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Bernard Goršak

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TO DELINEATE A NEW CHRISTIAN ETHICS

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FRANČIŠKOV SVETNI RED – VELJAVNI RED ZNOTRAJ CERKVE

Fakulteta za pravo in ekonomijo, Katoliški inštitut
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The Christian Trilateral Situation Ethics – An Attempt to Delineate a New Christian Ethics

Abstract: The article builds on the author's previous research into characteristics of a new Christian ethics, the Christian Trilateral Situation Ethics (CTSE). Hitherto, these papers have dealt with the CTSE secondarily and only in relation to the various topics associated with it, such as J. Fletcher's situation ethics and sobornost. This article is focused solely on the CTSE and its main attributes, which may constitute the CTSE as a new type of ethics within Christian ethics. In that respect, the article proposes answers to the questions whether such ethics deviates from the valid Catholic magisterial teaching and whether it entails elements of antinomianism. Furthermore, it also aims to demonstrate the application of some of the CTSE's principles in hypothetical situations. The main objective of the article is thus to bring the CTSE closer to its final validation as a new system of ethics whilst keeping in mind the many questions that still need to be answered before the final characterization of the CTSE is given.

Key words: moral theology, Christian trilateral situation ethics, moral relativism, antinomianism, Thomas Aquinas

Krščanska trilateralna situacijska etika – poskus opredelitve nove krščanske etike

Izvleček: Članek nadgrajuje avtorjeve dosedanje raziskave značilnosti nove možne krščanske etike, ki jo je poimenoval krščanska trilateralna situacijska etika (CTSE). Doslej so ti prispevki obravnavali CTSE le sekundarno in v povezavi z različnimi sorodnimi temami, kot sta situacijska etika J. Fletchera in zbornost (sobornost). Ta prispevek se osredotoča izključno na CTSE in njene glavne lastnosti, ki bi lahko konstituirale CTSE kot novo vrsto etike znotraj krščanske etike. V zvezi s tem predstavlja odgovore na vprašanja, ali taka etika odstopa od veljavnega katoliškega nauka in ali vključuje elemente antinomianizma. Poleg tega je namen članka prikazati uporabo nekaterih načel CTSE v hipotetičnih situacijah. Glavni cilj prispevka je torej približati CTSE njeni dokončni potrditvi kot nove etike ob hkratnem zavedanju, da še vedno ostajajo odprta številna vprašanja, na katera je treba predhodno odgovoriti, da bi lahko dokončno opredelili CTSE.

Ključne besede: moralna teologija, krščanska trilateralna situacijska etika, moralni relativizem, antinomianizem, Tomaž Akvinski

Introduction

So far some of the attributes of the Christian Trilateral Situation Ethics (CTSE) have been already outlined in previously published articles (Goršak 2019; 2020; 2021). The CTSE is primarily a Christian ethics system since it is based on the Bible and Church's magisterium¹ and therefore requires a confessional affiliation. Consequently, in order to be subject to such an ethics, one has to belong to one or another Christian denomination that recognizes and applies baptism as a fundamental act of participation in the Church. While some Protestant congregations do not inevitably necessitate formal affiliation to the particular denomination² as a prerequisite for an individual to be subject to such an ethics, the same cannot be claimed for the CTSE.

Trilaterality, as the second principle of the CTSE, is the main novelty which makes this ethics new and distinct in comparison to the prevalent theoretical framework of the modern Christian ethics. Origins of the trilateral nature of every relationship in which a Christian takes part may be traced back to the wedding ceremony of the Catholic Church. During this ceremony, the priest reminds the groom and the bride that Jesus Christ will from now on be the permanent third party of their future life together as a couple and that it is he who has made this marital bond possible in the first place (Catechism of the Catholic Church 2023).³ It depends on the particular priest who conducts the ceremony whether and

- 1 The Magisterium of the Church plays a much more significant role in the Catholic and Orthodox Churches, and less so in the Evangelical and the Protestant Churches.
- 2 These are the so-called nondenominational Christian churches.
- 3 Particularly Articles 1640 and 1642.

how extensively this secret is revealed to both. Nonetheless it remains undisputed and one of the basic teachings of the Catholic Church.

The step that I made in the process of developing the trilateral nature of the CTSE was thus the extrapolation of this sacramental mystery onto all who have been baptized and not to hold it reserved only for those who have been married. The theological reasoning behind this mystery lies in the Old Testament's covenant between God and his people and the New Testament's self-sacrificial love of the Redeemer who is at the same time the Groom to his Bride – the Church of believers. As I see it, the inherent and ontological bond between God/Jesus Christ and its people/Church begins with the sacramental act of one's belonging to the chosen people/Church. This act can be only the baptism by the water (in the Old Testament this was symbolized by the Israelites' crossing of the Red Sea since the first sacramental baptism was performed only much later by John the Baptist).⁴

The third principle of the CTSE, situationality, has already been explained in detail in the above-cited articles. With this article, I present further arguments for the case with an important addition: it is confronted with antinomianism to focus on the question whether or not situationality constitutes the CTSE as an antinomian ethics or not.

Antinomianism is a view that advocates moral decision making without any regard for either the laws or principles. It

4 Sacramental marriage between a man and a woman may therefore be seen also as the repetition of the covenant that God made with humans but on an individual level – on the level of family as the constitutional core of any nation that follows God's laws.

completely rejects them and asserts that a person is unrestricted in taking any decision they consider proper in whichever situation. The French existentialist philosopher Jean-Paul Sartre was an antinomian. He discards any idea of universal laws and persists in his claim that man is destined to be free. Antinomianism is rejected by Fletcher, because he was aware of the consequences of believing that no absolute rules and laws exist. For Fletcher both legalism and antinomianism are extreme and unrealistic (Awe and Ade-*doja* 2020, 37).

