

Direct but Unintentional Killing: The Debate between Rhonheimer and Guevin's Conception of the Object of Moral Choice

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Introduction

Any human act, i.e. any act that is not a so called “act of man”¹, is done because there is some aim in mind, even were it simply to avoid something you don’t want to start. Your reason or end in acting is some good in light of which you act². Among ethicists there are different opinions about the role of intentionality in analyzing the human act and its relation to determining what the *object of your act* is. This paper will examine whether *what you do* is tantamount to *what is intended*. Clarity becomes critical when you have an instance of what Rhonheimer has called “vital conflicts”. While there might be something you intend and desire as the end in your acting, sometimes there will be many resulting effects which are not desired. This raises the question whether some undesired ends or results must necessarily also inform your choice and are therefore determinative of what you do.

On a practical level, differences in opinion on how much one’s intention informs the object of choice are showcased in the case of craniotomy abortions. Rhonheimer argues that under certain conditions, a craniotomy abortion does not constitute a procured abortion, given your intention in intervening is to *preserve the life of the mother*, and should you not act, both mother and child *would die anyway*. Several moral theologians and ethicists have critiqued either this description of a craniotomy abortion or the principles employed in describing it as such. This paper responds specifically to a critique³ by Rev. Benedict

Guevin of Rev. Rhonheimer’s analysis of craniotomy abortions in Rhonheimer’s book *Vital Conflicts*⁴ and Rhonheimer’s subsequent response entitled *Vital Conflicts, Direct Killing, and Justice*⁵. What ultimately come to the fore are the divergent opinions about how the object of a human act ought to be analysed. The analysis of the act in these vital conflict situations almost always clarified with recourse to the principles of double effect. Rhonheimer and Guevin also differ about how to determine when a good effect does not follow from an evil effect. This latter is part of the double effect analysis and will be taken up subsequently.

Needless to say, Rhonheimer and Guevin are both faithful to the Church and her magisterial teaching and largely arrive at identical conclusions to moral quandaries. The point at stake is, while subtle, still considered important as it is an argument about principles, important given it refers to how you solve moral quandaries where people’s lives are at stake.

While more will be said to explain why Rhonheimer and Guevin arrive at differing conclusions to their moral description of certain craniotomies⁶, from the outset, the reader should note that both moralists use certain key terms with subtle, and differing, nuances. The following terms are considered fundamental to define prior to proceeding.

Object and the Intentional Object

Rhonheimer and Guevin use the term “object” with a subtle difference. Rhonheimer

usually refers to the object of a human act as the “intentional object” to highlight this inherent intentionality of the object of choice. For Rhonheimer, he includes what Guevin would consider separate, namely the end or intention. Guevin disassociates the intention from the object of choice to indicate that your object can be sometimes other than what you would want to be considering yourself to be doing. He would nonetheless acknowledge that the object of all human acts have inherent intentionality, being a good chosen in light of some end. For Guevin, the “intention” is simply the end or motive for which you choose to act. For Rhonheimer, for the intention to be disassociated from the intentional object, refers to what ulterior motives or ends one could have in acting. You might sell a car, ultimately to reduce a mortgage, etc. This is typically what Rhonheimer refers to as the intention.

The terms *Praeter Intentionem, circumstances* and *intrinsically evil actions*⁷ are mostly synonymous; where divergence is significant it will be highlighted.

This expression “constellation of vital conflicts” is typical of Rhonheimer and refers to moral dilemmas wherein it would appear acting or proceeding with a certain course of action yields equally disastrous results as not intervening, or in any case you are forced into choosing as it were *against* the interests of either of two or more parties. The expression communicates that it is specifically the presence of all the relevant circumstances that renders the situation an authentic moral dilemma⁸.

Here “direct” and “indirect” refer to one of the principles of double effect; whether the undesired bad effect consequent to choosing the object is or is not *dependent upon* the object of choice. For Rhonheimer this is an intentional category, for Guevin it refers to the causal dependency of your actions.

