Presentation of the Academy of Catholic Theology's John Henry Newman Medal for Distinguished Achievement to Professor Dr. Robert Spaemann

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THE Board of the Academy of Catholic Theology has chosen as the second recipient of our John Henry Newman Medal for Distinguished Achievement Professor Dr. Robert Spaemann. In being so honored, Robert Spaemann follows in the footsteps of the late Avery Cardinal Dulles, whose work we honored in 2008. Like the life-work of Dulles, the opus of Robert Spaemann has served to provide rare and precious clarity on a host of issues vital to the existence and flourishing of theology. Similar to the stature that Cardinal Dulles had attained in the theological discourse of the United States is the presence of Robert Spaemann in the cultural debates of today's society and Church in Germany and Europe as a whole. What is different, of course, is that Robert Spaemann is a philosopher. That a theological academy would express its esteem and gratitude not only for the entire compass of theological disciplines but also for a body of philosophical reflection is perhaps not self-understood; but it expresses the conviction, articulated in our mission statement, that "Members of the Academy . . . value the role of philosophical investigation, especially metaphysics, in the integration of faith and reason." In presenting the Newman Medal to Professor Spaemann, I would like to identify at least some of those philosophical achievements that theology does well to value highly.

The identification of Spaemann's philosophical projects is not an altogether easy task. For one thing, until recently there had not been many

of his works available in translation; although that will soon be changing. A large collection of representative essays in English translation will soon join shorter collections of essays as well as the monographs already accessible in English on the human person, on the complementary nature of eudemonistic and deontological ethics, and on the possibility and necessity of retrieving a teleological understanding of nature. More challenging is Spaemann's relative freedom with regards to his historical sources. That is not uncommon for those who studied in Münster under Joachim Ritter, as is clear from the names of his fellow students such as Odo Marquard and Hermann Lübbe, but the "unity" of the so-called "Ritter School" is less obvious as any commonality of content than as a shared methodology, an ease in engaging ancients and moderns in fairly synchronic dialogue. A Roman Catholic since his conversion in younger years along with his mother and father, Spaemann presupposes a salvation coming from sources beyond philosophy that reinforces the freedom of his philosophical conversations. Spaemann cites frequently Aristotle and Plato, Augustine and Thomas, Kant, Fichte and Hegel, but he is not an Aristotelian, a Platonist, a Thomist, etc. The authors from the past whom he cites most frequently belong to the early modern period, often from the French Enlightenment period. Spaemann has written monographs on de Bonald, Rousseau, Fénelon and Bossuet. He shows appreciation for Leibniz and Arnauld. His intentions in portraying their paradigmatic modernity are, however, in good part critical, looking for the genealogy of some of the limitations that still restrict us today. Spaemann is not interested in showing such limitations of modernity in order to suggest, say with radical orthodoxy, a purely faith-based answer to the contemporary quandaries, nor to claim a consistent and viable alternative in premodern thought. Limitations of thought are not the exclusive prerogative of modernity. Spaemann thus criticizes Aristotle for appreciating alterity only from a narrowly eudemonistic context and Thomas Aquinas for a re-interpretation of finality in terms too dominated by the image of the efficient cause.

So how does one describe the positive intention of Robert Spaemann's philosophy? If, as Walker Percy once suggested, the differences among writers of fiction can be described largely as differences about their takes on original sin, so, too, might this same delineation well apply to philosophers. A first determination of Spaemann's philosophy would then group him with those who suspect that human nature is neither largely innocent nor wholly corrupt, but somehow bent. Among Spaemann's many interests is his attempt to trace the pre- or post-theological transformations of the doctrine of original sin in philosophers since

Kant. Spaemann's sense of the limited but perceptible curvatio of every age, including the somewhat twisted sense of things in our own world view, leads him to a largely Socratic method, trusting that human reason and human goodness are healthy enough to allow us, if we question ourselves, to see what is unhealthy in contemporary thought and practice. Parallel to the common language school, Spaemann's is a philosophy of the common ontology of the person and the common moral intuition, which can be summoned from memory by questioning to help us identify the many inconsistencies and violations of experiential and ethical norms that characterize contemporary science, praxis, and politics.

This sense of a nature bent but not fully corrupt begins to take shape early on in Spaemann's development. Born in 1927—a couple weeks younger than Benedict XVI, with whom he would become good friends—Spaemann was a teen during the final years of the Third Reich. His rejection of the violently eugenic policies of the National-Socialist government moved him to volunteer to assist in disseminating the critical writings of Münster's Bishop Clemens August von Galen, who had also ordained his widowed father to the Roman Catholic priesthood. The memory of this dissent to a powerful, established position would later strengthen Spaemann's conviction that moral insight is more than the expression of cultural biases, even those that become like a second nature of democratic majorities or their elites (cf. the Habermas-Spaemann debate on education and politics). Spaemann would take up a task identified in *The Dialectic of the Enlightenment* by M. Horkheimer and Th. W. Adorno, that of retracing how the initially emancipatory forces of the technological development often become forces of new injustices, even under the rule of democratic processes. Spaemann would contribute the strength of philosophical argument to public debates on concrete topics as diverse as nuclear armament and nuclear power, abortion and euthanasia, the treatment of animals, the stewardship of natural resources, the protection of Sunday customs, and resentment against the Church ("The Hatred of Sarastro"). In these and many other public debates, Spaemann demonstrates an uncommon ability to argue with clarity from often overlooked, common convictions and shared ethical intuitions for the superiority of what often are minority positions. Spaemann has also made lasting contributions to the philosophical discussion of more basic but less tangible questions, including the tensions between ethical claims based on pragmatic advantage and those stemming from general convictions of conscience, or on the relation between claims to be natural and claims to be rational.

One of the most important and most consistent themes of Spaemann's philosophy is the human person. In numerous essays as well as in the monograph *Persons: On the Difference Between Something and Someone*, Spaemann argues characteristically less from the philological roots and theological development of the concept of person (though he touches on these concerns in the first two chapters) than from our common ways of talking about ourselves and others. He is, however, especially attentive to the corrosion of the notion of person that follows from John Locke's equation of person and consciousness, a fatal identification that flows into the writings of D. Parfit and P. Singer. Spaemann argues convincingly that every human being is a person, despite attempts, not just in the previous century, to deny personal status to certain categories of human beings. What is remarkable is Spaemann's ability to highlight the conscious phenomena around the awareness of personhood that make sense only if personhood transcends consciousness.[1]

Another central theme of Spaemann's philosophy is nature. Some of his essays on nature are gathered in a Reclam volume of his *Philosophical Essays*. The volume with Reinhard Löw on *The Question Whither?* (*Die Frage Wozu?/Natural Goals*) retraces the ongoing process by which teleology is excluded first from non-human nature by a reductive form of science and then from humans as well, considered as the manipulable product of such sciences. This loss of nature exemplifies the dynamics of functionalism, which, as Rolf Schönberger has shown, Spaemann identifies as one of the characteristic features of modern consciousness, close to what Horkheimer had called instrumental reason.[2] Functionalism is shown to be one of the recurring motifs of the modern period, from de Bonald's defense of religion as a stabilizing cultural force to the "inversion of teleology" in the mechanistic understanding of nature. It is one of our inherited paradoxes that functionalism of this sort does not function all that well. Spaemann shares with Hans Jonas a preference for the principle of ecological responsibility over the principle of a technologically reckless hope, including most recently the proposals by the Habermas-critic, Peter Sloterdijk, for adventurous experimentation in the realm of human genetics.

The explication of common ontological insights has led Spaemann not only to a richer sense of human nature and nature in general, but,

[1] Cf. Anselm Tilman Ramelow's review of the English translation of *Persons: The Difference between 'Someone' and 'Something'* (Oxford: Oxford University Press, 2006) in *The Thomist* 72 (2008): 317–21.

[2] Rolf Schönberger, "Robert Spaemann," in *Philosophie der Gegenwart in Einzeldarstellungen. Von Adorno bis v. Wright*, ed. Julian Nida-Rümelin, 2nd ed. (Stuttgart: A. Kröner Verlag, 1999), 706–11.

reflecting on these, to the sense of God which they imply. *Immortal Rumor* and *The Last Proof of God* reflect on the philosophical possibility and necessity of affirming the existence of God. But it would be wrong to suggest that Spaemann's philosophy is always taken as a welcome partner by theologians. On basic questions of proportionalist ethics or a "Global Ethic," on issues of the entanglement of Catholic Charities in pregnancy and abortion counseling, or on the justification of organ harvesting solely on the basis of brain death and on the attempted separation of personhood and human life, Spaemann's reflections have also served as a sobering admonition to the sometimes infelicitous suggestions of prominent theologians. If philosophy is still to be called the *ancilla theologiae*, its service here is like that of Kent to Lear.

In a well-known presentation to the U.S. bishops gathered at Dallas in 1991, the then Joseph Cardinal Ratzinger explored the relation of "Conscience and Truth," exemplified by two figures shown here to be closely related: John Henry Newman and Socrates.[3] To show Newman and Socrates as "Guides to Conscience," the talk turns first to "Cardinal Newman, whose life and work could be designated a single great commentary on the question of conscience." This talk contrasts Newman with a common understanding that "presupposes the opposition of authority to subjectivity" and then associates the conscience only with the latter.

> For Newman, the middle term which establishes the connection between authority and subjectivity is truth. I do not hesitate to say that truth is the central thought of Newman's intellectual grappling. Conscience is central for him because truth stands in the middle. To put it differently, the centrality of the concept conscience for Newman is linked to the prior centrality of the concept truth and can only be understood from this vantage point.[4]

The talk goes on to say that

> conscience signifies the perceptible and demanding presence of the voice of truth in the subject himself. . . . Thus two standards become apparent for ascertaining the presence of a real voice or conscience.

[3] For Newman's sense of the interrelations of faith and reason in the context of the university, see especially Newman's ninth and tenth Oxford University sermons, as well as Don Briel, "The Idea of a University," in *Wisdom and Holiness, Science and Scholarship: Essays in Honor of Matthew L. Lamb*, ed. Michael Dauphinais and Matthew Levering (Naples, FL: Sapientia Press, 2007), 1–16. I want to thank Professor Briel for the following references to J. H. Newman and J. Ratzinger.

[4] Joseph Ratzinger, "Conscience and Truth," *Crisis of Conscience* edited by John M. Haas (New York: Crossroad, 1996), 1–20, here 8.

> First, conscience is not identical to personal wishes and taste. Secondly, conscience cannot be reduced to social advantage, to group consensus or to the demands of political and social power.[5]

It is here that this talk sees the link between Newman and Socrates:

> At this point, the whole radicality of today's dispute over ethics and conscience, its center, becomes plain. It seems to me that the parallel in the history of thought is the quarrel between Socrates-Plato and the sophists in which the fateful decision between two fundamental positions has been rehearsed. There is, on the one hand, the position of confidence in man's capacity for truth. On the other, there is a world-view in which man alone sets standards for himself. The fact that Socrates, the pagan, could become in a certain respect the prophet of Jesus Christ has its roots in this fundamental question.[6]

In awarding the John Henry Newman Medal to the largely Socratic philosopher Spaemann, it seems to me that we, too, are suggesting a point where Newman and Socrates meet. Listen one last time to that talk from 1991:

> What characterizes man as man is not that he asks about the "can" but about the "should" and that he opens himself to the voice and demands of truth. It seems to me that this was the final meaning of the Socratic search and it is the profoundest element in the witness of all martyrs. They attest to the fact that man's capacity for truth is a limit on all power and a guarantee of man's likeness to God. . . .[7]

In honoring Spaemann with the John Henry Newman Medal, we are also thanking him for his witness to the human capacity for truth, which is the condition of the possibility of philosophy, theology, and any flourishing life. N V

[5] Ibid., 9f.
[6] Ibid., 11.
[7] Ibid., 11f.

St. Thomas and Metaphysical Hierarchy: Some Observations[1]

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THE ORIGINAL stimulus for this essay stems from the present-day evolution/design debates. From the viewpoint of St. Thomas's metaphysics the two contentions—namely, that the variety of kinds of living things can be explained in terms of random mutations, and that the same phenomenon must be explained as a work of mind—are entirely compatible. On the one hand Thomas argues in the Fifth Way (and in many parallel or at least similar texts) that natural bodies which lack knowledge act for an end, and can do so only through intelligent direction.[2] On the other hand, he insists that accidental influences of one thing on another occur in physical reality: but such accidental influence itself is entirely under the direction of the divine mind; what is truly accidental in relation to secondary causes is designed as viewed in the light of the highest cause.

This picture is well presented in two articles, side by side, late in the *Summa theologiae*, part 1. In question 115 Thomas is speaking of the causal activity of bodies upon bodies, giving special attention to the celestial bodies as influential, with a universal mode of causality, on generable and corruptible bodies. The question's last article asks whether the celestial

[1] Abbreviations: *ST* is *Summa theologiae*, Editio altera emendata (Ottawa: Commissio Piana, 1953]; *CM* is *In Metaphysicam Aristotelis commentaria*, ed. M.-R. Cathala (Turin: Marietti, 1935); *ScG* is *Summa contra Gentiles*, that is, *Liber de Veritate Catholicae Fidei contra errores Infidelium seu 'Summa contra Gentiles'*, ed. Pera et al. (Rome/Turin: Marietti, 1961). All translations herein are my own unless otherwise indicated.

[2] *ST* I, q. 2, a. 3 (ed. Ottawa, 14b36–49). Cf. my paper "St. Thomas's 'Fifth Way' Revisited," in *Universitas* (Taipei) 31, no. 3 (March, 2004): 47–67.

bodies impose necessity on those things which are subject to their action, and, in reply, Thomas recalls Aristotle's refutation of thoroughgoing necessitation in nature. The argument of the ancient adversary is that everything that occurs has a cause, and that if the cause is posited, the effect occurs necessarily. Aristotle replies, first, that there are causes which can be prevented from bringing about their effects. However, this point is seen as inadequate by itself, since such prevention might be said to arise of necessity from some cause. Hence, Aristotle goes on to say that everything which is naturally coherent (*est per se*) has a cause, but that which is as a mere happening (*est per accidens*) does not have a cause; the latter sort of thing is not truly "a being" since it is not truly "something one": "the white" has a cause, and "the musical" has a cause, but "the white musical" has no cause. Thomas applies this to the cosmic picture in what might be a script for something like the extinction of the dinosaurs (fire from the sky happening to fall on something particularly combustible).[3]

The very next question, 116, in its very first article, inquires about the existence of fate. Given that some things happen by chance or luck, it is nevertheless seen that what is chance at the level of lower causes can be design at the level of the higher cause: the example is that of two servants sent by their master for different reasons to the same place; for the servants, considering the particular missions they have, their meeting each other is fortuitous, but the master may well have intended the meeting. Some philosophers rejected the origin of chance events in a higher cause, and so denied altogether the existence of fate: this, as Thomas says, is a rejection of divine providence. Other philosophers held that the higher cause of accidental events, whether in sub-human things or in humans, was the celestial bodies: this is what they meant by "fate."

Thomas briefly sets aside this latter view as related to human beings, because their free will cannot be directly overcome by corporeal causes. However, he also rejects the view as regards all physical "mere happening." Such events are not truly beings or unities, as was said in the previous question, whereas the causality of the celestial bodies is an action of natural bodies, an action which terminates at something truly one. Thomas's example here of such a chance event, while obviously human, is meant to cover all mere happenings: no natural cause can bring it about that, intending to dig a grave, one finds a treasure.

Thomas concludes that all chance events, whether in mere natural things or in human affairs, are traceable to a preordaining cause, namely, divine providence. As he says:

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[3] *ST* I, q. 115, a. 6. For Aristotle, cf. *Metaphysics* 6.3 (1027a31).

> Nothing prevents that which is by mere encounter [*per accidens*] to be taken as one by some mind; otherwise the intellect could not form such a proposition as this: "The person digging the grave finds a treasure." And just as the intellect can envisage this, so also it can bring it about: as, for example, if someone who knows where a treasure is hidden sends a workman ignorant of this to dig a grave in the very place.[4]

Here, Thomas's argument concludes that it is especially the divine intellect which should be seen as causing the things that happen by chance or luck. He does not rule out a role for other intellects below the divine for the case of sub-human chance events, but in the properly human domain, the domain of willing agency, it is *only* God who has the power to move the will.

What I would like to highlight is Thomas's teaching that both of the doctrines involved in the design/evolution debates, the tracing of random events to a designing cause and the tracing of all telic[5] order to mind, pertain to the conception of God as cause of being as being.

Take first the issue of the *per accidens*, the haphazard. Thomas's fullest presentation is in *In Metaphysicam Aristotelis commentaria* 6, where the very existence of the per accidens is questioned by an imagined adversary. Aristotle has just set aside from his theological philosophy[6] the study of being by coincidence (*to on . . . to kata sumbebékos*).[7] Does not this position of Aristotle's, in that it *acknowledges the existence of mere haphazard*, destroy the doctrine of providence? Does not "providence" suggest that everything happens of necessity? After all, divine providence cannot fail. Thomas defends Aristotle and the existence of the *per accidens* as follows:

> [1219] But one must know that on the same cause depend the effect and all those [items] which are essential accidents [*per se accidentia*] of that effect. For example, just as man is [caused] by nature, so also are all his essential accidents, such as capability of laughter, and susceptibility to mental discipline. But if some cause does not make *man*, unqualifiedly, but [makes] man *such*, it will not belong to it to constitute those things which are the essential accidents of man, but merely to take advantage of them. For example, the ruler [*politicus*] makes a man a good citizen [*civilem*]; still, he does not make him to be susceptible to discipline of the mind; rather, he makes use of that property of [man] in order to make of him a good citizen.

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[4] *ST* I, q. 116, a. 1 (691b38–47).

[5] I invented this word some few years ago, but now see, by Google and Wikipedia, that I was probably not the first to do so.

[6] Cf. Aristotle, *Metaphysics* 6.1 (1026a19).

[7] Ibid., 6.2 (in its entirety).

> [1220] But, as has been said, *being inasmuch as it is being* [*ens inquantum ens est*] *has as cause God himself; hence, just as to the divine providence being itself* [*ipsum ens*] *is submitted, so also are all the accidents of being as being, among which are the necessary and the contingent*. Therefore, to divine providence it pertains, not merely to make this being, but that it give to it contingence or necessity. . . .[8]

Thomas goes on to make the point that no other cause gives to its effects the modes of necessity and contingency; this is proper to *the cause of being as being*.

It is inasmuch as the contingent causes, that is, the causes which produce their effects for the most part, sometimes fail to produce the effect that what rarely happens happens. It is haphazard as compared to the proximate cause, the contingent cause.[9] It is not haphazard as compared to the universal provider. Thus, as Thomas says:

> [N]othing prevents some things being fortuitous or haphazard taken in comparison to the proximate causes, not, nevertheless, in comparison to divine providence: for, so taken, "nothing occurs by chance in the universe," as Augustine says in the book, *On Eighty-three Questions*.[10]

In the proper context of the design/evolution debate the second point I mentioned is the intellectual origin of the telic. In the Fifth Way presentation this is simply asserted, along with the example of the arrow and the archer. In some texts an argument is made for it.[11] I am going to note here *De veritate*, q. 22, a. 1, as to whether all things have an appetite for the good. My interest in this text is not so much for the argument that mind is needed for direction, as for the point that for such inclination in

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[8] *CM* 6.3 (1218–1220).

[9] Cf. *CM* 6.2 (1182–1183). For more on this position of Thomas, see my essay "Thomas Aquinas and Being as a Nature," *Acta Philosophica* 12 (2003): 123–35.

[10] *ST* I, q. 116, a. 1, ad 2: "nihil prohibet aliqua esse fortuita vel casualia per comparationem ad causas proximas, non tamen per comparationem ad divinam providentiam, sic enim 'nihil temere fit in mundo,' ut Augustinus dicit in libro *Octoginta trium quaest*. . . ." Cf. *CM* 6.3 (1216): "Relinquitur igitur quod omnia, quae hic fiunt, prout ad primam causam divinam referuntur, inveniuntur ordinata et non per accidens existere; licet per comparationem ad alias causas per accidens esse inveniantur. Et propter hoc secundum fidem catholicam dicitur, quod 'nihil fit temere sive fortuito in mundo,' et quod omnia subduntur divinae providentiae. Aristoteles autem hic loquitur de contingentibus quae hic fiunt, in ordine ad causas particulares, sicut per eius exemplum apparet."

[11] Cf. for example *De potentia*, q. 1, a. 5, where in the course of showing that God cannot be such as to act by natural necessity Thomas shows the necessarily dependent nature of what so acts.

a thing to be *natural* it is necessary that a *form* be conferred on the thing. Thus we read:

> But this [namely, one thing directing another to an end] occurs in two ways: for sometimes that which is directed to the end is merely impelled and moved [*impellitur et movetur*] by the director, without [its] obtaining from the director any *form*, through which such direction or inclination [*directio vel inclinatio*] would *befit* the thing; and such inclination is *violent*, the way the arrow is "inclined" by the archer towards a definite target. But sometimes that which is directed or inclined towards an end acquires from the one directing or moving [it] some *form* through which such inclination is befitting for it; hence, that inclination will be *natural*, as having a natural principle: as he who gave the stone heaviness inclined it to this, that it would be borne naturally downward, in which way *the one generating* is the mover for light and heavy things, according to the Philosopher in *Physics* 8 (256a1).[12]

This second way for a thing to be moved by another to an end is now attributed to all natural things:

> And in this way, all natural things are inclined towards those things which suit them, [such natural things thus] having in themselves some *principle* of their own inclination, by reason of which their inclination is natural, so that in a way *they themselves go* [*ipsa vadant*] and are not merely led [*ducantur*] to the due ends [*fines debitos*]; for the objects of violence [*violenta*] are merely led, because they co-operate not at all with the mover, whereas natural things even go [*vadunt*] towards the ends, inasmuch as they co-operate with the one inclining and directing, by virtue of a principle inserted within them.[13]

The reason I note this is that it relates the telic in things to the *form* of the thing.[14] I believe that this focus on form is essential as providing a sound foundation for a doctrine of natural teleology.[15]

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[12] *De veritate*, q. 22, a. 1, Leonine lines 152–68, *Quaestiones disputatae de veritate*, qq. 21–29, in *Opera Omnia*, t. 22/3 (Rome: Editori di san Tommaso, 1976).

[13] Ibid., Leonine lines 169–78 (emphasis added).

[14] Cf. *ST* I, q. 80, a. 1 (495b28–29): "quamlibet formam sequitur aliqua inclinatio [some inclination accompanies every form]."

[15] Cf. Etienne Gilson, *D'Aristote à Darwin et retour* (Paris: Vrin, 1971), 33–34: "Aristotle found finality in nature so evident that he asked himself how his predecessors could have failed to see, and even worse, denied its presence there. Their error was explained, in his eyes, because they erred concerning the notions of essence and substance [*Parts of Animals* 1.1]. The subsequent history of philosophy should confirm the accuracy of his diagnosis because as long as the Aristotelian notion of substance as unity of a matter and a form survived, that of finality remained

Thus I come to the point I wish to stress. The doctrine of the origin of species is a doctrine of divine causality of being as being. This is a metaphysical prerequisite for any sound evolutionism. I would call attention here to chapters 39–45 of Book II of the *Summa contra Gentiles* II, on the first cause of *distinction* among things, that is, the origin of formal variety. The order of discussion is as follows: [39] Is chance the cause? [40] Is matter the cause? [41] Is a contrariety between agents the cause? [42] Is an order of agents the cause? [43] Did God create matter but some angel give diverse forms to things? [44] Is a diversity as to merit and demerit the origin of the distinction among things? [45] What is truly the first cause of the distinction among things? This entire discussion is the first thing Thomas undertakes after presenting the mode of production called "creation" (chapters 6–38).[16]

Now, out of all this I am only going to note here two arguments from chapter 43. There Thomas, arguing against the idea that God creates matter but some angel accounts for forms, says in one argument:

> Just as being is first among effects, just so does it correspond to the first cause as [its] proper effect. *But being is through form and not through matter.* Therefore, *the first causality of forms* is most of all to be attributed to the first cause.[17]

That is, the doctrine of God as origin of forms has its foundation in the doctrine of God as cause of being as such. To see this, one must appreciate the role of form as principle of being.

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undisputed, but as soon as in the seventeenth century Bacon and Descartes [p. 34] denied the notion of substantial form (form that constitutes a substance by its union with a matter), that of final cause became inconceivable. Indeed, substance as defined by its form is the end of generation. What remained, once the form was excluded, was the extended matter, or rather extension itself, which is the object of geometry and is susceptible only to purely mechanical modifications. Descartes submitted to mechanism the entire domain of living beings, including the human body. The celebrated Cartesian theory of "animal machines," which rightly astonished La Fontaine, illustrates this point perfectly." My translation. There is a complete English translation: *From Aristotle to Darwin and Back Again: A Journey in Final Causality, Species, and Evolution*, trans. John Lyon (Notre Dame, IN: University of Notre Dame Press, 1984).

16 Cf. *ScG* II, c. 5, which gives the plan of book 2.

17 *ScG* II, c. 43 (par. 8; ed. Pera, 1200): "Adhuc. Sicut esse est primum in effectibus, ita respondet primae causae ut proprius effectus. Esse autem est per *formam*, et non per materiam. Prima igitur causalitas formarum maxime est primae causae attribuenda."

And again, in the same chapter, Thomas says:

> Since every agent acts [producing] something like itself, from that thing the effect acquires the form relative to which [thing] it acquires likeness by virtue of the form: for example, the house which is in matter [acquires form] from the art which is the form of the house in the soul. But all things are rendered like God who is pure act, inasmuch as they have forms through which they are rendered in act: and inasmuch as they have appetite for forms, they are said to have appetite for the divine likeness. Therefore, it is absurd to say that the formation of things pertains to something other than God, the creator of all.[18]

Here also, it is an appreciation of form as principle of being that must nourish our thought. Form is primarily substantial form, best appreciated by us in living things, that is, the forms called "souls."[19] We are speaking of the principle of *unity* manifested both in the individual as a self-assertive thing, nourishing and defending itself, and in that individual as the representative of a species, reproducing the kind. It is a principle of perpetuity in the theatre of radical change.[20]

Whereas with design and teleology the interest is in complexity and order, focus on form highlights oneness, though of course oneness

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[18] Ibid. (par. 8, ed. Pera, 2001): "Amplius. Cum omne agens agat sibi simile, ab illo acquirit effectus formam cui per formam acquisitam similatur: sicut domus in materia ab arte, quae est species domus in anima. Sed omnia similantur deo qui est actus purus, inquantum habent formas, per quas fiunt in actu: et inquantum formas appetunt, divinam similitudinem appetere dicuntur. Absurdum est igitur dicere quod rerum formatio ad alium pertineat quam ad creatorem omnium deum."

[19] Thomas, in *Sentencia libri De anima*, Leonine ed., t. 45/1, (Rome/Paris: Commissio Leonina/Vrin, 1984), 2.7 (lines 176–81)], concerning Aristotle at *De anima* 2.4 (415a13), paraphrases as follows: "that is the cause of something in the role . . . of *form*, which is the cause of being [*causa essendi*], for *through the form* each thing is in act [*est actu*]; but the soul is the cause of being for living things, for through the soul they live; and living itself [*ipsum uiuere*] is their being [esse]; therefore, the soul is the cause of living things in the role of *form*" (emphasis added).

[20] Cf. *ST* I–II, q. 85, a. 6, on form as principle of being (in the context of the question: is death natural?). Cf. also *ST* I, q. 60, a. 5, ad 3: "natura reflectitur in seipsam non solum quantum ad id quod est ei singulare, sed multo magis quantum ad commune, inclinatur enim unumquodque ad conservandum non solum suum individuum, sed etiam suam speciem. Et multo magis habet naturalem inclinationem unumquodque in id quod est bonum universale simpliciter"; "nature is turned back towards itself not only as regards that which is singular to it, but much more as regards that which is common: for each thing is inclined to the conserving not only of its own individual self, but also of its own species. And much more does each thing have a natural inclination towards that which is the unqualifiedly universal good."

exhibiting itself in the theatre of natural change.[21] The difference in perspective relates to the primacy of being over goodness in the mind's grasp of reality.[22] In this regard I would recall some remarks by Jacques Maritain at the very beginning of his book *Court traité de l'existence et de l'existant*. He is criticizing Descartes's conception of God as a sort of pure liberty, having no essence. God is thus seen as quite arbitrarily fabricating the eternal truths. We read:

> No doubt he [Descartes] spoke more than ever of the divine essence, to the point of seeing in it something like the efficient cause of the existence of God. But this essence becomes so absolutely impenetrable—save inasmuch as its mere idea suffices to assure us that God exists—that it is no more, so to speak, than the dazzle of the mere existence of God, conceived as an act of pure will. Ultimately one would have a divine existence without a *nature*. And since that is unthinkable, thought slips to the more or less ambiguous substitute furnished by the idea of a pure Action, a pure Efficiency or a pure Liberty, superior to the whole order of intelligence and intelligibility, that would posit itself without reason, by its sole "power," and that would create arbitrarily the intelligibles and the essences as well as the ideas that are the portraits of them in our minds. That is precisely why the God of Descartes is a Will perfectly exempt from every order of Wisdom (a position which St. Thomas regarded as blasphemy), why this God excludes from his action *every kind of finality*, why he creates the eternal truths as purely contingent items, which do not depend at all on his immutable Essence whose intelligence would *see* immutably the possible participations, but rather on his simple Will, why he could have brought it about that the

[21] Cf. for example *CM* 8.5.8: "Deinde, cum dicit 'quaecumque vero,' solvit praedictam dubitationem quantum ad ea quae sunt omnino a materia separata; dicens, quod quaecumque non habent materiam intelligibilem, ut mathematica, nec sensibilem, ut naturalia, sicut sunt substantiae separatae, statim unumquodque eorum est unum aliquid. *In his enim quae habent materiam, non statim unumquodque est unum, sed unitas eorum est ex hoc quod unitas advenit materiae*. Sed si aliquid sit quod sit *forma tantum, statim est unum*; quia non est in eo ponere aliquid quocumque ordine, prius quam expectet *unitatem a forma*." "Then, when [Aristotle] says: 'But whatever . . . ,' he solves the aforementioned problem as regards those things which are altogether separate from matter; saying that whatever things do not have intelligible matter, as do mathematicals, nor sensible [matter], as do natural objects, such as are the separate substances, each of such things is immediately something one. *For in those things which have matter, each one is not immediately something one, but rather their oneness is from this, that oneness comes to the matter*. However, if there is something which is *form alone*, it is immediately one, because there is not in it something in any order having priority to its having *oneness from form*." (Emphasis added.) And cf. further texts in Appendix below.

[22] Cf. *ST* I, q. 5, a. 2.

> mountains had no valleys, that the circle was square, and that contradictories were true at once, and why the whole order of human morality is, in his view, affected with the same radical contingence and depends on a pure decree without reason, the just and the unjust only being so in accordance with the good pleasure of his Sovereign Existence and the motiveless choice by which the divine Subject decides to exercise his creative liberty.[23]

What interests me in this is the contrary position, namely that God does not *fabricate* the divine ideas, as though he were a mechanic; he rather *sees* the infinity of possible finite imitations of the divine being.[24] The essence or nature or form of a creature is such an imitation which he has decided to use as principle of an actual being. Form just is participation in divine actuality.[25]

All of this should be insisted on prior to any physics or biology of the appearance of species.

Thusfar I have looked at Thomas's conclusions. There remains "the way up," that is, the philosophical work of presenting things as effects in the order of being, and so as requiring as a God a cause of being as being. I have in mind especially Thomas's Fourth Way as sketching the hierarchical vision of being as being. This is a hierarchy in terms of the priority of act over potency, priority as to nobility, as to intelligibility, and as to goodness.[26]

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[23] Jacques Maritain, *Court traité de l'existence et de l'existant* (Paris: Paul Hartmann, 1947), 14–15; my italics and translation.

[24] Cf. *ST* I, q. 15, a. 2; q. 14, a. 12; and q. 14, a. 6 (97b43–98a3): "Propria enim natura uniuscuiusque consistit, secundum quod per aliquem modum divinam perfectionem participat. Non autem deus perfecte seipsum cognosceret, nisi cognosceret quomodocumque participabilis est ab aliis sua perfectio, nec etiam ipsam naturam essendi perfecte sciret, nisi cognosceret omnes modos essendi. Unde manifestum est quod deus cognoscit omnes res propria cognitione, secundum quod ab aliis distinguuntur." "The proper nature of each thing whatsoever is to be found inasmuch as it participates in the divine perfection in some measure. Now God would not know himself perfectly did he not know the extent to which his own perfection is participable by others, nor would he perfectly know the nature of being if he did not know all the apportionments of being. Hence, it is evident that God knows all things by proper knowledge, according as they are distinguished from each other."

[25] Cf. my *St. Thomas and Form as Something Divine in Things* (Milwaukee, WI: Marquette University Press, 2007).

[26] Notice that the very division of being by act and potency is a division according to the "more" and the "less," as can be gathered from Thomas, *De substantiis separatis*. See *De substantiis separatis*, c. 7, lines 47–52 (*Opera Omnia*, t. 40 [Rome: Ad Sanctae Sabinae, 1969]): "Manifestum est autem quod cum ens per potentiam et actum dividatur, quod actus est potentia perfectior et *magis habet de ratione essendi*; non enim

Many years ago I showed, to my own satisfaction at least, how the first four Ways of the five are based on the doctrine of the modes of being as act, and the properties of being as act, presented by Aristotle in *Metaphysics* 9.[27] While act and potency are first presented by him as found in one thing, Aristotle, as Thomas reads him, goes on to present the contrast between imperishable substance and perishable substance as an even clearer case of the priority of act over potency.[28] However, the imperishable substance he has in mind is that of the celestial bodies. So also, in *Metaphysics* 2.1, Aristotle presents the hierarchy of being by moving from the perishable to the celestial bodies and then to their causes.[29] Thus Thomas, commenting upon this, speaks of the principles of the celestial bodies:

> [T]he principles of those things which are always, viz. of the celestial bodies, must necessarily be truest. And this for two reasons. Firstly, they are not sometimes true and sometimes not; and by this they transcend in truth generable and corruptible things, which sometimes are and sometimes are not. Secondly, because nothing is a cause relative to them, but they are the cause of being for the others; and by this they transcend in truth and entity [*in veritate et entitate*] the celestial bodies: which though they are incorruptible nevertheless have a cause, not only as regards their being moved, as some have opined, but also as regards their being, as here the Philosopher expressly says.[30]

And this discussion is background for the Fourth Way (which twice refers to it explicitly). Since the ontology of the celestial bodies has been discovered to be nothing like what Aristotle and Thomas envisaged, it is necessary to ask what remains of the sort of metaphysical picture they proposed.

In the just quoted passage from Thomas's paraphrase the celestial bodies are the only caused ingenerable things envisaged. We know from other texts that Thomas credited Aristotle with a doctrine of *created* sepa-

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simpliciter esse dicimus quod est in potentia, sed solum quod est actu." "It is evident that, since that-which-is is divided by potency and act, act is more perfect than potency and has *more of the intelligible character of being*: for we do not say 'is,' unqualifiedly, of that which is in potency, but rather of that which is in act" (emphasis added).] While all five Ways to God (*ST* I, q. 2, a. 3) are metaphysical, the fourth is primary in this regard. All reduce to the priority of act over potency, and so to the *magis* and *minus* as regards the *ratio essendi*, explicitly presented in the Fourth Way.

[27] Cf. my essay "The Number and Order of St. Thomas's Five Ways," *Downside Review* 92 (1974): 1–18.

[28] Cf. Aristotle, *Metaphysics* 9.8 (1050b6ff.) and Thomas, *CM* 9.9 (1867–71).

[29] Aristotle, *Metaphysics* 2.1 (993b19–31).

[30] *CM* 2.2 (295).

rate substances.[31] One might well ask whether even without the celestial bodies one would still have a metaphysical hierarchy that would include *causes* between the creator and generable and corruptible things.[32] In that regard I recall a text from one of Thomas's replies to Friar Bassiano of Lodi, the Lector of Venice. The question was this: "Whether some people have judged that it has infallibly been proved that angels are movers of the celestial bodies?"

Thomas answers:

> To the fourth, I say that the books of the philosophers abound in such proofs that they think are demonstrations; it seems to me, also, that it can be demonstratively proved that the celestial bodies are moved by *some* intellect, *whether by God immediately or through the mediation of angels*. But that he moves them through the mediation of angels is something that accords more with the order of things which Dionysius asserts as infallible, viz. that lower things are administered by God through intermediaries, speaking of the usual course of things.[33]

Thus, Thomas is notably cautious in this matter, though he is obviously an enthusiastic supporter of the view that the angels have such a role. How such a role could still be given them when the Aristotelian celestial bodies are eliminated is not a simple question.[34]

Nevertheless, in Thomas's metaphysics there is still the doctrine of the incorruptibility of the human soul. It can very well help fill out the hierarchy of nobility, goodness, truth, and being, which constitutes the starting-point of the Fourth Way, leading to a cause of being as being.[35] Such a cause can quite well account for both the variety of intelligible forms in things and the role of random mutation in their appearance.

Appendix for Note 21

I here add a few texts on being, unity, and form (emphasis added). *De veritate*, q. 21, a. 3 (Leonine lines 54–63):

[31] Cf. *De substantiis separatis*, c. 3, Leonine lines 7–21, and my paper "Thomas Aquinas, Creation, and Two Historians," *Laval théologique et philosophique* 50 (1994): 363–87.

[32] Here I am not speaking of creative causality, of course, since only God can create (*ST* I, q. 45, a. 5), but of some causal role relative to the world of generation and corruption (such a role as could be relevant for a doctrine of evolution not strictly through random mutation).

[33] *Responsiones ad lectorem Venetum de articulis* XXX, ad 4.

[34] Cf. *ST* I, q. 110, aa. 2 and 3, where Thomas explains the role of the angel as one of working through the celestial body by moving it.

[35] Cf. my essay "St. Thomas, the Fourth Way, and Creation," *The Thomist* 59 (1995): 371–78.

> Et sic bonum praesupponit verum, verum autem praesupponit unum, cum veri ratio ex apprehensione intellectus perficiatur; *unumquodque autem intelligibile est in quantum est unum; qui enim non intelligit unum, nihil intelligit*, ut dicit Philosophus in *Metaph*. 4. Unde istorum nominum transcendentium talis est ordo, si secundum se considerentur, quod post ens est unum, deinde verum post unum, et deinde post verum bonum.

Cf. also *CM* 4.7 (615) (that is, par. 5) (concerning Aristotle, 4.4 [1006b10]):

> Si autem nomen non significat finitas rationes, sed infinitas, manifestum est quod nulla erit ratio sive disputatio. *Quod sic patet*. *Quod enim non significat unum, nihil significat*. Et hoc sic probatur. Nomina significant intellectus. Si igitur nihil intelligitur, nihil significatur. *Sed si non intelligitur unum, nihil intelligitur; quia oportet quod qui intelligit* AB ALIIS DISTINGUAT. *Ergo si non significat unum, non significat*. Sed si nomina non significant, tolletur disputatio, et quae est secundum veritatem et quae est ad hominem. Ergo patet quod si nomina infinita significent, non erit ratio sive disputatio. Sed si contingit intelligere unum, imponatur ei nomen, et sic teneatur quod nomen significet aliquid.

And cf. *De Substantiis Separatis*, c. 6 (Leonine lines 88–96):

> Tollit demum, et ut finaliter concludam, praedicta positio [sc. of Gebirol] etiam *philosophiae primae principia*, auferens *unitatem* a singulis rebus, et per consequens veram *entitatem* simul et *rerum diversitatem*. Si enim alicui existenti in actu superveniat alius actus, non erit totum unum per se, sed solum per accidens; eo quod duo actus vel formae secundum se diversae sunt, conveniunt autem solum in subiecto. N V

St. Thomas on the Unity of Substantial Form

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THE AIM of this essay is to explain and defend St. Thomas's understanding of the unity of substantial form against those who posit a plurality of substantial forms. Let me say, however, that I am not concerned primarily with the historical debate between St. Thomas and his contemporary adversaries.[1] I am concerned rather with certain contemporary Thomists who have drawn the conclusion that Thomas's account of substantial form needs to be modified or updated in light of the evidence of modern science.[2] While they remain unpersuaded by the attempt to reduce the human body to a mere aggregate of lifeless particles, they are moved by the apparently overwhelming evidence that many, if not most, of the properties of the living body are explained by the parts which make it up. This has led them to attempt to rejuvenate a modern version of the doctrine of the plurality of forms.

These Thomists argue that the human body possesses a plurality of substantial forms hierarchically ordered in accordance with the order and structure of the parts of the body. In response to such evidence as organ transplants, this theory grants each body part its own substantial form, ruled by the form of the whole organism. Since the heart can be kept

[1] For the details of the historical debate over the doctrine of a plurality of forms, see Daniel A. Callus, O.P., "The Origins of the Problem of the Unity of Form," *The Thomist* 24 (1961): 257–85; and Emily Michael, "Averroes and the Plurality of Forms," *Franciscan Studies* 52 (1992): 155–83.

[2] For a recent example see Terence L. Nichols, "Aquinas's Concept of Substantial Form and Modern Science," *International Philosophical Quarterly* 36 (1996): 303–18. For older examples see Pedro Descoqs, *Essai critique sur l'hylemorphisme* (Paris: Beauchesne, 1924); Virgil G. Michael, "On the Theory of Matter and Form," *Ecclesiastical Review* 73 (1925): 241–63.

alive and can even carry on some of its distinctive functions outside the body, it seems to have its own form.[3] At the same time, its cooperation with the other organs points to a substantial form governing the whole. The same argument applies to cells, which can also survive separation from the body under certain circumstances. Likewise, molecules within cells, atoms within the molecule, and subatomic particles of all orders seem to be specified and unified by forms of their own, as well as being parts of larger wholes. Except perhaps in the case of the lowest forms in the hierarchy, substantial form does not inform prime matter; rather simpler substances themselves serve as matter for a higher form.

Having presented the position of the pluriformists, let me outline my defense of St. Thomas's position. In the first part of the essay I will show that those who posit a plurality of forms confuse formal and efficient causality. They conceive of the form as a mover that governs and directs the material rather than as an intrinsic principle that causes the matter to be. Indeed, Thomas indicates that the plurality of forms hypothesis is not an adaptation of the hylomorphic theory at all; it is a disguised version of the Platonic view of the soul as the sailor in the ship, that is, a mover of the body rather than a form of the body. In the second part of the essay I will briefly outline the reasons why the soul ought not to be understood Platonically, that is, as an extrinsic mover of the body, but must rather be understood as a formal cause.

In the numerous places that Thomas deals with the question of the plurality of forms, his chief response is to point out that a substantial form, unlike an accidental form, causes the matter to be absolutely:

> Now it is the nature of a substantial form to give to matter its existence without qualification. For the form is that through which a thing is the very thing that it is; through accidental forms a thing does not possess unqualified existence, but only qualified existence, for example, to exist as large, or colored, or something of this kind. Therefore, if there is a form which does not give unqualified existence to matter but which accrues to matter that is already actually existing through another form, then such a form will not be a substantial form.[4]

As Thomas makes clear in this passage, it belongs to the very notion of substantial form that it accrue to matter directly and immediately. According to the hylomorphic theory form and matter together *constitute*

[3] See Nichols, "Aquinas's Concept of Substantial Form," 313–14, 316.

[4] Aquinas, *Questions on the Soul*, q. 9, trans. James H. Robb (Milwaukee: Marquette University Press, 1984).

a material thing. Matter and form, in other words, are not *beings* but *principles* of a being.[5] Unfortunately one is tempted to think of both matter and form as beings of some kind, incomplete substances that are perfected by being joined to each other.[6] One is tempted, for example, to think of prime matter as a kind of extended body lacking any specific qualities; and we imagine form as some kind of non-material thing that can give to matter a determinate shape and a particular set of qualities. The problem is that prime matter, by itself, is not a *body* of any kind and form, by itself, is not a *thing*. Rather, matter and form are principles *by which* material beings exist, the one as passive principle and the other as an active principle. Form and matter, then, do not exist independently of each other.[7] Here, however, lies the difficulty. As human beings, whenever we think of something, we cannot help thinking of it as a being of some kind. Thomas makes this point in regard to substantial form in a passage in *On the Virtues in General*:

> Many have erred concerning forms because they considered them in the way substances are to be considered. It seems that they were led to do this because, in the abstract, forms are given substantive names; we speak, for example, of virtue or whiteness and the like. As a result, some, deceived by this mode of expression, treat of forms as though they were substances. From this have arisen the errors both of those who held for the latent pre-existence of forms, as well as of those who claimed that all forms were immediately created. For these men reason that it is proper to forms to be produced in the same manner as are substances. Since they were unable to discover any source whence forms were educed, they taught either that they were (immediately) created or else that they pre-existed in matter. In this they failed to remember that existence does not belong to the form but to the (composite) subject through the form, so that becoming (fieri), which terminates in being,

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[5] For an excellent discussion of this distinction see Francis McMahon, "Being and Principles of Being," *The New Scholasticism* 17 (1943): 322–39. See also J. A. J. Peters, "Matter and Form in Metaphysics," *The New Scholasticism* 31 (1957): 447–83.

[6] This is the mistake of Suarez who regards form and matter as imperfect or incomplete substances. For a discussion of Suarez's failure to see that form and matter are principles of being rather than beings in their own right, see David M. Knight, S.J., "Suarez's Approach to Substantial Form," *Modern Schoolman* 39 (1962): 219–39.

[7] As St. Thomas notes: "[A] substantial form does not have being in itself, independent of that to which it is united, so neither does the matter to which it is joined. From their union results that being in which the reality subsists in itself, and from them is produced something essentially one." *Aquinas on Being and Essence*, trans. A. A. Maurer, 2nd ed. (Toronto: Pontifical Institute of Medieval Studies, 1968), chap. 6, para. 2.

> is not a process of movement of the form but of the complete subject. For just as form is termed being, not because it is itself a being, if we want to speak properly, but because by it something is; so form is said to become, not because it itself becomes, but because by it something becomes, when a subject is reduced from potency to act.[8]

In this passage Thomas is referring to those who err in thinking of form as the term of generation, but the same error is made by those who posit a plurality of forms. The problem is that they too readily identify the way things are in reality with the way in which we conceive them in the mind.[9] We conceive of substantial form as a thing, but it is only as the *principle* of a material being that form can be said to exist.

Having discussed the fundamental notion underlying the hylomorphic theory, that matter and form are the intrinsic *principles* of a material being, let us return to the position of those who maintain a plurality of forms. The pluriformists maintain that the same body can be informed by more than one form. A molecule of water, for instance, can have one form that makes it to be water and is the source of the various functions that belong to water as water and simultaneously have another substantial form, for example, the form of blood, that orders it to a further end and makes it to be a part of a larger whole. The problem with this position, however, is that if the water molecule already has a form that makes it to be water, adding another substantial form will not make the water *to be* since it already has being. Thus, what is described as "matter" is not a *principle* of a material being; it already *is* a being of some kind. But if the matter is already made to be a certain kind of being by a substantial form, how can it take on an additional form? The additional form cannot be a *substantial* form since it merely modifies an existing being. It appears that the only alternative is to describe the additional form as an accidental form. Those who posit a plurality of forms reject this alternative, however, because the additional form, on their account, does not simply reside in the molecule of water as an accident inhering in a substance. Rather, the additional form plays an active role since it orders and directs the water to a further end. Nevertheless, the problem remains: what is ordered and directed to a further end is something that already is a being of some kind. If the form acts upon the matter, but it does not make the matter to be, the only remaining alternative is that the form acts upon the matter as an agent or moving cause. There is an intrinsic connection between

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[8] Aquinas, *On the Virtues in Common*, a. 11, trans. J. P. Reid (Providence, RI: The Providence College Press, 1951).

[9] See *Summa theologiae* I, q. 76, a. 3, ad 4.

the failure to grasp that form is not a *being*, but rather a *principle* of being, and the misconception of the formal cause as an efficient cause. St. Thomas, in fact, notes the connection:

> For one thing to be another's substantial form, two conditions are required. One of them is that the form be the principle of substantial being to the thing of which it is the form: and I speak not of the effective but of the formal principle, whereby a thing is, and is called a being. Hence follows the second condition, namely that the form and matter combine together in one being, which is not the case with the effective principle together with that to which it gives being. This is the being in which a composite substance subsists, which is one in being, and consists of matter and form.[10]

Thus, it becomes clear that while the pluriformists claim to adapt or modify the hylomorphic theory, that is, the theory that substances are constituted by form and matter as *principles* of being, they instead conceive of both form and matter as beings in their own right related to one another as mover and moved.[11]

Thomas, in fact, frequently draws an explicit connection between the doctrine of the plurality of forms and the view of form as an agent or mover. St. Thomas points out that one can consistently posit a plurality of souls in a single body only if one conceives of the soul Platonically, as a *mover* rather than as a *form* of the body:

> Plato held that there were several souls in one body, distinct even as to organs, to which souls he referred the different vital actions, saying that the nutritive power is in the liver, the concupiscible in the heart, and the power of knowledge in the brain. . . . The opinion of Plato might be maintained if, as he held, the soul was supposed to be united to the body, not as its form, but as its motor. For it involves nothing unreasonable that the same movable thing be moved by several motors; and still less if it be moved according to its various parts. If we suppose,

[10] *Summa contra Gentiles* II, c. 68, translated by the Fathers of the English Dominican Province (London: Burns, Oates and Washbourne, 1934).

[11] One may wonder whether I have unfairly characterized the pluriformist position by seemingly denying that the soul can be a mover of the body when Aristotle and Thomas frequently speak of the soul as a mover. Thomas raises this objection and answers it by pointing out that the soul as mover presupposes a prior and more fundamental activity of the soul, that it causes the body to be an organized whole: "[T]he soul does not move the body by its essence, as the form of the body, but by the motive power, the act of which presupposes the body to be already actualized by the soul." *ST* I, q. 76, a. 4, ad 2; translation by the Fathers of the English Dominican Province (New York: Christian Classics, 1981).

> however, that the soul is united to the body as its form, it is quite impossible for several essentially different souls to be in one body.[12]

According to Thomas, then, the doctrine of the plurality of forms is reduced to the Platonic notion of the soul as sailor in the ship since one can consistently maintain a plurality of forms only if one conceives of the soul as a mover or agent cause rather than as a formal cause.

We are left, then, with two fundamental alternatives: we can either accept the hylomorphism of Aristotle and Thomas and affirm the unity of substantial form or we can adopt the Platonic view of the soul as the sailor in the ship and posit a plurality of movers. Given these alternatives, let me outline briefly the arguments against the Platonic view of the soul as mover of the body.[13]

The primary argument employed by St. Thomas to show that the soul ought to be understood as the form of the body rather than merely a mover of the body is that the soul, unlike the sailor in the ship, makes the body to be the kind of body that it is. In order to see that this is so, Thomas calls attention to the composition of an artifact such as a house or a ship and a naturally organized substance such as a living body:

> For the soul is the form of the entire body and of each of its parts: this must be asserted. For since the body of a human being or of any other animal is a natural whole, it will be called one because it has one form; and by this one form it is completed in a way far different from the mere aggregation or assembling of parts that is found in a house and in other artifacts of this kind. Hence it is necessary that each part of a human being and of an animal receive its existence and specific nature from its soul as from its essential form. Hence the Philosopher states that when a soul departs, neither eye, nor flesh, nor any other part of the body remains except in an equivocal sense.[14]

In the case of an artifact, then, the form of the whole results from a mere order or arrangement of its parts. In the case of a living thing, however,

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[12] *ST* I, q. 76, a. 3. See also *Questions on the Soul*, a. 11; *De spiritualibus creaturis*, a. 3.

[13] I do not focus here on those arguments that deal specifically with the human soul. Thomas spends a lot of time arguing, contrary to Plato, that the human soul is the form of the body. Part of the difficulty here stems from the fact that the highest operation of the human soul is not the operation of any bodily organ. This difficulty does not directly pertain to the position of the pluriformists, however, so I focus here instead on the evidence indicating that the soul or animating principle of any living thing ought to be understood properly as a form rather than a mover of the body.

[14] *Questions on the Soul*, q. 10. See also *ST* I, q. 76, a. 8; *ScG* II, c. 72.

the form does not result from assembling the parts; rather the form is *prior* to the parts because it gives them their being. Since when the soul departs the body ceases to function and the parts corrupt, the priority of the form is evident.

That the form of a living thing gives the parts of the body their existence and specific nature is also evident from the process of growth and maturation. When a plant grows, the various parts of the plant—root, stem, leaf, flower—are produced from within the plant. Of course, this is not literally true of *all* of the parts of a plant. A plant must have certain very simple parts for it to be at all. Nonetheless, most of the parts that characterize the mature organism are produced from within the already existing plant by a process of cell differentiation. In the production of a ship, however, we see that its various parts are produced separately and later added together. Thus the processes of generation and corruption show that the being of the living body, and not merely its various operations, stems from an intrinsic principle.

Now one might object that the evidence of modern medicine, especially the ability to transplant organs of the body, disproves the claim that when the soul departs, the organs of the body corrupt. If the heart, for example, can be kept alive after the departure of the soul, this suggests that the soul is not the cause of the being of the heart. One should not overlook the fact, however, that the heart needs to be kept alive. Under normal circumstances, the body begins to corrupt almost immediately after the departure of the soul. To argue that the soul is an extrinsic principle analogous to the sailor in the ship because in certain conditions one can artificially sustain the organs of the body is a very weak argument. When the sailor steps off the ship, one does not need to hook it up to life-support. Or if one wants to transfer its sail to another ship, it is not necessary to pack it in ice and airlift it to the desired destination.

Now one might reply that since the organs of the body can stay alive at all absent the soul requires us to posit that the organ has a life of its own independent of the soul. Indeed, there are remarkable cases in which the cells from a larger organism have been kept alive for years and years. I am thinking, for example, of the famous experiment in which chicken heart cells were kept alive in a laboratory for decades. I think that a solution to this problem can be found, however, by appealing to Thomas's notion of a transitional form, that is, a substantial form that belongs to matter either in the process of generation towards, or away from, a natural kind.[15] If in the process of generation we find certain animate substances such as

[15] For a discussion of the notion of transitional form in St. Thomas, see *In libros De generatione et Corruptione*, Bk. I, 1.8, n.3.

sperm and ovum which possess a transitional form, it is not surprising that we find something similar in the process of corruption. It seems at least plausible that the organs and individual cells of the body possess certain transitional forms that permit metabolic functions to continue for a limited time. But again, these forms are only *transitional* as is evident from the fact that the organs must be kept alive. One is merely slowing down, or arresting, the natural process of corruption.

Even if we suppose that the soul is responsible for the being of the cells and organs of the body, however, one might wonder whether one can maintain that all of the parts of the body have their being from the form of the whole. If, as the evidence of modern science suggests, a water molecule absorbed by the body remains chemically unchanged, how can we maintain that the water contained in the blood is caused by the substantial form of the whole organism?[16] Unlike the heart and the lungs, water does not seem to be generated from within, but assimilated from without.

This difficulty, I believe, is the most difficult to handle. One might be tempted to avoid the force of this objection by saying that water is not part of the substance of a living thing, but is merely used by a living organism as a medium in which cellular and intercellular functions can take place. One of the primary functions of water, after all, is that it is a universal solvent that facilitates the chemical reactions of other substances. The difficulty with this solution is that we are forced to say that most of the human body, roughly 80%, is not really part of the substance of you and me—a rather startling conclusion. But even if we were able to come to terms with the fact that most of us are not even half the man we used to be, we cannot stop here. Nearly all of the minerals in the human body are absorbed from without. As for the organic compounds, for example, proteins and amino acids, many of them can now be synthesized in the laboratory. If we maintain that water is not part of the substance of the human body, neither will be most of the other parts out of which it is made.

If a living organism is one substance we need an explanation of how the elements assimilated by the body can be said to derive their being from the substantial form of the whole. St. Thomas does suggest an answer. He suggests that higher forms, precisely because they are higher, are able to contain the perfections found in a lower form:

> [T]here is no other substantial form in man besides the intellectual soul; and that the soul, as it virtually contains the sensitive and nutritive souls, so does it virtually contain all inferior forms, and itself alone does what-

[16] See Nichols, "Aquinas's Concept of Substantial Form," 312–13.

> ever the imperfect forms do in other things. The same is to be said of the sensitive soul in brute animals, and of the nutritive soul in plants, and universally of all more perfect forms with regard to the imperfect.[17]

According to Thomas, it is part of the perfection of a higher form that it is able to supply the perfections of a lower form. Thus, just as it causes the being and perfection of the various organs and cells of the body, so it can also cause the being of water and other simpler substances that function as parts of the body. Moreover, the fact that the body's absorption of water takes place in such a way that its chemical properties and material structure are retained need not be taken as a proof that no substantial change has occurred; it might simply be an indication that water is the kind of substance that can be easily assimilated by the human body. It is because water contains just the right properties needed by the body that its transformation can take place effortlessly and without the dramatic sensible effects that often accompany substantial change. The notion of a hierarchy of forms, then, offers at least a plausible explanation of the assimilation of water by the human body.

One might respond, however, that the hypothesis of a plurality of forms can account for the incorporation of water into the human body in a way that is *more* plausible than the account of St. Thomas because it is more closely based upon the empirical evidence. If water does not *appear* to change, why suppose that it undergoes a substantial change? If the water in the body simultaneously retains its properties and material structure *and* acquires an ordination to a further end, the simplest and most elegant solution would appear to be the hypothesis of a plurality of forms. The strength of the doctrine of a plurality of forms is that it seems to be more firmly rooted in the empirical evidence.

Let me conclude by suggesting three ways in which the doctrine of the plurality of forms requires us to distance ourselves from the empirical evidence in a way that far exceeds Thomas's explanation of the way that lower forms are contained in the higher. First, by positing a plurality of substantial forms the pluriformists call into question our immediate experience of ourselves as one being. As St. Thomas notes, "it is one and the same man who is conscious both that he understands and that he senses. But one cannot sense without a body, and therefore the body must be some part of man" (*ST* I, q. 76, a. 1). Second, in order to posit a plurality of substantial forms one must recast the "form" as an agent or moving cause. In so doing one must posit movers that have their *being* independent

[17] *ST* I, q. 76, a. 4. See also *ST* I, q. 76, a. 3 and I, q. 76, a. 6, ad 1; *Questions on the Soul*, q. 11; *De spiritualibus creaturis*, a. 3.

of matter. But if such movers exist independently of the body then they will be immortal just as the human soul is immortal. Hence, each of the various forms posited by the pluriformist, whether it be the form of an individual blood cell or the form of a water molecule, is an immaterial soul.[18] Although the Thomistic position requires us to say that things are not always as they appear, it is much more consistent with our experience of the world since it refuses to grant that a soul or form can *exist* independently of the body unless there is some evidence that it can *operate* independently. Operation follows being.[19] Finally, the plurality of forms doctrine ultimately denies that things have natures, since it denies that the forms of things are intrinsic principles, recasting them instead as extrinsic movers. While our experience suggests that the nature of a tree is in the tree, the plurality of forms hypothesis separates a thing from its nature. Thus, while the pluriformists aim to modify, and thereby advance, the hylomorphic theory of Aristotle as a response to reductive materialism, they end by affirming a mechanistic view of nature presided over by immaterial movers inhabiting some otherworldly Platonic heaven. NV

[18] Leibniz, who is perhaps the most famous pluriformist, admits this fact. Like the pluriformists we are addressing, Leibniz maintains that every organized body is held together by its own monad, an immaterial mover responsible for holding together the organic body, and each monad is either a dominant or subordinate monad depending upon whether the body that it governs is contained by a larger whole. Since his monads are immaterial movers, he concludes that they are eternal.

[19] See *Questions on the Soul*, q. 19.

The Coherence of the Four Basic Principles of Catholic Social Doctrine: An Interpretation

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Introduction

On Reading the Tradition

PIUS XI (1922–1939) is the first pope to speak of social doctrine as a unified body of teachings which develop by way of clarity and application. In *Quadragesimo Anno*, Pius said that he inherited a "doctrine" handed on from the time of Leo XIII.[1] By any measure, it is a prodigious tradition. Beginning in 1878 with the election of Leo, popes have issued more than 250 encyclicals and other teaching letters. About half are related, broadly, to issues of social thought and doctrine.[2]

This new doctrinal specialty is placed within moral theology because, as John Paul II insisted, it must "reflect on the complex realities of human existence, in society and in the international order, in the light . . . of the Gospel teaching on man and his vocation."[3] Moral philosophy and theology overlap insofar as they study the right ordering of human action to ends. Social doctrine is particularly interested in the social virtues of

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[1] Pius XI, *Quadragesimo Anno* (15 May 1931), §§18–21, *AAS* 23, 182–84.

[2] Only the *litterae encyclicae* and the *epistolae encyclicae* are encyclicals in the strict sense of the term. I use the expression "encyclicals and other teaching letters" to cover more inclusively other species of papal documents containing ordinary magisterial teaching. My enumeration follows the *Enchiridion delle Encicliche*, 8 volumes, edizione bilingue (Bologne: EDB, 1994–1998).

[3] John Paul II, *Sollicitudo Rei Socialis* (30 Dec. 1987), §41, *AAS* 80 (1988), 570; see also *Centesimus Annus* (1 May 1991), §54, *AAS* 83, 859–60.

charity and justice by which the person is right with God and neighbor. But being right with God and neighbor includes membership in societies which need to be rightly ordered both within and without. Even those actions which modern ethicists take to be self-regarding—actions properly undertaken for one's own good—are nonetheless orderable to a community. In this sense we can speak of being right not merely with one's neighbors as singular persons, but also being rightly ordered to (and within) a community.[4]

Although social doctrine has a specifically theological orientation, it makes use of philosophical instruments. If one reads *Mystici Corporis* (1943), Pius XII's encyclical on the nature of the Church, alongside the three great "social" encyclicals—*Rerum Novarum* (1891), *Quadragesimo Anno* (1931), and *Centesimus Annus* (1991)—it is apparent that the ensemble of teachings shares a common stock of principles on such things as the human person, the different forms of solidarity, subsidiarity, and the common good. The reader who tries to distill the purely theological elements of social doctrine while leaving behind the philosophical instruments will understand something of the magisterial tradition, but not very much.

The project is also complex because of the subject matter. It is one thing to understand the principles drawn from theology and philosophy. It is quite another thing to understand concrete social realities. In his Christmas Message of 1955, Pius XII pointed out that although the principles of social order are natural, the social realities "change over time with social developments."[5] Some changes are brought about by historical forces which cannot be attributed directly to anyone's decision or policy. Other developments arise from within societies, as their members make mutual adjustments to one another and thereby bring about new ways of molding and forming the order of their common goods. Families, associations, markets, political constitutions, and the law of nations are dynamic. They respond both to external forces and to internal actions

[4] See for example Aquinas in *Summa theologiae* I–II, q. 21, a. 3, ad 1. In answer to the objection that "good or evil actions are not all related to another person, for some are related to the person of the agent," Thomas replies: "A man's good or evil actions, although not ordained to the good or evil of another individual, are nevertheless ordained to the good or evil of another, i.e. the community." A social entity is something that can be harmed in the moral sense of the term, and it therefore falls within the domain of justice.

[5] Pius XII, "Col curore aperto" (24 Dec. 1955): "un ordine naturale, anche se le sue forme mutano con gli sviluppi storici e sociali." Cf. vatican.va/holy_father/pius_xii/speeches/1955/documents/hf_p-xii_spe_19551224_cuore-aperto_it.html.

of their members. Accordingly, social doctrine also must make use of the social sciences.

Whereas in doctrinal theology proper, the revealed data are unfolded with more clarity and richness gradually, as the Church reflects upon the deposit of faith, in social doctrine the teachings include applications of principles to the contingencies of societies.[6] This makes social doctrine very interesting. By the same token, it can be distorted through ideologies, political policies, and various kinds of jargon used by political parties.

Finally, the project is complex because all three factors—the theological, philosophical, and social scientific—are given different emphasis over the course of decades since 1878. The tradition is not only multi-disciplinary but internally multi-faceted, as one pope introduces new themes even while circling back upon the work of his predecessors. It is the Roman way to introduce new considerations while at the same time tightening their connection to the preceding tradition. Old things are made to look new, and new things look old. John Paul II referred to the scribe trained for the kingdom, who is compared to "a householder who brings out of his treasure what is new and what is old" (Mt 13:52). This is not mere pious sentimentality. The pope meant it as a hermeneutical principle suitable for reading the tradition of social doctrine. Someone who reads the magisterial documents as bits of "news" or as ad hoc pieces of Church policy on particular social issues will understand something, but not very much.

An Approach to the Four Principles: Human Dignity, Solidarity, Subsidiarity, and Common Good

For centuries, Catholics used the term *doctrina civilis*—or teaching(s) about political order. The chief virtue of justice, holding sway over all other species of justice was called *iustitia legalis*, legal or general justice, which took its name from what is most characteristic of polity, the ordering of law. After the pontificate of Leo XIII (1878–1903), *doctrina civilis* became *doctrina socialis*; for its part, *iustitia legalis* became *iustitia socialis*.

Why did the term "social" come to the fore in Catholic teaching and thought? In order to answer this question, it is necessary to consider the four basic principles which orient the proceedings of the Pontifical Academy of Social Sciences: dignity of the person, solidarity, subsidiarity, and common good. Notice that, while all four principles presuppose the

[6] Consider, for example, the way in which John Paul II gives an "interpretive re-reading [*relegantur*]" of *Rerum Novarum*. At the outset, he contends that it is necessary "to look back [*respectandum*], to look around [*circumspectandum*], and to look ahead [*futura inspectanda*]." *Centesimus Annus*, §3, *AAS* 794–95.

human person, the last three are specifically and irreducibly social. The dignity of the human person cannot be interpreted on the premise of methodological individualism—namely, that social unities and relations among members can be reduced to nonsocial properties of members or composites thereof. Indeed, whether there are real social entities instantiating real social relations amongst their members is the first and most abiding question.

I will proceed in this fashion.

First, I will explore a few ontological principles which will help us to understand why two or more persons constitute a society. This effort is best accomplished by asking three questions. What makes a social union different than the unity of a substance? What makes a social union different than an aggregation of individuals? What makes a social union different than partnerships which organize private shares? We need a reasonably clear, but also flexible, account of social entities before we tackle the principle of subsidiarity.

Second, I will explore the difference between devolution and subsidiarity. Terms like solidarity, subsidiarity, and devolution have a history. They are used variously by political parties, labor unions, constitutional lawyers, and political theorists. Moreover, they run the gamut from the political-left to the political-right. I shall put these phenomena to one side. Rather, I want to show why solidarity, subsidiarity, and common good depend upon what we mean by a society. Then, and only then, can we ask the question whether plural societies, each with its own distinctive common good, can enjoy a common good that transcends the particular social unions without injustice to or destruction of those groups.

Finally, I will offer some brief reflections on the problem of applying the principles to contemporary societies.

