A Response to Cathleen Kaveny’s “Complicity and Moral Memory”

Author: James F. Keenan, S.J. (---.uchicago.edu)
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I loved this essay.

Since reading it, I have been remembering memories, though assuredly, inadequately. I want to separate Kaveny’s double theme of complicity and moral memory. A word then on each.

“Complicity”

The ambiguity of complicity is especially appreciable when we turn to the ambiguity about culpability and ignorance. Let me recall my first conversation about this.

At about the age of seven I learned what a mortal sin was: a grave act, deliberated with full knowledge, and committed full consent of the will. After one Sunday mass I was walking home with my grandmother and asked, “Grandma, I’ve been thinking about mortal sin. Who could ever do something really big and wrong, really mean it, and really want to do it? It just seems awfully hard to do all three.” “You’re right, Jimmy. It’s very hard to commit a mortal sin.” No more consoling words could have been spoken.

Later, I began to realize how problematic moral accountability becomes when we require full deliberation and full consent in order to recognize serious moral failure. These conditions from the manuals of moral theology and elsewhere arise as problems implicitly in Cathleen Kaveny’s essay, because such conditions shield us from true moral accountability. Moreover, the conditions stand as contradictions to the insights about moral accountability in the scriptural tradition of Christians.

For instance, in the _New Testament_ we routinely find that the sinner does not know that he or she has sinned. The paradigm of moral judgment is, of course, the Last Judgment. There after the sheep and goats are separated, the goats ask, “But when did we not feed you? When did we not visit you?” (Matthew 25: 31-46). They are surprised to be considered sinners and, more so, they are surprised at their destiny. The rich man in the story of poor Lazarus fares the same. He is stunned at his condemnation. Listen to him: “Father Abraham, warn my brothers,” he pleads from Hades (Luke 16: 19-31). In the Good Samaritan parable, the priest and the Levite pass the wounded man, obviously oblivious to their being the eternal exemplars of moral failure (Luke 10: 25-37). We can consider the Pharisee with the Publican and how the former’s arrogance and worse, his prayer, is rejected by Jesus. Scriptural characters never have any evident purchase on the moral state of their souls.

In the earlier writings of theological ethics, we find a greater affinity to the Scriptures than we do to the more recent moral manuals. Thomas Aquinas confronted the question of culpable ignorance. After establishing the primacy of conscience (_Summa Theologiae_ I.II. 19. 5), he asks whether in following an ignorant conscience,
a person is culpable. He distinguishes voluntary from involuntary ignorance, attributing culpability solely to the former but within that category he argues that voluntary ignorance is both direct and indirect. Direct voluntary ignorance is when one decides to not know; indirect voluntary is when one could have known but remained in ignorance. Aquinas attributes both forms of voluntary ignorance as culpable.

The questions of complicity are deeply connected I think to the questions of culpable ignorance.

“Moral Memory”

Cathleen Kaveny gives us a sense of the moral memory by one who wonders about their own complicity. I was struck by the fact that the self was the only known accuser. In other words, reading the essay, I sensed that this particular instance of moral memory never had to worry about “getting caught.” Behind that I wondered how many complicit or culpable moral memories are formed fraught with fear of getting caught and what happens when the fear of getting caught no longer prompts the moral memory to examine culpability?

This made me remember Woody Allen’s movie _Crimes and Misdemeanors_. Judah Rosenthal (played by Martin Landau) is confronted by his mistress Dolores Paley (Angelica Huston) with an ultimatum: marry me or I will expose you. In order to save his life from destruction, Judah kills Dolores.

Before killing her, Judah wonders whether memories of such a vicious act will harm him. How would he feel about himself? How could he live with himself? (his feelings, not Dolores’s life hang in the balance.) He decides he can live with the possible agony in order to avoid the certain calamity.

But after he kills Dolores, no one is there to accuse him. Interested in self-preservation, he’s not interested in judging his culpability. Because he doesn’t get caught, he finds he is not disturbed by his memory of killing Dolores and, in fact, is able to sleep quite well.

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Re: A Response to Cathleen Kaveny’s “Complicity and Moral Memory”

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This is a powerful essay and will be a compelling opening to what promises to be a very important book.

Professor Kaveney has selected a powerful text with which to begin her project of reshaping how moral theologians think – both theoretically and practically – about moral complicity. By turning an eye to the
question of complicity, especially through a narrative like Wolf’s that displays (at least somewhat) the deep
texture of the problem, we come to realize not that it is the peripheral moral question as it is most-often
treated. Rather, it becomes increasingly clear that complicity is the elephant (or ‘monster’) in the living room,
that about which we rarely speak, because frankly, we just don’t know how. To speak of it will reveal the
deep inadequacies of our traditional moral categories and will confront us with the need for a wholesale change
in both those categories and the ways we live our lives.

What features of Wolf’s narrative and Kaveney’s analysis signal what those changes might look like? First,
there is the epistemological challenge. Challenging Cartesian notions of the ‘fit’ between truths in the mind and
the ‘realities’ out in the world (even if the ‘realities’ are those of history), Kaveney hears in Wolf’s narrative a
more Thomistic understanding (at least as Fergus Kerr interprets Aquinas): “Instead, the phenomenon of
memory and the remembered object are mutually influencing; the act of memory affects the shape of the
remembered object, and the remembered object shapes, at least to some extent, the paths along which the act
of memory will travel.” How might the traditional categories of Catholic moral theology be reshaped by a more
‘participatory’ - and authentically Thomistic --than thinly realist understanding of knowledge and truth?

Secondly, as Kaveney notes at the beginning of Part II, the question of complicity shatters a moral theology
centered on autonomous individuals and freely chosen or willed acts. The category of complicity
acknowledges that we become morally involved not just by our discrete actions or will, but by our
participation in larger social processes. We are ‘made’ complicit, we ‘become’ complicit more than we will
complicity. Complicity is often more something that happens to us than something we initiate. Yet Catholic
moral theology has traditionally lacked categories for helping us think and act through the moral dimensions of
life that we do not choose, in which we find ourselves enmeshed.

Third, Kaveney rightly recognizes that fear is centrally operative in most situations of complicity. Clearly,
Wolf’s family was right to be afraid – the consequences for choosing against Naziism would have been dire.
But what Wolf’s narrative more importantly shows is that she and her family lacked (for I’m sure a variety of
reasons) access to a community that could provide a sense of counterpractices by which such fear, and
therefore complicity, could be resisted. An obvious example of this would be the community of Le Chambon in
France. Yet largely because of the practices of power embodied in the modern state, Wolf’s family found
themselves individualized and without resources to resist.

Fourth, Kaveney’s own concerns about how we think about Wolf’s narrative also point to the importance of
such a community. What Kaveney perceives as problematic about Wolf’s project is that it is one of ‘self’
acquittal – and in the real world, acquittal doesn’t work like that. It is a communal process. Likewise, for
confessions like these to avoid the problems that Kaveney identifies requires that they occur within a
community that has the discipline and virtues to work toward ‘aquittal,’ or perhaps better, ‘reconciliation.’
Only in such a context can these sorts of narratives be interrogated, precisely as Kaveney interrogates Wolf’s
story; and only in this sort of context can the needed answers be supplied to move toward proper resolution.

And what is that resolution? In no small part, it will be a common recognition of complicity, the development of
communal practices by which we can resist fear and complicity, and a communal determination of how to live
differently in the face of powers that indeed seek to determine -- and entrap -- our lives.