Guevin’s critique makes several claims for flaws in Rhonheimer’s argumentation in “Vital Conflicts”

The context of the debate. The analysis of certain craniotomies by Rhonheimer in “Vital Conflicts”

For someone unfamiliar with the moral dilemma that Rhonheimer was responding to, the following aspects are essential to a working understanding of this “constellation of vital conflict”. Although today in the West it is rare, there still exists the complication of a pregnancy where a woman’s pelvis is too small and/or the baby’s head too large or in-

elastic to pass through the birth canal. Assuming all efforts to deliver the baby alive fail, there exists the procedure to crush the fetus’ skull with forceps and extract the dead fetus. This procedure differs from a similar technique that uses a

similar instrument but whose object is extracting the fetus alive by pulling from behind the skull. A fetus’ skull is normally malleable and hence if correctly employed the delivery can be successful without damage to the child. The critical difference with a craniotomy is that the decision is made to crush the skull, not to attempt the delivery of the child alive⁹. In the case of a craniotomy abortion, there is no hope that the fetus can survive.

The critique made against Rhonheimer’s understanding of the role of the intention in the object of moral choice

Guevin’s critique makes several claims for flaws in Rhonheimer’s argumentation in *Vital Conflicts*. The synthesis of these claims is the following. First, that in spite of the vital conflict situation, you may not kill the innocent. Hence, as laudable as one’s intention might be in trying to save the mother, you run into the problem of having an evil means, *killing the fetus*, to justify a good end, *preserving the life of the mother*¹⁰. The fetus, he argues, is innocent, and in any case, it is to take the role of God to decide it should be the mother and not the baby that should be saved¹¹. This as-

pect of choosing the mother over the child was the second critique Guevin mentioned. The third argument of Guevin is similar to the first and involves Guevin and Rhonheimer's differences in the role of intentionality in relation to the object of the human act. In a nutshell, Guevin argues that you must necessarily be aborting if you intend to crush the fetus' skull; you cannot but be intending something which is evil, and hence that act is evil. While the argumentation and their different views on resolving the conflict will be spelled out further, it is prior necessary to consider in detail how each differs in their understanding of how to resolve vital conflicts. To achieve this, examining how each construes the moral object and double effect situations will be helpful.

A curious example¹² was used by Rhonheimer and commented upon by Guevin which pushes the limits of the application of the principle about ends and means. Namely, you may not choose an act whose success causally requires some evil effect to come about. To do so would therefore be tantamount to willing the evil, you would not be able to will the good effect without also willing the evil. In Catholic morality, it is never acceptable to will evil¹³. This is best grasped in its context as one of the four principles of double effect. The case alluded to involves a hypothetical situation where several spelunkers are trapped in a cave which is filling with water. The only way out to safety is blocked by the obese of the cavers who is hopelessly stuck. The remaining spelunkers have exhausted their attempts at pulling him out or pushing him through and have one remaining opportunity to save themselves, that of blowing the mouth of the tunnel free with dynamite, and presumably their buddy to smithereens. The moral quandary is whether it is conceivable to free the tunnel without also necessarily intending to *murder* their fellow spelunker. Both Rhonheimer and Guevin argue that in those circumstances it would not be murder, albeit for different reasons. The case is relevant as offering a similar situation to the craniotomy abortion. Rhonheimer argues here, as he does with craniotomies, that due to the constella-

tion of the vital conflict, it is a situation which goes beyond a case of "saving the lives of say five cavers at the cost of one". This is so, he argues, because we are in a situation beyond the demands of justice¹⁴. This means the life of the obese spelunker is no longer something which can be chosen; hence the act of saving those who can be saved under the circumstances is an act whose object therefore is not morally qualifiable as the intentional killing the obese spelunker¹⁵. This for Rhonheimer is critical lest the charge that it is permissible to do evil to save as many as possible under the circumstances be leveled against him, a critique he himself makes against proportionalism¹⁶. Guevin meanwhile argues differently, that the object is not blowing up the obese spelunker¹⁷, but opening the blocked tunnel, an object which is morally neutral. Hence it is licit given the application of the other principles of double effect. Naturally more needs be said to justify what would otherwise seem intuitively to be murder. A study of double effect principles will however shed light on this. It is to the analysis of these principles that we now turn our attention.