In that regard, Häyry places value on each particular individual who seeks, finds, and defines binding ethical norms in terms of contracts and shared values (that is, in terms of human interaction and its outcomes) and who recognizes cultural, historical, and other differences between norms and values (but does not undermine the validity of any one of them). One may not see such views as absolute egoism, nor is this nihilistic since it does not deny the validity of all norms and values (Häyry 2005, 11).

I do not entirely agree with Tasioulas (1998, 177), who states that ethical relativism is a meta-ethical thesis which aims at the interpretation of the nature of truth and ethical reasoning. Any relativistic declaration (as such and inherently) is not an ethical declaration by necessity and therefore does not embroil ethical consequences in the same manner that the different kinds of normative ethical-relativism theories do. Ethical relativism makes only theoretical claims, not practical ones. It does not act as if it is apt to direct subjects of ethical decision making about how they should act, or what rational deliberations should guide their practical choices. I believe there are sufficient reasons to argue the opposite.

With the following supplemental theoretical and theological in-depth analysis of each of the three main attributes, the legitimacy of my thesis that the CTSE is a valid new Christian ethics will thus be established.

C as Christian Ethics

The arguments why the CTSE is a Christian ethics have been extensively presented in my previous articles (Goršak 2019; 2020); to recapitulate, the CTSE is based on the Bible, and it requires a baptism of an individual as an act of their formal entry into the particular Christian Church/Congregation.⁵ Nevertheless, that still does not answer the question whether both human participants within the trilateral relationship need to be Christians in order to constitute such a relationship as subject to the CTSE. The short answer is no. That is because even if only one of the human participants within the relationship is a Christian, the one who is a Christian is obliged to treat the other person according to the principles of the CTSE. For a Christian, acting accordingly to the CTSE principles does not presuppose reciprocity. The New Testament is very explicit on this: loving (which is the cornerstone of the CTSE) is commanded in regard to every fellow man and not only in regard to baptized people (Mt 5,43; 19,19; 22,39; Mk 12,31; 12,33; Lk 10,27; Rom 13,9–10; Gal 5,14; Jas 2,8).

Each Christian should love every other person as they love themselves (Curran 2013, 3–7).⁶ Me being a Christian is a suf-

5 Even if the baptism is not considered to be a sacrament as is the case in some Protestant denominations.

6 Curran speaks of love in terms of the Old Testament covenant that with the New Testament becomes the Great Commandment. He contrasts this to sin, which is a violation of the Great Commandment.

ficient reason why I have to treat (love) any other person in need (whether that person is a Jew, a Muslim, a Buddhist, a Hindu, an atheist, or anybody else) without any reservations and hesitations (Lk 10,25–37). In case the other person is also a Christian, this obligation comes understandably easier to fulfil, and even more so if both live in a community with the prevalent spirit of *koinonia* (Goršak 2020; 2021). Yet, even if the other is not a brother or a sister in Christ, this cannot prevent a Christian from placing God amidst any relationship with others.

Swieżawski, for instance, claims that, according to Aquinas, the real, the last, and the deepest objective (or the purpose) of morality can be revealed to us only in the Gospels. Any true virtue, in its narrow sense, cannot exist (or manifest itself) without the supernatural love, which is a necessary condition of every true *connexio virtutum* (2019, 222).

In conclusion, the CTSE is an ethics for every Christian in every relationship with any other human being. The adjective “Christian” in the CTSE is not reserved only for the relationships among Christians but represents a principle which each Christian should follow regardless of the social circumstances.

I have not sufficiently explained yet what I mean by “the third party being God himself”. Who exactly do I mean by that? Is this the Holy Trinity or God the Father, or perhaps only Jesus Christ? The reason is that I do not see that distinction as relevant. It does not change the essence of the CTSE in the slightest if some Christians place God the Father amidst their relationships with others and if some instead of that place Jesus Christ or Holy Trinity there instead. One may

presuppose that the majority would see Jesus Christ in that place since he (Jesus Christ) enters the minds of an average Christian sooner than God the Father or the Holy Trinity. The commandment of loving one's neighbour remains intact and valid in any of these possibilities and thus constitutes the very essence of any relationship of a Christian believer with any other human being. When describing the CTSE, one may interchangeably use God and Jesus Christ as the third person of the relationship because in this case the exchange of names bears no consequence.

When analysing the relation between the Christian values and the values of a secular society, where the question who or what should be the object of our moral consideration and relation plays an important role (should God/Christ be the third party in the relationship), one must first determine various possible positions that Christ holds in modern culture. For Bonhoeffer (2012) the world after World War II should be first and foremost Christocentric. In that respect, Niebuhr (1951) made a clear distinction when he defined five possible positions. I consider especially the third and the fourth to be of a central importance: Christ above culture, and Christ and culture in paradox. The Christ above culture position considers cultural manifestations as essentially good although they still need to be improved (upgraded) by Christ's and the Church's teaching. The Christ and culture in paradox position differs from the latter in the sense that it emphasizes the role of the sin. Consequently, within a Christian's relationship to culture, there exists disharmony, even ambivalence (some elements of culture are desired, and some are not). The CTSE belongs more to the Christ above culture position although one may rightfully argue it also includes some elements of the fourth position (in extreme cases).

Therefore, in attempting to delineate the CTSE, one of the first questions that arise is whether such ethics is still a true Christian teaching or a deviation from it. This question is less relevant when discussing the Christian and trilateral nature of this ethics: for both I found sufficient arguments coherent with the basic theological teaching distinctive for all main Christian denomination. The third component of this ethics, situationality, is in that respect much more challenging. Firstly, the question must be narrowed to ask whether the CTSE is truly in accordance with the teachings of the Catholic Church.⁷

In answering the question above, I follow mainly the argumentation as elaborated by Newman (2013). He succeeded in clarifying the explicit distinction between the true and the false development of the Christian doctrine (or the Church's Magisterium). Newman listed seven criteria that need to be fulfilled in order to claim that a particular development has still the characteristics of being genuinely Catholic: maintenance of the type, permanence of the principles, power of assimilation, logical consistency, anticipation of its own future, conservation effect on its own past, and long-lasting vitality.

