



BURKE TO BASICS:  
FOURTEEN ESSAYS, MOSTLY ON MEN'S MERITING  
by  
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THE NATURAL BASIS OF NATURAL LAW

Several, or more, articles on the natural law in issues of *The New Oxford Review* during 2012, written by learned persons with academic degrees, utterly overlooked the two or three self-evident principles which one can clearly see upon reflection as upholding almost the entire framework of traditional morals: Persons deserve the effects of what they do; No one can be judge in his own case; and The servant is not greater than his master. One might feel inclined to say also it is self-evident that no process can be more important than its purpose, but attending to a

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well-founded protest can dissuade one from thus dogmatically adding to the list. However that may be, whether we hold that our existence ought to serve a good purpose or that our pursuing a purpose mainly serves to make us good, the purpose of human existence, so far as natural reason can discover it, seems to be that beings made of matter should see realities not made of matter and reflect them fittingly in matter to ennoble matter itself through its own performance of justice, so that the material creation should in at least a part of it deserve to be conscious of deserving to enjoy what is good – or else to endure what it must incur if rejecting what is good.

Rational application of those simple principles will in every instance uphold the whole framework of traditional morality. Men's not being allowed to judge themselves worthy to marry requires us to submit to the judgement of a woman. Anyone's desire to be a parent must be submitted to the judgement of another, who will be required to take up parental responsibilities on which a prospective spouse may default. People who do what makes people parents deserve to be parents and to incur all the duties, including keeping their children alive, to which their doing what makes people parents will naturally give rise.

Our “animal servants” called sperm and ovum may not unite unless their masters have themselves so united as to enable it: no *in vitro* fertilization. Actually doing what is just is a process more important than even perpetuating the possibility of justice, which latter, more than simply doing what is just, is coition’s purpose, so that, although one (actually of course two) might legitimately perform the process from motives other than a desire to achieve that purpose, no one can legitimately share in it so as to frustrate that purpose. Even coition not intended at least to celebrate humanity’s being able to serve that purpose will be wrong: lovers must never actually rejoice that any current and specific marital act cannot result in generation. That not every marital act will naturally result in generation does not allow for fun without fertility so much as it allows the cultivation of the virtue (since virtue is a habit) of chastity in habitually doing what ought to generate children.

No one may divorce unless he or she had specifically invoked a “right” to divorce when making the marriage itself: If its makers make it permanent by vowing marriage until death, they cannot unmake it without time-travel. Any reason warranting death for the marriage warrants death for an offending spouse.

People who deal death deserve death. That applies not only to murderers but also to those who want to execute murderers, when those murderers do not themselves see that killing deserves death or do not see that they authorized the state of which they are citizens to execute murderers. A murderer's being executed must be entirely the effect of his own doing: in his having seen what murder merits and in his having approved in principle – before he tried to wriggle out of it – the state's inflicting fair forfeit.

There is more, especially on how the principles of desert apply to economics, in other essays. Meanwhile, I'd appreciate confirmation or refutation of this argument for God's existence, which so far seems to me, though I feel a bit uneasy, as if it might work: That people deserve their deeds' effects deserves to be true: that truth deserves to be the reality it is. But nothing deserves to be itself if it was created by another. Therefore justice either is self-existent or is an attribute of the self-existent, which is what philosophers call God. I really have a feeling that the logic goes wrong somehow, and would appreciate being corrected by anyone who sees how to do it.

### WHY AND HOW MODERNS NEGLECT JUSTICE IN ECONOMICS

“What doth it profit a man to perform all righteousness but suffer the loss of his soul?” That very much sums up an attitude in relatively modern times which might have resulted in a religion’s indirectly encouraging materialist Evolutionism far more than “science” ever discredited religion. That religious attitude, though indeed “modern,” long preceded Darwin’s discoveries, which G.K. Chesterton said an existing philosophic materialism merely seized upon as its “scientific” confirmation. For many had deduced from John Calvin’s doctrine, more or less logically, that one can indeed perform all righteousness and yet suffer the loss of his soul; this later encouraged indifference to correcting someone who did wrong and a willingness instead to “let him go to Hell his own way” or, if he were otherwise predestined, to be put in Heaven without ever doing anything right, just because God chose and was able to do that with him. And if

he were sufficiently prosperous in a strictly material sense, that would be a really good sign that God had so chosen. All men were thoroughly unjust because of their first parents' first injustice. Applying (perhaps not formally valid) logic: Calvinism makes God appear to me to be unreasonable. But Evolutionist materialism disparages the faculty of reason, except so far as it can validate Evolutionist materialism. Therefore Calvinism tends to support Evolutionist materialism. Anyway, both allow me to do as I please in actual fact, provided it works, so it doesn't much matter which of these I do believe.

Justice being therefore in practical terms irrelevant, why would everyone bother to remember for all this time the self-evident principle which is a primary element of justice and to reason out in detail its proper and logically necessary implications for human behaviour and economic activity in particular which affords so much ease and comfort in ignorance and neglect of that principle and those implications? For they are very much in opposition to some money-making customs currently common which men in the Middle Ages would naturally have eschewed as illogical at best and some of which they might have painfully punished as gravely wrong.

That principle with many practical implications is “Persons deserve the effects of what they do,” expressed also though less comprehensively as “Things belong to those who make them,” in which form particularly it prohibits several economic practices prominent at present. These include “owning shares” in businesses and hiring the making of goods for sale by persons not the makers.

Someone who “invests” in a business without being a partner in it does not buy that business but is lending money to its owners, for which he is entitled only to repayment with interest or continuing interest while the loan continues. The interest ought not to depend on the results others produce with what they borrowed; its rate ought to be fixed when the money is borrowed.

Someone hiring another to make something which the hirer sells, denies that only makers ought to own and only the owners ought to sell goods; people with productive skills and energy should not have to compete for employment by people with money; people with money ought to be obliged to compete at lending to the productive.

People ought not to “buy and sell money”: investing in currencies is wrong. Money is meant to buy something else: currency exchange ought to be permitted only to someone buying something more conveniently available to a foreign

currency; money ought to be mainly the medium of exchange for neighbours doing together what they cannot do separately.

No one really deserves what factory owners pay for fuel-powered machines to produce, for no one does such production; it results from a combination of mechanical and chemical causes, inanimate, which others had assembled and the working out of which the “operators” only initiate and supervise without performing much in the way of actual deeds – since “doing” means intentionally moving, and in these cases the one intending the movements is not the cause of them and the causes do not intend anything, nor does the “operator” much share physically in the causing, as a person needing food from another might share in the other’s farming by doing something the farmer needs for, or at least while, farming.

A government which does not yet find it feasible to forbid outright such economic practices as those already mentioned which are demonstrably unjust ought at least to show it knows the difference between the kind of regulating which is meant to palliate and a kind intended to promote.



### MORAL REASONING AND ECONOMICS

Since the primary principle of justice, whether economic or any other kind, is that what people deserve are their deeds' effects, people can deserve food, clothing, shelter or essential recreation only by doing what produces at least one such necessity and by sharing thus in producing the others. It is not justice but charity which would give those things to people who need them but do not produce any of them; or else it is simply unjust for people to procure them by other methods. At least one Pope said in an encyclical that practising charity is not the function of the state, whose duty is enforcing justice. If charity were within the state's purview, then its duty would not be to practice charity on behalf of its citizens but only to punish citizens who refused to practice it. The state ought not to deprive people of goods or money when they have done nothing to deserve such deprivation, as many exploiters of "the economy" indeed deserve it. In any case,

where theft is indeed justifiable, as the Catholic Church says it can be, the citizen ought to do it for himself and justify his deed in open court; the government ought not to do it for him, and especially not without anyone having to go to court.

Now, someone seeing himself justified in thieving because the economic environment where others wrongly thrive afforded him no opportunity actually to do the providing of needed things might well decide to resist effectively and fairly, with force such as they themselves employ, police called to arrest him, so that he could be fairly sure of presenting his argument in the courts instead of letting the police seize from him at gunpoint and without laying charges (as embarrassed store owners exploiting unjust opportunities might prefer) return the food he “stole.” (That food ought to be enough to preserve life without wholly gratifying appetite.) He might even feel justified later, if all the courts ruled against him, in resisting to the death any police sent after him, so as to make the police genuinely consider whether they were justly enforcing laws affording them the relative prosperity they enjoyed.

Citizens endorsing positions suggested here might choose to establish and obey a “regulatory framework for economic activity” that forbade anyone not doing the provision of food, clothing or shelter to sell goods or services to anyone not doing

the provision of food, clothing or shelter, except for selling goods or services to lawyers, clergy, or members of the medical profession. That would not necessarily keep farmers from building computers in their spare time during the winter months, or necessarily keep people who even specialized in producing computers from convincing farmers and house-builders and tailors that having computers must be useful or entertaining or both.

That things belong to those who produce them demands at the very least that producers own and owners produce, and that both be so far as is feasible the same, with the producers and the owners of a good, as a very minimum requirement, roughly equal in number. If it takes twenty people to produce a motor vehicle from scratch, then twenty or thirty, but certainly not forty, should own it jointly, or at worst one owner should serve with it twenty or thirty regular paying passengers.