Group Persons

Basic Social Ontology

Margaret Thatcher famously said that there is "no such thing as society," there are only "individual men and women, and there are families." Lady Thatcher was surely right that groups like families and polities, clubs, teams, and colleges do not possess the unity of an individual substance. The two creation myths of Genesis, for example, clearly distinguish between the one-flesh unity of Adam and Eve (Gen 2:21–25) and the antecedent sequence of natural kinds. Sacred Scripture seems to confirm common sense and untutored observation. Marriage does not have a nature in the same sense as a plant, a bird, or even a human being. When

two or more people are constituted in a society, there is not produced a second or third natural kind.

In answer to the question, what is a social entity, the lawyers (civil and canonical) as well as the political philosophers have said that society is a "person." We can recall Aquinas's definition of a person as that which is "distinct by reason of dignity":

> For as famous men were represented in comedies and tragedies, the name "person" was given to signify those who held high dignity. . . . And because subsistence in a rational nature is of high dignity, therefore every individual of the rational nature is called a "person." Now the dignity of the divine nature excels every other dignity; and thus the name "person" pre-eminently belongs to God.[7]

Thomas refers to the Latin word *persona*, a mask used by actors to impersonate a well known character—someone distinct in dignity. In Republican Rome, when a family attained the office of praetor (vice military commanders and judges of the standing courts), it achieved the rank of nobility and was entitled to keep the wax masks of ancestors for family worship and funerals (*ius imaginum* was the right to publicly impersonate those who are distinct in dignity). Roman jurists transferred the right of impersonation to the legal status of person. Person now means the capacity to be effective in the eyes of the law. Playing a certain role for a specific purpose in a legal drama, he becomes something more than a natural person. Only later did theologians and philosophers transfer the idea of impersonation and the person at law to a rational, individual substance—to the very thing personated; to persons, both human and divine.[8]

While lawyers have always been most interested in how to construct and assign the legal "mask," philosophers and theologians have never ceased asking the question, what stands behind the masks? Is legal personhood nothing but the mask, or are the masks somehow attributes of real persons? And who are these real persons? Why should they need masks at all?

The short answer can be put as follows. All natural persons need legal masks because they assist the public manifestation and efficacy of natural

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[7] *ST* I, q. 29, a. 3, ad 2.

[8] The progression from impersonation to persons is traced by Marcel Mauss, the nephew of Emile Durkheim: "A Category of the Human Mind: the Notion of Person; the Notion of Self," in *The Category of the Person: Anthropology, Philosophy, History*, ed. Michael Carrithers, Steven Collins, Steven Lukes (Cambridge: Cambridge University Press, 1985). See also Otto von Gierke, *Associations and Law: The Classical and Early Christian Stages*, ed. and trans. by George Heiman (Toronto: University of Toronto Press, 1977).

capacities. The owner of a vineyard, and a son who stands to inherit the father's vineyard, will find the legal masks very convenient. The status or standing to conduct business at law requires the same natural person to be different persons—as son, as legatee, as citizen, and so forth. As for who are the real persons, they are individuals of a rational nature who are also members of societies that constitute something more than the sum of their members.

Thomas notes in his treatise on justice in the *Summa theologiae* that justice regards actions, and actions belong to "supposits and totalities" (*ST* II–II, q. 58, a. 2), to natural persons and to groups. In sum, justice concerns individual persons, and then, from a different point of view, individual persons as members of a unity of order that transcends the sum of the parts. There are many Latin names for such an entity—*societas, persona moralis, corpus ex distantibus, collegium, universitas, communitas*—but for our purposes I will use the more familiar term "society."

In the tradition common to jurists, philosophers, and theologians, the word "person" denotes whoever and whatever is a locus of rights and responsibilities. In this respect, there were at least three kinds of persons. *First*, there are natural persons. Here, the word "natural" is used to denote whoever possesses a unity of a rational substance: human persons, angelic persons, or divine persons sharing the unity of a single substance. *Second*, there are *fictional persons*. As Thomas Hobbes said, "[t]here are few things that are incapable of being represented by fiction."[9] Inanimate things like bridges, hospitals, and houses can receive endowments, and thus bear interests and rights at law. Like Caligula's horse, made a senator by imperial decree, such entities are distinct in dignity not on account of their own nature, virtue, or power, but rather by a *fictio legis*, the construction of law. For a fictional person, there is nothing other than the legally assigned "mask." *Third*, there are what should be called *group* persons, entities having neither the unity of a substance, nor a unity merely imposed upon things in the fashion of a legal or mental fiction.

Such persons—real but neither substantial nor fictional—are called societies. A society possesses what Thomas called a unity of order:

> It must be known that the whole which the political group or the family constitutes has only a unity of order [*habet solam ordinis unitatem*], for it is not something absolutely one. A part of this whole, therefore, can have an operation that is not the operation of the whole, as a soldier in an army has activity that does not belong to the whole army.

[9] Thomas Hobbes, *Leviathan*, XVI.

> However, this whole does have an operation that is not proper to its parts but to the whole.[10]

This category, *unitas ordinis*, is taken from Aristotle and Thomas, and was revived by Pope Leo XIII and his philosophical colleagues at the Roman Academy of St. Thomas Aquinas in order to avoid the extremes of nineteenth-century social thought. One extreme depicts society as a kind of super-individual having a single mind or a single body like a biological organism. The other extreme is to think of a society as a purely accidental unity ensuing upon the choices and actions of individuals who follow their own preferences. In this case, the ideal model was a market rather than an organism. Leo and his associates saw that a proper understanding of social entities required a middle course.

Catholic social doctrine began to take shape at the same time that sociology emerged as an academic discipline. When Leo was elected in 1878, he knew relatively little of this fledgling discipline, except perhaps the extreme positions of Compte and Marx.[11] But Leo and his advisors were certainly more than amateurs in law (canonical and civil) and philosophy.

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[10] *In Eth.* I.5. The collective noun implies a plurality of subjects in some kind of unity (*ST* I, q. 31, a. 1, ad 2). While only individuals subsist in their own right, society exists in its members by way of order. The order is what substitutes for "form" in a natural unity.

> Now, one way in which one comes from many is the way of order alone; so from many homes a city comes to be, or from many soldiers an army. Another way is that of order and composition; so a house comes to be when they join together its parts and its walls. But neither of these two ways fits the constitution of one nature from a plurality. For things whose form is order or juxtaposition are not natural things. The result is that their unity cannot be called a unity of nature. (*Summa contra Gentiles* IV, c. 35)

Therefore, a society is neither a natural unity nor a mere compositional unity, but rather is *unum per ordinationem*. The unity is characterized as the order itself—*est ordo ipsius*. It is both common end and shared structure.

[11] For centuries, a de facto social pluralism was taken for granted. But now that society itself was the thing under dispute, how should the Church speak? In retrospect, we might wonder why the Church did not begin a serious discourse with social scientists, some of whom worried about the problem of social disintegration. In brief, the answer is twofold. First, the Roman authorities did not know very much about this emergent science. Second, what they did know seemed forbidding. I have carefully combed through the major teaching documents of the nineteenth century, and the thinkers typically mentioned are Fourier, Saint-Simon, Rousseau, Marx, and various species of Liberalism, without the names of particular thinkers usually being identified. These were called physiocrats in the late eighteenth and early nineteenth centuries, and naturalists at the end of the century. They advocated a social science, to use Henri de Saint-Simon's phrase,

Naturally, they reached for a category that was readily available within the orbit of their familiar disciplines. From the New Testament, they were more than a little familiar with the principle of *koinonia*, which is fundamental to ecclesiology and moral theology. From the law they understood the rubric of a group-person, and from philosophy they understood the Aristotelian and scholastic rubric of a unity of order. They chose wisely, because two notions allowed them to develop an analytical framework that was, at once, both sturdy and supple. They took the ancient legal rubric of a *persona moralis* to designate a group having sufficient unity to be a right and duty-bearing entity at law; and then they grafted it on to a realistic social ontology of a unity of order that is not reducible either to a natural substance or to a mere aggregate of individuals. Hence, in document after document, from the time of Leo onward, we find the phrase "true society." This relatively simple matrix served both descriptive and normative purposes. Once we have a way to pick out what counts as a "true society," then we can put in place a scheme of rights and responsibilities, depending on the various ends and modes of unity of particular societies.

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that reduced social phenomena to the "physics of organized bodies." Concretely existing social institutions were a false consciousness to be reformed by science. See Georg G. Iggers, "Further Remarks about Early Uses of the Term 'Social Science,'" *Journal of the History of Ideas* 20, no. 3 (June-Sept. 1959): 433–36. This is why, even as late as the pontificate of Pius XI, who really was interested in demographics and economics, the magisterial documents refused to utter the two words "social science." Instead, they used circumlocutions, such as *periti in re socialis*—experts in social matters; sometimes with the additional word *disciplina*, to indicate that there are certain methods appropriate to that work. Indeed, it is not until the Vatican II era, and especially during the pontificate of John Paul II, that the social sciences are acknowledged. In the early nineteenth century, Catholic thinkers like Joseph de Maistre and Louis de Bonald adumbrated a social science. See Robert Spaemann, *Der Ursprung der Soziologie aus dem Geist der Restauration. Studien über L. G. A. de Bonald* (Munich: Kösel, 1959). These politically reactionary, though brilliant, first-stirrings of social thought had little purchase in the documents of the Roman Magisterium. Leo XIII wished to develop a social teaching grounded in philosophy, chiefly that of Thomas Aquinas. In doing so, he wanted to keep the foundations relatively clean of anything that sailed too close to the shores of reactionary politics. For this part of the story, see my essay "Two Modernisms, Two Thomisms: Reflections on the Centenary of Pius X's Letter Against the Modernists," *Nova et Vetera* 5, no. 4 (Fall 2007): 843–79. On Leo's suspicion of Romantic reactionaries, see my essay "Pope Leo XIII (1878–1903)," in *The Teachings of Modern Roman Catholicism: On Law, Politics, & Human Nature*, ed. John Witte and Frank Alexander, with introduction by Russell Hittinger (New York: Columbia University Press, 2007), 39–105.

In a unity of order each member possesses what is individually proper to himself—namely, certain operations and acts not reducible to the commonality, and not dissolved or cancelled by membership in a group. At the same time, a society enjoys a real unity transcending mere aggregation of the members.[12] Unity of order is not an ideal model imposed upon social data. Rather, it only brings into view facts available to common sense: that the individuals in a queue are parts not members of the queue, and they are the members not the parts of St. Rita's parish. The first is an aggregation, the second a unity of order. In the parlance of merological set theory (the logic of parts and wholes), a group is a non-extensional set because it does not necessarily change its identity whenever the constituent bits or pieces change. For France, or the Catholic Church, or the local labor union, change of constituents can *sustain* rather than *destroy* the identity of the group. In an extensional set, however, the addition or subtraction of one constituent changes the identity of the set. With one exception, this certainly is not true of a social entity.[13] Ordinarily, the law will assume the perpetuity of a society for the good reason that it does not have the mortality of a natural substance.

Wherever there are plural rational agents, aiming at common ends, through united action, *and where the unity is one of the intrinsic goods aimed at*, we have a society—something distinct in dignity. To use once again the traditional terminology, the group is said to have an extrinsic common good (victory for the army) and an intrinsic common good (the common order of its action).[14] Groups differ in terms of the ends and the structure of their respective, internal unity. A faculty, for example, aims to advance learning and to educate students, but, unlike a marriage, its intrinsic unity does not depend upon conjugal relations. Traditionally, a matrimonial society has only one form, a man and a woman, who share life unto

[12] See David-Hillel Ruben, "Social Wholes and Parts," *Mind*, New Series, vol. 92, no. 366 (April 1983), 234–38. For aggregative or "extensional" sets—$A = B$ if A and B are just the same bits or constituents—see also his "The Existence of Social Entities," *The Philosophical Quarterly* 32, no. 129 (Oct. 1982): 301.

[13] Marriage is different, of course, because the union of the two particular persons is more immediately the "common" good. Therefore, marriage really does change with the death or dismissal of a spouse. Polygamy, for example, does not imply a marriage that becomes, by increments, larger with every new spouse. Marriage, however, is ordered to family, and families can persist over time with the inclusion of a new member.

[14] In any integral whole like a society, common order is the form, analogous to a substantial form that unifies a natural thing. The extrinsic good of the army is the victory. Cf. Aquinas, *In XII Meta.*, lect. 12, n. 2627; and *In I Sent.*, d. 44, q. 1, a. 2. Cf. Gregory Froelich, "The Equivocal Status of *Bonum Commune*," *The New Scholasticism* 63 (Winter 1989): 38–57.

perpetuity, as a whole, through a one-flesh act of sexual unity.[15] For its part, a polity can have plural forms—rule by one, by a few, by many, or a mixed form. It can consist of different proportions of men, women, and children. Societies are quite different in their ends and modes of unity.

But any society has this much in common. It possesses an intrinsic common good, which cannot be distributed or cashed-out. The common good never exists as a private good, and therefore when someone exits a marriage or a polity he cannot take away his private share. Even in our confused legal cultures, courts understand perfectly well that they can divide and distribute the external properties, but not the marriage itself. The matrimonial society, therefore, is not redistributed so much as dissolved or annulled.

A group will hold itself out to the rest of the world as something distinct in dignity,[16] possessing rights and responsibilities.[17] Not *as though* they are

[15] As Pius XI emphasized, marriage is not just a partnership to bring about certain ends, but is rather a mode of union by which such ends are achieved. "This mutual molding [*interior conformatio*] of husband and wife, this determined effort to perfect each other, can in a very real sense, as the Roman Catechism teaches, be said to be the chief reason and purpose of matrimony, provided matrimony be looked at not in the restricted sense as instituted for the proper conception and education of the child, but more widely as the blending of life as a whole [*totius vitae communio*] and the mutual interchange and sharing thereof." Pius XI, *Casti Connubii* (31 Dec. 1930), §24, *AAS* 22, 548f.

[16] Take, for example, the American *Declaration of Independence*: "We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies solemnly publish and declare, that these United Colonies are, and of right ought to be, *free and independent states*."

[17] The ontology we are developing here is evident in Pius XII's *Mystici Corporis* (29 June 1943). At the outset, Pius argues that the Church is a true society, which is to say that it is something more than a commutation of private things by consent of the parties (§9). Like any society, the Church is a unity of order that transcends aggregation of the members, while at the same time preserving the dignity of what is proper to the parts:

> In a natural body the principle of unity unites the parts in such a manner that each lacks its own individual subsistence; on the contrary, in the Mystical Body the mutual union, though intrinsic, links the members by a bond which leaves to each the complete enjoyment of his own personality [*Dum enim in naturali corpore unitatis principium ita partes iungit, ut propria, quam vocant, subsistentia singulae prorsus careant; contra in mystico Corpore mutuae coniunctionis vis, etiamsi intima, membra ita inter se copulat, ut singula omnino fruantur persona propria*]. Moreover, if we examine the relations existing between the several members and the whole body, in every physical, living body, all the different members are ultimately destined to

one, but rather *as one*. In this sense, a society is called a *persona moralis*, a *corpus moralis*, a *unitas collectiva*, or even a *corpus mysticum*.[18] The word "moral" denotes a unity of action among plural agents, in contradistinction to the term "physical," which denotes a substantial unity. Social entities might be spatially locatable (for example, France, or one's parish, or college), but their unity transcends material aggregation. The same natural persons at once can be members of France, a parish, and a college without confusion, though not always without rivalries and tensions of loyalty.

Thus the scriptural hexaemeron crowns the six days of creation not with another natural kind, much less with an aggregation of material forces, but with a society. In Jewish and Christian allegorical exegesis, this society was, in turn, the *type* of another society—Israel or the Church.[19] As Augustine contended in the *Confessions*, creation is for the sake of the Church. For his part, Thomas argued that God declared the unity of order at the sixth day "very good" because he "wished to produce His works in likeness to Himself, as far as possible, in order that they might be perfect,

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> the good of the whole alone [*unice destinantur*]; while if we look to its ultimate usefulness, every moral association of men [*dum socialis quaelibet hominum compages, si modo ultimum utilitatis finem inspicimus, ad omnium et uniuscuiusque membri profectum, utpote personae sunt, postremum ordinantur*] is in the end directed to the advancement of all in general and of each single member in particular; for they are persons. (§61, *AAS* 35 [1943], 221)

See his analogies between various species of societies, differing according to their respective ends and modes of unity (§§63–68, *AAS* 35, 223–27).

[18] The term "mystical" does not necessarily refer to supernatural things, but rather designates a society—namely, a person distinct in dignity, but distinguished from a person whose dignity consists in the unity of substance. The transition of usage from the strictly theological to political and juridical contexts has been well studied: in the 1930s and 1940s by Henri de Lubac, S.J., *Corpus Mysticum*, trans. Gemma Simmonds C.J., with Richard Price and Christopher Stephens (Notre Dame: University of Notre Dame Press, 2006); and more recently by Francis Oakley, "Natural Law, the Corpus Mysticum, and Consent in Conciliar Thought from John of Paris to Mattias Ugonius," *Speculum* 56, no. 4 (Oct. 1981): 786–810; and by Hélène Merlin and Allison Tait, "Fables of the 'Mystical Body' in Seventeenth-Century France," *Yale French Studies, no. 86, Corps Mystique, Corps Sacre: Textual Transfigurations of the Body from the Middle Ages to the Seventeenth Century*, ed. Francoise Jaouen and Benjamin Semple (New Haven, CT: Yale University Press, 1994), 126–42. The masterworks, however, are by Ernst Kantorowicz: *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1957); and "Mysteries of State," *Harvard Theological Review* 48 (1955): 65–91.

[19] On Jewish and Christian readings, see Gary A. Anderson, *The Genesis of Perfection: Adam and Eve in the Jewish and Christian Imagination* (Westminster: John Knox Press, 2003). See, once again, Pius XII, who insists that marriage constitutes a mystical person (*constituere mysticum personam*), *Mystici Corporis*, at §67.

and that He might be known through them. Hence, that He might be portrayed in His works, not only according to what He is in Himself, but also according as He acts on others, He laid this natural law on all things, that last things should be reduced and perfected by middle things, and middle things by the first, as Dionysius says."[20] In other words, we are made unto the image of God not only because the individual person possesses the excellence of a rational nature, but also because we must cause good in others. Virtually all of the modern popes have highlighted this principle for social doctrine. From this twofold imaging of God flows the dignity of the individual and of social order. Notice the two imagings are without rivalry precisely because of the recurring distinction between unity of substance (the rational nature of the human person) and unity of order (a multiplicity of rational beings constituting an order, a "true society").[21] In this twofold imaging, the tradition has also emphasized the unique dignity of the unity of a multiplicity enjoying a common good. Thomas speaks of the created unity of order as "divinity" (*divinitas*), and, in the case of polity, as being "more divine" (*divinius*) than other imagings, whether individual or collective, because "divinity" signifies "the common good which is participated by all."[22]

In his seminal essay on "Moral Personality and Legal Personality," the British legal historian F. W. Maitland writes:

> When a body of twenty, or two thousand, or two hundred thousand men bind themselves together to act in a particular way for some common purpose, they create a body, which by no fiction of law, but by the very nature of things, differs from the individuals of whom it is

[20] Augustine, *Confessions*, XI–XIII. On the completion of the hexaemeron as "very good," see also Thomas, *ScG* II, c. 45, and III, c. 64; *ST* I, q. 25, a. 6, and q. 47, a. 1. The diversity of entities is not a succession that amounts to a mere quantitative improvement, but rather a diversity exhibiting a unity of order. Goodness, which is simply and uniformly in God, exists in creatures in a multiform manner. *ST* Supplement, q. 34, a. 1.

[21] Thus Thomas speaks of the "trace" (*vestigium*) of the Trinity in creatures: "And therefore Augustine says (*De Trin*. vi, 10) that the trace of the Trinity is found in every creature, according *as it is one individual*, and according *as it is formed by a species*, and according as it *has a certain relation of order*." *ST* I, q. 45, a. 7.

[22] Here, from *In Rom*. I.6 (concerning verse 20 of the Pauline letter), and *De veritate*, q. 5, a. 3. These two terms—*divinitas and divinius*—must be distinguished from the term *deitas*, which refers directly to the divine essence. On this theme of the common good as a participational likeness, see Lawrence Dewan, "St. Thomas and the Divinity of the Common Good" forthcoming in *Ressourcement Thomism: Sacred Doctrine, the Sacraments, and the Moral Life. Essays in Honor of Romanus Cessario, O.P.*, ed. Reinhard Hütter and Matthew Levering (Washington, DC: Catholic University of America Press, 2010).

> constituted. . . . If the law allows men to form permanently organized groups, those groups will be for common opinion right-and-duty bearing units; and if the law-giver will not openly treat them as such, he will misrepresent, or, as the French say, he will 'denature' the facts. . . . For the morality of common sense the group is a person, is right-and-duty-bearing unity.[23]

When individuals, with a note of permanence,[24] engage in united action for a common purpose, there comes into existence a unity that transcends the aggregation of its parts. That is to say, there comes into existence a group-person (a society) that requires the rest of us to recognize not only the individuals, but, as Maitland puts it, "n + 1 persons."[25] It would "denature" the facts, Maitland says, to pretend otherwise.[26] Every society will depend upon individual persons. This is just what Aristotle and Thomas meant by a unity of order, inasmuch as the members are not reducible to the whole as accidents to an underlying substance. *Groups are not ontologically basic in the order of substances.* They are basic, however, in constituting a unity that excels parts (members), which are also wholes (natural persons).

What Maitland calls "n + 1" persons means that the group or society, and not just its individual members, should morally count as an agent or a patient.[27] As the bearer of rights and responsibilities, a society can harm or be harmed in the moral sense of the term. We morally harm a society when we fail to recognize its common good and its agency as an "n +1" person by refusing to give it the proper legal personality or mask. In such cases, we do something more than harm what belongs privately to the individuals; more precisely, we harm what those individuals, as members, hold in common.

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[23] F. W. Maitland, "Moral Personality and Legal Personality," in *State, Trust and Corporation*, ed. David Runciman (Cambridge: Cambridge University Press, 2003), 63, 68; quoting A.V. Dicey.

[24] Thus, a society is not necessarily formed when two or more agents collaborate to lift a box. To be sure, such collaborations can be the beginning of something more. A society, however, requires the intention of stable order, which itself includes the intrinsic good of common action.

[25] Maitland, "Moral Personality," 69.

[26] On the *genossenschaftliche* character of polity, as a harmony of group-persons, see Otto von Gierke, *Natural law and the theory of society, 1500 to 1800: With a lecture on the ideas of natural law and humanity by Ernst Troeltsch*, translated with an intro. by Ernest Barker (a translation of 5 subsections in vol. 4 of Gierke's *Das deutsche Genossenschaftsrecht*) (Boston: 1957).

[27] For groups as agents and patients in the moral order, see Nicholas Wolterstorff, *Justice, Rights and Wrongs* (Princeton: Princeton University Press, forthcoming), chapter 18.

Hence John Paul II's use of the term "subjectivity of society." A society is something more than inter-subjectivity. Its inter-subjectivity constitutes a "subject" in its own right.[28] This distinction between mere inter-subjectivity and a society is drawn from ordinary experience. A number of individuals in a shopping mall certainly evince inter-subjectivity without pretending to constitute a society. Regarding this phenomenon, Hobbes speaks of a "mere concourse of the people, without union to any particular design by obligation of one to another, but proceeding only from a similitude of wills and inclinations."[29] Such "concourse," of individual wills or desires, more or less spontaneously converging upon similar objects, is what we might find in the marketplace of a city. It is not harmed, and is quite likely facilitated, when we refuse it the status of a society or group. Spontaneous orders which emerge from inter-subjectivity are not incompatible with a strong ontology of social entities. Economists favor this notion of *catallaxy* or unplanned order for the good reason that it is empirically verifiable and useful for explaining market relations. It is problematical only when used to explain the entirety of social relations.[30]

[28] John Paul II, *Centesimus Annus*, §13. "[T]he social nature of man is not completely fulfilled in the State, but is realized in various [intermediary] groups, beginning with the family and including economic, social, political and cultural groups which stem from human nature itself and have their own autonomy. . . . This is what I have called the 'subjectivity' of society which, together with the subjectivity of the individual, was canceled out by 'Real Socialism.' " *Centesimus Annus* (1 May 1991), *AAS* 83 (1991), 809–10. Here he is citing *Solicitudo Rei Socialis*, §§15, 28 (30 Dec. 1987), *AAS* 80 (1988), 530, 548. Again, he affirms the dignity of two kinds of persons or subjectivities. See also *Memory and Reconciliation* (International Theological Commission: 1999), 2.1: "The question arises as to why the biblical writers did not feel the need to address requests for forgiveness to present interlocutors for the sins committed by their fathers, given their strong sense of solidarity in good and evil among the generations (one thinks of the notion of "corporate personality" [*si pensi all'idea della 'personalità corporativa*])."

[29] Hobbes, *Leviathan*, XXII. Accomplished more perfectly by animals, for example, by swarms (Hobbes, *De Cive*, 5.5). So, on Hobbesian grounds, we must distinguish (a) peoples united in action, (b) people transitorily touching upon the same object, (c) unified swarms. Only the first needs the *consensus iuris* of the sovereign (*De Cive* 5.4).

[30] In this sphere of spontaneous adjustments and exchanges, we might think of Friedrich Hayek's notion of catallaxy. See Hayek, *The Mirage of Social Justice*, (London: Routledge, 1976), p. 107–9. Nothing in our account of the social ontology of groups denies the existence or importance of catallactic order—an order that ensues upon agents pursuing diverse ends. As Hayek contends, the model of spontaneous, catallactic order pertains especially to a market "through people acting within the rules of the law of property, tort, and contract" (109). However, Hayek expands the model to include the broader society in which such market relations take place. He brusquely dismisses the importance of group persons.

Aristotle famously said that man is naturally a political animal, for men "make common" words, judgments, and deeds.[31] To be sure, not everything can be put in common, for that would be totalitarian. And not everything that is made common can be done so in exactly the same way. Families, voluntary associations, the Church, and the state make different things common in different ways. The Aristotelian-Thomist ontology of unity of order is meant as a point of departure for empirical and moral investigation. It allows us to begin correctly, by not confusing social unity with the unity of a natural organism, a mere compositional unity, or a pattern of inter-subjectivity.

In making things common, societies are to be distinguished not only from what Hobbes called a *concourse* of wills, but also from a more *specific agreement* of wills typical of a partnership. In a partnership, two or more people deliberately and explicitly make a contract with respect to mutually agreeable ends while laying claim to their private shares and yields. Admittedly, this distinction between a partnership and a society is tricky when we examine concrete facts. For one thing, partnerships can become societies, and societies can devolve into mere partnerships—a phenomenon that is familiar to anyone who observes the life of families in an American suburb.[32] Both can be brought into existence through the instrument of a contract. And to make our descriptive ontology all the more complicated, in a commercial society like ours we often speak of societies as partnerships even when we mean something more than that. Moreover, the law is often prepared to treat group-persons rather generically.[33]

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[31] Aristotle, *Ethics*, 122611–12.

[32] Thomas sometimes speaks generically of any kind of unity toward an end, even when the reciprocal actions are only minimally societal, in the sense we've put on that term. "A joining denotes a kind of uniting, and so wherever things are united there must be a joining. Now things directed to one purpose are said to be united in their direction thereto [*Ea autem quae ordinantur ad aliquid unum, dicuntur in ordine ad illud adunari*]; thus many men are united in following one military calling or in pursuing one business, in relation to which they are called fellow-soldiers or business partners [*vel socii negotiationis*]." *In IV Sent.*, d. 27, q. 1, a. 1. The term *socii* corresponds roughly to what we would call partners or allies. Whenever there is a common end, there will be some kind of "joining" of action. Here, however, Thomas seems to mean by businessmen something akin to what we mean by partners.

[33] It is worth considering Frederick Hallis's point:

> As we have emphasized on more than one occasion, collectivities do not all require the same treatment. They present an infinite variety in respect of their internal solidarity and the importance of their purposes. It would be idle to maintain that some of these cannot be treated adequately without the conception of corporate personality. All that we maintain is that in some

Let us return now to the distinction between a partnership and a society. In mere partnership, the work is traceable to the individual partners but not to the partnership itself.[34] One who supplies Honda with auto parts does not intend to bring into being a society. No corporate personality is aimed at. The reciprocity has no aspect of permanence; it has no united action; indeed, it requires no society whatsoever—except incidentally, perhaps, in the breach of contract, in which case the partners repair to the courts of the political society. "Mere partnership," Yves Simon observes, "does not do anything to put an end to the solitude of the partners."[35] In our example, it is sufficient that one delivers the parts, that Honda assemble the cars, and that various individuals write monthly checks for leasing the equipment. Therefore a partnership corresponds more or less to what used to be called an *universitas rerum*, an organization of things. Each partner contributes and is entitled to yield for his private benefit precisely the parts which belong to him.[36] To be sure,

cases this conception becomes indispensable. Without pretending to draw the exact line in this matter, it is sufficient for the moment to say that the conception of corporate personality is essential in cases where the collectivity in question possesses a certain degree of solidarity and permanence. (Frederick Hallis, *Corporate Personality: A Study in Jurisprudence* [Oxford: Oxford University Press, 1930], 100–1)

[34] Yves Simon writes: "In a mere partnership each action is traceable to some partner, e.g., all the work is traceable to the handicraftsman and all the financing to the money-lender, [but] none is traceable to the partnership itself." Simon, *Philosophy of Democratic Government* (Chicago: 1951), 64.

[35] Ibid.

[36] Pius XII said that it would be wrong to think "that every particular enterprise" is a genuine "society of persons." Speech to UNIAPAC (7 May 1949), *AAS* 41, 285. He seemed to have in mind what we have called *partnerships*, which remain strictly at the level of commutative justice. Each part contributes and extracts its private portion of the whole. There is no intrinsic common good distinctive of a society or a communion of persons. Pius was concerned that strict commutative justice, such as workers contracting a just wage, is not always the same as a just distribution within a genuine social whole. The just wage in commutation is sacrificed to a cost-benefit calculus of distribution even though there is no proper whole as a context for the distribution. The justice of partnerships in modern "enterprises" is a very tricky problem for just this reason. Does this partnership, which undoubtedly comes under the justice of commutation, also contain aspects of society (beyond mere inter-subjectivity)? Pius XII reckoned that the business enterprise should be organized not only by the instrumental good of efficiency, but "also and above all by giving it the value of a true community" (Speech to ACLI [11 March 1945], *AAS* 37, 71). The problem of how to characterize the limited partnerships, or *sociétés anonymes*, goes back to the Leonine era. The various philosophies and policies of what was called "corporativism" had the ideal of transforming limited companies into the "moral

there can be no such organization without real persons doing their part; the essential point is that it is not the persons but rather the things which are collected.

In the order of justice, we harm a partnership when we prevent the partners from contributing and extracting what is privately their own. It depends principally on what has been called "commutative" justice. In a

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persons" of true societies or associations. For example, the very influential Fribourg Union, which consisted of an international group of Catholic social thinkers, proposed in 1891 that those who invest in an enterprise as anonymous partners ought to receive a reasonable return on their investment after a few years, at which time the company should pass into hands of the members of an organic association. This ideal inevitably ran into problems with the scale and complexity of modern corporations. For a thorough study of the *régime corporatif* developed by the Fribourg Union, and its interaction with the evolution of Catholic social doctrine in the late nineteenth century, see Normand Joseph Paulhus, *The Theological and Political Ideals of the Fribourg Union* (Ph.D. diss., Boston College, 1983).

Pius XI taught that the economy is part of a complex unity of order which includes various kinds of partnerships and societies. But he certainly emphasized the crucial role of self-governing societies:

> But complete cure will not come until this opposition has been abolished and well-ordered members of the social body [*socialis corporis*]—Industries and Professions—are constituted in which men may have their place, not according to the position each has in the labor market but according to the respective social functions which each performs. For under nature's guidance it comes to pass that just as those who are joined together by nearness of habitation establish towns, so those who follow the same industry or profession—whether in the economic or other field [*sive oeconomica est sive alterius generis*]—form guilds or associations [*collegia seu corpora*], so that many are wont to consider these self-governing organizations [*haec consortia iure proprio utentia a multis*], if not essential, at least natural to civil society [*sin minus essentialia societati civili, at saltem naturalia dici consueverint*]." (*Quadragesimo Anno*, §83, *AAS* 23 [1931], 204). (Note that in the next paragraph [p. 205] Pius goes on to expound Thomas's notion of unity of order in which the order itself counts as the form of unity.)

In *Centesimus Annus*, John Paul II appears to take a slightly different approach. Rather than attempting to distinguish which enterprises are societies or mere partnerships, he emphasizes the nature of human action, and how it will naturally expand into various relations of solidarity: "By means of his work a person commits himself, not only for his own sake but also for others and with others. Each person collaborates in the work of others and for their good. One works in order to provide for the needs of one's family, one's community, one's nation, and ultimately all humanity. Moreover, a person collaborates in the work of his fellow employees, as well as in the work of suppliers and in the customers' use of goods, in a progressively expanding chain of solidarity [*instar coniunctionis continuae, quae gradatim se extendit*]." *Centesimus Annus*, §43, *AAS* 847.

society, on the other hand (what the canonists call a *universitas personarum*) the individuals are not parts or partners so much as members who enjoy the common order in the manner of "usufructories"; each is entitled to enjoy what is common, but not as his or her private part.[37] Importantly, a common good is not opposed to the individual good, but rather to the private good. A partnership is not opposed to private good—indeed, the whole point is to organize private goods (pooling resources) to enhance the private yield. There is nothing inherently suspect about partnerships; in fact, they are as ancient as society itself. But they should not be confused with societies.

Again, let us take the example of a queue in front of a credit union: the individuals are *parts* of the queue, *partners* in the credit union, and perhaps *members* of St. Rita's parish. It is only the latter for which we use the word "society" in something more than a metaphorical sense.

A society does not just aim at a common objective, but intends to have it brought about by united action. Think, for example, of a family, a faculty, a crew-team, or an orchestra. In each case, the reason for action includes the good of common action. Achievement of a mutually-agreeable result is not enough. To be sure, an orchestra aims to produce the music, just as a crew-team aims to win the race; for their part, spouses aim to raise children and to send them into a wider world of societies. Yet, for each of these groups, their respective corporate unity is one of *reasons for action*. In the case of a society, unity is an intransitive good—ordinarily, it survives the failure of the crew team to win the race, the failure of a marriage to produce children, or the failure of a polity to negotiate a treaty with another state. Partnerships usually do *not* survive failure of the

[37] Usufruct, or the right of enjoyment or participation. This important concept is traced out by Heinrich Rommen, *The State in Catholic Thought: A Treatise in Political Philosophy*, 2nd English ed., introduction by Russell Hittinger (Leesburg, VA: Alethes Press, 2008), 139. Every societal common good is usufructory inasmuch as the good of the common order cannot be devolved into private hands or dominion. The issue has surfaced especially in marriage. Leo XIII argues that God "so decreed that man should exercise a sort of royal dominion over beasts and cattle and fish and fowl, but never that men should exercise a like dominion over their fellow men." *In Plurimus* (1888), *Leonis XIII P.M. Acta* VIII, 171f. The human agent does not stand either to his own body or to the body of another as master to instrument. Once dominion is transferred to the human body, the human person encounters the human world as Adam did the animals (Leonis XIII, *Sapientia Christianae*, §12, *Acta* X, 18). Therefore the conjugal union of husband and wife involves differentiation of function (like any unity of order) but never dominion. Its form consists of an order of unity rather than dominion in property. See Leo XIII, *Arcanum Divinae* (1880) §7, *Leonis XIII P.M. Acta* II, 13f; and Pius XI, *Casti Connubii* (1930), §84; *AAS* 22, 572f.

partners to secure the mutually agreeable ends for which the arrangement was constructed.

In sum, we will find human sociability manifesting itself in a variety of ways: spontaneous inter-subjectivity, deliberate partnerships, and in authentic societies which have an intrinsic common good. Nevertheless, the order of a society is something more perfect, for it not only has greater unity and durability, but most importantly it has a common good that is intrinsically valuable to each of its members. Thus Cajetan's dictum: *Mihi sed non propter me*—"for me, but not for my sake." As the word "perfection" implies, something is brought to completion. In the case of a society, we can call it solidarity, friendship, or being rightly ordered to one's neighbor. Once we consider a common good, the moral imperative of being rightly ordered to one's neighbor takes on a new note. For we must take into account not merely just exchange or just distributions, but also consider human actions insofar as they adequately contribute to, and participate in, the social common good.

There are three ways to destroy a society. First, by destruction of its members, or its matter. Second, by disintegration of the aim to achieve common ends through united action. Third, by destroying the instrument of authority that coordinates the common action. Partnerships, on the other hand, are destroyed either by destruction of their parts or by the obsolescence of the extrinsic end of the partnership (the yield, as it were). Both can be destroyed by injustice. But the kind of justice that applies to the one is not exactly the kind of justice that applies to the latter. Later, we will introduce the concept "social justice," which pertains to the common good—to the order itself commonly participated and enjoyed by members of a society.

Summary

Societies are unities the order of which cannot be reduced either to substantial unity or to a unity of mere aggregation.

- Societies are constituted not only according to common ends, but also by a shared structure or intrinsic common good. The word "common" is opposed to "private," but certainly not to "individual." Each member shares the common good of order. Nonetheless, what is common cannot be cashed-out and taken as a private share. One who leaves a club, marriage, church, or polity cannot require the common good to be distributed to him or her. This is what marks the difference between a society and a partnership.

- For a social unity of order, the parts are also wholes (individual persons) which retain their own proper operations. Catholic social doctrine has often repeated Thomas's dictum: "Man is not ordained to the body politic, according to all that he is and has."[38] But this principle holds true of any society. Whatever the dignity of a society, it does not supplant, but rather presupposes, the dignity of the individual person.
- Precisely because every society consists of a diversity of members who retain their own proper operations, human persons can be members of plural societies. Husband and wife are members of a municipality, of a nation, of a church. Children are members of the family and members of a college or a team. Each of these memberships can be referred once again to a wider society at both the level of the state and the international order. Human sociability is not exhausted in a single membership. The chief goal of social justice is the harmonization of these diverse group-persons.
- Therefore the *Catechism of the Catholic Church* teaches: "A *society* is a group of persons bound together organically by a principle of unity that goes beyond each one of them. As an assembly that is at once visible and spiritual, a society endures through time: it gathers up the past and prepares for the future. By means of society, each man is established as an 'heir' and receives certain 'talents' that enrich his identity and whose fruits he must develop. He rightly owes loyalty to the communities of which he is part and respect to those in authority who have charge of the common good" (*CCC* §1880).

Models of Civil Society

The diverse set of non-governmental associations called "civil society" includes economic corporations, trusts, schools and faculties, charitable organizations and foundations (both religious and secular), the press, clubs, churches, sodalities, and labor unions. In a free society, these groups will possess juridical personality, their appropriate legal masks. That there be a civil society distinct from the formal organs of the state, and that civil society be recognized at public law, are uncontroversial propositions today. Since the seventeenth century, however, we have inherited quite different understandings of the nature of civil society and the ontology of group-persons upon which it would seem to depend. I will call one the devolution model and the other the subsidiarity model.

[38] *ST* I–II, q. 21, a. 4, ad 3: "Quod homo non ordinatur ad communitatem politicam secundum se totum et secundum omnia sua."

Devolution Model: Concessions and Fictions

When we think of modernity we think of the Enlightenment, of the sovereignty of reason, and of ideologies of liberty; we think especially of its technologies. But its greatest and most sustained work was the state. Scholars debate exactly what makes a polity a modern "state," but some criteria will appear on every list: such as territorial homogeneity, monopolies over lethal force, education, police, taxation, and, of course, *sovereignty as indivisible, perpetual, and inalienable power.*[39]

Beginning in the seventeenth century, one of the most urgent questions was how to reconcile the state's monopoly over public authority and power with the myriad of other groups claiming authority, rights, and liberties according to custom, natural law, and ecclesiastical law. How does state sovereignty (which recognizes the state as the pre-eminent, if not the exclusive group-person) comport with what Maitland called the "right-and-duty bearing" unities that we are calling civil society?[40]

Thomas Hobbes (1588–1679) provided an early, and very clear, model for understanding the relationship between groups and the sovereign state. It has been called the "concession" theory. The term concession is traced to the Edict of Gaius in the *Digest of Justinian* 3.4.1, where *collegia* or other social bodies are conceded "on the pattern of the state."[41]

In the *Leviathan*, Hobbes contends that a "person is he whose words or actions are considered either as his own, or as representing the words or actions of another man, or of any other thing to whom they are attributed, whether truly or by fiction."[42] In the natural as well as in the legal world, there are three kinds of "person": (1) natural, individual persons who speak and act for themselves; (2) artificial persons who represent the speech and actions of others; and (3) purely fictional persons, such as bridges, churches, or hospitals. Seeing clearly enough that the state could

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[39] To mention only a few covered in Christopher Pierson, *The Modern State* (London: Routledge, 1996), 6–34.

[40] See Thomas's criticism of Plato's idea that the polity is a homogenous order, *Sententia libri Politicorum*, I.1, §1–2, 17–18; and his remarks on natural diversity at II.1, §7–8.

[41] *Digest of Justinian* 3.4.1 at 137. Note the three important verbs in this dictum: *concedere, permittere, confirmare.* The term "concession" is emphasized in the magisterial work of Otto Friedrich von Gierke (1841–1921), who attempted to recover the juristic concept of corporate personality from what he called the "concession" theory. For Gierke, it was Hobbes who gave the most challenging version of it in modern times. See Otto von Gierke, *Natural Law and the Theory of Society, 1500 to 1800*. See also Otto Gierke, *Associations and Law: The Classical and Early Christian Stages*, with an interpretative introduction to Gierke's thought by George Heiman.

[42] Hobbes, *Leviathan*, XVI.

not count as a natural, individual person, Hobbes concluded that the state is an artificial person, which is to say that the state has a corporate nature by virtue of a multitude being represented. This representative is called the "sovereign."

This division of persons and personations brings us to the crucial issue. Into what category do we place non-governmental entities of this sort? Can they be persons? Hobbes writes: "For power unlimited is absolute sovereignty. And the sovereign, in every commonwealth, is the absolute representative of all the subjects; and therefore no other can be representative of any part of them, but so far forth as he shall give leave."[43] For Hobbes, once the sovereign comes into existence, there can be only one legitimate artificial or representing-person. Other group-persons may exist only by the permission or *concession* of the sovereign. At least in passing, it is worth noting that concession theory is not a creation of the modern state, but goes back to Roman law. Nor is there anything inherently wrong with the concession model.[44] So long as the objectives belong to public authority, the state may rightfully out-source the means to the ends. This is true, as well, for corporations other than the state. A university, for example, may make concessions with regard to the production and sale of its logo for the football team.

Here, we must pause to clarify these two legal terms of art, *fiction* and *concession*. The strong version of the fiction-model will hold that there is no group-person of any sort behind the legal mask. John Austin, for

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[43] Hobbes, *Leviathan*, XXII.

[44] Aspects of "concession" are well-known in Roman and ecclesiastical law. Associations claiming a share of public authority in the civil or ecclesiastical spheres require permission to so exist. Canon law (CIC 1983), for example, routinely distinguishes between the *moralis personae* of the Catholic Church and the Holy See (Can. 113, §1), which are instituted by divine ordinance, individual persons or *personae physicae* (Can. 113, §2), and a myriad of other *personae iuridicae* which receive a special status by virtue of their useful purposes and their ability to achieve them (Can. 113, §3). Baptised Catholics, for example, enjoy a right to establish and direct associations which serve a charitable or pious purpose, to hold meetings, and to pursue their purposes by common effort (Can. 215). But they cannot claim the title "Catholic" without ecclesiastical concession (Can. 216). Some private associations are merely praised or recommended (Can. 299, §2); or they might be approved when their statutes are reviewed by a competent authority (Can. 299, §3); no association can call itself Catholic without consent of the proper authority (Can. 330, and 312; 803, §3); still others can be regarded as public, acting in the name of the Church, and are said to be "erected" (Can. 301). Canon 116, §1 provides for juridical persons to act in the name of the Church, while §2 provides for an association to act in its own name with ecclesiastical approval. Unfortunately, the Code does not provide a synthetic account of these various *personae*.

instance, described groups as subjects only by "*figment* for sake of brevity of discussion."[45] In philosophy, science, and law it is driven by the premise of methodological individualism—namely, that social unities and relations among members can be reduced to nonsocial properties of members or composites thereof.[46] The concession-model, however, refers to societies made legitimate by the law. Concession can remain open to the reality of the group prior to the state's award of jural capacities. Until then, they are regarded either as so unimportant as to receive no notice, or they are regarded as illegitimate. The real group simply moves from being not officially recognized to being publicly capacitated. Both *fiction* and *concession* have been used by the modern state in ways which are prejudicial and harmful to societies other than the state.[47] When these two legal devices are used in tandem, the state will command its lawyers to consider only the state's construction, not the very group that gave rise to the issue in the first place.[48] The state regards and treats all group-persons as outsourced instruments of its own group-personality.

The modern French state began precisely on this note. Consider article 3 of the French *Declaration of the Rights of Man and Citizen* (1789): "The principle of all sovereignty resides essentially in the nation. No body nor individual may exercise any authority which does not proceed directly from the nation."[49] Two years later, the state passed a law against corporations:

> Since the abolition of all kinds of corporations of citizens of the same occupation and profession is one of the fundamental bases of the

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[45] Lord Coke's famous dictum: "It is a fiction, a shade, a nonentity, but a reality for legal purposes. A corporation aggregate is only in abstracto—it is invisible, immortal, and rests only in intendment and consideration of the law." *Case of Sutton's Hospital* (1612), 5 Rep. 303; 10 Rep. 32 b.

[46] The array of contemporary positions on methodological individualism and its alternatives is summarized by Frederick F. Schmitt, "Socializing Metaphysics," in *Socializing Metaphysics: The Nature of Social Reality*, ed. Frederick F. Schmitt (Lanham: Rowan & Littlefield Pub., 2003), 1–37.

[47] In 2007, for example, China's State Administration of Religious Affairs announced Order Number 5, a law covering the "Management Measures for the Reincarnation of Living Buddhas in Tibetan Buddhism." The state prohibits Buddhist monks from returning from the dead without government permission. No one outside China can influence the reincarnation process, and only monasteries in China can apply for the concession. See *Harpers Magazine* (March 2008): 20.

[48] On the problem of conflating concession and fiction, see Janet McLean, "Personality and Public Law Doctrine," *University of Toronto Law Journal* 49, no. 1 (Winter 1999): 129–30.

[49] Document 17, in *A Documentary History of the French Revolution*, by John Hall Stewart (New York: Macmillan, 1951), 114.

> French Constitution, re-establishment thereof under any pretext or pretence or form whatsoever is forbidden.[50]
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> Citizens of the same occupation or profession . . . may not, when they are together, name either president, secretaries, or trustees, keep accounts, pass decrees of resolutions, or draft regulations concerning their alleged common interests.[51]

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[50] Chapelier Law, 14 June 1791, §1; Document 28, in Stewart, *A Documentary History*, 165.

[51] Ibid., §2. Indeed, more than a century later, the Third Republic enacted such legislation: "No religious congregation may be formed without an authorization given by law that determines the conditions of its exercise. . . . The dissolution of a congregation or the closing of any establishment may be declared by a cabinet decree." French Law of Associations, title III, §13 (1 July 1901). In his fine study of the Revolution's rejection of "the society of orders and *corps*, or corporations," Pierre Rosanvallon emphasizes that Isacc-René-Guy Le Chapelier and his colleagues meant by *régime corporatif* more than the specifically economic institutions. They meant a regime consisting of plural societies, each with its own distinctive legal bonds, usually with its own distinctive signs and costumes, together making up the whole of the body politic: estates, religious corporations (clerical and religious congregations), guilds, clubs, municipalities, and so forth. If property-owning corporations exist, said Jacques-Guillaume Thouret, they differ from natural individuals who possess innate faculties and rights. "Corporations are merely instruments fabricated by the law for the greatest possible good." They are trustees of a public service mission located in the state. Rosanvallon notes: "But the essential question was philosophical: corporate ownership inherently raised the prospect of a rival to public authority. The corporations in a sense threatened the state's claim to a 'monopoly on perpetuity,' a perpetuity being in the order of temporality the equivalent of generality in the order of social forms." Pierre Rosanvallon, *The Demands of Liberty: Civil Society in France Since The Revolution*, trans. Arthur Goldhammer (Cambridge: Harvard University Press, 2007), 28.

In this connection, we should bear in mind the original meaning of "solidarity." In France, *solidaires* were those bound together in collective responsibility, according to the semi-autonomous societies called *communautés*. The idea of *solidarité* was drawn remotely from the legal expression *in solidum*, which, in Roman law, was the status of responsibility for another person's debts. Usually, the legal status of *solidaires* presupposed membership in a society (nation, family, etc.) that persists over time and is not exhausted in a single exchange nor characterized as a limited liability partnership. The Napoleonic Code (1804) expressly forbade the presumption of *solidarité* (art. 1202) in order to underscore the ontology of natural persons bound together chiefly, or only, in the state, and secondarily by contracts engaged by individuals. Thus, one becomes a *solidaire* only contractually (arts. 395–96, 1033, 1197–1216, 1442, 1887, 2002). With the revolutions which followed in the wake of the Napoleonic wars, and with the onset of the industrial revolution, the term "solidarity" began to acquire the plethora of meanings it has today: solidarity of workers, political parties, nations, churches, and humanity in general. This was due to the widespread alarm at the disintegration of society and a renewed interest in intermediate associations. The historical evolution

The multi-faceted order of estates, corporations, guilds, clubs—each with its distinctive legal bonds and signs and costumes—is swept aside as alien to the unity of the body politic.

In modern times, most revolutionary regimes will attempt to forbid subsidiary societies. History testifies that even the most brutally centralizing regimes eventually will retreat from the totalitarian ideal. They will make concessions. Why should the sovereign ever grant a concession? For our purposes today we might think of *devolution*, which often has a very strong resemblance to the older concession model. Imagine a homogeneous power formally belonging to the state. But the state decides to parcel-out aspects of this power from the top-down, or from the center to the periphery. While the state does not deny its own plenitude of power or sovereignty, it does recognize the contingent fact that it cannot efficiently reach all of the objects within its formal power. Accordingly, the state will out-source power, by way of a quasi-delegation, to other groups for the purpose of efficiently creating and distributing certain goods and services: education, charitable relief of the poor, and the orderly transfer of property or investment, to mention only a few. The complexity and scale of modern states practically guarantee that the sovereign must make concessions. It must, in this sense, *learn to devolve*.[52] While despotic regimes will tend to be stingy, liberal regimes will tend to be generous in giving concessions. England was the model for a liberal regime, jealous of its sovereignty, but ever ready to out-source certain functions to corporations and to unincorporated groups and to trusts, even to pirates acting as auxiliaries of the royal navy.

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of the term is tracked within the Jewish community by Lisa Moses Leff, "Jewish Solidarity in Nineteenth-Century France: The Evolution of a Concept," *The Journal of Modern History* 74, no. 1 (Mar. 2002), 33–61. The more global history is provided by Steinar Stjerno in *Solidarity in Europe: The History of an Idea* (Cambridge: Cambridge University Press, 2004.)

[52] The word devolution is commonly used in a generic sense, to speak of decentralization. I prefer the standard eighteenth-century sense of the term, as used by Edward Gibbon in *The Decline and Fall of the Roman Empire*: "The character of the civil and military officers, on whom Rufinus had *devolved* the government of Greece, confirmed the public suspicion, that he had betrayed the ancient seat of freedom and learning to the Gothic invader" (vol. 3, XXXI.1. Or speaking of Maxentius: "Whilst he passed his indolent life either within the walls of his palace, or in the neighboring gardens of Sallust, he was repeatedly heard to declare, that he alone was emperor, and that the other princes were no more than his lieutenants, on whom he had *devolved* the defence of the frontier provinces, that he might enjoy without interruption the elegant luxury of the capital." (vol. I, XIV). Hence governments, powers, treasuries are said to *devolve*.

The golden-age of concession theory was the eighteenth and nineteenth centuries because it was during this time that states were created according to the modern idea of sovereignty. Yet this model is quite durable, never entirely disappearing, even in our time. Take, for example, the debates in Europe and the United States over the issue of marriage. What kind of juridic person is a marriage? In 1992, the Hawaiian Supreme Court defined marriage as "a partnership to which both parties bring their financial resources as well as their individual energies and efforts."[53] This point was reiterated in the controversial 2003 decision of the Massachusetts Supreme Court, which prohibited the legislature from giving legal title of marriage only to one man and one woman. Let's put to one side the moral issue of whether marriage ought to be exclusively heterosexual. This puts the cart before the horse. First, we want to know whether there are group-persons distinct from partnerships, and second, what reason the state has to recognize them.

> We begin by considering the nature of civil marriage itself. Simply put, the government creates civil marriage. . . . *Civil marriage is created and regulated through exercise of the police power.* . . . Civil marriage anchors an ordered society by encouraging stable relationships over transient ones. It is central to the way the Commonwealth identifies individuals, provides for the orderly distribution of property, ensures that children and adults are cared for and supported whenever possible from private rather than public funds, and tracks important epidemiological and demographic data.[54]

We read that the state does not merely regulate, but creates marriage through the exercise of the police power. What aspects of good order move the state to allow married people to be a right-and-duty unity? The Court mentions economic reasons (property), sociological reasons (stable relationships), health reasons (care for the old or indigent), and scientific reasons (collection of epidemiological data). The state breathes into the dust of sexual relationships and private aspirations to intimacy, and creates a "person" at law. This person, then, becomes the site or occasion for bringing about more efficiently certain results which are in the interest of the state.[55] All that remained for the Massachusetts Court to do was to judge

[53] Baehr v. Lewin, 852 P. 2d 44, 58 (citing Gussin v. Gussin 73 Hawaii 470, 483, 836 P. 2nd 484, 491) (1992).

[54] Goodridge v. Dept. of Public Health, 440 Mass. 309 (1993).

[55] Compare to Justice Joseph Story, a jurist from Massachusetts and Chief Justice of the Supreme Court. "[Marriage] may exist between two individuals of different sexes, although no third person existed in the world, as happened in the case of the common ancestors of mankind. It is the parent and not the child of society." Joseph Story, *Commentaries on the Conflict of Laws* (1834), 100.

that one sex or two sexes are immaterial to the state's interest in having other agents procure the publicly desirable results, and therefore not to favor one arrangement over the other. The Massachusetts decision is a pure example of concession theory. The court leaves untouched the question whether this juridic person is a society or a partnership. The public efficiencies falling within the purview of the positive law could be attached to either a partnership or a society.[56] Indeed, the law of no-fault divorce guarantees in practice, if not in theory, that a marriage is a partnership.

Devolution Model: Intermediate Powers

While the concession model is by no means dead, its star has been in eclipse during the second part of the twentieth century. Especially after the Second World War, there has been interest in reviving another strand of liberalism on the issue of civil society—one that emerged in the eighteenth and nineteenth centuries in reaction to state absolutism. In France, we think of Montesquieu and Tocqueville—or perhaps James Madison in the United States. Emile Durkheim observed: "If that collective force, the State, is to be the liberator of the individual, it has itself need of some counterbalance; it must be restrained by other collective forces, that is, by . . . secondary groups. . . . [for] it is out of this conflict of social forces that individual liberties are born."[57]

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[56] The 1801 draft of the French *Code Civil* proposed that "what marriage in itself is was previously unknown, and it is only in recent times that men have acquired precise ideas on marriage." Bonald, *On Divorce*. An important response to the draft was undertaken by Viscount Louis de Bonald (1754–1840). Published in 1801 under the title *On Divorce*, this little philosophical and legal brief contributed to the suppression of the law of divorce in 1816, until the Third Republic reinstituted it in 1884. Louis de Bonald, *On Divorce*, trans. and ed. Nicholas Davidson (New Brunswick: Transaction Publishers, 1992). Translation of *Du Divorce, considéré au XIX^e^ siècle*, third edition (Paris: Le Clère, 1818; original edition 1801). Since social unity is a minimal requirement for law to gain any footing in the question of marriage, Bonald reasons that the issue pivots on "the unity of union and the multiplicity of unions." (Ibid., 63) There are three options. *First*, union of the sexes with the intention *not* to form a society, which even the law recognizes as promiscuity rather than marriage. *Second*, union of the sexes *without* an intention to form a society, which is concubinage. *Third*, union of the sexes *with* a commitment to form a society. In effect, Bonald outlines the three categories which we have used in this paper: (1) sexual union as a concourse of wills, (2) sexual union as partnership, (3) sexual union constituted in a society.

[57] E. Durkheim, *Professional Ethics and Civic Morals* (New York: Free Press, 1958), 62–63. Hutchins, 6, n. 2. Durkheim's work is a complicated subject. On the one hand, no one labored more strenuously in the nineteenth century to establish the objective reality of *faits sociaux* and the *sui generis* status of social facts. He vigorously rejected any methodology that would reduce social to non-social facts. Even so, he

We may call it the power-checking model, because it estimates the value of groups other than the state chiefly in terms of a check upon untrammeled power. Montesquieu wrote: "Political liberty is found only in moderate governments. . . . It is present only when power is not abused, but it has eternally been observed that any man who has power is led to abuse it; he continues until he finds limits. . . . So that one cannot abuse power, power must check power by the arrangement of things."[58] Hence the famous idea of civil society as "intermediate powers." What interested Montesquieu was not the specifically social landscape, or the *milieu intérieur*, of corporate persons (an ontology that perhaps he took for granted) so much as the general distribution of "powers." Civil society is useful as an arrangement that checks abuse of power and thereby inclines a political society to moderation.

This line of thought concedes to the state its monopoly over public things. Importantly, it differs from the concession model with regard to the end to be achieved. Whereas the concession model seeks to protect and maintain state sovereignty by out-sourcing its power to other groups, the power-checking model endeavors to shrink its scope—at least materially and politically. Let the state be sovereign in the "modern" sense of the term; but let this sovereignty be materially diminished by intermediate groups. These groups are not estates in the old sense of the term, for they have no representative power or authority; they do not constitute political bodies. Rather, the intermediate powers constitute a vast sphere of *private* judgments, choices, and actions by individuals and associations. Given that the state is no longer limited from above, it follows that its power is limited either from within (for example, the division of powers), or from below.

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viewed society in the distinctively modern way of powers, forces, and their equilibrium. Thus the idea *corps intermediaries* was developed in view of the need to check the power of the state, even substituting for the family which, in modern times, had no such clout. Generally, he tended toward a kind of substantialism. Some authors, however, have attempted to put him into an Aristotelian tradition. For his distinction between mechanical (primitive) and organic (modern) solidarity suggested that organic solidarity is just what Aristotle and Thomas meant by a unity of order. The title page of his *Division of Labor* cites Aristotle's *Politics* (I, 1261a24) on the point that the real unity of the polis must include a diversity of elements. While this might indicate the intrinsic value of hierarchical order of social solidarities nested within others, it also comports with the idea of powers limiting other powers. On Durkheim's penchant for describing collective forces along the lines of thermodynamics and electricity, its seeming conflict with organic metaphors, and Durkheim's quest to win a scientific recognition of sociology, see Steven Lukes, *Émile Durkheim: His Life and Work* (New York: Penguin Books, 1973), 215ff.

58 Montesquieu, *Spirit of the Laws*, 11.4.

The power-checking model treats devolution as *privatization*. It, too, wants the state to devolve for reasons of efficiency, but with a value-added purpose. For example, private schools are useful not only because they efficiently allocate educational resources, but also because they check the untrammeled state power over education. This double efficiency has always proved essential to the liberal social theory. Like the two faces of Janus, it looks in one direction toward private competition, organization, and efficient distribution of resources, and it looks in the other direction toward the negative liberty accruing from private initiative. The state is put in the position of having to justify, on cost-benefit grounds, why the private sphere should not prevail whenever there is a concurrent jurisdiction or interest in a common thing: fisheries, education, capital investment, etc.

In both the United States and Europe, this model is often associated (more or less explicitly) with "subsidiarity."[59] In the next section, I will explain why we should resist the equation. But for now I call attention to the fact that the intermediate powers analysis is not principally interested in the sociality of diverse group-persons. It focuses rather upon efficiency, which is the common coin of public policy and discourse. It matters little whether the efficiencies have this or that social form. The key insight is that the state be limited by the private sphere. If we ask why the state should be so limited, the answer will be that it increases liberty and that such an arrangement is more efficient.

Along these lines, perhaps the most astute and powerful argument for civil society was made by Ernest Gellner in *Conditions of Liberty: Civil Society and its Rivals* (1994). Gellner points out that "civil society" is ambiguous. From one point of view, civil society can mean the "social residue left when the state is subtracted."[60] Consisting of strong bonds of solidarity in families, tribes, and religious institutions, this "residue" can prove to be very potent. The polycentric nature of traditional societies would be very effective if we were only interested in checking the power of the modern state. In a modern, democratic culture, however, civil society must not only check state power, but must also liberate the individual from the

[59] Whether the European Community treaties (and amendments) mean by subsidiarity something more than a rule of social efficiency is difficult to determine because the original language, informed by Catholic social thought (mostly through the German thinkers) was transported to a more lawyerly emphasis on constitutional allocation of powers. The difference between the two is intelligently surveyed by Christoph Henkel, "The Allocation of Powers in the European Union: A Closer Look at the Principle of Subsidiary," *Berkeley Journal of International Law* 20 (2002): 359–86.

[60] Ernest Gellner, *Conditions of Liberty: Civil Society and its Rivals* (New York: The Penguin Press, 1994), 212.

suffocating obligations of common faith and kinship. The "miracle of civil society" requires loose associations which protect individual liberty from the solidaric bonds of the state and traditional communities. Once the strong solidarities from above and below are weakened, we enjoy the kind of society suitable to what he calls the "modular man."

> The [western conception of civil society] has not committed itself either to a set of prescribed roles and relations, or to a set of practices. The same goes for knowledge: conviction can change, without any stigma of apostasy. Yet these highly specific, unsanctified, instrumental, revocable links or bonds are effective. The associations of modular man can be effective without being rigid.[61]

Gellner's work is important because he delineates the full implications of the "counterweight" theory of civil society: *devolution from above and dis-incorporation from below*. His sociology is at once descriptive and normative—at least for us, who live in a market culture, and who prize the associational life of "modular man." That human nature is sociable and that sociability is capable of strong solidarities from above and from below are not in question. The question, rather, is whether such strong solidarities are useful and agreeable to the democratic culture. Gellner has emphasized what we have called partnerships rather than a plurality of societies possessing intrinsic common goods. I will now go on to argue that this position, though perhaps descriptively accurate of contemporary society, should not be confused with subsidiarity.

Summary

- The concession-model regards group-persons other than the state as legitimate only insofar as they receive the state's concession or imprimatur. Though it enjoys a monopoly on group-personhood, the state can out-source its power to other groups, depending upon the state's estimation of the public utilities of so doing. This model, therefore, should be called devolution.
- The fiction-model reduces societies to their non-social properties. Whereas the concession model insists that the group is illegitimate until it receives the legal mask (persona), the fiction model holds that there is nothing but the legal mask. In modern states, these two models often work in tandem.
- The model of intermediate powers holds that the existence of group persons other than the state is useful: (1) for checking the power of

[61] Ibid., 100.

the state, (2) for distributing more efficiently certain goods and services, and (3) for checking the power of strong solidarities from below, which tend to restrict individual liberties.[62] It, too, tends to understand subsidiarity as devolution.

The Subsidiarity Model in Catholic Thought

The existence of social persons distinct in dignity, reducible neither to the individual nor the state, stands at the outset of Catholic social doctrine. As well it should, for the Church claimed to be a *persona moralis* instituted by Christ. Moreover, nested within this trans-jurisdictional ecclesial society were a host of subsidiary societies: families, religious orders and congregations, sodalities, colleges, associations of pilgrims, warrior orders, and a myriad of other associations, like guilds, which overlapped with municipal and temporal societies. Even into the eighteenth century, the Catholic Church was an extraordinarily diversified and interdependent social order.

Catholic sovereigns were deemed to be junior apostles, receiving privileges to govern much of the temporal estates and life within their realms. The French Revolution's *Civil Constitution of the Clergy* (1790) unilaterally overturned the common law of political Christendom. Church governance was handed over *not* to the mischievous but familiar Catholic ruling families, but instead was given to the nation. The clergy became civil servants elected by democratic vote. This model spread to the former colonies, particularly in Latin America. Rights once belonging to the Church had been transferred to kings, and now to the nation. The state was no longer governed by anointed laity, but by a new doctrine of *laicism*.

Once the modern states asserted their monopoly on group-personhood, they were bound to collide with the Church. In Europe and in her former colonies, the Catholic Church not only lost its political privilege in the new nation-states. The Church, along with her religious orders, schools, seminaries, and sodalities, was stripped of juridic personality—except such as remained by concession of the states. A society of monks, for example, could not hold themselves out to the rest of society as monks, but rather as makers of pottery. The monastic society was given the status of a business partnership—which is not only an act of concession but also of fiction. Article 27 of the 1917 Mexican constitution was

[62] We do not suggest that efficiency is of no importance. The first question, however, is, efficient "to whom"? Every genuine society, which, as we have emphasized, has both an intrinsic common good (the order) and an extrinsic common good (the victory of army, to use Aristotle's example), will take interest in the efficiencies touching upon the division of labor and the extrinsic results. Indeed, deliberate mutations of societies often occur because of new estimations of efficiency.

more severe: "The law recognizes no juridical personality in the religious institutions known as churches."

To be sure, the principles of social order were ancient. But the post-1789 Church-state crisis is what gave the Church real incentive to develop a body of social doctrine. On this score it is important to understand that the social doctrine did not begin with the industrial revolution and the problems of benighted and dislocated workers. It began with the need to defend the institutions of the Church. Catholic social doctrine, accordingly, emerged in defense of two propositions: first, that the state does not enjoy a monopoly over group-personhood; second, that societies other than the state not only possess real dignity as rights-and-duties bearing unities, but that they also enjoy modes of authority proper to their own society.