Maintenance of the type: The CTSE does not attempt to introduce an "entirely new" ethics with a completely new set of rules; it is not a new ethics *per se* but rather a "new ethics" in the sense that it exposes and verbalizes with additional adjectives and pronunciations what has always been there

7 With this paper, I was not able to present arguments whether or not the CTSE can be valid within all Christian denominations. However, if I can prove that the CTSE is in accordance with the teaching of the Catholic Church, I still may rightfully claim this ethics to be a Christian ethics.

as a Christian perennial teaching. In the cited articles, the situationality of the CTSE has mainly been argued based on the works and words of Jesus Christ. His words and deeds have only been put in today's perspective. The basic "physiognomy" of the primal Catholic ethics (its inner core structure) has not been changed; due to the introduction of the CTSE the primal Catholic ethics has not been modified in the process of its development by adding new ethical postulates – it only gains a more explicit exposure of some of its basic tenets and predicates that I believe to be often overseen or neglected.

Permanence of the principles: With the CTSE known and valid, the principles of the Catholic doctrine have not been changed, removed, or added to. What has changed is the application of these principles in the modern world, which presents an individual (a Catholic believer especially) with abundant ethical dilemmas that were not known in previous centuries and especially not before the Industrial Revolution. If anything has changed, then it is only the applications of these principles and the ways of presenting them today to the modern man. In essence, what was needed were some new extrapolations and lessons of the old (and eternal) principles appropriated to serve the humankind of the post-industrial age (Newman 2013, 161).

Power of assimilation: It is a feature of life itself as it develops and grows organically. It does not apply to the principles, ideas, or mathematical laws that are immutable and that do not change or grow. Ethics, in a more general sense, deals not exclusively with humans but with the whole of Creation where all organisms share some common features; they are born, they grow, change, and develop until they die. Hu-

mans are hence on one hand the same as any other creature subjected to these dominating natural processes but on the other hand also spiritual beings. They constantly find themselves in various new social situations, which frequently open hitherto unknown moral and ethical challenges. One of the most outstanding characteristics of the CTSE is probably its capacity to face and answer the challenges put before the modern man in such a rapidly changing world. Today, ethical challenges for a Christian believer are greater than ever. New situations that require their response emerge daily. The CTSE is capable of absorbing (assimilating) all of these new situations and circumstances and offers a firm ground for just moral judgment.

Logical consistency: This criterion is especially important, decisive even, when it comes to defending the situationality of the CTSE. The pivotal question is thus: does situationality advocate moral and theological justification of ethical exceptions (deviations even), thus postulating ethical principles to be only relative (situational) and not absolute? My claim is that it does not. Situationality does not advocate justification of righteous exemptions from the ethical principles; on the contrary, it advocates following (obeying) them even in situations where this is not self-evident. In this paper I examine in detail what that means in the case of lying. The situationality of the CTSE does not negate any of the Christian principles on which it is built. The whole structure of the CTSE is internally coherent, firm, and not subject to any arbitrary speculation: all main premises, tenets, and principles are unalterable. Situationality actually reaffirms the logical consistency of the CTSE because it makes this ethics valid only within unchangeable principles even when the situations in which the moral agent (a Christian) finds themselves

are constantly changing. Spaak speaks about the common philosophical distinction between two relativisms: cognitive and moral. While the former (not being the same as cognitive nihilism) upholds that truth, knowledge, and rationality are relative to a given paradigm and that no paradigm may claim its supremacy over any other paradigm, the latter is more complex and can be divided into three separate forms: descriptive, normative, and meta-ethical relativism. Putting the first and the third aside (they are less relevant to the topic of this article), normative moral relativism claims that a person has to act (it is actually their duty) in line with their group's beliefs on a particular matter. There are actually two types of normative moral relativism: individual normative moral relativism holds the view that an individual's moral judgement is correct if they think it is correct, while social group normative moral relativism claims that an individual's moral judgement is correct if it is coherent with the moral views of their social group (Spaak 2007, 75–76). The CTSE is evidently much closer to the latter.

Anticipation of its own future: This criterion is one of the easiest to validate. The main motive to delineate the CTSE lies in the more and more evident problems in lacking the appropriate tools for a Christian (Catholic) moral and ethical judgment of the numerous newly emerging situations. The significance of the CTSE lies especially in its capacity to properly respond to the plausible and predictable ethical dilemmas of the future. Such dilemmas include: selling organs of aborted babies, vaccines developed with the help of cells harvested from aborted babies, organ transplantations, gene-therapy vaccines, euthanasia, dysthanasia, unrestricted use of natural resources, introduction of artificial intelligence in our daily lives, religious indifferentism and

proselytism, and some other well-known hot topics of the last few decades. Lately, there has been much debate on the Seamless Garment Ethics by Cardinal Bernardin (2008). This ethics claims to be the Church's consistent ethics of life where no partial aspect of protecting a human life may be prioritized. Efforts and actions against abortion should not have priority over efforts and actions against the death penalty, euthanasia, anti-immigrant policies, social injustice, and even climate change for that matter. The CTSE takes instead the particular conditions of a situation into account so that within the framework of this ethics it is not compulsory to equalize *a priori* the "ethical position" that is assigned to an unborn child who is to be aborted and a murderer who is to be executed. In the coming years even more challenging hot topics will emerge: artificial prosthetics as desired and not needed substitutes for the extremities, desired gene modifications, human cloning according to our own desires, endeavours for achieving eternal life, uploading human consciousness into the "digital cloud", memories and sensations scanning and their interhuman exchange, equipping humans with chips; to name just a few. The CTSE can provide any Catholic believer with the adequate tools to make a just ethical appraisal of every one of these issues, which confirms the significance of the role that the CTSE will play even in the future.