The first of the four principles to analyze is whether the object of the proposed act is not evil. The goodness or plausibility of acting rightly depends, in double effect cases, upon whether the act in its four pertinent principles is not evil. Incidentally, Guevin concludes the act is *freeing the tunnel*¹⁸ and not *killing the spelunker*. The latter is a presumed effect, not the object of your act. Were the object of the act killing the spelunker, such an act would be evil and you could not proceed. Part of what assists an accurate analysis of the object in question can sometimes be found in recourse to the second principle of double effect. The two principles can mutually shed light on each other.

Naturally Guevin accepts that it is probable the obese spelunker will die, but argues here this is not *what* you are doing. The success of your act does not require the obese spelunker to die. Ideally he could be pushed out, survive and thus everyone escape. For Rhonheimer, the object is different. "They use the dynamite to precisely *blow away the obese fellow* from

the passageway he is stuck in and thus blocking¹⁹. Clearly this is an important difference and it will be taken up further when considering the second principle of means and ends. The second principle of double effect is that the good effect may not come about through the bad effect. Guevin understands this from a causal perspective, that there may not be causal dependency of the bad effect for the good effect to occur. For Guevin, were the bad effect causally dependent upon the good, you could not but necessarily be willing the bad effect in desiring the good end. In the case of the cave explorer, you do not need the obese spelunker to die for the good effect to occur; you are only trying to free the tunnel in the only way possible²⁰. This case is borderline because the evil effect is so closely associated with the good, i.e. tunnel being freed and probable death of obese spelunker, that it almost seems united. Guevin requires that not only must the bad effect be *praeter intentionem*, like Rhonheimer; he also requires that neither can there be causal dependence. Put otherwise, Guevin would say that if there were causal dependency for the good effect to come about via the bad and you knew this, then that evil would be willed. This difference again highlights the fundamental divergence in how each author considers moral responsibility. The relation of the will to corresponding means for action will be spelled out further in the section entitled *Ends and Means*. The third principle is that your will must be set on the good effect. In the case of the spelunkers, the act would be very different and immoral had you orchestrated the crisis as a “clean” way of say disposing of the obese spelunker. Evidently this is not the case in our example.

Finally, the fourth principle is that it must be reasonable to tolerate the evil in light of the good which cannot otherwise be achieved. To invent a ridiculous example, you can’t do something which you know results in the occupants of a village dying just to save one villager. Applied to our situation, this principle, like the third, is not problematic.

In synthesis, both argue for different reasons that the object, the detonation element, in it-

self is not evil, and neither does the situation oblige you to make use of the evil effect to obtain the good sought, namely the rescue. Rhonheimer argues that you may tolerate blowing up the spelunker as the only way to save the others. He resolved the situation by specifying the intentional object and observing that the situation falls outside the demands of justice, given the particular circumstances, which thereby preclude an option for choosing to also save the life of the obese caver plugging the escape route. While Rhonheimer acknowledges that for him the case of craniotomy abortions are not resolvable through recourse to double effect, nevertheless, his solution is analogous in that he argues that absent an option to save the fetus you opt to save *at least* the mother. Without the option to choose the good of the fetus, you choose the only remaining good at hand. “A craniotomy—done in a case of vital conflict and *in extremis* as an emergency intervention after everything has been done to save both mother and child—can be performed without having a will to end the baby’s life which shapes the rationale of one’s doing, despite knowingly ending it. This is why the baby’s death can be considered *praeter intentionem* and why the bringing about of the baby’s death is not to be considered a direct killing.”²¹

Rhonheimer’s Response to Guevin’s Critique

In Rhonheimer’s reply to Guevin’s first critique about killing the innocent, the heart of Rhonheimer’s reply could be summarized as his rejection that that the death of the fetus, i.e. the crushing of its skull, is willed directly²². Guevin had contrasted this with an ectopic pregnancy where an abortive salpingectomy is performed. For Guevin, the latter was a valid application of the principles of double effect, different morally from a craniotomy abortion²³. For Guevin, the extraction of the compromised organ in a salpingectomy has the unfortunate but tolerable effect of killing the embryo. The surgical intervention is directed at the damaged organ²⁴, not the embryo. Guevin’s point is that in this

case the intention differs from what your intention is in a craniotomy. For him, craniotomies cannot but include intending the death of the fetus as Rhonheimer also acknowledged²⁵. From Guevin's point of view, at this point the case is closed; you may not intervene to save the mother if it involves knowingly crushing the fetus' skull and killing the fetus, to do so could not but be bound up with the moral description of the object of the act – feticide.