In his famous encyclical *Rerum Novarum* (1891), Pope Leo XIII defended the right of workers to form associations. The following passage touches the nerve of the issue:

> Private societies, then, although they exist within the body politic, and are severally part of the commonwealth, cannot nevertheless be absolutely, and as such, prohibited by public authority. For, to enter into a "society" of this kind is the natural right of man; and the *civitas* has for its office to protect natural rights, not to destroy them; and, if it forbid its citizens to form associations, it contradicts the very principle of its own existence, for both they and it exist in virtue of the like principle, namely, the natural tendency of man to dwell in society. There are occasions, doubtless, when it is fitting that the law should intervene to prevent certain associations, as when men join together for purposes which are evidently bad, unlawful, or dangerous to the *respublica*. In such cases, public authority may justly forbid the formation of such associations, and may dissolve them if they already exist. But every precaution should be taken not to violate the rights of individuals and not to impose unreasonable regulations under pretense of public benefit. . . . The State should watch over these societies of citizens banded together in accordance with their rights, but it should not thrust itself into their peculiar concerns and their organization, for things move and live by the spirit inspiring them, and may be killed by the rough grasp of a hand from without.[63]

[63] Leo XIII, *Rerum Novarum* (15 May 1891), §§51–53, 55, *Leonis XIII P.M. Acta* XI, 135–37. Leo here defends the rights of private associations on the basis of Thomas's defense of mendicant poverty in *Contra impugnantes*, written in 1256. In Thomas's works, every analogous use of the word societas is mirrored by uses of the word *communicatio: communicatio oeconomica, communicatio spiritualis, communicatio civilis*, and so forth. The word *communicatio* simply means making something common, one rational agent participating in the life of another. Society, for Thomas, is not a thing, but a communication. He quotes Augustine's *De doctrina christiana*: "Everything that is not lessened by being imparted, is not, if it be

According to Leo, such societies spring from the same source as the state, the "tendency of man to dwell in society." Society does not devolve from the state or come into existence because of the state's need to outsource powers for socially useful ends. Notice Leo's swipe at the "public benefit" argument, which recalls the problem of concession theory. The key point is that, whatever the differences obtaining among political union, ecclesiastical union, familial union, and the many kinds of voluntary unions about which Leo speaks in this passage, they have something in common: the natural social tendency of the human person. True enough, there are qualitative differences between a state, a church, and a family. Yet no one of these societies uniquely instantiates the genus "social." The state, for example, does not represent the genus "social" under which are arrayed the Church or family as "species." This also holds in the opposite direction. The state is not a species of the Church's solidarity, although the state's unique order may be assisted and inspired by the Church's union.

Every social formation embodies diversity (*pluritas et inaequalitas*), for such is necessary for a unity of order in which the members each enjoy their own operations. We can think of Durkheim's distinction between (1) a "mechanical" expression of the *conscience collective*, in which the group conscience is co-extensive with, and coincides at all points with, the individual's, and (2) an "organic" solidarity in which individuals are grouped by their different activities or functions. The latter kind of solidarity approximates a "unity of order." Yet the same principle holds when we ask what kind of order obtains among qualitatively different societies. This is preeminently a political question. How does the state function as a union of social unions without reducing society to "powers" which differ only quantitatively? It was precisely on this problem that the "intermediate powers" analysis of the French and the American thinkers stumbled. Social diversity was reduced to a thermodynamics of power. Leo puts the issue differently. Even if the state has the special and very august function of ordering its members to a common good, that common good, in turn, must protect the common goods of diverse societies within it.

Leo introduces another issue. He writes: "In order that an association may be carried on with unity of purpose and harmony of action, its administration and government should be firm and wise. All such societies, being free to exist, have the further right to adopt such rules and organization as may best conduce to the attainment of their respective objects."[64]

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possessed without being communicated, possessed as it ought to be possessed." *Contra impugnantes*, I.4, §14, A83, 1265–70.

[64] Leo XIII, *Rerum Novarum*, §56.

Wherever a society is marked by common ends and unity (or harmony) of action, there must be authority. Leo's point is that the state will do an injustice if it allows societies to exist, but denies their capacity for self-government. Where there is no right to group authority, common action will depend entirely on spontaneous unanimity. This is hardly possible in a family, much less in an economic corporation, a university faculty, a church, or even a sports team. Hence, a state that recognizes the existence of civil society, but not the diverse modes of authority appropriate to those societies, reduces civil society to mere partnerships. Recall our earlier point that partnerships have no inherent need of authority, except accidentally, when breach of contract requires the ministry of the courts.

Now, at last, we can address the principle of subsidiarity and distinguish it from devolution. The term was coined by the nineteenth-century Italian Jesuit Luigi Taparelli. For Taparelli and the tradition of Catholic social doctrine, subsidiarity is not a free-standing concept. As a principle regulating and coordinating a plurality of group-persons, subsidiarity presupposes a plurality of such persons, each having distinct common ends, kinds of united action, and modes of authority. It is not, therefore, a question of whether there shall be group-persons, or whether they are efficient or immediately useful to the state. Rather, the question is how these groups stand to one another and to the state. In its negative formulation, subsidiarity demands that when assistance (*subsidium*) is given, it be done is such a way that the sociality proper to the group (family, school, corporation, etc.) is not subverted. Taparelli used the term *ipotattico*, taken from the Greek *hypotaxis*: the rules governing the order of clauses within a sentence. Rendered in Latin as *sub sedeo*, subsidiarity evokes the concept not only of subordinate clauses in a sentence, but also of auxiliary troops in the Roman legion which "sat below," ready and duty-bound to render service.

Hence it describes the right (*dritto ipotattico*) of social groups, each enjoying its own proper mode of action. While sometimes identified with the word *subsidium* (help, assistance), the point of subsidiarity is a normative structure of plural social forms, not necessarily a trickling down of power or aid.[65] Taparelli used the expression *associazione ipotattica* to emphasize the interdependence of societies, each maintaining its own unity (*conservare la propria unità*) without prejudice to the whole.[66]

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[65] The history and philosophy of subsidiarity are covered with unusual clarity by Thomas C. Behr, "Luigi Taparelli D'Azeglio, S.J. (1793–1862) and the Development of Scholastic Natural-Law Thought As a Science of Society and Politics," *Journal of Markets & Morality* 6, no. 1 (Spring 2003): 99–115.

[66] Luigi Taparelli D'Azeglio, *Saggio teoretico di dritto naturale appogiato sul fatto*, 8th ed. (Rome, 1949), 685, 694.

On this view, subsidiarity cannot be construed as judgments, decisions, actions at the "lowest level." The notion of a "lowest" level perverts the concept of subsidiarity. The better term is *proper* level. The term "proper" is taken from the Latin word *proprium*, denoting what belongs to, or what is possessed by, a thing or person. On the modern view of the state, there are only two persons having *propria*: the artificial person of the state, and natural, individual persons. The "lowest" level can only mean the individual, or, perhaps, partnerships. Subsidiarity, on the other hand, presupposes that there are plural authorities and agents having their "proper" (not necessarily, lowest) duties and rights with regard to the common good—immediately, the common good of the particular society, but also the common good of the body politic. Pius XII noted that "every social activity is for its nature subsidiarity; it must serve as a support to the members of the social body and never destroy or absorb them."[67] Just as no society should destroy or absorb the individual person, so too no particular society should destroy the personhood of other societies.

To be sure, subsidiarity is often described and deployed in a defensive sense—as to what the state may *not* do or try to accomplish—but the principle is not so much a theory about state institutions, nor of checks and balances, as it is an account of the pluralism and sociality of society.[68] Once we distinguish subsidiarity from the similar but misleading notions of devolution, it is easier to grasp why it was introduced in Catholic circles

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[67] Pius XII, *La elevatezza e la nobilità* (20 Feb. 1946), *AAS* 38, 144f.

[68] As we pointed out earlier, Thomas taught there are two ways to imitate God: as *bonum universale in essendo* (just as he is good in himself) and *bonum universale in causando* (causing goodness in others) (*ST* I, q. 103, a. 4). In the order of the operations of secondary causes, creatures are executors of providence (*ScG* I, c. 22.3.2). The more extensively the creature communicates its own goodness to others, the more perfect its participation (*ScG* III, c. 24). But this presupposes diversity—*pluritas et inaequalitas* (*ScG* II, c. 45.4):

> Then, too, a thing approaches to God's likeness the more perfectly as it resembles Him in more things. Now, goodness is in God, and the outpouring of goodness into other things. Hence, the creature approaches more perfectly to God's likeness if it is not only good, but can also act for the good of other things, than if it were good only in itself; that which both shines and casts light is more like the sun than that which only shines. But no creature could act for the benefit of another creature unless plurality and inequality existed in created things. For the agent is distinct from the patient and superior to it. In order that there might be in created things a perfect representation of God, the existence of diverse grades among them was therefore necessary.

Thomas is speaking here *not* of the inequality of freedom or humanity, but rather of diverse talents, grades, and functions (*ST* I, q. 96, a. 4; and see *In II Sent.*, d. 44,

as an aspect of social justice. For Pius XI, social justice is that kind of order than ensues when each person is capacitated to "exercise his social *munus*," to contribute to the common good according to his proper office and role (function).[69] This may or may not require the giving of aid, the correction of a deficiency, or the removal of a barrier to the performance of social duties, but what it always entails is respect for a pluriform social

q. 1, a. 3 [*solutio*]). The social Magisterium has repeatedly insisted that a society of any kind presupposes such diversity. In *Rerum Novarum*, for example:

> It must be first of all recognized that the condition of things inherent in human affairs must be borne with, for it is impossible to reduce civil society to one dead level. Socialists may in that intent do their utmost, but all striving against nature is in vain. There naturally exist among mankind manifold differences of the most important kind [*Sunt enim in hominibus maximae plurimaeque natura dissimilitudines*]; people differ in capacity, skill, health, strength; and unequal fortune is a necessary result of unequal condition. Such unequality is far from being disadvantageous either to individuals or to the community. Social and public life can only be maintained by means of various kinds of capacity for business and the playing of many parts [*ad res gerendas facultate diversisque muneribus vita communis*]; and each man, as a rule, chooses the part which suits his own peculiar domestic condition. (*Rerum Novarum*, §17, Acta XI, 108)

And in Pius XI's *Divini Redemptoris*:

> But God has likewise destined man for civil society according to the dictates of his very nature. In the plan of the Creator, society is a natural means which man can and must use to reach his destined end. Society is for man and not vice versa. This must not be understood in the sense of liberalistic individualism, which subordinates society to the selfish use of the individual; but only in the sense that by means of an organic union with society and by mutual collaboration the attainment of earthly happiness is placed within the reach of all. In a further sense, it is society which affords the opportunities for the development of all the individual and social gifts bestowed on human nature. These natural gifts have a value surpassing the immediate interests of the moment, for in society they reflect the divine perfection, which would not be true were man to live alone [*divinamque praeferunt in civili ordinatione perfectionem, quod quidem in singulis hominibus contingere ullo modo nequit*]. (*Divini Redemptoris* [19 March 1937], §29, AAS 29 [1937], 79)

In §29 of *Divini Redemptoris*, Pius adds the following sentences. "But on final analysis, even in this latter function, society is made for man, that he may recognize this reflection of God's perfection [*ut hanc divinae perfectionis imaginem*], and refer it in praise and adoration to the Creator. Only man, the human person, and not society in any form, is endowed with reason and a morally free will" (ibid.). A decade later, Jacques Maritain argued that the political "madness" of the twentieth century could be traced to the ideology of "substantialism," the doctrine that the state is a moral person in the proper (substantial) sense of the term. Maritain, *Man and the State* (Chicago: University of Chicago Press, 1951), at 14, and n. 11 at 16.

[69] Pius XI, *Divini Redemptoris* (19 March 1937), §51, *AAS* 29 (1937), at 92.

order in which the various societies are intrinsically valuable as "persons" distinct in dignity. The state may award a certain legal mask. Indeed, this can count as an example of aid or *subsidium* required by commutative or distributive justice. But this should not be confused with the doctrine that societies are constructed by the state as out-sourced facets of the state's need to devolve.

Now we are prepared to explain why the eighteenth-century category *doctrina civilis* came in the twentieth century to be called *doctrina socialis*—social doctrine. With the triumph of the modern nation states, equipped with an exaggerated premise of state sovereignty, it was a given that man is a citizen, but it was not so clear how, or whether, he ought to be a member of other societies—from vocational and trade associations to churches, families, sodalities—even to what could be called nations. We cannot forget that Pius XI began to use the terms "social justice" and "social doctrine" just when the totalitarian regimes had the wind at their backs, and when the free polities had to intervene extensively and deeply in their national economies. Both the totalitarians and the imperatives of the post-1929 economic crisis made precarious the predicate "social."

In his encyclical *Centesimus Annus* (1991), Pope John Paul II weaves together the different strands of these ideas:

> [The] primary responsibility in [social justice] belongs not to the State but to individuals and to the various groups and associations which make up society. . . . In addition to the tasks of harmonizing and guiding development, in exceptional circumstances the State can also exercise a *substitute function*. . . . Such supplementary interventions, which are justified by urgent reasons touching the common good, must be as brief as possible, so as to avoid removing permanently from society and business systems the gifts of service which are properly theirs [*propria munera*]. . . . Here again the principle of subsidiarity must be respected: a community of a higher order should not interfere in the internal life of a community of a lower order, depriving it of the functions which properly belong to it [*propriis officiis*].[70]

We must notice that John Paul II speaks of higher and lower *communities*.[71] This passage helps to illuminate how solidarity and subsidiarity, in Catholic thought, stem from the same principle. Both presuppose the exis-

[70] John Paul II, *Centesimus Annus* (1991), §48.

[71] See Pius XII's speech to the secret consistory of February 18, 1946 (*AAS* 38, 144ff; MA-I, 76ff). Pius says that "every social activity is for its nature subsidiary; it must serve as a support to members of the social body and never destroy or absorb them. These are surely enlightened words, valid for social life *in all its grades* and also *for the life of the Church without prejudice to its hierarchical structure*" (emphasis mine). Pius

tence of a society—as Maitland said, an "*n* +1" unity, where the unity is an intransitive good. Recall our earlier point that a society ordinarily survives defeat or failure of one or more of its purposes; it does not, however, survive the dissolution of united action. Since united action cannot depend entirely on unanimity, authority has an essential function within a society. This is why the principle of subsidiarity cannot be expressed adequately as the imperative that decisions be made at the *lowest possible level*.

Subsidiarity is nothing other than the principle that, when aid be given, it not remove or destroy the authority or functions (*munera*) proper to the society being assisted.[72] As Pope John Paul noted, in "exceptional circumstances" the state may exercise a "substitute function," but not in such a manner as to deprive the society of its "proper" modes of union.[73]

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does refer to "what individual men can do for themselves and by their own forces," which of course "should not be taken from them and assigned to the community." Though this might appear to be a reduction to the lowest level in an individualist sense, the whole context of the discussion suggests otherwise. Pius is speaking of the diverse and complex parts of the social structure; moreover, he does not refer just to individuals but also to "members" of the social body. The whole point of the speech, indeed, was to warn about gigantic organizations with their flattening effect toward uniformity, which by centralizing destroy the equilibrium of social institutions. Calvez and Perrin rightly alert their readers to the fact that Pius XI and Pius XII insisted that society is not a substantial or material body; it cannot have that kind of existence or unity. As Pius XI said, "a society can exercise no personal function save through its members." In *Divini Redemptoris* he reminded his readers that while social order reflects the divine perfection (a diversity of members causing good in others), only "the human person, and not society in any form, is endowed with reason and a morally free will." The letter was written against atheistic communism, so Pius had a special need to deny that society is not a natural or physical person. See *Divini Redemptoris* (19 March 1937), §29, *AAS* 29, p. 79. In his 1956 speech to Catholic physicians, Pius XII reiterated this point. Catholic teaching does not consider man in his relationship with society as if he were put into the "organic mind of the physical organism" (*AAS* 48, 679). All of this depends on keeping in view Thomas's idea of a unity of order. When, by creeping metaphors and political ideology, both man and society are regarded as physical organisms, one or the other must be destroyed if there is to be unity. For several papal admonitions in this regard, see Jean-Yves Calvez, S.J. and Jacques Perrin, S.J., *The Church and Social Justice: The Social Teachings of the Popes from Leo XIII to Pius XII (1878–1958)* (London: Burns & Oates, 1961), 123–32.

72 On this notion of *munera* as functions, roles, and offices, and its connection to both Roman law and the sacramental theology of the Roman Church, see my essay "Social Roles and Ruling Virtues in Catholic Social Doctrine," *Annales theologici* 16 (2002): 385–408.

73 "In every government the best thing is that provision be made for the things governed, according to their mode: for in this consists the justice of the regime. Consequently even as it would be contrary to the right notion of human rule if the

Subsidiarity requires that the sociality of society be preserved. No argument to good results external to the society will suffice, unless one has moral reason to dissolve a society, regime, or party.

But this "aid" must be sharply distinguished from the idea of the state imparting, out-sourcing, or conceding the social forms and functions of other groups. In *Mater et Magistra*, John XXIII refers to the state's work as "directing, stimulating, co-ordinating, supplying and integrating" a plurality of societies. "Of its very nature," he concludes, "the true aim of all social activity should be to help members of the social body, but never to destroy or absorb them."[74] These groups "must be really autonomous [*suis legibus re ipsa regantur*], and loyally collaborate in pursuit of their own specific interests and those of the common good. For these groups must themselves necessarily present the form and substance of a true community."[75]

Thus the social Magisterium regarded social justice as a new way of presenting Thomas's understanding of general or legal justice. Thomas held that as charity "may be called a general virtue in so far as it directs the acts of all the virtues to the Divine good, so too is legal justice, in so far as it directs the acts of all the virtues to the common good. Accordingly, just as charity which regards the Divine good as its proper object, is a special virtue in respect of its essence, so too legal justice is a special virtue in respect of its essence, in so far as it regards the common good as its proper object" (*ST* II–II, q. 58, a. 6).

Every juridical proposition implies an inter-subjective relation, *sub specie alteritatis*. Justice always requires a relation to "the other." Therefore all issues of justice have a social aspect. The cardinal virtue of justice pertains to particular justice, either bilaterally (commutative) or by distribution on the basis of merit (distributive). But there is another virtue that orders the myriad acts of the other virtues to the common good. It does not substitute for, or cancel-out, the justice of commutation and distribution. Rather, it is the practice of virtue "looked at from the social point of view"—*sub specie societatis*.[76] We can also describe general justice as the harmonization of a heterogeneous whole, which consists, in a unity of order, of other wholes: both natural persons and social persons. This is what is traditionally meant by polity, but it pertains analogically to every society *ad intra*.

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governor of a state were to forbid men to act according to their various duties—except perhaps for the time being, on account of some particular urgency—so would it be contrary to the notion of God's government, if He did not allow creatures to act in accordance with their respective natures." *ScG*, Book III, ch. 71.

[74] John XXIII, *Mater et Magistra* (15 May 1961), §53, *AAS* 53 (1961), 414.

[75] Ibid., §65, *AAS* 53, 417.

[76] Jeremiah Newman, *Foundations of Justice* (Cork: Cork University Press, 1954), 5.

To be sure, these subsidiary "wholes" are the subjects of justice at both the level of commutation and distribution. Recognizing the natural right of parents as the primary educators of their children is not, in the first place, a question of social justice but rather of their rights vis-à-vis other individuals or societies. Strict justice, whether commutative or distributive, has as its object "a person equalized,"[77] whether the person be a natural individual or a society. But whenever we speak of a common good, we are not referring to a private right but rather membership and participation in a social order. Because the order is, itself, the common good, it is not amenable to commutation or distribution. This holds true analogously for any society possessing an intrinsic common good. A family, a church, or a polity cannot rightfully exchange or distribute the common good into private hands. Any relatively complex social unity of order will abound with commutations and distributions; but the common order is *not* divisible in this sense.

> Consequently the way to get the common good into the possession of the members, the way to share among them the virtuous social life, is to develop that life, to serve the common good. There is no need for another direction to legal justice; what is good for the whole is good for the parts.[78]

No matter how different their respective ends and modes of unity, every society will require its members to learn how to participate rather than divide the common order.

Social justice is the virtue whereby all persons (not just the state) refer the ensemble of their relations to the common good. This is why subsidiarity is not merely an issue of commutation or distribution, but rather manifests itself in the arranging of things in such wise that the operations of a heterogeneous whole are harmonized with regard to the common good. If the operations proper to the parts are destroyed, one has violated both particular and social justice.[79] At the same time, it is not enough simply to do justice to the parts; that parents enjoy a proper right

[77] Leo W. Shields, *The History and Meaning of the Term Social Justice* (Notre Dame: University of Notre Dame Press, 1941), 39.

[78] Ibid., 39–40.

[79] Within a given polity, any number of things are distributed from the whole to the parts (diverse groups): status, proportional representation, monies, and so forth. These goods are enjoyed privately. Here, however, the term *private* means that this or that particular group is the terminal recipient—this family enjoys the tax relief, or that association enjoys use of the public building, and so forth. These societies themselves are deemed private in comparison to the political "whole." Thomas refers to the sub-political group as a member of the "whole"—a *unitas*

to raise their children, that corporations have a proper right to organize capital and property, that national communities have a right to retain their traditional forms of unity, and that individuals enjoy a right to religious conscience, are necessary but not sufficient conditions for the common good, which is the object of the virtue of legal or social justice.

John Paul II made a similar point in his *Address to the Fiftieth Assembly of the United Nations* (5 Oct. 1995). Recalling the rather artificial political boundaries imposed upon the diverse peoples and nations after both

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particularis, which becomes disruptive insofar as it separates itself from the *unitas principalis* (*ST* II–II, q. 39, a. 1).

The particular unity of a subordinate group is still referable to a *unitas principalis*. What kind? Thomas is clear: the polity (*civitas vel regnum*) which is constituted as a *unitas iuris*. To disrupt the unity of the political common good is a sin against justice in the sense of legal (or social) justice. Interestingly, Thomas notes that some discord within the polity is licit so long as the disputes are not contrary to the common good of all [*quod discordia ab eo quod non est manifeste bonum potest esse sine peccato*] (*ST* II–II, q. 42, a. 2, ad 2). In other words, we should expect some friction and issues amongst the particular societies within the body politic. See *Centesimus Annus* at section14: "The Church is well aware that in the course of history conflicts of interest between different social groups inevitably arise, and that in the face of such conflicts Christians must often take a position, honestly and decisively. The Encyclical *Laborem exercens* moreover clearly recognized the positive role of conflict when it takes the form of a 'struggle for social justice.' "

There is nothing in the nature of polity, rightly considered, that entails social homogeneity. John Finnis rightly points out that general justice cannot require us to regard "the state (rather than any and every community to which one is related) as the only direct object of general justice." Finnis, *Aquinas* (Oxford University Press, 1998), 217. By the same token, there is nothing in the natures of diverse groups, rightly considered, that is opposed to being "referred" once again to the wider unity of order. Again, Finnis points out that the "common good which is the object(ive) of all justice logically cannot be distributed." Finnis, *Natural Law and Natural Rights* (Oxford: Oxford University Press, 1980), 194. As he says, the common good is not "a common stock" (168).

See, for example, Thomas's comparison of the common good of polity and of marriage.

> Just as the civic life denotes not the individual act of this or that one, but the things that concern the common action of the citizens [*sicut vita civilis non importat actum singularem huius vel illius, sed ea quae ad communicationem civilem pertinent*], so the conjugal life is nothing else than a particular kind of companionship pertaining to that common action. Wherefore as regards this same life the partnership of married persons is always indivisible, although it is divisible as regards the act belonging to each party. (*In IV Sent.*, d. 27, q. 1, a. 1, ad 3)

Thus, any society consisting of common action for a common end enjoys an indivisible unity of order brought about by diverse actions of its members.

great wars of the twentieth century, he quoted the remark of Pope Benedict XV, who in the midst of the First World War reminded everyone that "nations do not die"[*riflettasi che le Nazioni non muoiono*].[80] The sense of this remark is that nations can constitute genuine social entities which may or may not, in the contingency of history, be constituted as states. However they are arranged within the broader juridical and geographical compass of states, they nevertheless have a right to exist in their own unique social forms. Nations are not mere aggregations of individuals or temporary partnerships. The pope went on to say:

> But while the "rights of the nation" express the vital requirements of "particularity," it is no less important to emphasize the requirements of universality, expressed through a clear awareness of the duties which nations have vis-à-vis other nations and humanity as a whole. Foremost among these duties is certainly that of living in a spirit of peace, respect and solidarity with other nations. Thus the exercise of the rights of nations, balanced by the acknowledgement and the practice of duties, promotes a fruitful "exchange of gifts," which strengthens the unity of all mankind.[81]

Importantly, the pope is not suggesting that the social forms of these peoples have an absolute right to resist being ordered toward a broader polity, and with that polity, being harmonized with the other nationalities and groups. Rather, he is putting in play two distinct but interrelated notions of solidarity. On the one hand, the unity-of-order called a "nation" has its own solidarity, and, in the order of strict justice, has a right to be regarded as something "one." On the other hand, the nation, like every other subsidiary unity, is to be referred to the broader order—to the common good enjoyed by all groups within the polity. This is nothing other than the solidarity of social justice. Moreover, the pope makes clear that this solidarity is referable once again to an international common good in which each polity enjoys the good of order with a multiplicity of other polities.

In answer to the question of why the traditional term general (or legal) justice was dropped in favor of social justice, at least one thing can be said. In modern times legal justice was confused with the virtue of obedience to the positive law of the state. Given the disposition and organization of the modern states circa 1930, this confusion would have had drastic and grotesque consequences. The state then becomes the exclu-

[80] John Paul II, *Address to the Fiftieth Assembly of the United Nations* (5 Oct. 1995), §6; quoting *Allorché fummo chiamati* (28 July 1915), *AAS* 7 (1915), 367.

[81] Ibid., §8.

sive agent of social justice, as though the virtue resides entirely in the state, which then has the right to compel other persons (natural and social) to do what they have no natural inclination to do: namely, to consider their acts in relation to the common good. For his part, Leo XIII never relinquished the older term "general justice." But during the pontificates of Pius XI [82] and Pius XII, many Thomists, having given serious consideration to the situation, agreed that social justice should replace the older rubric. In view of the omnicompetent state of their era, and in view of the pressing need to articulate and defend an organic pluralism of society, it was not an unreasonable position to jettison the term "legal" in favor of "social" lest the common good of order be understood as exclusively the order of the state.[83] In short, it was more necessary to insist that the state is "social" than to insist that the plural societies are "political."

In retrospect, we are entitled to question whether it achieved the right results. For one thing, social justice increasingly became associated with relations which ensue upon economic activity. From there, it became all too easy to regard social justice as chiefly concerned with economic commutations and distributions. Pius XI's dictum "[I]t is of the essence of social justice to demand from each individual all that is necessary for the common good" could only be obscured.[84]

While the common good includes commutations and distributions, the common good cannot, strictly speaking, be distributed but only participated. Undoubtedly, there are common goods distributed into private hands. "Before distribution such goods are part of the common stock and belong to no one in particular, but after distribution they are private goods. The water, for example, in the city reservoir is neither mine nor yours except indeterminately. But once it flows through my tap it is mine."[85] Traditionally, such utilities have been called *bona communia* (in the plural) in order to distinguish them from the *bonum commune* (the common good). Without common utilities privately used there could be no society. Nonetheless, utilities are "means" for the purpose of a well-ordered

[82] In *Studiorum Ducem* (29 June 1923), Pius XI makes explicit that Thomas is to be studied in order to formulate exactly *de justitia legale aut de sociali, itemque de commutative aut de distributive*. *AAS* 15 (1923), 322.

[83] For example, legal justice "would be a most misleading and dangerous term today when the subordination of civil law to natural law is no longer generally recognized." Alfred O'Rahilly, *Aquinas versus Marx* (Cork: Cork University Press, 1948), 36. But also Leo W. Shields, *The History and Meaning of the Term Social Justice*, 47–64; and Jeremiah Newman, *Foundations of Justice*, 99–121.

[84] Pius XI, *Quadragesimo Anno*, §51.

[85] Froelich, "The Equivocal Status of *Bonum Commune*," 54.

community, which is not something private. Unless this point is kept firmly in mind, societies of all kinds will become nothing but stockpiles of resources coordinated and distributed to individuals. This, in turn, is the justice of a partnership, distributing private shares rather than the justice of a common good to which each member is ordered.

Summary

- The sin of the modern state is the injustice of its claiming a monopoly over group-personhood—reserving what is "distinct in dignity" for itself and for individual persons. The Catholic position holds that the political sovereign is limited by the very existence of real group persons, of which the state (or polity) is not an exception. A normal society, then, will evince a multiplication of authorities embedded in group persons.
- Unlike the devolution position(s), subsidiarity is not a policy decision whether there ought to be social pluralism. Subsidiarity depends upon there already being a plurality of group-persons. Take away social plurality and there is nothing that can correspond to the principle of subsidiarity. Devolution, when prudentially called for, is a policy, not the principle, of social unity and diversity. Decentralization might be compatible with, or even advantageous to, subsidiarity; but they should not be confused. In certain cases, decentralization can amount to the same thing as subsidiarity, particularly in polities enjoying a federal system in which the "states" (provinces) have a specifically social and political identity—that is to say, where the "states" are something more than merely convenient administrative units of the polity. Issues of decentralization will depend not only on the living social identity of the "states" but also upon the juridical organization of the constitution. In such cases, there is ordinarily a constitutional law governing the association of these federated polities. However, where the constitution leaves room for prudential policies, the principle of subsidiarity will dictate, very generally, that when the central or national polity either intervenes in the political life of the "states," or when it for reasons of policy devolves or decentralizes on a particular scope of issues, it should not subvert the polity and sociality of the "states."[86]

[86] It is important to note that although subsidiarity is usually invoked in the case of a larger or superior society helping a lower one, in our age of devolution outsourcing of power or responsibilities to smaller social units can create great burdens on the lower societies. Not every devolution or decentralization protects social pluralism. For example, in American politics we speak of "unfunded mandates," by

- Subsidiarity requires the just treatment of self-governing societies. Since every society seeks not only to achieve certain ends, but also to pursue those ends in their own mode of unity, it is to no avail to argue that some other power can get the job done better or more efficiently. Societies have their own internal agency. Therefore, if aid is to be given to a society, it must be done in such a way that preserves the sociality of the group being assisted.
- Yet there is nothing in the nature of a particular society that makes it incapable of being ordered (and ordering itself) to a wider society. Just as individuals must be right with their neighbor, so too must group-persons be right with other group-persons. If a plurality of group persons is natural, so too is political order in which a number of societies enjoy a common order. And if political order is natural, so too is international order. In each case, we find a diverse "whole" referred once again to a wider common good. The virtue that brings about that wider order is called social justice.
- Because social justice is bringing actions (of individuals and groups) into harmony with a wider common good, it should not be confused with distributive justice lest we fall into the trap of dividing and distributing something common. However, it is permissible to say that a society, of whatever magnitude, will distribute common utilities. In this sense, social justice does involve distribution. Even so, when a state makes available free legal counsel to the indigent, we do not say that the rule of law is distributed to private persons. When the international order distributes resources for the development of peoples, the resources are distributed, not the international order itself.

Conclusion

Hence, we have arrived at the coherence of the four principles. There are natural persons and group-persons. In different ways, each is distinct in dignity, possessing rights and responsibilities. The human tendency to "dwell in society," to use Pope Leo's words, cannot be exhausted by membership in a single group. It is not the accidental forces of society and history that alone account for the diversity of group persons, but rather human nature itself. Solidarity is never a single thing, but a multitude of relations. On these facts, subsidiarity counts as an authentic principle of social life. When one power assists another, it must not subvert the solidarity of the group. These particular groups, in turn, need the

which the U.S. government forces its own burdens downward to the states and municipalities without adequate funding.

virtue of ordering themselves in harmony with others, and thus is brought into existence the common good called polity. The ordering of members to a society, and of societies to still wider societies, is called social justice.

The foregoing exposition would seem to be a rather neat picture of the four basic principles. I am fairly confident that I have given an accurate presentation of what they originally meant, and how they are supposed to be configured to one another. In sum, they affirm a *principled pluralism* that respects the rights of individuals in their own dignity, and in their membership within various groups. The principles were never meant to be anything like an "ideal" model proposed by some nineteenth-century sociologists, much less by twentieth-century economists.

At the same time, we must admit that our exposition is philosophical. It is complete only in the sense that the principles of any architecture are complete. Nothing can be built or achieved without returning to the concrete terrain of social reality. Here, a philosopher is not the best guide. Even so, I shall offer a few concluding observations.

Let us assume, for the sake of argument, that we have a correct and coherent understanding of the four basic principles, and that we are prepared to apply them to the concrete social, economic, and political world. The first thing that must be conceded is that social change comes not only from impersonal forces, but also from a myriad of decisions and adjustments made by individuals within communities. For example, no impersonal force of history was solely responsible for the fact that, in most of the Western societies, family is regarded as the so-called nuclear family rather than an extended network of uncles and aunts and cousins. Nor did anyone dictate by law that, in Catholic life, a godparent usually denotes a liturgical rather than an ordinary social function. Because social relations and offices change through the medium of free adaptation, it is the beginning of wisdom to understand that they cannot be changed easily by dictates from on high (of law, social policy, etc.). To be sure, "things" can be organized and reorganized by public policy; but this does not necessarily bring about a social change. The current predicament in Iraq would be the case in point.

Moreover, the social changes with which we must reckon are not uniform. Among some peoples, we see a chronic inability to achieve a common good that transcends tribes, if not organized gangs. They have not achieved the order of polity, and they do not have the luxury of worrying about subsidiarity. Still other peoples have a toe-hold on political order, but lack the utilities for a bene vivere, the good life. Without polity, and without adequate utilities, the most rudimentary aspects of social harmony (domestically and internationally) are precarious, to say the least.

Our history in Western societies, however, is marked by the achievement of political order in the state and by the achievement of affluence, which depended to a considerable extent upon the nation-state. This particular political "form" called the nation-state was the engine for the development of modern science and technology, international trade, mandatory education, and the rule of law as we understand it today. But the nation-states and their economies and wars made it difficult for traditional, subsidiary societies to flourish. States used the very awkward legal principles of concession and fiction to situate sub-political societies within the nation-state. Until the 1960s, when the issue of developing peoples became pressing, Catholic social doctrine was formed almost entirely in response to the achievements, but more often to the problems, of relatively advanced Western peoples. This doctrine could take it for granted that these peoples had political order (though much too strong and all-encompassing) and subsidiary societies (which had to struggle for recognition within the nation-state).

To my knowledge, no institution sounded such an early and persistent warning about the state as *Volksköper* (a nation body) than the Catholic Church. Catholic thought de-substantialized the state in favor of the idea of societies as unities of order. Now, however, we must ask what happens when this modern, omnicompetent state dwindles in authority? This, in fact, was the question posed by John Paul II in *Centesimus Annus*. With the passing of the totalitarian regimes, would society move in the opposite direction, reconstituting itself as a set of market-like relations?

Of the many things which have changed in our life-time, the most notable is the fact that the Western nation states are not interested in actively persecuting or legally incapacitating associational life—nothing, at least, on the scale of the pre-1945 regimes, and in central and eastern Europe the pre-1989 regimes. Indeed, governments are very reluctant to enforce a "public" morality, preferring instead to leave strong moral notions to the private sphere. Popes from Leo XIII through Pius XII would hardly recognize such a diminished ambition on the part of governments. Think for example of Bismarck, Gladstone, and Teddy Roosevelt, and then think of the current crop of political leaders who are more liable to apologize for any notion that the state should be a primary object of loyalty, much less an agent for civilizing the world. Cardinal Ratzinger's remark about the "dictatorship of relativism" applies to this new reality, to societies which are diffident about any assertions of moral order.

The Protestant theologian Karl Barth referred to the post-1945 West as a society of "disillusioned sovereignty."[87] Peoples wanted their nation-states

[87] Karl Barth, *Church Dogmatics*, vol. 3, part 4 (German 467, English 410).

to be more friendly to private life, less belligerent, and more of a coordinating device for enhancing life-styles. Especially in our time of globalization, it becomes quite easy to imagine a good life based upon what Ernest Gellner calls the loose and revocable associations of "modular man." Nowhere does this manifest itself more strongly than in matrimonial and familial societies, which tend to function in the manner of partnerships. In a recent case about gay marriage that came before the California Supreme Court (Mar. 5, 2008), members of the Court expressed astonishment that anyone would worry about the words "marriage" or "partnership" so long as individuals are legally free to have their own relationship.

Finally, I conclude with an empirical question. How is the preference for loose associations related to the decline of the moral authority of the state? The great hope of Catholic social doctrine was that, once the state is properly limited, we would see a flourishing of other societies and modes of solidarity. But it is not evident that this happened, or that it is about to happen any time soon. What is the correlation, if any, between the decline of the nation-state and the rise of partnerships rather than societies?[88] How we situate the principles of solidarity and subsidiarity today will depend upon how we answer this question. NV

[88] We are witnessing what Pierre Manent has dubbed "culture without borders." Markets, globalized communications, and the international aspiration for the rights of man can make polity a bit player on the stage of human happiness.

> Commerce, right, morality: these are the three systems, the three empires that promise the exit from the political. Each in its own form: commerce, according to the realism, the prosaic character of interests rightly understood; right, according to the intellectual coherence of a network of rights rigorously deduced from individual autonomy; and finally, morality, according to the sublime aim of pure human dignity to which one is joined by the purely spiritual sentiment of respect.

Pierre Manent, *A World beyond Politics? A Defense of the Nation-State*, trans. Marc LePain (Princeton: Princeton University Press, 2006).

"In hope he believed against hope" (Rom 4:18) Faith and Hope, Two Pauline Motifs as Interpreted by Aquinas: A Re-lecture of Pope Benedict XVI's Encyclical Letter *Spe Salvi*[1]

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Etiam si occiderit me in ipso sperabo.
—Iob 13:15

Truth—Faith—Hope: Pope Benedict's Dialogue with a Modernity in Crisis

SHAKING the very foundations of the global economy, last year's financial implosions have been of an almost apocalyptic nature. Not the least of their many sobering effects is that we have acquired a renewed and deepened awareness of the fragility of all things human in general and more specifically, of all things modern. Such newly acquired keenness of view on

[1] Earlier versions of this essay were presented on March 27, 2009, as the annual Bishop Bernard J. Flanagan Lecture in the Ecumenical Institute at Assumption College, Worcester, MA, and on June 19, 2009, in the Vatican at the Ninth Plenary Session of the Pontifical Academy of St. Thomas Aquinas on "St. Thomas's Interpretation of St. Paul's Doctrines." An earlier version of this essay will appear in the 2010 volume of *Doctor Communis*, the annual Proceedings of the Pontifical Academy of St. Thomas Aquinas. This final version has profited greatly from numerous clarifying suggestions and criticisms that were magnanimously shared by the conference participants Stephen Brock, Romanus Cessario, O.P., J. Augustine DiNoia, O.P., Wojciech Giertych, O.P., Russ Hittinger, Charles Morerod, O.P., Michael Waldstein, and especially Jörgen Vijgen, as well as from the helpful comments offered in respect to various earlier versions by my Duke colleagues Paul Griffiths, Stanley Hauerwas, and Geoffrey Wainwright.

the fragility of human matters lends urgency to looking afresh at the very core of the Christian faith. For it is here that the fragility of human matters, due to human nature as well as sin, is addressed most profoundly—and surpassingly redeemed. Even the most cursory *re-lecture* of Pope Benedict XVI's encyclical letter *Spe Salvi* amply demonstrates the importance of a contemporary ressourcement in the very core of the Christian faith in order to face in true Christian hope what amounts to just one more upheaval in the long crisis of modernity. Just consider the opening lines:

> "*SPE SALVI facti sumus*"—in hope we were saved, says Saint Paul to the Romans, and likewise to us (Rom 8:24). According to the Christian faith, "redemption"—salvation—is not simply a given. Redemption is offered to us in the sense that we have been given hope, trustworthy hope, by virtue of which we can face our present: the present, even if it is arduous, can be lived and accepted if it leads towards a goal, if we can be sure of this goal, and if this goal is great enough to justify the effort of the journey. (§1)

To which goal does the present actually lead and how can we be sure of this goal? The current global economic crisis has put into question the familiar hopes that have arisen from an all too attractive and seemingly secure goal—the endless growth of profit margins. These hopes, though, did not arise just yesterday on Wall Street or in any of the financial markets around the world. Rather, the roots of these hopes reach way down into what constitutes the self-understanding of the modern world, indeed, of modernity itself.[2] Pope Benedict addresses the matter straightforwardly:

> Again, we find ourselves facing the question: what may we hope? A self-critique of modernity is needed in dialogue with Christianity and its concept of hope. In this dialogue Christians too, in the context of their knowledge and experience, must learn anew in what their hope truly consists, what they have to offer to the world and what they cannot offer. Flowing into this self-critique of the modern age there also has to be a self-critique of modern Christianity, which must constantly renew its self-understanding setting out from its roots. (§22)

By beginning to ask again, what is the nature of Christian hope—in distinction from and contrast to all other human hopes—Christians have to turn to their own roots, and of these roots, the teaching of the apostle

[2] For a recent astute reconsideration of Thomas Aquinas's economic teachings as a critical contrast to the unexamined economic axioms entailed in the project of modernity, see Christopher A. Franks, *He Became Poor: The Poverty of Christ and Aquinas's Economic Teachings* (Grand Rapids: Eerdmans, 2009).

Paul is unquestionably one of the most essential and sustaining. Additionally, such a turning to the roots, such a *ressourcement*, will contribute, first, to a dialogue between Christianity and a modernity that in light of an impending economic and subsequent social collapse might be increasingly open to submit its most cherished convictions to a sustained critique. Second, such a dialogue would also contribute to a parallel proper self-critique of modern Christianity, that is, a Christianity that has increasingly defined itself by way of the project of modernity and its characteristic hopes, in short, has come to see itself almost exclusively as the religious aspect of modernity and consequently has become oblivious and even resentful of the faith that comes from the apostles.

What would be the focus of such a self-critique of modernity and of modern Christianity in its midst? In *Spe Salvi*, Pope Benedict identifies two convictions most central to the self-understanding of modernity in its radical self-differentiation from all other epochs of history: first, *progress* guided by human reason, primarily understood as technological and managerial progress; and second, *freedom* as autonomous and rational self-determination. Due to modernity's ever increasing technological dominion over nature and a simultaneously ever-increasing autonomous self-realization, Pope Benedict sees as centrally related to the ideas of progress and freedom the respective faith and hope of modernity in an irreversible historical progress toward an ever better and brighter future.[3] But what does progress *really* mean? What is *true* progress? Presupposing hypothetically the modern understanding of rational progress and freedom, Pope Benedict advances a subtle argument. Roughly adumbrated, it goes like this: If progress is to be true progress, human reason cannot be merely technological reason. Rather, human reason must be deeply informed by moral reasoning, a reasoning that truly guides human freedom. And such a morally informed and guided reason must necessarily be open to the differentiation between good and evil, which is, the Pope emphasizes, identical with reason's openness to the saving forces of faith. He states:

> Only thus does reason become truly human. It becomes human only if it is capable of directing the will along the right path, and it is capable of this only if it looks beyond itself. Otherwise, man's situation, in view of the imbalance between his material capacity and the lack of judgment in

[3] In one brief phrase Pope Benedict indicates what such a Christian dialogue with the self-critique of modernity might look like: "We have all witnessed the way in which progress, in the wrong hands, can become and has indeed become a terrifying progress in evil. If technical progress is not matched by corresponding progress in man's ethical formation, in man's inner growth (cf. Eph 3:16; 2 Cor 4:16), then it is not progress at all, but a threat for man and for the world" (§22).

> his heart, becomes a threat for him and for creation. Thus where freedom is concerned, we must remember that human freedom always requires a convergence of various freedoms. Yet this convergence cannot succeed unless it is determined by a common intrinsic criterion of measurement, which is the foundation and goal of our freedom. Let us put it very simply: man needs God, otherwise he remains without hope. (§23)

In short, hope is only true hope if it is grounded in the truth. And it is here that Pope Benedict turns to the apostle Paul: "Paul reminds the Ephesians that before their encounter with Christ, they were 'without hope and without God in the world' (Eph 2:12)" (§2). What makes this apostolic statement radical is the explicit link between God and hope, that is, the claim that the only hope deserving the name is directed to attaining God, and such hope arises from the encounter with Christ. For only through Christ does eternal life with God become possible. And this surpassing good indeed gives rise to a hope—Christian hope—that infinitely transcends all ordinary human hopes. Because, however, Christ can only be received by way of faith, the relationship between faith and hope is paramount in order to understand the nature of true hope. But are not faith and hope actually almost the same, Pope Benedict asks; " 'Hope', in fact, is a key word in Biblical faith—so much so that in several passages the words 'faith' and 'hope' seem interchangeable" (§2). Nevertheless: no. Faith and hope seem to be almost interchangeable because they are so intimately connected with each other. But while this is the case, they are still by no means simply interchangeable. For, as Pope Benedict emphasizes, "to come to know God—the true God—means to receive hope" (§3). To come to know God, the true God, in his personal identity comes about by no other way than by faith. It is by faith in the one true God that hope, the great hope, arises. For in faith we come to know the God of love whose face is Christ—a truth most eloquently expounded in Pope Benedict's first encyclical *Deus Caritas Est*. Hence, the structure of this essay will emulate the theological grammar exemplified in *Spe Salvi*, first, by considering two constitutive aspects of faith; second, by analyzing the nature and structure of hope; and third, by attending to a saint of the modern period, Josephine Bakhita, in whose life Pope Benedict sees his hopeful pedagogy on hope realized: "In hope she believed against hope." In the first two sections, on faith and hope, I shall advance a Thomist *re-lecture* of *Spe Salvi*, not in order to force the encyclical letter into a Procrustean bed. On the contrary, I wish to demonstrate, first, that *Spe Salvi* does its own ressourcement in the thought of Thomas Aquinas and, second, that reading the encyclical letter in light of Thomas's theol-

ogy of grace and of the theological virtues allows for a more comprehensive reception of the encyclical's teaching on faith and hope.

Faith—Substance of Things Hoped For

There is no other access to Christian hope than by way of faith.[4] Hence, in order to be able to elucidate the nature and scope of Christian hope, Pope Benedict has first to attend to the nature of faith. But has faith not become one of the most elusive and contested theological concepts, claimed and transmuted by the project of modernity itself? Where to turn in order to get a sure footing on this most central topic of Christian theology?

For an initial answer Pope Benedict does not turn immediately to the epistles of the apostle Paul but rather to an epistle that tradition for a long time—*pace* Origen—attributed to Paul, but that modern scholarly consensus now believes had another author: the Letter to the Hebrews.[5] Pope Benedict approaches the teaching of the apostle Paul by way of a prior consideration of a central passage in the Letter to the Hebrews. I will argue that Pope Benedict's consideration of faith and hope according to Hebrews 11:1 is meant first and foremost to protect the ongoing reception of Paul's apostolic teaching from the subjectivist distortions and existentialist reductions of not a few modern Protestant, as well as Catholic, scholars who too uncritically embraced the project of modernity.

Faith as Habitus*: The Objective Internal Principle or Substance of the Things Hoped For (Heb 11:1)*

Consider how Pope Benedict interprets the letter's famous definition of faith-based hope in Hebrews 11:1. Because of the overall importance of this passage, I have to indulge your patience with a longer citation from the encyclical:

> In the eleventh chapter of the *Letter to the Hebrews* (v. 1) we find a kind of definition of faith which closely links this virtue with hope. Ever since the Reformation there has been a dispute among exegetes over the

[4] Thomas Aquinas argues this point quite explicitly. In order to hope, that is, to aspire to an arduous good in the future, a good difficult but possible to attain, one must first know that good and the way to attain it (*Summa theologiae* II–II, q. 17, a. 7). (All Latin citations from the *Summa theologiae* [*ST*] are taken from Sancti Thomae de Aquino, *Summa Theologiae*, 3rd ed. [Turin: Edizioni San Paolo, 1999]; the English citations are taken from the translation of the Fathers of the English Dominican Province, originally published in 1911.)

[5] For a helpful recent discussion of the authorship of *Hebrews*, see Anthony C. Thiselton, "Hebrews," in *Eerdmans Commentary on the Bible*, ed. James D. G. Dunn and John W. Rogerson (Grand Rapids: Eerdmans, 2003), 1451.

> central word of this phrase, but today a way towards a common interpretation seems to be opening up once more. For the time being I shall leave this central word untranslated. The sentence therefore reads as follows: "Faith is the *hypostasis* of things hoped for; the proof of things not seen." For the Fathers and for the theologians of the Middle Ages, it was clear that the Greek word *hypostasis* was to be rendered in Latin with the term *substantia*. The Latin translation of the text produced at the time of the early Church therefore reads: *Est autem fides sperandarum substantia rerum, argumentum non apparentium*—faith is the "substance" of things hoped for; the proof of things not seen. (§7)

At this point, significantly, Pope Benedict turns to no other theological authority but that of the *doctor communis*, in order to elucidate the nature of faith:

> Saint Thomas Aquinas, using the terminology of the philosophical tradition to which he belonged, explains it as follows: faith is a *habitus*, that is, a stable disposition of the spirit, through which eternal life takes root in us and reason is led to consent to what it does not see. The concept of "substance" is therefore modified in the sense that through faith, in a tentative way, or as we might say 'in embryo'—and thus according to the 'substance'—there are already present in us the things that are hoped for: a whole, true life. And precisely because the thing itself is already present, this presence of what is to come also creates certainty: this 'thing' which must come is not yet visible in the external world (it does not 'appear'), but because of the fact that, as an initial and dynamic reality, we carry it within us, a certain perception of it has even now come into existence. (§7)

I regard the following sentence to be the very center of this crucial passage on faith: " 'In embryo'—and thus according to the 'substance'—there are already present in us the things that are hoped for: a whole, true life." Being a stable disposition of the spirit, faith is the beginning of eternal life in the believer. Significantly, at this important juncture of the encyclical, Pope Benedict draws heavily on Aquinas's teaching in order to interpret the kind of definition of faith found in Hebrews 11:1.[6] I shall limit myself here to highlighting what I regard to be three central elements of Thomas's exposition of faith as echoed in *Spe Salvi*.

1. As a *habitus* (infused by habitual grace at justification), faith establishes in the believer a firm and continuous disposition to acts of

[6] Thomas argues, in a way too complex to reproduce here in full, that Hebrews 11:1 proposes indeed a fitting (*conveniens*) definition of faith. For his full line of argumentation, see *ST* II–II, q. 4, a. 1 and *Ad Hebraeos*, c. xi, pp. 405–8 (Marietti).

faith. Through these acts of faith (*credere*) eternal life is begun in the believer "in embryo," that is, according to its "substance," and the intellect assents to what is non-apparent.[7]

2. What the intellect assents to, that is, embraces as true, is indeed the "substance" of eternal life. Pope Benedict indicates that Thomas in the context of interpreting Hebrews 11:1 understands "substance" in a modified sense, precisely along the lines that allow a notion of an objective embryonic presence of that which is hoped for in the believer by way of the supernatural, infused habit of faith. Thomas understands "substance" here analogically along the lines of something that is still to become or develop, but is already present in its principle. Thomas's analogical use of substance in *ST* II–II, q. 4, a. 1, ad 1 seems to be the source of Pope Benedict's expression "in embryo," a contemporary metaphorical way of adopting Thomas's technically more precise but also less accessible analogical use of substance: "in embryo—and thus according to the 'substance'—there is already present in us the things that are hoped for" (§7).[8]

3. In his *Commentary on the Epistle to the Hebrews*—which antedates the *secunda secundae pars* of the *Summa theologiae* by several years—we encounter verbatim the definition of faith found in *ST* II–II, q. 4, a. 1: "Faith is the habit of the mind by which eternal life is begun in us, making the intellect to assent to things which are not apparent."[9] Among various interpretations on *argumentum/elenchos* put forward in the tradition of interpreting Hebrews 11:1, Thomas leans toward understanding *argumentum* as "an arguing of the mind" (*arguens mentem*), such that the effect is taken for the cause, "since from the certitude of the thing it happens that the mind is forced to assent."[10]

[7] *ST* II–II, q. 4, a. 1: "[F]ides est habitus mentis, qua inchoatur vita aeterna in nobis, faciens intellectum assentire non apparentibus."

[8] *ST* II–II, q. 4, a. 1, ad 1: "Substance, here, does not stand for the supreme genus condivided with the other genera, but for that likeness to substance which is found in each genus, inasmuch as the first thing in a genus contains the others virtually and is said to be the substance thereof." "[S]ubstantia non sumitur hic secundum quod est genus generalissimum contra alia genera divisum: sed secundum quod in quodlibet genere invenitur quaedam similitudo substantiae, prout scilicet primum in quolibet genere, continens in se alia virtute, dicitur esse substantia illorum."

[9] Thomas Aquinas, *Commentary on the Epistle to the Hebrews*, c. 11, lect. 1, trans. Chrysostom Baer, O. Praem. (South Bend, IN: St. Augustine's Press, 2006), 231; *Ad Hebraeos*, c. xi, l.1, p. 408 (Marietti): "[F]ides est habitus mentis qua inchoatur vita aeterna in nobis, faciens intellectum assentire non apparentibus."

[10] *Commentary on the Epistle to the Hebrews*, 230; *Ad Hebraeos*, c. xi, l.1, p. 408 (Marietti): "Vel si sequamur etymologiam nominis qua dicitur argumentum, quasi

Pope Benedict affirms this long-standing interpretation: the substance or principle of a new reality within us makes the intellect assent to it. He contrasts this objective sense of *argumentum* with an understanding that would take it as a disposition of the subject, as a conviction held by the believer. Thomas makes brief mention that this alternative reading has some followers, but says no more on the matter.[11] Less than three hundred years after Aquinas's death, a version of this other reading shall instantiate a powerful alternative tradition of interpreting the *argumentum* in Hebrews 11:1, a reading that in subsequent centuries, though arguably unintentionally, opened the floodgates for an eventual radical subjectivization of the faith. Significantly, Pope Benedict categorizes Martin Luther's position on this important matter in clear contradistinction to Thomas Aquinas's position:

> To Luther, who was not particularly fond of the *Letter to the Hebrews*, the concept of 'substance', in the context of his view of faith, meant nothing. For this reason he understood the term *hypostasis/substance* not in the objective sense (of a reality present within us), but in the subjective sense, as an expression of an interior attitude, and so, naturally, he also had to understand the term *argumentum* as a disposition of the subject. In the twentieth century this interpretation became prevalent—at least in Germany—in Catholic exegesis too, so that the ecumenical translation into German of the New Testament, approved by the Bishops, reads as follows: *Glaube aber ist: Feststehen in dem, was man erhofft, Überzeugtsein von dem, was man nicht sieht* (faith is: standing firm in what one hopes, being convinced of what one does not see). This in itself is not incorrect, but it is not the meaning of the text, because the Greek term used (*elenchos*) does not have the subjective sense of 'conviction' but the objective sense of 'proof'.

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arguens mentem, tunc accipit effectum pro causa, quia ex certitudine rei provenit, quod mens cogatur ad assentiendum."

[11] *ST* II–II, q. 4, a. 1 and *Commentary on the Epistle to the Hebrews*, 231: "For where we have *argument*, another reading has conviction, since by the divine authority the intellect is convinced to assent to those things which it does not see." *Ad Hebraeos*, c. xi, l.1, p. 408 (Marietti): "Ubi enim nos argumentum habemus, habet alia littera *convictio*, quia per auctoritatem divinam convicitur intellectus ad assentiendum his quae non videt" (my emphasis). In private correspondence Jörgen Vijgen has pointed out to me the noteworthy fact that Thomas seems to use the term "convictio" only four times in his whole corpus of writings, and three of these four times in order to indicate that others have proposed "convictio" where he prefers "argumentum." Next to the two instances familiar to us—*ST* II–II, q. 4., a. 1 and *Ad Heb.*, c. 11, l.1—there is also *De veritate*, q. 14, a. 2. The fourth place is II. *Ad. Thessalonicenses*, c. 3, l.2, where "convictio" is yoked with "manifestatio." In short, it seems to be rather obvious that Thomas has no use whatsoever for "convictio" in a true understanding of the nature of faith.

> Rightly, therefore, recent Protestant exegesis has arrived at a different interpretation. (§7)

And now follows what Pope Benedict would regard as the proper consensus between modern biblical scholarship and the traditional Catholic interpretation of Hebrews 11:1:

> Faith is not merely a personal reaching out towards things to come that are still totally absent: [*faith*] *gives us something. It gives us even now something of the reality we are waiting for, and this present reality constitutes for us a 'proof' of the things that are still unseen*. Faith draws the future into the present, so that it is no longer simply a 'not yet'. The fact that this future exists changes the present; the present is touched by the future reality, and thus the things of the future spill over into those of the present and those of the present into those of the future. (§7; my emphasis)[12]

[12] Martin Luther dismisses the interpretation of "*argumentum/elenchos*" as "proof"—that is, as interior proof—in consequence of his prior, deeper, and theologically more detrimental rejection of faith as a supernatural, infused habit of sanctifying grace. Without presupposing such an infused habit, however, Luther must necessarily take the "proof" to be a merely external phenomenon of homiletical proclamation and theological discourse. On such an assumption, Luther, of course, has a hard time understanding how Adam or Abel could have ever been believers. And so it does not come as a surprise that Luther "could not be pleased" with the interpretation of "*argumentum/elenchos*" as "proof." What is, however, surprising is the ease with which Luther affords the omission of considering to any degree the arguments of the rejected tradition of interpretation, let alone of representing it correctly: "Here, however, they want 'argument' to be the 'proof,' the 'demonstration,' and, in general, what in dialectics is called the argument, so that there is some sure knowledge that certain things, that is, 'things invisible,' exist, namely, because this is how the patriarchs and other saints believed. This view does not please me, not only because from this opinion it would follow that Adam and Abel did not have faith—for, since they were the first believers, their faith was not certain for the reason that others had believed this way, but especially because it seems to be self-contradictory. For this way faith would be nothing else than one person's credulity of another person; and thus the apostle would be speaking not of the faith of all but only about a persuasion, and the proof would be passive, not active." *Luther's Works*, ed. Jaroslav Pelikan and Walter A. Hansen, vol. 29: *Lectures on Titus, Philemon, and Hebrews* (St. Louis: Concordia, 1968), 229; cf. WA 57–53, 226–27. Drawing exclusively on the homilies of Chrysostom on Hebrews and appealing to one reference in Lombard's *Sentences*, Luther regards faith as an internal, natural, though surely "given" operation of the believing subject, a "clinging to the Word of God," (*Luther's Works*, vol. 29, 230) ("adhaesio verbi Dei," from which follows the "possessio verbi Dei id est aeternorum bonorum" [WA 57–53, 228]). The attempt to regard faith as a human operation given by God, but without God's antecedent gift of internal illumination and the correlative infused habit of faith, leads to notorious ambiguities, insuperable difficulties, and hence interminable

Arising from the principles of new life itself, the light of faith communicates this inchoate reality to the intellect to such a degree that the human will, presented with the surpassing good of this new life, commands the intellect to assent to this donation of the light of faith as a surpassing truth that renders certain things that are not apparent. Hence faith constitutes a stable disposition of the person—supernaturally given, not naturally acquired. This is the objective *internal* principle of faith. Human beings, however, are not angels. That is, human beings are essentially embodied and thus subject to the conditions of the material universe (space and time) and the respective intellectual configurations of such conditions: language, culture (family and society), and history. Integral to such a configuration is that truth can only be received, that is, understood, as well as communicated by way of propositions—irrespective of their narrative or discursive instantiation. Hence, in the case of human beings, the inner light of faith cannot deliver the truth without a corresponding external catechesis—the one as objective as the other—a linguistically configured and propositionally structured "form of teaching" by way of which the things hoped for are received as well as passed on. This indispensable external catechetical side of the faith is not simply a speculative theological stipulation based on the composite nature of the human being. It is, on the contrary, central to the apostle Paul's understanding of faith, although modern exegesis has largely neglected, or at least gravely underrated, it—arguably a result of the consistent subjectivization of faith in liberal Protestantism, the seedbed of modern Pauline exegesis.

*Faith as Assent: The Corresponding Objective External "Form of Teaching" (*typos didache*) (Rom 6:17)*

In a nutshell, the "form of teaching" (*typos didaches*) is Paul's answer to the question of how we receive and pass on what in the Letter to the Hebrews is called the substance of things hoped for. In the Letter to the Romans the new life of grace holds an exceedingly prominent place, for it constitutes the proximate terminus of the Christian existence: a life under a new obedience that begins in and with baptism. Becoming truly free is identical to being committed to the true Lord of the universe. This

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disagreements about the nature of faith in Protestant theology. For while faith is circumscribed by way of many illustrative and well known metaphors, the nature of faith itself remains notoriously elusive. For a penetrating analysis of this problem at the very heart of the Protestant theology of justification by faith alone, see John Henry Newman's *Lectures on the Doctrine of Justification* from 1838, 3rd ed. (New York: Scribner, Welford, and Armstrong, 1874).

is what Paul has to say about the life of those who have been "buried . . . with [Christ] by baptism into death, so that as Christ was raised from the dead by the glory of the Father, we too might walk in newness of life" (Rom 6:4, RSV):

> What then? Are we to sin because we are not under law but under grace? By no means! Do you not know that if you yield yourselves to any one as obedient slaves, you are slaves of the one whom you obey, either of sin, which leads to death, or of obedience, which leads to righteousness? But thanks be to God, that you who were once slaves of sin have become obedient from the heart to the *standard of teaching* to which you were committed, and, having been set free from sin, have become slaves of righteousness." (Rom 6:15–19; my emphasis)

What is this "standard" or "form of teaching" (in Greek *typos didaches*, and in the Vulgate *forma doctrinae*) to which the Roman Christians "were committed," or, in some way more clearly, to which they "were given over"?

In order to offer at least the sketch of an answer to this complex question, I shall array three voices of the Catholic tradition of Biblical interpretation that give witness to a remarkable consonance of understanding. The most recent one is that of Heinrich Schlier, an eminent German New Testament scholar, who in the period right after World War II was one of Germany's most famous Lutheran converts to the Roman Catholic Church. In his commentary on the Letter to the Romans, he interprets *typos didaches* the following way:

> *Typos* is "form" or "shape," *typos didaches* is the form of teaching in the sense of a doctrine present in a specific form, resonating perhaps with the fact that a *typos* represents a pattern or model. Concretely, one might imagine the *didache* in the form of a baptismal symbol or even as a catechetical formulation of doctrine in transmitted traditions. (cf. 1 Cor 11:23; 15:1ff)[13]

Schlier's interpretation resonates in remarkable ways with the reading put forth 1600 years earlier by the Cappadocian bishop and theologian Basil the Great. In his treatise *On the Holy Spirit* from the year A.D. 375, Basil takes both the baptismal event and the baptismal doctrine to be related with regard to the *typos didaches*:

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[13] Heinrich Schlier, *Der Römerbrief* (Herders theologischer Kommentar zum Neuen Testament, vol. 6), 2nd ed. (Freiburg/Basel/Wien: Herder, 1979), 209 (my translation).

> What makes us Christians? Faith, one says. How are we saved? Obviously through being born again in the grace of baptism. For how else? After we have seen that this, our salvation, is effected through the Father and the Son and the Holy Spirit, will we betray what we have received as the "form of teaching" (Rom 6:17)? . . . Those who do not perpetually adhere to the confession we made at our initiation, when we came over from idols to the living God (cf. 1 Thess 1:9), and do not cling to it their entire lives as to a secure shelter—they will exclude themselves from God's promises (cf. Eph 2:12) by setting themselves in opposition to that which they personally signed when they made the confession of faith.[14]

Let us finally turn to Thomas's *Lectures on Romans*, which date most likely from the last years of his life, 1272–73, years he spent in Naples. He understands "the form of teaching to which you were committed" as being "given over" by God to the *doctrina catholicae fidei*, the teaching of the Catholic faith. Aquinas connects this "form of teaching" (in Latin *forma doctrinae*) with 2 Timothy 1:13: "Follow the pattern [the *forma*] of the sound words which you have heard from me."[15] To this *forma doctrinae* the catechumens were given over and to this they committed themselves completely. In Thomas's interpretation, the interior baptismal equivalent to the exterior event of being given over or committed to the *forma doctrinae*, the *doctrina catholicae fidei*, is what Basil describes as the *paradosis*, the handing over of Father, Son, and Holy Spirit to the baptized person such that the Holy Trinity indwells the person who in baptism has received sanctifying grace.[16]

It is not accidental that we concluded this all too brief exegetical excursus on Paul's "form of teaching" with Thomas Aquinas. For accord-

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[14] Basil the Great of Caesarea, *De Spiritu Sancto/Vom Heiligen Geist*, trans. and intro. by Hermann Josef Sieben, S.J., Fontes Christiani, vol. 12 (Freiburg/Basel/Vienna: Herder, 1993), 147–49; English translation: *On the Holy Spirit*, trans. David Anderson (Crestwood, NY: St. Vladimir's Seminary Press, 1980), 46f.

[15] "[*I*]*n eam formam doctrinae*, idest in doctrinam catholicae fidei (*Formam habens sanorum verborum quae a me audisti* [2 Tim 1:13]), *in quam traditi estis*, id est, cui vos totaliter subdidistis (*Semetipsos dederunt primum Deo, deinde nobis per voluntatem Dei* [2 Cor 8])." Aquinas, *Epistula. ad Romanos*, c. VI, l. III, in *S. Thomae Aquinatis in omnes S. Pauli Apostoli epistolas commentaria*, vol. 1 (Turin: Marietti, 1929), 89.

[16] *ST* I, q. 43, a. 3 and esp. a. 5: "The whole Trinity dwells in the mind by sanctifying grace, according to Job xiv. 23: *We will come to him, and will make Our abode with him*." And *ST* III, q. 69, a. 4: "As Augustine says in the book on Infant Baptism (*De Pecc. Merit. et Remiss.* i), *the effect of Baptism is that the baptized are incorporated in Christ as His members.* Now the fullness of grace and virtues flows from Christ the Head to all His members, according to John i. 16: *Of His fulness we all have received*. Hence it is clear that man receives grace and virtues in Baptism."

ing to Thomas, faith as the supernatural, infused *inchoatio* of eternal life, and fidelity to the Church's teaching are nothing but two sides of the same coin. One of the most instructive commentaries on the inherent correlation between these two aspects of faith, *inchoatio vitae aeternae* as well as fidelity, can be found in Thomas's discussion of the object of faith in *ST* II–II, q. 1. Here, in the course of a single question, Thomas moves from considering in the first article the contemplation of the First Truth, God, to considering in the tenth article "Whether it belongs to the Sovereign Pontiff to draw up a symbol of faith?" We do not go wrong in assuming that Thomas suggests a profound interrelationship between the first and the tenth article. Christians are given over to the First Truth by way of the *forma doctrinae*, the standard of teaching, and the infused *inchoatio* of eternal life, faith, takes its concrete form as an act of fidelity, a deep commitment (*obsequium religiosum*) to the Church's teaching, to the *doctrina catholicae fidei*. Consider the opening section of the response from *ST* II–II, q. 1, a. 9:

> As the Apostle says (Heb. xi. 6), he that cometh to God, must believe that He is. Now a man cannot believe, unless the truth be proposed to him that he may believe it. Hence the need for the truth of faith to be collected together, so that it might the more easily be proposed to all, lest anyone might stray from the truth through ignorance of the faith.[17]

Hence, faith is *not* what it came to be in the wake of liberal Protestantism and a Catholic modernism eager to adopt such a notion, that is, faith as an existential, pre-conceptual act of trust, primordially and ineffably enacted in the depths of the religious subject and only subsequently expressed and confessed in community and in categories and expressions relative to the age, culture, and society in which they are made.[18] It is

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[17] *ST* II–II, q. 1, a. 9: "[S]icut Apostolus dicit, *ad Heb.* 11, [6], *accedentem ad Deum oportet credere*. Credere autem non potest aliquis nisi ei veritas quam credat proponatur. Et ideo necessarium fuit veritatem fidei in unum colligi, ut facilius posset omnibus proponi, ne aliquis per ignorantiam a fidei veritate deficeret."