Seeing clearly that the state's sole concern is justice and that doing justice consists in allowing people to enjoy the benign effects of what they do and preventing them from avoiding their deeds' baneful effects, keeps out of the state's jurisdiction any detriment which no one inflicts, including economic misfortune when no one's doing anything actually fosters it. When people are

obliged to protect others from mere misfortune, as parents are obliged to protect their children, the state ought not to try to avert misfortune but rather to punish those who ought to have averted it from others but did not. (Seeking “success” in initiating or directing sequences of inorganic motion instead of doing vital deeds has become common enough for people to feel, without much thinking, that “it’s what we do”; it then seems to them unremarkable that their government undertakes to regulate and remedy much of what merely happens, as far as or further than it deals with conduct genuinely human.) So far as people have a duty to avert misfortune from themselves, however, the misfortune itself might well be deemed an adequate penalty for neglect of that particular duty. Otherwise, misfortune may be deemed fitting for people to face with one of two praiseworthy attitudes: they might choose to endure hardship as just punishment for offences which the state had failed to detect and punish or which lay outside the reach of written laws, or they might choose to rejoice in enduring it as emphasizing to themselves that, no matter how bad conditions might be, they themselves have not been so unjust as to deserve these: this view might possibly be, for people who really see that being unjust is worse than suffering any harm, a considerable consolation. For example, people who felt real shame at the prospect of having to

accept assistance from the government might well scorn the suggestion that by rejecting such assistance they would be failing in responsibility for their families; they might argue that “needing” such assistance ought to be regarded as a fitting penalty for being willing to take it, or for tolerating an economic system and a way of life in general which appeared to excuse or to necessitate making “government assistance” available for “those who through no fault of their own” cannot provide for themselves, and they might argue that “social assistance” ought therefore to be advocated as an abasement, perhaps to be assigned upon a court finding of social unworthiness in the prospective recipient, or else upheld as an honour which also a court would rule deserved. (Any decision regarding a claim between citizen and government ought to be rendered by a court of law, since neither citizens nor governments may judge their own cases.) For the real challenge to the right-thinking may be not so much an obligation to live as justly as is possible in unjust conditions as a duty to tackle such conditions head-on and by opposing end them. Or die trying.

### DOMESTIC ECONOMY: THE ONLY PROPER KIND

Since what a person deserves are the effects of what he does, his natural purpose in life is to deserve the highest mode of existence that his kind can naturally attain. (Since grace builds on nature, man's supernatural destiny as a Christian will include his doing this.) The highest existence naturally attainable by creatures composed of matter and that part not made of matter with which we see reason, that makes our matter what we are, is to remain bodily alive while identifying with realities beyond the bodily and delighting in these and any innocuous joys and pleasures incidental to engagement with lasting worth; actually doing what actually sustains life – what keeps together our matter and our part not made of it – is both necessary and sufficient for us properly to enjoy our being alive and our relishing whatever else we might gain by doing. Some might deem this unduly restrictive, but it can also dispel illusions we might heed (to our

detriment) of being obliged to do more, even to survive, than our own deeds of planting and harvesting food or of directly making clothing or shelter for ourselves and any who fairly share our doing by supplying similarly something we need. It is better to deserve what we need even than to possess and enjoy it, which latter is all that people do when their goods are produced by mechanical and chemical causes arranged to bear upon one another intermediately.

The next best thing to keeping oneself (literally) alive to truths permanently real, is to keep the race of man itself (literally) alive to them. After that, man's duty is to extend as widely as he can, in as dense a concentration as he can achieve, among creatures near him, the relation between deeds and deserving, dealing with the lower creation in all the various ways not diminishing it, to meet his own needs and legitimate desires, advancing among the things made of matter a union not made of it. One man alone could never do justice to that august privilege; that is why men and women marry to have children: the family must propagate in matter power to perceive and to perform what is deserved. That is at least partly because all of the lower creation can thus "find" (have bestowed upon it) its highest fulfilment – or its deepest "degradation" – in humans' using it to deserve what they deserve by doing what they do; it is why indeed "agriculture is

the highest art”: it raises matter’s lowest mode – inanimate earth – to the highest of merely material measures. Since justice should inhabit all the earth through humans’ performing it fully in as many places as possible – this duty, when properly done variously, will largely leave some places to themselves – there devolves upon the family especially a decently diverse density of related duties: couples generating prospective doers of just deeds ought themselves to supply, from or on their own real property, the things most proper to that purpose, such as food, clothing and instruction. Thus dedicating political territory to fruitful justice (“doing justice to it”) would entail maintaining it in sustainable service to human deserving, at the highest level at which the local environment itself would flourish without radical alteration; this in turn would give the territory a population sufficient to defend it with deeds instead of “inviting activation of arms inanimate” against enemies. That would be a population, moreover, of growers, herders, and makers offering sufficient market for suppliers of goods less than strictly necessary.

The family’s chief worth is that it can fulfill both the main modes of sharing essential justice available to mankind: in it, humans can keep themselves alive as separate persons by doing separately what they can for themselves and they



equally can do together what needs more than one to do it for more than one; they perpetuate together mankind's being able to deserve what it deserves by doing what it does; the family therefore is mankind fully constituted: its source and its summit, so far as mere nature can supply. One human remains himself by doing what deserves his being so, and being glad of that privilege, and family deserves to be itself by both doing justice and perpetuating the possibility of justice, so as to be both mankind's generative unit and its productive unit; whatever families need, families ought to produce: if families really need computers or devices generating electricity for computers or other machines ("generating" electricity is a living action done with machines and not chiefly by them; the latter is not generation but only production), then a family must be able to make a living by making these or at least by making components of them; what a family cannot make, mankind does not need, except for buildings like churches or courthouses to be constructed by groups of families for use by groups of families. There ought to be no "economically productive corporations": any corporations there are ought strictly to be governing bodies or organizations earning only what they strictly need to serve purposes strictly charitable. Being permanently conscious of that kind of sanely severe order all about one and of being obliged to serve as an

objective reality the highest ideal conceivable to natural man may even be necessary to prevent much in the way of modern mental distress, especially if one in the midst of that order bore mainly in mind the pattern of actual deeds instead of being mostly in a muddle about whether one's own motives or those of others were really worthy of our ideal; the beauty of being able to admire actions done by others is that we can conceive of their having the noblest motives for doing these, without our necessarily being contradicted (especially by those others). Also, being mentally ready to forgo, as not deserving it, much that otherwise we might unfittingly gain, might help lend us the courage to endure a graver misfortune when that was undeserved (so far as we could judge our own case).

The family is “the basic unit of society” not as one component among many similar and mainly reciprocating which the whole comprises, but as the society itself subsisting in each family: a framework of families for every family. Each family must share in doing anything another family does for it, by providing something the other family needs to do that; only thus can it deserve what the other family produces. That is one of the chief things a family must do to be a family.

Another of the chief things the family must do is teach each of its members what one needs to know and do to be part of a family: how a family ought to support itself and how its members ought to regard and treat one another: that is, how to work together applying the truth that people deserve their deeds' effects. Most of mankind ought chiefly to bear more or less permanently in mind when not concentrating on some specific application, that man must try to “fulfil all justice” by both producing and generating and that men not mainly doing these must at least celebrate or defend doing them.

Parents' original instruction to their offspring ought perhaps to be that one ought not to wait to be instructed in the demands of justice but eagerly seek on one's own initiative to learn the nature of deeds and their effects and which of these are worthy. Parents ought to emphasize to children that farming and fishing, the deeds which most provide most food, are best worth doing, since food is inherently necessary to human life, while need for clothing and shelter mostly arises from external circumstance, so that indeed “agriculture is the noblest art.” Choosing a trade ought not so much to depend on one's own tastes as upon whether farmers or fishers need one to ply that trade. If one's taste and one's duty actually coincide, as they often might, that is just one's good luck.

It is perhaps also just one's good luck if someone with whom one "falls in love" is also admirable for dedication to the duty of generating prospective performers of what people ought to deserve. That is the quality one ought most to seek in a prospective spouse, since coition – the proof of marital love – ought always to convey approval of one's partner's worthiness to be a parent, even when it cannot actually generate progeny; marital love consists at least in desiring thus to approve. Contraception necessarily annuls such approval. Also, it should be easier, psychologically, for couples to lend themselves together to sublime duty than for someone selfish by nature to accommodate another's precise preference in optional pleasure; persons considering "serious relationships" should consider with the "significant other" whether they together like or admire something really permanent.

## DIVIDING LABOUR

The suggestion that those who advance arguments appealing to the head only and not also to the heart are “men of violence” is consistent with Hans Urs von Balthasar’s urging, mentioned in *First Things* magazine, that Catholics first present their beliefs as alive with beauty before trying to defend them as true. For, as the movie *Secondhand Lions* suggests, an ideal’s being “worth believing in” can be as important as its actually being true; facts can be true without being “worth believing in.” That there are “racial” differences among humans is a fact not worth centering our lives around it, not “worth believing in.” However, holding that the division of mankind into woman and men is not only a fact like racial coloration but rather one of “the only things worth believing in even if they aren’t true” might be a position which some “men of violence” feel they can prove to be true although they themselves have only accepted it as worthy of

belief because no one refutes it. Trying thus to compel acceptance of what one cannot prove conclusively puts sensible people off, so perhaps the adherents of that view should present it as a “hypothesis” some might find “worth believing in” until someone can refute it. It is possible for us, perhaps, to predict their presenting some particular hypotheses.