Rhonheimer, however, disagrees that the crushing of the fetus' skull is the means to the mother's survival; he argues that you do not will the death of the fetus directly. He furthermore distinguishes between what one does physically and what one intends. Rhonheimer in

this case argues that the constellation of vital conflict had precluded a willing for the preservation of the fetus' life and hence you are not, by crushing its skull (a physical action), choosing a fate which was not already a foregone conclusion²⁶. Hence for Rhonheimer you are precluded from directly willing the child's survival, and hence the object of the act is not specified by this. The following quote clearly showcases the reasoning behind how Rhonheimer argues that the crushing of the fetus' skull is not *willed*:

“What I really say is that a craniotomy in a case of vital conflict *is not a direct killing* (I do not use the term ‘indirect’) *because the death of the child is not chosen as a means* (i.e., because it is brought about *praeter intentionem*) [...] what makes the act not to be an act of direct killing is simply *the absence of a preferential choice of the baby's death* (as a means to save the mother) in a situation moreover in which non-action would lead to the mother's death”²⁷.

Rhonheimer and Guevin's difference of opinion regarding the role of physicality in action theory is their fundamental point of discrepancy. Both begin from otherwise common principles and arrive at divergent conclusions in the resolution of this moral

conflict. Rhonheimer, following G.E.M. Anscombe²⁸, specifically rejects the possibility of sufficiently parsing any action by its physical description. Whilst Guevin might agree that this is sometimes the case, there are many acts whose physical description is sufficient to, *at the very least*, to preclude such an act as immoral. Knowing another's intention can have further aggravating effects, but not reverse its malice. Case and point are the

so called intrinsically evil acts. Rhonheimer's reading of *Veritatis Splendor* is very different from say Richard McCormick's or Guevin's. In an article published in *The Thomist*²⁹, Rhonheimer interpreted *Veritatis Splendor* as follows:

“The encyclical's understanding of the object of

a human act explains the formulation in n. 79, which I quoted in the opening section of my article. This sentence, which contains the key formulation, is, however, mostly ignored by revisionists. The verdict here concerns ‘*choice of certain kinds of behavior.*’ In *VS*, n. 80, ‘*intrinsic evil*’ is referred to the object, and this again means: to kinds of behavior, insofar as they are objects of choice. What is called ‘*intrinsically evil,*’ therefore, is concrete choice, describable in behavioral terms, that cannot be reduced to simple ‘*behavior,*’ however, because every choice includes an intention of the will and a corresponding judgment of reason. That is also the reason why the encyclical speaks here about *ulterior* intentions, and not about intention as such: because ‘*object*’ and intention are not mutually exclusive terms. There is some intentionality required so that an object of a human act can be constituted”³⁰.

Guevin would agree there is a necessary quality of intentionality in a human act. Aquinas, following Aristotle, noted that every act human is for an end. In this instance, the end is something sought after as a good. The object of any act needs to have an element of intentionality since it is chosen *as a good*³¹.

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Thus for Guevin, there is a way in which it is correct to talk about intentionality when referring to the object of an act, although it can lend itself to equivocation. A better term could perhaps be the clause *the aspect of intentionality of the object of an act*, thus separating it from the *end* or *intention/motive* or *finis operantis* of the acting person with regard to the object of that act³².

One aspect is intentionality with respect to a certain act; another is the intention of the person who acts to attain some end. For this reason, in Guevin's reading of *Veritatis Splendor* 78-79, the object of intrinsically evil acts excludes the intention and circumstances³³. An intrinsically evil act is therefore one in which the acting person may never choose that act as an end, nor could there be circumstances which could render such an act tenable. He is here at odds with Rhonheimer who in *Perspective of Morality* described intrinsic evil as follows:

"It would be misleading to think that the expression 'intrinsically evil action' meant that the action was evil 'in itself' in the sense of being evil 'independently of the will of the doer.' This is because the 'intrinsic evil' does not define an area of objectivity completely independent of the subject, an objectivity, that is, which would be set opposite to a subjective willing or intending (in the sense, say, of the Neoscholastic distinction between the *finis operantis* and the *finis operis*, or 'purpose of the actor' and purpose of the action)"³⁴.