[18] George Lindbeck's widely accepted descriptor "experiential-expressivist" encapsulates still the most apt characterization of an understanding of faith that liberal Protestantism and Catholic modernism share. See George A. Lindbeck, *The Nature of Doctrine: Religion and Theology in a Postliberal Age*, 25th Anniversary Edition with a New Introduction by Bruce D. Marshall and a New Afterword by the Author (Louisville: Westminster/John Knox, 2009), 17f. To be perfectly clear, the understanding of faith and religion largely shared by liberal Protestantism and Catholic modernism is not the understanding of faith held and defended by Luther and the subsequent generations of "Protestant orthodoxy." However, because of the notoriously elusive nature of faith that plagued

most likely in order to undercut from the outset this prevalent misunderstanding of faith in Paul that Pope Benedict turns to the Letter to the Hebrews before he turns to the apostle Paul. And by attending to an all too often neglected but crucial concept in Romans 6:17, we can better appreciate the profound consonance between faith as a supernatural, infused *habitus*, that is, as the objective *internal* principle or substance of the things hoped for, and the corresponding faith as assent to the *external* "form of teaching" in Paul.[19] To administer Thomist conceptuality, the instrumental cause by way of which the intellect assents to what is to become a firm disposition of the human spirit, is nothing other than the "form of teaching" to which the faithful are given over, the apostolic *paradosis* as received in the Church's symbols.[20] Hence the substance of things hoped for is only to be had, is only accessible, in and through the

Lutheran theology from early on (not to mention Luther's strong embrace of "convictio" as the key to understanding faith), matters changed drastically with the modern turn to the subject in matters of religion, a turn that arguably was facilitated by Luther's erroneous elevation—in matters of central truths of the Christian faith—of private judgment to prophetic judgment. Just consider the following telling remark of Luther's in his *1535 Lectures on Galatians*: "[I]t is the gift of prophecy and our own effort, together with inward and outward trials, that opens to us the meaning of Paul and of all the Scriptures." *Luther's Works*, ed. Jaroslav Pelikan and Walter A. Hansen, vol. 26: *Lectures on Galatians 1535, Chapters 1–4* (St. Louis: Concordia, 1963), 418. "Ideo donum prophetiae et studium nostrum una cum tentationibus internis et externis aperiunt nobis sensum Pauli et omnium scripturarum" (WA 40/I, 634). Based on what he regarded as an extraordinary, gratuitously granted fundamental insight or discovery, Luther claimed this gift of prophetic judgment for himself (and consequently also the entailed quasi-magisterial authority of advancing the true meaning of "Paul and all Scriptures"); however, the consequence of passing private judgment off as prophetic judgment was that every reader and hence interpreter of the Scriptures could with equally good reason claim for him- or herself what Luther should never have claimed for himself in the first place.

[19] We must understand such a "symphonic" canonical reading of two distinct New Testament witnesses as the proper theological way of grasping the inner coherence of the apostolic *paradosis* across the New Testament, even and especially if instantiated in differing and even heterogeneous worlds of thought. On this important topic of theological exegesis and hermeneutics of Scripture, I took guidance from Joseph Ratzinger/Benedict XVI, *Jesus von Nazareth* (Freiburg: Herder, 2007), 15–20, as well as Joseph Cardinal Ratzinger, "Biblical Interpretation in Crisis," in *God's Word: Scripture—Tradition—Office* (San Francisco: Ignatius Press, 2008), 91–126.

[20] *ST* II–II, q. 1, a. 7: "The articles of faith stand in the same relation to the doctrine of faith as self-evident principles to a teaching based on natural reason." "[I]ta se habent in doctrina fidei articuli fidei sicut principia per se nota in doctrina quae per rationem naturalem habetur."

Church's living faith,[21] which passes on publicly—for all to hear and to have—the "form of teaching," the *typos didaches*, to which one needs to be given over in baptism in order to receive in turn this new substance inwardly, the principle of the new life (the *inchoatio vitae aeternae*) that gives rise to the light of faith, an inner illumination which is the source of that certitude to which the intellect has to assent.[22]

Hope

Its Foundation and Fulfillment in Christ

Having considered the objective internal, as well as the objective external, aspect of faith, we need to turn to one other aspect that marks the objective sense of the substance of things hoped for. For nowhere else but in baptism, as the apostle Paul explicitly stresses in Romans 6, does our future in Christ break into our lives, and "according to the substance—there are already present in us the things that are hoped for: the whole true life" (*Spe Salvi*, §7). As already observed above, *Spe Salvi* clearly echoes Thomas, who holds that through faith, being a theological virtue and as such an infused, supernatural *habitus mentis*, eternal life has begun in us.[23] This *inchoatio* of the eternal life, however, has a distinct christoform configuration:

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[21] *ST* II–II, q. 1, a. 9, ad 3: "The confession of faith is drawn up in a symbol, in the person, as it were, of the whole Church, which is united together by faith. Now the faith of the Church is living faith; since such is the faith to be found in all those who are of the Church not only outwardly but also by merit. Hence the confession of faith is expressed in a symbol, in a manner that is in keeping with living faith, so that even if some of the faithful lack living faith, they should endeavor to acquire it." "[C]onfessio fidei traditur in symbolo quasi ex persona totius Ecclesiae, quae per fidem unitur. Fides autem Ecclesiae est fides formata: talis enim fides invenitur in omnibus illis qui sunt numero et merito de Ecclesia. Et ideo confessio fidei in symbolo traditur secundum quod convenit fidei formatae: ut etiam si qui fideles fidem formatam non habent, ad hanc formam pertingere studeant."

[22] The present discussion of faith should not obscure the fact that—because faith is a participation in the divine Truth—the proper object of faith is God. This is what makes faith "theological faith" in the precise sense of the term: "The virtue of faith is an infused *habitus* that enables the human person to attain the transcendent God who is the First Truth." Romanus Cessario, O.P., *Christian Faith & the Theological Life* (Washington, D.C.: The Catholic University of America Press, 1996), 57. Thomas puts the matter very curtly in his *Commentary on Romans*: "Credere autem Deum demonstrat fidei materiam, secundum quod est virtus theologica, habens Deum pro objecto." *In ep. ad Rom.*, c. IV, l.1, p. 58 (Marietti). On this complex topic, see the classical essay by Marie-Michel Labourdette, O.P., "La vie théologale selon saint Thomas: L'object de la foi," *Revue Thomiste* 58 (1958): 597–622.

[23] *ST* II–II, q. 4, a. 1.

> We were buried therefore with [Christ] by baptism into death, so that as Christ was raised from the dead by the glory of God the Father, we too might walk in newness of life. . . . So you also must consider yourselves dead to sin and alive to God in Christ Jesus. (Rom 6:4, 11)

And this whole true life present in the Christian is nothing but the life of Christ himself, or as Paul puts it in Colossians 1:27, "Christ in you, the hope of glory." *Christ himself, in us, is the real, objective foundation of hope*. And again the trajectory of Paul's fundamental insight leads us back to the Letter to the Hebrews where we hear a faint, but distinct echo: "We have this as a sure and steadfast anchor of the soul, a hope that enters into the inner shrine behind the curtain, where Jesus has gone as a forerunner on our behalf" (Heb 6:19–20a). Thomas offers the following commentary: "In Him Who is now veiled from our eyes he wants the anchor of our hope to be fixed."[24] The anchor of our hope can be fixed in Christ precisely because, in Pope Benedict's words, faith "gives us even now something of the reality we are waiting for and this present reality constitutes for us a 'proof' of the things that are still unseen" (§7). Hope is stretched out between the fulfillment still veiled, on the one side, and on the other side, the very substance of the things hoped for, already infused in us as a new reality in an embryonic state, the *inchoatio vitae aeternae*. Hence the supernatural, infused habit of faith precedes and gives rise to supernatural hope, as Thomas argues in *ST* II–II, q. 17, a. 7:

> Absolutely speaking, faith precedes hope. For the object of hope is a future good, arduous but possible to obtain. In order, therefore, that we may hope, it is necessary for this object of hope to be proposed to us as possible. Now the object of hope is, in one way, eternal happiness, and, in another way, the Divine assistance . . . and both of these are proposed to us by faith, whereby we come to know that we are able to obtain eternal life, and that for this purpose the Divine assistance is ready for us, according to Hebrews xi. 6: *He that cometh to God, must believe that He is, and is a rewarder to them that seek Him*. Therefore it is evident that faith precedes hope.[25]

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[24] Thomas Aquinas, *Commentary on the Epistle to the Hebrews*, c. 6, lect. 4, 139. "In illo ergo vult quod figatur anchora spei nostrae, qui est modo velatus ab oculis nostris" (Marietti, 359).

[25] *ST* II–II, q. 17, a. 7: "[F]ides absolute praecedit spem. Obiectum enim spei est bonum futurum arduum possibile haberi. Ad hoc ergo quod aliquis speret, requiritur quod obiectum spei proponatur ei ut possibile. Sed obiectum spei est uno modo beatitudo aeterna, et alio modo divinum auxilium. . . . Et utrumque eorum proponitur nobis per fidem, per quam nobis innotescit quod ad vitam aeternam possumus pervenire, et quod ad hoc paratum est nobis divinum auxilium: secundum illud

Its Nature and Structure

Having considered the foundation and fulfillment of hope in Christ, we need to turn to the unique inner structure of this hope. In order to begin such a consideration we shall again take our basic orientation from Paul, this time from his presentation of the proto-type of faith-based hope in Romans 4. Let us turn directly to the section of greatest relevance for us:

> In hope he believed against hope, that he should become the father of many nations; as he had been told "so shall your descendants be." He did not weaken in faith when he considered his own body, which was as good as dead because he was about a hundred years old, or when he considered the barrenness of Sarah's womb. No distrust made him waver concerning the promise of God, but he grew strong in his faith as he gave glory to God, fully convinced that God was able to do what he had promised. (Rom 4:18–21)

We immediately perceive the profound inner connection between faith and hope in this passage. God's promise to Abraham constitutes the new substance of the things hoped for, an embryonic reality in him which is his faith. It is for this reason that "in hope he believed against hope." Paul is not waxing paradoxically at this point. For the two occurrences of the word "hope" in this sentence (παρ᾽ ελπίδα ἐπ᾽ ελπίδι) have two different meanings and the difference between these meanings discloses the very nature and structure of Christian hope in contrast to what we might want to call "ordinary hope."[26] For the hope against which Abraham believes in hope is the kind of ordinary hope we can find in all human beings to a smaller or larger degree.[27]

Heb. 11, [6]: *Accedentem ad Deum oportet credere quia est, et quia inquirentibus se remunerator est*. Unde manifestum est quod fides praecedit spem."

[26] Thomas Aquinas, in his *Commentary on Romans*, is quite explicit about the contrast between Christian hope and ordinary hope: "[S]pes importat certam expectationem boni futuri, quae quidem certitudo est quandoque ex causa humana sive naturali, secundum illud I. Cor. ix: *Debet in spe, qui arat, arare*: quandoque vero certitudo expectantis est ex causa divina, secundum illud Ps. xxx: *In te, Domine, speravi,* etc. Hoc ergo bonum quod Abraham fieret pater multarum gentium, certitudinem habebat ex parte Dei promittentis; sed contrarium apparebat ex causa naturali sive humana. Ideo dicit: Qui contra spem causae naturalis vel humanae, credidit in spem, scilicet divinae promissionis." *In ep. ad Rom*., c. iv, 1.3, pp. 64f. (Marietti).

[27] Chrysostom, in his commentary *In epistulam ad Romanos* shares this interpretation: "πῶς παρ᾽ ἐλπίδι ἐπ᾽ ἐλπίδα ἐπίστευσε; παρ᾽ ἐλπίδα τὴν ἀνθρωπίνην, ἐπ᾽ ἐλπίδι τῇ τοῦ Θεοῦ." (I am indebted to Nathan Eubank for bringing to my attention this important passage in Chrysostom's commentary.)

In order to differentiate between Christian hope and ordinary human hope, as well as to correlate the two kinds of hope, Pope Benedict draws upon conceptual resources developed most thoroughly by Aquinas. For Thomas distinguishes clearly between (1) the passion of hope, (2) those virtues that are correlative to the passion of hope—humility and magnanimity, and (3) the supernatural, infused virtue of hope, that is, Christian hope proper.[28]

1. *The passion of hope*. Passions are instinctive drives, or in Thomas's terminology, "acts of the sensitive appetite" that originate in the body and pertain to the soul "per accidens," that is, insofar as the soul is united with the body. The passion of hope is most essential for human life, for

> hope is a movement of the appetitive power ensuing from the apprehension of a future good, difficult but possible to obtain; namely, a stretching forth of the appetite to such a good.[29]

The strength of the movement of this appetitive power is proportionate to our present capacities, as well as to the nature of the good we aim to attain. Such hope is common and indeed indispensible to the human condition. Hope moves us constantly toward all kinds of arduous goods not yet attained. In light of the realization by the human mind that a desirable good, difficult to obtain, is in principle in reach and with persistence and effort of will can be attained, hope moves us toward this good. Hence by way of the anticipation of the good and the subsequent determination of the will toward it, as well

[28] On the complex topic of hope in Aquinas's philosophical and theological thought, see Josef Pieper, *Über die Hoffnung* (Leipzig: Hegner, 1938); English edition: *On Hope*, trans. Mary Frances McCarthy (San Francisco: Ignatius, 1986); Servais Pinckaers, O.P., "La nature vertueuse de l'espérance," *Revue Thomiste* 58 (1958): 405–42, 623–44; Marie-Michel Labourdette, O.P., *Cours de théologie morale*, vol. 9: *L'espérance* (*Thomas d'Aquin: Somme théologique II–II,* qq. 17–22) (Toulouse, 1959–1960); Ch.-A. Bernard, S.J., *Théologie de l'espérance selon saint Thomas d'Aquin* (Paris: J.Vrin, 1961); Albert Fries, C.S.S.R., "Hoffnung und Heilsgewißheit bei Thomas von Aquin," *Studia Moralia VII: Contributiones ad problema spei* (Rome: Desclée & Socii, 1969), 131–236; Eberhard Schockenhoff, *Bonum hominis: Die anthropologischen und theologischen Grundlagen des Tugendbegriffs bei Thomas von Aquin* (Mainz: Grünewald, 1987), 286–351, 418–75; Bernard Schumacher, *A Philosophy of Hope: Josef Pieper and the Contemporary Debate on Hope*, trans. D. C. Schindler (New York: Fordham University Press, 2003).

[29] *ST* I–II, q. 40, a. 2: "[S]pes est motus appetitivae virtutis consequens apprehensionem boni futuri ardui possibilis adipisci, scilicet extensio appetitus in huiusmodi obiectum."

as the appetitive movement toward it, our mind already participates in the good to be attained, whence arises confidence and a certain pleasure.[30] Remember, this is the kind of ordinary hope *against* which Abraham believed in hope. For such an ordinary hope arises solely from our specific capacities, skills, faculties, as well as experiences, and is consequently also limited by them.[31]

2. *The virtues correlative to the passion of hope: humility and magnanimity*. Remember, the object of the passion of hope is "a future good, difficult but possible to obtain," and the passion of hope "a movement of the appetitive power," "a stretching forth of the appetite to such a good."[32] Thomas characterizes this appetite as "irascible" (in contradistinction to a "concupiscible appetite"), because the former is directed to all kinds of goods that are hard to obtain and the obtaining of which might involve the overcoming of difficult obstacles. For the irascible appetite to be rightly governed by reason, namely, to be aiming at attaining the just mean, it must be informed by two specific moral virtues. Humility (rooted in the cardinal virtue of temperance) moderates the passion of hope and thus assists it in acting in conformity with the dictates of reason. Magnanimity (rooted in the cardinal virtue of courage) strengthens the passion of hope and directs attention to the subject of the moral act by aiming at the accomplishment of great deeds, as well as at the requisite honors that accompany the attainment of greatness.[33] Because of the central and sustaining role that magnanimity plays in governing the

[30] Pertaining to the confidence to which such hope gives rise, see *ST* I–II, q. 40, a. 2, ad 2: "When a man desires a thing and reckons that he can get it, he believes that he will get it; and from this belief which proceeds in the cognitive power, the ensuing movement in the appetite is called confidence." "[I]llud quod homo desiderat, et aestimat se posse adipisci, credit se adepturum: et ex tali fide in cognitiva praecedente, motus sequens in appetitu fiducia nominatur." Pertaining to the pleasure such hope gives, see *ST* I–II, q. 32, a. 3: "[Q]uia maior est coniunctio secundum rem quam secundum similitudinem, quae est coniunctio cognitionis; itemque maior est coniunctio rei in actu quam in potentia: ideo maxima est delectatio quae fit per sensum, qui requirit praesentiam rei sensibilis. Secundum autem gradum tenet delectatio spei, in qua non solum est delectabilis coniunctio secundum apprehensionem, set etiam secundum facultatem vel potestatem adipiscendi bonum quod delectat. Tertium autem gradum tenet delectatio memoriae, quae habet solam coniunctionem apprehensionis." In contradistinction to the passion of hope, which gives rise to pleasure, the theological virtue of hope gives rise to joy—"rejoicing in hope" (Rom 12:12).

[31] *ST* I–II, q. 40, a. 5.

[32] *ST* I–II, q. 40, a. 2.

[33] *ST* II–II, q. 129, a. 1.

passion of hope, some interpreters of Aquinas have understood, with good reason, the natural virtue of magnanimity as the natural virtue of hope.[34] If indeed the passion of hope is intrinsic to human nature, there must be a proximate virtue that perfects human agency insofar as it is informed by the passion of hope. It is therefore precisely in regard to magnanimity as the quasi-natural virtue of hope that Thomas characterizes the distinctive feature of the theological virtue of hope. A theological virtue has God for its object[35] and theological hope therefore tends toward an arduous good "in reference to God as the last end, or as the first efficient cause."[36] About the natural virtue of magnanimity, in contrast, Thomas states:

> Magnanimity tends to something arduous in the hope of obtaining something that is within one's power, wherefore its proper object is the doing of great things. On the other hand, hope, as a theological virtue, regards something arduous, to be obtained by another's help.[37]

3. *The supernatural, infused virtue of hope.* A good that completely transcends human faculties and experiences can never become the object of the appetitive power of hope. For such a good must first be communicated by the First Truth Himself, as the apostle Paul emphasizes in 1 Corinthians 2:9–10: "What no eye has seen, nor ear heard, nor the heart of man conceived, what God has prepared for those

[34] See R.-A. Gauthier, O.P., *Magnanimité: L'idéal de la grandeur dans la philosophie païenne et dans la théologie chrétienne* (Paris: J. Vrin, 1951), esp. 295–371. The text of Aquinas most centrally in support of understanding magnanimity as the natural virtue of hope is *In Sent.* III, d. 26, q. 2, a. 2, ad 4: "Sed tamen magnanimitas non est idem quod spes virtus; quia est circa arduum quod consistit in rebus humanis, non circa arduum quod est deus; *unde non est virtus theologica, sed moralis, participans aliquid a spe*" (my emphasis).

[35] *ST* I–II, q. 62, a. 1.

[36] *ST* II–II, q. 17, a. 5, ad 1: "in ordine ad Deum sicut ad ultimum finem et sicut ad primam causam efficientem."

[37] *ST* II–II, q. 17, a. 5, ad 4: "[M]agnanimitas tendit in arduum sperans aliquid quod est suae potestatis. Unde proprie respicit operationem aliquorum magnorum. Sed spes, secundum quod est virtus theologica, respicit arduum alterius auxilio assequendum." See also *ST* II–II, q. 1, a. 3, ad 1: "Nevertheless neither can anything false come under hope, for a man hopes to obtain eternal life, not by his own power (since this would be an act of presumption), but with the help of grace; and if he perseveres therein he will obtain eternal life surely and infallibly." "Et tamen neque etiam spei subest falsum. Non enim aliquis sperat se habiturum vitam aeternam secundum propriam potestatem (hoc enim est praesumptionis), sed secundum auxilium gratiae: in qua si perseveraverit, omnino infallibiliter vitam aeternam consequetur."

who love him, God has revealed to us through the Spirit." The great hope against hope now, in which Abraham believed, is essentially a hope that arises from believing in the God who, as Paul so emphatically proclaims, "gives life to the dead and calls into existence the things that do not exist" (Rom 4:17). Christian hope is nothing other than the most perfect instantiation of this Abrahamic hope. This hope is a virtue and not simply a passion, for "the virtue of a thing is that which makes its subject good, and its work good likewise."[38] Every human act that attains its due rule, reason, or, surpassingly, God, is good. But the act of hope that is now considered does precisely this, it attains God:

> [I]nsofar as we hope for anything as being possible to us by means of the Divine assistance, our hope attains God Himself, on Whose help it leans. It is therefore evident that hope is a virtue, since it causes a human act to be good and to attain its due rule.[39]

This virtue is a supernatural, infused virtue, because the *habitus* of this virtue flows from grace alone.[40] For not only is the attaining of the arduous good to which Christian hope is directed completely dependent upon God's initiating, accompanying, and completing causality (or agency). Rather, the arduous good is nothing short of eternal beatitude,[41] that is, the eternal union with God's own life of triune love, or as Pope Benedict puts it, "the supreme moment of satisfaction, in which totality embraces us and we embrace totality. . . . It would be

[38] *ST* II–II, q. 17, a. 1: "Virtus uniuscuiusque rei est quae bonum facit habentem et opus eius bonum reddit." (Thomas cites the definition of a virtue offered by Aristotle in the *Nicomachean Ethics*, 1106a15.)

[39] *ST* II–II, q. 17, a. 1: "Inquantum . . . speramus aliquid ut possibile nobis per divinum auxilium, spes nostra attingit ad ipsum Deum, cuius auxilio innititur. Et ideo patet quod spes est virtus: cum faciat actum hominis bonum et debitam regulam attingentem."

[40] *ST* II–II, q. 17, a. 1, ad 2: "Ipse autem habitus spei, per quam aliquis expectat beatitudinem, non causatur ex meritis, sed pure ex gratia."

[41] *ST* II–II, q. 17, a. 2: "[T]he hope of which we speak now, attains God by leaning on His help in order to obtain the hoped for good. . . . Such a good is eternal life, which consists in the enjoyment of God Himself. For we should hope from Him nothing less than Himself, since His goodness, whereby He imparts good things to His creatures, is no less than His Essence. Therefore the proper and principal object of hope is eternal happiness." "[S]pes de qua loquimur attingit Deum innitens eius auxilio ad consequendum bonum speratum. . . . Hoc autem bonum est vita aeterna, quae in fruitione ipsius Dei consistit: non enim minus aliquid ab eo sperandum est quam sit ipse, cum non sit minor eius bonitas, per quam bona creaturae communicat, quam eius essentia. Et ideo proprium et principale obiectum spei est beatitudo aeterna."

like plunging into the ocean of infinite love, a moment in which time . . . no longer exists" (§12). Such an exceedingly extravagant and wild hope infinitely transcends the kinds of ordinary hopes we usually entertain on a daily basis:

> Eternal happiness does not enter into the heart of man perfectly, i.e., so that it be possible for a wayfarer to know its nature and quality; yet, under the general notion of the perfect good, it is possible for it to be apprehended by a man, and it is in this way that the movement of hope towards it arises. Hence the Apostle says pointedly (Heb. vi. 19) that hope *enters in, even within the veil*, because that which we hope for is as yet veiled, so to speak.[42]

Hence such a hope could not be entertained without it profoundly impacting all other ordinary hopes. And it must have such an effect, for without this hope our ordinary hopes would simply constitute the horizon of our hoping and thus squelch the great hope and consequently—and detrimentally—have Christian prayer be fueled by our ordinary hopes. But, as Thomas rightly insists against the dominant *Zeitgeist* to which not a few Catholics in the Western world have succumbed, it is solely the great hope that is to govern Christian prayer:

> We ought not to pray God for any other goods, except in reference to eternal happiness. Hence hope regards eternal happiness chiefly, and other things, for which we pray God, it regards secondarily and as referred to eternal happiness.[43]

Like Abraham, Christians, in entertaining the great hope, believe—at least initially—against these ordinary hopes. For the arduous goods to which the passion of hope is directed tend to be sensible goods. The arduous good to which the theological virtue of hope tends is, on the

[42] *ST* II–II, q. 17, a. 2, ad 1: "[B]eatitudo aeterna perfecte quidem in cor hominis non ascendit, ut scilicet cognosci possit ab homine viatore quae et qualis sit: sed secundum communem rationem, scilicet boni perfecti, cadere potest in apprehensione hominis. Et hoc modo motus spei in ipsam consurgit. Unde et signanter Apostolus dicit quod spes incedit *usque ad interiora velaminis*: quia id quod speramus est nobis adhuc velatum."

[43] *ST* II–II, q. 17, a. 2, ad 2: "[Q]aecumque alia bona non debemus a Deo petere nisi in ordine ad beatitudinem aeternam. Unde et spes principaliter quidem respicit beatitudinem aeternam; alia vero quae petuntur a Deo respicit secundario, in ordine ad beatitudinem aeternam." It is not at all accidental that in the second, incomplete part, *De spe*, of Thomas's *Compendium theologiae*, prayer—and first and foremost the Lord's Prayer—figures prominently in relationship to the theological virtue of hope. Consider the heading of chapter 3: "Quod conveniens fuit ad consummationem spei, ut nobis forma orandi traderetur a Christo."

contrary, an essentially superintelligible good.[44] And much is at stake here, indeed. For not only is the great hope always a pure gift from above, but when this hope is genuinely embraced, it takes root in the Christian by becoming a firm disposition. And it is from this moment on that the relationship between the great hope and our small, ordinary hopes is able to change. For by becoming a firm disposition, the great hope is able eventually to perfect all our small, ordinary hopes:

> [W]e need the greater and lesser hopes that keep us going day by day. But these are not enough without the great hope, which must surpass everything else. This great hope can only be God, who encompasses the whole of reality and who can bestow upon us what we, by ourselves, cannot attain. The fact that it comes to us as a gift is actually part of hope. God is the foundation of hope: not any god, but the God who has a human face and who has loved us to the end, each one of us and humanity in its entirety. (*Spe Salvi*, §31)

The way Pope Benedict relates the ordinary human hopes to the great, transcendent hope echoes Thomas's famous axiom "gratia non tollit sed perficit naturam."[45] The great hope, having become a firm disposition in the believer, will eventually conform these ordinary hopes to itself, will make them moments of anticipation, always transparent to the great hope.[46] Again Paul gives us a profound description of such a conformation of hope to the great hope:

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[44] *ST* II–II, q. 18, a. 1, ad 1: "[I]rascibilis obiectum est arduum sensibile. Obiectum autem virtutis spei est arduum intelligibile; vel potius supra intellectum existens."

[45] *ST* I, q. 1, a. 8, ad 2: "Cum enim gratia non tollat naturam, sed perficiat, oportet quod naturalis ratio subserviat fidei; sicut et naturalis inclinatio voluntatis obsequitur caritati." *ST* I, q. 2, a. 2, ad 1: "[S]ic enim fides praesupponit cognitionem naturalem, sicut gratia naturam, et ut perfectio perfectibile." Already in 1963, in a contribution to a Festschrift for his mentor Gottlieb Söhngen, did Pope Benedict XVI treat this topic—from an explicitly Bonaventurian angle, but open to and in sympathy with the tenets of what he then called a non-reductive Thomism, that is, a Thomism still in contact with its Augustinian roots. See Josef Ratzinger, "Gratia praesupponit naturam," in *Dogma und Verkündigung* (München/Freiburg: Wewel, 1973), 161–81.

[46] In this regard, Thomas's all too brief, but very suggestive, remarks on the certainty of hope strike me as relevant for further consideration (*ST* II–II, q. 18, a. 4). Thomas would want to say that such conformation of our ordinary hopes to the great hope comes about first and foremost by way of the *infused* moral virtue of magnanimity. (On the infused moral virtues in distinction from the naturally acquired moral virtues, see Romanus Cessario, O.P., *The Moral Virtues and Theological Ethics* [Notre Dame: University of Notre Dame Press, 1991], 102–25.) Thomas distinguishes between two kinds of moral virtue, one kind being naturally acquired through our own efforts, the other being supernaturally acquired by way of infusion. Faith, hope, and love are the most central of these infused

> Through [Jesus Christ] we have obtained access to this grace in which we stand, and we rejoice in our hope of sharing in the glory of God. More than that, we rejoice in our sufferings, knowing that suffering produces endurance, and endurance produces character, and character produces hope, and hope does not disappoint us, because God's love has been poured out into our hearts through the Holy Spirit which has been given to us. (Rom 5:2–5)[47]

The link between the great hope and the ordinary hopes conformed to it is suffering, suffering for the sake of this great hope. And the hope that is born from suffering and produced by character does not disappoint us because it has its roots in the great hope of sharing in the glory of God. The "first installment" or "guarantee" (*arrabon/pignus*) of this hope is nothing other than the Holy Spirit, who is the love of God, dwelling in the hearts of the faithful (2 Cor 1:22).[48] Hence,

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virtues, because they direct the human being completely to God by way of sanctifying grace, which is a participation in the divine life itself. While absolutely necessary for any human act pertaining to salvation, the infused theological virtues do not suffice. For, as Michael S. Sherwin, O.P., rightly stresses, "just as in our natural life the principles orienting us toward our natural end depend on the acquired cardinal virtues with regard to the means to that end, so too in the life of grace. Although the theological virtues orient us toward God as our ultimate end, we require other infused virtues—the infused cardinal virtues—in order to act rightly with regard to the means to that end. The analogy, therefore, is as follows: natural principles are to the acquired cardinal virtues as the theological virtues are to the infused cardinal virtues." Sherwin, "Infused Virtue and the Effects of Acquired Vice: A Test Case for the Thomistic Theory of Infused Cardinal Virtues," *The Thomist* 73 (2009): 29–52; 39. The infused cardinal virtues (and by analogy those other moral virtues rooted in them, as, for example, magnanimity) pertain to those actions necessary for salvation. Hence it is the task of the infused moral virtue of magnanimity to conform the ordinary hopes to the great hope, that is, not to sustain these hopes against the great hope, but rather to enhance them toward and in perspective of the great hope.

47 For an illuminating commentary on this passage arising from the contemporary renaissance of Christian virtue ethics, see Stanley Hauerwas, "On Developing Hopeful Virtues," in *Christians Among the Virtues: Theological Conversations with Ancient and Modern Ethics*, by Stanley Hauerwas and Charles Pinches (Notre Dame: University of Notre Dame Press, 1997), 113–28.

48 Regarding this *arrabon/pignus*, Thomas invites us to consider two things, the substance itself, the Holy Spirit, indeed, the triune God who is eternal life, on the one hand, and on the other hand, the very mode in which we have it as *pignus* only such that it causes hope but remains in this life an imperfect way of having: "In pignore duo sunt consideranda, sc. quod faciat spem habendae rei, et quod valeat tantum, quantum valet res, vel plus, et haec duo sunt in Spiritu Sancto, quia si consideremus substantiam Spiritus Sancti, sic valet tantum Spiritus Sanctus quantum vita aeterna, quae est ipse Deus, quia sc. valet quantum omnes tres personae.

suffering in love for Christ's sake, that is, also for the sake of truth and justice, is the great conformer of all our everyday hopes to the one great hope. Pope Benedict puts it most succinctly:

> Certainly, in our many different sufferings and trials we always need the lesser and the greater hopes too—a kind visit, the healing of internal and external wounds, a favorable resolution of a crisis, and so on. In our lesser trials these kinds of hope may even be sufficient. But in truly great trials, where I must make a definitive decision to place the truth before my own welfare, career and possessions, I need the certitude of that true, great hope of which we have spoken here. . . . Let us say once again: the capacity to suffer for the sake of the truth is the measure of humanity. Yet this capacity to suffer depends on the type and extent of the hope that we bear within us and build upon. The saints were able to make the great journey of human existence in the way that Christ had done before them, because they were brimming with great hope. (§39)

Turning to the witness of a saint's life might therefore be the only apt way to offer a concrete narrative cap-stone to any theological discussion on faith and hope. As a matter of fact, Pope Benedict offers exactly such a narrative account, albeit not as a concluding cap-stone, but rather as the kind of cornerstone that is part of the very foundation on which the theological reflection comes to stand.[49]

In Hope She Believed Against Hope: Pope Benedict's Hopeful Pedagogy on Hope

For a powerful modern, almost contemporary example of the liberating and transformative effect of Christian hope, Pope Benedict narrates the

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Si vero consideretur modus habendi, sic facit spem, et non possessionem vitae aeternae, quia nondum perfecte habemus ipsum in vita ista. Et ideo non perfecte beati sumus, nisi quando perfecte habebimus in patria." *II Ad Corinthios*, c. I, l. 5, p. 425 (Marietti). Might one understand the created gift—sanctifying grace—of this *arrabon/pignus*, the indwelling of the Holy Spirit, as the interior objective reality of the proof, the *argumentum*, of things not seen? One could pursue this question by drawing upon Thomas's reflections on the *nova lex* in *ST* I–II, q. 106, a. 1: "Id autem quod est potissimum in lege novi testamenti, et in quo tota virtus eius consistit, est gratia Spiritus Sancti, quae datur per fidem Christi. Et ideo principaliter lex nova est ipsa gratia Spiritus Sancti, quae datur Christi fidelibus."

49 This move is indeed profoundly Bonaventurian in that holiness is the very foundation on which the edifice of any true theological reflection is to be erected. For a nuanced and enlightening discussion of this topic in Bonaventure, see Gregory LaNave, *Through Holiness to Wisdom: The Nature of Theology according to St. Bonaventure* (Rome: Istituto storico dei Cappuccini, 2005).

life story of the Sudanese former slave girl Josephine Bakhita, beatified by Pope John Paul II on May 17, 1992 and canonized by him on October 1, 2000. After many years of suffering humiliation and abuse at the hands of Sudanese slave masters and by a felicitous break in the seemingly endless cycle of being sold and bought and sold again, Josephine Bakhita ended up in Italy. There she encountered for the first time the good news of the living God, the God of Jesus Christ, and this good news was fundamentally life-changing for her. The encounter with the living God liberated her inwardly in a way that enabled her to take the bold step and refuse to return to Sudan. Instead she became a witness of Christ and eventually took the vows of a religious. Pope Benedict reads Josephine Bakhita's story as a salient reminder of what it means to encounter for the first time the love of the living God:

> She was known and loved and she was awaited. What is more, this master had himself accepted the destiny of being flogged and now he was waiting for her "at the Father's right hand". Now she had "hope" —no longer simply the modest hope of finding masters who would be less cruel, but the great hope: "I am definitively loved and whatever happens to me—I am awaited by this Love. And so my life is good." Through the knowledge of this hope she was "redeemed", no longer a slave, but a free child of God. She understood what Paul meant when he reminded the Ephesians that previously they were without hope and without God in the world—without hope because without God. Hence, when she was about to be taken back to Sudan, Bakhita refused; she did not wish to be separated again from her "Paron". On 9 January 1890, she was baptized and confirmed and received her first Holy Communion from the hands of the Patriarch of Venice. On 8 December 1896, in Verona, she took her vows in the Congregation of the Canossian Sisters and from that time onwards, besides her work in the sacristy and in the porter's lodge at the convent, she made several journeys round Italy in order to promote the missions: the liberation that she had received through her encounter with the God of Jesus Christ, she felt she had to extend, it had to be handed on to others, to the greatest possible number of people. The hope born in her which had "redeemed" her she could not keep to herself; this hope had to reach many, to reach everybody. (§3)

From this example of the radical transformation of the life of a modern slave girl from the modest everyday hopes of life getting incrementally less bad and abusive in this or that regard to the great hope of living for eternity in union with the God who is love, Pope Benedict takes the readers of *Spe Salvi* back to Paul's Letter to Philemon, the apostolic admonition of a first-century Christian slave owner. It is in this epistle

where we encounter for the first time the fundamental Christological revolution between a Christian master and a Christian slave:

> Those who, as far as their civil status is concerned, stand in relation to one another as masters and slaves, inasmuch as they are members of the one Church, have become brothers and sisters—this is how Christians addressed one another. By virtue of their Baptism they had been reborn, they had been given to drink of the same Spirit and they received the Body of the Lord together, alongside one another. Even if external structures remained unaltered, this changed society from within. (§4)

But there was not only a new great hope for those belonging to the lower social strata of the Roman Empire; there was also new hope for the educated classes, those disillusioned by a petrified pagan religious ritualism and by the recondite rationalism of the philosophical schools. "The Divine was seen in various ways in cosmic forces, but a God to whom one could pray did not exist" (§5). The Gospel of Christ opened up a completely new and utterly hopeful perspective on the universe:

> It is not the elemental spirits of the universe, the laws of matter, which ultimately govern the world and mankind, but a personal God governs the stars, that is, the universe; it is not the laws of matter and of evolution that have the final say, but reason, will, love—a Person. And if we know this Person and he knows us, then truly the inexorable power of material elements no longer has the last word; we are not slaves of the universe and of its laws, we are free. (§5)

It is good—indeed indispensable—for Christians, in these latter days of a modernity imploding under the weight of hopeless skepticism and materialism, to be reminded again and again of the profoundly transformative and utterly liberating hope that fueled Christians from the days of the first martyrs and confessors right up to a Josephine Bakhita on the threshold of the twentieth century.

God, Faith, Hope—an Offer to a Modernity in Crisis

When Christians return to their roots, they rediscover that the Gospel that elicits the great hope is first and foremost performative, because Christian hope, the supernatural virtue of hope, ineluctably transforms life. Thus transformed, human life becomes transparent to the fundamental *conditio humana*, the *status viatoris* of all humanity, that is, humanity existentially, as well as historically, being "on the way" to a destination of surpassing truth, goodness, and beauty—the *status comprehensoris*, the gratuitous, irreversible, that is, eternal participation in God's own life of

love. The theological virtues of faith and hope (together with the infused moral virtues) are meant to sustain human existence *in statu viatoris* and on the pilgrimage unite us already in a certain way with the goal of the journey. Only the theological virtue of charity already unites us as *viatores* already *simpliciter* with the goal with exactly the same charity in which the blessed are united with God as *comprehensores*.[50]

Pope Benedict strongly affirms that the apostle Paul—echoed by the Letter to the Hebrews—remains our prime apostolic teacher for how to become a living dialogue partner to an increasingly hopeless modernity, a late and tired modernity that hovers on the edge of cynicism and despair. In the stark words of *Spe Salvi*: "Man needs God, otherwise he remains without hope" (§23). More than ever Christians are called to enter the school of the apostle Paul and witness anew that "hope does not disappoint us, because God's love has been poured out into our hearts through the Holy Spirit which has been given to us" (Rom 5:5). In the salient words of *Spe Salvi*: "In embryo—and thus according to the 'substance'—there is already present in us the things that are hoped for: a whole true life" (§7). That this hope is not to be misunderstood as a romantic flirtation with a mode of religious enthusiasm Paul also adamantly maintains. The hope that does not disappoint has its exterior objective correspondence in the "form of teaching" to which we are given over at baptism. And the profound insight that the warrant for the truth of this faith is neither subjective sincerity or piety, nor a successful philosophical argument, but the authority of the apostolic Church, is well and alive in the first generation after the apostle Paul. Either Paul (according to the tradition) or one of his own very close disciples (according to modern critical consensus) characterized in 1 Timothy 3:15 the household of God as "the church of the living God, the pillar and bulwark of the truth."[51] Is it not a great consolation for all Christians that—in deep consonance with the *doctor communis*—the present successor of St. Peter, whose office it is to take care that the Church infallibly continues her mission as the "pillar and bulwark of the truth," encourages all Christians to become in ever more

[50] Cf. Josef Pieper, *Über die Hoffnung*, 11–23: "Bemerkungen über den Begriff des status viatoris."

[51] In his *lectura* on 1 Timothy, Thomas leaves no doubt about the importance of this utterly fundamental claim about the *veritas ecclesiae*: "Naturale est enim homini ut desideret cognitionem veritatis, cum sit perfectio intellectus. Unde Augustinus dicit, quod beatitudo est finis hominis, quae nihil aliud est quam gaudium de veritate. Hoc innotuit philosophis per creaturas. Sed in hoc vacillabant, quia non habebant certitudinem veritatis, tum quia erant corrupti erroribus, tum quia vix invenitur apud eos, quod in veritate concordent. Sed in ecclesia est firma cognitio et veritas." *I. Ad Timotheum*, c. iv, l. 3, p. 204 (Marietti).

fervent ways disciples of the apostle Paul, witnesses to the great hope that is in us—and in this way to become a gift of hope to a modernity without hope? For this great hope surpasses whatever hopes modernity can muster, and because this great hope cannot be shaken or destroyed by the crisis of modernity, it remains a genuine gift to modernity. For whatever are the true and legitimate hopes of modernity will not be destroyed, but saved, elevated, and thus perfected by Christian hope. N&V

The Efficacy Of God's Sacramental Presence

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THE EFFICACY of God's presence to us in the sacraments is traditionally understood in the lines *ex opere operato*. That is to say that the sacrament is efficacious of itself. For example, the real presence of our Lord is genuinely confected in every valid consecration of the bread and wine whereby these become the body, blood, and divinity of Christ. This presence, which transcends in its mode and in its effect the dignity of any merely finite terrestrial causality, is assured through the sacramental action of the priest for so long as the intent of the priest is sacramental, that is, the priest intends by his action what the Church thereby infallibly intends.

What is startling is that this sacramental efficacy pertains to each sacrament, proportionate to the nature of each, inasmuch as a sacrament is in St. Thomas's words (*Summa theologiae* III, q. 60, a. 2) the "sign of a holy thing so far as it makes men holy" and (*ST* III, q. 60, a. 3) "which is ordained to signify our sanctification." For as St. Thomas puts it (ST III, q. 62, a. 1) "we have it on the authority of many saints that the sacraments of the New Law not only signify, but also cause grace" so that in the same article (*ST* III, q. 62, a. 1) he affirms a sacrament to be an instrumental efficient cause that

> works not by the power of its form, but only by the motion whereby it is moved by the principal agent: so that the effect is not likened to the instrument but to the principal agent: for instance, the couch is not like the axe, but like the art which is in the craftsman's mind. And it is thus that the sacraments of the New Law cause grace: for they are instituted by God to be employed for the purpose of conferring grace.

In this the sacraments and the light of glory—that light which specially emends the limits of human nature and renders it proximate to

the reception of the beatific vision—are similar. As Thomas writes about the *lumen gloriae* (*Summa contra Gentiles* III, c. 54) "this light raises the created intellect to the vision of God, not on account of its affinity to the divine substance, but on account of the power which it receives from God to produce such an effect." And likewise the sacraments are instrumental efficient causes of holiness, which make holy because of the principal causality of God.

The principal causality of God acting through the instrumental sacramental cause is efficacious. It behooves the theologian to consider the nature and implications of this divine efficient causality. Within the doctrine of St. Thomas, the understanding of the efficacy of the sacraments reposes upon the treatise on grace, while this treatise on grace presupposes the doctrine of the divine transcendence articulated in the treatises on the one God and on the creation. And all this presupposes the articulation of a prior doctrine of causality within philosophy of nature and metaphysics.

Sacramental Efficacy and the Divine Transcendence

Sacramental efficacy most immediately draws us to the consideration of God as creator. Let us consider the ontological distance between the substance of bread and wine, and the divine substance. This is objectively an infinite distance, not a distance of course in space and time, but rather an infinite distinction obtaining between finite, and infinite, nature. Yet, by way of certain instrumental finite dispositions God brings about the real presence of the Incarnate Word. Let us likewise consider the distance between the state of mortal sin and the state of grace. Mortal sin involves a double distancing from God, and from the divine order, because it involves both a disordering with respect to what is proportionate to human nature, and also a disorder with respect to the ultimate and transcendent supernatural end of beatific union with God. Hence mortal sin merits both temporal and eternal punishment. Yet, through certain finite dispositions of finite agents, Our Lord *absolves* penitents of sin, applying the merit of the sacrifice on the Cross so as to remove wholly the eternal punishment merited by mortal sin and at times even the temporal punishment, restoring the supernatural life of sanctifying grace and charity in the soul.

Even considered in abstraction from the dependence on grace necessary in order that human persons *actually come to possess the right dispositions* to receive the sacrament, clearly the distinction or ontological distance between *the state of grace ordered toward eternal life* and *mortal sin ordered toward eternal damnation* is an infinite distinction. Yet, through certain created sacramental instrumentalities, God absolves from mortal sin. Given the

requisite sacramental dispositions, *no agency in the universe* whatsoever can impede or prevent the sacramental effect from being realized.

It might be thought that this description is a redundancy: after all, in any instance of efficient causality, *given* the presence and actuation of the causes, the *effect* then ensues: this is after all why they are called efficient causes. But there is this difference: that whereas even given the actuation of all the appropriate causes, these can in other cases be effectually *impeded* by other finite causalities; in this instance that is not true owing to the instantaneity of the sacramental effect. Of course naturally speaking when a subject is disposed successively to some form, there is nonetheless an instantaneity characteristic of the subject that follows upon its ultimate disposition for receiving a new form, at which moment the new form is received suddenly. But here we speak additionally of the instantaneity effectable by the infinite power of God—noting in addition of course that there may, as in the Eucharist, be no subject to be successively disposed to the reception of form.

If the sacramental effect is bestowed and rightly received, no other agent is subsequently capable of deflecting the proper effect for the sake of which it is bestowed: and that effect is to signify our sanctification in a manner that brings it about. Later failings and defects may impede the life of grace, just as a later push may move someone into a pool who is first saved from falling; but the sacramental effect being bestowed upon one apt to receive it, no other agent can directly impede the instantaneous sacramental effect in the recipient. This is of course but one instance both of the transcendence and infinite power of the divine causality and also of the instantaneity with which God can effectuate his will in creatures.

This transcendent efficacy of the sacraments must not only enter into our understanding of the nature of the sacraments, but should also be contemplated for what it tells us regarding the efficacy of the divine causality as such. That is to say, that within the concrete mystery of the suffering Christ is also to be found the very divine omnipotence; that in the Church suffering is to be found the germ of the Church triumphant, which is holy charity and sanctifying grace; that the most primordial judgment of our natural theology, that God is the author of being, identifies God already as the one who brings forth something from nothing, which implies the infinite efficacity of the divine will. The sacraments are divine acts, for only God can bring something from nothing, can bring holiness from sin, can make himself present in space and time where elsewise would be only the finite substance and the divine immensity. This fundamental truth regarding God, pertinent to all of the sacraments, also pertains to the very end of our lives and to the divine gift of final perseverance in the good.

The Sacraments and Grace

The Council of Trent teaches us that "our merits are God's gifts."[1] But if grace is the principle of merit, one cannot, absolutely speaking, but only in a secondary sense, merit grace. The fixity of the will in the divine good athwart any created impediment is also marked by this stark character of being an effect of the transcendent and indeed infinite efficacity of the divine will. As St. Thomas will write in the *Summa contra Gentiles*, in arguing that perseverance in good requires divine aid, "everything that is changeable of itself, needs the aid of an immovable mover, in order to stand fast to one thing."[2] The principle of all merit is a *gift*. In the sacraments we see the most tangible and profound character of this gift, for it is through the sacraments that we receive the graces that God willed to endow upon man through his Church and that are necessary to the Christian life. As St. Thomas puts it (*ST* III, q. 62, a. 2, ad 1), "as regards certain special effects which are necessary in a Christian life, sacramental grace is needed."

Hence the principal key to the right appreciation of the sacraments is the recognition of the priority to be accorded to the divine initiative, as articulated in the Gospel of John 15:16: "You did not choose me, but I chose you and appointed you that you should go and bare fruit and that your fruit should abide." In the sacraments we find the efficacious aid necessary to lead lives that rise beyond the terrestrial impediments and temptations which would otherwise predictably and ineluctably wear down and corrode from within the most lofty intentions and resolutions, and which enables us to undergo suffering with Christ in such a way as to be meritorious of Heaven and even to lend spiritual aid to others. The sacraments fortify us in the possession of all the virtues and in the gifts of the Holy Spirit.

Of course, this means that no sacrament is a merely human confection, and that simple human goods of solidarity and community are not the purpose of the sacraments. Confidence in divine causality combined with theological faith, which discriminates the supernatural purpose of the Christian life in general and of the sacraments in particular, is necessary for appreciating the sacraments. There exists a certain tendency of some contemporaries to think that the sacraments must be "made relevant" to the lives of Christians by assimilating the effects of these sacraments to other natural goods whose character is widely appreciated. But the lacuna of instruction in the nature of the sacraments cannot be made good by

[1] Council of Trent 1545–1563, Denzinger 810.

[2] From *ScG* III, c. 155, titled "Quod homo indiget auxilio gratiae ad perseverandum in bono": "Omne enim quod de se est variabile, ad hoc quod figatur in uno, indiget auxilio alicuius moventis immobilis."

replacing this instruction with naturalistic communitarian preoccupations. For example, one might think that if all the Eucharist were, were a sign of solidarity in natural community, then the dying—who are leaving such natural community—might no longer be expected to need it. Yet they need it more than ever, not only to avoid the final temptations, and to fortify them in their Christian faith, hope, and love, which are supernatural acts vivified by the sacraments, but for the sake of their solidarity in the mystical body of Christ, which transcends all merely natural community.

Yet it is possible to think that the sacraments change nothing. For example, there is a human being both before, and after, a valid baptism. What is different? The difference is not in God, who is in no real dependence upon the creature. Nor is the difference one of natural *species*—the baptized person is human both before and after receiving the sacrament. Yet there is a difference both *in the creature* and in the creature's *relation* to God. The baptized person is freed of original sin, any actual sin, and all debt of punishment; the baptized person becomes a son of God; his will is supernaturally directed toward God—and toward the Church, for it is an effect of the sacrament to build up the unity of the Church. The baptized comes to possess infused faith, hope, and charity, and the gifts of the Holy Spirit. From being in a state of enmity toward God, the baptized comes to share in the supernatural life.

These are real differences effected by God in the soul, however remote from simple human inspection they may be. Indeed, universally speaking, there truly is a *qualitative* difference between the soul alive in the divine friendship and the soul averse to and alienated from God. But the sacraments confer a gift even beyond common grace, the gifts of the Holy Spirit, and the virtues. Thus St. Thomas writes concerning the sacraments (*ST* III, q. 62, a. 2):

> Now the sacraments are ordained unto certain special effects which are necessary in the Christian life: thus Baptism is ordained unto a certain spiritual regeneration, by which man dies to vice and becomes a member of Christ, which effect is something special in addition to the actions of the soul's powers. And the same holds true of the other sacraments. Consequently just as the virtues and gifts confer, in addition to grace commonly so called, a certain special perfection ordained to the powers' proper actions, so does sacramental grace confer, over and above grace commonly so called, and in addition to the virtues and gifts, a certain Divine assistance in obtaining the end of the sacrament. It is thus that sacramental grace confers something in addition to the grace of the virtues and gifts.

These gifts conferred are real—"a certain Divine assistance in obtaining the end of the sacrament"—they are not God, and they characterize the recipient. As earlier noted, (*ST* III, q. 62, a. 2, ad 1), "as regards certain special effects which are necessary in a Christian life, sacramental grace is needed." These are real effects in the recipients of the sacraments, created participations of the supernatural life. This is simply to say that the effect of the sacrament is not merely an extrinsic alteration of juridic status in relation to God, but the communication by God to the soul of real aids to the living of the supernatural life.

This is in accordance with the nature of grace itself, whose principal is the Uncreated Grace or divine predilection, mercy and love, but whose *effect* in the creature is real. Hence St. Thomas argues in *ST* I–II, q. 110, a. 2 that

> there is understood to be an effect of God's gratuitous will in whoever is said to have God's grace. Now it was stated (q. 109, a. 1) that man is aided by God's gratuitous will in two ways: first, inasmuch as man's soul is moved by God to know or will or do something, and in this way the gratuitous effect in man is not a quality, but a movement of the soul; for "motion is the act of the mover in the moved." Secondly, man is helped by God's gratuitous will, inasmuch as a habitual gift is infused by God into the soul; and for this reason, it is not fitting that God should provide less for those He loves, that they may acquire supernatural good, than for creatures, whom He loves that they may acquire natural good. Now He so provides for natural creatures, that not merely does He move them to their natural acts, but He bestows upon them certain forms and powers, which are the principles of acts, in order that they may of themselves be inclined to these movements, and thus the movements whereby they are moved by God become natural and easy to creatures, according to Wisdom 8:1: "she . . . ordereth all things sweetly." Much more therefore does He infuse into such as He moves towards the acquisition of supernatural good, certain forms or supernatural qualities, whereby they may be moved by Him sweetly and promptly to acquire eternal good; and thus the gift of grace is a quality.

There must then be a divinely bestowed principle in man which is proportionate to acts ordered toward eternal good and which makes him to be able to perform supernatural acts: a quasi-entitative *habitus* of the soul, sanctifying grace. This ordering of the will to God as our supernatural beatitude is a gift which only God can give. The divine life of sanctifying grace is an active potency or fixed disposition of the will with respect to the last supernatural end, and so it is a *habitus* which is the principle of all the particular acts to be performed which flow from and further activate this potency.

Likewise, acts of faith, hope, and charity are performed *by* the creature, yet they are acts specified by a formally supernatural *object* and so they are themselves supernatural acts which can only proceed from man insofar as he is given the *capacity* for such action by God. Likewise aid with respect to the actual performance of all the many actions required by the Christian life is provided through grace and particularly through the sacramental graces, which give specific aid toward the fixed distinctive ends of Christian life.

If I at one point do not make acts of faith, hope, and charity, and at another time I *do* make acts of faith, hope, and charity, then the source for these latter acts is not only in God but is also secondarily yet proximately *in* me. And since I possess human nature whether I enjoy the blessing of these active dispositions toward the supernatural life or not, these blessings are in their mode of being, speaking ontologically, accidents. Yet despite the datum that the *mode of being* of such grace as an accident is inferior to the *mode of being* of the recipient of grace as a person who is a subsisting subject, nonetheless the *nature* of such grace is—as a created participation in the divine life analogically sharing in the dignity of the beatific end—objectively of higher nobility than the nature of man. This idea of created grace highlights the fashion in which God bestows upon the person genuinely supernatural dispositions and motions—dispositions and motions which even here below manifest the sublimity of our final union with God.

Hence my observations sum up to this: that our understanding of the sacraments implicates our understanding of grace, and that our understanding of grace necessarily presupposes and depends upon a prior doctrine of God, and a prior insight into material, formal, efficient, and final causality, articulated in philosophy of nature, metaphysics, and natural theology.

The supernatural life is understood in relation to the doctrine of God as Creator. As the ontological distance between nonbeing and being is infinite, and requires infinite power to cross, it is this selfsame dependence of every finite being upon God that manifests the efficacity of the divine will. If something is, it depends upon God; if it is not, then God does not here and now will it to be but permits it not to be. Likewise in the order of grace, the initiative belongs wholly to God. This is the reason why dependence upon the sacraments is of the highest importance: because the sacraments are the divinely instituted means for the conforming of our souls to Christ in all the ways requisite to the fullness of the body of Christ. God's action through the sacraments causes in us those fundamental dispositions and motions which each of us requires to live out the

Christian vocation, and his presence to us through the sacraments is thus at the font of Christian identity. This is of course maximally manifest in our Lord's sacramental presence in the Eucharist, the sacrament which both symbolizes and effectuates the sacrifice of Christ and our nourishment by the Lord himself, body, blood, soul, and divinity.

As a corollary conclusion it follows that error with respect to the sacred liturgy of the Eucharist, and with respect to all the other sacraments, will derive from failure to understand that the sacraments are defined by this efficacity of the divine action upon our souls. That is to say, that the sacraments are not mere matter awaiting some further transformation by the agent or the agent's meditative powers in order to achieve their effects. Granted that it is part of the divine plan and the expressed will of God that we both achieve a deep awareness of the nature of the sacraments—which understanding is itself a gift—and also that action flow from the supernatural dispositions planted in the soul, the fact is that sacramental efficacity is no more dependent upon such understanding and upon the consequent actions than the Incarnation of the Eternal Word is dependent upon the human race's sinlessness. Rather, God causes Mary to be upheld in perfect virtue, grace, and charity through the application of the foreseen merits of Christ to her soul, and assumes human nature in Christ. And God is the first author of all free acts, including the free assent, the *fiat*, of Mary. Thus the crucial importance of the proposition that closeness to God through the sacraments is the chief means ordained by God whereby we may grow in holiness, and that God's presence to us in the sacraments is infallibly efficacious. The contemplative, and the receptive, attitude toward the divine gift in the sacraments is accordingly what befits the reality of the sacraments as signs both signifying and causing sanctity. N V

The Virgin Mary in the Christian Faith: The Development of the Church's Teaching on the Virgin Mary in Modern Perspective

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FOR secular man approaching the Gospels and St. Paul with no real background in Christianity, and for Evangelicals in the tradition of Luther and Calvin who are close to Catholics in many fundamental ways, the prominence which Catholics give to the Virgin Mary often seems altogether puzzling. To them, it seems quite out of proportion to the amount and kind of attention given to her in the pages of Scripture.

Yet Roman Catholic doctrine in regard to the Assumption as expressed by Pius XII in 1950 in promulgating the dogma of the Assumption in *Munificentissimus Deus*, is that all Catholic belief about the Virgin Mary, including that concerning the Assumption,[1] is founded upon Scripture as upon its ultimate foundation, rather than resting on extra-Scriptural traditions surviving alongside Scripture in the Church. So dispute about the sufficiency of Scripture is irrelevant, and the question of reliance on tradition alone does not arise in this context. Rather the problem is one of proportion. Protestants from Luther onwards have found the prominence given to Mary by Catholics and by the Eastern Churches utterly disproportionate to what they see in the Scriptures.

One difficulty which has obstructed both Protestant and secular perceptions has been the appearance that Catholic confidence in the

[1] Pius XII promulgated the definition of the corporeal assumption of the Virgin Mary in the apostolic constitution *Munificentissimus Deus* and it is here that he makes this remark after previously having rehearsed various arguments from the agreement of the ordinary magisterium, from the liturgy over many centuries, and from the Fathers and Doctors of the Church.

controverted doctrines concerned has often seemed supported more by popular devotion and reliance upon arguments of the type "It is fitting; therefore it must be so" rather than upon arguments from scriptural revelation as such. It was for this reason that von Balthasar had good reason to say of Louis Bouyer's *Le Trone de la Sagesse* (1957, translated as *Woman and Man with God*, Darton, Longmans, and Todd, 1960) that it was "le seul livre sur ce sujet que l'on peut avec bonne conscience conseiller à un lecteur protestant," so rare are such books. Jaroslav Pelikan, *Mary Through the Centuries* (Yale, 1996) and Luigi Gambero, *Mary and the Fathers of the Church* (Ignatius, 1999) are perhaps others.

In the meantime the historical situation of dialogue and debate between Catholic and Protestant has radically changed. During the nineteenth and twentieth century a liberal "Christianity" which doubts Jesus' virgin birth and even the divinity of Christ has gained large influence. This has been in the setting of a secular world in which the doctrine of the virgin birth is held in even more contempt than the idea of the uniqueness of God's Incarnation in Jesus, and within which any belief in God is held to be a matter of subjective opinion and even merely private concern. In this essay, I concentrate on the earlier matters of debate between Catholic and Evangelical Protestant, but, in doing this, in showing the deep connection between the Incarnation and the Virgin Birth and in considering some of the questions of historicity which arise, I shall incidentally give some answer to some of the more radical modern questionings.

Section 1: Scriptural Background

The Relation of the Doctrines of the Incarnation and the Virgin Birth

Obviously, any reflection about Virgin Mary must begin with reflection upon the virgin conception and birth of Jesus of Nazareth, understood to be the Son of God. His conception, as being of a virgin, corresponds firstly to the Incarnation's being a work outside the power of man.

I therefore begin by considering the close logical connection between the doctrines of the Incarnation and of Mary's virginity.

If Mary and Joseph had had Jesus as their child by the natural process of their having intercourse and its bearing fruit in Jesus, then this Jesus would be first an embryo, then a child, and later an adult of whom one could say that he would have existed anyway as a human person, even if God had not willed him to be divine. His divinity would then be not key to his natural identity and existence but, as it were, an extra gift, one of his properties, or, in Aristotelian terms, "accidents"—a matter relating to the point of his human life, not to his origin.

A slightly different suggestion might be that, in this case, Mary and Joseph did not have fruitful intercourse except by special divine providence, and that it was by the same providence that God willed that this fruit should be divine and called Son of God. However, this suggestion will not stand scrutiny, since it would be by one act of God's free will that Jesus existed as a human person, and still be by a logically independent act of God's free will that this person would be divine. Accordingly, for Jesus to be one person, in the sense prevalent in theology and philosophy since A.D. 400, at once truly divine and truly human, the man Jesus of Nazareth has to be none other than the Son of God, through whom all things are made, giving them existence and sustaining them in existence, himself one in act of being with God the Father, existing eternally, at a certain time becoming man so as to have a human biography, but in such a way that, as St. Thomas says, there is only one act of being or *esse* in Christ, not two.

There is a discussion in Duns Scotus which makes vivid what is involved here. He asks what would happen if God, in his absolute power, decided to bring his being incarnate to an end. The divine Son as co-eternal with his Father, through whom all things were made and are sustained in being, would remain in his eternal existence—but what would be left behind of his manhood? The implication of St. Thomas's position is that there would be no man left behind, whereas Duns Scotus appears to consider it obscure whether there might be a man left behind, the same particular human nature as had existed before, as if nothing in this man's existing as a man depended upon God's constituting him as man by his becoming incarnate or enfleshed, at a certain time conceived of the Virgin Mary.[2] The idea of a humanity which would have existed anyway whether or not God chose to be incarnate and would remain if God decided to bring his being incarnate to an end constitutes the essence of the Nestorian heresy, the heresy whereby Mary conceived, bore in her womb and gave birth to the man Jesus so as to be indeed mother and bearer of Jesus, but not thereby mother and bearer of God the Son.

But, if God the Son was not conceived and born of Mary, then neither did God the Son live a human life of love and obedience and die on the

[2] This appears to be the opinion of Duns Scotus in *God and Creatures: The Quodlibetal Questions*, trans. Allan Wolter and Felix Alluntis (Princeton, NJ: Princeton University Press, 1975), in q. 19, a. 3, the second point investigated (19.73–19.93), which presents an argument which seems to show this, although the structure of the argumentation may leave this disputable. The point had been touched upon in 19.62, but 19.77 seems to show that "the Word could put off his human nature without anything absolute in it [presumably meaning, 'in the human nature'] being destroyed," and, in the subsequent argument 19.79–19.92, this does not seem to be disproved.

cross for our salvation. Accordingly, it is at the heart of Christian doctrine that God truly took on human nature, God becoming man in order that men should be divinized, the Son of God becoming man in order that mankind should become sons of God, God entering into solidarity with man in order that man should be able to enter into solidarity with God.

Or, to consider the matter from a different angle, it is simply not within the power of man and woman by the normal or natural processes of nature, upheld by and co-operated in by God in the customary way, to procreate a person who is the Divine Son of God. Therefore if Mary and Joseph had had intercourse, then, in order for the child issuing from this intercourse to be the Son of God, the natural upshot of their intercourse would have had to be superseded and set aside and the Son of God substituted for that natural issue. Therefore it would have been no less a miracle but rather more for the Son of God to have been conceived by the intercourse of Mary and Joseph than for him to be conceived virginally. The latter does not involve the suppression of the natural issue of intercourse and the substitution of something different.

In the history of Christian theology, we meet again and again ways of thinking which involve confusions in the logic of identity, that is, ways of thinking that involve the idea that it is sensible to speak of the man who would have existed anyway (as a result of what occurred in the Virgin Mary, whether virginally or otherwise) whether or not God had chosen or willed the becoming incarnate in this man of the Son of God. This way of thinking involves thinking that Jesus had an identity as a male human being, as a man, independent of whether or not he was the Son of his Divine Father; that is, it involves thinking of Jesus as containing or being a man in some particular relationship to the Son of God, that is, to the second Person of the Trinity, rather than understanding him to be the *same person* as the second Person of the Trinity, that is, *to be* the second person of the Trinity, to be himself that divine Person. It is essential to Christian theology that Jesus' humanity should have no existence which is independent of the existence of the Divine Son of God. (Whether or not his human nature has some existence in a secondary sense, and in no way independent of the eternal existence of the Divine Son, not as a *hypostasis*, as this word was understood by the Cappadocian Fathers and used by the first Council of Constantinople in A.D. 381 is a separate technical question—Aquinas uses *hypostasis*, taking *subsistentia* as a synonym, explaining it as meaning neither predicated of nor present in a subject [that is, what Aristotle describes as what is firstly and chiefly called *ousia* in the *Categories*].)

It is not that God willed that this man exist and at the same time willed the Incarnation, but that in one act of will with a single object he

willed the Incarnation, and in willing the Incarnation willed that the Son, eternal expression of the Father within the eternal life of God, should take on a human nature and human expression, willed that the Word be made flesh. We must reject the idea that, if God had suspended the Incarnation, Christ's manhood might have remained, now become mere man. We must also reject Karl Rahner's conception of a distinct "I-centre" in Jesus,[3] a suggestion which in any case depends upon a Cartesian conception of an "I" which is the subject of different kinds of *pensées* or *cogitationes*, some of them judgements, some volitions, some sensations and so forth, the "I" or self whose existence in Cartesian and empiricist thought does not essentially involve having a body.

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[3] Karl Rahner, *Theological Investigations*, vol. 1, trans. Cornelius Ernst (London: Darton, Longman, and Todd, 1961; translated from the German original of 1954), 159–63, understood in the context of the whole of 137 (bottom line). One needs to question the credentials of the whole distinction between the ontic and the onto-logical as made by Rahner, for example at 168–69, which Rahner uses in order to divide between an ontological conception of "person" in the traditional sense (159, n. 4) of something substantially one and singular (incommunicable), and a psychological conception of "person" developed in terms derived from Heidegger's conception of the existential (appearing in Cornelius Ernst's translation of Rahner's discussion as "ontological").

Historically, the modern use of the word "person" stemmed ultimately from Augustine and Boethius, that is, precisely from understanding the conception of *hypostasis* in a way compatible with the notion of *prosopon* (Latin *persona*), expressing relationality in the case of divine Persons, a relationality enshrined in their very act of being. When Boethius defines a person as an individual substance of a rational nature, he does this in a context in which the use of the word "person" as expressing relationality was already presupposed. And when Aquinas comes to define *hypostasis* he does so in terms of the Aristotelian definition of "what is firstly and chiefly called *ousia*," [Aristotle, *Categories*, chap. 5, 2a 11] namely as a subject which is neither predicated of nor present in any other subject, adopting the Latin word *subsistentia* in order to achieve this disambiguation of the word *substantia*. (One may note that Aquinas also uses the word *subsistentia* of the human soul, and so does not confine it to Trinitarian doctrine.) Accordingly, Boethius's definition is to be understood in a way which extends to created persons to having a fulfillment which consists in relations, an actuality only properly fulfilled in the degree that these relations have a personal character. The best exposition of this conception is to be found when Aquinas considers the threefold sense in which a human being may be said to be in the image of God, the weakest consisting in the possession of intellect and will carrying with them the aptitude for grace, the second arising through the gift of grace in friendship with God, and the third consisting in the unity with God in the beatific vision, made possible by the gift of glory (*Summa theologiae* I, q. 93, a. 4).

