied act of intimacy with another that is not procreative.

Procreative sex itself is a highly unitive and profound act. I do not dispute this. Two organisms come together and physically unite. The helplessness of human babies and vulnerability of women during pregnancy draws people into communities and relationships. But can the unitive goods of sex exist apart from biological procreation? Granted that it is moral for sterile couples to engage in sexual acts, how can we claim otherwise?

We are not simply baby-making machines, nor are our bodies mere instruments for our minds. We know that non-procreative sexual acts need not merely treat the body as a tool for hedonistic pleasure. If I read to a blind person, they are not treating me as a mere instrument or tool (their eyes) for their use. It is an act of love and service. Physical intimacy operates the same way; it involves vulnerability, profound emotional bonding, and the mutual giving of pleasure. These are not just events that happen in the mind; they are deeply embodied realities. To physically comfort, physically pleasure, and physically unite with a spouse in non-coital ways is a **genuine** giving of the embodied self. As proponents of the PFA themselves admit, merely refraining from the use of a specific biological faculty is not a perversion of it. In these intimate acts, the couple is actively engaging the broader unitive faculty while simply allowing the specific reproductive mechanics to remain dormant.

Just as the male sex organ can be used independently for procreation and to go to the bathroom, why can't the broader human sexual faculty be used for unitive bonding outside procreation? Why must these ends be seen as in conflict? This is not using sex for mere selfish pleasure, or debasing oneself like an animal and succumbing to hedonism. It is about rational humans using their embodied agency to bond, form a relationship, and grow closer together. In Thomist thinking, lower biological faculties are strictly subordinated to higher rational faculties, and lower goods are subordinated to higher goods. Given the Principle of Totality, why should we suddenly abandon this hierarchy when it comes to sex? If lower biological mechanics must serve the higher rational good of the whole person, then utilizing the broader sexual faculty to achieve the higher good of intimate unity isn't a perversion of natural law—it is the fulfillment of it. I believe this applies to both monogamous heterosexual and homosexual relationships.

My verdict:

The PFA is much stronger than people think. Those who reject it out of hand do not understand it and critique with a completely foreign standard. Often that foreign standard

is a more problematic one like utilitarianism or sometimes the PFA is approached with the mistaken notion that mere consent and not hurting someone automatically makes something good or acceptable. Not to mention that reductio ad absurdum arguments are not as potent as some make them out to be. Arguing the PFA *would* show infertile couples should not have sex would not necessarily demonstrate the PFA is wrong. It might merely demonstrate PFA advocates are inconsistent in their application of the principle. Gum chewing and diet soda type arguments are typically attacking straw men as Feser notes.

The PFA is not as rigid as sometimes assumed. While bulimia or the Roman vomitorium is wrong, you can throw up food if you have an upset stomach or swallowed something non-digestive. The PFA tries to avoid two extremes: pure biological reductionism and platonic dualism. For A-T Christians, a human being is a hylomorphic composite of form and matter. We cannot treat our bodies as mere physical plumbing and say the mind is the true person as many modern ethicists do. That is to succumb to dualism and view the essential aspect of a human as being a platonic ghost infused into a meat puppet. Rejecting our physical natures over psychological feelings is to reject a part of human nature. Our psychological ends are certainly real, but in an A-T framework morality is tied into the objective ends or telos of what it means to be human.

The chief objections against the PFA are two-fold from my perspective. Does it swerve too close to biological reductionism and have to avoid some problems via what looks like theological hair splitting? Does it overemphasize the parts (matter) at the expense of the whole human (matter and form)? Does it then fail the hylomorphic view of reality it is meant to uphold? Can sex have a unitive end and purpose outside only making babies? A lot of commentators think it does. But can this be made consistent with the objective framework of moral natural law?

The second major problem is a lot of us just don't like its sexual ethics. My wife went through two rounds of vulvar cancer with surgeries, so I doubt I need to say anything more than that, except I'm not sure why biological accidents should prevent us from engaging in other intimate activities. Most people masturbate; many people have sex while intentionally thwarting the procreative end of it via condoms, contraception, pulling out or non-coital sexual acts. Most of us presumably have homosexual friends or family members and its difficult for us to see how consensual activities between loving adults aimed at unitive bonding can be wrong. We have honestly, whether you think it is for better or worse, been indoctrinated into a subjectivist system that defines what is moral as anything that doesn't obviously hurt someone. We engage in utilitarian and consequentialist cost/benefit analysis and objective natural law is quite foreign to us. That

doesn't make it wrong. It rests on Aristotelian-Thomist metaphysics, namely hylomorphism and the idea that final causality or teleology is intrinsic to the nature of things. We can critique or reject the PFA but it must be done on its own terms (as Arroyo attempted), or we must show how hylomorphism is false and/or things do not have baked in ends or telos given their nature. Most critiques of the PFA online are simply uneducated caricatures.