What is clear, then, is that for Rhonheimer intrinsic evil includes the *intention* but not the *ulterior intention*. While mention of intrinsic evil is not directly related to the discussion about whether craniotomy abortion is a direct but non-intentional killing of the fetus; it was useful to highlight the aspect of end and intention and how Rhonheimer and Guevin differ in their interpretation of *Veritatis Splendor* 78-79. The ultimate resolution to this aspect of the debate would eventually require the vindication of one of these two rival theories in regard to the constituents of human acts and the nature of action theory. Such a vindication would also indicate which interpretation of *Veritatis Splendor* 78-79 is

correct. Proving which theory is insufficient is beyond the scope and purpose of this paper. This paper only seeks to highlight the differences and indicate at what level they are found. With that in mind, we turn now to treat the second critique of Guevin and Rhonheimer's response.

Rhonheimer responds to Guevin's second critique by pointing out that the vital conflict situation renders recourse to justice and its corresponding rights obsolete. Guevin would seem to have argued that it would be contrary to justice to make a value judgment on the life of the mother over the child. Human lives are incommensurate and of equal dignity, hence making any such option for one over the other is destined to fall into proportionalism. While there are merits to the argument, it would nonetheless appear that Rhonheimer had clarified in his book *Vital Conflicts* that these situations are outside the scope of traditional standards of ethical judgments and recourse to justice. Thus, inasmuch as Rhonheimer initiated the discussion and framed its parameters, Guevin seems to have taken the reasoning of Rhonheimer outside this context and thus failed to address his position directly, at least not without explaining why and adding proof for how the argument concerning rights and justice would have nonetheless been applicable.

Where Guevin could have a point of argumentation, perhaps not brought to the fore, and in any case not responded to by Rhonheimer, is that whilst perhaps one of two destined to die could be saved if you intervene, where that intervention is directly and intentionally killing another, it is evil all the same. Not evil that only one should survive, but evil for a doctor or someone to intervene and make that choice to kill. Guevin's third critique and Rhonheimer's response thereto follows.

Finally, the third and perhaps strongest charge of Guevin deals with ends and means. It is important to begin by indicating how each has a different understanding of the application of this second principle of double effect. Both agree that having a good end cannot justify an evil means. Rhonheimer is

very clear regarding the so called ‘therapeutic abortion’ that it is unjustifiable and illicit to do evil so good may result³⁵.

It is clear Rhonheimer considers the ends and means principle essential to ethics. All the same, the burden is on Rhonheimer to argue how what Guevin stated is an instance of choosing an evil means, intentionally killing a fetus, to achieve the good of the mother’s survival is otherwise. Guevin’s charge, quoted by Rhonheimer in his response, is as follows: “If the death of the fetus is not the means to save the life of the mother, why kill it in the first place? An object or intentional act, in my understanding, is a physical action, thought, or word that the will chooses to do because reason presents it as a good thing to do. One makes this choice for a reason, a further intention, or a motive. The object or the intentional act is, therefore, a willed act; it is not something that happens accidentally or non-intentionally”³⁶.

What Rhonheimer holds as the key for understanding how crushing the baby’s skull in the constellation of this vital conflict is not the evil means to achieve the good end of saving the savable mother, is precisely the point mentioned that both mother and child are otherwise destined to die unless one intervenes. Second, there is no hope of saving the child. For Rhonheimer, there isn’t the option for “desiring the salvation of the fetus” and so “volition for its salvation” is precluded from the description of an act “to save the mother”. Not only that, Rhonheimer further argues that in this circumstance acting *against the good of the child* is *praefer intentionem*. For Rhonheimer, given that “the willing for the salvation of the child” is no longer a viable object of choice, reason chooses that form of action which at least offers the chance to save the savable mother. You could perhaps describe it as follows: “the will cannot settle on an action that the intellect will not consider a means”. You cannot, for example, intend to defend yourself from an attacking bear by firing a nerf gun dart at it. Sure you can fire it, but not as intending to kill the bear – the means is disproportionate. Put bluntly, for Rhonheimer,

crushing the fetus’ skull is intended, but the immediate effect, death by crushing of its skull, is not intended. The quote best illustrating this distinction follows:

“Hence, the non-intentionality of the baby’s death is not due to the actor’s simply *subjective* ‘shifting’ of the intention away from considering that he is killing the baby, but to *the objective constellation* which makes it impossible that one reasonably choose the baby’s death (either as an end in itself or as a means to save the mother’s life, that is, preferring the mother’s survival to the baby’s survival so that for this reason the baby is killed)”³⁷.