The Incarnation Is in No Way Dependent on Human Agency, But Only on Human Consent: The First Emphases of St. Luke

Jesus' conception was not a work in which a woman was a sole creaturely agent unassisted by a man, but a work in which neither woman nor man exercized their normal agentive function in procreation—or indeed in which either exercized any agentive function at all. Mary exercises, not agency, but only consent in respect to the conception of the Word. What comes about comes about by the power of the Holy Spirit, with this consent.

There is no surrogate for biological masculine and feminine in God's relationship to Mary. In Jesus' conception, the New Creation is sown, and in his Resurrection the New Creation is begotten: the begetting which God does in respect of Jesus is either before all worlds (so far as the divine nature in Jesus is concerned) or at the Resurrection. I say this in order further to make clear that nothing analogous to the male-female relation is involved, nothing analogous to what we find in pagan myths about gods eloping with mortals. It is notable that it was the need to repudiate any idea of intercourse or physical relation between God and Mary that most particularly concerned Muhammad in his denying that Jesus had any divine sonship.[4]

In these initial remarks, I do not deal with the whole importance of Mary's virgin conception of Jesus for Christology, but only at this point those aspects of importance for understanding *her* immediate role.

It is the key importance of Mary's consent and the implied preparedness and virtue out of which it sprang, shown also in Mary's expression of sentiment in the Magnificat, which is particularly highlighted in St. Luke's Gospel. There, the angel Gabriel who "stands in the presence of God," is first sent to Zechariah to give him the good news that his wife Elisabeth would bear him a son (John the Baptist) and Zechariah's response is unbelief. He is next sent to Mary, a virgin betrothed to Joseph of the house of David, saying, "Greetings, highly favoured one; the Lord is with you"; continuing, "Do not be afraid Mary, for you have found favour with God. Behold you will conceive in your womb and bear a son and you shall call his name Jesus. He will be great, and will be called the Son of the Most High; and the Lord God will give to him the throne of his father David, and he will reign over the house of Jacob forever; and of his kingdom there will be no end"; and responding to Mary's enquiry as to how this was possible since she had no intercourse with a man by

[4] Cf. R. C. Zaehner, *At Sundry Times* (London: Faber & Faber, 1958), 203–8, and David B. Burrell, *Freedom and Creation in Three Traditions* (Notre Dame: University of Notre Dame Press, 1993) 178–79.

saying, "The Holy Spirit will come upon you and the power of the Most High will overshadow you. Therefore the child to be born will be called Holy, the Son of God"; and Mary's response is one of faith and consent: "Behold, I am the handmaiden of the Lord, let it be to me according to your word." The contrast with Zechariah highlights the significance of Mary's faith and consent.

It is this first feature of Mary's role which leads Justin and Irenaeus to set Mary in contrast with Eve. Justin contrasts the undefiled virgin Eve who conceived the word of a serpent and brought forth disobedience and death with the virgin Mary who received the word of the angel Gabriel with faith, joy, and consent, so that by her the Son of God might be born by whom God destroys both the serpent and those angels and men who are like him while delivering from death those who repent and believe.[5] In his *Against Heresies*, Book III, chapter 22, 1–3, Irenaeus is most anxious to insist that, in being born of Mary, Jesus Son of God did not simply pass through Mary taking nothing from her, but took from her a full human nature, so that St. Paul's describing him as "born of a woman" implied with it liability to hunger, weariness, the pain of being wounded, distress and weeping over Lazarus's death, the agony of Gethsemane, and the blood and water that poured from his side after his death, besides having many human generations precede him after the first Adam. So Irenaeus thought it a heresy to deny the salvation of Adam, since if Adam had been utterly abandoned to death God would in that case have been conquered by the serpent and the wickedness of the serpent would have prevailed over the will of God. But God is invincible and long-suffering, showing himself long-suffering in correcting man and granting all probation, a mercy to which Irenaeus sees Adam as responding and Cain as not responding.[6]

Then, in *Against Heresies*, Book III, chapter 22, 4, he goes on to say that it is in accordance with this design that Mary should have been found obedient by contrast with the disobedient Eve, both virgins, seeing here a back-reference from Mary to Eve, the disobedient virgin having caused death to herself and the whole human race and the obedient virgin becoming the cause of salvation to the whole human race. The Lord Jesus through being the first to be resurrected from the dead, receiving into his bosom the ancient fathers (Irenaeus perhaps having in mind the patriarchs, the first in the lineage of Jesus back to Adam, representatively listed in Luke 3:23–38), regenerating them into the life of God, making himself the beginning of those that live, as Adam had been the beginning of those

[5] Justin Martyr, *Dialogue with Trypho*, 100.

[6] Irenaeus, *Against Heresies*, Bk. III, ch. 23.

that died. And having explained this, Irenaeus develops this theme by going on to speak of how the knot created by Eve's disobedience was undone by the obedience of Mary, since what the virgin Eve had bound fast through unbelief, this the virgin Mary had set free by faith. In Book V, chapter 19, §1, in accord with his theme of recapitulation, he sets the way in which Jesus' obedience undid the disobedience of Eve, so that the whole human race fell into bondage to death, in contrast with the way in which Mary's obedience allowed her to become advocate for Eve, so that those chains binding the human race to death might be unloosed. It is striking to notice how immediately Irenaeus moves on from thinking of Mary as responding to God's invitation with obedience to thinking of her as an advocate of sinners, beginning with Eve, as if inviting us to think of her in a caring, intercessory, and motherly role to all sinners—a thought to be developed in the fourth century.

The Role of Mary's Presence at the Wedding at Cana and Then at the Crucifixion

The third element in the background of Christian thought about Mary must naturally be the passages referring to her in St. John's Gospel. It is natural to the traditional Catholic and traditional Evangelical to take these as historical in basis, albeit recounted with the liberties customary in those days to those historical events recorded-to-some-purpose. (If a liberal supposes the accounts to have no basis in history, but to reflect the faith of the early Church, this would give them more, not less, theological weight, for the purposes of the discussion below, so long as the Scriptures still be conceived as revelatory word, determinative for the preaching and teaching of a Revelation given once and for all.)

In St. John's Gospel Mary is twice addressed as "woman."[7] This mode of address is not in tradition conceived of as being disrespectful, but is most naturally interpreted as signifying to us her position as the successor of Eve. The fact that it is not used disrespectfully is evident from the

[7] St. John's Gospel 2:3–5 and 19:25–27, as it were embracing the rest of the Gospel in a sandwich, should be read against the background of Genesis, chapter 3, where we find portrayed the proto-typical woman, Eve. The Gospel within which Mary is addressed as "Woman" is the one most permeated with ideas from the Torah, most Jewish in its pre-occupations and apologetic, and at the same time most cosmic and universal in its appeal. The first epistle, which seems to be more Greek in ideas, as seen in its using the terms "love" and "light" in a more abstract way, perpetuates the tradition of pre-occupation with the Torah and even contains a midrash on the temptation of Eve in Genesis in I John 2:16. References to Genesis are difficult to trace in the New Testament outside the Johannine writings.

second passage where, significantly, Jesus says to his mother, "Woman, behold thy son," while saying to the Beloved Disciple, "Son, behold thy mother."[8] It seems evident from this form of address in the second case that Jesus' mother is being deliberately addressed, not as his own mother, but as now in a representative role to care for all Jesus' faithful disciples. No one has suggested that it is used disrespectfully or disowningly in the second passage, and therefore, since it is not accidental but intentional that the substance of the Gospel is sandwiched between these two references to Mary, it is evident that, since it was not to be understood disrespectfully in the second, it should not be understood disrespectfully in the first. In the first, Jesus says, "Woman, what is that to you and to me?" which has been interpreted as meaning, "Woman, what have I to do with thee?" "Woman, what have you to do with me?" or "Woman, how is *your* business any of *my* business?" but can instead carry the natural interpretation "Woman, how is that *our* concern?" which would not be disrespectful.

As we look at the second of the passages in St. John, the passage when she is present at the Crucifixion, we see the one described as the "Beloved Disciple,"[9] who is according to tradition John, the junior twin of the sons of Zebedee,[10] being told to take her to be his mother, and we

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[8] In his Tractate 8, on St. John's Gospel, in § 9, St. Augustine gives the explanation that the use of the designation "Woman" in both cases is deliberate, but designed to pick Mary out as representative of human womanhood in its weakness, firstly in making earthly requests, and secondly in being confronted with her son in the most extreme exhibition of his human weakness. However, this explanation fits very badly with the rest of the context, since Mary's instant reaction is to assume that Jesus will accede to her request, immediately telling the servants to "Do what he tells you," upon which Jesus commands them to take the jars of water, the water being transformed into wine.

[9] Perhaps the *talmid muvhaq*, such as each rabbi chose from amongst his most devoted students as his brightest student. Cf. Jacqueline Genot-Bismuth, *Un Homme Nommé Salut* (Paris: de Guibert, 1986, 1995), 214.

[10] It makes no difference to my argument here whether the Beloved Disciple be John brother of James, son of Zebedee, as tradition has held since sometime in the second century, or whether the two be different persons as some have argued.

Some consensus seems to be emerging that the author of the Fourth Gospel wrote from the situation and standpoint of one associated with the Jerusalem priestly aristocracy as opposed to that of the Pharisees—whether like Joseph Ratzinger (Pope Benedict XVI) in his *Jesus of Nazareth*, trans. Adrian Walker (New York: Doubleday, 2007), and those he cites on pp. 224–27, they keep to the tradition that the Beloved Disciple and John son of Zebedee are one and the same person, or whether like Claude Tresmontant in *The Hebrew Christ* (from the French *Le Christ Hebreu* of 1983; cf. *Evangile de Jean*, 1984), Martin Hengel in *The Johannine Question* (London: SCM, 1989), and Richard Bauckham in pages 412 to 478 of *Jesus and the Eyewitnesses* (Grand Rapids, MI: Eerdmans, 2006), they hold

see her commanded to take him as son. Now, if this were conceived of solely as a matter of Jesus making provision for the care of his mother after the end of earthly life, then it would be by itself somewhat remarkable in the context of custom, inasmuch as there were still alive of the household of Joseph and Mary those spoken of as "the brethren" of Jesus—James, Joses, and Jude amongst them. For her to be removed from the care of James and put into the care of the beloved disciple would be socially very peculiar and the more peculiar when taken in the full context: namely, the context wherein James the "brother of the Lord" after the Resurrection needed conversion (cf. John 7:3–5), being recipient of a special appearance of the risen Christ. He was then present in the upper room at Pentecost, and later was head of the Church in Jerusalem, singled out by Paul, as along with Peter and John, as one of the three pillars of the Church (James, son of Zebedee, brother of John, being dead by martyrdom earlier and James, son of Alphaeus, unmentioned as such) and remaining head of the Church in Jerusalem until his martyrdom in A.D. 62. Nor was James the "brother of the Lord" a future itinerant like most of the twelve to whom, within the Christian community, the care of the mother of Jesus would be inconvenient, unless as some later tradition suggests she died and was buried and assumed within twelve years of Jesus' passion.

Now the first controverted or controversial construction on this passage in Catholic tradition is to suppose the presence of Mary at the foot of the cross to express her consent to Christ's death on behalf of the human race, not the consent to his death in the manner of the priests, not the reluctant consent which one might have anticipated from Peter, who was reluctant that Christ die or that even Jesus wash his feet, but the willing consent of one in wholehearted obedient concord with the will of her son, whole-heartedly obedient, not merely in willing what he willed, but doing this out of love, not as to an authority. In this construction Catholics adopt a mode of exegesis which is of a piece with the Fathers' exegesis of many other passages in Scripture. For instance, when St. Augustine comments on the passage where a woman cries, "Blessed is the womb that bore thee and the paps that gave thee suck!" and Jesus replies, "Yes, rather

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them to be distinct persons. The Gospel's historical, legal, and geographical knowledge is firmly rooted in a period earlier than A.D. 65.

The arguments presented by Henri Cazelles give strong support to the traditional view; cf. Henri Cazelles, "Johannes, Ein Sohn des Zebedaus. 'Priester' und Apostel," *Internationale Katholische Zeitschrift Communio* 31 (2002): 479–84; cf. Peter Stuhlmacher, *Biblische Theologie des Neuen Testaments*, vol. 2: *Von der Paulusschule bis zur Johannesoffenbarung*, 206 (Göttingen: Vandenhoeck & Ruprecht, 1992–99).

are those blessed who hear the word of God and keep it" (Luke 2:27–28), St. Augustine explains that this does not mean that Mary is not blessed, but that she was blessed rather because she did hear the word of God and keep it (here one can compare Luke 2:5—"his mother kept all these things in her heart"—referring to Jesus having said to her, "did you not know that I must be about my Father's business [or 'in my Father's house']?"), and not because of any merely or purely or solely physical relationship to the Son, attachment to which the Gospels show her as being weaned from (a process of weaning seen in Luke 2:48–51, John 2:4, Luke 11:27–28, Matthew 12:50, Mark 3:31–35, etc.).[11]

Now, if we reflect upon the passage in St. John about Mary at the Crucifixion in the context of the prediction of the old man Simeon in the Temple in Luke—that her heart would be pierced also (Luke 2:35)—we can see it as in accord with Scripture to suppose that God willed her consent, not only to the Incarnation, but also, as she grew in understanding of the mission and work of her son, even to his death for her own and our redemption. And certainly both the modes of address to Mary by the angel and by Mary's cousin Elizabeth, combined with this saying of Simeon give edge to the importance which the Fourth Gospel gives to Mary's presence at the foot of the cross, and confirm that it is no accident that Jesus' ministry in the Fourth Gospel is sandwiched between the two episodes in which Mary figures.

Mary as Spiritual Mother to All the Faithful

But there is also a second controversial or controverted construction put by traditional Catholics on this passage, namely, that what it concerns is not primarily (if at all) the familial social provision by a son for the care of his mother after his death (unless this be symbolic embodiment or expression of a spiritual fact), but rather the committal of John as sole representative remaining of the faithful of Israel to Mary as spiritual mother. And it is noteworthy that Irenaeus represents Mary as advocate for the first Eve while Augustine describes Mary as "clearly the mother of his members."[12] And against the background of the conception in Genesis of the first Eve as the mother of all living, the early Fathers' conception of Mary as the new Eve would seem to connote that she should be considered as the mother of all those living the new Life found

[11] Ambrose, *Exposition of Luke*, 6, 36–38 (PL, vol. 15, 1764); Jerome, *Commentary on Matthew* (PL, vol. 26, 87); Augustine, *On Holy Virginity*, 3, 5 (PL, vol. 40, 397ff); see Paul F. Palmer's convenient collection, *Mary in the Documents of the Church* (London: Burns Oates, 1953), 42–48.

[12] Augustine, *De Sancta Virginitate*, 6 (PL, 40, 399).

in the Church after Pentecost. These themes, which begin to appear in the second century in Justin and Irenaeus, appear in their most eloquent form in the hymns of Ephraem the Syrian (c. A.D. 306–76).[13]

Of course, the significance of Mary's spiritual motherhood of the Church depends on its being seen in the context of the full doctrine of the fellowship or communion of the saints. We have no relation with the saints who have died except in virtue of our relationship with Christ. There is no analogy between our relation to saints and any supposed relation of man to the dead via mediums, etc. Rather, the saints have no knowledge of us and our doings pertinent to any prayer or care in detail for us, except such knowledge as is specifically given them by God, in response to their charity and our desire, so that any prayer of the saints for us is itself the work of God, work in which the cooperation of God and man is involved. What we have here is another example of God's unwillingness to act, even to act graciously, towards man except in accord with some desire and consent within the human community, a desire and consent itself raised up by him; and we have an expression of the view that just as it is licit, appropriate, and unfitting to be omitted that we ask the living to pray for us, so in virtue of the communion of saints it is possible and proper to ask the saints that are dead to pray for us, as well as to ask them to join with us in the same hymn of praise to the Father, or to express it in a better way, ask them to allow us to join with them in this hymn.

The significance of Mary's spiritual motherhood of the Church is, then, if we take the meaning of the passage in John's Gospel in the traditional way, that her prayer for us the living extends to all, and this is the background of the conspicuous place that she has in every liturgy of Eastern Christendom from long before any schism between East and West,

[13] Several of the references in the Fathers illustrating all these themes appear in Palmer's collection *Mary in the Documents of the Church*, 12–23. Thus, besides works already mentioned in this paper earlier, he cites Tertullian, *On the Flesh of Christ* (17) written when he was already a Montanist, but not showing it, as well as a multiplicity of passages from the fourth-century Syriac father Ephraem Syrus, collected by Palmer (15–23): Ephraem, *Hymns on Blessed Mary*, 18 (Lamy, 2, 605–19, trans. based on Livius, pp 427ff), 19 (Lamy, 2, 621–25, trans. based on Livius, 430f); *On the Annunciation of the Mother of God*, Hymn 3 (Lamy, 3, 979–99, trans. based on Livius, 437ff); *The Nisibis Hymn*, 27, trans. G. Bickell (Leipzig: 1886), 122; Mary's virginity and the virgin birth, *Fragments of the Commentary of Ephrem Syrus upon the Diatessaron*, trans. J. Rendel Harris (London: 1895), 31–32. Ephraem wrote first at the Assyrian Nisibis close to the Tigris (now Nusaybin) and then at Edessa close to the Euphrates (now Sanhurfa), both now in South East Turkey close to the border with Syria.

and even between Constantinople and Alexandria—as well as the conspicuous place of her feasts in the East and West, as well as in other devotions public and private.

Although the full significance in life of the communion of saints and of Mary's motherhood of all the faithful depends on the possibility of asking them to pray with us for our needs, spiritual and temporal, one must not overstate this. The first element in communion is sharing in praise, and recognition, greeting, respect, or reverence, for those we share with (*dulia* not *latria*). At its origins, possibly in England, but anyway before A.D. 1200, the "Hail Mary" in the Rosary included no petition to Mary but only the Scriptural words "Hail Mary, full of grace, the Lord is with thee, blessed art thou among women and blessed is the fruit of thy womb, Jesus," and close to the present form came into increasing use in the fifteenth century, being given exact form and universal authorization in the Catechism of the Council of Trent in 1566 and Roman Breviary of 1569. But the idea that she is the object of special veneration is strongly present in Luther and other Reformers, and her place in this communion of praises of God and of the Lamb, her son, never doubted.

The veneration of Mary is evidenced from the Roman catacombs from early centuries. Mary as mother of Jesus appears to be represented in catacomb paintings in Rome from the second to the fourth centuries, most of them from the third century, numerous seeming to include the Magi in barbarian dress, but the earliest from the early second century seeming to combine a striking naturalism with a naked child and a figure with a scroll (perhaps Matthew or Isaiah) pointing at an eight-pointed star above the mother's head; these themes also appear in fourth-century Roman glass vases, two vases with Mary named standing between Peter and Paul.[14]

I spoke earlier of Irenaeus describing Mary as advocate of Eve, and Greek invocations of Mary under the title of *theotokos* ("God-bearer," that is, mother of God), are found in an Egyptian papyrus appearing to date from the third century.[15] The second, petitionary clause to the Rosary, "Holy Mary, mother of God, pray for us now and in the hour of our

[14] M. Vloberg, "The Iconographic Types of the Virgin in Western Art" (trans. from the French, 1952), in *Mary: The Complete Resource*, ed. S. J. Boss (London: Continuum, 2007), 540–43, cf. Luigi Gambero, *Mary and the Fathers of the Church* (San Francisco: Ignatius Press, 1999), 83–85.

[15] Discussed by Richard Price and Stephen J. Shoemaker in *Mary: The Complete Resource*, on 56–57 and 130–31 respectively, revealing that it is only on the basis of an argument from silence as to other such devotion at such an early time that palaeographic evidence has been doubted.

death," was added only in late medieval or later times, although this invocation was established in the church of Axum (attached to Alexandria) before the schism between Alexandria and Constantinople in 449.[16]

The Historicity of the Gospel Teaching About the Virgin Birth

Luke and Matthew are the most explicit witnesses to Jesus' virgin conception and birth, and even liberal critics assign Luke a date around 85 and Matthew around 90, still times when there would be many who had heard the teaching of the Apostles still alive. In the second century Ignatius of Antioch, speaking both of the reality of Jesus' bodiliness and of the folly of the cross, says, "For our God, Jesus the Christ, was conceived by Mary, in God's plan being sprung both from the seed of David and from the Holy Spirit—he was born and baptized in order that by his Passion he might hallow water. . . . Mary's virginity and her giving birth escaped the notice of the prince of this world, as did the Lord's death—those secrets crying to be told, but wrought in God's silence."[17] This leaves no room for doubt about the credal character of his belief in it, and Justin too makes it central along with the crucifixion and Resurrection.

However, in considering the historicity of the gospel teaching about the virgin birth, sceptical biblical critics have concentrated upon two points, the one the apparent absence of any trace of this teaching in St. Mark's Gospel, and the second the absence of any reference to it in St. Paul's epistles.

The fact that St. Mark, whom almost all scholars take to be the first to write a *bios*, or life, of Jesus, says nothing of the virgin birth has been what has given most force to theologians' doubts as to the historicity of the virgin birth. However, one ought to take account of the probable context of the first writing and presentation of St. Mark's Gospel, namely as delivering "the good news of Jesus Christ, the Son of God" to an audience of Gentiles in Rome, and not only to Jews, doing this by presenting an account of Jesus' public life, which in some way recommended a belief in Jesus as Christ and Son of God. In such a context, one would not expect a *bios* to rely on any facts which of their nature would be known only privately, and one would not have expected the preaching of Peter to such Romans to draw upon any such facts (it is Peter's preaching that St. Mark was supposed from very early times to be translating or interpreting), but rather on the mighty works of Jesus recapitulating and exceeding the miracles of the ancient prophets and Moses.

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[16] See Palmer, *Mary in the Documents of the Church*, 54.

[17] Ignatius, *Epistle to the Ephesians*, 18; cf. his *Epistle to the Trallians*, 9, trans. C. C. Richardson, *Early Christian Fathers* (London: SCM Press, 1953).

Now, if the context of delivery had been more purely Jewish, the speculations of scholars that the expression "son of God" need not be understood to imply a claim to divinity (Jewish kings and the faithful of Israel sometimes being referred to as "sons of God" in the Old Testament), might conceivably have some relevance. But such speculations are quite irrelevant to the interpretation of Mark if we take into account that it was presented in a Roman context, as is confirmed by its many Latinisms, to an audience including, according to Clement of Alexandria, some of Caesar's *equites*. Therefore any affirmation of Jesus Christ as the Son of God, made in this way in the full face of the Roman and Greek world, would have had the implication of divine honours just such as Philippians 2:5–11 refers when it speaks of God having bestowed on Jesus a name above every name, so that at the name of Jesus every knee shall bow, in heaven and on earth and under the earth.

Therefore, Mark's proclamation presented a direct challenge to the Roman world view and in particular to the claims about the emperor as divine during his life made by Caligula, as well as to the aura which might make the Senate declare him divine at death. From at latest A.D. 40, Caligula increasingly presented himself as being a god even in his lifetime, and it was this direct clash between Jewish understanding and Roman claims which generated the simmering battles between the Roman authorities and the Jews in Alexandria from A.D. 39 onwards. The tensions with the Jews extended throughout the Levant, and the most plausible interpretation of Mark 13:14, "when you see the desolated sacrilege set where it ought not to be (let the reader understand), then those in Judea must flee," is to see it in the context of Caligula's decree from about A.D. 40 ordering the erection and worship of his statue in the Temple of God.[18] In Graham Stanton's recent work *Jesus and Gospel* (Cambridge University Press, 2004), makes it very clear the title "Son of God" came to such early prominence in the presentation of the Gospel precisely in order to set Jesus as the true Son of God and his good news in contrast with the emperors and the good news they claimed to bring when they took the throne.

[18] He appointed Petronius to the government of Syria, bidding him carry out that decree even at the cost of a war against the rebellious Jews. In response, the Jews in tens of thousands protested to the governor that they were willing to be slaughtered rather than to be condemned to witness that idolatrous profanation of their holy Temple. Soon afterwards Petronius asked Caligula to revoke his order, and Agrippa I, who then lived at Rome, prevailed upon the Emperor not to enforce his decree. It seems, however, that Caligula soon repented of the concession, and that but for his untimely death (A.D.) he would have had his statue set up in Jerusalem. Cf. Emil Schürer, *History of the Jewish People in the Time of Christ*, trans. John MacPherson, div. 1, vol. 2 (Edinburgh: T&T Clark, 1890), 90–105.

Stanton's picture makes the earliest possible date the most plausible. It has often been supposed that Mark's apocalyptic chapter 13 was written with the situation in A.D. 64–66 or 67–69 in view, but in fact the re-application of the phrase "abomination of desolation," to be found in Daniel and Maccabees, suggested by the actions of Antiochus Epiphanes,[19] fits far better with the aftermath of Caligula's attempt, foiled by his death, to install his image in the Temple. Such early dates[20] fit well with Mark's

[19] Daniel 11:31, 12:11, cf. 9:27; 1 Maccabees 1:54 referring to Antiochus Epiphanes's erection of a statue of Zeus on the altar of burnt offering in the Temple in 167 B.C., and sacrificing swine before it.

[20] Standard commentaries add no other internal arguments for later dates which are not to be found in Vincent Taylor, *The Gospel according to St. Mark* (New York: Macmillan, 1953), 31–32; Martin Hengel, *Studies in the Gospel of Mark*, trans. John Bowden (London: SCM, 1985) 12–28; and Daniel Harrington, "The Gospel According to Mark" *The New Jerome Biblical Commentary* (London: Geoffrey Chapman, 1989). All are weak and question-begging.

The first two authors take the view that the ideas of worldwide mission and of the freedom of the Gentiles from *kosher* laws could not come from Jesus himself, or from any period before the Pauline mission had had extensive influence, making the groundless assumption that they do not come from Jesus himself. These arguments also ignore the likelihood of an early general spread of the gospel to all the areas mentioned in Acts 2, augmented by the movement of the Hellenists from Jerusalem throughout Judea and Samaria, to Phoenicia, Cyprus, and Antioch, who were expelled after the killing of Stephen in 33 or 36, and assume that Acts 10 is unhistorical or chronologically misplaced. Such arguments are in any case compatible with any date after A.D. 45, when the Pauline mission had already begun to turn towards the Gentiles.

It is also argued that Christianity in its earliest stages was so dominated by eschatological expectation that a *bios* or life of Jesus would have been alien to it, whereas it seems that at the time the main reason why writing required some special motive was the tendency to share the Rabbinic idea that memory within an oral tradition was more reliable than writings; Peter's leaving Rome would have provided just such a special motive. The relationship of the few sayings to be found in Mark and Q and the dating of Q are entirely speculative, and therefore no firm argument can be drawn from them.

Harrington's conception that it was only in the 60s that Mark would have anticipated persecution is countervailed by the persecution in Judea spoken of in I Thessalonians in 50 or 51 and the troubles between Jew and Christian which it is said led Jews to be expelled from Rome in 49, besides the evidence from 2 Corinthians 11, Acts 6–9, 12, 14, 21, et al. There is no reason to think that there was any uniform practice in respect of penalties for blasphemy or synagogue-exclusion amongst the Jews across the Empire before A.D. 70, or that the norms prescribed in the Mishnah were already applied as assumed in Douglas Hare's *The Theme of Jewish Persecution of Christians in the Gospel According to St. Matthew* (Cambridge University Press, 1967), or that such criteria controlled lynching.

David Flusser echoes the general view that the council of Jamnia around A.D. 80 made little change to the application of the *Birkat ha-minim*, or curses on the *minim*,

taking his Gospel from Rome to Alexandria as attested in the Old Latin Anti-Marcionite Prologue, Recension 2,[21] also fitting with the tradition passed on by Africanus and Eusebius associating Mark with Alexandria up until A.D. 61, and with Clement of Alexandria's seeming to have independent information about the origins of Mark's Gospel, and also placing it before the death of Peter.

This would make Mark's Gospel perhaps the earliest writing to witness to the divinity of Christ in a full-blooded sense, and give peculiar significance to Mark 12:35–37 where he portrays Jesus as challenging the scribes and elders to answer the question as to how, if the Messiah is to be son of David, David can call him Lord (*kurios*), David being taken to be the author of Psalm 110 which begins "YHWH (*Adonai* in public synogogue reading) said to my Lord (Hebrew *Adonai*)." This challenge brings into direct question how the Messiah can be described as Lord if he is merely a descendant of David. It thereby implies that any description of Jesus as Messiah, or as Lord, or as Son of God, raises a question as to his family origins, taking one beyond his baptism by John the Baptist, back to the question of his origin and conception.

For, within the Jewish framework of thought which Mark shared with St. Paul, there could be no place for an apotheosis, whereby a mere man might become a God, like Hercules in Greek mythology, but only of one who was already divine coming to be recognized as such, and that is what St. Paul's epistle to the Philippians presents, namely that Jesus, being already in the form of God, did not treat equality with God as something to be snatched at (as it were by robbery) in the manner of Eve and Adam, but took on humanity in the form appropriate to a slave, not in the open glory appropriate to his closeness to his Father, but mostly hidden until his ascension. It is within this framework of thought that we should consider the significance of Mark.

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introduced into the Eighteenth Benediction of the Amidah. He argues that they were introduced long before, in the late Maccabean period, at that time probably directed against the Essenes, the added curse on the *nosrim* being found only in two Palestinian MSS of about A.D. 150 surviving from Egypt, having quite limited application. Cf. David Flusser, "The Jewish Christian Schism Part II," in *Judaism and Origins of Christianity* (Jerusalem: Magness Press, Hebrew University, 1988), 635–44.

[21] The texts and discussion of the dating of the various Anti-Marcionite prologues, of which this and the Greek text of the Anti-Marcionite prologue to Luke appear the most probably historical, are conveniently presented in Bernard Orchard and Harold Riley, *The Order of the Synoptics: Why Three Synoptic Gospels?* (Macon, Georgia: Mercer University Press, 1987), 143–56. The prologues add the incidental information that Mark was nicknamed Stubfinger because of the shortness of his fingers, which suggests some historical grounding.

It is normally accepted that Mark drew much from the preaching of Peter in Rome. The strongest arguments for the commonly accepted date of Mark are based on the tradition that he published his Gospel after the *death* of Peter, so the Gospel would date between 65 and 69. But other traditions suggest that he published it after some earlier *departure* of Peter from Rome, which would be compatible with Mark's Gospel being written as early as A.D. 47 to 49 or 54 to 57 if Peter made visits to Rome in the 40s or 50s.

If Mark were written as early as A.D. 47–49 or 54–57, then the possibility of dates for the Gospels of Matthew and Luke (or a Proto-Luke) from the '50s onwards becomes possible, and for Acts, the second half of Luke's work, from A.D. 62 onwards, the time that the narrative of Acts comes to what seems an arbitrary end, without mention of Paul's later martyrdom.[22] We are ignorant of what links he may have maintained with Antioch (his city of origin) or Jerusalem, how much Luke learnt at any time from Jesus' relatives or John, what documents may have passed to him whether in Rome, Philippi, or Achaia, or what travels he may have made when not with Paul.[23] Dates much earlier than critics usually suggest recommend themselves on many grounds,[24] but they also have

[22] Early dates would explain the absence in Matthew, Luke, or Acts of any trace of knowledge of the apostolic martyrdoms, and even the fall of Jerusalem; cf. n. 24.

If Matthew had an early date, a plausible place of origin would be Alexandria, following the tradition that Mark brought his Gospel with him to Alexandria in the 50s. The tendency to dismiss the possibility of an Alexandrian origin has only arisen in the context of the presumption of a late post-Jamnia date. In any case, whatever the dates of Matthew and Luke, it is impossible that there should be much overlap between the lives of Matthew and Luke or that they should both be rooted in the traditions of the church in Antioch, since there is so little sign that either knew the text of the other, and what evidence we have associates Luke, not Matthew, with Antioch.

[23] Luke appears to have had closer knowledge both of the family traditions of Jesus (see Richard Bauckham's *Jude and the Relatives of Jesus in the Early Church* [Edinburgh: T&T Clark, 1990, 2004]). for his discussion of the Lukan genealogy in the context of the evidence of Julius Africanus), the court of Herod and the proceedings in Jerusalem from the time of Jesus' arrest to his appearance to the apostles than Matthew (perhaps through Joanna, cf. Luke 8:3 and 24:10, or Manaen at Antioch, Acts 13:1). Luke also shows a good knowledge of the general topography and distances in Palestine both north of Jerusalem and west to Azotus and Gaza.

Acts places him in Philippi in 50 and early 58, in Jerusalem and Caesarea in late 58 and 60, and travelling to Rome in 62, but he may have had only short times in Rome (cf. Colossians 4:14 Philemon 24 and 2 Timothy, 4:11, especially if Timothy responded quickly to Paul's plea in 4:9). The Greek text of the Anti-Marcionite prologue to Luke tells us that Luke wrote his Gospel in Achaia (dying much later in Thebes in Boeotia).

[24] The fall of Jerusalem is described in terms which seem derived from Old Testament models, rather than from any historical knowledge after the event (cf. C. H. Dodd,

the implication that the doctrine of the virgin birth may have become well-established in Christian catechesis at a much earlier date than is commonly supposed.

As to St. John's Gospel, it suggests more knowledge of the virgin birth than appears upon the surface. The predominant reading of John 1:12–13 in all the manuscripts which have come down to us is "but to all who received him, who believed in his name, he gave power to become children of God, who were born, not of blood nor of the will from the flesh nor of the will of a male human being [in the genitive, *andros* from *aner*: "male human being"], but of God," the "who were born, not of blood nor of the will of the flesh nor of the will of a male human being, but of God" being taken to refer to those who become children of God. In this reading, the specification "not of the will of a male human being" seems oddly irrelevant, an irrelevancy disguised by the common translation "not of man" construed as meaning not of a human being (*anthropos*) as if the Greek had used the generic term for "man," *anthropos*, whereas in fact it uses the specifically male term, *aner*. However, Tertullian had a reading of John 1:13 as saying "who was born, not of blood nor of the will of the flesh nor of the will of a male human being, but of God," making the whole relative clause refer to him who gave power to become children of God, rather than to the children themselves—a reading he shares with many other early Fathers from Irenaeus onwards, mostly relying upon Latin. This reading makes more sense of the male formation *andros*, although it is a reading found in no Greek manuscript. In this way the evidence is ambivalent.

Turning to 6:42, the verse after Jesus' assertion that he is the bread that came down from heaven, we read:

> They were saying, "Is not this Jesus the son of Joseph, whose father and mother we know? How can he now say, 'I have come down from heaven'?"

"The Fall of Jerusalem and the 'Abomination of Desolation,'" *JRS* 37 (1947), 47–54; reprinted in his *More New Testament Studies* (Manchester: University Press, 1968), 69–83, and other references given in pp. 13–30, J. A. T. Robinson, *Redating the New Testament* (London: SCM, 1976), including those to Rengstorf and to S. Pedersen, in respect of Matthew 22:6f. which strangely refers to the burning of a city, but not of the temple, and Luke 21:20–24 which again mentions only the city, not the temple). And such dates explain the closeness of moral instruction in Matthew to that found in St. Paul (cf. C. H. Dodd, *New Testament Studies* [Manchester: Manchester University Press, 1953], essay 3, 53–66, no. 3, 53–66, "Matthew and Paul," reprinted from 1947) as well as the apparent links between the ideas of Matthew 24 and II Thessalonians. Cf. n. 22.

Then in 7:25–27, we are told:

> Some of the people of Jerusalem were saying, "Is not this the man whom they are trying to kill? Here he is, speaking openly, but they say nothing to him? Can it be that the authorities really know that this is the Messiah? Yet we know where this man is from; but when the Messiah comes no one will know where he is from."

And in 7:41–42, we are told:

> Others said "This is the Messiah." But some asked, "Surely the Messiah does not come form Galilee, does he? Has not the scripture said that the Messiah is descended from David and comes from Bethlehem, the village where David lived?"

All these passages, along with the passage in 8:41 suggesting that Jesus was born of fornication, seem to be written in full consciousness of contemporary Jewish disagreements as to where the Messiah would come from and with an audience in view which is aware that Jesus was in fact born in Bethlehem, and in fact born of a virgin, written with the same irony as we find in John's reference to Caiaphas as prophesying despite himself that "it was expedient that one man should die for the sake of the people, in order that the whole nation shall not perish" in John 11:49–52.

It is against this background that we should consider St. Paul. St. Paul speaks of Jesus as Son of David, implying kingship of Israel, something depending on David's having ultimate legal paternity, and elsewhere of his having been "born of woman, conceived under the Law" (Galatians 4:4), which was vital to Jesus being born a Jew, both things of which Matthew and Luke are clearly conscious. For the rest, Paul's preoccupation is always with Jesus' crucifixion and Resurrection and their significance for our salvation. And, whether in the epistles or in his sermons in Acts, Paul never refers to Jesus' baptism by John, but, when he thinks of Jesus as Son of God, this embraces his whole human existence as in Philippians, Colossians, and Ephesians, even though Acts 13:33 speaks of him as being begotten as Son of God at the Resurrection.

It should be recalled that, in the Church's liturgy, the feasts associated with the birth and conception of Christ do not even begin to be established until, at earliest, late in the third century, and other feasts associated with the Virgin Mary only later, even though thinking of her as the second Eve was well established much earlier. Rather the whole of the Church's year was centred around Good Friday and Easter with a period of preparation of up to seventy days before them, and the feasts of the Ascension and Pentecost after them. Yet at the very same time, it is undisputed that

belief in the virgin birth was established before A.D. 100, evident not only from the Gospels of Luke and Matthew but also from the epistles of Ignatius, and belief in the divinity of Christ in a sense implying his pre-existence before his conception is plain from Hebrews and all the Johannine works as well as all the second-century Fathers, although only Luke shows any interest in Jesus' early life.

John Henry Newman makes it particularly clear that any public and ecclesiastical recognition of the place of Mary in the economy of grace had to be reserved until after clarity was achieved as to the divinity of Jesus,[25] and therefore reserved for the fifth century when preserving the doctrine of Jesus' true divinity led the Council of Ephesus in 431 to insist on the appropriateness of describing Mary as *theotokos* ("God-bearer"), Mother of God, against Nestorius who refused to allow Mary to be referred to by this title in A.D. 428. At each stage in the development of Christian doctrine, the primary truths have to be better understood and made clear before public proclamation and clarification can be made in regard to the subordinate ones, and sometimes it is only the clarification of the primary truths which forces Christians to give full recognition to the secondary ones.

Epiphanius of Judea, Bishop of Salamis in Cyprus (c. 310–403), in his *Panarion* written between A.D. 374 and 377, felt himself obliged to warn against treating Mary as a goddess to be offered sacrifices or *latreia*, regarding the practices of some sects as having pagan roots[26] or as able to play a role in the administration of the sacraments as if women could be priests. The danger of excesses in devotion to the Virgin Mary has always been something the Church has had to resist since early times.[27] In the same period Jerome defended the honouring (*honorare*) of Mary and the saints against the accusation that it involved importing paganism into the

[25] John Henry Newman, *The Development of Christian Doctine*, 1878 edition (Notre Dame: University of Notre Dame Press, 1989; 6th edition), 142–48, cf. 436 in respect of 423–36. A particularly striking instance of this is provided by consideration of the Church's teaching on the Eucharist. If Jesus was a mere man, or if it had not been by his Resurrection and Ascension and the work of the Holy Spirit that Jesus' divine presence could be made universally accessible and formative of Christian life and community, or if the ritual of taking bread and wine and their transformation into the body and blood of Christ could not be understood with reference to the Old Testament prefigurings in Israel's sacrifices, being freed from slavery and constituted one people, the Eucharist would appear to be mere cannibalism.

[26] Cf. the appendix below.

[27] Palmer, *Mary in the Documents of the Church*, 49, gives references to the early need to reprove excesses in such devotion, given evidence in the writings of Epiphanius, who had a Jewish origin southwest of Jerusalem, became a Christian monk in Egypt, returning to Judea to found his own monastery, and then Bishop of Salamis

churches, and Ambrose advocated her veneration (*venerare*), while both rejected adoring her with the adoration due to God alone,[28] and Augustine saw the need for words to distinguish the kinds of worship so that since his time in the West the word *latria* (from the Greek *latreia*) has been reserved for the worship of God alone and the word *dulia* (from the Greek *doulia*) used for the reverence due to Mary and the saints.[29] It was only after the clear limits set by Trinitarian doctrine had been established in 381 that there could be any freedom in any rich expressions of veneration towards the Virgin Mary, saints, and prophets.

Section 2: Reaching Clarity in Regard to Mary's Virginity and Sinlessness

Mary's Virginity Before and After the Birth of Jesus: The Relationship Between Jesus and Those Referred to as His "Brothers and Sisters"

One element in Catholic and Eastern Orthodox teaching about the Virgin Mary which is in no way a modern development, and historically well evidenced as established from the third century or earlier, but often ignored or rejected in modern thinking outside Catholic and Orthodox circles, is the tradition of her perpetual virginity, that is, that she was not only virgin in the conception of Jesus, but also remained virgin ever after. Moreover, this tradition dovetailed with the ideas of Mary as the new Eve and as having the role of being mother of all the faithful, the beloved disciple John with her at the foot of the Cross onwards being the first and representative of all those to follow.

Yet, in addition to modern radical doubts as to the central doctrines of Jesus' virgin conception and birth and the Incarnation itself, Mary's perpetual virginity and long-term role in the life of the Church, along with the rest of Catholic doctrine about Mary, have come to seem foreign to the common way of reading the New Testament. For, in this common reading, it is assumed that Jesus had brothers and sisters such as are referred to in

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in Cyprus because of his learning and orthodoxy. Later, the writings of St. Louis-Marie Grignion de Montfort and St. Alphonsus Liguori offer much that has seemed excessive at least since 1950, and much Italian devotion has seemed alien to the English since the nineteenth century. More substantially, the Church has had to condemn portrayals of Mary as if she shared in the ministerial priesthood, an idea Epiphanius was concerned to condemn and implied today when she is pictured wearing a stole.

[28] Cf. Stephen Shoemaker, "Epiphanius of Salamis, the Kollyridians, and the Early Dormition Narratives: The Cult of the Virgin in the Fourth Century," *Journal of Early Christian Studies* 16 (2008): 378.

[29] Cf. St. Thomas Aquinas, *Summa theologiae* II–II, q. 103, a. 3.

Mark, Matthew, and Luke, and appearing in St. John and Acts as Jesus' brethren, including above all James, whom St. Paul speaks of as the brother of the Lord. And it is taken for granted that these were all children of Joseph and, following the modern way of thinking spoken of earlier, also children of Mary.

In the attitude of both non-Christians and many Protestants today, therefore, all these elements of Catholic teaching about Mary appear not so much ill-supported as far-fetched.

Amongst many recent Protestants, we find an attitude whereby Mary's role in the Incarnation is simply as an obedient human biological instrument in the bearing, birth, nurturing, and upbringing of Jesus, and as having no further role in relation to man's salvation beyond being an instrument in fulfilling these tasks. Accordingly, after bearing Jesus, she could be alloted by God to other duties, for example, those of bearing, giving birth, nurturing a whole brood of other children, four sons and at least two daughters. And from her point of view, rather than having her whole vocation and life centred on the conception, birth, and care of Jesus, she could turn aside to a "normal" life as wife of Joseph, bearing him children, as it were half-brothers and half-sisters to Jesus. Yet Rahner rightly argues, it is quite wrong to treat Mary's role as mother of the Son of God as merely biological, rather than as something personal, and, as personal, embracing the motherhood of a divine person.[30]

But today, it is thought that companionship and the use of sex to express love as well as to bear children is part of the norm of human life and especially of marriage, so surely it might seem natural that, after Mary had done her job in bearing and caring for Jesus, she should fulfil the role of a normal married woman in relation to Joseph and a whole large natural family.

Against this, there has always been a feeling amongst all Christians which gives some Evangelicals (followers of the Reformed tradition) cause to pause. To most Christians through the ages, for what some consider good and some consider some bad reasons, it has been felt incredible that a person who had consented to allow her womb to bear the Son of God should treat this as a temporary thing, a physical job or natural task to be got over and done with, so that once out of the way, other physical jobs might be taken on and attachments of a normal marital character lead to their normal marital consequence in the having of other children, in this case by Joseph. And this has been felt, even independently of reflection on Mary's earthly role as spiritual instructor of Jesus, and quite apart from her long-term role of being spiritual mother of all the faithful whereby, just as

[30] Karl Rahner, "The Immaculate Conception," in *Theological Investigations*, vol. 1, 201–13, at 203f.

Jesus was weaned from earthly attachment, so she was also ultimately to be so weaned as to give, for example, more attachment to John qua spiritual son than to James *qua* son in the family.

Whatever else is said, it is clear that the descriptions "brother" and "sister" in both Hebrew and New Testament Greek can cover many different relationships, not only that of full blood brother, but of half-brother or sister, foster-brother or sister, cousin and or other close relative.

However, more particularly, in the Gospels themselves there is clear enough evidence that the brothers and sisters referred to are not blood-brothers of Jesus.

In listing some of the women who had come down from Galilee and witnessed the crucifixion, Mark (15:40) includes a Mary whom he describes as "the mother of James the less and of Joses," two of the names he gives as names of brothers of Jesus in 6:3 in connection with a visit of Jesus to Nazareth, and in 16:1 lists the same Mary simply as "mother of James" as amongst the women who went to Jesus' tomb to anoint his body with spices and saw the young person who told them that Jesus had risen from the dead. The same Mary is referred to by Matthew in the same context of watching the crucifixion as Mary mother of James and Joseph, using the more common Jewish name Joseph, and Matthew uses the same names in this changed form, James and Joseph, in listing brothers of Jesus in 13:55 in connection with the visit to Nazareth already spoken of by Mark in 6:3.[31]

Luke's Gospel, like Mark and Matthew, lists "Mary mother of James" as one of those visiting the tomb, but never mentions any Joses or Joseph as amongst the "brethren of Jesus," and the natural presumption is that Luke takes himself to be referring to the mother of the only James who has any significance for the history he tells in his Gospel and in the book of Acts, the history of Jesus' progress from Nazareth to Jerusalem and the gospel's progress from Jerusalem to Rome. This was the James so prominent as head of the Church in Jerusalem in Acts 12:8, 15, and 21, mentioned as one of the "pillars" of the church by Paul in Galatians 1 and 2 and with his name encapsulated within the traditional formula passed on to St. Paul as particular witness to Jesus' Resurrection (1 Corinthians 15:7). Luke will have taken this James to be one of the brethren of Jesus referred to when he speaks of "the women and Mary the mother of Jesus, together with his brethren" (Acts 1:14) as being together with the eleven remaining original apostles in the period leading up to Pentecost and at Pentecost.

[31] The Mary spoken of as watching the crucifixion in Mark appears as "Mary the mother of James" in Mark 16:1, and "the other Mary" in Matthew 28:1, in the context of listing the women who went to the tomb.

In all these contexts, it would be extraordinary if any Mary should be referred to as the mother of the James later so prominent in the Jerusalem Church if she was in fact the mother of Jesus. Elsewhere, from Eusebius's citations from Hegesippus, a second-century exile from Palestine, arriving in Rome after 154 and writing after 174, we learn that Clopas was brother of Joseph and father of the Simeon who succeeded James as bishop of Jerusalem in A.D. 62, and in both Mark and Matthew a "Simon" appears in the list of four brothers of Jesus, the fourth being Judas (presumably the Jude who wrote the epistle in his name). It is impossible that these four can all be brothers because of the way Hegesippus explains the relations between James and Symeon: "After the martyrdom of James the Just on the same charge as the Lord, his uncle's child Symeon the son of Clopas is next made bishop, who was put forward by all as the second in succession being cousin of Lord."[32] It is in the utmost implausible that a brother of James should be referred to as his "his uncle's child," and so it would appear that of the four listed brothers only James, Joses (Joseph), and Judas (Jude) would be full brothers to each other, and Simon (Simeon) a younger cousin dying about A.D. 107. We now have the problem of the parentage of the three, who appear to be children of the Mary who is spoken of as mother of James and Joses (Joseph).

Now, when John's Gospel comes to list the women present at the crucifixion, he lists Jesus' mother, his mother's sister, Mary the wife of Clopas, and Mary Magdalene (19:25)." We should now consider St. John's list of women standing near the cross, and the likely interpretation that four women are listed, "his mother's sister" being distinct from "Mary the wife of Clopas," and the expression referring to his mother's sister-in-law, since otherwise we would have two Mary's as full sisters. This leads one to envisage a sister of Joseph and Clopas as being Mary the mother of James and Joses (Joseph), along with Judas (Jude).[33] And in the only recently established very small community at Nazareth at the time, it would be natural for Joseph, this sister Mary with her sons James, Joses, and Jude, and their younger brother Clopas and his son Simon, to live in

[32] Hegesippus as quoted by Eusebius, *Historia Ecclesiae, IV,* 22, PL 20, 380, cf. *Historia Ecclesiae*, III, 11 (I give an adapted translation).

[33] The Syriac Peshitta version of the New Testament from the beginning of the fifth century, based on Old Syriac versions going back to the second century, inserts a conjunction in John 19:25, saying "his mother and his mothers sister, and Mary of Cleophas and Mary Magdalene," a suggestion confirmed by inspection of the Jerusalem Syriac lectionary, *vide* J. B. Lightfoot, "The Brethren of the Lord," Dissertation II, published with *St. Paul's Epistle to the Galatians* (London: Macmillan, 1887), 264 and 264 n. 1. This confirms the theory of John McHugh, *The Mother of Jesus in the New Testament* (London: Darton, Longman and Todd, 1975), 244–49.

one household, along with the daughters of Mary mother of James or of Clopas father of Simon.[34] There is nothing incredible in the idea of there being so many Mary's in the Gospels, since Miriam was one of the most common Jewish names of the time, being the name of Moses's sister, just as we find many with the name James (Jakob) and Judas.

And, if Joseph had died, it would be especially natural for Jesus as heir of Joseph to live in one household or closely associated households with his mother and with Clopas and his wife and four sons and their sisters (in early tradition two sisters), particularly natural within the community which constituted Nazareth which was at the time only a very small settlement.

In the second half of the second century, the apocryphal *Protoevangelium of James* was written, one of the many non-historical works of pious imagination produced at that time. This presented an account in which Joseph had had other children by an earlier wife, and became a widower before becoming betrothed to Mary, who then gave him Jesus as a further legal son, and this theory was later accepted by Clement of Alexandria,[35] Origen, Hilary of Poitiers, and many other Eastern writers, while rejected outright by St. Jerome. This theory incurs the decisive disadvantage that it would have made James the legal heir to Joseph, and therefore also to David, and therefore undermined the many arguments in the Gospels and St. Paul, which depend on regarding Jesus as heir of David.

Jerome's rival theory goes in for a grand simplification in which there are taken to be only two James's referred to in the New Testament: James the son of Zebedee, brother of John, and James referred to as "brother of the Lord," whom he identified with "James son of Alphaeus," listed as one of the twelve apostles who went about with Jesus in his ministry, then iden-

[34] This conforms to the general picture of a large household given by Epiphanius, who gives as his general authority "the traditions of the Jews." J. B. Lightfoot, "The Brethren of the Lord," 285–86 (his references all come from Petavius's 1644–1650 text), summarised this picture as of a household headed by Joseph as being old when the virgin was espoused to him, and with his former wife having six children, four sons and two daughters Mary and Salome, the sons, St. James especially, being "called the Lord's brethren because they were brought up with Jesus." Epiphanius is described as saying that "the mother of the Lord remained ever a virgin; as the lioness is said to exhaust her fertility in the production of a single offspring [Herodotus, III, 108], so she who bore the lion of Judah could not in the nature of things become a mother a second time," and as very jealous for Joseph's honour.

[35] Clement in the *Stromata* in fragments preserved by Cassiodorus, 2 (*The Ante-Nicene Fathers*, II, 573, reproducing John Potter's translation of 1715), cf J. B. Lightfoot, "The Brethren of the Lord," 279–80). In his *Commentary on Matthew*, Origen cites Clement, and the later writers follow him like sheep until the questioning of Jerome.

tifying Alphaeus with Clopas brother of Joseph.[36] However, it is incredible that any of the twelve who accompanied Jesus in his Galilean ministry should have been one of the brethren of Jesus, since all four Gospels make it clear that Jesus deliberately distanced himself from his family, and they were at a distance from him until the last week before the crucifixion—the picture found in Mark and Matthew being confirmed in St. John's Gospel.[37] In 1 Corinthians 15, when St. Paul is listing the first male witnesses of the resurrection of Jesus, he says: "I handed on to you the facts which have been imparted to me; that Christ died for our sins in accordance to the Scriptures: that he was buried, that he was raised to life on the third day, and that he appeared to Cephas [Peter], and afterwards to the twelve. Then he appeared to over five hundred of our brothers at once, most of whom are still alive, though some have died. Then he appeared to James and then afterwards to all of the apostles." We should see this appearance of Jesus to James after the Resurrection, the eldest of those "brethren" of Jesus who rejected or doubted Jesus' claims (Mark 6 and John 7), as involving a radical turning on the part of James, a turning more analogous

[36] Richard Bauckham gives clear argument concurring with the identification of Clopas in John with Cleophas in Luke made by J. B. Lightfoot in his "The Brethren of the Lord", 267 and 267 n. 1, and insisting that Alphaeus and Cleophas must refer to different people in his *Jude and the Relatives of Jesus in the Early Church* (Edinburgh: T&T Clark, 1990), 17–18.

[37] Eastern Christendom has always kept the feasts of three separate James's, and never been tempted by Jerome's extra over-simplification. In theory the name Clopas might be reported in the guise of Alphaeus. But Jerome's whole theory ignores the fact that James (Jakob) along with Judas were perhaps the two most common male names in the time of Jesus. It is particularly incredible that James of Alphaeus, so inconspicuous amongst the twelve as to appear only ninth in Mark's list of the twelve and not mentioned as in any special family connection with Jesus, should be the one referred to elsewhere as the James who stood first amongst those referred to as brethren of Jesus and became head of the church in Jerusalem after the twelve apostles had scattered on different missions.

The Western Church has made a similar ill-justified simplification in identifying the Jude listed as amongst the four brethren of Jesus with the Judas listed alongside Judas Iscariot as amongst Jesus' twelve apostles. Thus, in Luke's list of the twelve apostles in Luke 6:14–16 (repeated in Acts with the omission of Judas Iscariat who betrayed Jesus), we find a Judas son of James listed in the eleventh place, referred to in John's Gospel as "Judas, not Iscariot," more likely son of some further James than brother of any James we know of from any other source, corresponding to Thaddaeus in the lists of Mark and Matthew (some manuscripts of Mark give the name Lebbaeus), a Thaddaeus associated with some of the same missions as Judas Thomas in later tradition. This apostle Judas, one of Jesus' closest companions during his ministry, is most unlikely to be of the family of Jesus, portrayed as distant from Jesus during his lifetime.

to the conversion of Paul on the road to Damascus than the recovery of Peter involved in Jesus' appearance to the repentant Peter, listed by Paul as the first male witness of Jesus' Resurrection. Jerome does not seem to have registered that such names as James (Jacob) and Judas (Jude) were the most popular male names in first-century Israel, associated with the ancestral Jacob and his fourth son Judah and after the latter Judas Maccabeus, the hero who freed the Jews from Greek rule. If Thomas (meaning "twin") was also named Judas, as later accounts of the missions of an apostle called Judas Thomas suggest, then there were three Judas's amongst the apostles.

The third theory is the one which modern writers so often take for granted, namely that those referred to as the brothers and sisters of Jesus were children of Joseph and Mary, the mother of Jesus, after Jesus was born, but is hardly traceable at all amongst early Christian writers. Although it is the view held by Tertullian, and apparently popular amongst the Montanists, we do not hear of it again until, about A.D. 383, Jerome takes time to refute it, referring to it as the theory of somebody called Helvidius, of whom all we know is that he wrote later than A.D. 300 since he quotes the lost commentary on Matthew by Victorinus of Pettau writing at that time. The theory appeared to Jerome and other writers of his time to constitute an unseemly novelty, and, unlike the *Protoevangelium* theory, was condemnedas heretical.[38] It was rejected because of complete lack of evidence either in Scripture or in tradition from Palestine, for example, such tradition as is witnessed to by Hegesippus shortly after the exclusion of Jews from Jerusalem by Hadrian. It also ran contrary to the early tendency to think of Mary as the new Eve, both Justin and Irenaeus like the much earlier Ignatius beginning with the thought of Mary as virgin, followed by the thought of her as, after the death of Jesus, primarily the mother of all the faithful beginning with the beloved disciple John.

In sum, there is no evidence either in Scripture or in tradition of Mary having any children other than Jesus, and from early times, when Mary is spoken of as the Virgin Mary, this is understood in such a way as to imply not just that she was virgin at the time of bearing Jesus, but remained a virgin ever after.

[38] Two followers of Helvidius, Jovinianus of Milan and Bonosus, Bishop of Sardica, were condemned by synods respectively at Rome and Milan about A.D. 390, and at Capua in A.D. 392, J. B. Lightfoot, "The Brethren of the Lord," 286. The background of the error seems to lie in Tertullian's inability to understand that a person could have an opened hymen (perhaps to be closed over) while continuing to exclude intercourse with anybody, could count as fully morally a virgin, as if physical integrity and the virtue of moral virginity were the same, a distinction which Jerome seems to have been the first to understand (Gambero, *Mary and the Fathers of the Church*, 208–9). This topic requires a separate essay.

Mary's Sinlessness: The Slow Removal of Doubts and Obscurities

It is the idea of the weaning from particular non-spiritual attachments, shared with Jesus, and implying virginity, not by privation, but by completeness of attention to the exercize of her spiritual role, as Mother of the faithful, which alone explains the dogmatic status of the doctrine of Mary's perpetual virginity. We may note that this doctrine is quite unvarying (except for the Helvidian heresy) in the ancient Church and in Catholic and Orthodox Church teaching. The daughter of Zion, the culminating representative of the remnant of Israel, after bringing Jesus up and after his foster brothers had joined his disciples, has none of the work of Martha left. She leads Israel after Jesus in being weaned from earthly attachment—her attachment is to nothing earthly as alongside God, and to his followers only as for him, as to be made like him, and for his sake. And it appears very likely that it is to Mary the mother of Jesus, not Mary Magdalene, that the heretical documents of the second and third centuries most usually ascribe the title "apostle to the apostles."[39]

There is no sentimentality in Catholic *doctrine* in regard of Mary (though there may be a sentimentality to be purged from some *practice*). As a pattern for Christians, her heart is pierced (Luke 2:35), as her weaning from earthly priorities is completed in this kind of consent to the crucifixion. In the Rosary she accompanies her fellow-Christians in contemplating five sorrowful mysteries: Gethsemane, the scourging, the crowning with thorns, the carrying of the Cross, the crucifixion. The weaning of Mary from earthly priorities is well expounded in Augustine, Ambrose, and Jerome.[40]

An Early Development and Its Later Unfolding: The Sinlessness of Mary and the Doctrine of the Immaculate Conception

Such is the background against which we must see the doctrine of Mary's freedom from sin. The way of God's working in respect of man is never to impose, but always first to raise up the desire for, and then the consent to, what he does for man, when this is outside human power and is not a human act or not a human act alone. In this way, over a long history, he prepared the Jewish people so that the whole Jewish people so far as it is faithful (the true daughter of Zion) can be conceived of under the image of being the Virgin Mother of the Messiah; and Mary, in expressing her consent, was expressing the consent of the Jewish people and she was acting

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[39] Stephen J. Shoemaker, "Rethinking the 'Gnostic Mary': Mary of Nazareth and Mary of Magdala in Early Christian Tradition," *Journal of Early Christian Studies* 9 (Winter 2001): 555–95.

[40] Cf. n. 11 above.

as the representative of that people. The most strikingly explicit expression of her acting in this role is in her song, the Magnificat, in Luke 1:46–55.

> My soul magnifies the Lord
> and my spirit rejoices in God my Saviour,
> for he has regarded the low estate of his handmaiden.
> For, behold, henceforth all generations will call me blessed;
> for he who is mighty has done great things for me,
> and holy is his name.
> And his mercy is on those who fear him from generation to generation.
> He has shown strength with his arm,
> he has scattered the proud in the imagination of their hearts,
> he has put down the mighty from their thrones,
> and exalted those of low degree;
> he has filled the hungry with good things,
> and the rich he has sent empty away.
> He has helped his servant Israel,
> in remembrance of his mercy,
> as he spoke to our fathers,
> to Abraham and to his posterity for ever.

Further, she is in respect of her consent expressing and representing the consent of the whole human race. Indeed, this is ever the role of Israel: to be faithful and to live and act in ways that are on behalf of the whole human race. In small parallel to this, it can be significant that, in a town or place set in its ways against God, there may be a praying group, so that God's grace towards the wider society, his ever-renewed movements of grace towards this society, are not arbitrary impositions *ab extra*. That is, in the context of human solidarity and community (that is, community that exists *de facto* by being human beings together, not as a result of any voluntary agreement) in virtue of the existence of such a praying group, what he does is not imposed but is with some consent. Thus prayer in general exists on behalf of the whole human race: but the prayer and life of Israel, the old Israel as well as the new, on behalf of the world is appointed and secured as an explicitly revealed and still guaranteed part of this.

The primary doctrine to be considered is that of the sinlessness of Mary. This has been enshrined in Catholic and Eastern traditions from very early times, as a development of the conception of Mary in the role of a new Eve to be found in Justin and Irenaeus, finding its most lyrical expression in the poetry and writings of the Syriac fourth-century Father, Ephraem Syrus, and more sober statements in Augustine and other Western Fathers.

The doctrine enshrines the understanding that the crucial key consent—the only consent absolutely key to our salvation (a consent without reserve

or blemish)—was entirely the work of God, the perfect consent of a whole personality, with no element of her personality not behind and within this consent. This perfect consent to being mother and bearer of God, extending in Catholic understanding to consent to being free from sin only in virtue of the death of her son, was enclosed within one and the same decree of predestination as the Incarnation for man's redemption itself.[41] Against this idea somebody might argue that the identity of Jesus consisted in his being eternal Son of God, and would therefore have been independent of whether God willed that he take human nature and flesh from the Virgin Mary, a Jewess born not long after the beginning of the reign of the Emperor Augustus, and whose identity was fixed by her precise conditions of ancestry, or whether from some other woman of different race or time. However, in reply one can and should answer that it was by God's choice that Jesus was born a Jew, and, before that, that by God's choice this people, the Jews, should have been formed and shaped by him in preparation precisely for this, so that we cannot make Jesus into anything else than a Jew, born at that time. It is no use picturing him as a new Apollo, Hercules, or Alexander, or as a German in the manner Hitler and some of his precursors[42] sought to invent, or as some black Apollo or Asiatic Hercules—by God's choice he has been given to us as a Jew of the first century of the Roman empire, and we have no freedom to make him into something else of our own desiring.[43]

The suddenness with which the announcement of the doctrine of Mary's Immaculate Conception fell upon an already largely secularized post-Reformation and Enlightenment world in 1854 made it appear a novelty, and an occasion for scandal and derision, as if the Church played

[41] Cf. Karl Rahner, "The Immaculate Conception," 209–11.

[42] For example, Houston Stewart Chamberlain (1855–1927), writing in Germany, said that "true history begins from the moment when the German with mighty hand seizes the inheritance of antiquity" and "whoever maintains that Christ was a Jew he is either ignorant or dishonest" (1899).

[43] Cardinal Lustiger in his *La Choix de Dieu* of 1987, translated as *Choosing God—Chosen by God* (San Francisco: Ignatius, 1991), makes this point particularly strongly in his chapter 3, on pages 64 ff, 68 ff and 71–73, where he comes to see Hitler's anti-semitism as rooted in the anti-semitism of Voltaire and the Enlightenment, and the eighteenth century as a time when inheritors of Christian culture began to reject the idea of Christianity as having Jewish roots, of Jesus given to us as a Jew, not by our choice but by God's. He sums up this part of his discussion by saying: "[A]theism cannot accept that the Jew is the figure of the Absolute present in a contingent revelation, in the specificity of history. Whereas Christianity speaks of the humiliated Messiah, Maurras speaks of 'Jewish venom' that the church spread in spite of the Roman Empire. That is also what Hitler said, and the Stalinists: one must be wary of the Jews—just as one must be wary of

music while the world burnt. Yet it was nothing but the long delayed promulgation in the Western Church of what had always been certain in the Eastern Church, delayed for, from a secular point of view, technical theological reasons in the West. The witness of the Eastern Church has been unswerving, seen in typical expression in the presence of the Theotokos-hymn at the heart of the Byzantine liturgy: "It is truly proper to glorify you, who have borne God, the ever-blessed and immaculate and the Mother of our God. More honorable than the Cherubim and beyond compare more glorious than the Seraphim, who, a Virgin, gave birth to God the Word, you, truly the Mother of God, we magnify." The doctrine itself is a corollary of what was involved in Mary's full consent to be mother of a divine son, her role as the second Eve, by God freed from sin for her full participation in this role. For one should dismiss some of the entirely facetious arguments which are sometimes put forward against the doctrine of Mary's Immaculate Conception. For instance, it is suggested that, if Mary needs to be sinless in order to have a sinless son, then her parents would need to be sinless also, and so on *ad infinitum*. But such an idea is absent from Catholic and Orthodox thought. Her freedom from sin has nothing to do with the problem as to how she could be the mother of a sinless son, but rather with how she could *by a perfect consent* be the mother of *God* (Jesus being sinless is a somewhat subsidiary derivative of his being God).

The appearance that Catholic doctrine went further than Eastern Orthodox doctrine in its insistence on belief in the Immaculate Conception was superficial. The differences between the two traditions seem to have arisen partly because the Eastern Church, which never doubted that Mary was sinless and free of blemish, also never had to deal with Pelagius, and was therefore less troubled by the problem of what they called "ancestral sin," and felt less need to make any explicit statement about freedom from original as well as actual sin, the distinction which led to the doctrine of the Immaculate Conception as a rounding off of the statement of Mary's sinlessness, making it clear that this sinlessness depended on Christ's merits and saving work.[44]

Jaroslav Pelikan also attributes the differences between the East and West to the tendency in the West to explain the transmission of original

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Christians. Atheism cannot tolerate the particular presence of the Absolute in history. The only absolute it can admit is in men's hands. For the atheists, the Jew will never be reliable unless he, in turn, declares himself to be an atheist" (72–73).