Conservation effect on its own past: It will be possible to validate this and the next criterion only with a hindsight analysis and with some decades of experience. I assume that with the passing years, the CTSE will never be proved wrong. I am convinced that the future will affirm the cogency of the CTSE from its initial stage on – that is, from the beginning of the second decade of the twenty-first century onwards.

The basis for such a conviction is grounded in the cognition that the most outstanding and potentially contentious part of the CTSE, the situationality, has been thoroughly, logically coherently, and unambiguously defined in its potentiality to deal with any possible ethical challenge that the future may hold.

Long-lasting vitality: How the CTSE will correspond to this criterion remains to be seen. However, if I slightly modify this criterion, we may ask ourselves: what is the probability that the CTSE will completely lose its vitality in the next four or five decades and will become obsolete? It is reasonable to speculate that such an outcome (the CTSE having become obsolete) is not very likely to happen. It is also likely (if assessing from the long-term point of view) that the applications of the CTSE will face occasional oscillations, which is completely natural and inevitable. In many ways, the applicability of the CTSE is strongly related to the vitality of the Christian way of living. Should the number of believers in the EU and other European countries significantly diminish further and should the vitality of their religious life deteriorate, then this would certainly have a negative influence on the CTSE's vitality and applicability. This criterion cannot be met from within – it depends on the vitality of the religious life of its subjects: the believers.

It would require much more space than available here to analyse the CTSE in the light of each of these seven criteria in greater detail. Nevertheless, I believe that even after a detailed analysis, the results would be the same: the CTSE meets all the criteria above and thus can be seen as a part of an authentic Catholic teaching and as its faithful doctrinal development.

T as Trilateral Ethics

To the best of my knowledge, there is no other ethics that inherently constitutes God as a third person within a relationship between two humans (at least one of them presumably being a Christian). One of the strongholds of Judaism is the concept of man made in God's image (*Homo Imago Dei*). Many rabbinic teachings emphasize this belief: to see in fellow Jews an expression of God himself is an essential part of the rabbinic ethics (Barilan 2009; Altmann 1968; Clines 1968). This is closer in meaning to Christian ethics in general and, by extension, to the CTSE as well. Nonetheless, there is an important and distinctive difference between the two: the CTSE recognizes the other (with "other" meaning all of mankind) not only as *Homo Imago Dei* but rather as *Homo Imago Christi* since Jesus Christ is God personified (second person of Holy Trinity; Jn 1,1–14).

By postulating Jesus Christ as being an active and indispensable person within any relationship among Christians (and even in relationships between a Christian and non-Christian) the CTSE by necessity becomes a relationship between three persons – hence the term trilateral. While other ethics which acknowledge humans as beings made in God's image remain more or less deistic in their interpretation of the implications which follow from such cognition, the CTSE goes much farther and ontologically connects the existence of every human person with the existence of Jesus Christ as the historical person and as the Messiah. Made in God's image does not imply that humans bear simply a visual similarity with the Messiah's (and the Creator's) bodily experience during his life on Earth but, above all, it implies possessing a rational soul and same kind of eternal spirit (Erickson 1998, 517–536; Hoekema 1994, 11–101).

Probably the strongest biblical case that supports the trilateral nature of Christian ethics (and by extension, of course, of the CTSE as well) can be found in the well-known Chapter 25 of the Gospel according to Matthew, where the corporal acts of mercy are described.⁸

“When I was hungry, you gave me something to eat, and when I was thirsty, you gave me something to drink. When I was a stranger, you welcomed me, and when I was naked, you gave me clothes to wear. When I was sick, you took care of me, and when I was in jail, you visited me. [...] The king will answer, “Whenever you did it for any of my people, no matter how unimportant they seemed, you did it for me.” [...] “I was hungry, but you did not give me anything to eat, and I was thirsty, but you did not give me anything to drink. I was a stranger, but you did not welcome me, and I was naked, but you did not give me any clothes to wear. I was sick and in jail, but you did not take care of me.” Then the people will ask, “Lord, when did we fail to help you when you were hungry or thirsty or a stranger or naked or sick or in jail?” The king will say to them, “Whenever you failed to help any of my people, no matter how unimportant they seemed, you failed to do it for me.” (Mt 25)

The next Biblical case for the trilateral nature of the CTSE is encapsulated with the Great Commandment (Mt 22,36; Mk

8 Matthew describes six of them except the mercy of burying the dead; this was added later in Tobit 1,17–19. Beside Matthew 25 there are also other Biblical sources mentioning the first two acts of mercy: feeding the hungry (Prov 22,9; Isa 58,10; 2 Kings 4,42–44; Mt 14,15–21; 25,35; Lk 3,11; 9,12–17; Jn 6,35) and giving drink to the thirsty (Isa 55,1; Jn 6,35; 7,37–39; Rev 21,6; 22,17).

12,28; Jn 13,34). This intrinsically relates three persons within one relationship: me, who is executing the Commandment, God, who is the source and the essence of this Commandment, and my fellow man, who cannot be rightfully loved by me separately from me loving God (Goršak 2019; 2020). This further affirms the following Biblical passage: "But if we say we love God and don't love each other, we are liars. We cannot see God. So how can we love God, if we don't love the people we can see?" (1 Jn 4,20) No less important in that regard is also the biblical passage in James 2 about faith being dead if empty of actions and good deeds done to others.

The trilateral nature of any ethical relationship among men is thus something substantial to every Christian ethics even though this has not been explicitly recognized and emphasized until now. As stated above, there is a well-accepted notion within rabbinic tradition which says that feeding another Hebrew is practically the same as feeding God himself. However, as I explained, this notion remains more or less an ideal, an allegory, a principle, and therefore it lacks objectivity and practical actualization, which is characteristic of the Christian ethics and, by extension, of the CTSE.