We can expect people who oppose “unisex feminism” to present first what itself is but a hypothesis as a general basis for more specific theorizing, to wit: humanity itself exists to be that part of material reality which can, in its own right and on behalf of the other material things, be aware of deserving to enjoy being what it is; that can justify every activity by which humans may legitimately please themselves and one another; the physical universe revolves around this reality that a thing made of matter with a part not made of matter can deserve to enjoy what it can gain through its own deeds without denying others similar gain, and that it can consent to endure what it inflicts on another who does not deserve that. One such being’s having done such deeds might conceivably have justified the material universe’s whole existence, but there is more: Because that kind of thing exists in two aspects we call sexes, it can generate “more of itself” so that the physical universe can continue almost indefinitely to revolve around reality far superior, in

kind and not only in degree, to the universe itself. If one sees that that hypothesis is not yet disproved but rather one can deem it “worth believing in,” one might be disposed to deal with some further suppositions.

One supposition which one might feel is fairly plausible is that human males are meant mostly for “getting done what they have to do” and that the human female generally carries to completion what the males thus initiate. The only material support for this particular hypothesis might seem to be that this is the way of human generation, though perhaps those offering it would “reason” also that since the very foundation for continuance of worthy activity is laid in this manner, it might be “fitting” if much other worthy work proceeded similarly, especially where initial performance demanded concentrated energy of effort and briefly sustained but close attention and carrying the process through required chiefly the kind of care which tranquil benevolence can best provide. Thus, in general, men should plow and woman plant, men should reap and woman cook, men should sew leather (which requires effort) and woman sew soft cloth, men should nail wood together and woman should choose and hang curtains: men should do what demands strength and energy briefly concentrated and woman what takes time and continued consideration. A father ought to tell his children

what they ought to know, because he must, and their mother should make sure they absorb and remember it – and he remembers – because it is good for them. Maybe sometimes we must depart from this pattern, but (mostly) perhaps we ought not to prefer departing from it.

This theory can be supported further by what admittedly is but another theory: humans should do some things because they are what they are, and should do other things which help us to become who we ought to be, and these are so equally essential that no one human can equally emphasize both while giving each the emphasis it deserves, so that each should have its own identifiable half of humanity stressing its importance even more than that particular half stresses the complementary aspect. We might almost deem that teaching what is right is more necessary to a man than being a good father, in a sense in which it is not true that bringing up children to be good is more important than being a good mother, and that it may be better for a father to be good at something besides fatherhood than for a mother to be good at “more than motherhood.” Perhaps women’s being (when they are) who they ought to be is what the Catholic male priest should offer God in the Mass, even more than people’s doing (when we do) what is right;



maybe a woman's "seeing her own goodness" is less parlous than a man's deeming himself good.

The theory also that male humans almost exclusively should endure endeavouring what must entail effort and women ought most to enjoy being benevolent, lends itself to the hypothesis that men ought chiefly if not exclusively to be the imposers of punishment both in the home and for the state. That might be because those who inflict what must be endured deserve also to bear what they inflict, and an identifiable branch of humanity which in general did not inflict but rather refreshed ought not, ordinarily, to feel physically what ought to be inflicted; women can show their own courage by bearing because of their benevolence those misfortunes, like great pain in childbirth, which no one actually inflicts but which occur because a process happens to proceed; Some might emphasize that thus assigning to one sex exclusively the obligation to endure hurtful effort and inflict what injustice must incur should remind us all mostly that in a state of "original justice" there would be no such burden for anyone and that such an originally perfect existence is worth approximating so far as possible, if only in and for but half of humanity which for that reason men might accurately call their "better half." (Even the hot anger at another's wrongdoing which anesthetizes the

pain of inflicting pain ought not negate pity, at least if one is Christian, for the self marred by its doing wrong, so perhaps the sexes ought to “specialize” also in these attitudes to keep them suitably strong generally.) One could suggest also that if such theories are “worth believing in” even while unproved, this might help render both halves of humanity as strong and almost as well-balanced as if each were itself the whole, especially if it is true that children model their attitudes mostly on those of their parent who is of the opposite sex. Theorizing of this kind can suggest that if men are meant mostly to perform what is strictly obligatory, then it is women who ought to be admired mainly for being who they ought to be, and that even if it is chiefly men who make such logic-chopping “subtle” distinctions, their tending even to do that might be the only thing which best enables them to be interested in others almost purely as persons more than as doers of what they want done. Also, approval or scorn from persons worthy to be who they are can much affect men’s doing well even what is in itself obligatory.

Further, if men’s duties were mainly disciplinary and women’s dedication more mainly developmental of “personship”, then men ought to restrict themselves to insisting on such restrictions as they can prove by strict logic from self-evident principles to be strictly obligatory, and they ought to be vastly

vigilant against measures which any mere male may recommend as important to personal growth, especially if his own personal growth as a captain of complicated commerce is mainly what he has in mind as a result of his mother's ambition that he manage many others for their own improvement; even a woman should attend personally to helping "personship" flourish in relatively few at a time; preferably these would be her own children and their father.

### MANNERS, MEANING, AND MARRIAGE

That the feminine is to free men from “Fate,” where “Fate” is sexual automatism, might well seem “worth believing in,” since it might justify matter’s existing if only one man alone kept even briefly himself alive and aware of his deserving life and that awareness: even the “preservation of our kind” is not so necessary to the perfection of the physical universe as our kind’s having already existed apparently was. If, therefore, the function of the human male is to perform what is minimally obligatory, he ought to remain always aware that no woman is ever a mere aspect of that: every woman is a generous addition thereto, so that we ought to be thoroughly grateful for that expansiveness even if it does entail some expensiveness.

Woman’s function may be said to be embodying choice, or choosiness. She is free to seek anything not actually forbidden, differing therein from men, who are

obliged first to keep one human alive and deserving what is good necessarily, which will often take up much time and energy. If men want to share in the “original benevolence” of justice which goes beyond that, they ought to enable their women to render it present; the women ought perhaps to help perform the obligatory so far as is necessary to let men avail of their benevolence, which, rather than male or even female lustfulness, ought to be the main motive for human generation. It almost exclusively might be seen as warranting femininity in mankind: mere men can readily supply almost anything else they need, except that particular kind of disinterested benevolence which wants others to enjoy whatever may in justice be enjoyable to them; men might well say, “If you supply not that generosity to our necessities, ma’am, we really have no need of you, for then you might as well be a man.” And that is pretty much what is happening in current sexual equality.

Sexual equality, for many moderns, means that women are entitled as much as are men to untrammelled sexual enjoyment. And indeed they are – if one overlooks the truth that men themselves are not entitled to untrammelled sexual enjoyment but have only behaved, though not perhaps in all ages, as if they were. The error serves to point out that men’s gift for honouring what is good in itself –

as the good which is in pleasure self-evidently is – can need correction by woman’s emphasizing what is “good for the person”: things good in themselves are not necessarily worth seeking for their own sake; men’s assuming that they must be so is a misdirection of “male objectivity,” warning us not to overvalue the latter even if it be well “worth believing in” to a degree. The very fact that woman can so capriciously change her mind about “having sex” with someone she has been “leading on,” whom patently she had found to her taste and liking – that she can change it with what to a man is such fickle capriciousness that any man will deem it most unfair if her “victim” is convicted of rape – ought to be proof enough to a logical mind, that women are not ordinarily the fatalistic slaves of their own physical urges that men often seem to be and even to be somewhat too complacent about being.

There are mainly two ways in which a woman can teach a man – and usually only one woman at a time can thus teach any man, and one man will be as many as she can teach at one time – the real worth of being benevolently unselfish. One is to let herself unselfishly cater to his desires, which are essentially themselves quite selfish, in the fond hope that he will wake to and reciprocate her generosity. The other way is expounding verbally the theoretical value of their both

contributing to the embodiment of that benevolence in justice itself which allows things made of matter to appreciate its beauty as one of “the only things worth believing in even if they aren’t [firmly proven to be] true.” That way might be safer than the other, both in being more likely to “work” and less likely to do real and lasting harm to the woman’s heart: she can found her marriage on a theory both spouses endorse instead of sacrificing her whole self to the presentation of her theory, and show her prospective husband that the thing bigger than both of them to which they can give themselves and in which give themselves to each other, is a genuine reality genuinely higher than their bodies or the bodily expression of even a desire fully personal of two persons for each other.

What all this means is that women who want to live as equal to men – that is, to live as if they were not more than men – must live without men, or at least without those men who want life with a woman as “something extra,” a life beyond and higher than that which men can enjoy in company merely male. That is to say, women who want men in their lives ought, ideally, or at least in the main, to be “defenceless females”: they ought to choose mainly to depend on their own men, or on generously manly comrades of their own men, to defend their lives and their honour – and they ought to insist that these be well-trained and

fiercely effective defenders who prefer to fight fair and who will severely punish any foes they might defeat despite those foes' having brought unfairness into fighting. However, if men who directly attack women are by definition not fighting fairly, the women may perhaps respond with equal inequity by using weapons not ordinarily fitting to a fair fight between foes eager to do their own fighting; that is to say, women whom men attack might well be justified in shooting with firearms, a combat method in which much of the really deadly work only "occurs" more than a fighter actually does it and which therefore may indeed be suitable for those to use who ordinarily rely on vicarious defence, which males ought ordinarily to disdain.