[44] In *Mary in the Documents of the Church*, Paul F. Palmer conveniently collects relevant texts on pages 33f, 74–77, including Augustine, *On Nature and Grace*, 36 [42] (CSEL, 60, 263–64), Sixtus IV, Constitutions *Cum praeexcelsa*, 1476 (DB, 734) and *Grave Nimis*, 1483 (DB, 737), and Council of Trent, Session V (DB, 791), Canon

sin by some sinfulness (albeit venial) in the desires associated even with fruitful intercourse in accord with God's will, an idea he traces to Ambrose and Augustine, followed by St. Bernard. In opposition to St. Bernard, it seemed evident to Eadmer of Canterbury, companion and biographer of Anselm, and to Duns Scotus, that Mary must have been entirely free from original sin even at her conception, according to the reasoning that what God could have done and it was fitting that he should have done, he must have in fact done.

However, although St. Thomas alludes to the text "in sin my mother conceived me," he offers an argument independent of it, namely that Mary had to be under the domain of sin for at least some time in order to count amongst those redeemed from sin. And to the followers of St. Thomas, *a priori* reasoning as to what God could have done and must have done seemed improper or inadequate. Just as St. Thomas and his followers rejected any attempt to prove the doctrine of the Trinity *a priori*,[45] so they were not satisfied with the argument from fittingness, even though it had enormous popular following, reflected in the (non-authoritative) late 1429 affirmation of the Immaculate Conception by the Council of Basle. Out of respect for the parties concerned in these disputes, the constitutions of Sixtus IV in 1476, while recommending the celebration of the wondrous conception of the Virgin, simply ordered that neither those who asserted that she was conceived in sin nor those who denied it were to be accused of mortal sin.

St. Augustine had been less reticent, saying: "We must make an exception of the Holy Virgin Mary in regard to whom, out of honour to the Lord, I do not propose to have a single question raised on the subject of sin, for from him we know what abundance for overcoming sin in every particular [*ad vincendum omni ex parte peccatum*] was conferred on her who merited to conceive and bring forth Him who all admit was without sin." He then goes on to make clear that, with this exception of the Virgin, all holy men and women would admit that "if we say that we have no sin, we deceive ourselves and the truth is not in us."[46] In echo of this,

23, Session VI, 1547 (DB, 811), saying that its decrees on original sin are not intended to extend to Mary and that the constitutions of Sixtus IV are still to be followed, as well as describing her place in the Byzantine Church Liturgy, (Palmer, *Mary*, 53–57, 61–63).

[45] Cf. Gilles Emery, *The Trinitarian Theology of St. Thomas Aquinas* (Oxford: Oxford University Press, 2007) (translated by Francesca Aran Murphy from Editions du Cerf [Paris, 2004]), 22–26. In a parallel way, St. Thomas held that the only reason for the Incarnation that we know of is that man should be redeemed from sin, thereby rejecting any *a priori* argument for the Incarnation.

[46] St. Augustine, *On Nature and Grace*, chap. 42 (chap. 36 in a more compact numbering). In the Migne, Augustine, *Enarratio in psalmum* 34, serm. 2, n. 3 (PL 36, 335),

the Council of Trent condemned all those who say that "a man once justified . . . can through the whole of life avoid all sins, even venial sins, without a special privilege of God, as the Church holds to have been the case with the blessed Virgin" (Session VI, Canon 23, in 1547), after earlier saying that "it did not intend to include in this decree [on original sin] the blessed and immaculate Virgin Mary, mother of God"[47]—yet at the same time approving the decrees of Sixtus IV with their reticence, even though by the end of the fifteenth century the doctrine was almost universally held and taught in the West.

All the workings of grace previous to the Incarnation involve grace given in anticipation of the merits of Jesus Christ—not by right of inheritance, nor by any kind of congruity, but by sheer gift,[48] just as later the children of the faithful are freed from original sin in baptism, or, in the case of the innocents of Bethlehem and with them many others before their dying, perhaps only immediately before it. In Catholic theological understanding, being freed from original sin, which those Christians who believe in original sin have always held to have taken place already whenever there is any supernatural act of love towards God in response to him, as its pre-condition and constitutive basis, and so often to have long preceded baptism. To be kept altogether free from original sin, in the circumstances of descent from Adam, represents a more complete redemption from it, not the absence of need of redemption, the most complete redemption involving being free of original sin from the first moment of existence.

The medievals regarded being freed from original sin as taking place in Jeremiah (Jer 1:5b) and in John the Baptist ("the babe leapt in my womb for joy," Luke 1:44) at the time of their first movement in the womb (quickening), and to have taken place as a precondition of and constitutive element in their friendship with God in all Old Testament figures (Abraham, Moses, all the prophets, etc.), and indeed a constitutive element in friendship with God in anyone before the time of the Incarnation, or anyone without knowledge of the Incarnation—always a pre-condition of being able to make any act of love towards God or do anything towards others out of love for God, whether this love be conscious or unconscious.

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the text suggests that Mary died on account of sin, without specifying that it was on account of sin in her, while a Louvain manuscript used by Erasmus specifies that it was on account of Adam's sin, and four other texts, one of A.D. 700, indicate her biological relations to Adam and to Christ, not stating either that she died on account of sin, or even that she died at all.

47 Council of Trent, Session V, *Decree on Original Sin*, 6.

48 Cf. Karl Rahner, "The Immaculate Conception," 207–8.

In every case it has been understood as a free grace given in anticipation of Christ's merits or work.

Accordingly, in the doctrine of the Immaculate Conception, this event, of being freed from original sin, is merely being asserted in the case of the Virgin Mary to have taken place earlier, from the first moment of her existence. She, like all others, Christ alone apart, was in need of redemption, of rescue from original sin. The difference in her case is then only this, that the extension of friendship to the human race which the work of Christ makes possible despite man's sin, in her case took place at the very moment of her coming to be—extended even before that work had taken place but still only dependently upon it and in anticipation of it. In this way, she appears, not as not needing redemption, but as most perfectly redeemed.[49]

Understood in this way, there was no longer any obstacle to Pius IX's defining the doctrine in 1854. It had already been somewhat anticipated when Alexander VII spoke of Mary's soul being preserved free from original sin from the moment of its creation and infusion into the body as the basis of the solemn celebration of her conception in *Solicitudo Omnium* of 1661, and in 1690 Alexander VIII declared it an error to regard her "purification" (Luke 2:22–24) as a purification from original sin.[50]

If one asks what this insistence on Mary's sinlessness and with this on her Immaculate Conception enshrines, one's answer should be this, that these doctrines, especially the latter, constitute the consummation, the endpoint, the extreme in the assertion of the doctrine of prevenient grace. God secures perfection in the preparation for his saving action at key points and in key respects: but even this preparation, and its perfection, is his work.[51]

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[49] Rahner, "The Immaculate Conception," 206–7, 211–13.

[50] It is now more generally realized that many purifications and washings follow the use of some person or some part of the body for sacred use, and his or her or its restoration to its normal range of duties, as when the hands are washed after the scroll of one of the books of the Hebrew Bible has been handled.

[51] In saying that the perfection even in the preparation for the receiving of grace is God's work and not solely man's, we are taking up a position that maximizes the role of grace to the degree compatible with free will: as it were in the spectrum of Christian views, we are, within the range of Catholic views, taking up that position, associated with Dominicans more than Jesuits, which is closest to Calvin, maximizing the role, responsibility, and initiative of God so that grace is needed even in the acceptance of grace, that is, we are reaching out to a position which makes continued assertion of human freewill not contradictory but paradoxical in the context of an all embracing antecedent divine plan and fore-ordination, so that in this instance Mary's obedience, although a free act, remains fore-ordained, and a work of God. In this way the doctrine of the Immaculate Conception is perhaps the most embarrassing of all Catholic doctrines in the context of discussions of predestination, because it is one that makes it impossible for Catholics to adopt

The doctrine of the Immaculate Conception highlights that Mary is in no way the symbol of any supposed sufficiency; not in any way the symbol of some supposed sufficiency of human wisdom independent of Revelation, or of human freedom independent of grace, to secure the way, or to open the way, to the reception of the *life of grace*.[52] Mary's obedience or right use of freedom depended on grace; in knowledge she depended on hearing the Word and keeping it, and the foundation of her whole life in grace was an act of God, which removed her from the inheritance of alienation from God, placing her in favour, grace, friendship with God, from the first moment of her existence, an act prior in time to any acts of her will or knowledge, prior in time to any act of virtue on her part—an act of God as necessary in her case as in ours, and no more in her power than in ours, differing in her case in that it was at the first moment of her existence whereas in ours it is typically at the time of baptism, or, in adults, at the time underlying (and usually with stages preceding) conversion or repentance.

This doctrine of the Immaculate Conception needs to be seen in the wider context of the doctrine of prevenient grace and the shared Eastern and Western understanding of Mary as first, with her consent, the mother of Christ, and, by her obedient consent, co-operator in the reversal of the effects of the disobedience of the first human beings, presented to us in Genesis in the account of Adam and Eve, so as to constitute a new Eve and mother of all the new living, that is of all the faithful. It is this context which makes the doctrine of Mary's being preserved entirely from sin, and with this the doctrine of the Immaculate Conception, not just a *theologoumenon* but a matter for faith. As Augustine said, "He created the Mother he had chosen."[53]

This is why this doctrine is not on a par with medieval speculations about Jeremiah and John the Baptist. True, the early redemption of holy

many of the easier or more obvious refutations of Calvin, or easier or more obvious ways of dealing with the problem of evil.

[52] What is here involved is the state of sanctifying grace, in Scholastic textbooks, which is arguably the same as the grace of justification in Protestant preaching. One must distinguish between the fact of being in a state of grace, i.e. the fact of being justified—facts do not have degrees, they either obtain or do not obtain—and sanctifying grace or the grace of justification in that sense in which they may have degrees i.e. as there can be degrees in a certain sense of holiness amongst those who are all in the same state in respect of being holy or set apart, whether we speak of the state of sanctifying grace or the state of being justified. In either case (sanctifying grace in one terminology and the grace of justification in another) what is involved is the work of the Holy Spirit making us just, placing us in friendship with God and developing this friendship.

[53] Augustine, *Sermo* 69, 3, 4 (PL 32, 442), trans. Gambero, *Mary and the Fathers of the Church*, 219.

figures such as John the Baptist and Jeremiah, involving being freed from original sin at an early stage of the unfolding of their lives, may come into the whole of what those faithful to historical revelation believe. And, besides these cases, history by its nature includes many much more incidental matters. For, if there are prophets and apostles, they have to have names, and if there is to be a sacred history, then there must be details of it which while belonging to veridical history do not belong to the essential *credal* content of the faith or its implications. But the link between Mary's preparation for her part in our salvation and her perfect consent is of the much more intimate character I have stated.

The Real Difficulty for People Today Lies in Lack of Understanding of the Doctrine of Original Sin

However, the main obstacle to belief in the doctrine of Mary's Immaculate Conception for modern man is his ceasing to believe, whether he be liberal Protestant or neo-modernist Catholic, in the doctrine of original sin at all, or, as the Eastern tradition describes it, "ancestral" sin. Yet, without belief in the doctrine of original sin there can be no sense in a doctrine of Immaculate Conception affirming that Mary was entirely free from it.

If the alienation from God which mankind knows is explained in terms of a corruption by human nurture or education, or in psychological existential terms applicable to a person only insofar as he or she is old enough to be capable of *Angst*, then there will be no inheriting of any original or ancestral sin, and therefore no inherited state of sin for men and women to be freed from—no inherited state of original sin for Mary, or for John the Baptist, Jeremiah, or other prophets or saints before Christ to be freed from, or for baptism to remove from Christians, or any state of original sin to be removed in any other stage from any other person. Rather, there would be only the corruption of nurture and education, the psychological sense of alienation or dividedness, and the disorder between reason and the passions, which are said by tradition to be effects of original sin, that is, consequences of a prior actual alienation from God. By contrast, according to the doctrine of original sin, community in this alienation is not accidental to the individual's situation, like these effects, but rather a datum underlying them—human community being preserved even despite sin, allowed by God for the sake of community in salvation, since community in salvation depends on Jesus' becoming member of this spiritual community, who in every respect has been tested as we are, yet without sin (Heb 4:15).

Therefore, in this day and age, explaining the doctrine of Mary's Immaculate Conception requires some explanation of the doctrine of original sin.

Now, in order to make the doctrine of original sin intelligible, one has to understand that the human race as God made it has the essential character of a community in which what is done by one person affects all the others, and that this is true not only genetically, physically, and psychologically, but also spiritually. Therefore, when man first turned away from God, it was not just the turning away of the first human pair, the first human community, but something which affected all other human beings.

We therefore need to understand the nature of the human solidarity which had the consequence of our inheriting this initial state of sin.

The Church Fathers offered many unsatisfactory explanations of how the justice of God was compatible with maintaining the ancestrally rooted sinfulness of man, antecedent to men's individual decisions. For instance, many of the Fathers and later theologians supposed that a spiritual effect could be passed on by the semen (even though it was not within the power of the semen alone to generate the soul). Others suggested that the inheriting of sin was the result of there being some lustful desire in all human sexual intercourse even when this intercourse was rightful and the lustful desire venial, not involving the consent of the will to lust. In modern times, the suggestions of which Gabriel Daly[54] provides an example again contribute nothing to the general problem. Instead, these suggestions offer only re-statements of the consequences of this state of sin, the facts of man's being divided within himself and experiencing himself as thus divided and the facts of deep-seated social disorder and systematic disorder in nurture; without any explanation being given as to why man is conceived and born in such settings, or of why these conditions can be regarded as arising from a disordering state of sin rather than from immaturity and yet-to-be-completed development.

The beginnings of an explanation which does not draw on ideas of transmission of ancestral sin through the semen or of the effects of lust were offered by Emile Mersch in his *Theology of the Mystical Body*[55] written before his premature death in 1940. Some metaphysical solidarity amongst men, transcending the merely biological, social, and psychological, was a positive gift of God to the human race, and not removed from man as a result of man's sin, despite the fact that sin in one person would as a result of this solidarity involve a deprivation for all—not removed, because allowed by God in view of his intention to redeem man in solidarity. It is because the Son of God, himself the Word through whom all things are made and upheld in being, entered metaphysical solidarity with

[54] Gabriel Daly, "Theological Models in the Doctrine of Original Sin," *Heythrop Journal* 13 (1972), 121–42.

[55] Emile Mersch, *The Theology of the Mystical Body* (St. Louis, MO: 1951).

man in the very act of sharing his nature, and a personal solidarity in sharing man's deprived condition "as a slave" and liable to death, truly taking on human nature while remaining divine, that he is able to redeem us, and, in redeeming us, redeem us as a community or race rather than solely in a purely individual way. Thus, it was by God's entering into solidarity with man that man was made able to enter into solidarity with God.[56]

Mersch did well to restore a better understanding of the human solidarity which had the consequence of our inheriting this initial state of sin. It is only because of this human solidarity that when the Son of God became man he did not just become some one individual man amongst a crowd of individual men and women, but entered into an already established solidarity of all mankind together.

The conception of original sin as being essentially a privation, a privation of a grace which ought to be there, and which, in God's actual plan or providence for creation (not for just any possible creation but for the actual creation he chose to institute) was as it were man's birthright as man, albeit a privation of a gift above nature—and not something positive destroying man's nature in its essence or reducing it to a state of total depravity—is something essential to Catholic and Orthodox doctrine.[57] The injuries associated with original sin (social and psychological) are effects rather than the essence of original sin, and do not remove the possibility of making some right use of reason and natural virtue as in the love of children and care of others. Rather, what these injuries do is deprive these actions of direction towards the ultimate end of all human beings, knowing and loving God with a knowledge and love above natural power. They injure nature's proper orientation, but do not destroy it or make it irredeemable.

It is the human predicament to be in a state of universal solidarity in provisional alienation from God. I call this state provisional because man's being within this state of alienation is within the context of an underlying and pre-existing will of God for the salvation of all man—for, although man is in a state of alienation, that is, cut off from supernatural friendship with God, he is not outside the sphere of God's goodwill and God's desire to renew that friendship. This state is one for which God is not to blame, not responsible. Yet it is not integral to human nature, but a state which need not have obtained and ought not to have come to obtain. It is only because it is a state for which God is not responsible and which ought not to be and need not have been, and is the expression or result of some exercize of human will, that it can be described as a state of sin. Because it is not integral to human nature, Jesus did not need to share it to be human,

[56] Cf. Athanasius, *De Incarnatione*, 54, 3.

[57] This is something made very clear in Newman's famous *Letter to Pusey*.

did not need to be alienated from God, in order to be human and to redeem man, and God could make the merely human Mary entirely free from it in order that her consent on our behalf should be with her whole being, her full consent from her very roots. And, because it is not integral to human nature, human beings do not cease to be human in the act of being redeemed, or in being freed from this state of sin.

The reason why God can still be just while allowing each human being to be conceived in a state of alienation from God, with the evil consequences flowing from this alienation (the disorders in nurture and disorders in the relation between reason and passions), and impute this to man as sin, is that it would have been a greater punishment on man to rob him of his spiritually communal nature. God allowed the Fall in order by this "happy fault," and "needful sin" (*Liturgy for the Easter Vigil*) to bring us a yet greater redemption in a new community in grace, charity, and glory in Christ.

Section 3: The Definition of the Doctrine of the Bodily Assumption of Mary as a Dogma, Implicated in Revelation, as Part of a More Complete Understanding of the Christian Faith, and Not a Mere Theologoumenon

Let me consider next the doctrine of the corporeal (that is, bodily) Assumption of the Virgin Mary. One can have much detailed argument about the time of origin and basis of this doctrine, just as one can have parallel arguments in respect of the time or origin of the doctrine of Mary's sinlessness. The doctrine of her sinlessness seems clear in the second and third-century Fathers, as well as in St. Augustine, so far as actual sin is concerned; and the Eastern Orthodox have always been constant in insisting on her complete sinlessness, albeit in the context of absence in the East of any development of the doctrine of original sin or of any idea of its being the result of lust in the act of procreation. The question of the Immaculate Conception, that is of Mary's being free frm her conception even from original sin, only arose in a post-Augustinian context—that is, within the context of the Western response to Pelagianism, along with mistaken theories as to how original sin was transmitted.

The case of Mary's bodily Assumption requires more elaborate consideration. Unlike the Immaculate Conception, her Assumption was never the subject of significant doctrinal dispute, and clearly held in both Eastern and Western tradition from before the eighth century. And, although many have regarded the Eastern tradition as viewing it as a *theologoumenon* rather than a matter of dogma (an attitude appearing in Luther), the East has always celebrated the feast with equal or greater solemnity, often using the term *koimēsis* (literally "falling asleep" or "dormition"), translated *tran-*

situs, as the title for the feast even when what is celebrated is her Assumption, not just her dormition or possible freedom from death.

However, whereas the doctrine of Mary's sinlessness is evidenced from at least the second century, the clear attestation of her Assumption waited until much later. Reticence is particularly expressed by Epiphanius, writing against people who alleged that Mary lived with St. John as wife rather than mother. He then continues as follows, reinforcing the point in a second passage:[58]

> Scripture is simply silent, because of the greatness of the prodigy, in order not to strike the mind of man with excessive wonder. As far as I am concerned, I dare not speak out, but I maintain a meditative silence. For you would find (in scripture) hardly any news about this holy and blessed woman of whom nothing is said concerning her death. Symeon says of her: and a sword shall pierce your soul . . . " (Lk 2:35). But elsewhere, in the *Apocalypse* of John, we read that "the dragon hurled himself at the woman who had given birth to a male child" but "the wings of an eagle were given to the woman and she flew into the desert, where the dragon could not reach her" (Rev 12:13–14). This could have happened in Mary's case.
>
> But I dare not affirm this with absolute certainty, nor do I say that she remained untouched by death, nor can I confirm whether she died. . . . We do not know if she died or if she was buried; however she did not ever have carnal relations. Let this never be said!"

His second passage reads:

> If the holy virgin is dead and has been buried, surely her dormition happened with great honour; her end was most pure and crowned by virginity. If she was slain according to what is written "a sword shall pierce your soul", then she obtained glory together with the martyrs, and her holy body from which light shone forth for all the world dwelled amongst those who enjoyed the repose of the blessed. Or she continued to live. For to God it is not impossible to do whatever he wills; on the other hand, noone knows exactly what her end was.

As to Epiphanius's silence, in the very next chapter of the *Panarion*, he states his view that Mary, like Elijah, was assumed into heaven in the body and did not die.[59]

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[58] Epiphanius, *Panarion*, chapter 78, 11 and 23, in translation taken from Luigi Gambero, *Mary and the Fathers of the Church*, 125–26, cf. Epiphanius's earlier letter to Arabia.

[59] Ibid., chapter 78, cf. his earlier letter to Arabia.

Epiphanius is the first of the Fathers known to surmize explicitly that the Woman, who with her male child along with the rest of her offspring are hunted by the dragon in the Apocalypse 12, represents Mary, but he thinks of it only in its individual significance for Mary, even while with other Eastern fathers honouring her as holy, *theotokos*,[60] Queen, Domina ("Lady" is too weak a translation),[61] and virginal workshop of the Incarnation,[62] and insisting on her perpetual virginity of which Origen had said "There is no child of Mary except Jesus, according to the belief of those who think correctly about her."[63]

Meantime, in his expression of ignorance as to the end of Mary's life on earth, Epiphanius expressed an ignorance reflected in all the Patristic texts we have from before A.D. 500. Although the earliest and best attested site of her tomb is at the site near Gethsemane in the Valley of Jehosaphat close to the Basilica of the Agony, there was a late seventh century tradition of its being on Mount Zion, and a much later legend of her dying at Ephesus. However, there is no evidence of any interest in her remains or relics, perhaps because they were not expected to be found. There are no churches known to be particularly associated with Marian devotion in Jerusalem before around A.D. 450—such churches up till then were outside Jerusalem.

In this same period, Ambrose and Augustine introduced the idea of Mary as a type or exemplar of the Church, so that, as Mary conceived Christ as virgin and mother by the Holy Spirit, so the Church conceives its children as virgin and mother, and, inasmuch it is by Mary's original openness to being virgin mother of Christ and her cooperation by charity that the Church is so able to conceive its children, she is thereby Mother of all the baptized,[64] or, as other Fathers say, Mother of all living.[65]

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[60] This description, encountered in the Egyptian papyrus mentioned earlier, is also found in Cyril of Jerusalem, *Catecheses* 10, 19 (PG 33, 685A), Gregory of Nyssa, *Letter* 3 (PG 46, 1024A), Gregory Nazianzen, *Letter* 101 (PG 37, 177C–180A), and in Proclus's great sermon, *Oratio* 1, 1 and 10 (PG 56, 681A–B and 692B), which so provoked Nestorius (Gambero, *Mary and the Fathers of the Church*, 235), cf. Gambero's discussion of Ambrose's remarks on how even Arians use or rather misuse the term (Gambero, *Mary and the Fathers of the Church*, 235–36).

[61] *Relatio Epiphanii Ep. Constantin*. gives all these descriptions: PL LXII, 498 D.

[62] Workshop (*ergastērion*): Epiphanius, *Ancoratus* 75 (PG 43, 157B–D), Basil of Caesaerea, *On the Holy Generation of Christ* 3 (PG 31, 1464A), and see Gambero, *Mary and the Fathers of the Church*, 252–53 on Proclus.

[63] *Commentary on John* 1, 4 (PG 14, 32; GCS 10, 8–9).

[64] Firstly we have, Ambrose, *Expositio in Lucam*, 2, 7 (PL 15, 1555), in regard to Luke 1:26–27, in the only passage in Vatican II's constitution *Lumen Gentium* to which Paul VI appealed in naming Mary Mother of the Church (Wikipedia misdirects us to other passages, *De Institutione Virginis* 98, PL 16, 328, and another from an author approaching ca. 859), with *De Institutione Virginis* 93, PL 16, 327, and *Expositio in*

At this stage, we see the beginning of two parallel and perhaps largely independent developments, which I describe in some detail in the appendix to this paper: firstly the building by the Orthodox of numerous churches as centres of devotion to Mary, firstly in Rome and Jerusalem and then elsewhere; and secondly the proliferation of widely available narratives of the dormition, copies of which survive, perhaps because no longer quickly destroyed because some had been pruned of heresy.

Moreover, as I show in the appendix, these narratives showed quite varied conceptions of "the heavens" and of "paradise," rendering any conception of an assumption into paradise ambiguous. Some order was brought into these varying ideas of the afterlife by the development, first, of the ideas of Jesus at his Resurrection and Ascension bringing the holy dead from a state of waiting to the presence of God himself, second, of Purgatory as a state of being purified with the certain hope of heaven in the sense of the place of the immediate presence and vision of God, quite distinct from Sheol or Hades as a place of the shades of all the dead, and utterly distinct from Gehenna or Hell proper as the place whose principal pain was knowledge of everlasting loss of the vision of God, the vision of God into which the saints when perfected immediately enter even before having their bodies restored. And a clear distinction came to be made between an earthly paradise and heaven as the place of God's immediate presence in glory.[66]

Lucam 2, 4 (PL 15, 1561) translated in Gambero, *Mary and the Fathers of the Church*, 198–99. Secondly, we have Augustine on Mary as Mother of the faithful in the reference given earlier, and further references taking up the theme of Mary as type (Gambero, *Mary and the Fathers of the Church*, 223).

[65] Peter Chrysologus like Ephraem takes advantage of the suggestiveness of the phrase "Mary and the other Mary" visiting the tomb, taking a liberty foreign to the more scholarly Fathers. Ephraem says: "Why did the Lord first show his resurrection to a woman and not to men? A mystery is here revealed to us with regard to the Church and the Lord's Mother. The Virgin received the first beginning of his advent on earth, and to a woman he himself showed his resurrection from the sepulchre. Both at the beginning and at the end it is his Mother's name that is there, and resounds. It was a Mary that received him on his coming into life, and saw also the angels at the sepulchre. The Virgin Mary is, again, the figure of the Church, which received the first-fruits of the Gospel. [A] Mary saw him, representing the Church. Blessed is he who brought joy to the Church and to [a] Mary. Let us call the Church by the name of Mary; for she is worthy of the double name." (*Sermo ad Nocturnum Dominicae Resurrectionis*, 2, 3, trans. Livius, 268, from Lamy, *Sancti Ephraem Syri*, 1, 531–37 (Mechlin, 1882–92). Chrysologus takes the same passage from Matthew to present Mary and Eve respectively, making Mary now mother of all living (*Sermo* 74, 3, PL 52, 409, trans. Gambero, *Mary and the Fathers of the Church*, 299).

[66] Considering the way versions of the earlier dormition narratives, sanatized so as to be free of Gnostic ideas, but sometimes retaining elements of the earlier

The most likely cause of these two developments lies in the freedom given by theological clarifications of 381–451. Firstly, the clear establishment of the doctrine of the Trinity, Father, Son, and Holy Ghost, by the First Council of Constantinople in 381, and the agreement of the canon of the New Testament (doubts about the Apocalypse lingered, the Armenian church accepting it as canonical only in the twelfth century), left no room for doubt as to Mary's purely human, purely creaturely, nature and status, in Augustine's terms the object only of some kind of *dulia*, and not of the *latria* due only to God, and so setting her in absolute contrast with her divine son. In 431, the council of Ephesus insisted on the unity of the person (*hypostasis*) of Christ, so that the same person, Jesus, Son of God, of one being (*ousia*) with his Father, was conceived and born of Mary, and afterwards crucified, resurrected, and glorified. This gave Mary the singular position of being the *theotokos*, or Mother of God, appropriately compared to the "Ark of the Covenant," a figure applied to Mary by Hippolytus, Dionysius of Alexandria, and Gregory Thaumaturgus of Caesarea in the third century, and by Athanasius, Cyril of Jerusalem, and Ephrem in the fourth, as well as a much greater number in the fifth and later, inviting the idea of such an Ark being of incorruptible wood[67] and its having its place in the Temple. Moreover, the fullness with which Jesus took on our human character, so eloquently expressed by Cyril of Alexandria, took dogmatic expression at the Council of Chalcedon in 451 (reinforced at the Third Council of Constantinople in 681 by unqualified insistence on his having a fully human intellect and will). This made it unmistakable that Mary's motherhood was, not just the taking on of a biological function, but a real motherhood of a genuinely human son by a human mother. This invites marvellous portrayals of human intimacy, for example, between mother and son at the foot of the Cross in Cyril of Alexandria and later in Romanos the Melodist (trans. Gambero, *Mary and the Fathers of the Church*, 246, 333–37).

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cosmography, developed a new and remarkably extended circulation in the middle ages, instanced by the versions to be met with in Ireland and in Anglo-Saxon England, it is perhaps fortunate that the whole genre became extinct before the massive extension of the gospel after 1500. See Mary Clayton, *The Apocryphal Gospels of Mary in Anglo-Saxon England* (Cambridge: Cambridge University Press, 1998). One may compare this post-700 example with the earlier, long lasting, and more far-flung spread of translations of Tatian's *Diatessaron*, revealing its influence from Iceland and Norway and the whole Germanic world to Georgia, Persia, and the Arabic world from before 200 to at least 1300 (W. L. Petersen, "The Diatessaron of Tatian," in *The Text of the New Testament*, ed. B. D. Ehrman and M. W. Holmes [Grand Rapids, MI: Eerdmans, 1995], 77–96).

67 Cf. Hippolytus, PG, vol. 10, 864–65.

At this stage it became now possible to look at matters clearly. We first envisage the fully divine, fully human redeemer Jesus Christ, his sacrifice on earth accomplished, so that by it he eternally intercedes for us, and by the Holy Spirit makes himself present invisibly in the world, and concretely in the Eucharist mysteriously makes his sacrifice present again and makes himself food to renew the Spirit in us. And the Church could now envisage, alongside him, Mary as the perfectly redeemed making perfect response to God's saving work, and now brought fully human, body and soul, into heaven, sharing the victory of her son, leading the worship of the Church, and, in a fuller knowledge, able to care and pray for every human being that they should be given grace to accept God's salvation, leading the human prayer that we be spared our deserts. At the same time, belief concerning Mary could be freed from confusions which came from Jewish and later speculations about any detailed mapping of the locations of the dead, as well as from speculations and practices of a Gnostic or pagan kind.

Hitherto the tendency had been for the Fathers to interpret the Woman of the Apocalypse as the Church, even though this required dextrous eisegesis to explain why the child was male. It was only later and in the West, that it became standard to interpret the Woman as first of all Mary, Christ as her male child and her offspring as the faithful. Thus Quodvultdeus, Bishop of Carthage and a disciple of Augustine writing before A.D. 450, tells us that "The woman [whose child the dragon in the Apocalypse, signifying the devil, sought to eat] signifies Mary, who, being spotless, brought forth our spotless Head. who herself also showed forth in herself a figure of holy Church, so that as she in bringing forth a Son remained a Virgin, so the Church also should during the whole of time bring forth his members, and yet not lose her virginity."[68] And Primasius, Bishop of the nearby Hadramentum, in his commentary on the Apocalypse of around A.D. 540, established this identification of the Woman with Mary as standard in the West thereafter.[69]

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[68] *De Trad. Symb. ad Catech*. 4, 1, PL 40, 661, a sermon preached to catechumens on handing over the Creed to them, attributed to Quodvultdeus in *Corpus Christianorum Series Latina* 46, 182, cf. Livius, 269.

[69] E. A. Matter, "The Apocalypse in Early Medieval Exegesis," *The Apocalypse in the Middle Ages*, 44, 46–47 (Ithaca: Cornell, 1992), cf. Hugo Rahner, *Our Lady and the Church*, 105–9 (London: Darton, Longman and Todd, 1961), trans. Sebastian Bullough from *Maria und die Kirche*, 1961. In *Expositio super septem visiones Libri Apocalypsis* 4: 3, 4, PL 17, 876, attributed to Berengardus of Auxerre, from Ferrières, ca. 859, we read: "By the woman here we may also understand the Blessed Virgin Mary, because she is the Mother of the Church, for she brought forth him who is the Head of the Church, and is herself the daughter of the Church, since she is the greatest member of the Church. The dragon, then, stood before the woman,

Both the development in thought seen in Quodvultdeus and Primasius in Roman North Africa and the ideas inspiring the church building and liturgical developments in Jerusalem described in the Appendix below arose from a refusal to dissociate the significance of Mary's role as God-bearer or Mother of God from her present situation, drawing the natural consequence of Athanasius's insight as I will cite it below. The effects of this development of thought was seen not only in Jerusalem, but also in Rome and Alexandria, as witnessed when Theodosius I of Alexandria introduced a new feast of the Assumption as opposed to the death of Mary, attempting to approximate the Jerusalem date.

It was therefore natural for the Emperor Maurice, who reigned from A.D. 582 to 602, around or before A.D. 600 to decree that Mary's *koimēsis*[70] understood as meaning being taken body and soul to the place of the throne of God be celebrated at the Jerusalem date of August 15th throughout what he conceived as the empire. In Rome, while there is a legend of the church of Santa Maria Maggiore being on the site of a church built in honour of Mary by Pope Liberius (352–366), archaeological evidence indicates that the present church was probably first built in the early 400s and completed under Pope Sixtus III (432–440), dedicated by him to Mary as Mother of God, before there is any reason to suppose that any apocryphal *transitus* literature was circulating in the West.[71] In *Munificentissimus Deus*, Pius XII notes that the Feast of Mary's Dormition on 15th August had already been established by the time of Pope Sergius I (680–701) as one of the four major feasts of Mary along with her nativity, the Annunciation, and her Purification (the day of Jesus' Presentation). Adrian I (772–795) referred to the feast of the 15th of August as marking that the Virgin Mary could not be held down by the bonds of death, and Leo IV (845–855) referred to

that on her giving birth he might devour her Son; because at the outset of Christ's birth the dragon had the intention of slaying him by means of Herod his minister. He stands also before the woman, that is to say, the Church, in order to destroy by temptation to evil those whom by baptism she brings forth to God." (trans. Livius, *The Blessed Virgin in the Fathers of the First Six Centuries*, 271 (London: Burns and Oates, 1893). Rahner, 109, points out that much of the vision still concerns the Church for Haymo of Auxerre, from Halberstadt, observed that much of the vision concerned the lot of the elect, the further offspring of the Woman, in their suffering on earth after her child had been caught up to the throne of God.

70 Nikephoros Kallistos Xanthopoulos (ca. 1256–1335), *Historia Ecclesiastica*, 1.17.28 PG 147, 292, confirmed by *Liber Pontificalis*, II, 508.

71 In its present form, what is called the Gelasian decree, outlawing the "book called the *transitus* of the holy Mary" and all the books of Leucius, is almost certainly later than Pope Gelasius (492–96), although it may explain the pruning of heretical elements from documents coming to Gaul and influencing Gregory of Tours and perhaps the Pseudo-Melito (cf. appendix, section b below).

it as the Feast of the Assumption, while Nicholas I (858–867) spoke of it as observed "since antiquity" with a fast day on the preceding day.

There is the same clarity in the sermons of Germanus of Constantinople, Andrew of Crete, and John Damascene in the early eighth century as in Pius XII. Of all these authors, John Damascene in his three sermons on the Assumption is fullest in providing theological reasoning for the belief, regarding the witnesses to the Assumption as being rather the company of the angels and saints in heaven, these being more significant than any apostles present at the time of the event. Much of his theological argumentation is of the kind appealing to Old Testament figures of the Virgin Mary which Pius XII presents amongst the preliminaries to his main argument. The sermons of John Damascene are scarcely marked at all by the earlier apocryphal constructions, although he does suppose some apostles present at the tomb.

It is important that Pius XII in his presentation of the doctrine of the Assumption in 1950 paid no attention to any of the apocryphal writings which survive, for what are evidently good reasons, granted their low historical quality.

What is characteristic of the sermons of Germanus, Andrew of Crete, and John Damascene,[72] as well as of Pius XII, is to present the Assumption in a way which makes it a special privilege of the Virgin Mary, in virtue of relationship to her son and to the Church, giving it a rationale and role which removes it from any close analogy to the assumptions of Enoch, Moses, and Elijah in earlier Jewish thinking, each thought of as already bodily in paradise, even before the Resurrection, and perhaps also of Abraham, Isaac, and Jacob along with them according to the words of Jesus, or even of the saints or holy ones who were raised up and seen in Jerusalem, of whom St. Matthew speaks.[73] Germanus, Andrew of Crete, and John Damascene all clearly represent Mary as taken body and soul directly into the presence of her son, so that the possibility of her being in some lower heaven or any paradise less than the highest heaven does not arise.

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[72] It is plain that St Modestus of Jerusalem (died A.D. 634) should be added to this list, cf. PG 86, 3277–312, see Juniper Carol in his *Mariology* (Milwaukee: Bruce, 1957).

[73] With speaking of heaven as "the bosom of Abraham," thinking of Abraham, Isaac, and Jacob as amongst the living and not the dead, and assuming the presence in body of Enoch and Elijah in paradise or in heaven and God's possession (by the ministry of Michael the Archangel, in struggle against the Devil and presumably without corruption) of the body of Moses (*The Epistle of Jude*, verse 9, probably citing *The Testament of Moses*, both written against the background of Deuteronomy 34:6–7), who with Elijah appears bodily with Jesus at the Transfiguration, it does not readily fit that Mary, the final representative, wait until the end of the ages to be raised.

She is taken bodily to heaven, not simply by right of her being the culminating representative of the old Israel, but because of her Motherhood of God, these making her the Woman in the Apocalypse 12, a figure which, it now seems clear, at the same time represents three realities: firstly, Mary herself, as, amongst the Fathers, Epiphanius surmised and exegetes from Quodvultdeus onwards held, secondly, the new Israel, the Church, and thirdly, the old Israel, as some modern exegetes suggest, following other of the Fathers.

One has to note the intimate connection between the bodiliness of man and man's capacity to communicate with other human beings, expressing himself by using his body, so that, in virtue of Christ's Resurrection and Ascension, heaven now has a bodily aspect (whatever manner of body humankind are to have in heaven, cf. 1 Cor 15:35–55). And the idea of Jesus being bodily in heaven in complete bodily solitariness is probably not a coherent conception, certainly not fitting; and not present in Scripture.[74] There is no trace in Scripture of any idea that the Old Testament figures would wait until the last days, along with St. Paul and the other saints, before being taken up into heaven and the very presence of God, there to have the kind of immediacy to the presence of God portrayed in the book of Revelation 21–22—even though before Christ's own Resurrection, the Jewish conception seems to have been only of some kind of earthly paradise. It is the days of Jesus' ministry with the completion of that ministry in the Passion and Resurrection that prophets and kings are portrayed as waiting for (Lk 10:23–4; 1 Pet 1:10ff; Heb 11:39–40) so that those that went before might enter into their inheritance with the Church, Jesus "going (ahead) to prepare a place for you," in his "Father's house" where "there are many abiding-places." In the Eastern Church, amongst the Old Testament figures, the Patriarchs and prophets have always been thought of as amongst the saints as ones who could pray for us, along with the saints, and not only John the Baptist, Mary's spouse Joseph, Joachim and Anne, as in the modern Western rite liturgies. And, in the iconography of Christ's descent into Hades, he has long been portrayed as triumphantly leading a repentant Adam and Eve as well as a troop of others along with the saintly dead out of Sheol or Hades into heaven with him.

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[74] Karl Rahner, in his "The Interpretation of the Dogma of the Assumption," *Theological Investigations*, vol. 1, 215–27, makes this point particularly well in pages 220–23, after making an eloquent statement of the traditional view connecting the descent into Hell proper with the Resurrection, as a bringing of many of the dead from Hades into heaven, now having a bodily dimension (218–20)—a view strikingly opposed to that put forward by von Balthasar.

But early piety and the historical developments in the liturgy require to be thought of in a wider context, for the question arises how it is that this doctrine of the Assumption in respect of the Virgin Mary is not just a pious speculation, nor merely a subsidiary consequence of scriptural data to be put alongside the salvation (not the bodily assumption) of the eleven apostles and St. Paul, but rather credally implicated as belonging to the Christian faith understood as a corpus or integrated whole. It is a matter of this doctrine being integral to this corpus of understanding, not in the sense that those who do not realize this truth or have hitherto seen it as only a theological opinion (*theologoumenon*) are not of the faith, but dogmatically integral in that it belongs, not historically accidentally like the identity of the lesser little known apostles, but rather, more importantly, by reason of the structure of the whole to that whole of which the creed enshrines the core and root. What is it, then, that makes the Assumption dogmatically important in a way in which the salvation of individually named apostles is not, or not in most cases?[75]

It is because of the need to answer this question that Pius XII's insistence that all the considerations and arguments of the Fathers and the theologians about the Assumption are founded upon Scripture as on their ultimate foundation is vital, especially the character of the considerations which he mentions as making the virgin Mary different—including the considerations reflected in the Roman and Byzantine liturgies to which he alludes. That is, they do not depend on appeal to facts accidental to the understanding of the sense of Scripture taken as a whole such as extra-scriptural traditions concerning Mary's tomb. The answer to this question lies in the growing insight into the inseparability of Mary's motherhood of Jesus and her bodily assumption into heaven in the sense of the immediate presence of God himself, an inseparability realized in Jerusalem and Rome as seen in the development of their liturgies, and which amounts to a simple unfolding of the consequences of the thought of Athanasius:

> O noble virgin, . . . who is your equal in greatness, O dwelling place of God the word? . . . You are the Ark in which is found the golden vessel containg the true manna, that is the flesh in which divinity resides. . . .

[75] The second epistle to Timothy expresses a certainty of receiving the crown of salvation which Paul lacked when he wrote 1 Corinthians 9:26–27. And John 21 adds to the reasons for supposing that the salvation of Peter may be integral to the doctrine of the Church; and, with him, that of John, who with Mary represented the faithful remnant of Israel at the foot of the Cross and who unlike Peter believed in the Resurrection in seeing the graveclothes (Jn 20), and I leave open the question whether the salvation of the eleven may be important or integral to the faith.

> You surpass it [the fertile earth and its fruits], for it is written "the earth is my footstool". But you carry within you the feet, the head and the entire body of the perfect God.
>
> If I say that heaven is exalted, yet it does not equal you . . . you are greater than all [the angels and archangels] for the angels and archangels . . . dare not speak in his presence, while you speak to him freely. . . . [Y]ou are greater than they [the cherubim], for the cherubim carry the throne of God, while you hold God in your hands. . . . [Y]ou are greater [than the seraphim], for the seraphim cover their faces with their wings unable to look upon the perfect glory, while you not only gaze upon his face but caress it and offer your breasts to His holy mouth. . . .
>
> As for Eve, she is the mother of the dead. . . . He [her husband] ate of it [the fruit she gave him], and he died.
>
> In you . . . dwells the son of God. . . . Truly he has given us his body and we have eaten of it. That is how life came to all, and all have come to life by the mercy of God your beloved son. That is why your spirit is full of joy in God your saviour![76]

Pius XII particularly associates both Mary's Immaculate Conception and her Assumption with her being Mother of God, this being understood as inseparable first from her consent to being mother of Jesus, her keeping things in mind, hearing the word of God and keeping it, and then from her consent to his way of obedience even to death on the Cross, so that her heart would be pierced also, giving her a unique closeness of spiritual association with the work of Jesus. Therefore the Assumption is not merely an incidental fact, along with the salvation of the lesser known apostles (what do we know of James the son of Alphaeus, and how much would it matter for faith if his name had been different?), to be piously believed but perhaps not of dogmatic significance. Rather the dogmatic significance of the Assumption arises from its connection with the motherhood of Mary as having spiritual as well as physical aspects, making her not just the key representative of the older Israel in her motherhood of the Messiah, but also spiritual mother of the Church, of all the faithful.

Nor is there any greater difficulty in supposing Mary's Assumption to be corporeal rather than merely an assumption of her soul than to suppose that Jesus' Ascension was an ascension of body and not merely of soul to God. The belief in the Assumption is a further expression of the belief in the unity of man, in the body's being an integral part of man's nature to be restored in the restoration of man and in the Resurrection. And if the wages of sin are death, and with death corruption, then Mary's Assumption will be a corollary of her sinlessness. And the Fathers of the Church did not fail to

[76] Athanasius, "Homily of the Papyrus of Turin," ed. T. Lefort, in *Le Muséon* 71, 1958, 216–17, trans. Gambero, *Mary and the Fathers of the Church*, 106–7.

trace these implications as we can see from the writings of St. Germanus of Constantinople, St. Andrew of Crete, and St. John Damascene, in the last of whom belief in Mary's Assumption is above all explicit and emphasized.[77] And Christ's bodily ascension to glory gives heaven a bodily aspect making it difficult to suppose that he did not take more than one to be present with him bodily in heaven in the interval before his second coming—for mankind, two does not constitute a complete community.

The Significance of Mary's Membership of the Old Israel

It is notable that it should be the summit and culminating representative of the older Israel, the person in virtue of physical relation to whom Jesus was a Jew (cf. Gal 4:4), who takes on this role of spiritual motherhood of the Church. What is enshrined here is what one might express in this way, that the old Israel is spiritually mother to the new Israel. Full appreciation of the dogmatic position of Mary is indissolubly linked to willingness to acknowledge the persisting role of God's remaining elder people, the Jews, in the whole working out of man's salvation. And, in this age in which so many Jews have died as they understand it "for the sanctification of the Name," it would seem unmistakable that they have a share in the lot of Jesus, as his blood brothers.[78]

The Post-Pentecostal and Eschatological Character of the Assumption

A distinction must be made between the Immaculate Conception and the Assumption, since clearly the Assumption is a post-Pentecostal phenomenon. As such it relates to God's bringing Mary not to a state to have been anticipated in any real or hypothetical dispensation independent of, or prior to, the Incarnation (for example, not such as Adam and Eve, whether as real or as symbolic figures, should have anticipated), but to a state involving cosonship or daughterhood of the Father with the Son of God in his human nature, that is, involving the peculiar activity of the Holy Spirit whereby we cry, "Abba! Father!" as if from within the Trinity itself. In this way it contrasts with the Immaculate Conception, which is a pre-Pentecostal phenomenon

[77] In *Mary in the Documents of the Church*, Palmer surveys the roots of tradition on Mary's death, or dormition, pp. 57–58, 64f, and he gives citations from *Sermons on the Falling Asleep of the Mother of God*, by Germanus of Constantinople, 1 (PG 98, 345); Andrew of Crete, 1 (PG 97, 1080–81); and John Damascene, 2, 14, (PG 96, 740–41) (Palmer, *Mary*, 57–61).

[78] Their piety towards Mary, alongside many other signs, suggest that many Muslims may have hope of her protection beside the others who "profess to hold the faith of Abraham and worship the one merciful God" (Vatican II, *De Ecclesia*, chapter 1, 16).

belonging to what is anticipatory of the work of salvation by Christ (his work on behalf of all men, men before, men during, and men after the time of his life in the flesh on earth). It therefore brings together the double role of Mary as the most complete embodiment of the role of the elder Israel and the most perfect fruit of the work of Christ.

Mary and the Doctrine of the Church: False Simplifications

There is a stereotyped caricature of Catholic doctrine according to which Catholic doctrine of the Virgin Mary as the type, or image, representing the nature of the Church embodies a conception of the Church as perfect, of which papal infallibility and the rest of Catholic doctrine in respect of Church authority are supposedly consequences.

But this stereotype presents a quite false picture of the shape of Catholic doctrine.

The doctrine of papal infallibility is an element within the general doctrine of the infallibility of the Roman Catholic communion in history, a communion conceived of as by Christ's institution structured in a certain way for the sake of her unique and universal historic mission, according to the commands "As the Father hath sent me, so I send you" (Jn 20:21), and "Go baptize . . . I am with you always unto the end of the world" (Mt 28:19–20). That is, it arises within the doctrine of the Church only insofar as the Church is occupied in continuing the active ministry of Christ, of preaching repentance and the "good news" in hope of enriching human lives by the charity, word, and sacraments which God extends through the Church and, with this, the active ministry of teaching and guardianship within the Church, that is, the aspects of the Church of which Peter, given the title of Rock as representative of Christ himself, is the type, albeit failing his master in many respects but not in such a way as to definitively shipwreck the Church. Accordingly, although the infallibility of the Church of which papal infallibility is a facet may *make possible* certain perfections of holiness in the Church, it persists despite lack of holiness in many individuals and ill-conception of many of their plans, and in no way presumes the Church Militant's perfection in holiness. Rather, as willy-nilly God will not let Israel lose her vocation, so willy-nilly God preserves the Church Militant as an historical communion, disciplined to share and teach one faith to the nations: and of this aspect Mary is not the appropriate type, but rather Peter, the sinner who repents and loves.

However, the Church has to take the role of the disciple before it can take on any role under the Holy Spirit as teacher and guardian of God's gifts to the Church. And, it is first Mary and then John the beloved disciple who are primary exemplars of this aspect of the Church.

If one asks in what respect Mary is the primary type of the Church, it is of the Church as the Bride of Christ, perfect in holiness, consenting, desiring, receptive rather than agentive, contemplative rather than active, praying for God to act, rather than acting in God's name: the type of that which will remain of the Church vis-a-vis Christ in heaven (when the Church Militant and the papacy have passed away), as Christ will then be as ever Head of the Church vis-a-vis the Father, as well as type of all his members as sons and daughters individually of the Father, and indeed himself identical to the Church in that sense in which we are his members or limbs.

Meantime, it is the holiness of the Church in its totality, Mary and the saints forming one community with those who follow Christ on earth, which by their prayer provides the context of human consent and desire in heaven and on earth for the preservation of the Church's Magisterium from definitive error and the maintenance of the integrity of the sacraments. The word preached will not return to God empty and the sacraments will not be unavailing, although there is no automatic guarantee of the hearers or receivers being well disposed.

The Proportions of the Faith

As to the *proportions* of the faith, we are not intended to assess the significance or weight, whether of the parts of the Old Testament, or of the parts of the New Testament, according to quantity of words. Equality of the scriptural works in respect of the facts of canonicity and inspiration does not involve equality of role. The liturgy of the Church, whether weekly or more frequent, was centred on the thanksgiving (*eucharistia*) and making concrete memorial (*anamnesis*) of the Passion and Resurrection and giving us food preparing us for when we would be with Jesus in the banquet of heaven. And the high point of the readings was in the readings of what Justin described as the memoirs of the apostles, by his time long embodied in the Gospels. For the Church, the way the Jewish Scriptures were read and expounded gave their prophetic role chief place, so that they were read in this light. As for Rabbinic Judaism, the Torah was the guide to the interpretation of the rest of Scripture, so for the Church the Gospels had hierarchical priority amongst the Scriptures, without in either case excluding the inspiration of the rest of Scripture.

The sheer volume of the Epistles of Paul, plus the likelihood that *in their finalized literary form* some should be taken to have chronological priority, has given them excessive prominence in thinking about the character of early Christian preaching and teaching. The Epistles are directed towards particular situations and the needs of particular churches, controversies, and individuals, and in doctrine show concerns only with Christ's title,

Passion, and Resurrection, and future return with the public memorial of these in the Eucharist, and with general moral teaching. However, these epistles all presuppose that their recipients will have *already* been instructed in the central elements of the Gospel, the life of Jesus, and Christian moral teaching. They say nothing of Jesus' baptism by John, his temptations, life of prayer, poverty, preaching and healing, his parables or his miracles, and in this way show how far they are from being direct presentations of the whole Gospel about Jesus, or of what manner of man gave his life for us.

The centrality of the Passion and Resurrection to baptism and to the Eucharist, and the importance of oral traditions about these and in respect of the baptism, sayings, and works of Jesus, make it plain that the Gospels, *so far as their content is concerned*, together with parts of Acts (namely, the various sermons), are (along with the earliest creeds or baptismal confessions, and earliest Eucharistic liturgies) more representative of the Church's earliest preaching and teaching than the Epistles.

In the meantime, St. Paul speaks of Jesus as "born of woman, born under the law"; the same link which made Jesus a Jew also made him a member of the human race. This makes it difficult to think that the idea of Mary as in a particular way the key representative of the Old Israel was alien to St. Paul—the elder Israel upon which the Gentile churches have been grafted in St. Paul's conception.

In three of the books with the title "Gospel," above all St. John, Mary does play a peculiarly important role, reflected in the creeds. This makes the fact that in the second and third centuries there is no vacillation in the readiness of the Fathers to think of Mary as taking on the role of Eve (Eve the mother of all the living), more significant as evidence of how Scripture is to be interpreted so far as it concerns Mary. The Fathers are picking up a key idea in a way which is in the spirit of the Gospels as witnesses to the manner of God's Revelation of himself to us, belonging to the unfolding of the Church's understanding of the wisdom from God delivered to its hearing and guardianship.

Dedication

I have written these wide-ranging remarks in the hope that they increase understanding among believers in the God of Israel. Mary always stands in the Church as spokesperson for the poor and deprived, one who calls upon men and women to repent and to come to peace, and calls upon God to have patience and spare. In her life of poverty with Jesus' disciples, of faithfulness and obedience, and of chastity, she continued the evangelical life in which her son had preceded her, and appears to have been thought of by some in the second century as the apostle to the apostles.

Emphasis on the doctrines I have picked out does not destroy the evangelical and scriptural proportions of faith. These doctrines are best seen within their context within the Church's life, a context shaped by the prominence of the "Our Father" and the dominant place of the Eucharist. The latter fixes Catholic orientation towards the risen Jesus as present now, in the Eucharist giving us immediate address to the Father, and centering Catholic life on Christ's Passion for the sake of us all, sealing the Covenant with us, and making himself our food as wayfarers and pilgrims, vehicles of our being strengthened by the Holy Spirit and opened to his guidance. The teachings about Mary do not obscure these central realities. Rather each doctrine about the Virgin Mary points to truths about Christ and about God's way of working with man, beginning with the case Ignatius of Antioch makes plain: if it was the Son of God who died on the cross for us, it must have been the Son of God who was conceived and born of Mary; this was to be the basis of the rejection of Nestorianism in 431.

Moreover, it is always God's way to work beforehand to raise up human consent before any intended action on his part, and so Mary's consent to be his mother was vital to our salvation, and this same element of participation in his work is seen in her willing presence at the foot of the cross where "her heart would be pierced also," and in her presence with the apostles waiting in prayer for the Holy Spirit to come at Pentecost. Her joining Christ in prayer for the salvation of man and her bodily assumption into heaven are post-Pentecostal examples of her going before us. Accordingly, Catholic teachings in regard to the Virgin Mary lend strength to our hold on the universal truths about Christ and about God's way of working with man, and their denial turns out in the end to weaken our hold on the doctrines Christians share. In the meantime in her role in the Church she stands as representative of the Jews as the elder Israel.

My main aim in this essay has been to show why these doctrines should have a dogmatic place, rather than resting solely as *theologoumena*. This dogmatic place arises from the uniqueness of her human relation and role in respect of her son.

Appendix: The Buildings, Liturgy, and Apocryphal Literature Relating to Mary, and her Death, Falling Asleep, or Assumption, 400–800 C.E.

Churches Built In and Around Jerusalem Over the First Seven Centuries

The periods of preparation and feasts structuring the Church's year established in the first two centuries appear to have been limited to Easter, the Ascension, and Pentecost, together with a long period of perhaps up to nine

weeks completed on Good Friday and Holy Saturday. Within this structure, memorials to the saints, Christmas and Epiphany, and the emergence of the feasts particularly associated with Mary were added over an extended period—Christmas, Epiphany and the feasts associated with Mary being only established between A.D. 250 and 600 to offer the extreme possibilities.

The earliest churches established in Jerusalem appear to have been the "Church of the Apostles," reputed to be on the site of the last supper, the location of the apostles before and after Pentecost, and preceding Constantine; Constantine's Basilica of the Holy Sepulchre, completed in his lifetime; and St. Helena's Basilica of the Eleona (olives), on the Mount of Olives, completed before the visit of the pilgrim Egeria from Gaul or Spain between A.D. 381 and 384, the Basilica of the Eleona being associated with Jesus' Ascension and with the agony of Gethsemane. Shortly after Egeria, the Emperor Theodosius I built a larger Mount Zion church close to the Church of the Apostles, initially called the "Church of the Pillars" because surrounded by a colonnade, and in A.D. 415 transformed by John II of Jerusalem into the Basilica of Hagia Sion.[79] Mount Zion does not seem to have been associated with Mary's dormition until the seventh century when Sophronius mentions it,[80] and it became a centre of devotion to the dormition only in the eighth century.[81]

In the early fourth century, it appears that the principal feast of the Memory of Mary in the Jerusalem community was associated with an "Old" Kathisma Church at the site of a rock on which she was supposed to have sat to take a pause for rest on the way to Bethlehem before the birth of Jesus, with readings associated with the Nativity of Jesus in the Jerusalem Armenian lectionary of the period; and speculative identifications have been made of the later buried sites of the supposed "Old" Kathisma Church and a larger "New" Kathisma Church nearby which replaced it with sites at Ramat Rahel and Mar Elias, both to the East of the road between Bethlehem and Jerusalem,[82] although the dating of this feast

[79] Destroyed in 1009 by the Fatimid Caliphs of Egypt.

[80] Sophronius, *Anacreontic Hymns*; cf. Stephen J. Shoemaker, *Ancient Traditions of the Virgin Mother's Dormition and Assumption* (Oxford: Oxford University Press, 2006), 128.

[81] Shoemaker, *Ancient Traditions*, 139–40. Such a development would fit with the idea of Mary's body as the "Ark of the Covenant."

[82] Ibid., 82–138. Stephen Shoemaker presents this argument from the Jerusalem Armenian Lectionary, suggestive of the practice around A.D. 420–440, and from the evidence arising from diggings at the later buried sites of the supposed "Old" Kathisma Church and a larger "New" Kathisma Church nearby, which replaced it with sites at Ramat Rahel and Mar Elias, both to the east of the road between Bethlehem and Jerusalem.

is uncertain.[83] In Egypt a feast in memory of Mary on 16th January may have been associated with the Nativity of Christ and the flight into Egypt before becoming celebrated as the Feast of Mary's Dormition in or before the sixth century. Stephen Shoemaker has opened a rich seam of speculations as to different ways in which these two sites may have been thought of in the period from the late second century onwards, and to possible changes in the celebration of the birth of Christ, perhaps from mid-May and then mid-August before being celebrated at the winter feast.[84]

In sum, there is no good evidence of any shrines to Mary in Jerusalem until after A.D. 450. It has to be recalled that Christ's birth, associated by St. Cyprian with the time of the winter solstice, had its celebration on the 25th of December made widespread only by Constantine, probably effective only in the West, since in the East the early celebration of Christ's birth is associated only with Epiphany, and that only in the Greek and Syrian Churches after A.D. 350. We may presume that Bethlehem was a centre of devotion focused on the birth of Christ before St. Helena had a basilica erected there, and the Jerusalem liturgy of the Nativity of Christ involved a daily progress from Bethlehem to Jerusalem in the period of the 6th to the 13th of January at the time of Egeria's visit. With these feasts of the birth of Christ being so late, it is unsurprising that there are no churches to Mary in Jerusalem before A.D. 450.

This is the stage where we see the beginning of two parallel and largely independent developments, firstly the building by the Orthodox of numerous churches as centres of devotion to Mary, firstly in and near Jerusalem and then in other cities, and secondly the appearance of widely available narratives of the dormition.

From A.D. 450 onwards, churches in Jerusalem in honour of Mary multiply. The principal feast for the veneration of Mary by the Jerusalem community came to be celebrated around the 15th of August, and thus entirely distinct from Christ's birth celebrated in January. It now centred around a supposed tomb of Mary on the site of a necropolis with first-century burial caves cut into the rock, a cross-shaped church with a tomb in its centre being built in the mid-fifth century, the tomb being isolated

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[83] Shoemaker takes the Jerusalem Armenian Lectionary to put this feast on the 15th of August, but Van Esbroeck in reviewing Shoemaker's *Ancient Traditions* in the *Journal of Ecclesiastical History* 55 (2004), 334–36.suggests that the earliest text is defective and that this date was put in in the time of the Emperor Maurice.

[84] Shoemaker, "Christmas in the Qur'an: The Qur'anic Account of Jesus' Nativity and Palestinian Local Tradition," *Jerusalem Studies in Arabic and Islam* 28 (2003): 22–35; cf. 16–22, on the legends associated with these sites; cf. n. 100 below.

by quarrying out the surrounding rock,[85] and now to be found in an underground rock-cut cave in the present Church of the Sepulchre of Mary in the valley of Jehoshaphat, on the foothills of the Mount of Olives, close to Gethsemane.[86] Under the patriarch Elias (494–516), the Nea, or "new," church to the Theotokos (Mother of God), central to old Jerusalem, began to be constructed, but this was only completed and consecrated under Justinian in A.D. 543. Then, in the late 500s, Orthodox Christians built a larger octagonal church linked to the Tomb Church, an action possibly preceding its being decreed by the Byzantine Emperor Maurice that the Feast of the Assumption to be celebrated over the whole empire on the 15th of August. This church was destroyed in the Persian invasion (614), but another church was soon built, held jointly with Muslims.[87]

[85] It is just conceivable that the Emperor Marcian (A.D. 450–467) and his wife Pulcheria, dying in A.D. 453, had been strongly opposed to Nestorianism and devoted to the Virgin Mary. But the rest of the account interpolated in the late eighth or ninth century into the sermons of John of Damascus on the Assumption and attributed to the "Euthymian History" seems to be pure invention—namely the statement that Marcian and Pulcheria had asked Juvenal, bishop of Jerusalem, to send the body of the Mother of God to Constantinople, but that they were told that her tomb, when opened, upon the request of St. Thomas, had been found empty, and so he instead sent Mary's robe or shroud, hitherto preserved in the church of Gethsemane, but Constantinople preserved earlier legends of how the shroud concerned got to Constantinople (Shoemaker, *Ancient Traditions*, 71–74). The legend about St. Thomas must have originated sometime after 550. In one speculation, these legends were designed to give prestige to the *blachernitissa*, an encaustic icon (now at Mt. Athos) preserved at the Church of Our Lady of Blachernae, thought to have saved Constantinople from the Persians in 626 and later from the Arabs.

[86] The present Church is the first monument that is seen on the left side after crossing the bridge over the Kidron Brook, just before the Basilica of the Agony (Gethsemane).

[87] A niche south of the tomb is a *mihrab* indicating the direction of Mecca, and was installed when Muslims had joint rights to the church. The Tomb of the Virgin is venerated by Muslims because it was said that, during his Night Journey from Mecca to Jerusalem, the Prophet Muhammad saw a light over Mary's tomb, and that Caliph Umar prayed at Gethsemane in 638.

The rest of the history of the site is clearer.

A later Crusaders' church was destroyed by Saladin (1187) and all that was left was the south entrance and staircase. The site was taken over by Franciscans after the Crusaders left, and has since been shared with the Greeks, Armenians, Syrians, and Copts from Egypt and Ethiopia. In the present lower church at the bottom of the stairs is a Byzantine (fifth-century) crypt, partly hewn out of rock and featuring original Byzantine masonry. There is a built apse to the west and a longer rock-cut apse to the east, in which Mary's tomb is marked by a small square chapel. The altar inside the tomb conceals the remains of a bench tomb that may date from the first century.

Apocryphal Literature Relating to the Death, Falling Asleep, or Assumption of the Virgin Mary

This date A.D. 450 is also marked by the sudden proliferation of narratives of Mary's *transitus*, "falling asleep" or dormition, texts which still survive, although their forebears had been destroyed as heretical or because of their greater number. These evidently developed on the basis of earlier now lost written documents going back more than a century beforehand, concerned with Mary's dormition, and in some cases some sort of bodily assumption. The character of the archetypes of the several traditions of *transitus* narrative are such as to give them very little or no historical value, and their background before A.D. 400 shows signs of emergence from a background of a Jewish cosmography of seven heavens, which began to appear by the middle of the first century and for instance influenced the "Second Enoch" (not the earlier and more important book of Enoch which some considered a candidate for being part of the canon of Scripture). These archetypes commonly end up by taking Mary's body (or both her body and soul) only to some paradise or third heaven as an intermediary place, rather than directly to the very presence of God itself, all the texts being marked by signs of being rooted in late Jewish traditions about the fate of the dead in the afterlife. However, it must be recognized that amongst the Fathers and in late Jewish writing, we find quite varied portrayals of paradise, in more than one conception of the third heaven, some like St. Paul's 2 Corinthians 10, independent of the "seven heavens" cosmography, which made the seventh heaven the place of God's presence. Most of these had an influence on one or other of the later versions of the two types of text described below.[88]

There are two main archetypes underlying the earliest surviving texts.[89] Both combine a full embracing of the Old Testament roots of Christianity and the value of physical creation with an idea that only those with the spirit hiddenly in them are capable of receiving the secret gnosis which gives salvation.

The so-called "palm of the tree of life" group of texts appears to come from a fourth-century archetype[90] which combines reference to a palm

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[88] Cf. Shoemaker, *Ancient Traditions*, 181–89.

[89] This division of the texts into two groups is owed to Michel Van Esbroeck, *Aux origines de la Dormition de la Vierge*, Collected Studies Series (Aldershot: Variorum, 1995). I consider the two families in the same order as Stephen Shoemaker, opposite to that adopted by Mary Clayton to whose *The Apocryphal Gospels of Mary in Anglo-Saxon England* I owe much of my early information.

[90] Richard Bauckham, *The Fate of the Dead* (Leiden: Brill, 1998), 345–46, shows that this archetype preceded and influenced the better known *Apocalypse of Paul*, dated at A.D. 400; Shoemaker, *Ancient Traditions*, 42–45.

from the Tree of Life brought to Mary by an angel with reference to a secret book given to her by Jesus when he was five, marking that the original archetype must have been in Greek,[91] and in which the "Archon" and Christ have an intermediary demiurgical role, ideas coming from fourth-century Gnosticism. These Gnostic ideas of a secret knowledge or gnosis and a demiurge are still evident in the main fifth-century witnesses to this archetype,[92] but have been entirely removed in the possibly fifth-century Latin Pseudo-Melito, a document known to Bede,[93] in Gregory of Tours's précis in his late sixth-century *In gloria Martyrium*,[94] and in the early seventh-century homily of John of Thessalonica.[95] Likewise, except for fragments, the earliest Coptic texts[96] come from the "palm of the Tree of Life" group, but are free of any of their cosmography and free of Gnostic ideas, but are distinguishable by first centering their concern on a dormi-

[91] Shoemaker, *Ancient Traditions*, 220–25, shows how the confusions between a book or leaf of a book and a branch or palm leaf, such as one finds in the Ethiopic and Syriac versions, can only be explained by reference to their being translations from a Greek original, the word *biblion* for book and *brabeion* for palm or baton of victory becoming confused, Shoemaker, *Ancient Traditions*, 40–42.

[92] These main witnesses are rooted in the Syriac Obsequies, fragments of which were put together by William Wright, while the fuller Ethiopic *Liber Requiei* allowing the gaps in Wright's version to be reconstructed. The two are collated with a Georgian version in S. J. Shoemaker's translation, Shoemaker, *Ancient Traditions*, 290–350, while a later Greek version attributed to "St. John" the Theologian and Evangelist has been reconstructed by Antoine Wenger (Shoemaker, *Ancient Traditions*, 35 with its n. 70), and is translated in S. J. Shoemaker, *Ancient Traditions*, 351–69, a related version appearing in Irish around A.D. 712, (Shoemaker, *Ancient Traditions*, 37 with its n. 35), presumably imported after the sixth century reestablishment of Catholicism.