I already mentioned the reasons why trilaterality is inherent to every sacramental marriage: the sacrament constitutes the bond not only between the spouses but between them and God as well. On a more general level, this happens already during the first of the sacraments, the baptism: as soon as a person enters the Church of believers by baptism, they accept the duty of following the Great Commandment (along with all the other commandments). Baptism is in a sense also a marriage of a kind – by becoming part of a Church, one becomes part of Christ's Bride.

The inseparability of the simultaneous inclusion of both parties (God and the neighbour) in every relationship that a Christian believer is part of derives also from the prayer that was taught by Jesus (Our Father). When one prays the part of the prayer about the forgiveness of the sins, they affirm the ontological relation that bonds them not only to God but to every fellow man – Christian or not (this ontological relation was defined by Jesus Christ himself and is thus not arbitrary).

As it is apparent now, the CTSE strongly emphasizes the trilateral nature of any Christian relationship – it does not allow this to be by any means only a secondary or a minute theme. The trilateral relationship, although involving God himself, is not metaphysically deistic, but objectively personal. With this ethics system, God, as one of the three parties within such a relationship, is understood above all as an actively participating person⁹. The inherent trilateral nature of an ethical relationship (where there are only two visible partakers) is new in the sense that until now there have been practically no published works that deal with this issue as their main topic. Trilaterality was present at best only as something vaguely assumed and hypothetical but never established as an ontological prerequisite of every relationship of a Christian believer with another human being.

S as Situation Ethics

The assertion that no ethics can be simultaneously normative and situational seems self-evident and unquestionable. Yet I claim exactly the opposite: the CTSE is concurrently

9 This is easier to grasp if one places Jesus Christ in that scenario.

situational and normative. How this can be? In my criticism of Fletcher's situation ethics (Goršak 2019), I exposed the vagueness of his interpretation of the agape as the prime principle. Accordingly, in their critique of Fletcher's situation ethics, Awe and Adedoja point out how the situation ethics denies that any action is intrinsically evil and that Fletcher believes that the end satisfies (justifies) its means if the end is love. Once the end is love, any means may be used to achieve it. They further assert that Fletcher identifies four presumptions or the four working principles of situation ethics: pragmatism, relativism, positivism, and personalism. These presumptions are, according to Fletcher, the fundamental basis of situation ethics (Awe and Adedoja 2020, 32, 35–36). Fletcher does not succeed in defining the agape on a theologically sound grounds but he describes it rather loosely, ambiguously even.¹⁰ This may and can lead to various actions and behaviours which are inconsistent with true Christian ethics (eugenics, abortion, euthanasia, etc.) (Zalot and Guevin 2011, 238–253). For that reason, one can understand the importance of stipulating as clearly as possible the ethical absolutes (virtues) of any ethics (not only a Christian ethics) in order to avoid them being misunderstood or potentially even abused.

Swieżawski talks about three speculative intellectual virtues, with the understanding of the principles (*intellectus principiorum*) being the first one. The second virtue is science (*scientia*), and the third is wisdom (*sapientia*). He affirms the same description of virtues that was already made by Aquinas (Swieżawski 2019, 219–220). Aquinas, in turn, follows the teachings of Aristotle in that regard (Aquinas 2021, 3176).

10 Which may have been done intentionally.

These virtues are related yet distinguished from the practical intellectual virtues, among which practical reason would be the first. Practical reason relates to the natural law, the Ten Commandments, and, correspondingly, the basic principles of any human action. Another name for it is *synderesis* (from Greek), and it encompasses the human capacity to cognize and realize the commandments of the natural law. The second virtue is conscience (Latin *conscientia* and Greek *syneidesis*; implies moral discernment in action), and the third one is prudence (*prudentia*), which is wisdom in practice (Swieżawski 2019, 220) and which Aristotle called *sozousa tan phronsin* (Aristotle 1999, 95) – commonly known as *phronesis* (Aristotel 2002, 385).

Williams points to Aquinas, who, in that regard, foresees two separate ways in which a person can acquire the practical wisdom that enables them to evaluate fittingly their actions in particular situations. A person may acquire it both with time and experience (that is, by natural means) and in a supernatural way through infusion by God (of which Aristotle, claims Williams, knew nothing). The latter is even better than the former: “[...] not because it is *intellectually* superior, but because it is connected with our supernatural good” (Williams 2021, 25).

The role of *epikeia* as defined by Aquinas and as an example of situationality in an ethical deliberation has been explained with the previous articles (Goršak 2019, 61). The following case can further prove that situationality can be ethically just; it is presented on the example of lying, especially in respect to the question: is every case of not telling the truth necessary a lie and hence a sin or not? Simultaneously, I will also examine the question: can the answer to the first

question serve as a viable solution regarding the dilemma of whether or not the CTSE is antinomian?¹¹

The Catechism of the Catholic Church strictly condemns lying (Catechism of the Catholic Church 2021, 1225–1227; Conte 2010, 260–274). This does not come as a surprise since the prohibition of lying is one of God’s Ten Commandments. But consider the next ethical dilemma: it is World War II, and you are hiding Jews in your house. A team of Gestapo soldiers knocks on your door. When you open the door, a Gestapo officer harshly asks if you are you hiding any Jews. What will you answer? Clearly, if you answer “no”, you are lying. But have you indeed committed a sin (a venial sin, that is) with that reply? Or was telling the falsehood in that case an ethical thing to do? Even more importantly, we have to ask ourselves: does lying in that case presuppose ethically just abandonment of the absolute principle of not lying; or is the application of that principle entirely arbitrary and subject to how one perceives the circumstances (Pine and Smith 2021)?