Women who endorse the idea of men dying to defend them in their "embodying the ultimate extra element of pure benevolence (and benevolent purity) in human life" should be prepared to sleep always with one man and to dance sometimes with all of them with whom she is acquainted. For dancing ought to mean when both sexes share it that any purely personal pleasantness which members of one sex may find in members of the other should warrant their doing together what ought to be enjoyable in and of itself, irrespective of personal preference, so that a man and woman dancing as a pair ought to express thereby



their approving each other, as a matter of strictly abstract principle, as prospective partners for (marital, of course) coition: if one of them is already married or engaged, their dancing thus in public, or as part of a group, ought to proclaim to all present that they are content to confine themselves to that approval-in-principle and have no intention further to proceed upon it, even if their attitudes convey that they might be tempted much thereto.

Such are the ordinary attitudes men might ordinarily expect of themselves and of women in an ordinary society of men and women. There may be some, especially among the women among them, who constitute in their lives legitimate exceptions to those attitudes; if that is so, perhaps it ought to derive from such a woman's desiring to pursue a course which is itself exceptionally worthy and worthily exceptional rather than to enjoy simply regarding herself as excepted from the "merely" ordinary because that is "oppressive" – although only in circumstances which the most starry-eyed idealist will readily admit are plainly oppressive.

Naturally, any man who has had a normal upbringing will address any woman, even if "only" a store cashier for whose good looks and youthful pleasantness he ought incidentally to be most grateful, in the conscious hope that she shares the

views expounded here or with regret that modern (co-)education has probably kept them from occurring to her even unconsciously even though she herself may seem much gratified by the kind of manners to which they gave rise.

### PRIESTS AND ECONOMICS

Catholic educators seem frequently to have praised the family more as source of priests, missionaries, nuns, and other similarly selfless “contributors to society” than as fount of further families to be society. But even the priesthood may be meant first to forgive family members for offences against family life, which may well be, as a pope suggested, the most difficult vocation in which to become holy. It therefore may be most akin to the martyrdom which fascinates, or used to fascinate, idealistic Catholic children, and so perhaps ought to be offered them chiefly in that light, representing that high defiance to the devil (and his dupes) which is essential today to Catholic family life, and perhaps especially, now, to Catholic priests realizing their duty to the family. Earlier essays have shown how family life and our society in general today go wrong economically, and suggested a proper pattern, in a general sense, of legitimate economic operations,

so that it may be one of the main duties now of Catholic pastors to offer good example by enduring first among and for their flocks the consequences of moral consistency in economics.

Since it is the chief duty of family members to do such deeds as will actually sustain their families, instead of maintaining only indirectly their existence by reason of having elicited occurrences, the Catholic priest perhaps should offer God in the Mass primarily the ordinary family's rightly fulfilling that normal duty. It is his duty and his privilege to be himself maintained by his parish's families' properly pursuing their duty; it may be his duty to go hungry if they choose to "thrive" after the current manner of most modern men; perhaps he ought to decline money his parishioners earned in serving Mammon rather than justice. Perhaps the various conferences of bishops ought to discuss with their priests the practicability of setting dates within a decade or so of which following such a suggestion will become firm clerical policy. At the very least, having to attend closely to specific and distinct moral standards in the wide realm of economics, would provide pastors with material other than sex, which now perhaps seems susceptible to excessive emphasis that a temperate preacher should eschew, for homilies applicable to practical life.

Adopting such a “policy,” if indeed it were not sound Catholic social doctrine, might at least turn priests and parishioners from seeing their lives too much as a corporate enterprise needing direction from a chief executive officer, for they ought to work out their salvation in far more personal a fashion than “the global economy” might afford them even if that were, as it emphatically is not, a reflection or an aspect, or a universal instrument of the universal Church or world-wide operation of the Church’s laity. This new approach might also correct an impression some pastors may have that they are a kind of “branch managers” legitimately advancing their autonomy under a “diocesan CEO” who is entitled only to such episcopal influence over them as he can diplomatically achieve by tactful exercise in clerical politics. Obliging priests to live on what parishioners can actually produce by veritably doing production, might for a long while, until nearly everyone learned well to prosper thus, offer much helpful distraction from such clerical vanity and tend to weed out self-serving professionals from among the hardworking humble, which might be well worth while even if for a time only the bishop himself really remained thus.

Ambition to “rule the local church” or even to govern the church more widely might be due largely to a mother’s opinion that her son must deserve to direct

others in holiness and to govern their worship if any other woman's son deserves so much. (Women once preferred governing through men, and ruled then more surely – and more safely for themselves – than they can by taking power directly except where now those who rule, instead of truly governing free citizens, are managers of wellbeing, which is woman's actual vocation.) But that would assume erroneously that priesthood is deserved, rather than direly needed, to begin with. That women of a certain generation have assumed some men deserve to be priests might be due to some priests, or some teaching nuns, having conducted themselves, very wrongly, as if they deserved their vocation, which might actually be true in the case of nuns but is not ordinarily true of men in religion and perhaps rarely true of men in religious authority. Believing that priests deserve the priesthood is like believing that the rich ought to be rich; both may be due largely to a lingering unconscious influence of Calvinism as discussed in an earlier essay, although even believing that the rich are rich for our sake, so as to "give us jobs," which is bamboozlement when it works, is closer to the truth that priests are ordained at least as much for our good as for their own; they do not deserve by being good men to be priests so much as they need to be priests in order to become good men; it may be that women perhaps are not crippled enough

to need that crutch; that may be why it is important for a son to derive from his mother his notion of what it is to be a good person and for him to learn from his father chiefly that he ought to do what must be done and that, when necessary, he ought to be glad he can do only so much, as hardly any woman could ever be content with that. (It may be that men mainly are made, primarily by doing what they must, and women mostly become, preferably by enjoying what is best, who they ought to be.) A man accepting priesthood, or any other authority, ought to accept also its being always authoritative, especially to himself, and never personal, especially not for himself; authority is an obligation to function specifically rather than an opportunity generally to enjoy what one might prefer; the latter might be a privilege which most women, as not taking authority, are not obliged, and might be reluctant, to forgo, and possibly even ought not to forgo: it is possible even that some men's having become decent and effective priests was due at least in part to a fine feminine fancy, in mothers of at least one generation, for rearing at least one son whose soul must be "superior" to the more-than-half-ashamed sensual selfishness (selfish chiefly because she could not share in it) of a clumsily carnal husband. That might support viewing human generation as subordinate to offering God mainly the lives of celibates rather than what might

have been the highest act of religion if man had not Fallen and what is still, of all our natural offices, most worth a Mass.

Affirming the sense of order, psychological and in economics – economics ought to follow sound psychology instead of trying to alter psychology to fit fickle capitalism – which this and other essays have promoted, may well afford a solid footing from which men and women can dance together fantastically many extravagant dances (that always demand firm footing) especially if “they take themselves lightly” in a healthy atmosphere kept stable by “laws of gravity” which one might state thus: (1) Men mostly discover (rather than merely make) rules. (2) Women make exceptions to rules. (3) For humans readily to rule themselves rightly, there must be at least one exception to the second rule; if there were only one such, it might be that women, chiefly constituting “the priesthood of the laity,” are not ordainable as Catholic priests.

Such a sense of order, that to some might seem too pat and too routine, especially if they do not work at following it, might well permit, while the sense itself were strongly kept, of much well-meaning departure from the “regular” in instances found after the fact to be truly exceptional and exceptionally well-intentioned, which the careful casuist could indeed excuse or even perhaps justify.



But we should not issue beforehand licences for exceptionality, for, we have been warned by an exceptional man who deemed himself ordinary, the most middling would deem themselves most to deserve those licences. A person deeming herself exceptional whom others also find so, would be indeed a worthy exception to the rule.

It seems essential that people of the same Church should agree on what they deem the essentials of its shared life, so as to be essentially “of the same mind” even as God the Father as gladly giving Divinity and the Son as gratefully receiving that Divinity to be rightly his own, constitute that single mind of theirs who is the Holy Spirit, essential to their Divinity, in Whom they are “thoughts who think themselves.”

### CHURCH PROPERTY AND THE STATE

That persons deserve their deeds' effects means that if Catholic bishops have abetted priests who committed sexual abuse of children, or if they have been criminally negligent in failing to remove priests from positions where it was likely they would commit such abuse, they ought to have been charged with that kind of offence, and they ought not to have been allowed to buy their way out from under by submitting to civil lawsuits affecting property established and maintained by their parishioners, as if that property belonged in fact to those bishops, when in fact it is the parishioners who maintain even the bishops. The state ought to deal with its citizens strictly as citizens and never as members of a religion, so that property which citizens establish and maintain strictly insofar as they are members of their religion ought not to be subject to governance by their state, although, of course, property which citizens establish and maintain in order to

carry out economic activity for the benefit of their religion – that is, to obtain money they will donate to their church – ought indeed to be subject to such governance even if it is used exclusively for the benefit of their church and every iota of profit from its use goes exclusively to their church. However, we must clearly distinguish between that kind of activity and their church’s religious activities. Failure to make such distinctions leads logically to Marxism and its declaring dogmatically that “everything is economics.”