The difficulty here is to accept that the concept *means* is reducible to the preferential option for the salvation of the mother. Given the situation here is not presented as an opportunity to kill the fetus, to choose something as a means does not necessarily preclude a preferential option for one thing over another. What logical step left unclear then is why your act to intervene to save the mother by acting *upon the child* is not the means – even granting the circumstance of the un-savable fetus. Namely how the non-viability of the fetus’ life is somehow preclusive for that act which by nature knowingly includes the death of that fetus.

This association of the effect of the act “in this case the death of the fetus” and its physical description, “crushing its skull”, is from Guevin’s perspective not only intuitive but *necessary*. Guevin’s question, it would seem, is still relevant, “[I]f the death of the fetus is not the means to save the life of the mother, why kill it in the first place?”³⁸ Rhonheimer offered the following argumentation to clear this last charge:

“According to the above-mentioned notion of the moral object, to know what the object of an act of craniotomy is, we have to know what is “the good thing to do” that reason proposes to the choosing will when presenting it with the crushing of the baby’s skull. This is neither the crushing of the skull itself nor the lethal effect of this act, but rather the removing of the baby from the mother’s womb”³⁹.

Guevin has not, as far as is apparent, published a rebuttal to the above argumentation,

but it could perhaps be argued to be unnecessary. Guevin does not share the way Rhonheimer construes human action and on this point and it is not foreseeable either will agree. Both have applied their corresponding principles and arrive at this discrepancy. What will disprove the other is not further argumentation or descriptions of craniotomies but the appraisal of the other's moral system with the arguments why one's own is superior. Evidently this vindication is a project beyond the scope of replies and rebuttals in Quarterly Journals.

Conclusion

In as much as an author intends to be unbiased, an attentive reading reveals his opinions. Even so, the strengths of Rhonheimer's and Guevin's arguments have been presented in the hope an adequate description of the true nature of the debate comes to the fore. It is my earnest hope that both Rhonheimer and Guevin have been presented as well-meaning, honest ethicists, intending to be faithful to the magisterial teaching of the Catholic Church, the principles they see as self-evident and coherent with what argumentation follows from these principles. As has been mentioned several times throughout this paper, subtle differences in what they consider self-evident principles and the conclusions derived therefrom, is ultimately the cause of the intensity of the debate and its inherent complexity. It is hoped that shedding light on the correct philosophical and anthropological locus of these differences contributes to both clarity in a justified response to this debate treated here, and perhaps more importantly, the larger discussion about which of the vying Catholic moral theories best reflects reality. This is especially relevant in an age where vital conflicts do occur and the Church has a critical role as a moral anchor in society.

NOTE

¹ An act of man is described as an act performed by a human but without his being conscious of doing it.

This could include taping your foot to a beat, sleeping walking, spontaneous reactions, etc. Cf. *S. Th.*, I-II, q. 1, a. 1.

² Cf. *S. Th.* I-II, q5, a1.

³ B. GUEVIN, «Vital Conflicts and Virtue Ethics», *National Catholic Bioethics Quarterly*, 10/3 Autumn (2010).

⁴ M. RHONHEIMER, *Vital Conflicts*, The Catholic University of America Press, Washington 2009.

⁵ ID., «Vital Conflicts, Direct Killing, and Justice», *National Catholic Bioethics Quarterly*, 11/3, Autumn (2011).

⁶ For the purposes of this paper, each use of the term "craniotomy" or "craniotomy abortion" will refer specifically to craniotomy abortions within the circumstances or "in the constellation of a case of vital conflict" as Rhonheimer provided for in his book *Vital Conflicts* and referenced in the various articles commenting on it.

⁷ A description of what intrinsically evil acts are for RHONHEIMER can be found in page 351-353 of *The Perspective of Morality*, The Catholic University of America Press, Washington 2011.