The conscience of an average ethical person in a similar situation would, presumably in most cases, lead the person to give a straight-on negative answer; when confronted with highly stressful conditions, man’s conscience may understandably be the first that comes to the rescue, to ease an emerging inner conflict; and to enact the person’s inner “sanctuary” role accordingly (Bretzke 2004, 109–144). I hence believe that with a negative reply no sin is committed and that it is the ethical thing to do (the absolute precept of not lying is not violated). There are at least two arguments to support this claim.

11 Mostly because it underlines situationality as its inherent and constitutional component.

First argument: Our “no” to the question of a Gestapo officer is true to the whole of his question, which actually may sound something like this: “Are you hiding any Jews – so that we can arrest them and send them to the concentration camps?” If we answer “no” to such a question, then we are not lying, because we do not hide Jews that are “suitable” to be sent to the concentration camps. In our house, we only have Jews that are “unsuitable” to be sent to death. That means that we truthfully answer to the whole of the question and not only to a part of it – even if the second part has never been verbalized. However, do we have a just cause to believe that the Gestapo officer’s question necessarily contains also the second part? Yes, because we have seen and heard of the Gestapo capturing the Jews to do them harm.¹²

If the person on our door were a civilian and alone, this dilemma would be significantly different and our “no” could mean a violation of God’s commandment of not lying. One may argue that we must above all try to imagine what Jesus would do in our place. Firstly, this is difficult to imagine, and it is entirely speculative. And second, to demand from an average person to devise the same solution Jesus would have found himself is unrealistic (one is in a state of shock, there is no time to deliberate the situation in every detail, only a short reaction time is available, etc.). Swieżawski mentions *eustochia*, which is a secondary virtue that accompanies prudence and can be understood as the virtue of taking fast and right decisions (Swieżawski 2019, 223).

12 That means that we have previous knowledge and experience of the corresponding matter. Our hiding of Jews cannot be the first case of hiding someone since no one hides a person without any reason and the first case of hiding can follow only after the danger for the people that are in danger has been clearly and publicly manifested.

Yet, we may also argue that reading between the lines or hearing the sub-context of the words that have been spoken is not ethical and that it is purely subjective and speculative. I believe that this argument can most efficiently be rejected by the numerous examples given by Jesus himself. He frequently spoke to the people in parables, rarely answering them directly. That proves that he also wanted people to hear and recognize the sub-context and the unsaid deeper meaning of his words; and that this is not only a just thing to do, but even required.

Second argument: Our “no” to the question of the Gestapo officer is ethical and not sinful from the Christian teaching point of view, because the Gestapo officer has no right to be served with the truth¹³. This argument is probably even more convincing than the first one, and for a certain period of time (about five years), it was even part of the official Catholic teaching (Catechism of the Catholic Church 1993, Catechism of the Catholic Church 2021; Pine and Smith 2021).¹⁴ If we dive deeper into this issue, we may come to the conclusion that not every person in every situation has the right to be obligatorily granted the truth, even if they have the right to

13 The same source (Pine and Smith 2021) speaks about a second plausible situation when not telling the truth may be seen as not sinful. If a woman is a widow and at the same time demented and she asks us day after day where her husband is, what will we tell her? Especially in case telling the truth would make her tremendously suffer – each time as if she heard about the death of her husband for the first time. In our time of covid-19, many new situations have emerged which are ethically extremely challenging, such as using vaccines that were developed partially by exploitation of aborted children’s tissues.

14 The paragraph in question is Paragraph 2483 (Part Three, Section Two, Chapter Two, Article 8, Item III), which differs between the two cited catechisms.

know the truth. How is that even possible, and does not such a statement collide with one of the basic principles of the Catholic doctrine, which says that it is not permitted to do intrinsically evil acts in order to achieve good results? (John Paul II 1993;¹⁵ Polgar and Selling 2019).

I believe that it does not, as Smith does (Pine and Smith 2021). For a person to have the right to know the truth and not have the right to be obligatory served with the truth by a second person with whom the first person is in conversation may seem as a contradiction and logical inconsistency, but it is not. We have two persons in a dialogue, each with their own rights: if the second person does not respect the right of the first person, that means that they only put their own right above the right of the first person; and that in itself is not necessary an evil act (Conte 2010, 528–605). Our restriction of the first person's right may be a just thing to do if by doing so, a greater good is achieved or a bad thing is prevented. There is a hierarchy of rights. If someone has a certain right, it still does not mean this right must be inexorably actualized by others no matter what – without any hesitation and without any reflection on the circumstances.¹⁶ To explain this difficult dilemma, let us re-examine some responses given by Jesus. When Mary and Joseph asked him,

¹⁵ Paragraph 81.

¹⁶ For instance: One has the right to enter private property if this property is designated as customers-serving real estate (let us assume this is a mechanical workshop, pub, or grocery). But the owner of the property also has the right to prevent the customer from entering it (if he has good reason; e.g. the owner suspects the customer is drunk): their right as the owner of the property surpasses the right of the client to be served– even if the owner has no proof the customer is drunk, they may prevent them from entering.

a 12-year-old, why he did not tell them where he had been for the past three days, he answered that they should have known where he had been without the urgency of telling them. Jesus did not say anything false, that is true, but in this context, he also did not tell the truth – actually he did not say anything, he withheld any information concerning his whereabouts, despite the fact this would cause a lot of grief and anxiety to his parents (Lk 2,41–49). The second example concerns his response to a remark made by the surrounding crowd at some gathering that his mother wanted to see him – to which he pointed to the people around him and said that those who were fulfilling God’s will were his mother (Mt 12,46–49; Mk 3,31–33). Did Mary, Joseph, and the people around him have the right to know the straight-on answer? They did. But did Jesus have the right not to actualize their right? He did. The right to know the truth was not violated; it was just withheld for greater good and justice.¹⁷ Such deeds cannot be wrong nor sinful. Did Pontius Pilate have the right to know the truth when asking Jesus about the truth? He did. But did Jesus have the right not to answer him? He did.