The Catholic Church or a Catholic diocese does not “employ,” in the sense in which most of us and our laws regarding employment use that term, its clergy. The clergy do not, or at least ought not and ought to be deemed not to, seek employment with the Church for economic gain or even physical sustenance essential to their survival. Their business in the Church is not business of that kind; they are freely offering their service to God and his people, so that, if they are unable to survive on what the people of God can supply to them, either they must resort to work which truly is economic activity and for which they ought to have made themselves competent or they must resign themselves earlier than they had thought necessary to not being able to survive except for the operation of pure charity in the hearts of others. If the state does not concede to religious

functionaries that exceptional dignity and exemption from its ordinary laws regarding the employment of some by others, that is probably because its rulers desire to foster dependence upon employment by others, in far too many who could well thrive through self-employment, for the benefit of those who prefer employing others over doing their own work.

So far as its citizens adhere to a religion, the state has no claim upon them, not even the right to insist that as members of their religion they must invest themselves or any agency of their religion with any sort of corporate citizenship subject to government regulation; any religious body which does voluntarily establish such corporate citizenship to invoke the state's protection, as against the protection it may demand from its own members (on strictly religious grounds of discipline), is virtually asking for the kind of trouble which has befallen some Catholic dioceses assailed by civil lawsuits against their "episcopal corporations." There ought not to be any corporations subject to civil law which "do business" on behalf of the church or a diocese or a parish: at most, the members of a parish who want to do that kind of business on behalf of their parish ought to set up a non-profit corporation, subject to civil law, whose purpose is to donate to their own parish the proceeds of its doing business. Parishes themselves ought to be

ecclesiastic corporations subject only to the laws of the Church, about which any who are considering membership in such a parish may state their own position so far as that parish corporation is permitted to be democratic. All that the state may do is forbid members of a religion to deal with one another in any way which is forbidden them simply as citizens; to be a citizen is not necessarily to be either an employer or an employee, and the state's laws ought not to presume that it is necessarily so, for that would bind some to the service of others, which would institutionalize slavery.

## FIREARMS CONTROL AND POLICE WORK

Since our deserving the effects of what we do is the main element of justice among men, any criminal law not flowing from that primary principle or upholding it will be strictly a criminal law and not a just law. A just law will defend our enjoying what good we gain by doing what is right or will enforce our enduring any detriment we inflict which others do not deserve or which only the state may inflict on them as we and they together authorized it to inflict. The same principle demands even then that even the officers of that state, even if executing perfect justice, should be ready to dare a decent degree of danger in doing that duty: he who does detriment distinguishable from justice itself deserves that detriment, and all forms of detriment are thus distinguishable, so that a policeman using force to effect an arrest deserves that force of the same nature be used to resist him. Whether anyone he is trying to arrest is actually entitled to resist him is

quite another question, to be answered in court: all that the policeman may do, and it is what he must do, is fight fairly to get the matter into court. Fighting fairly, of course, means relying only on one's own personal bodily prowess when one's opponent relies only upon his – and the average policemen worth their salt ought to have more, and have it in higher quality, than most of those against whom they must enforce a just law. It means wielding a weapon which harms only by reason of someone's wielding it, when one's opponent confines himself to weaponry of that nature – and policemen ought to have more and better training than most of us, perhaps, in wielding such weapons or in warding with a shield, maybe, such strokes as another might make with one of these.

Perhaps we ordinary citizens might be entitled to resist any policeman trying to arrest us if that policeman cannot show by rational argument that the primary principle of justice – that we deserve our deeds' effects – warrants our state's imposing the law he is trying to enforce. If he cannot thus justify his taking us in, it might be that he is himself taken in by merely plausible politicians even if we mean only that he thereby receives sustenance through a “justice system” whose knottiness of mode and motive a working citizen could never untangle and to which therefore he ought instead perhaps to apply the sharp edge of simple

principle. For our “justice system,” especially for those who believe that the “system” itself is justice enough, may possibly, even though many actually do much that occurs in it, conceal and support another system – our system of economics. Much that takes place in that economy is hardly ever anyone’s actual doing but only something which people invite to occur, so that hardly anyone deserves to prosper, although most of us do prosper, from the system’s functioning; it seems to function more or less to our advantage through our own seeking within it to attain most of what we want that is available in our current circumstances as the system itself largely shapes them. That can be a far cry from doing genuine deeds that of their nature effect our purposes and from our deserving to effect these by deeds worth doing “for their own sake” in that they disclose justice to the earth. Therefore we may perhaps resist police, and also defy judges, who seek to enforce any law which forbids, or which upholds a way of life that circumscribes, our doing actual deeds that would gain us good without depriving others of what they deserved or inflicting on them what they did not deserve. A mind well informed ought readily to recognize such laws when it encounters them. That alone might well justify us in trying to engage in



“vexatious” philosophic discourse every jaded officer of the law who has occasion to address us in the course of his “duties.”

We might reasonably deem, perhaps, that a chief function of our police currently is to protect the industrial capitalist “way of ‘life’” more than, or maybe even instead of, protecting other citizens from injustice, and we might reasonably deem also perhaps, that the latter duty tends to overshadow what ought to be the chief aim of any real “justice system”: defending justice itself against the citizens themselves. For citizens ought to be able, and in justice they have an inalienable right, to protect themselves: we need a “system” not to protect us “when we are right” but to punish us “when we are wrong,” because no one is judge in his own case. People who cared rightly about justice – that is, about rendering what is due – would value even more than life their own and others’ deserving what they deserved by doing what they did. We really need the state only to judge between us when we disagree about how to apply to one another the standards of justice we have all agreed in finding them valid. But if the first element of justice is the deserving that arises out of deeds, then what may not be part of punishment for injustice ought not to be employed in opposing it. But shooting with a firearm is routinely permitted our police in their defending only themselves although we

never punish by shooting them even the most hardened criminals most properly convicted. This suggests that our police and those authorizing our police deem the lives of police, and the lives our police protect, more important than justice itself and that these therefore regard wrongly their relation to justice and our relations with one another, which we ought to regulate in the light of our deserving what we deserve. The suggestion is quite consistent with being content to be kept “alive” in comfort by a system instead of living with eager effort by one’s own deeds, content to leave life behind when one’s deeds no longer serve to keep one living.

A policeman (or anyone) does not in the ordinary sense deserve to defend his life (or anything) by shooting with a firearm, however much the kind of circumstances a sound mind rightly instructed would much deplore may oblige him (demeaningly) to use a firearm – against a suspect who himself has one. For no one actually does such shooting, but rather it is only an industrial event occurring in a mechanical “system”: what the shooter actually does is aim the firearm and press its trigger, perhaps after cocking its hammer, so that what he deserves is that the firearm be aimed, and perhaps cocked, and that its trigger be pressed; he deserves nothing more of that firearm and its contents; he does not do

the explosion of gunpowder which sends the bullet from the firearm, and he certainly does not do the bullet's moving toward the objective he chose for it, as a policeman reacting in a normal manner would actually do the swinging of his baton at a resisting suspect's head or the suspect's hand or arm wielding serious weaponry. A living creature contending with an equal ought not to be overcome by merely inanimate forces unless he himself resorts to them, so that police ordinarily would be justified in bearing only such arms as citizens ordinarily bear; bearing special weapons against actual criminals would be warranted only by those criminals' being convicted, which is done in court by due process, not by police making an arrest.

Clearly, police ought not to use a firearm to prevent a suspect from running away unless that suspect is running to where he might safely shoot back with a firearm he evidently has. Police may give at gunpoint no orders except the order to relinquish a firearm or not to reach for one. Also, killing in self-defence is always a failure, however justifiable, of the police in their duty to bring their suspect into court. In any case, shooting an attacker is not so much a defensive action as it is a counterattack or a punishment for attacking.

Either police ought to be punished severely for using firearms against anyone not similarly armed, or all citizens ought to be similarly armed in case the police choose to use firearms against them: they need not have weapons like those of the police in every respect, but only weapons of the same nature, perhaps holding fewer rounds and not firing automatically as police firearms might. Equality before the law seems to imply that if some citizens must register weapons they are permitted, all citizens ought to have similar registered weapons, of which their use could yet be strictly regulated: forbidding jokes about shooting someone with a gun one has would be at least as warrantable as forbidding jokes at airports by persons without bombs.

### ARMED CITIZENS AND THE STATE

Our never deserving but sometimes being obliged to accept the protection which using firearms can afford might “warrant,” if only in the unconscious mind of a man well informed, delegating defence to paid police: earning a living by assisting punishment or prevention of injustice may more excuse demeaning means than actually doing defiantly a fitting defence of the freedom and the duty to do directly one’s own living: to perform processes both necessary and sufficient, strictly, for being alive and aware of deserving it. (As another essay noted, we don’t deserve defence derived from shooting because shooting is not so much something we do, or even which others do for us, as it is something we invite only to happen for our benefit.) And paying others to invite our defence to occur mostly through their devices is only marginally more unworthy than it would be for us to do our own inviting of it, though far more unworthy than

paying others actually to do the defending we desire, even if that too is less worthy than doing it ourselves. For we ought to deem ourselves demeaned if we resort to unworthy means, unless we feel personally so superior that our very gaining benefit must dignify sufficiently anything we turn to our own purposes, or unless we deem mankind generally, or only ourselves, already so unfit to do good deeds in fitting fashion that descending even lower cannot much matter, as the Calvinism long prevalent in our West seems to have fostered our assuming.