[93] Mary Clayton refers to this as transitus B, and Stephen Shoemaker has presented a translation of it on his website at www.uoregon.edu/~sshoemak/texts/dormitionL/dormitionL1.htm.

[94] Shoemaker, *Ancient Traditions*, 37.

[95] Ibid., 35, 79, 217. John of Thessalonica shows strong awareness of relying upon and "cleansing" a previous narrative, evidently the one reconstructed by Wenger; see n. 92 above.

[96] The Sahidic Pseudo-Evodius "Homily on the Dormition," translated in Shoemaker, *Ancient Traditions*, 397–407, from the early sixth century, along with the Pseudo-Cyril of Jerusalem, presented by Shoemaker at www.uoregon.edu/~sshoemak/texts/coptic/Cyril.htm, both concerned with a dormition feast of 16th January (to be contrasted with the Bohairic version of the Pseudo-Evodius which followed Theodosius of Alexandria's introduction of the Feast of the Assumption on 9th August around 566, presented by Shoemaker at www.uoregon.edu/~sshoemak/texts/coptic/Evodius.htm). Sahidic was the leading pre-Islamic Coptic dialect from Upper Egypt; around 300 it began to be written in literary form, including translations of major portions of the Bible. By the sixth century, a standardized spelling had been attained throughout Egypt. Almost

tion, without an assumption, celebrated on 16th January, probably at first thought of as initiating a period of waiting until the end—the date itself conceivably related to the flight into Egypt, and in any case passed on to some of the churches in Gaul—and then after A.D. 566/67 introducing a second feast explicitly of the assumption into the presence of God on 9th August.

The second archetype, with a fourth-century Greek original which was probably the basis of Epiphanius's account of the "Kollyridians" (given this name from their liturgical use of *kollyris* or cakes of rye bread) in the 370s, has its earliest surviving expressions in the Syriac *Six Books* and some early Syriac fragments, with a story involving travel between Bethlehem and Jerusalem, and which made the narrative of the dormition the conclusion of a life of Mary beginning with the *Protoevangelium of James* (about her nativity and dedication) and stories of the infancy of Jesus. These include liturgical elements occupied with the cycle connected with sowing and the harvest, suggestive of a connection with pagan concerns with fertility, but again these are absent from many later narratives derived from these beginnings including the Greek discourse on the dormition attributed to John the Theologian, which had a long popularity.[97] They appear in forms which survive after A.D. 450, and are soon purified of Gnostic ideas and mostly exhibit the more informal and open conception of paradise mentioned above, rather than the seven heavens cosmography.

In sum, none of the text traditions of which we have evidence appear to have any historical roots beyond possibly some tradition about the place of Mary's burial, and, although these documents show piety, they show no theological sense. The fact that all the narratives of Mary's dormition and of her Assumption known to us, *so far as they appeal to historical traditions*, represent sanitized versions of these entirely non-historical archetypes with their Gnostic, or in some cases possibly pagan, elements makes it vital

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all native authors wrote in this dialect of Coptic. Sahidic was, beginning in the ninth century C.E., challenged by Bohairic.

The Bohairic (or Memphitic) dialect originated in the western Nile delta (Lower Egypt). The earliest Bohairic manuscripts date to the fourth century C.E., but most texts come from the ninth century and later; this may be due to poor preservation conditions for texts in the humid regions of northern Egypt. It shows several conservative features in lexicon and phonology not found in other dialects. Bohairic is the dialect used today as the liturgical language of the Coptic Orthodox Church, replacing Sahidic some time in the eleventh century. In contemporary liturgical use, there are two traditions of pronunciation, arising from successive reforms in the nineteenth and twentieth centuries.

[97] Presented by Shoemaker at www.uoregon.edu/~sshoemak/texts/dormitionG2/dormitionG2.htm.

to clarify the doctrinal basis and content of the liturgy celebrated in Jerusalem after A.D. 500.

Evidence as to the Character of the Liturgy and Devotions Associated with Mary in Jerusalem from A.D. 500.

Accordingly, we need to return to consider what evidence we have of the nature of the Jerusalem liturgy in the sixth century, so far as it centred on Mary. From the tenth-century Klardjedi Georgian homiliary and associated calendar we seem to have the best evidence of the liturgy in Jerusalem of the early sixth century before the completion of the Nea Church in central Jerusalem, associating the Nativity with the Assumption and suggesting a three-day stational progress from the tomb church at the Valley of Jehoshaphat near Gethsemane alluded to above,[98] and one of whose key readings for this liturgy make it pellucidly clear that Mary, compared to the Ark of the Covenant, is being assumed into the presence of God[99] (not to any intermediate heaven such as we find in the earliest fifth-century dormition narratives). And there is no reason for doubting that it would be the same conception of the Assumption, as a taking of Mary, body and soul, into the very presence of God which would have been associated with the five-day, 13th to 17th August, with its conclusion at the Nea Church, a liturgy of which our best evidence seems to be provided by the Palestinian Georgian homiliary preserved in Sinai, which appears to represent the state of the Jerusalem liturgy in the later sixth and the seventh century, envisaging a stational progress over 13th to 17th August with its principal feast to the *Theotokos* at the summit of the stational progress, following celebrations associated with the tomb.[100] At some stage late in the 500s the earlier Tomb Church was replaced by the new octagonal Tomb Church beside the tomb. (Any sixth and seventh stational progress would not, it seems, have concluded at Mount Zion until the eighth century, Justinian's Church of the Nea, central to old Jerusalem, having, it would seem, been only incompletely destroyed by the Persians in 614, or else restored, and continuing in use until the time of Chalemagne).[101] In the meantime, in Egypt, in A.D. 566/67, the Coptic patriarch Theodosius of Alexandria instituted a feast of the Assumption on 9th August, presenting it as timed to occur 206 days after the Feast of the

[98] Shoemaker, *Ancient Traditions*, 118–25.

[99] Ibid., 126–27.

[100] Ibid., 132–37, 139.

[101] Ibid., 137–40, cf. 128. Mount Zion had earlier been associated only with the Church of the Apostles associated with the Last Supper and the meetings of the early Jerusalem church.

Burial and Dormition of Mary, celebrated in Egypt on 16th January. Theodosius's homily for this feast, showing some influence from the palm narrative tradition, constitutes the earliest non-pseudonymous Coptic discourse on the dormition and assumption which we have,[102] and, although influenced by the palm narrative tradition in accord with Coptic tradition thinking of the Assumption as that of Mary's body to heaven to join her soul, he says her body "abides by Him that none can abide by, and approaches Him that none can approach unto. It is bright: and is adorned and is arrayed in the glory of the Trinity," speaking of the astonishment in heaven of her going ahead of the whole of creation. By contrast, the Pseudo-Melito popular in the West and the Pseudo-John the Theologian popular in the East each allow only a three day separation of soul and body, perhaps reminiscent of the resurrection of Jesus himself, both taking Mary to paradise as the place of Christ.

Against this background, there is no reason to doubt that when the Emperor Maurice promulgated the Feast of the Assumption for the whole of his empire around A.D. 600 on the date 15th August used at the newly built octagonal Basilica adjacent to the tomb, what his preachers would have understood by this would have been a bodily assumption, not more than three days after the placing of Mary's body in the tomb, body and soul to be everlastingly in the presence of God.

Note on the Muslim Position

In Muslim belief, Mary remained a virgin in Jesus' conception and birth, although some of the accounts represent Mary as alone in a desert place while bearing and giving birth to Jesus, and only rejoining her family afterwards, Jesus showing himself for who he was by an extraordinary precocity, his speaking from the time of his birth. In the Qur'an, Sura 3 on Jesus and Sura 19 on Mary show strong signs of the influence not only of Luke's Gospel, but also of the apocryphal *Protoevangelium* and Infancy Gospels. The Qur'an seems to think of Mary as sister of Moses and Aaron, children of Amran, grandson of Levi (Exodus 16:18–20), as well as perhaps thinking of Hagar as a model of Mary (Sura 19, vv. 16–26), perhaps influenced by legends about the Kathisma sites.[103]

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[102] For some discussion and a translation of the full text, see www.uoregon.edu/~sshoemak/texts/coptic/Theodosius.htm from Stephen Shoemaker's website.

[103] Shoemaker, in his "Christmas in the Qur'an," 15–35, discusses the legends surviving from, at the earliest, the late second century (although possibly only from much later) associating first one and then the other Kathisma site with an early birth of Jesus before reaching Bethlehem, although another early legend associated them with a resting place on the way to Egypt."

The combination of these ideas with the confusion whether Christians thought that the Trinity consisted of the Father, the Son, and Mary, found in the Hadith, suggests that his main source of information (or, rather, misinformation) about Christianity was some group with views akin to those that lay behind the *Six Books* traditions. How Muhammad might fail to attain orthodox Christian belief is made more intelligible by the extremes of Christian divisions in the Levant in his time, vividly portrayed in Dalrymple's portrayal of the conditions in Edessa[104] in the period of the monk John Moschos's travels exactly at the time of Muhammad's personal formation of belief, before any beginning of his marauding and military activity or that of his successors.

It is an experienced fact that many Muslims on occasion ask Christian priests and laymen to ask Mary to pray for them or to ask for Mary's help, although attention to the saints is disapproved of by the stricter tradition of the Wahhabis. This practice is very intelligible in the context of the emergence of Muhammad's belief and that of his followers, well exhibited in John Damascene's perception of Islam as a fresh Christian heresy and the ambiguities of the Qur'an as examined by R. C. Zaehner.[105] N V

[104] William Dalrymple, *From the Holy Mountain* (London: HarperCollins, 1997), 65–68, cf. 69–77, 106–11, and in regard to John Moschos, 11–14.

[105] Zaehner, *At Sundry Times*, 195–217. Pages 203 to 208 indicate Qur'anic references to Mary, which would be seen within the general context of Jewish, Christian, and Muslim reverence for saints, exemplified earlier in the struggles between Christians and Jews in Antioch for possession of the shrines of the Maccabees. See also Dalrymple, *From the Holy Mountain*, 185–91, in the context of pages 148–84.

Mary's Motherly Mediation in Christ: A Systematic Reflection*

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A Central Theme in Light of Christ and of the Church

PERHAPS the most discussed theme of Mariology today is the participation of the Mother of God in the universal mediation of Jesus Christ.[1] The significance of this area of research may be elucidated with reference to the work of Thomas Aquinas and of Vatican II.

* Translated by Christopher Malloy. The original German version of Fr. Hauke's article appeared in A. von Brandenstein-Zeppelin und A. von Stockhausen, eds., *Die Stellung der Gottesmutter in der Welt- und Heilsgeschichte* (Weilheim-Bierbronnen, 2008), 19–50.

[1] See for example A. Amato, "Gesù, Salvatore, definitivo, universale, e la cooperazione di Maria alla salvezza: Problematiche nuove di una 'questione antica,' " in *Maria nel mistero di Cristo pienezza del tempo e compimento del regno*, ed. E. Perretto (Rome: 1999), 387–427; various authors, *Maria Corredentrice: Storia e teologia I–VIII* (Frigento: 1998–2006); various authors, *Mary at the Foot of the Cross I–VI* (New Bedford, MA: 2001–2007); J. L. Bastero de Eleizalde, *Virgen singular: La reflexión mariana en el siglo XX* (Madrid: 2001), 206–59; M. Ponce Cuéllar, *María: Madre del Redentor y Madre de la Iglesia*, 2nd ed. (Barcelona: 2001), 442–500; P. Haffner, *The Mystery of Mary* (Chicago: 2004), 182–207 and 254–66; M. Hauke, "Mary, 'Helpmate of the Redeemer': Mary's Cooperation in Salvation as a Research Theme," in *Mary at the Foot of the Cross III*, by various authors (New Bedford, MA: 2003), 25–53; idem, "Die mütterliche Vermittlung," in *Totus tuus: Maria in Leben und Lehre Johannes Pauls II* (Mariologische Studien 18), no. 18, ed. A. Ziegenaus (Regensburg: 2004), 125–75 (Italian translation: "La mediazione materna di Maria secondo Papa Giovanni Paolo II," in *Maria Corredentrice VII*, by various authors [Frigento: 2005], 35–91); idem, *Introduzione alla Mariologia* (Collana di Mariologia 2) (Lugano: 2008), 253–302; M. Miravalle, *"With Jesus": The Story of Mary Co-redemptrix* (Goleta, CA: 2003); Sociedad Mariológica Española, *La colaboración de María a la Redención: Problema antiguo en proyección moderna*, no. 70, EstudiosMarianos (Salamanca: 2004); various

In the *Summa theologiae* of St. Thomas, the person of Jesus Christ stands at the center. While the first part of the great work treats of God as the origin and goal of all created things and the second part investigates the movement of rational creation to God, the third part concerns Jesus Christ, "Who as man is for us the way to God."[2] The union of God and creation in Jesus Christ, therefore, is in some way the quintessence or central content of Christian doctrine. The expression Christ "as man is for us the way to God" refers directly to the definition of the mediation of Christ in the First Letter to Timothy: "God is one, one also the mediator between God and man, the man Jesus Christ, who gave himself as a ransom for all . . ." (1 Tim 2:5–6).[3]

According to Aquinas, two elements belong to mediation: being between two extremes and having a union with each of them. Jesus Christ mediates through his human nature, which in virtue of the Incarnation is united with the eternal Word. As man, Christ is distinguished from God, but because of his dignity of grace and glory he is distinguished from the rest of men. "Insofar as he is man, it belongs to him to join men to God, bringing commands and gifts for men, offering satisfaction for men to God and interceding for them. Thus, he is most truly called mediator according as he is man."[4]

In the architecture of the theological *Summa* the question of the mediation of Christ forms as it were the center and pivot between the person of Christ in the mystery of the Incarnation and the saving work of the Redeemer. The theme still belongs to the realm of the Incarnation, but

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authors, *Maria, "unica cooperatrice alla Redenzione": Atti del Simposio sul Mistero della Corredenzione Mariana* (New Bedford, MA: 2005); S.M. Perrella, *La Madre di Gesù nella coscienza ecclesiale contemporanea* (Vatican City: 2005), 407–88; H. Munsterman, *Marie corédemptrice? Débat sur un titre marial controversé* (Paris: 2006) (for reviews of this, see M. Hauke, *Revue d'Histoire Ecclésiastique* 101 [2006]: 1318–22 and P. D. Fehlner, "Marian Minimalism on Coredemption," *Immaculata Mediatrix* 6 [2006]: 397–420); A. B. Calkins, "Mary Co-redemptrix: The Beloved Associate of Christ," in *Mariology: A Guide for Priests, Deacons, Seminarians, and Consecrated Persons*, by various authors (Goleta, CA: 2008), 349–409; A. M. Apollonio, "Mary Mediatrix of All Graces," in *Mariology* (Goleta, CA: 2008), 411–65. A Villafiorita Monteleone, *Alma Redemptoris Socia*, Maria e la Redenzione nella teologia contemporanea (Lugano: Collana di Mariologia, 2010), 8.

[2] Thomas Aquinas, *Summa theologiae* I, q. 2, proemium. For the structure and Christological character of the *Summa*, see Jean-Pierre Torrell, *Saint Thomas Aquinas: The Person and His Work*, trans. Robert Royal (Washington, D.C.: The Catholic University of America Press, 1996), 145–56; and D. Berger, *Thomas von Aquins "Summa theologiae"* (Darmstadt: 2004), 43–61.

[3] See *ST* III, q. 26, aa. 1–2.

[4] *ST* III, q. 26, a. 2.

prepares for the treatment of the Redeemer's work directly. It is an issue, therefore, of the systematic movement between the person of Christ and his work, between Christology (in the narrow sense) and soteriology, between what Christ is on the basis of his divine-human constitution and "what the Son of God, made flesh in a human nature united to himself, *did and suffered*."[5] The mediation of Christ thus forms in a certain way the center of Christology (in the wider sense) and of the entire theological *Summa*.

Thomas Aquinas is quite aware of the uniqueness of Christ's mediation, which is emphasized in the First Letter to Timothy and in the entire New Testament. The unique mediation of Christ does not, to be sure, imply any exclusion of human mediation in the event of salvation: the relevant Pauline passage is found in a section in which the Christian is called to intercede for all men and in which the Apostle appears as a herald and apostle of the unique Mediator (1 Tim 2:1–7). Thomas sums up this cooperation with Christ as follows: even others can "in a certain respect be called mediators between God and man: insofar namely as they cooperate towards the union of man and God, dispositively or instrumentally (*ministerialiter*)."[6] In this cooperative work and service there befits the Mother of God an eminent role, which affects all mankind.

A look at the systematic synthesis of Aquinas brings to light the significance of Marian mediation from the perspective of Christology. The complementary field of ecclesiology, on the other hand, was brought to bear on Mariology through the Second Vatican Council, which was, so to speak, the "Council of the Church Concerning the Church," the most important document of which—the theological heart of the conciliar decrees—is the Dogmatic Constitution on the Church, *Lumen Gentium*. The eighth and final chapter of *Lumen Gentium* is entitled "On Blessed Mary, the Virgin Mother of God, in the Mystery of Christ and of the Church." Pope Paul VI saw in this chapter the pinnacle and crowning of the entire Dogmatic Constitution on the Church.[7] This highpoint in its turn finds its spiritual center in the teaching on the cooperation of Mary in redemption, which belongs to her participation in the mediation of Christ. A Spanish Mariologist who managed a hearing in the journal *Marianum* rightly claims, "The center of the conciliar teaching on Mary is the cooperation of the Mother of God in the work of salvation."[8] The teaching on the mediation of Mary

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[5] *ST* III, q. 27, prooemium (emphasis added).

[6] *ST* III, q. 26, a. 1.

[7] See Paul VI, *Post duos menses*, an address at the close of the third session of the council (Nov. 21, 1964; *AAS* 56 [1964]: 1014).

[8] A. Escudero Cabello, "Approcci attuali e proposte teologiche sul tema della cooperazione mariana," *Marianum* 61 (1999): 177f.

appears in the middle of the chapter, which in a certain way constitutes the highpoint of the entire Council. This analysis, perhaps surprising for many, is confirmed by a glance at the theological publications on the various themes treated in the Council: there are, so it appears, more publications on Marian mediation than on all other topics, although there is no lack of controversy and conflict over it.[9]

Recent Development of the Teaching on Marian Mediation

A glance at the theological *Summa* of St. Thomas and at the results of the Second Vatican Council demonstrates the intimate bond of Marian mediation with Christology and with the doctrine on the Church. This tight connection is not to be reduced simply to historical accidents; it rests rather on the reality itself, namely, on the Mother of God's being integrated into the work of redemption: "Having entered deeply into the history of salvation, Mary, in a way, unites in her person and re-echoes the most important doctrines of the faith."[10]

To be sure, the theological development has unfolded historically. It began in divine revelation and was further formed in the history of the Church. The contemporary discussion concerning Marian mediation was most intensely stimulated by the initiative of the Belgian Cardinal Mercier, who in 1915, together with the bishops of his country, put a request forward to the Holy See that Mary's universal mediation of grace be defined.[11] A step towards that definition (*Zwischenresultat*) was the optional introduction of the Feast of Mary as "Mediatrix of All Graces" in 1921, through Benedict XV.[12] Benedict's measure was a powerful jolt for Mariology, of which the movement in favor of the relevant Marian dogma would ever grow stronger, though it had its opponents. The move-

[9] On the topic of Marian mediation in Vatican II, see the bibliographical references in Hauke, "Mütterliche Vermittlung," 127–30.

[10] *Lumen Gentium*, §65 (translation from Flannery, 1998, p. 420).

[11] See M. Hauke, *Mary, Mediatress of Grace: Mary's Universal Mediation of Grace in the Theological and Pastoral Works of Cardinal Mercier*, Supplement of *Mary at the Foot of the Cross IV* (New Bedford: Academy of the Immaculate, 2004), 35–43. Meanwhile, I discovered in the archive of the Congregation for the Doctrine of the Faith the 1915 petition of Cardinal Mercier and the other Belgian bishops, which until now was considered lost: Congregation for the Doctrine of Faith, Archivio del Sant'Ufficio, Rerum Variarum 1916, n. 6, vol. I. A publication of this handwritten material is in preparation.

[12] See Hauke, *Mercier*, 52–60.

ment reached its highpoint just before the Council, when hundreds of bishops requested a corresponding dogmatic definition.[13]

Nevertheless, the Council did not desire to deal with any dogmatic definitions and treated the theme of Marian mediation with caution. The title "Mediatrix" was styled an expression of ecclesial piety[14] and the brief formula for Marian cooperation in salvation, the title "Coredemptrix," had already been avoided, on ecumenical grounds, in the preceding schema on the Mother of God. The conciliar commission, under the influence of the Franciscan Carlo Balic, offered this statement at the time: "Certain words and expressions employed by the popes have been omitted. Although most true (*verissima*) in themselves, they can be more difficult for the separated brothers (especially the Protestants) to understand. Among these are included the following, 'Coredemptrix of the human race.' "[15] Mary's universal mediation was not disavowed by the Council, but clear expressions regarding it are found only indirectly in the footnotes, if one investigates the sources cited therein.[16] The Second Vatican Council propounded an impressive teaching on the Mother of God, in which also Marian cooperation in the event of salvation and her spiritual motherhood of all the saved stand out. Yet, at the same time, the clearest concepts and contents of Marian mediation were avoided, above all for ecumenical considerations, as for instance the invocation of "Coredemptrix" and "Mediatrix of all Grace."

It was no wonder that this treatment of the figure of Mary resulted in a "Marian Ice Age," during which any mention of Marian mediation itself was taboo even among Mariologists.[17] While this "ice" began to melt, to a certain extent, with Paul VI's apostolic exhortation *Marialis Cultus* (1974), John Paul brought back the theme of Marian mediation once again to the center of Mariology in his encyclical *Redemptoris Mater* (1987). The pope speaks therein of a "motherly mediation," which is not to be placed side by side that of Christ; rather, it is accomplished "in Christ."[18]

The most recent discussion is strongly marked by the petition for a new Marian dogma, which since 1993 has been brought before the Holy See. The petition includes the request for a dogma with three titles, which are

[13] See A. Escudero Cabello, *La cuestión de la mediación mariana en la preparación del Vaticano II: Elementos para una evaluación de los trabajos preconciliares* (Rome, 1997), 86–92.

[14] See *Lumen Gentium*, §62.

[15] *Acta Synodalia Sacrosancti Concilii Oecumenici Vaticani Secundi*, vol. I.4 (Vatican City, 1971), 99, note 3a.

[16] *Lumen Gentium*, §62, notes 15 and 16 of the Flannery edition.

[17] On the post-conciliar crisis of Mariology, see S. de Fiores, *Maria nella teologia contemporanea*, 3rd ed. (Rome: 1991), 123–36.

[18] See Hauke, "Mütterliche Vermittlung," 130–33.

in harmony with the alleged Marian messages from the "Lady of all People" in Amsterdam.[19] According to the messages, Mary should be addressed as "Coredemptrix, Mediatrix of All Graces, and Advocate."[20] In discussion concerning this matter, the concept "Coredemptrix" especially excited offense. At the time, even Joseph Ratzinger, in a personal remark as cardinal, mentioned the concept quite critically,[21] even though Pope John Paul II had been using the term repeatedly.[22] In 2008, five cardinals sent a letter to all the Catholic bishops with the proposal to favor a Marian dogma where the three attributes (Coredemptrix, Mediatrix of All Graces, Advocate) are presented under the title of spiritual maternity.[23]

A Conceptual Clarification of Our Theme[24]

Analogous Participation in the Mediation of Christ

In order to evaluate the controversial debates rightly, a conceptual clarification is first and foremost in order. The topic to be treated under the catchword Marian "mediation" can appear in rather different "guises," which are not always interpreted in the same way. The comprehensive concept is, in my opinion, the term "mediation" itself, which covers in the classical Christological treatises the whole area of the doctrine of salvation and is included in the doctrine of grace as well.[25] Mary participates in a specific way in the unique mediation of Christ. The salvific influence of the Mother of God is, according to the teaching of Vatican II, "based on the mediation of Christ, depends on it entirely, and draws from it (from Christ's mediation) its whole power."[26] To speak of Marian "mediation" or to address Mary as "Mediatrix" indicates an analogous participation in the mediation of Christ, which we find as well in many

[19] An alleged apparition of Mary.

[20] On this and for further bibliographical references, see Hauke, "Helpmate"; idem, "Die aktive Mitwirkung Mariens an der Erlösung: Ein geschichtlicher Durchblick," in *Die göttliche Vernunft und die inkarnierte Liebe: Festschrift zum 80. Geburtstag Seiner Heiligkeit Papst Benedikts XVI*, ed. A. von Brandenstein-Zeppelin, A. von Stockhausen, and J. H. Benirschke (Weilheim-Bierbronnen: 2007), 45–48.

[21] Joseph Cardinal Ratzinger, *God and the World: A Conversation with Peter Seewald*, trans. Henry Taylor (San Francisco: Ignatius Press, 2002), 306.

[22] See Hauke, "Mütterliche Vermittlung," 140–46; Miravalle, "With Jesus" (Note 1), 189–212; Calkins, "Mary Co-redemptrix," 392–398.

[23] See Hauke, "Introduzione alla Mariologia," 277.

[24] See also Hauke, "Helpmate," 47–53; and idem, "Aktive Mitwirkung," 16–19.

[25] See for example F. Diekamp and K. Jüssen, *Katholische Dogmatik nach den Grundsätzen des hl. Thomas II* (Münster: 1959), 306–54; J. Pohle and J. Gummersbach, *Lehrbuch der Dogmatik II* (Paderborn: 1956; reprint, 1968), 222–330.

[26] *Lumen Gentium*, §60.

other areas. The name "Christian," for example, signifies a participation in the messianic anointing of Christ as bearer of the Holy Spirit. Reference to the "common priesthood" of all believers does not obscure the mission of the only High Priest, but rather suggests a participation in the priesthood of Jesus Christ. "As in various ways both the ministers and the faithful participate in the priesthood of Christ in various ways, and as the one goodness of God is really poured forth to creatures in diverse ways, so also the unique mediation of the redeemer does not exclude, but rather gives rise to differentiated, participated cooperation among creatures from this unique source."[27]

"Mediation" precisely taken designates the union of two extremes, in this case, God and men. "Descending" mediation can be distinguished from "ascending" mediation. The former signifies a communication of gifts, whereas the latter signifies prayer and sacrifice directed to God. Likewise, Marian mediation embraces her cooperation in the work of salvation on earth as well as her heavenly intercession. This overarching character of Marian mediation is not always sufficiently appreciated, inasmuch as one routinely calls to mind only her intercessory mediation of grace but not her cooperation in the salvific work of Christ on earth. Such a consequence can follow from the exclusive use of the title "Mediatrix" in the formula "Mediatrix of all graces." This tendency can even be found in the texts of the Second Vatican Council,[28] although the systematic discussion in the time of Cardinal Mercier issued in the conclusion that Marian mediation begins already with her cooperation in the redemption.[29] Placing the title "Mediatrix" between the titles "Coredemptrix" and "Advocate"—as some do who are pressing for a fifth Marian dogma—creates a tension with the systematic meaning of the concept "mediation," which extends as an umbrella term over all the relevant contents of Mary's work and thereby includes even her "coredemption" and heavenly intercession.[30]

Cooperation in Salvation

The concept "redemption" can also include the entire economy of salvation, but its pith is related primarily to the work of salvation fulfilled by Christ on earth, which work began with his Incarnation and attained its highpoint at the Cross. Thus "redemption" indicates, above all, the earthly

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[27] *Lumen Gentium*, §62.

[28] See *Lumen Gentium*, §62, for the use of the title "Mediatrix" in the invocation of Mary.

[29] See Hauke, *Mercier*, 86–87, 127–28, and passim.

[30] See Hauke, "Aktive Mitwirkung," 47f.

life of Jesus. Only in a wider perspective does it regard the human acceptance of the fruits of redemption. In union with Scheeben, one should differentiate "objective redemption" (the saving work of Jesus on earth) from "subjective redemption" (the inclusion of the concrete subject, who participates in the grace of the redeemer). In the 1930s, the German Jesuit Heinrich Lennerz wielded this distinction in Mariology in order to exclude Mary from cooperation in the "objective redemption" and to grant her only a contribution in the "subjective redemption."[31]

So the issue from that time until the eve of the Council was this: did Mary cooperate directly (*unmittelbar*) in the objective redemption or not? One group of theologians rejected such cooperation (for example, Heinrich Lennerz) or reduced Marian cooperation to a "reception" of the fruits of salvation (for example, Heinrich Maria Köster). These positions are now outdated in light of the statements of Vatican II, according to which "[r]ightly, therefore, the Fathers see Mary not merely as passively engaged by God, but as freely cooperating in the work of man's salvation through faith and obedience."[32] "Now this union of the mother with her Son in the work of salvation was manifested from the virginal conception of Christ unto his death."[33] It is thus clear that, already, God's becoming man, with which Mary cooperated through her *fiat*, belongs to the work of redemption. In contrast, Lennerz viewed the Incarnation only as a presupposition for the redemption but not as the very beginning of the work of redemption.

Mary's *fiat* with respect to the Incarnation and her union with Christ under the Cross display the singular character of her mediation, as the Council also stresses: "She conceived, brought forth, and nourished Christ, she presented him to the Father in the temple, shared her Son's sufferings as he died on the cross. Thus, in a wholly singular way she cooperated by her obedience, faith, hope, and burning charity in the work of the Savior in restoring supernatural life to souls."[34]

The concept "Coredemptrix" appears for the first time in a church hymn in Salzburg in the fifteenth century.[35] "Coredemption" is, according to the common explication, an abbreviated title for "cooperation in

[31] See Hauke, "La questione del 'primo principio' e l'indole della cooperazione di Maria all'opera redentrice del Figlio: due temi rilevanti nella mariologia di Gabriele M. Roschini," *Marianum* 64 (2002): 591–97.

[32] *Lumen Gentium*, §56; translation from *Vatican Council II*, ed. Austin Flannery (Northport, NY: Costello Publishing Company, 1998) [unless noted, translations from Vatican II are mine—translator]. See Hauke, "Aktive Mitwirkung," 41–45.

[33] *Lumen Gentium*, §57.

[34] *Lumen Gentium*, §61 (Flannery translation).

[35] See Hauke, "Aktive Mitwirkung," 28.

redemption." The development of the concept dovetailed with medieval piety concerning the passion, which contemplated Mary under the Cross and spoke of her "co-suffering" (*compassio*). As distinguished from the concept "Redemptrix," which emphasized Mary's mission as God-bearer, the word "Coredemptrix" is more reserved, in order not to compromise the unique importance of the redemption through the Cross of Jesus Christ. "Coredemptrix" is, in any case, a powerful expression, which must address the principle objection that by this term Mary and Christ are potentially put on the same level. It therefore must be stressed that Mary's cooperation is entirely dependent upon the redemption through Jesus Christ. Since it is a matter of a unique cooperation, this stronger expression is of course legitimate.

The heart of John Paul's catechesis on Mary's participation in the event of salvation is his address of April 9, 1997, entitled "Mary: Singular Coworker in the Redemption." For men there is, as Paul avers (1 Cor 3:9), the possibility of cooperating with God in the event of salvation. With reference to Mary, the concept "co-worker"

> acquires a specific meaning. The collaboration of Christians in salvation takes place after the Calvary event, whose fruits they endeavor to spread by prayer and sacrifice. Mary, instead, co-operated during the event itself and in the role of mother; thus her co-operation embraces the whole of Christ's saving work. She alone was associated in this way with the redemptive sacrifice that merited the salvation of all mankind. In union with Christ and in submission to him, she collaborated in obtaining the grace of salvation for all humanity.[36]

The concept "coredemption" signifies precisely this unique cooperation of Mary in the saving work of Jesus on earth. Only in an extended sense can the verb "to co-redeem" be applied to the subjective redemption, according to which all Christians can be called "co-redeemers."

Participation in the Three Offices of Jesus

The mediation of Jesus Christ and his redemptive work can be described under the threefold aspect of the office of Christ: prophet or teacher, priest, and king or shepherd. Mary's participation can be articulated analogously. The Mother of God is prophetess, who in a specific way manifests the revelation of God; she is endowed with a motherly priesthood;

[36] John Paul II, *Marian Catechesis*, no. 48.2 (April 9, 1997); translation from www.ewtn.com/library/papaldoc/jp2bvm48.htm. The seventy Marian catecheses of John Paul II have been collected together in the following volume, *Theotokos: A Catechesis on Mary Mother of God* (Pauline Books & Media, 1999).

and she stands at the side of Christ the King as Queen of the Universe. Her intercession, which is effective for all mankind, belongs especially to her royal office.

Her Union with the Mystery of Jesus' Life

A broader description of the reality of redemption traces the events of salvation, which since Francisco Suarez have been called the "Mysteries of Jesus' Life." These are to some extent the focal points of the work of Jesus, in which in each case the whole mission of the Lord can be glimpsed. Mary should be included in consideration of them: especially her fiat at the Angelic Annunciation, her presentation of Jesus in the Temple, and her standing under the Cross.

Mary as "New Eve" and Spiritual Mother

Together with the former narrative windows into the mystery of Jesus' life, we should also mention the description of Mary as "New Eve," who as motherly associate of the "New Adam" stands by his side in the work of redemption. This title first appears with the Fathers, but its roots can be traced already in Scripture. It is well suited, likewise, to present Mary's mediation in a comprehensive manner.

Finally, it is possible to consider the most varied images and concepts, which more clearly illuminate the mediating role of the Mother of God. Spiritual motherhood enjoys a special significance. "Motherhood" indicates primarily giving birth to a child, yet it also signifies care for his growth and education. The spiritual motherhood of Mary is, as it were, the organic continuation of her physical motherhood with regard to the Son of God: her motherly being (*Muttersein*) centers on our birth into divine life and our growth therein. So, we can see that Mary's spiritual motherhood comprehends the entire scope of her mediation—her cooperation in both the objective and the subjective redemption. In this sense we may invoke a passage from Augustine cited by the Council, according to which Mary is "mother of the members (of Christ) . . . since she cooperated in charity so that there would be born in the Church believers who are members of her head."[37] The spiritual motherhood of Mary can, however, at times be treated as a logical consequence rooted in her actions as mother and companion of the redeemer. So we have it in another conciliar text: "Having conceived, brought forth, nourished, and presented him to the Father in the temple, and having co-suffered with her Son who was dying on the cross, she cooperated in a wholly singu-

[37] *Lumen Gentium*, §53, citing Augustine, *On Holy Virginity*, chap. 6 (PL 40, 399).

lar way in the work of salvation . . . For this reason she is our mother in the order of grace."[38]

Mary's spiritual motherhood coincides in content with her mediation of grace and has already been pondered as an object of a dogmatic definition, which agrees in substance with Cardinal Mercier's request.[39] Mediation and spiritual motherhood are of course distinguished by their formal objects: "motherhood" signifies first of all Mary's work on our behalf (thus it involves a "descending communication"), while "mediation" belongs to her role as "being in the middle." With respect to the latter, the Mother of God stands between Christ, the other members of the Church, and the divine Trinity. Discourse about Mary's mediation thus makes possible a comprehensive perspective.[40] Pope John Paul II interweaves both approaches to Mary's role by speaking of her "motherly mediation."

Selected Systematic Approaches

The theme of Mary's mediation is quite multi-faceted and comprehensive. Mary's relation to Christ and the Trinity, as well as her union with the Church, is decisive for systematic reflection. The ecclesial dimension contains, in turn, important implications for anthropology. The universality of her mediation ultimately flows into eschatology.[41] Taking a brief look at the theological contents of our themes, as far as possible, we can indicate only a few aspects.

The Relation of Marian Mediation to the Singular Mediation of Christ

Mary's motherly mediation in Christ is not to be construed as secretarial, as a receptionist's task of monitoring access to the boss. Her work is rather to be compared to that of a friend, who makes possible for us a conversation with a person of great honor and who is thereby present herself. The presence of the friend does not hinder the unmediated encounter with the high-ranking conversation partner, but it makes the conversation easier. In this sense, the Council stresses, Mary's motherly role on behalf of

[38] *Lumen Gentium*, §61.

[39] See for example C. Balic, *De spiritualis B.V. Mariae definibilitate,* in *Acta et documenta Concilio Oecumenico Vaticano II Apparando*, Series I (Antepraeparatoria), vol. IV.1.2 (Vatican City: 1961), 55–61; and B. de Margerie, "Can the Church Define Dogmatically the Spiritual Motherhood of Mary?" in *Mary Coredemptrix, Mediatrix, Advocate*, ed. M. I. Miravalle, vol. 1 (Santa Barbara, CA: 1995), 191–214.

[40] See J. Ferrer Arellano, "Marian Coredemption in the Light of Christian Philosophy," in *Mary at the Foot of the Cross II* (New Bedford, MA: 2002), 124–32.

[41] The richness of the theme finds exemplary expression in the Marian teachings of John Paul II; see Hauke, "Mütterliche Vermittlung," 146–61.

men "in no way impedes but rather augments the unmediated union of believers with Christ."[42] Mary's mediation moves towards this immediacy.

Mary's cooperation in the event of salvation is not metaphysically necessary; rather, God by his will makes the mediation of salvation dependent upon a secondary, created cause. In distinction from the Reformation thesis, according to which God alone works in the event of everyone's justification, the Catholic doctrine features the cooperation of men. This difference applies also to the human cooperation of Jesus, as Theobald Beer and Michael Kreuzer have shown.[43] For Martin Luther, the humanity of Jesus is only a "sign" of salvation, not at all a living instrument through which God himself works.[44] The German Reformer portrays Jesus' humanity as the "bait" with which the divine fisherman outsmarts the devil: Satan "eats" the human bait and thereby encounters God himself, who is stronger than he. Christ's being as man does not work towards salvation but rather serves as a trap for the devil. According to the classical teaching of St. Thomas, by contrast, the humanity of Christ is a living instrument for divinely bestowed salvation.[45] The active cooperation of the humanity of Christ further unfolds, organically, in the integration of created persons: Christ himself effects the union between men and God principally and perfectly, but rational creatures can cooperate with him dispositively and instrumentally (*ministerialiter*).[46]

The Salvific Merit of the Mother of God

The Concept of Merit

The meaning of human cooperation appears also in the doctrine on merit. "Merit" signifies, generally, a claim to a reward on the basis of morally good action.[47] The concept of merit was already applied to Christ in antiquity, and in the Middle Ages it underwent systematic development. According

[42] *Lumen Gentium*, §60.

[43] T. Beer, *Der fröhliche Wechsel und Streit: Grundzüge der Theologie Martin Luthers* (Einsiedeln: 1980); M. Kreuzer, *"Und das Wort ist Fleisch geworden." Zur Bedeutung des Menschseins Jesu bei Johannes Driedo und Martin Luther* (Paderborn: 1998); see also Hauke, "Helpmate," 40–47.

[44] See P. Hünermann, *Jesus Christus: Gottes Wort in die Zeit* (Münster: 1994), 231 and 234.

[45] See, for example, *ST* III, q. 62, a. 5.

[46] See *ST*, III, q. 26, a. 1, ad 2.

[47] See A. Forster, *Verdienst II: Systematisch*, in *Lexikon für Theologie und Kirche*, 2nd ed., vol. 10 (Freiburg im Breisgau: Herder, 1965), 677–80. He writes, "Merit generally means that there exists a relation between a human act performed in freedom and, according to an established arrangement (*Ordnung*), the consequent response of the one who established the arrangement" (677).

to Aquinas, the suffering of Christ accomplishes our salvation in a fourfold way: as merit, as satisfaction, as sacrifice, and as price of redemption.[48] Since Peter Lombard, one distinguishes a twofold merit in Christ. For the members of his mystical body, the Redeemer merited liberation from sin and the coming of the Kingdom; and for himself, on the other hand, he won the glorification of his body and his soul's freedom from suffering.[49] Merit is, therefore, both personal and social. It is the latter that especially concerns our query. The Council of Trent stresses that Jesus Christ "by his most holy passion on the wood of the cross merited justification for us."[50]

Thomistic and Scotistic Views of Christ's Merit

Because of the hypostatic union, it was impossible that God not accept the love of the human will of Christ for our salvation. There is, hence, a precise correspondence between the good action and its fruit. This is merit as a legal claim, called condign merit (*meritum de condigno*). This Thomistic explanation has prevailed widely. Duns Scotus, on the other hand, ascribes to Christ merely the kind of merit that Thomas would call merit of fittingness or congruous merit (*meritum de congruo*). According to this latter kind of merit, God has no compelling reasons to accept the human self-gift (*Hingabe*) of Jesus as efficacious for salvation.[51] According to Scotus, Christ's merit and satisfaction have an infinite worth morally speaking, but formally these are only finite, for the human reality found therein is limited. Therefore it should be "quite clear that God was not obliged to pardon us on account of the satisfaction accomplished by Christ, since this redemption stood in need of acceptance on God's part."[52]

Scotus distinguishes condign merit (*meritum de condigno*) and congruous merit (*meritum de congruo*) not on the level of the moral worth (of an act), but rather with an eye to the end: glorification occurs through condign merit, but the preceding grace occurs through congruous merit.[53] Scotus's distinction does not do justice to the hypostatic union, according to which

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[48] See *ST* III, q. 48.

[49] See Peter Lombard, *Sententiae*, III, d. 18, 1–2. See also J. Galot, *Gesù Liberatore: Cristologia II* (Florence: 1983), 231; and *ST* III, q. 19, a. 4, and q. 49, a. 6.

[50] *Dictionnaire de spiritualité* (DS) 1529.

[51] See Galot, *Cristologia II*, 232.

[52] C. Balic, "Die Corredemptrixfrage innerhalb der franziskanischen Theologie," *Franziskanische Studien* 39 (1957): 279, referencing Duns Scotus, *Opus oxoniense* IV, d. 15, q. 1, n. 6 (ed. Vivès XVII, p. 178); III, d. 19, n. 4 (ed. Vivès XIV, p. 710f). See also C. F. De Varesio, *Promptuarium scoticum II* (Venice: 1690; reprint, Frigento: 2005), 74.

[53] See R. Rosini, *Mariologia del beato Giovanni Duns Scoto* (Castelpetroso: 1994), 162–80; idem, "Il pensiero del beato Giovanni Duns Scoto sulla Corredenzione

every action of Christ is borne by the person of the eternal Word and therefore does not stand in need of an additional acceptance on God's part. With Scotus, in the end, Christ's condign merit is reduced to congruous merit. It thus appears ontologically to be on the same level as the merit of created persons.[54] The Scotistic understanding of the hypostatic union approaches on this point the Antiochene Christology of antiquity and thereby the teaching of Nestorius, who introduced into Christ a double moral subject.[55] Pope Pius XII, in his 1951 encyclical *Sempiternus Rex*, intervened against the Christology of Deodat de Basly (d. 1937), a Franciscan shaped by Scotus's approach. De Basly held there to be two different subjects in Christ. According to the dogma of Chalcedon, however, there is only one single subject in Christ, that is, the divine person (DS 3905). De Basly described the Incarnation as the "acceptance" of a man (this is the theory called *homo assumptus*),[56] according to which an independent subsistence is ascribed to the humanity of Christ, while according to Thomas Aquinas the human nature of the Son of God subsists in the divine person.[57]

The Congruous Merit of the Mother of God

References to Mary's merit with respect to our redemption are found already in the Fathers of the Church[58] and in the Middle Ages.[59] In the sixteenth century, Francisco Suarez applied the scholastic distinction between condign merit and congruous merit to the relation between

mariana," in *Maria Corredentrice II*, by various authors (Frigento: 1999), 108, with reference to Duns Scotus, *Ordinatio* IV, d. 2, q. 1, arg. 3 (ed. Vivès XVI, p. 248b): "In the one to whom grace is conferred, there is no condignly meritorious cause, but there can be in that person a congruous meritorious cause. There can also be an extrinsic, condignly meritorious cause."

[54] Rosini, *Mariologia*, 175, and "Il peniero," 112: "As soon as merit depends on divine acceptance, it is intrinsically equal in everyone in its very nature: Christ, Mary and the just; it is differentiated, however, in its extension." [I would like to thank my colleague, William Brownsberger, for assistance with this translation—translator.]

[55] On Nestorianism, see A. Ziegenaus, *Jesus Christus: Die Fülle des Heils. Christologie und Erlösungslehre* (Katholische Dogmatik, vol. 4 [Aachen: 2000]), 243f.

[56] See H. M. Diepen, "Assumptus-Homo-Theologie," in *Lexikon für Theologie und Kirche*, vol. 1 (Freiburg im Breisgau: Herder, 1957), 948f; and A. Amato, *Gesù il Signore: Saggio di cristologia* (Bologna: 1999), 469–72.

[57] See *ST* III, q. 2, a. 6; q. 17, aa. 1–2; J.-H. Nicolas, *Sintesi dogmatica I* (Vatican City: 1991), Nn. 319–23 (in French, *Synthèse dogmatique* [Fribourg-Paris: 1985]); E.-H. Weber, *Le Christ selon saint Thomas d'Aquin* (Paris: 1988), 229–35.

[58] See M. Hauke, "The Concept of Redemption in the Patristic Tradition," in *Mary at the Foot of the Cross VIII* (New Bedford, MA: 2008), 79–109.

[59] See J. B. Carol, *De Corredemptione Beatae Mariae Virginis: Disquisitio positiva* (Vatican City: 1950), 485f, beginning with Eadmer, *De excellentia Virginis Matris*, 11 (PL 159, 508).

Christ and Mary: the Blessed Virgin Mary merited congruously what Christ merited for us condignly.[60] The notion spread so widely that Pius X himself incorporated it into his Marian encyclical *Ad Diem Illum* (1904): "Because [Mary] ranks supreme over all in holiness and in union with Christ, and being admitted by Christ into the work of human salvation, she merits congruously (as they say) what Christ merited condignly; she is thus the leading minister of the distribution of grace."[61] *Lumen Gentium* does not make use of this conventional jargon, but it asserts the upshot, for example, in its remark that Mary is mother to us in the order of grace since she cooperated in a singular way in the redemption.[62] Even in the expressions of John Paul II, the traditional concepts scarcely come into play, with the exception, nevertheless, of an address at the Marian shrine of Guayaquil in Ecuador: Mary "united herself to the sacrifice of her Son on Calvary. . . . By suffering for the Church, Mary merited to become the mother of all the disciples of her Son, the mother of their unity."[63]

Mary's merit has forever been correlated with the Incarnation, which unquestionably constitutes an unmerited gift of God; still, it is also a fruit of Mary's worthiness. It is in this sense, for example, that Thomas Aquinas comments on the words *quia quem meruisti portare* of the *Regina coeli*: "The Blessed Virgin is said to have merited to bear the Lord Jesus Christ, not because she merited that God become incarnate but because by the grace given to her, she merited such a level of purity and holiness that she might fittingly be the Mother of God."[64] The merit of the Mother of God is based on the theological virtue of charity and on her fullness of grace, which was present in her from the beginning—since her Immaculate Conception. The distinction between condign merit and congruous merit preserves the fundamental distinction between the saving work of the redeemer and the participation therein by the Mother of God. The work of Christ suffices all by itself in an overflowing manner to merit our salvation. This holds true already for Jesus' first act of love as man. His death on the Cross did not take place as though the foregoing (infinite) merit of Christ did not suffice. Rather, it took place in order that the obstacles existing on our part might be removed.[65]

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[60] See Carol, *De Corredemptione*, 195f.

[61] Pius X, *Ad Diem Illum*, §14 (DS 3370).

[62] See *Lumen Gentium*, §61.

[63] John Paul II, address on January 31, 1985 (*Insegnamenti di Giovanni Paolo II*, vol. 8.1, pp. 318f).

[64] *ST* III, q. 2, a. 11, ad 3.

[65] *ST* III, q. 48, a. 1, ad 2. For the divine motives for the Incarnation, see *ST* III, q. 46, a. 3.

Mary's Merit as Condign?

From the Franciscan-Scotistic school of theology, there arises a proposal, which has even found its way into the contemporary discussion, according to which condign merit is ascribed to Mary, as it is to Christ. The originator of this thesis was the Spanish theologian Carlos del Moral (d. 1731), who worked in the golden age of the Scotistic school.[66] According to this Scotist, Mary is, after Christ, a second head (!) of angels and men. Dependent on the overflowing merits of her Son, she herself also merits our salvation condignly and satisfied for our sins.[67] "Condign merit" (with regard to Mary) was introduced into the discussion beginning in the 1920s and has been quite welcomed among, especially, Spanish Mariologists. In support of this, Thomas Aquinas is readily referred to, according to whom a "condign merit" may be possible even for a creature on three conditions. There must be the following in the person meriting: perfect grace, a representation of the human race, and a divine commission to draw merit. In this way, condign merit for the salvation of humankind can also be ascribed to Mary.[68]

The reading of Thomas employed here is certainly incorrect.[69] The proponents of the theory appeal to the description of merit pertaining not to Aquinas's Christological observations,[70] but rather to his notion of grace, which presupposes the redemption. Regarding the question of merit in virtue of cooperating grace, Thomas remarks that there is an infinite distance between man and God, making merit on the basis of justice impossible. There is human merit before God only on the basis of a divine ordination, according to which man can attain eternal life through grace.[71] In sanctifying grace, man can attain eternal life with a merit of condignity, but only for himself.[72] Just as no one can merit the first grace for himself,[73] so is it impossible for anyone to merit the first grace for another condignly. Only Christ, as head of the Church and

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[66] See C. del Moral, *Fons illimis theologiae scoticae marianae* (Madrid: 1970; first published, 1730).

[67] See Balic, "Die Corredemptrixfrage, " 250–59, and Carol, *De Corredemptione*, 338–42.

[68] See J. Galot, *Maria la donna nell'opera della salvezza*, 3rd ed. (Rome: 2005) 290f.

[69] See B. H. Merkelbach, "Quid senserit S. Thomas de mediatione Beatae Mariae Virginis," in *Xenia Tomistica II* (Rome: 1925), 507–10, and idem, *Mariologia* (Paris: 1939), 334–36.

[70] See *ST* III, q. 48, a. 1, concerning merit.

[71] *ST* I–II, q. 114, aa. 1–2.

[72] *ST* I–II, q. 114, aa. 3 and 6.

[73] *ST* I–II, q. 114, a. 5.

author of human salvation, could enjoy such merit. For others, we can obtain the first grace only with congruous merit.[74]

Were one to ascribe a condign merit to Mary, one would have to couple this suggestion systematically with a condign satisfaction, which would lead to further problems. Only the man Jesus Christ, who is simultaneously the Son of God, could in the strict sense render satisfaction for the sins of men. Sins are directed against God and therefore contain an infinite dimension, insofar as they involve rebellion against the infinite majesty of God. Only the satisfaction of the God-man can, therefore, achieve an infinite effect, in order to restore man's friendship with God. God could also accept the satisfaction of a mere man, but such a satisfaction would not be *de condigno*.[75]

Discourse about Mary having condign merit is frequently tied up with an exaggeration regarding the connection between Christ and Mary in the event of the redemption. Undoubtedly, there is here a close connection, so much so that theologians since Arnold of Bonneval (twelfth century) have often spoken of a single, "total sacrifice": Mary offered herself with the blood of her heart, and Christ offered himself with the blood of his body.[76] On the other hand, the saving act of Christ may not be intermingled with the action of the Blessed Virgin into an undifferentiated unity. This confusion began in recent times with the Louvain theologian Joseph-Martin Lebon, who in the 1920s presented Mary and Christ as a single principle of redemption: "There are not two sacrifices, two offerings, and two merits regarding the redemption. Rather, there is a single offering of one and the same sacrifice, whereby the two—who freely renounce their rights in the acquisition of merit—are bound together," although Mary is subordinated to Christ.[77] Arnold of Bonneval is, on this point, more balanced. He does stress Mary's co-suffering in a strong manner, but he simultaneously speaks of "two altars" upon which the joint sacrifice is offered, the body of Christ and the heart of his Mother.[78]

The concept of condign merit for Christ and (dependent upon his) for Mary is conceivable only in a Scotistic framework, according to which Christ's satisfaction as such possesses no infinite efficacy and therefore stands in need of an extrinsic acceptance on God's part. Thereby

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74 *ST* I–II, q. 114, a. 5.

75 *ST* III, q. 1, a. 2, ad 2.

76 See Arnold von Bonneval, *De laudibus B.M.V.* (PL 189, 1727 A), and Carol, *De Corredemptione*, 157 and passim.

77 J. Lebon, "La Bienheureuse Vierge Marie Médiatrice de toutes les grâces," *La Vie diocésaine* (Malines) 10 (1921): 437 (see also 257–67 and 431–45). See Hauke, *Mercier*, 81–83.

78 See Arnold von Bonneval, *De septem verbis Domini in cruce* (PL 189, 1694f).

consideration of the hypostatic union—according to which the human actions of Jesus in the power of the divine person obtain of themselves salvific efficacy—is disregarded. In addition, Marian merit is placed almost on the same level as that of Jesus Christ himself. A contemporary Scotist writes to this effect: "As soon as merit depends on divine acceptance, it is intrinsically equal in everyone in its very nature: Christ, Mary and the just; it is differentiated, however, in its extension."[79] The suffering of Christ and Mary's co-suffering would be constitutive of "two merits of the same worth."[80] Furthermore, it is doubtful that a merit that constitutes no claim in justice should be designated "condign." This way of describing things, with respect to Mary, does not go back to Scotus but rather to the moral teachings of neoscotism in the wake of Del Moral. Scotus himself writes rather generically: Mary "during her Son's passion, had the highest merit by her co-suffering."[81]

Some justify a merit of condignity for Mary by appeal to the need to distinguish the merit of the Mother of God from our merit on behalf of others. The question is asked, is it not too little to label our merit and Mary's merit with the same concept, congruous merit?

A distinction between Mary and us is no doubt imperative. Mary is the Mother of God and associate of the redeemer. The "fittingness" of her merit is therefore incomparably great, so that it has already been suggested that we speak of a "superlative congruous merit" (*meritum de supercongruo*) or of a "most congruous" (*congruissimum*) merit.[82] But it is problematic to abandon the category of congruous merit in principle. Otherwise, the singular character of Christ's mediation, in which Mary also participates, is at stake.

A Genuine Merit

The idea of condign merit for Mary was introduced also from a concern that a merit of fittingness does not suffice to ground a genuine Marian cooperation in redemption. In the first decades of the twentieth century, a certain current of thought denied any possibility that Mary could meritoriously cooperate in the redemption. It was in this sense that the French Jesuit Maurice de la Taille expressed himself. He had the audacity to twist into its opposite the teaching of Pius X (see note 59 and text): the Blessed

[79] Rosini, "Il pensiero," 112 (see note 52).

[80] Rosini, "Il pensiero," 116.

[81] Scotus, *Ordinatio* III, d. 3, q. 1; C. Balic, ed., *Theologiae Marianae Elementa* (Sebenico: 1933), 229, cited in Balic, "Die Corredemptrixfrage," 233; Rosini, Mariologia, 158 and "Il pensiero," 93.

[82] See J. Stöhr, "Verdienst Mariens," *Marienlexikon* 6 (1994): 595f; B. Gherardini, *La Corredentrice nel mistero di Cristo e della Chiesa* (Rome: 1998), 357.

Virgin merits for us congruously what Christ merited for us condignly "with the exception of the work of redemption"![83] The soteriologist Jean Rivière (Strasbourg)[84] and even the Roman Dominican Alberto Lepidi held the same opinion. As consultant to the Holy Office, the latter blocked the petition of the Belgian bishops in favor of a new Marian dogma in 1916. According to Lepidi's view, the notion of Mary actively cooperating in the redemption is the fruit of a thesis of "moderns"; in his advisory report, he thus rejected the distinction formulated by Pius X.[85]

The theological deficiency of both sides of this antithesis—the affirmation of condign merit and the denial of even congruous merit—consists in the confusion between metaphorical (or improper) modes of expression and analogous modes of expression. Against this confusion, congruous merit is genuine, not "improper," merit, which, of course, falls short of the highest level of merit, condign merit.[86] At that time, another quite similar deficiency was the notion that the common priesthood of all baptized was only a "metaphorical" or "improper" priesthood. Against this it should be stressed that although the common and hierarchical priesthoods are essentially distinguished from one another, yet each participates in the priesthood of Christ in a specific way.[87] It seems questionable to introduce a third kind of merit beyond the two kinds already mentioned, as does Bonaventure, who speaks of a "merit of dignity."[88] To Mary there belongs, in the highest measure, a merit of fittingness.

The theme of Mary's merit, so seldom treated these days, is exceedingly important, for it sheds light on the meaning of "free will," by which, under the influence of grace, a man can cooperate in his own salvation and in that of other men. In distinction from our merit, the merit of the Mother of God obtains an effect pertaining to all mankind.

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[83] See Hauke, *Mercier*, 108 and 121.

[84] See Hauke, *Mercier*, 121.

[85] See Hauke, "Maria, 'Mittlerin aller Gnaden', im Vatikanischen Geheimarchiv aus der Zeit Pius' XI: Zwischenbericht einer Spurensicherung," *Theologisches* 36 (2006): 383f; in Italian, "Maria, 'Mediatrice di tutte le Grazie' nell'Archivio Segreto Vaticano del Pontificato di Pio XI: Rapporto intermedio sulle tracce trovate," *Immacolata Mediatrix* 7 (2007): 119–20.

[86] See Merkelbach, "Quid senserit S. Thomas," 505, n. 4: "It should be noted that congruous merit is called merit analogically but not improperly." See also G. Alastruey, *Tratado de la Virgen Santisima*, 3rd ed. (Madrid: 1952), 577–84.

[87] See the remarks that follow under 4.3.

[88] Bonaventure, *In Sent. III*, d. 4, a. 2, q. 2, ad 2; see C. Balic, "Die sekundäre Mittlerschaft der Gottesmutter (Hat Maria die Verdienste Christi de condigno für uns mitverdient?)," *Wissenschaft und Weisheit* 4 (1937): 15 and 20; P. Parrotta, *La cooperazione di Maria alla Redenzione in Gabriele Maria Roschini* (Lugano: 2002), 97.

The Motherly Priesthood[89]

The concept "sacrifice," with which the priesthood is associated, most lucidly depicts the work of redemption. "Sacrifice" in a general sense is any activity through which we dedicate ourselves to God.[90] In a more precise sense, the term highlights the visible and social dimensions, which must characterize the worship of God even on the natural level. In this sense Thomas speaks of something "happening" to the sacrificial offering (*sacrum facere*).[91] The external sacrifice must of course correspond to the inner sacrifice, which constitutes its foundation.[92] In a general sense, every human act of the redeemer possesses sacrificial worth. The Letter to the Hebrews ascribes to the Son of God self-sacrifice in obedience from the very start of his human existence (Heb 10:5–7). The external sacrifice was consummated on Calvary, when Jesus offered himself to God in expiation for our sins (Heb 9:14; Eph 5:1f). So, Jesus' sacrifice begins with the Incarnation and is completed on the Cross.[93] The efficacy of the sacrifice depends on his divine sonship.[94] The aim of the sacrifice consists in praise and thanks, petition and expiation.

Mary's sacrifice arises from her union with Jesus' own offering. Her "fiat" precedes the Incarnation of the Son of God. With the presentation of Jesus in the Temple, Mary offers her Son to God (Lk 2:22–24) and receives the prophecy of Simeon, according to which her soul will be pierced by a sword (Lk 2:35), a reference to her co-suffering under the Cross. Mary's salvific office on Calvary has found a place in theological history ever since the Middle Ages. According to the Second Vatican Council, Mary united herself in a motherly spirit with the sacrifice of Christ.[95] Papal teachings further develop this statement. In his apostolic exhortation *Marialis Cultus*, for example, Paul VI teaches that Mary not only united herself with and lovingly consented to the sacrifice of Christ but also offered this sacrifice to the eternal Father.[96] John Paul II, as well, reads the council text as a reference to "a genuine act of love, by which

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[89] On this, see M. Hauke, "Priestertum I. Dogmatik," *Marienlexikon* 5 (1993): 314–17; S.M. Lanzetta, *Il sacerdozio di Maria nella teologia cattolica del XX secolo: Analisi storico-teologica* (Rome: 2006).

[90] See Augustine, *De civitate Dei* X, chap. 6 and *ST* III, q. 48, a. 3.

[91] *ST* II–II, q. 85, a. 3.

[92] See *ST* II–II, q. 85, aa. 2 and 4.

[93] See *Catechism of the Catholic Church* (*CCC*) §606 and §616f.

[94] See *CCC* §616.

[95] *Lumen Gentium*, §58.

[96] Paul VI, *Marialis Cultus*, §20.

she offers her Son as a 'victim' of expiation for the sins of all humanity."[97] Pope Benedict XVI mentions that Mary, "by her complete fidelity, received Christ's sacrifice for the whole Church."[98] Yet she not only accepted the sacrifice of Christ but also offered herself with Christ for sinful humanity. In his homily in Ephesus, the Holy Father invited us to behold the "moment of the Redemption when Mary, united to her Son in the offering of his sacrifice, extended her motherhood to all men and women, and in particular to the disciples of Jesus."[99]

Mary's union with the sacrifice of Christ constitutes a specific participation in the priesthood of Christ, distinguished from both the hierarchical priesthood and the common priesthood of all believers. As with the concept "sacrifice," the word "priesthood" is likewise employed with a twofold nuance: as a consecration of one's life and as the actual presentation, in the sacrifice of the Mass, of the original sacrifice on the Cross. The common priesthood of all the baptized is a genuine, not merely "metaphorical" or "improper," priesthood. Yet it is essentially distinguished from the hierarchical priesthood, in which Christ works as head of the Church in a specific manner. In Thomistic soteriology, the priesthood is practically identical with mediation: it includes not only the offering of the sacrifice but also sanctifying action.[100]

To depict Mary's motherly priesthood accurately, one must note its distinction from the hierarchical priesthood and its union with the Church. This concern was too little heeded by the Franciscan school of spirituality, with Jean Eudes and Jean Jacques Olier. Members of that school liked to compare Mary's consent to the Incarnation and the priest's words of consecration in the Mass, for in each case, Christ becomes present. There is, nevertheless, a snag for this comparison: whereas the consecrated priest acts in the person of Christ as head of the Church, Mary represents humanity with respect to the Incarnation, insofar as she is giving herself as "Bride" to the "Bridegroom."[101] In this event of representation, Mary's receptivity, corresponding to her feminine character, is set in relief, yet we also see her active cooperation. More fruitful than this

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[97] John Paul II, 47th Catechesis on Mary (April 2, 1997), art. 2 (trans. www.vatican.va). For further references, see Hauke, "Mütterliche Vermittlung," 137f.

[98] Benedict XVI, *Sacramentum Caritatis*, §33 (trans. www.vatican.va).

[99] Benedict XVI, homily at the House of Mary in Ephesus (November 29, 2006; translation of www.vatican.va).

[100] See *ST* III, q. 22, a. 1: A priest is a mediator between God and the people insofar as he confers divine gifts to the people and also presents the prayers of the people to God and in a certain way makes satisfaction for the sins of the world.

[101] *ST* III, q. 30, a. 1.

comparison between Mary's "fiat" and the words of consecration is a remark by John Paul II, in his encyclical on the Eucharist: the Blessed Virgin's acceptance of the angel's message is compared to the "Amen" of the faithful who receive holy communion.[102]

According to the medieval saying of the *Mariale* attributed to Albert the Great, Mary is not a representative or "vicar" (*vicaria*) of Christ but rather a helper and associate (*coadiutrix et socia*).[103] This felicitous distinction shows the difference of her role from the ordained priesthood and from the sphere of the common priesthood of all the baptized. Mary's priesthood is indeed distinguished even from the common priesthood on account of the universal character of her motherly mediation on behalf of all the members of the Mystical Body of Christ. Her priesthood is not grounded upon the sacramental character of baptism and confirmation (as with the common priesthood); nor is it grounded upon hierarchical consecration (as with the ordained priesthood); rather, it is based on her divine motherhood or else (as Scheeben has it) on her "personal character," her specific character as Mother and associate of Christ. Her offering under the Cross compares to some extent with that of believers at the sacrifice of the Mass. The act of immolation as such is based on Christ's offering on the Cross and on its representation by the consecrated priest. The participatory offering of believers is vitally important for the reception of the fruits of the holy sacrifice. And the association of Mary with the Cross belongs to the integrity of the sacrifice, as God has willed it to be.

Mary as Representative of Mankind in the Union between Christ and the Church

With respect to the connection between Mary's mediation to Christ and to the Church, it is useful to consider a discussion between Heinrich Maria Köster and Karl Rahner. In 1947, Köster developed a theory according to which Mary was in no way a participatory cause of the redemption; rather, in the name of mankind about to be redeemed, she consented to the covenant offered by God in Jesus Christ. Mary thus appears not as the "head" but rather as the "pinnacle" of mankind. In her receptive "self-opening" to the covenant, she manifests human cooperation in the redemption, which is brought about through Christ, the Son of God,

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[102] John Paul II, *Ecclesia de Eucharistia*, §55.

[103] See Albertus Magnus, *Mariale*, q. 42, in *Opera omnia*, ed. Borgnet, vol. 37 (Paris: 1898), 81. See also Carol, *De Corredemptione*, 164. [I have added to Fr. Hauke's text "helper and," since it is consonant with his thought and since it is found in the *Mariale* as cited by Carol—translator.]

who as man represented God. So Köster, depicting the covenant between God and man, portrays Mary as the representative of mankind and Jesus as the representative of God.[104]

In contrast to this, Karl Rahner stressed one year later the significance of Jesus Christ as the God-man. "Briefly, Jesus himself in his humanity is the defining 'Yes' of mankind to God and not only the 'Yes' of God to man. He is a covenantal partner not only "in a divine role" from God's side [Köster], but also, in a similar manner, the pinnacle of *mankind* in the ratification of the covenant (*Bundesschluss*)."[105] In Christ, we find

> humility, adoration, sacrifice, love, death. The main feature of his action is not that of God towards and for men but rather that of men towards God. Through this action (*Tat*) with this orientation [Godwards] we are redeemed. Of course, this action has its ultimate worth and greatest dignity from the fact that it is the action of a divine person. Notwithstanding, it is a human action directed towards God. If we view the "marriage" between man and God in the free "Yes" between the self-communicating God and his obedient creature, then we are not at all "misled" if we locate the "culmination" of this marriage in the figure of Christ (*Gestalt Christi*) and not primarily in Mary's "fiat".[106]

Rahner is of course correct that the mediation of Christ takes place by means of his humanity. This is underscored already in 1 Timothy: Christ *as man* is our unique mediator (see 1 Tim 2:5). Yet Rahner does not acknowledge the fact that in redemption it is the divine "I" of the eternal Son—in whose person the human obedience of Jesus subsists—that acts. In Jesus Christ, one divine person acts, even though he operates equally (*gleichermaßen*) through a divine will and a human will.[107] Mary, by contrast, is a

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[104] See H. M. Köster, *Die Magd des Herrn* (Limburg: 1947; 2nd ed., 1954); A. K. Zielinski, *Maria—Königin der Apostel: Die Bedeutung Mariens nach den Schriften des Palottiner-Theologen Heinrich Maria Köster für das Katholische Apostolat und die Neuevangelisierung in Lateinamerika* (Frankfurt am Main: 2000), 192–202. For an introduction to Köster's concerns, see also S. Hartmann, "Mariologie und Metaphysik: Zu Heinrich M. Kösters Übernahme der thomistischen 'Akt und Potenz-Lehre,' " in *Der Wahrheit verpflichtet: Festschrift für Kurt Krenn zum 70. Geburtstag*, ed. J. Kreiml et al. (Graz: 2006), 518–29.