In these cases, two rights are confronted: the right to know the truth and the right to withhold the truth. The prevailing right is the one that serves the higher good and just righteousness. Nonetheless, it is not the same if one exercises their own right to withhold the truth for a greater good by telling a falsehood or not. One has no right to say they have committed no sin if they tell a lie in order to exercise their right to withhold the truth. The way in which one upholds the

17 Otherwise, Jesus would have committed a bad deed, and that would be equally contrary to the Church’s doctrine. Lying is not only saying false statements, but also committing false acts (Catechism of the Catholic Church 2021, 1226).

right to withhold the truth is decisive in regard to whether or not sin has been committed. Our “no” to the question asked by the Gestapo officer is hence exercising our right not to grant him the truth by providing a thorough answer to his question; and as a result, we have not committed any sin. To remain silent in that case or avoiding a straight answer by asking back why he wants to know that would certainly, as seen through the eyes of the Gestapo officer, in actuality mean the confirmation of his question.

Aquinas (2021) deals with that question in the Second Part of the Second Part of his Summa. In Article 3 (Whether every lie is a sin) he states in Objection 4 the claim that one may lawfully lie in order to save another from committing murder, or another from being killed. In reply to this objection, he says:

A lie is sinful not only because it injures one’s neighbour, but also on account of its inordinateness, as stated above in this Article. Now it is not allowed to make use of anything inordinate in order to ward off injury or defects from another: as neither is it lawful to steal in order to give alms, except perhaps in a case of necessity when all things are common. Therefore, it is not lawful to tell a lie in order to deliver another from any danger whatever. Nevertheless, it is lawful to hide the truth prudently, by keeping it back, as Augustine says (*Contra Mend.* x). (Aquinas 2021, 5602–5604)

To justify the sinfulness of a lie because it is inordinate, even in a case that would save a life, does not seem to be entirely satisfying (theological) reasoning. It only leads to the question of defining the margins that separate actions that are ordinate from those that are not. Who is to say that telling a falsehood

in order to save lives must be seen as inordinate and hence sinful? By claiming it is inordinate, we do not solve anything; we just shift the focus on the problem as now one has to firstly agree upon the criteria according to which something is inordinate or not. In the second part of his reply, Aquinas goes in the right direction by saying that it is lawful to hide the truth prudently. The notion is close to our understanding of situationality – even in the hypothetical case of hiding Jews. I claim that our action at its core involves withholding the truth instead of telling a falsehood and that prudence relates in this case to our answering the semantical fullness of the Gestapo's officer question and not only the audible part. Basically, situationality as described here is an example of the casuistry that bears a "human face" (Bretzke 2004, 169–190).

The reasons why the definition of what lying is, as cited below, was changed with the last catechism (Catechism of the Catholic Church 2021) in the first sentence of Paragraph 2483 in comparison to the preceding version (Catechism of the Catholic Church 1993) are not known to me and deserve additional research. As previously explained, perhaps some addition to the currently valid definition could be made in the following sense: "Exceptionally, the right to know the truth may be surpassed by the higher right to withhold the truth if it is done prudently and if that serves greater good and just righteousness." In any case, the fact remains that even some modern Catholic theologians have come to the conclusion (at least for a certain period of time) that knowing the truth is not an absolute right for each and every person and in every situation.

Lying is the most direct offense against the truth. To lie is to speak or act against the truth in order to lead into error

someone who has the right to know the truth. By injuring man's relation to truth and to his neighbour, a lie offends against the fundamental relation of man and of his word to the Lord. (Catechism of the Catholic Church 1993)

The situationality of the CTSE does not justify any kind of sin – not even if it has led to a morally just end. It only articulates those exceptional situations where not all of the circumstances and conditions are evident and thus taken into account. It holds the view that some acts may be seen differently if all the relevant aspects of the situation are exposed and considered. There can be complex conditions, circumstances, and angles, which are not obvious (not even at second glance) yet are still ethically relevant (Bretzke 2004, 169–208). The biblical story of the rich young man who followed all the Commandments yet was reminded by Jesus that his wealth prevented him from becoming his follower clearly shows that not everything can be written down as a rule. Even more, with the advent of the New Covenant, it becomes evident that a purely intellectual observance of written regulations, devoid of a heartfelt embrace of their deeper significance, falls short of what is now required. Not being able to understand the matter to its full extent and to read between the lines or to grasp the sub-context of these commandments does not make one perfect.

Even the Gospels provide only general guidelines, which are clarified and further developed by the Church's official teaching; yet in any concrete situation, each person is obliged to decide for themselves how these commandments should be implemented (Swieżawski 2019, 221).

Swazo believes that: “[...] the essence of all moral decision is not merely a matter of following this or that peremptory directive or set of rules coherent in their derivation from first principles such as one finds in normative ethics” (Swazo 2020, 260). Furthermore, Swazo, in his study of Heidegger’s understanding of the “situation” of ethics, largely emphasizes the importance of the “*topos* of being”, since the situation of a decision in all its complexity (re-liability) always brings forward (or is represented as) a struggle of an individual with their truth of being, their position (*topos*) of existence. Swazo provides an insight into Heidegger’s understanding of the *ethos* on an example of his (Swazo’s) interpretation of Neoptolemus’s moral dilemma in Sophocles’s tragedy *Philoctetes*, which can (this applies to all other Sophocles’s tragedies as well), according to Heidegger, reveal the true nature of ethical decision making much more accurately than any theoretical tractate ever written by Aristotle. Sophocles’s tragedies more truthfully demonstrate the uncertainty and often paradoxical nature of the situation of a decision, and thus its “threat” for authentic selfhood (Swazo 2020, 252, 260–261).