There may be other degrees of worth or unworthiness in delegating defence. Some, exalting safety over justice, might accept the state as the highest outcome yet of evolution, so far the most complex system of material unification, “developing” from within into ultimately perfect sophistication, the survival of which would be the best surety yet available for its servitor-components’ own security. People who cared more about deserving safety than for merely being safe could safely dismiss that attitude summarily. But it would otherwise “justify” relying almost wholly on the occurrence of events favouring merely physical survival, since evolution itself, if thus the source and summit of our existence, would be only a complex event occurring in matter exclusively which rendered illusory our grasping valid truths higher than facts accessible to bodily senses.

If being genuinely rational entails doing that we may deserve, then we must do as much for ourselves as we could, relying on those mere occurrences only which occur, without our evoking them, through the “action” of nature, that no one, except maybe God himself or angelic powers, can be said actually to do. People who compel us to resort to inviting events that are not done, to occur for our benefit, like robbers using firearms whom we must then shoot to prevent our being robbed, ought to be punished for that affront specifically in addition to any usual penalty for armed robbery they could have committed with weapons other than firearms. The same could be said of foreign states invading with firearms our own country: if, defeated after attacking even with just cause, they argued validly against our penalizing aggression, we could legitimately punish the insult offered in their using firearms, to human worth. And that suggests how we might lawfully retain firearms to defend against tyranny without supplying them too liberally to criminals: we ought by law openly to designate as weapons of war all firearms not essential to skilful hunting and all firearms easily borne concealed, and we ought by law to require every citizen to have in his possession some such weapon, or even several weapons, of war just in case he might be obliged to wage war, whether against foreign enemy or domestic tyrant: we may distinguish between

firearms for hunting and firearms for self-defence but not between firearms for self-defence and firearms for warfare. Our law should forbid citizens of our own country to employ such weapons against fellow citizens unless waging actual civil war as members of a society – or as the only person – denying or defying principles of conduct another society is trying with firearms to impose, or resisting a government proper only to (authorized only by) those using firearms to impose it. Our laws should recognize attacking with a firearm to be not only a criminal offence against another but an act of war against the other's country; one attacking thus must then either leave that country or fight in succession, singly or with supporters equal in number on both sides, with force or weapons of equal nature, anyone willing in war to defend that country, until he or all its defenders are slain. Everyone owning firearms should be put under oath to abide by that standard of conduct in the use of firearms. We might also by law require every male citizen to carry, hung from his belt, in places or circumstances where he might expect mugging of himself or another, a stout baton of prescribed length and weight, in the wielding of which he had been trained and kept himself in practice; it ought to be a point of honour for every male citizen to possess a weapon of war reserved entirely to the defence of his society's own primary



principles of natural justice, which he will use only against a foreign foe or against an “official” government trying to dominate with firearms his society which declared its opposition to that tyranny. A government already disposed to despotism or tyranny might be the most likely to oppose this approach, as would perhaps most probably those citizens inclined to criminality or to desiring liberty without caring to deserve it. A government ill-disposed toward its citizens would probably seize eagerly upon the suggestion here that no one should distinguish between firearms for personal self-defence and firearms for warfare, and then try to use it as excusing a total ban against anyone having any such firearm, except for the military on the government payroll. That will confirm the opinion which citizens who love liberty ought to have of that government.

If we want justice, which is of all gifts other than mercy the most enjoyable when well weighed by right reason – being pleased is most pleasing, or else least critical, for those who most deserve it – we must do justice: we must perform what we can of what is just. When justice demands punishment for our fellow-citizens, we ought to share so far as is feasible in justly punishing them, to the extent of enduring punishment for a failure to punish justly or for inflicting unjust punishment. This may mean that if we are not willing to fight to the death for the

right to inflict personally on anyone who breaks a law the punishment the law provides for his breaking it, then we are obliged in justice to fight to the death against anyone's inflicting that punishment for that "offence." (Perhaps, if we will not fight our neighbour to the death to enforce a municipal regulation requiring him to get government permission to build a shed behind his house, we ought to fight to the death, with him, the officers paid to enforce that regulation.) If that entails fighting to the death to keep our laws few and simple, and maybe even to regain a way of life consonant with having laws far fewer and far simpler than at present, to uphold which almost all of us would gladly fight fiercely, then that may well be all to the good, since a citizen's only duty so far as he is simply a citizen – a man enlisted in a state – is to resist injustice and to punish it; though so far as we are more than citizens we are obliged to perform what is more assertively just: deserving to enjoy rather than endure. (Injustice consists in enjoying that of which we have not done the getting or which someone who did the getting did not freely give us, or in inflicting on someone what he has not deserved to endure.) Perhaps deserving full punishment entails willingness to endure it to gain one's goal; perhaps modern criminals do not so deserve the full

severity due some deeds: perhaps subjection to some systems reduces the reality of personhood consisting in powers of reasoning and choice.

If what we want is to “ensure firearms safety” and “prevent firearms offences,” all this may well not “work” at all. Justice often cannot “work” to “practical” effect unless sought solely for its own sake; people amenable to punishment after wrongdoing often resent being coerced beforehand to forgo misconduct; that is why punishing even children to “make them behave” rather than to show they deserve punishment only prompts children to become openly rebellious or secretly disobedient: “firearms control” really seeks to control people, who should be free to fight fairly in upholding or resisting punishment.

### DEFENDING CAPITAL PUNISHMENT “FROM SCRATCH”

Saying guns don't kill but rather people use them to kill, a saying familiar enough to most of us by now, is like saying the state doesn't execute murderers but rather justice employs the state to execute them, a saying not nearly familiar enough to most. Both sayings are in some degree expressions of wishful thinking rather than statements of fact. Guns can kill without actually being used for that purpose, far more readily than could a sword or a club; that is one reason some people want to ban them. Another reason is that they are often used without sufficient reason, just like the authority to execute murderers: the one reason necessary and sufficient for that is hardly ever cited today, and certainly hardly ever adequately analyzed and defended.

That a murderer deserves to be executed is sufficient reason for it to occur and an utterly necessary reason for the state to do it; the state has, at least in the

ordinary course of things, no choice but to execute murderers; it is not merely allowed, but obliged to do that. For a society properly establishes “the state” to punish society’s own members – that is, these latter appoint it to punish themselves, not others – if they fail to render to others a benefit the others deserve from them or if they inflict on others a detriment the others do not deserve from them. Being killed is a detriment murderers deserve for having inflicted death on someone who did not deserve it. Indeed murderers deserve not only to be killed but to be murdered: a murderer deserves what would be murder if he had not himself committed murder. For murderers are not the only ones who deserve simply to be killed; anyone who kills at all, and anyone who approves his doing it, deserves to be killed, including executioners doing perfect justice perfectly and police protecting executioners from murderers’ friends who might try to rescue the murderers or avenge the murderers’ deaths. These other people are just lucky that no one has the right to kill them as they deserve; those who deal death deserve that death be dealt them. However, they might not always necessarily be that lucky: a murderer might claim that he does not see how murderers deserve execution or that he has not authorized the state to execute him which desires to do that: being executed must result from the murderer’s seeing himself that

murder justifies execution – not necessarily in his own case, since no one may be judge in his own case, but simply as a rule: though we may not judge our own cases, any ordinary citizen ought to be qualified simply to judge what the rule should be: what people ordinarily and generally deserve by doing what they do; every citizen ought to know what a deed is – an action intentionally performed – and what are the ordinary effects of ordinary deeds. A citizen who does not see these things in the light in which they are here discussed has not been educated as he ought or has not thought things out as he ought to have done; he may have been “taught to read without being taught to reason.”

To kill a human is to disrupt the matter of which he was made, so as to separate from it that part of him which made his matter what it was, the part with which he while whole was able to see realities not made of matter, one of the chief of which is the truth that persons deserve the effects of what they do, so that they can deserve an existence proper to their kind. Now the existence proper to mankind is to be living matter conformed to truth: a life of matter deservedly living at a level higher than creatures consisting only of matter could possibly attain, a life residing in a reality which unlike matter cannot be disrupted but only rejected, so that anyone who tries to disrupt someone’s possessing that reality is

thereby rejecting it on his own account. The state's executing a murderer does not thus disrupt his possession of that reality of reason, for he himself has thus rejected it and can regain it only by accepting the disruption of his matter which he has deserved. For that part of man with which he sees permanent truths not made of matter is not itself made of matter, or it could not see such truths, and so it cannot be broken down as his matter can, but still it is not the whole man and therefore after death might not be aware of itself as the person of whom it was part. But the worthiness to be human and to enjoy truth, which that person had achieved with his life, might still remain, so that the part with which he had chiefly achieved that might still at least "experience mere worthiness itself"; that might constitute a murderer's reward for freely accepting the death he deserved by his deed or deeds – if there were no supernatural awards or punishments after death, as Christians must believe there are. (Until the general resurrection, the Blessed might perhaps enjoy knowing God without fully knowing who they themselves are in knowing Him.) But this brings religion into the question, and unless the reasoning used here is invalid religious teachings cannot contradict it, though some might think Catholic doctrine, as conveyed by the Church's official Catechism, condemns capital punishment. Actually, though, that Catechism rather

skirts such questions as whether murderers deserve to be killed, even while in practice it actually confirms that, and whether the state is obliged where feasible to punish its citizens as they deserve. (If it is not so obliged, then accepting bribes to withhold a punishment which was well deserved might not be entirely gravely wrong.) It is quite reasonable to suggest that those who wrote that Catechism wanted to give the impression that executing a murderer must be wrong, without their actually having to say it – which in any case the Holy Spirit, if the Church is always right (as this instance strongly suggests), would not allow in an infallible catechism.