⁸ Cf. *Vital Conflicts*, 84-85 and *PM*, 156-158.

⁹ To evidence the difference between deliveries assisted by forceps and craniotomies, the function of several tools available for craniotomies makes it apparent that there is neither intention nor reasonable hope that the fetus could survive. Perhaps the most iconic are the cranioclast or the basiotribe which in some models included serrated blades and a knife to assist in collapsing the skull.

¹⁰ B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 477.

¹¹ *Ibid.*

¹² Cf. M. RHONHEIMER, *Vital Conflicts*, cit., 43-46.

¹³ Cf. JOHN PAUL II, Encyclical Letter *Veritatis Splendor*, 4 August 1993, 79.

¹⁴ Cf. M. RHONHEIMER, *Vital Conflicts*, cit., 44.

¹⁵ Cf. ID., «Vital Conflicts, Direct Killing, and Justice», cit., 537.

¹⁶ ID., «Intentional actions and the meaning of object», *The Thomist*, 59 (1995), 291-295.

¹⁷ Cf. B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 478.

¹⁸ "The intentional act in this case is using dynamite to open a blocked passageway in order that the spelunkers might escape and not drown." *Ibid.*, 478.

¹⁹ "... (They might, for example, stick the dynamite between the body of the poor man and the inner edge of the hole in the wall; the wall is not the target, even if it might also partly fall; it is the body which must be blown away to free the passageway.)" M. RHONHEIMER, «Vital Conflicts, Direct Killing, and Justice», cit., 529.

²⁰ Cf. B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 478.

²¹ M. RHONHEIMER, «Vital Conflicts, Direct Killing, and Justice», cit., 536.

²² *Ibid.*, 524.

²³ Cf. B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 479.

²⁴ Here the writer assumes the conditions commented by Rhonheimer that suppose the hysterectomy is performed for the resolution of reproductive system conditions or illnesses, not an elective hysterectomy.

²⁵ “[T]he action which causes the death of the baby is performed intentionally and with knowledge of its inexorably lethal effect.” M. RHONHEIMER, «Vital Conflicts, Direct Killing, and Justice», cit., 537.

²⁶ This is the case at least in considering the option of saving the savable mother. The unpleasant hypothetical possibly exists of cutting open the mother to save the child. In any case, this does not appear to have been an option from the moral analysis performed by either Rhonheimer or Guevin.

²⁷ *Ibid.*, 537.

²⁸ Cf. M. RHONHEIMER, *The Perspective of the Acting Person*, The Catholic University of America Press, Washington 2008, esp. 27, 60-61, and 73.

²⁹ ID., «Intentional actions and the meaning of object», *The Thomist*, 59 (1995), 291ff.

³⁰ Cf. *Ibid.*, 284.

³¹ Cf. *S. Th.* I-II, q5, a1.

³² Two relevant quotes from Aquinas are *S. Th.* I-II, q1, a1, c: “Manifestum est autem quod omnes actiones quae procedunt ab aliqua potentia, causantur ab ea se-

cundum rationem sui obiecti. Obiectum autem voluntatis est finis et bonum. Unde oportet quod omnes actiones humanae propter finem sint.” And from *S. Th.* I-II, q18, a4, c: “Sic igitur in actione humana bonitas quadruplex considerari potest. Una quidem secundum genus, prout scilicet est actio, quia quantum habet de actione et entitate, tantum habet de bonitate, ut dictum est. Alia vero secundum speciem, quae accipitur secundum obiectum conveniens. Tertia secundum circumstantias, quasi secundum accidentia quaedam. Quarta autem secundum finem, quasi secundum habitudinem ad causam bonitatis.”

³³ Cf. JOHN PAUL II, Encyclical Letter *Veritatis Splendor*, cit., 49.

³⁴ M. RHONHEIMER, *The Perspective of Morality*, cit., 351-352.

³⁵ *Ibid.*, 534.

³⁶ *Ibid.*, 533 or originally B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 480.

³⁷ M. RHONHEIMER, «Vital Conflicts, Direct Killing, and Justice», cit., 534.

³⁸ B. GUEVIN, «Vital Conflicts and Virtue Ethics», cit., 480.

³⁹ M. RHONHEIMER, «Vital Conflicts, Direct Killing, and Justice», cit., 535-536.