Despite the predicate “situation” in its title, the CTSE is still considered a system of normative ethics: all God’s Commandments and the Church’s teachings are prescriptive, compulsory and may not undergo any kind of relativization (Longtin and Peach 2003, 9–18). Situationality in that sense relates only to the obedience and observance of the commandments, dogmas and never changing principles by meticulous consideration of all the conditions relevant to a particular situation, especially in the light of the New Testament. The CTSE may be seen as possibly antinomian if perceived only from the Mosaic Law point of view, which can be very rigid when taking the objective and relevant

circumstances fully into consideration (Sautkin and Philipova 2006, 559–561). The Mosaic Law was fulfilled by Jesus of Nazareth and it is still valid (Mt 5,17–20), yet the Resurrection is in itself insufficient to bring salvation to any human ever since (Gal 2,21). The situationality as described here could not be properly understood nor accepted within the rigid rules of the Mosaic Law. Only with the New Testament, which exposed deeper meaning of the Mosaic Law and “upgraded” it with the New Commandment and the teachings of the Gospels, one can truly comprehend the legality of the laws. One needs to see with their heart, too, and can no longer blindly follow the Old Testament’s rules in order to be saved (Mt 13,15; Rom 1,21).

Situationality radically exposes the presence of God (Jesus Christ) in our relationships as a Christian with others and consequently our reactions and responses, which are conditioned by this fact. God (Jesus Christ) is not merely a silent witness in these relationships but deserves to be heard. His presence demands from a believer (if the third person is a nonbeliever) to anticipate and presuppose his words in this trilateral dialogue. When answering the question of the Gestapo officer we may rightfully assume that God (Jesus Christ) would confirm our “no” because he would know that we answered to the fulness of the question and not only to the audible part.

Swieżawski asserts that even without virtues that are constantly developing, everything becomes institutionalized and remote of any pristine human and Christian life. We should not treat our own moral life only as a set of rules, commandments, and tenets that are there independent from us (this could lead to legalism and nominalism). Such

an ethical standpoint does not inevitably affirm situation ethics *per se* (according to which everything changes in relation to the situation as it presents itself at a given moment) but nonetheless demands from a person to decide every time anew and in a different way because the circumstances, as they present themselves at a certain point in time, never repeat themselves again (Swieżawski 2019, 221).

Tasioulas (1998, 174) draws attention to the fact that the justification of ethical relativism must itself be relative to a subjective set of rules, which leads any relativist to self-contradiction (that is, if they claim that relativism is objectively valid). However, this inconsistency can be overcome by the general relativistic thesis that does not refer to itself. First, it does not declare that all judgements are relative to a set of subjective standards but that only ethical judgements are. Second, it has a status of a meta-ethical thesis and not of an ethical judgement, which in consequence means that it is not subject to its own self-refutation.

Some Additional Attributes of the CTSE

Besides the three main attributes of the CTSE (being Christian, trilateral, and situational) there are some other attributes which are typical of the CTSE but are only listed here and not elaborated in a greater detail:

- a) It is not egocentric yet is at the same time adultly anthropocentric. (Goršak 2009, 72, 205, 247–259) Nature has its own intrinsic value, which is self-sufficient and independent of any human judgment (Gen 1,31).
- b) It is teleological since it claims that the whole creation has its inner end (*telos*) given by the Creator. (Isa 45,18;

- 65,17; 66,22; Wis 1,14; Rom 8,19–22; 2 Pet 3,13; Rev 21,1) In that sense it rejects deontological ethics.
- c) It is an ethics of the breath (*ruah*) and kinship: all living creatures share the same God-given breath of life (Gen 2,7; 6,17; Ecc 3,19; Isa 42,5; Acts 17,25).
 - d) It is an ethics of care (a stewardship), which is ontological and not voluntary (Gen 2,15).

The CTSE permits changing nature and using its resources for objective needs of humankind, yet it does not condone its exploitation for only selfish desires. It rejects every act that may endanger the eschatological potential of the created world; it does not demand moral reciprocity; asceticism, voluntary self-limitation, and modesty are desired virtues; well-being and quality of life are not based on a high living standard; it rejects transhumanism and does not aspire toward ongoing technological development at any costs (Goršak 2009).

Last but not least, I have linked the CTSE with sobornost in light of the structure (Goršak 2021), which I find to be very similar – the CTSE and sobornost are both founded on the same four pillars that are equal to the four pillars of the Catechism: declaration of creed, seven holy sacraments, living by faith, and prayer. The fact that the conceptual composition of the CTSE mirrors the Catechism comes as no surprise as I claim the CTSE is entirely coherent with the Catholic teaching and Church's Magisterium (Conte 2010, 137–163).

Conclusion

In what sense does the CTSE differ from any other Christian ethics? Above all, it strongly emphasizes the trilateral nature of any relationship of a Christian with others and does not allow this to be by any means only a secondary or a minute theme – on the contrary, trilaterality (me-God-other) constitutes such a relationship in the ontological sense. Secondly, this trilateral relationship, although involving God himself, does not account God in a merely metaphysical deistic manner, but an objectively personal one. God, as one of the three parties within such a relationship, is understood entirely as an actively present person: he listens and speaks. The third aspect, situationality, affirms the ontological and personal presence of the third party (God/Jesus Christ) in the relationships of any Christian with other people which take place in the enormously complex accidentality of the modern world. The awareness of our responses and actions stems from this cognition, which should, in the first place, help us and others to achieve eternal salvation – and by that, above all, to complying with God's first and foremost Commandment. The CTSE is a new ethics system in the sense that it not only exposes but, even more importantly, constitutes trilaterality and situationality as inseparable components and even as the cornerstones of any true Christian ethics. It does not define or introduce any new principle, rule, or tenet that is not already part of the official Catholic teaching. Further scientific research on this topic will hopefully further confirm its lasting validity as a true Christian ethics by which every Christian of the twenty-first century should abide.

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