What the catechism actually says on this subject is: “Preserving the common good of society requires rendering the aggressor unable to inflict harm. For this reason the traditional teaching of the Church has acknowledged as well-founded the right and duty of legitimate public authority to punish malefactors by means of penalties commensurate with the gravity of the crime, not excluding, in cases of extreme gravity, the death penalty....If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority should limit itself to such means.” That’s what the Catechism said in a 1994 edition. A later edition said that capital punishment may



be used when necessary for the protection of society but that instances of such necessity today are rare.

Now, that is not to say that protection from murder is the only thing which justifies executing a murderer. The actual sentence as I seem to remember it can be taken to have a meaning parallel to: “Apple pie may be eaten when necessary to prevent starving, but instances of such necessity are rare.” Capital punishment’s being necessary to protect human life is not necessary to justify it, any more than preventing starving is necessary to allow someone to eat apple pie. And if a murderer does not deserve to be killed but may be killed to defend someone else’s life, then anyone else who does not deserve it may be killed to save another’s life. Similarly, the Catechism says that “for this reason the traditional teaching of the Church has acknowledged....” and not “for this reason only” or even “it is for this reason that...” Note too that the Catechism says the state has a duty to impose penalties commensurate with the gravity of the offence. Protecting safety is a less worthy motive than upholding justice (after all, protecting safety can be merely a motive, but upholding justice is always a reason), and we must bear that in mind especially when we read that Pope John Paul II wrote that the “death penalty should be applied only in cases of absolute necessity, in other words, when it

would not be possible otherwise to defend society.” The Pope might have meant there to let us assume that the state should execute criminals only to keep “society” physically and organizationally extant, which would make execution rare indeed. But that is not what actually he said; the simple truth is that society and its members – who are their society – need chiefly to defend themselves from being unjust. That might well make absolutely necessary the execution of most murderers, or in particular those murderers aware enough of what justice must mean and having enough “sense of self” to call down upon themselves what they must deserve by doing murder; such as these may indeed be rare today, because of modern education and people’s current upbringing in general, which much need to be remedied. Defending society from being unjust might also make necessary especially the killing (in fair fight) of murderers who denied that murderers deserve death. However, when actual legislation withholds capital punishment from murderers of the most helpless and imposes it for the killing of big, hairy policemen who carry guns, the squeamishness of the Catechism’s authors and even of a Pope writing an infallible encyclical might be deemed pardonable and even praiseworthy, though it may be that most of us are similarly squeamish because on the whole we have been diverted from discerning how people’s

deserving their deeds' effects ought to affect our daily living, so that we do not realize just how horrible a disruption of the norm must be the unjust ending of a daily life lived according to that truth. Another essay will show how most modern lives are not so lived, and suggest why, and yet another will suggest how men should best apply that truth in daily living, since mankind mostly exists, in the first place, so far as the merely natural is concerned, simply to deserve what ought to be deserved by doing what we do. That ought to be mankind's overarching purpose and most permanent thought enveloping at least implicitly every specific pursuit.

Meanwhile, when people do murder and so deserve to be killed, they deserve to be killed by the actual deed of someone alive who understands justice and whose own deed deals the death, preferably by a method messy enough to be distasteful for all concerned, as with an axe, though efficiently painless to the murderer, so far as possible: death, not pain, should be what he most dreads in expiating his injustice.

## LICENSING AND GOVERNMENT

A government has no more right to license teachers than to license marriages. Indeed, a government has no legitimate authority to license any kind of activity, for government, as government, has no expertise in any other activity but (we should hope it has) in governing: in making and enforcing laws which punish its citizens for gaining what they do not deserve or inflicting what another does not deserve. It is regulated in that by the constitution its citizens drew up or which at least they approved; it may not regulate itself. But if it both licenses and regulates licensing, it is in fact regulating itself and is in conflict of interest. What it ought to do, therefore, is regulate licensing authorities which do have expert knowledge of the activities they license.

Since not governments but occupational authorities ought to issue licences for practice of an occupation, it follows that if marriage itself is to be licensed at all, it

must be licensed by an authority which skilled practitioners of marriage have set up to regulate marriage and make sure that people who want to practice it have learned it well enough. But this immediately encounters practical differences. For instance, the authority set up by those who perform a function in society has to satisfy not only the practitioners themselves but also those whom the practitioners will serve, that this authority is competent and honest. If, therefore, the purpose of marriage is deemed to be the generation of new humans, it ought to be obvious that those expected to benefit are not yet present to assess the competence and integrity of the authority which would license their parents to generate them.

If, on the other hand, the purpose of marriage is that husbands and wives should find their lives' fulfilment in marital partnership, then either those who were currently husbands ought to set up a licensing body to approve applicants for the office of husband, and married women ought to set up a corresponding authority to approve of prospective brides, or else the wives' authority ought to license prospective husbands and vice versa. But if most persons desiring to marry were not content to choose their spouses from among candidates thus approved, or if they were content with informally seeking counsel from persons already married but not officially established to license the suitable, then it must seem

there is no basis whatever for requiring anyone to obtain a marriage licence, and government especially ought never to require it. A government's requiring such would be especially reprehensible if that government were doing almost nothing in the way of regulating sexual activity. Laws forbidding persons with certain traits to reproduce – if humans “bred true,” which they don't – or consistently forbidding coition in circumstances more often current than many in which coition now is legal, could better promote, and more straightforwardly, without ever mentioning “marriage,” any particularly practical purpose which the state's licensing marriage ostensibly serves.

The only thing actually achieved by a government's requiring citizens to get a licence to marry seems to be the citizens' accepting at least tacitly the state's acting “as though it had complete, unlimited, and eternal rights over the soul of man.” (Clergy's functioning on behalf of the state in their capacity as clergy, and their submitting to the state's approval the making of a religious bond which the natural law does not in any event forbid, tacitly approves the state's presuming to dissolve that religious bond which the clergy's religion may teach is indissoluble.) This is an attitude that even Aristotle seemed to approve when he said that the state takes precedence over the family because the whole takes precedence over

its parts; this overlooks the state's becoming a whole only by reason of families' consenting to become part of it, a consent which may at any time be withdrawn. The state's having been established before most of the families which now establish themselves within it does not assign the state authority to establish itself or them: it only allows the state a tactical advantage in teaching that in fact it legitimately "acts as though it had complete, unlimited, and eternal rights over the soul of man." Having a governmental "department of education" decide who may teach can ensure that they will teach, not that the state claims such rights (which might entail having plausibly to explain why, so that the rational might refute the explanation), but rather teach everything else as if it were true that the state enjoyed such authority: the teachers having become themselves dependent upon government for their livelihood would in practice practically guarantee their teaching thus; voila. (We often hear teachers privately complain bitterly about wrong-minded policies imposed on them by bureaucrats, but they never seem to argue, even in private, that government ought not to be in control of education.)

Requiring people to become "qualified specifically in teaching," as opposed to their having definite knowledge which almost anyone could impart if he had enough of it and of which he ought to know (and understand) how it was imparted

to himself, can in itself appear suspicious: it means for the most part that “students” while in school acquire knowledge or attitudes without knowing how these were instilled. If mastery of a subject entails being able to impart sufficient knowledge of it, any teacher could establish his “being qualified to educate” simply by showing that his students had acquired from his teaching the knowledge he had desired to impart; the “science of education” seems to consist, therefore, in having a certain psychological outlook about the human mind which is supposed to operate upon it in ways to which questions regarding what children actually learn in school are mostly irrelevant; what makes educating the young a profession for specialists is the impracticability of teaching the ordinary prospective parent while he is young in school the specialists’ methods; if the specialists tried that, it would backfire and well they know that: no one, especially a boisterous boy, likes being manipulated while aware of it. Put in that light, requiring such specialization does seem dubious, does it not? (There can be indeed a vast difference between knowing how the mind may be disposed to accept a proposition and being able to explain that proposition clearly enough for anyone to see whether it is true or false or perhaps only likely to be true or only likely to be false. “Educating” therefore seems nowadays to mean helping others



to learn a subject of which the “educator” has not enough mastery to teach it properly on his own. That, it seems, is what our governments license teachers to do.

If the state does not indeed have “complete, unlimited, and eternal rights over the soul of man,” then the state has no right to require men to seek its approval for anything they may ordinarily do for themselves (men ordinarily marry for purposes strictly their own though jointly pursued); it then may regulate only what they do for one another, which brings us back to its only regulating those authorities with which the professions and trades would seek to govern themselves in what they did for their clients and customers who paid for their expertise, just as citizens ought to seek to govern themselves with the authority they assign the state. This means that the state ought to licence taxi-drivers and police or security guards but ought simply to allow the ordinary citizen to drive his own vehicle and bear his own weapons until his doing so has become the means of harming someone: when someone has been harmed with a vehicle or a weapon, then it will be time enough for the state’s prosecutors to attempt to prove that the driver of the vehicle or the bearer of the weapon had not taken sufficient training to make him competent in safely using it, and if that is proven – it ought

perhaps to be presumed, so that the burden of proof lies heavily upon the user of vehicle or weapon – then it ought to be an aggravating factor in the court’s imposing a severe sentence upon him. If someone’s pursuing his strictly private benefit by a given method is inherently dangerous to others in a way which the others do not deserve, then that method ought to be prohibited rather than licensed.

We need less licensing and more lie-sensing, especially about what children are “taught” in school.

### CORRECTING A SPECIOUS NOTION

Deeming it “self-evident” that “no process can be more important than its purpose” is indeed an error. Holding it, one overlooks the possibility that purposes are presented us chiefly so that we will perform certain processes, as having something to celebrate prompts people to celebrate by dancing or making music. (Even if the best for which one can but barely hope is some remote future occasion for celebrating, those in whom the high virtue of gratitude is inherent or well developed might deem that alone to be sufficient occasion to dance or sing.) The initial conception might have been partly true or part of a truth, but deeming it unequivocally true is probably the kind of mistake some people have been said to make when instead of reaching with the mind out into reality, so that the mind will stretch, they try to fit all reality inside the mind, so that the mind breaks. Moreover, if insanity is closely allied with lust, as has been suggested, that kind of

breakdown may be due to trying to “fit inside the mind,” as if it were “food for the intellect,” that aspect of reality we call “Sex,” which rather we ought warily to consider intermittently as a steed that might someday consent to bear us.

Meanwhile, although positing perceptions of purposes seemingly secure as the firmest foundation for refraining from pernicious imagination, firmer even than spiritual discernment of personal perfectiveness, may appear to the spiritually mature to be mere substitution of rigid formalism for a living excellence, yet there may be persons spiritually lame or even “emotionally crippled” who really need that kind of “crutch”: who deem it necessary to try only to do whatever they can directly see clearly as “objectively” right and just and to let God in his mercy and kindness decide whether they thus become holy: that is, become who they ought to be. And whether or not our trying as variously as we can to illustrate that “what persons deserve are the effects of what they do” would indeed further our growing in holiness, it can seem almost certain that wanting to act properly upon it should furnish us with more opportunities to perform worthy processes than now are available to most. For, if we are to deserve what we get, we must “do the getting”: we should perform the processes which produce what we will actually gain rather than continue merely to receive through having induced lesser processes to

proceed on set paths in patterns that (if we even care to attend to them) readily “fit within the mind” so as to disfavour reaching out to greater reality. That greater reality is found by attending ever more deeply to detail in what we perform and continuing to refine our performance, rather than in paying others to invent “even more refined versions of the same mechanical processes” which we may “invite to proceed.” (It might be that caring chiefly for the results of mechanical production without being interested in the working out of the process, as even the interior activity of a living body performing a productive process ought perhaps to draw one’s attention, can foster such a failure to reach out into reality as is found in a schizophrenic’s “two-dimensional” attending to others as if they were chiefly surfaces which spoke and expressed feelings, so that they readily “fit inside the mind.”) Also, doing our own getting might limit to a fitting number the processes present in our lives on which we would need to rely, even as our being alive and aware and capable of transcending rationality requires only the proper functioning of a set number of physical organs and a definite sort of skeletal structure. (Transcending rationality, though, ought not too soon to leave behind that elongating ladder which consists in seeing an expanding order in patterns increasingly associated.) As a “severely limited” anatomical pattern yet underlies

an almost infinite “varification” of the human spirit and even of the human body, so perhaps we ought to see that same “varification” of singular worth in doing what ought to keep ourselves alive. People ought therefore to do in modes multifarious what will deserve that they enjoy goodness and especially enjoy moral realities – like persons’ deserving their deeds’ effects – that are eternally immutable even while reflected most variously in matter most changeable.

Real joy may be found in approving the worthy performance of worthy processes and in finding even more such performances to approve. That joy may well be the greater as our acquaintance with others who perform them for us and who share in our performing grows closer and deeper and our prayers for them become more intimate, as for instance one might pray in particular that young people whom one knows will readily relish the practice of the trades their parents best can teach or that their parents can apprentice them to crafts of which can they better savour the techniques.

It is well that one’s performances should in some sense have the purpose of illustrating the truth that God deserves to be God because “being God is what he does” and because he does it entirely, allowing us to imitate that highest kind of activity and to refrain from profiting from processes which proceed without our

seeing that persons perform them, unless those processes which merely proceed, like the earth's orbiting the sun, are necessary to our performing the processes we ought to perform. For it is essential to justice that justice be done, more than that we simply see in what it consists; it is "good deeds" even more than valid insights which Christ wants to lead men to praise our Father who is in heaven, though maybe a seemly "tapestry of good deeds" which is "woven locally" might be best of all. In any case, it ought to be clear that our "purpose" is to perform the process which consists in doing justice, rather than that justice be done, since justice is done sufficiently in God's deserving to be God and our sharing in that process is due to his generosity rather than to justice.

### AN ERROR REGARDING THE EROTIC

Regarding sex as “mental nourishment,” and therefore inviting mental breakdown by “trying to fit that reality inside the mind” as an earlier essay suggested some might do, might stem from “learning” that God “made” our desiring coition a powerful appetite necessary to maintain humanity’s existence: in other words, God (whose ways are not as our ways, so that we must not expect to want freely to imitate him) seeks to compel us to procreate without offering us reasons for it which sound human judgement would approve, just as rigidly pious Catholic parents used, without providing rational instruction, to try always to force their children to do always what they had always been told was always right. (Having children to bring up or to feed, clothe and shelter so others could mostly educate them would therefore be an obligation from which people safely enjoying self-control are fortunately free, undisturbed by any suspicion that bestowing rationality upon matter through a choice unconstrained could be a noble geste



which their declining might diminish a dignity otherwise their due.) This view of the Divine will can be exacerbated if one's parents convey (without actually declaring it), and if the moral disapproval of priestly preachers reinforces, an impression that coition is distasteful to the fastidious (who ought to be thus fastidious) and is for those who enjoy it “a defiling kind of ‘fun,’ an act of forbidden pleasure somehow justified in marriage.” That might foster resentment at God's making one subject to base desires, so as to “warrant” one's “getting back at God” by indulging these.

That view of the Divine Will, disregarding Divine Reason, could lead to feeling that God at least condones the selfish seeking of sexual pleasure, provided fertility not be frustrated, or that he offers sexual experience as worthy for its own sake, to be enjoyed much as one might enjoy understanding geometry (which does mostly “fit inside the mind”): a “purpose” which it is important to “achieve” rather than, as one ought to see it, an important process to be performed – or set aside until one should perform it. This can encourage deleterious “intellectual inquiry” into what is supposed to render coition more worth thinking about than worth doing. It can also lead to a youth's assuming more or less unconsciously that someone thinking accurately about sex naturally sees it as the experience of

bodies self-aware only of being bodies and experiencing each other bodily, a mental state which more or less overlooks moral context; it might also constitute through long habit a mode to which the mind is “locked in” upon adverting to certain images or ideas; or it may well be simply a subtle method of self-deceit. Or it may be primarily the product of a mind inclined to be much impressed with and to remember vividly each incident it encounters and every piece of knowledge it acquires so that it stores in a separate compartment almost everything it holds. Even emphasizing that coition affords “sacred pleasure” as “a reward for a virtuous act” might misdirect that kind of mind, to which its contents appear more interesting than the world outside; such a mind might “reason” that because one is willing and even eager to be conjugally chaste therefore he deserves even now to enjoy that reward if only in imagination. It might be better to say that physical pleasure is the body’s particular share in the spiritual satisfaction of actually doing what ought to generate new children for God; it might be even more advisable to point out especially that even for people who don’t know God generating our own kind ought to mean preserving the possibility that some part of the universe of matter will continue consciously to deserve to be what it is.

Perhaps the phrase “carnal knowledge” fostered in persons impressionable while it was current the impression that the very act of coition itself constituted information interesting to the intellectual. The truth, of course, is that what one ought to receive in coition is the knowledge that another is ultimately confirming to full bodily effect his or her approval of one’s worthiness to have children with him or her – or maybe only of the worth of simply having children even when both prospective parents are utterly unworthy and aware of it. Such approval is the one reason necessary and sufficient for engaging in coition. Some might deem that far lesser motivations, such as a man’s and a woman’s mutual impersonal pleasing and being pleased by both presenting and perceiving a pleasing facial surface or maybe just a pleasant disposition to be pleased especially by, and especially pleasing to, the opposite sex, are grounds for seeking coition, but such conditions can properly only serve to “enhance the experience” (not much) when real reason warrants and suffices. What that kind of pleasantness, of which one can indeed be glad to be “worthy,” does warrant is not coition but dancing, to honour one who personally is pleasing by sharing with her in the performance of an activity which ought in itself to give pleasure irrespective of personal, unless utterly inadequate, achievement, even if one must sometimes exercise moral

restraint to keep that activity wholly innocuous. There ought perhaps to be gradations of dance with partners which signified the degree, or the kind, of regard in which the dancers held each other, with the livelier dances conveying perhaps sentiments more or less lighthearted, not to say lightheaded. We really ought to attend more to such “trifles” if only to distract us from treating the “tremendous” as another trifle. For hearing that “small things amuse small minds” ought to remind us that only a very unsound mind uses great things merely to amuse itself.