[105] Karl Rahner, "Probleme heutiger Mariologie," in *Aus der Theologie der Zeit*, ed. G. Söhngen (Regensburg: 1948), 97. This has been reprinted in Karl Rahner, "Maria, Mutter des Herrn," in his *Gesammelte Werke*, vol. 9 (Freiburg im Breisgau: 2004), 681–703.

[106] Rahner, "Probleme," 98.

[107] In Rahner's Christology, there is no specific "I" of the Son of God; rather, there is only the "I" of the one godhead (*Gottes im allgemeinen*), while the "I" specific to Jesus is human. Accordingly, the Johannine statement "Before Abraham was, I am"

human person who indeed faces God in utter purity and receptivity. Rahner accepts Thomas Aquinas's idea—itself repeatedly taken up in papal teachings—that Mary through her "fiat" acted in the name of all mankind. In his lengthy article, Rahner did not wish to unfold this point, keeping himself simply to a critique of Köster.[108]

Rahner's remarks call for a number of critical questions. Is it true that the "marriage" between God and men is found in Jesus Christ? Is Christ in a certain way married to himself? Is he equally "bride" and "bridegroom"? Unquestionably, the assent of the human will and that of the divine will are bound up one with the other in him. This twofold "Yes," however, is borne by the same person, that of the divine Son. Jesus' human nature acts as a living instrument for the redemption of men but does not itself receive redemption. The concept of a "redeemed redeemer" (if "redemption" is taken to mean deliverance from sin) would be something Gnostic.[109] I am not ascribing such an idea to Rahner. In the New Testament and in theological tradition we find the title "Bridegroom" applied to Jesus as an adaptation of the prophetical teaching concerning the covenant between God and his people. The name "bride" signifies the people of God or the Church, the archetype of which is Mary. Cardinal Scheffczyk, as well, maintains: "The problem with the Rahnerian critique [of Köster] lies . . . in the difficulty of assigning to the divine and human redeemer himself the 'fiat' pertaining to the reception of redemption. Indeed, this redeemer does not belong to the set of men needing redemption; wherefore, he by no means had to accept the redemption, nor could he accept it."[110]

A few years later, Rahner produced a revised edition of his work in response to Köster's published rebuttal to his colleague's critique. Here, he acknowledges that Mary accepted the redemption in the name of mankind and (in contrast with his earlier piece) that the Mother of God had a genuine, direct (*unmittelbare*) cooperation in the redemption, since in the work of redemption there is continuity from the Incarnation to the Cross. Yet his denial of Mary's representation (*Stellvertretung*) for mankind becomes problematic. For Rahner, the Blessed Virgin under-

(Jn 8:58, RSV) was said not by the Son of God but by the one godhead. On Rahner's Christological concept of "person" and its problems, see F. X. Bantle, "Person und Personbegriff in der Trinitätslehre Karl Rahners," in *Münchener Theologische Zeitschrift* 30 (1979): 11–24; Ziegenaus, *Jesus Christus*, 107–116; and H.-J. Vogels, *Rahner im Kreuzverhör* (Bonn: 2002).

108 Rahner, "Probleme," 108.

109 See K. Rudolph, *Die Gnosis*, 3rd ed. (Göttingen: 1990), 141f.

110 Leo Scheffczyk, "Mariologie und Anthropologie: Zur Marienlehre Karl Rahners," in *Karl Rahner: Kritische Annäherungen*, ed. D. Berger (Sieburg: 2004), 302.

takes something on our behalf but not in our stead.[111] Mary's "fiat" cannot be a condition with respect to which God grants men salvation in Jesus Christ. It does not make sense that Mary has to accept redemption [*Heil*], which is already accomplished in itself, before other believers could receive it.[112] In other words, Rahner accepts only Mary's solidarity on our behalf, but not her representation (*Stellvertretung*) as bridal Mediatrix of mankind to the Bridegroom, the incarnate Son of God.

In these remarks of Rahner, his later Christological position already looms in the distance. He came to hold that Christ did not offer expiation by vicarious representation and did not suffer in our stead; rather, Christ simply acted in solidarity on our behalf.[113] This minimizing is inadequate to the revealed contents of Christology. Even the French Jesuit Bernard Sesboüé, author of a standard work on soteriology and generally quite receptive of Rahner's legacy, has to admit that the concept of substitution (and thus a "taking upon oneself" the penalty due to us) and solidarity are as it were "the two focal points of the same ellipse," which are bound up with one another in vicarious representation.[114]

Let us stress with St. Anselm, Christ enters into the event of redemption as God and as man.[115] Köster's critique of Anselm is inadequate. He plays the mediation of Christ in his humanity off against an alleged mediation in the divine Logos, which latter (he maintains) was typical for the Alexandrian Christology of the patristic era, in distinction from the occidental thought of Anselm.[116] The divine Son already stands with "his eternal

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[111] Fr. Hauke employs here "*unserer Stelle*," not intending some kind of Marian extension of the non-Catholic soteriological theory sometimes called "penal substitution." Rather, he intends it with respect to the vicarious role of the representative, according to the theory of vicarious satisfaction. Of course, Mary by no means offered condign satisfaction, as the author has made abundantly clear (translator's note—with author's approval).

[112] Karl Rahner, review of H. M. Köster, *Unus Mediator: Gedanken zur marianischen Frage* (Limburg: 1950), published in *Zeitschrift für Katholische Theologie* 74 (1952): 230 and 234. This has been newly published in Rahner, *Maria*, 733–45.

[113] See the critical analysis by K.-H. Menke, *Stellvertretung: Schlüsselbegriff christlichen Lebens und theologische Grundkategorie* (Einsiedeln: 1991), 358–62; and Vogels, *Rahner im Kreuzverhör* 21–24.

[114] B. Sesboüé, *Gesù Cristo l'unico mediatore I* (Cinisello Balsamo: 1991), 418 (French, 1988).

[115] St. Anselm, *Cur Deus homo*.

[116] See Köster, *Unus Mediator*, 144. For an analysis of the patristic evidence, which does not confirm Köster's thesis, see B. Studer, *Soteriologie: In der Schrift und Patristik*, with collaboration by Brian Daley, vol. 3.2a, *Handbuch der Dogmengeschichte* (Freiburg im Breisgau: 1978), passim; Sesboüé, *Gesù Cristo*, 103–10.

being ever facing the Father in a state of oblation. The historical sacrifice of the Son is but an extension thereof."[117] In this passage there appears a certain confusion between the Trinitarian life, in which there can be no sacrifice in the strict sense of the term, and the saving work of Jesus Christ as man. Christ is our unique mediator as man, even if there are fitting grounds for the Incarnation of the Son of God (in his difference from the Father and the Holy Spirit). One fitting ground is this: the Son communicates to the Holy Spirit the divine life of the Father.

It is of course correct to stress, with Köster, Mary's salvific representation as archetype of the Church on behalf of all mankind both in the Incarnation and also under the Cross. Humanity can be found only in the twofold expression of man and woman. In his masculine character, Christ is representative of God in his commitment towards man, but as head of the Church he is representative of man with respect to God. As befits her receptive, feminine character, Mary receives salvation from God. Of course, *pace* Köster, one should also stress her active cooperation, which is not limited to her receptivity; rather, in the grace of Christ, she makes an active contribution to the salvation of men. In the covenant between Christ and the Church, Mary is not only archetype but also Mother of the Church. Consideration of the covenantal event, depicted in the image of a marriage, reveals at any rate Mary's role as bridal representative of mankind in the process of salvation.

Consideration of the Scotistic concept of perfect redemption or perfect mediation can round out this treatment of the significance of Mary as womanly representative of mankind before God. That redemption will be perfect for which there is a human person who is fully and from the beginning redeemed.[118] Because of her Immaculate Conception, Mary is this person: since she was preserved from original sin, she was never subject to the lordship of sin. Her unique role, which began with her immaculate conception, expands to the redemption of men: the preventive redemption of Mary occurred, as John Paul II stresses, with a view to her future cooperation in the work of redemption.[119]

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[117] Köster, *Unus Mediator*, 140f.

[118] See Duns Scotus, *Ordinatio* I, d. 17, p. 1, qq. 1–2; *Opus Oxoniense* III, d. 3, q. 1; A. Pompei, "Giovanni Duns Scoto e la dottrina sull'Immacolata Concezione," in *La "Scuola Francescana" e l'Immacolata Concezione*, ed. S. M. Cecchin (Vatican City: 2005), 204–9.

[119] See John Paul II, *Redemptoris Mater* (1987), §39; *Marian Catechesis*, no. 21.4 (May 30, 1996).

The Intellectual Foundation of Coredemption

Appreciation of the discussion between Rahner and Köster assists towards a comprehensive view of the question of "coredemption." Just before the Second Vatican Council, there were three schools of interpretation of the salvific cooperation of Mary.[120] The majority championed the position that the Mother of God cooperated in the objective redemption in an immediate fashion. A minority—whose position reflected roughly that of the aforementioned Jesuit Heinrich Lennerz—ascribed to Mary only an indirect cooperation in the redemption, namely, insofar as she gave birth to the Redeemer. These reduced Mary's mediation to the subjective redemption, insofar as the Mother of God, through her intercession, contributes to the communication of the fruits of redemption to men needing salvation. The chief objection to asserting Mary's active cooperation is this: Mary herself is redeemed, and she cannot merit the principle of her merit (that is, the grace of redemption): the principle of merit does not fall under the scope of merit.

Lennerz's argument is problematic with regard to the Incarnation, which he declares to be only the presupposition of the redemption and not a part of the work itself of redemption. Whoever rightly acknowledges that the redemption begins already with the Incarnation cannot actually deny an active cooperation of the Mother of God in redemption. This claim was the common opinion at the Mariological World Congress in Lourdes in 1958.[121] Rahner himself, in his critique cited above, is in agreement with this claim, stressing the continuity of the process of salvation from the Incarnation to the sacrifice on the Cross. Two years later, nevertheless, he will call this result into question in an article wherein he treats the starting point of Mariology: the first principle ought to be Mary as perfectly redeemed. To her status as redeemed there belongs as well her divine motherhood. Here one finds a Mariological minimalism, which subsumes the active cooperation of the Mother of God under her status as "being redeemed."[122] Within this framework, Rahner alleges that Mary can perform no redeeming function, namely, undertaking at the foot of the Cross an act that has a redemptive (*erlösende*) significance for all mankind.[123] Granted, her fiat with respect to the Incarnation has a salvific effect for all men, but she does not participate in the propitiatory sacrifice of Christ.[124]

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[120] See Hauke, "Helpmate," 32–34; "Aktive Mitwirkung," 39–41.

[121] See Hauke, "Helpmate," 36, n. 58.

[122] See Rahner, "Le principe fondamental de la théologie mariale," *Recherches de Science Religieuse* 42 (1954): 509 and 513.

[123] See Rahner, "Principe fondamental," 497, n. 28.

[124] See Rahner, "Principe fondamental," 498.

Heinrich Maria Köster is the most important advocate of a *via media* between affirming and denying Mary's active cooperation in the objective redemption. In an effort to meet the objections of the "minimalists," Köster reduces Mary's cooperation to a reception of the grace of redemption, Mary being the receptive archetype of the Church. Granted, Köster maintains, Mary is indeed "thoroughly active" in a psychological sense, but "in the metaphysical sense" she enjoys only a "receptivity."[125] The idea of Mary cooperating actively is, on the basis of this school of thought, caricatured as "maximalism," albeit not ostensibly by Köster himself, but rather by the Swiss theologian Alois Müller, whom Rahner would later follow.[126] The inept labeling of these contrary positions as "minimalist" and "maximalist"—which appears again and again in publications[127]—does injustice to the truth of the matter, for the position styled "maximalist" is nothing other than the teaching of the Church, as it is expressed, for example, in the Second Vatican Council[128] and in the doctrinal corpus of Pope John Paul II.[129] The alleged "middle path" between "minimalism" and "maximalism" is at bottom but a refined version of "minimalism," insofar as it denies Mary any salvific causality in the event of our redemption. Regarding her spiritual motherhood, this school mentions only Mary's receptivity but not her spiritual fertility grounded in her union with the sacrifice of Christ. Yet Mary is not

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125 Köster, *Magd des Herrn* (1954), xvii. Against this reductionism, see among others G. Baraúna, *De natura corrredemptionis marianae in theologia hodierna (1921–1958): Disquisitio expositivo-critica* (Rome: 1960), 93–164; Hans Urs von Balthasar, *The Action*, vol. 4, *Theo-Drama: Theological Dramatic History*, trans. Graham Harrison (San Francisco: Ignatius Press, 1994), 353–55; and A. Ziegenaus, *Maria in der Heilsgeschichte: Mariologie*, vol. 5, *Katholische Dogmatik* (Aachen: 1998), 346. On von Balthasar, see also H. Steinhauer, *Maria als dramatische Person bei Hans Urs von Balthasar* (Innsbruck: 2001), 407–09.

126 See A. Müller, "Fragen und Aussichten der heutigen Mariologie," in *Fragen der Theologie heute*, ed. J. Feiner et al. (Einsiedeln: 1958), 301–18; K. Rahner, "Zur konziliaren Mariologie," *Stimmen der Zeit* 174 (1964): 87–101. For these references, I am grateful to Rev. Stefan Hartmann, who has recently published a dissertation on Köster's Mariology: S. Hartmann, *Die Magd des Herrn. Zur heilsgeschichtlichen Mariologie Heinrich M. Kösters* (Regensburg: 2009).

127 For example, J. Finkenzeller, "Miterlöserin," *Marienlexikon* 4 (1992): 485.

128 See G. Philips, *La Chiesa e il suo mistero nel Concilio Vaticano II* (Milan: 1993), 549f; see also the remarks of G. Roschini, *Problematica della Corredenzione* (Rome: 1969), 72 and 82; and Hauke, "Aktive Mitwirkung," 41–45.

129 See A. B. Calkins, "Pope John Paul's Ordinary Magisterium on Marian Coredemption: Consistent Teaching and More Recent Perspectives," in *Mary at the Foot of the Cross II* (New Bedford, MA: 2002), 1–36; and Hauke, "Mütterliche Vermittlung," 139–42.

merely the archetype of the Church but also her Mother, who exercises a saving influence on all the other members of the body of Christ.

Now, we should answer the chief objection of the opponents of Mary's active cooperation in the objective redemption: namely, the observation that Mary herself has been redeemed. "Mary's 'being redeemed' already presupposes the objective redemption as something that has been accomplished, so that Mary as redeemed was not able to be involved in the objective redemption by an immediate, active cooperation. Otherwise, the redemptive death of the Lord would be held to have taken place already and, at the same time, not yet to have taken place."[130] This objection should be answered as follows: Mary's cooperation does not pertain to the substance of the redemptive act, which is proper to the God-man; it belongs rather to the integrity of this act.[131] The salvific office of Mary as Mother of God and New Eve, who stands at the side of the New Adam as his companion, is included in the perfection or integrity of the event of redemption. One should also mention the systematic relevance of the Immaculate Conception, according to which Mary already received divine grace at the beginning of her life, and in the power of this grace she was able to cooperate in the redemption. Mary already received this grace in anticipation of the saving deed of Jesus Christ.

On the supposition of these two points (namely, the distinction between the substance and the integrity of the event of redemption and also the significance of the Immaculate Conception), the 1927 proposal by the Austrian Jesuit, August Deneffe, whom many others have followed, seems to resolve the objection. In the single sacrifice of Christ there are two intentions: "In the first intention, Christ poured out the entire fullness of the redemption upon the Blessed Virgin, Our Lady and the New Eve, the Bride of Christ, Archetype of the Church; in the second intention, united with the will of the Blessed Virgin, he purchased the redemption for

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[130] Diekamp and Jüssen II, *Katholische Dogmatik*, 408.

[131] See G. M. Roschini, "Equivoci sulla Corredenzione," *Marianum* 10 (1948): 280f. As he argues, Eve's sin and Mary's cooperation do not in themselves constitute original sin and redemption; thus their acts do not belong to the essence of original sin and redemption. Now, without these acts, the first sin and the redemption, respectively, would not have taken place; so, these acts do have a genuine influence on them. That is Roschini's answer to the objection of Lennerz according to whom we speak of a sin in Adam (and not in Eve); with this remark, Lennerz wanted to deny the immediate cooperation of the New Eve in the redemption. See Hauke, "Roschini," 594f. Scheeben's clarification was just like this one (of Roschini). See Hauke, "Die Mariologie Scheebens—ein zukunftsträchtiges Vermächtnis," in *Donum Veritatis*, ed. M. Hauke and M. Stickelbroeck, (Regensburg: 2006), 267.

us."[132] Mary was redeemed by her preservation from original sin, in view of the sacrifice of Christ, while Christ, for the salvation of all men, united to his own sacrifice the tears and anguish of his Mother. In this way, the magnificent depiction by Arnold of Bonneval (of Chartres) was systematically expounded by Pope John Paul II in his Marian Catechesis: "[Arnold] distinguishes two altars at the Cross: One in the heart of Mary and the other in the body of Christ. Christ offered his flesh; Mary, her soul. Mary offered herself spiritually in a profound communion with Christ and prayed for the salvation of the world: 'The Son consents to what the Mother requests, and the Father grants it.' "[133]

The Modality and Scope of Mary's Mediation of Grace

Cardinal Mercier's initiatives to have Mary's universal mediation of graces proclaimed as dogma were put to a halt largely on account of the disputed points concerning her active cooperation in the redemption. Still, a certain role was played by the discussion as to whether, and if so to what extent, Mary is active in the subjective redemption by the distribution of all graces.[134]

Mary's communication of grace has two basic modalities: Mary causes the distribution of grace through her intercession, but through her merit she also provides the grounds for this distribution. As Mary herself is redeemed with a view to the merit of Christ, so the entire history of salvation, including that in the Old Testament, presupposes a similar reference to the overflowing merits of Jesus Christ. If Abraham and Moses are redeemed with a reference to the condign merit of Jesus Christ, they are redeemed also with a view to the congruous merit of the Mother of God. It is also evident that Jesus Christ did not acquire for himself the grace of Incarnation; rather, he received this grace freely in the first moment of his human life. Much less did Mary merit the grace that was communicated to her in her Immaculate Conception. The universality of Jesus' and Mary's mediation of grace pertains not to just one person but has a social sense.

Accordingly, Mary is in Christ the "Mediatrix of All Graces" in the sense that she has a motherly function with respect to the other members of the human race, who are called to participate in the divine life of Christ. Her universal function is realized on the basis of her merit and her motherly priesthood. To this priesthood belongs also her intercessory

[132] A. Deneffe, "De Mariae in ipso opere redemptionis cooperatione," *Gregorianum* 8 (1927): 19. See Hauke, *Mercier*, 123f.

[133] John Paul II, *Marian Catechesis*, No. 3.3 (October 25, 1995).

[134] See Hauke, *Mercier*, 112–25.

role, which of course can first attain its universal character by her Assumption into heaven. Because of her Assumption into heavenly glory, the Mother of God sees God face to face. Enjoying the beatific vision, she is thus in a condition to be aware, presently, of every human situation and to respond in each case as a spiritual mother. In the mediation of grace, Mary's intercession and merit complement one another. Her merit appeals to the will of God and can thus (like the merit of all the saints in general) be called an "interpretative prayer" (*oratio interpretativa*).[135]

Mary's intercession (in this general sense, which encompasses her merit as well) towers above the intercessory impact of all the other saints. As New Eve, Mary is the spiritual mother of all mankind, which is called to enter into the Church. Since her intercession touches everyone, the limited influence of the other saints cannot be compared to it. This distinction was made quite clear during the 1920 canonization of Joan of Arc. The miracle requisite for her canonization occurred in Lourdes. The bishop of Orléans beseeched Mary for a miracle through the intercession of Joan of Arc. Cardinal Billot did not wish to admit this miracle, because it was obtained through Mary, which excluded the participation of the maid from Orléans. Against this objection, the Dominican Hugon and the Servite Lépicier presented their professional opinions. They argued that the universal intercession of Mary and the particular prayer of other saints in no way exclude each another. In his decree recognizing this miracle, Pope Benedict XV stressed that no matter what grace and blessing is sought, it is sought through Mary. It is for this reason that Mary has been extolled from time immemorial as "Mediatrix of All Graces." The auxiliary effectiveness of the intercession of Joan of Arc is not thereby excluded.[136]

"Express" (*expressa*) and "interpretative" (*interpretativa*) prayer possess a moral causality; that is, such prayer involves an appeal to the will of God, who communicates his grace with a view to the cooperation of the saints. Many Mariologists clamor for something more, insisting that the Mother of God also enjoys a so-called "physical" efficient causality, whereby she exercises an instrumental causality in the power of the principal cause. They liken this hypothetical efficient causality of the Mother of God to the Thomistic interpretation of the humanity of Christ and of the sacraments. Thomas compares the operation of the humanity of Christ in the

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135 See *ST*, Suppl., q. 72, a. 3.

136 See Hauke, *Mercier*, 52. [The author does not mean by "auxiliary (*zusätzliche*) effectiveness" an effectiveness supplemental to Mary, as though not included virtually in Mary's own prayer, as no one (*mutatis mutandis*) should consider Mary's work "auxiliary" to Christ in the manner of an external help not included virtually in Christ's own work—translator's note.]

power of his godhead to the operation of an arm, through which a person works (the arm appears as a "conjoined instrument"). On the other hand, Aquinas likens the sacraments, as "separated instruments," to a stick moved by the arm: "Thus, it is necessary that the power for salvation found in the sacraments be derived from the divinity of Christ through his humanity."[137] "Physical" causality, therefore, works through itself and not simply through an appeal to the will of another person. Of course, whether such causality pertains to Mary remains a matter of dispute.[138] Such a hypothesis stands in tension with the specific efficacy of the sacramental actions, which are administered *ex opere operato* on behalf of Christ as head of the Church. John Paul II speaks of Mary's "intercessory mediation"[139] and thus remains in the realm of moral causality.

That Mary in a certain way has a hand in the distribution of all graces, whether through express prayer or through interpretative prayer, has by now become a teaching of the ordinary Magisterium. This teaching can be gathered from the relevant papal statements referenced by the Second Vatican Council[140] and from the doctrinal expressions of John Paul II.[141] Moreover, Pope Benedict XVI said something to this effect at the canonization of the Franciscan Fr. Fra Galvao on May 11, 2007 in Brazil: "There is no fruit of grace in the history of salvation that does not have as its necessary instrument the mediation of Our Lady. . . . Let us give thanks to God the Father, to God the Son, to God the Holy Spirit from whom, through the intercession of the Virgin Mary, we receive all the blessings of heaven. . . ."[142] N V

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137 *ST* III, q. 65, a. 5.

138 Roschini has produced the most extensive treatment of this theme, in favor of a physical causality. See G. M. Roschini, *De natura influxus B.M. Virginis in applicatione Redemptionis,* in *Maria et Ecclesia II*, ed. Pontificia Academia Mariana Internationalis (Vatican City: 1959), 223–95. See also A. M. Apollonio, "Maria Santissima Mediatrice di tutte le grazie: La natura dell'influsso della Beata Vergine nell'applicazione della Redenzione," *Immacolata Mediatrix* 7 (2007): 157–81. Against this, there is, among others, Merkelbach, *Mariologia*, 367–71.

139 See, among others, John Paul II, *Redemptoris Mater*, §§21 and 40; Hauke, "Mütterliche Vermittlung," 148f.

140 *Lumen Gentium*, § 62 (in Flannery, n. 16); G. M. Roschini, *La Mediazione mariana oggi* (Rome: 1971), 104f; P. M. Siano, "Uno studio su Maria Santissima 'Mediatrice di tutte le grazie' nel magistero pontificio fino al pontificato di Giovanni Paolo II," *Immaculata Mediatrix* 6 (2006): 321–27.

141 See Hauke, "Mütterliche Vermittlung," 168–74; Siano, "Uno studio su Maria," 341–48.

142 Benedict XVI, homily at the canonization of Fra Galvao (May 11, 2007) (translation from www.vatican.va).

Marian Apparitions as a *Locus Theologicus*?

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Introduction

MANY different studies dedicated to Marian apparitions have been published in the last fifty years in Europe.[1] Despite a great number of works, there are very few that reflect theologically on the phenomenon of private revelations. The reasons for this situation are to be found in the scepticism of many theologians to this phenonemon. As Hans Urs von Balthasar

[1] Cardinal Joseph Ratzinger, in his theological commentary of the Message of Fatima, affirms that the concept of "private revelation" refers to "all the visions and revelations which have taken place since the completion of the New Testament. . . . The authority of private revelations is essentially different from that of the definitive public Revelation. The latter demands faith; in it in fact God himself speaks to us through human words and the mediation of the living community of the Church. . . . Private revelation is a help to this faith, and shows its credibility precisely by leading me back to the definitive public Revelation. In this regard, Cardinal Prospero Lambertini, the future Pope Benedict XIV, says in his classic treatise, which later became normative for beatifications and canonizations: "An assent of Catholic faith is not due to revelations approved in this way; it is not even possible. These revelations seek rather an assent of human faith in keeping with the requirements of prudence, which puts them before us as probable and credible to piety." Ratzinger, *The Message of Fatima. Theological Commentary*, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000626_message-fatima_en.html.

Marian Rusecki mentions three characteristic elements of the structure of private revelations: "1) they were given to an individual as a private person or to a group of people, which is characterized by a certain unity; 2) they were given after the death of the last of the Apostles, when the public Revelation had been completed 3) they do not add anything new to Christian Revelation." M. Rusecki, "Problem wiarygodności 'objawień prywatnych,'" *Ateneum Kaplańskie* 78 (1986): z. 1, 35.

noted: "Today, theologians tell the faithful that the prophetical Revelations are: (1) very often uncertain or false, (2) they do not oblige anyone to accept them, (3) and that all the essential truths are included in the doctrine of the Church. However, somebody could put forward the question: if it is true, so why does God continually give them to the Church?"[2]

Despite the scepticism, one notes the presence of authors who consider it necessary to study Marian apparitions and private revelations. Karl Rahner affirms that Marian apparitions have a dynamic function in the life of the Church. Even if they do not contain new truths of faith, because public Revelation has been accomplished, they are new orders by which the salvific will of God is expressed in new historical situations. The Spirit of God gives a new impulse to the life of the Church, which cannot be so easily discovered by theologians from the deposit of faith.[3] A similar opinion is expressed by Georg Essen, who considers that private revelations can be prophetical testimonies, since truth of faith reaches its fullness in confrontation with a historical situation. In that sense, private revelations can lead to more profound understanding of Divine Revelation in the history of Jesus Christ.[4]

In such a context the following question arises: do Marian apparitions belong to the category of *locus theologicus*? And if so, how we can classify them?

In order to answer such a question, it is necessary to recall the contribution of Melchior Cano, who in his work entitled *De locis theologicis* explores how the Church reaches her understanding of Divine Revelation. This Revelation is actualized in different places (*loci*). The most important among them are Scripture and Tradition. Moreover, there exist other sources of Revelation: (1) common faith of all believers, (2) councils and synods, (3) the Roman Church and her pastors, (4) Fathers of the Church, (5) scholastic theologians.[5] As we may note, the above mentioned sources do not include private revelations. Cano, emphasizing their private character, expresses his doubts concerning their importance for faith. He thus denied the value of the revelations of St. Brigit of Sweden and the other

[2] H. Urs von Balthasar, "La vita, la missione teologia e l'opera di Adrienne von Speyr," in *Mistica oggettiva*, ed. B. Albrecht (Milano: 1989), 35.

[3] K. Rahner, *Visioni e profezie* (Milano: 1954), 25.

[4] G. Essen, "Privatoffenbarung," in *Lexikon für Theologie und Kirche*, vol. 8 (Freiburg: 1999), 604.

[5] Cf. A. Lang, *Die "loci theologici" des Melchior Cano und die Methode des dogmatischen Beweises* (München: 1925); A. Scola, "Chiesa e metodo teologico in Melchior Cano," *Rivista di Storia e Letteratura Religiosa* 9 (1973): 203–34; J. Wicks, "Luoghi teologici," in *Dizionario di teologia fondamentale*, ed. R. Latourelle and R. Fisichella (Assisi: 1990), 645–47.

saints for our faith.[6] As R. Laurentin notes, in the system of Melchior Cano, private revelations seemed to be theological *non-locus*.[7]

One of the contemporary hierarchies of the *loci theologici* has been presented by S. C. Napiórkowski, O.F.M. Conv., who mentions the category of theological non-objectivized and non-inspired sources. These are (1) the signs of the times, (2) man, (3) faith, (4) the experience of people and Christian communities.[8] This scheme of theological sources, presented by Napiórkowski, allows for a classification of Marian apparitions in the group of non-objectivized sources.

Marian Revelations and Prophetical Revelations

Some theologians, analyzing the phenomenon of private apparitions, argue for their prophetical character. According to Johannes Linblom "prophets are entirely devoted, soul and body, to the divinity. They are inspired personalities who have the power to receive divine revelations. They act as speakers and preachers who publicly announce what they have to say. They are compelled by higher powers and kept under divine constraint."[9] A similar opinion has been expressed by David Hill, who affirms that "[a] Christian prophet is a Christian who functions within the church, occasionally or regularly, as a divinely called and divinely inspired speaker who receives intelligible and authoritative revelations or messages which he is impelled to deliver publicly, in oral or written form, to Christian individuals and/or the Christian community."[10] As Hill affirms, a prophet is aware that the message transmitted by him comes from God.

It is necessary to note that just as in the case of spiritual experience, rationalistic tendencies caused diminution of the importance of prophetical revelations.[11] Yet we may find some very interesting works in which theologians such as Y. M. Congar,[12] K. Rahner,[13] L. Scheffczyk,[14]

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[6] M. Cano, *De locis theologicis* (Madrid: 2006).

[7] R. Laurentin, "Fonction et status des apparitions," in *Vraies et fausses apparitions dans l'Église*, ed. B. Billet (Paris: 1976), 166.

[8] S. C. Napiórkowski, Jak uprawiać teologię (Wroclaw: 2002), 52.

[9] J. Linblom, *Prophecy in Ancient Israel* (Oxford: 1965), 6.

[10] D. Hill, *New Testament Prophecy* (Atlanta: 1979), 5.

[11] R. Fisichella, "Profezia," in *Dizionario di teologia fondamentale*, 867.

[12] Y. M. Congar, *La credibilità delle rivelazioni private,* in *Santa Chiesa. Saggi ecclesiologici* (Brescia: 1967), 245–51. The author presents the opinions of the Dominicans St. Thomas Aquinas, Cajetan, and John of St. Thomas.

[13] K. Rahner, *Les révélations privées: quelques remarques théologiques, Revue d'ascetique et de mystique* 25 (1949): 506–14; idem, *Visioni e profezie* (Milano: 1954).

[14] L. Scheffczyk, *Privatoffenbarungen*, in *Marienlexikon*, ed. R. Baumer and L. Scheffczyk, vol. 5 (Erzabtei St. Ottilien: 1993), 318–20.

L. Volken,[15] M. Rusecki,[16] and A. Suh[17] examine the importance of this kind of phenomena.

Rusecki asks whether private revelations are revelations of God himself or revelations of Our Lady, saints, or mystics? It seems, he replies, that in private revelations we always have to do with Divine Revelation. From a theological point of view it is absolutely understandable, because only God can intervene in the world and in human history, whereas creatures, even those who already participate in the glory of God, cannot alone, without God's permission, intervene in history or appear by themselves to reveal the will of God. In apparitions they can only play the role of mediators. God reveals himself personally in epiphanic signs or he uses mediators (Our Lady, saints, or mystics) in order to reveal his salvific will in the history of the Church."[18]

Essen notes that prophetical revelations play an important role in the actualisation and development of Tradition. They may become prophetical testimonies, manifesting that the truth of faith reaches its fullness in confrontation with a historical situation. In that sense, private revelations should lead to a deeper understanding of Divine Revelation.[19]

When considering the Marian apparitions that have been approved by the authority of the Church—La Salette (1846), Lourdes (1858), Pontmain (1871), Fatima (1917), Banneux i Beauraing (1932–33)—it is necessary to affirm that they have a prophetical dimension. Therefore it seems that it is possible to compare analogously the revelations of Our Lady with the interventions of the Old Testament prophets in the history of the People of God. Even if Israel offered sacrifices to YHWH every day, the People of God was not always faithful to the Almighty. The main aims of the prophetical interventions of Isaiah and Jeremiah were the conversion of the people of the Old Covenant to God, recuperation of fidelity to the Law, and a call to good moral conduct.

Seen in that light, the messages of Our Lady show certain analogies to the Old Testament messages. Mary addresses herself to the people, asking them to convert, pray, and fast. In this light, it seems that Our Lady continues the prophetical mission within the Church.

The prophetical dimension of the Marian apparitions is connected with the ecclesiological one. These revelations are addressed not only to

[15] L. Volken, *Le rivelazioni nella Chiesa* (Roma: 1963).
[16] M. Rusecki, "Problem wiarygodności,": 34–50.
[17] A. Suh, *Le rivelazioni private nella vita della Chiesa* (Bologna: 2000).
[18] M. Rusecki, "Problem wiarygodności," 36.
[19] G. Essen, *Privatoffenbarung*, in *Lexikon für Theologie und Kirche*, vol. 8 (Freiburg: 1999), 604.

individuals but also to the Church. If they recommend confession or special forms of devotion, they do so with the aim of improving the spiritual life of the entire Church, not only of the individual.[20]

Marian Revelation as a Mystical Experience

In order to answer whether Marian apparitions can be a source for theology, it is necessary to analyze this phenomenon in the light of mystical experience.

This category of experience, which is included in the conciliar constitutions *Dei Verbum* and *Gaudium et Spes* and in the encyclical letter *Redemptoris Mater*,[21] also became the object of theological reflection of such theologians as Hans Urs von Balthasar, Heinrich Döring, Krzysztof Kowalik, Giovanni Moioli, Stanislaw Celestyn Napiórkowski, Gerard O'Collins, Joseph Ratzinger, Grzegorz Strzelczyk, and Wojciech Życiński.[22]

According to Ratzinger, there is a reciprocal relation between faith and experience. Experience influences faith, and faith stimulates the dynamics of experience.[23] In order for faith to develop, the primordial experience must be continually surpassed, because divine reality is above that which is experienced.[24] Kowalik notes the relationship existing between revelation and experience: where there is Revelation, there is always experience. Naturally, Revelation surpasses the limits of human possibilities, as far as

[20] Cf. K. Rahner, *Visioni e profezie*, 23.

[21] *Dei Verbum*, §8; *Gaudium et Spes*, §§43, 62. See John Paul II, *Redemptoris Mater*, §48: "Marian spirituality, like its corresponding devotion, finds a very rich source in the historical experience of individuals and of the various Christian communities present among the different peoples and nations of the world.."

[22] B. Körner, "Mystik und Spiritualität: Ein locus theologicus? Erste Hinweise an Hand der Theologie von Hans Urs von Balthasar," *Rivista Teologica di Lugano* 1 (2001): 229–30; H. Döring, "Gotteserkenntnis oder Gotteserfahrung?" *Theologie und Glaube* 64 (1974): 89–114; K. Kowalik, *Funkcja doświadczenia w teologii* (Lublin: 2003); G. Moioli, "I mistici e la teologia spirituale," *Teologia* 7 (1982): 127–43; S. C. Napiórkowski, "Doświadczenie osób i wspólnot chrześcijańskich jako źródło teologii (Mariologia św. Maksymiliana a Redemptoris Mater nr. 48)," *Roczniki Teologiczno-Kanoniczne* 44 (1997): fasc. 2, 41–56; S. C. Napiórkowski and K. Kowalik, eds., *Doświadczam i wierzę* (Lublin: 1999); G. O'Collins, "Esperienza," in *Dizionario di teologia fondamentale*, 403–6; G. Strzelczyk, *Esperienza mistica come locus theologicus* (Lugano: 2005); idem, "L'esperienza mistica come fonte di teologia sistematica. Osservazioni metodologiche," *Rivista Teologica di Lugano* 6, no. 1 (2006), 239–52; W. Życiński "Historyczne doświadczenie osób i wspólnot chrześcijańskich," in *Jan Pawel II. Matka Odkupiciela. Tekst i komentarze*, ed. S. C. Napiórkowski (Lublin: 1993), 81–89.

[23] J. Ratzinger, *Elementi di teologia fondamentale. Saggi sulla fede e sul mistero* (Brescia: 2005), 85.

[24] Ibid.

its existence and its reception are concerned. However, Revelation must be received by man, and that happens within experience.[25]

In order that experience might become a part of Christian existence, it must be in direct relationship with God. Moreover, it must be characterized by the dynamism of the theological virtues, and union with God should be experienced in a conscious way.[26] The difference between an experience of faith and a mystical experience consists in the modality of experience of the mystery by a faithful person.[27] A person who lives a mystical experience is passive. This kind of experience is not the fruit of his efforts, but it is given to him by God.

Hans Urs von Balthasar, in his reflection on the question whether a particular mystical experience could be a *locus theologicus*, states that this category could more appropriately be applied to the authority of the Saints.[28] Saints indicate directions for improvement and renewal of faith and theology. They give us evidence of how faith can be expressed and lived in different periods of time. They remind us that the transmission of faith is not only a transmission of truths but it is also a Christian testimony lived and experienced in faith.[29] Therefore it must be affirmed that Saints create a certain hermeneutical perspective for theology, which emphasizes the role of the subject who lives his faith.[30]

For Giovanni Moioli, theologians should take into consideration the experiences of the mystics in their research.[31] All mystics are witnesses of their faith lived within the Church; therefore those who reflect on the experience of mystics not only discover how certain truths of faith are lived by concrete persons, but they also find new themes that are even sometimes difficult to elaborate on the basis of speculative-theological reflection.

Napiórkowski draws our attention to the difficulty concerning objectivization of subjective data of experience: How is it possible to move from a subjective experience of a single person or group of persons to objective data that could be verifiable?[32] An answer to this question has

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[25] K. Kowalik, *Funkcja doświadczenia w teologii* (Lublin: 2003), 204.

[26] G. Moioli, "Mistica cristiana," in *Nuovo dizionario di spiritualità*, ed. S. De Fiores and T. Goffi (Roma: 1979), 985.

[27] Ibid., 986.

[28] B. Körner, "Mystik und Spiritualität: Ein locus theologicus? Erste Hinweise an Hand der Theologie von Hans Urs von Balthasar," *Rivista Teologica di Lugano* 1 (2001): 229–30.

[29] Ibid., 230–35.

[30] Ibid., 235–36.

[31] G. Moioli, "I mistici e la teologia spirituale," *Teologia* 7 (1982), 138–40.

[32] S. C. Napiórkowski, "Doświadczenie osób i wspólnot chrześcijańskich jako źródło teologii, (mariologia św. Maksymiliana a Redemptoris Mater nr. 48)," *Roczniki*, 53.

been given by Heinrich Döring. In his opinion, society collects individual experiences, formulates them into adequate models, and through a certain language communicates them to the individual.[33] By emphasizing the social dimension of experience, Döring affirms that it is possible to talk about objectivization of what has a subjective character. It seems that an example of this kind of objectivization of subjective data included in Marian revelations could be the experiences of Lourdes and Fatima, which became one of the criteria in a negative evaluation of the Marian apparitions in Medjugorje by two independent theological commissions.[34] Another example is the experiences of saints—chosen by Christ to be his secretaries (for example St. Faustina Kowalski)—who have a mission to transmit his divine will to the entire world. The elaborated criteria were very helpful for the Congregation for the Doctrine of the Faith in a negative evaluation of the phenomenon of the so- called "automatic writing" by Vasula Rydan.[35]

The Visionary as a *locus theologicus*?

The subjective character of a mystical experience requires us to ask about the credibility of data obtained from this kind of cognition. Analysis of the descriptions of mystical experiences and the expressions included in them leads us to suppose that the cognition of mystics crosses the threshold of transcendence and touches the reality of God himself, who allows them to understand mysteries inaccessible in any other way. These persons are conscious of their own cognitive limitations and the absolute transcendence of God. Sometimes they emphasize the inadequacy of their description in comparison with the experienced reality. However, this experience, in order to be understood by others, must be communicated by means of accessible expressions. Therefore mystics, narrating their own experiences, *nolens volens* make certain interpretations.

As Ratzinger notes, "the subject, the visionary, is still more powerfully involved. He sees insofar as he is able, in the modes of representation and consciousness available to him. In the case of interior vision, the process of translation is even more extensive than in exterior vision, for the subject shares in an essential way in the formation of the image of what appears. He can arrive at the image only within the bounds of his capacities and possibilities. Such visions therefore are never simple 'photographs' of the

[33] K. Kowalik, *Funkcja doświadczenia w teologii* (Lublin: 2003), 198. Por. H. Döring, "Gotteserkenntnis oder Gotteserfahrung?" *Theologie und Glaube* 64 (1974): 97.

[34] R. Pindel, *Proroctwa nie lekceważcie, wszystko badajcie. Objawienia prywatne w świetle Bożego* (Kraków: 1998), 174–79.

[35] Ibid., 169–71.

other world, but are influenced by the potentialities and limitations of the perceiving subject."[36] The way in which a mystical vision and experience comes to be expressed depends also on the visionary, his sensibility, education, and the environment in which he lives. Even if he strives to transmit faithfully the content of his mystical experience, it always remains to a greater or lesser extent his own interpretation. Therefore mystics, being aware that their cognition is of a subjective character, want to submit their mystical experience to the objective data expressed by the *Magisterium Ecclesiae*. This kind of attitude is a *sine qua non* condition in order that the experience may be considered as authentically Christian and become a contribution to the understanding of the Christian mystery.

Yet can the visionaries who receive revelations be considered a source of theology? Is it possible to apply this conclusion to St. Bernadette Soubirou or to the children of Fatima?

Marian Revelations and the Signs of the Times

We should also ask whether we can we consider Marian revelations as the signs of the times.

In order to answer this question we should describe this category.[37] According to A. L. Szafrański, besides the divine Revelation included in the Tradition (oral and written), there is a second source of the cognition of the will of God in a particular period of time and in a particular historical situation. Even if public Revelation has been offered to all mankind once and forever, it requires explanation and indication to man of the will of God in a concrete time.[38] Within such a context, a sign becomes an event that addresses us to an invisible reality, which refers to what existed in the past or will exist in the future.[39] Because time is a gift of God, conferred to people in order that they may cooperate with God's grace and in this way grow in their union with Christ, the Church is called to investigate

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[36] J. Ratzinger, *The Message of Fatima. Theological Commentary*, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000626_message-fatima_en.html.

[37] This expression is also included in the documents of Pope John XXIII: *Humanae Salutis, Pacem in Terris, Ecclesiam Suam*. See M.-D. Chenu, "Les signes des temps. Reflexion théologique," in *L'Église dans le monde de ce temps. Constitution pastorale* Gaudium et spes, ed. Y. M. Congar and M. Peuchmaurd, vol. 2 (Paris: 1967), 206–7. In *Mater et Magistra* Pope John XXIII affirms that "the signs of the times" are to be seen in the profound transformations in contemporary science, in social life, and in politics. Cf. A. L. Szafrański, *Kairologia. Zarys nauki o Kościele w świecie współczesnym* (Lublin: 1990), 110.

[38] A. Szafrański, *Kairologia*, 110.

[39] Ibid., 109.

and explain the signs of the times. This task consists in discovering the acts of God and deriving from them concrete duties for the faithful.[40]

In this perspective, the signs of the times are defined as those events which are related to the "salvific initiative of God towards man, which develops in the world and is the initiative of the Holy Spirit, allowing us to understand what God expects from man and from people living in specific economic, social and political circumstances."[41] These phenomena which occur at a particular moment of time should be confronted with the Gospel and should stimulate Christians to undertake concrete initiatives in different areas of social life.[42] Given this definition, Marian revelations seem to be signs of the times. As M. Rusecki affirms, for M.-D. Chenu "events of this kind, which very often take place in times of crisis, not only social, but also moral or religious, are the signs of the times, and through their "here" and "now" God wants to communicate with us."[43] The Church is obliged to investigate these phenomena and to interpret them in the light of the Gospel.[44] According to Rahner, even when there is a lack of official approval of concrete Marian revelations on the part of the Church, theologians should investigate the circumstances and sense of these events.[45]

The Role of Marian Revelations in the Church

Theologians such as Essen, Rahner, and Rusecki note that private revelations do not concern only individuals, but refer first of all to the Church. Therefore even if public Revelation is closed and private revelations cannot add any new content, it is necessary to investigate their role within the Christian community.

Kerygmatic-Apologetic Aspect

It seems that Marian apparitions are instruments through which supernatural reality is manifested. God bestows signs in order to deepen human faith. Faith is nourished by extraordinary signs, which can confirm it.[46] Thanks to these signs, Christians can more easily discover God's activity in history. Therefore Marian revelations in Lourdes or in Fatima are of an

[40] Ibid.

[41] A. Szafrański, *Kairologia*, 111. Cf. J. Majka, "Sens 'znaków czasu,' " *Chrześcijanin w świecie* 5 (1973): 3–12.

[42] A. Szafrański, *Kairologia*, 111.

[43] M. Rusecki, "Problem wiarygodności," 35.

[44] Vatican Council II, *Gaudium et Spes*, §4.

[45] K. Rahner, "Les révélations privées: quelques remarques théologiques," *Revue d'ascétique et de mystique* 25 (1949): 512–13.

[46] A. Suh, *Le rivelazioni private nella vita della Chiesa* (Bologna: 2000), 169.

apologetic character, because they emphasize the supernatural dimension of events, confirm faith, and lead to the cognition of truths revealed by Jesus Christ. As Ratzinger notes, "The criterion for the truth and value of a private revelation is therefore its orientation to Christ himself. When it leads us away from him, when it becomes independent of him or even presents itself as another and better plan of salvation, more important than the Gospel, then it certainly does not come from the Holy Spirit, who guides us more deeply into the Gospel and not away from it."[47]

As we already mentioned above, Marian revelations serve as confirmation of our faith. The Marian apparitions in Lourdes, which took place four years after the solemn proclamation of the dogma on the Immaculate Conception of Our Lady, helped to confirm and deepen our understanding of this truth of faith. Pope Pius XII remarks that "it seems that the Blessed Virgin Mary herself wished to confirm by some special sign the definition, which the Vicar of her Divine Son on earth had pronounced amidst the applause of the whole Church."[48]

The history of Marian apparitions shows that some of them express certain truths contained implicitly within Tradition, which had not been the object of consideration for centuries. The apparition of Our Lord Jesus Christ to St. Faustina Kowalski and the Devotion to Divine Mercy can serve as a very good example of such a situation.

The Marian messages contain some information on heaven, hell, and the necessity of prayer and penitence, truths that are often absent in pastoral practice. The apparition of Our Lady of Fatima seems to confirm our opinion.

Moreover, Marian apparitions also remind us about and confirm the teaching of the Church concerning morality. In the particular situation of our times, when the teaching of the Church is rejected by many, when traditional values are replaced by anti-values, when human dignity and freedom are being diminished, when moral relativism is promoted, the messages of Our Lady remind people about the immutability of the teaching of Christ Jesus.

Finally, it is necessary to emphasize that the apparitions of Our Lady are useful in the process of a deeper reception of public Revelation. Even

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[47] J. Ratzinger, *The Message of Fatima. Theological Commentary*, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000626_message-fatima_en.html.

[48] Pius XII, encyclical letter *Fulgens Corona* (8 September 1953), §3, www.vatican.va/holy_father/pius_xii/encyclicals/documents/hf_p-xii_enc_08091953_fulgens-corona_en.html.

if private revelations do not belong to the deposit of faith, they still update certain truths which are already present within the Church, even though they remain in the shadows. In this way, they are an impulse for the actualization of public Revelation. They do not import any new ideas, but recall the content of public Revelation, allowing the faithful to reflect on them in a new light.[49]

Prophetical Aspect

Private revelations very often make us aware of the most urgent challenges that the Church must meet. Hence the incentive to prayer, penance, and expiation for sins, which are the responsibility of the Church in difficult times. The messages of Fatima could be a good example of this. As Suh notes, "The Holy Spirit, as conscience and memory of Christ's Revelation, consoles and teaches the Church through the ages. In such a context, private revelations are an activity of the Holy Spirit, who manifests negligences of the People of God concerning certain salvific aspects of the revealed truth. . . . Novelty of the private revelation does not consist in presentation of a new object of faith, but in emphasizing certain aspects of the revealed truth: these revelations become a prophetical imperative which facilitate a dynamic actualisation of Christ's message."[50]

Pastoral Aspect

It must be noted that Marian revelations influence the development of certain forms of devotion: liturgical memories of Our Lady of Lourdes, of Fatima, and the Rosary of Fatima have a definite influence on the improvement of understanding the fundamental truths of faith, and the mode of living them by the faithful. According to Congar, private revelations are not limited to making a certain decision or to obtaining answers which are sought for, but first of all, they refer to the relationship between the soul and God, to communion.[51] Therefore it is necessary to say that Marian apparitions have meaning if they encourage and call for a more profound life lived according to the Gospel and in close union with Christ.

Marian messages very often contain a call to penance. Messages from Lourdes and Fatima are excellent illustrations of this truth. It seems that the call to penance, contained in the apparitions of Our Lady, manifests the inspiration of the Holy Spirit towards a spiritual renewal of the Church. As Suh affirms, "the calling of the Mother of Jesus to penance is

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[49] See A. Suh, *Le rivelazioni private*, 196.

[50] Ibid., 198.

[51] Y. M. Congar, *Santa Chiesa. Saggi ecclesiologici* (Brescia: 1967), 345–61.

closely linked with the prophetical function of the Holy Spirit, who convinces people about sin."[52]

In different messages the Mother of God encourages the faithful to pray, particularly to recite the Rosary. She teaches Bernadette Soubirous how to recite the Rosary, she asks the children of Fatima to say the Rosary prayer, she encourages this prayer during her apparitions in Beauraing and Banneaux.

Marian Revelations as a *locus theologicus*

Can we then consider Marian revelations as a source of theology? The distinction made by Napiórkowski, even if it does not mention these mystical phenomena, allows us to consider them as a non-inspired and non-objectivized *locus theologicus*.

Ratzinger considers Marian revelations as a kind of prophecy. These prophecies are not referred to the future, "but their essence is to explain the will of God for the present . . . the actualization of the definitive Revelation."[53] In this light, the charisma of prophecy is linked with the term "the signs of the times." "To interpret the signs of the times in the light of faith means to recognize the presence of Christ in every age. In the private revelations approved by the Church—and therefore also in Fatima—this is the point: they help us to understand the signs of the times and to respond to them rightly in faith."[54] This category underscores the historical-salvific aspect of a particular event rooted in the time of its occurrence, but Marian revelations are not only events that happen in history. They are also a specific experience of the individual or a Christian community. Therefore it seems that they also belong to the category of the experience of the individual and Christian communities. However, it is necessary to add that prophetical revelations also do not completely belong. Even if they have a subjective dimension, however, they certainly are not limited exclusively to the sphere of the mystical experience of the visionary. They are addressed to the Church, and therefore must be expressed in human words.

In short, we affirm that Marian revelations are prophetical revelations. Moreover, they share many common characteristics with the category of

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[52] A. Suh, *Le rivelazioni private*, 217.

[53] J. Ratzinger, *The Message of Fatima. Theological commentary*, www.vatican.va/roman_curia/congregations/cfaith/documents/re_con_cfaith_doc_20000626_message fatima_en.html.

[54] J. Ratzinger, *The Message of Fatima. Theological commentary*, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000626_message-fatima_en.html.

the signs of the times and with the category of the experience of individuals and Christian communities, which are *loci theologici*.

Conclusion

Marian revelations manifest a certain supernatural reality that until then had been concealed and invisible. By contrast, the term "mystical experience" emphasizes the mystic's activity and his perception, whereas the expression "the signs of the times" brings to the foreground the historical-salvific dimension of the event.

When analyzing each of the above mentioned categories, it is necessary to bear in mind that private revelations have much in common with all of them. Thus, when we take into consideration the revealing subject who orders the visionary to transmit a message, we can say that these are prophetical revelations. In turn, when the perspective of the experience of the visionary is given priority, Marian revelations belong to the category of the experience of individuals and Christian communities. Then again, bearing in mind that Marian revelations also have their social aspect, they can be classified in the category of "the signs of the times."

Prophetical revelation cannot be fully confined to any of these categories. It shares certain features of each, but at the same time exceeds their bounds. Therefore it would perhaps be proper to add a new category of non-inspired and non-objectivized theological sources, namely the category of prophetical revelation. NV

Book Reviews

On Aquinas by Herbert McCabe, O.P., ed. Brian Davies, O.P. (*London: Burns & Oates, 2008*), xii + 180.

I ONLY met Herbert McCabe on one occasion. The mutual friend who introduced us said, "Herbert, I tell everyone that you are the father of Wittgensteinian Thomism." McCabe looked slightly astonished at this description, and then said, "Well, perhaps if 'Wittgensteinian' were understood as a privative." I suspect that many who think of themselves as "Thomists" would share McCabe's astonishment at the application of this label to him. Whatever his book *On Aquinas* is, it is not "Thomism," as that term is typically used, whether of the "strict observance," "transcendental," "Gilsonian" or any other familiar sort. This is, I suspect, what might make this book so useful to readers, even those who are Thomists.

Herbert McCabe was born in 1926 and entered the Order of Preachers in 1949. His brief moment of notoriety came when, having been made editor of the British Dominican journal *New Blackfriars* in 1965, he was removed from that position because of an editorial occasioned by Charles Davis's departure from the priesthood and the Catholic Church, in which he said that he agreed with Davis that the church was "quite plainly corrupt," but did not think that this constituted a sufficient reason to leave her. McCabe was reinstated as editor in 1970, beginning the first editorial after his reinstatement with the words, "As I was saying before I was so oddly interrupted. . . ." Apart from this incident, his influence was in many ways hidden in the background of twentieth century theology and philosophy. While at Cambridge in the 1960s and 70s, he influenced such students as Terry Eagleton, Denys Turner, and Eamon Duffy. He also exerted a significant influence on the work of Alasdair MacIntyre, Stanley Hauerwas, Anthony Kenny, and Brian Davies. Yet he published very little during his lifetime: two series of lectures, one on the Sacraments (*The New Creation*, 1964) and one on ethics (*Law, Love and Language*, 1968), a collection of essays and sermons (*God Matters*, 1987), and a brief

question-and-answer catechism (*The Teachings of the Catholic Church*, 1986). Since his death in 2001, however, he has become quite prolific. Because he never spoke off-the-cuff on public occasions, he left a large, if disorderly, body of written texts behind him that have appeared in a steady stream of publications in the past few years. Though this stream can be expected to run dry at some point, this most recent volume evidences no sign of any diminishment of intellectual depth.

On Aquinas represents a series of lectures McCabe gave over the course of two terms at Blackfriars in Oxford that purported to be an introduction to Aquinas. What it in fact offers, after a brief and breezy (certainly too breezy, for most tastes) introduction to Thomas's life and legacy, is a philosophical anthropology that is developed in dialogue with Aquinas. McCabe's account of what it means to be a human being develops in this way: beginning with living things and how they differ from non-living things, he moves on to discuss how sensate living beings (i.e. animals) differ from non-sensate ones, and then to how humans differ from other animals; from there the rest of the book discusses humans beings as languages users who are able to formulate reasons for their actions and thus live together in a way that differs from other animals. McCabe pays particular attention to moral reasoning, but also to the "inner senses," something that Anthony Kenny once described as "not one of the more satisfactory parts of [Aquinas's] philosophy of mind" (*Aquinas on Mind*, 39), but which McCabe uses to describe the human animal's distinctive way of inhabiting a world. This account of human being is sometimes done by means of an exposition of Aquinas, sometimes done in conversation with Aquinas, and sometimes done by means of digressions in which Aquinas is more or less left behind.

What, then, is the account of human being that McCabe offers? Human beings are animals that posses the ability to transcend the individuality that comes with embodiment so as to enter into that characteristically human form of relationship that we call "friendship," which means that human being is a "being *with*" (54). Such sociality is not accidental but essential to humans as rational animals. To see why this is the case, one must appreciate that, as McCabe interprets it, "rationality" is really nothing but the ability to use language.

McCabe discusses his views on language and thought in the context of his discussion of the inner senses and of Aquinas's view that it is only by *conversio ad phantasmata* that human reason attains its natural end. McCabe says Thomas is correct in maintaining *both* that thought is not a physical process *and* that thought requires some connection to a physical process, namely our turning to the sense images that we possess as a result of our

physical, sensual existence. However, McCabe does not think Aquinas argues the latter point as well as he might, because he has a largely instrumental view of language. McCabe believes that modern reinterpretations of Aquinas by Geach, Burrell, Turner, and Kenny do a better job than Aquinas himself in clarifying the connection between thought and language. McCabe writes: "Aquinas is quite clear that every thought we have can, in principle, be expressed in language; what he does not say is that human thought *has* to be the significance expressed by some bodily symbols because human thought just is the capacity to use language" (133). McCabe sees himself and his fellow interpreters of Aquinas as sharing with Thomas a non-Cartesian understanding of "the vital connection between being a rational animal and being a linguistic animal" and differing only in the direction that their analysis runs: "*we* analyse understanding and thinking in terms of human communication whereas *Aquinas* analyses communication in terms of understanding and thinking" (133).

One might think that McCabe is making too little of the difference that this reversal of analysis makes. By beginning with the physical activity of human communication, and indeed identifying thought with the capacity to use language, does McCabe not end up collapsing thought into a physical process? McCabe thinks not. Just as the meaning of a word is not reducible to physical sounds—otherwise the words *Buch* and *livre* could not mean the same thing—so too thought is not reducible to a physical process. Both thought and linguistic meaning, while inseparable from physical processes, are not reducible to those processes. The advantage of starting with meaning rather than thought, according to McCabe, is that we have clearer access to the relationship between meaning and words than we do to the connection between thought and physical processes, and thus what it means to be a being that is both rational and an animal is more fittingly discerned if we begin with reflection on human communication as a matter of both meaning and words (134).

Thus if we understand human beings as rational animals, and we understand reason in terms of the capacity for linguistic communication, then it is language-use that is the specific difference between humans and other animals: "it is because of language that we are alive in a different way from other animals and it is because of language that we are self-transcendent in a different way from other animals" (34). Non-rational animals come to know something by possessing its form or "pattern of meaning" (35) in their senses; humans come to know something not simply through receiving it into their senses, but by its pattern of meaning being taken up into language, such that it becomes a part of "the whole structure of communication that is unique to the human animal" (44).

How does this lead to the view that human being is essentially, and not merely accidentally, being *with*? If reason is the capacity for language, a capacity that is actualized in the use of language, then one cannot be a rational animal apart from membership in a linguistic community, because language is by its very nature communicative. The animal life of sensation is an essentially private existence: my sensory experience of a book is different from your sensory experience of the same book. But the linguistic life of reason is inherently communal: barring instances of equivocation, the word "book" when I use it means exactly the same thing as the word "book" when you use it (121). One can detect here, of course, Wittgenstein's reflections on the impossibility of a "private language," but what is interesting is how McCabe uses this as a way of showing how the definition of the human being as a "rational animal" necessarily implies the definition of the human being as a "political animal."

It is from this conjunction of the rational and the political that McCabe's further reflections on virtue and the moral life flow. For example, while one cannot be rational (i.e. a language user) without a linguistic community, it is equally true that one cannot be part of a linguistic community without being a language-user. Similarly, the life of friendship, which is the true form of human political life, can only be lived by virtuous people, but people can only become virtuous by being friends. As McCabe puts it, "Virtues can only be taught by friends. Friendship can only be sustained by virtues" (69). In both cases we see a circularity, but not a vicious one. What he wishes to ensure is that we never abstract human beings from their communal contexts, whether this be the community of the species of human language-users or the more particular communities in which moral virtues are fostered. At the same time, he shares with Aquinas a keen awareness of the limits of human communities, and that the human capacity for friendship, a capacity that is rooted in our capacity for language, can only be fulfilled by "the friendship that God grants us in his grace" (105).

This is what I take to be the underlying argument of the book. But the book contains far more arguments than this one: arguments about the nature of the good life, the relationship of the acquired virtues to the infused virtues, the immortality of the soul, and so forth. What one does not find much of is what people — especially those people who call themselves Thomists — might expect in a volume entitled "On Aquinas." There is little or no discussion of *esse*, or analogy, or the real distinction. That is not necessarily because McCabe has no interest in at least some of these topics. For example, he edited the volume in the Blackfriars edition of the *Summa theologiae* that dealt with questions twelve and thir-

teen of the *prima pars*, in the appendices of which he expressed rather strong views on how analogy ought to be seen in Aquinas (views that were somewhat at variance with those Thomas Gilby expressed in the introduction of that same volume). And even in this volume he suggests that the notion of "human rights" makes little sense apart from the "metaphysical foundation" of an acknowledgement of God as the author of nature (156). Yet it is significant that when it came to introducing Aquinas to those who attended his lectures, his focus was not on metaphysical questions but rather on the human linguistic animal and the kind of perplexities it finds itself in as it seeks to lead a fulfilling life. In beginning here, McCabe pays homage to both the bulk and the brilliance of the *secunda pars* of the *Summa*. At the same time, such an approach swims against the Thomist tide that presumes that one must get Aquinas's metaphysics straight before one can understand the rest of his thought.

It is those who swim with that tide who are likely to find *On Aquinas* most astonishing, and irritating. McCabe's arguments are made with a punchy Chestertonian prose style that delights in saying astonishing things as if they were the most ordinary common sense, so as to make one question that adherence to assumptions that often substitutes for rigorous thought. I typically find myself confronting one of McCabe's arguments by first objecting, "Well, this can't possibly be right." Then, in trying to figure out exactly what is not right about it, I discover that behind my objection lies some intellectual nostrum that I imbibed in the course of my education and had never bothered to ask whether or not it was true. Even when I decide that McCabe is wrong, I am intellectually edified by the rigorous thought demanded of me in figuring out exactly why he is wrong. And perhaps it is in this, his capacity to intellectually edify by means of a rigorous regard for truth, more than in the actual conclusions that he reaches, that McCabe shows himself most truly to be one of Thomas's brethren. NV

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The Church of the Holy Spirit by Nicholas Afanasiev, trans. Vitaly Permiakov, ed. Michael Plekon (*Notre Dame: University of Notre Dame Press, 2007*), xx + 327.

PERHAPS the reader will have had the experience of a miscommunication that occurs when two parties believe themselves to be talking about the same thing, but it turns out they are each focused on a different

dimension of the thing. For example, both people could enthuse over what a great dinner party it was, but the one might be talking about the pot roast and the table setting, while the other might be talking about the conversation and the fellowship. It takes some time, some attentive listening, and some careful analysis to realize that although the same topic is being named ("dinner party"), actually two different kinds of attention are being applied.

The reader is invited to such an encounter with Nicholas Afanasiev in this book, *The Church of the Holy Spirit*. He will be speaking about the Eucharist and ecclesiology and ministry, but the dimension he is actually focusing on is "[t]he Church [as] an organism filled with grace . . . because she lives and acts by the Spirit. The Church is the place of the Spirit's activity. Without the Spirit there is no life in the Church, no activity, no ministry; in short, there is no Church." This pneumatological assumption leads him to conclude that all members of the Church possess a priestly ministry which finds expression in the local eucharistic assembly, and from this "eucharistic ecclesiology," as it has since come to be called, Afanasiev traces the outlines of the ministry of laics, various specialized ministries, the origins of the episcopacy in the ancient presiding presbyter, and an understanding of the universal Church. He is discussing the Church, and its hierarchical structure, but he is all the time affirming that "the Church has principles of its own" because the Church is not a human organization but a divine establishment.

This work was Afanasiev's doctoral thesis in 1948, but he continued revising it until his death in 1966, and it was only posthumously published in 1971. It is now brought to the English-speaking world in a 2007 translation by Vitaly Permiakov (doctoral student at the University of Notre Dame), having been shepherded into existence by Fr. Michael Plekon (Baruch College of the City University of New York) whose life work consists of mining the riches in the Paris émigré school of Orthodox theologians in the twentieth century. But if this is the first appearance of Afanasiev's book in English, it is not the first appearance of Afanasiev's influence. His original studies were in canon law in Belgrade, until he came to teach at St. Sergius in Paris from 1930–1940. Ordained in that final year, he served as pastor of an Orthodox parish in Tunisia until his return to St. Sergius in 1948. There he was in the circle of Sergius Bulgakov and Cyprian Kern, and the three of them had a profound influence upon Fr. John Meyendorff and Fr. Alexander Schmemann, who brought to the United States the concept of eucharistic ecclesiology and liturgical theology (*theologia prima*). Afanasiev was furthermore appointed by Patriarch Athenagoras I to be an official ecumenical

observer at the Second Vatican Council. Fr. Aidan Nichols notes that Afanasiev's studies in eucharistic ecclesiology were the only works of an Orthodox theologian to be mentioned in Vatican II's working sessions and drafts, and so embodied in *Lumen Gentium*. This book is the fountainhead of dialogues that have occupied the past century.

The book is an argument, really, a polemic that reminds us that the Church is a holy and spiritual people because they enter it drenched in the Holy Spirit. Afanasiev took to referring to the baptized as "laics" precisely to remind them of this, and the first three chapters concern their royal priesthood, the ordination of laics, and their ministry, successively. The term "laic" seems to be a neologism by Afanasiev, according to a footnote by the translator Permiakov (ch. 1, fn. 4). "Strictly speaking, there is no such word in Russian, at least there was not until Afanasiev. It seems that he coined the word on the basis of Greek to create an analogy to the term 'cleric.' He uses this term so as to connote the 'sacred rank' which the 'laic' is—the 'laic' is not a non-cleric in a modern sense of a 'lay person,' i.e. one not initiated into a sacred order." Permiakov uses "lay person" to translate the Russian *mir'anin* (Greek *biotikos*), but alongside this Afanasiev uses the term *laik* in Russian (Greek *laikos*) in order to assert that the person baptized is "initiated into a sacred clerical order, the royal priesthood of God in Christ. When speaking about laics, Fr. Afanasiev deliberately makes it sound as if he's speaking about a clerical rank, an ecclesiastical office, if you will." There are special ministries within this holy body, of course, but since in baptism Christians receive grace to perform worship (*latreia*), they must be considered consecrated and ordained to this activity of *leitourgia*. (This is not far from Thomas Aquinas's emphasis upon sacramental character giving a new power for taking part in sacramental worship.) This leads Afanasiev to speak about the laity "concelebrating" the Eucharist, since "the eucharist is the *leitourgia* celebrated by God's people gathered in the temple of Christ's body." And since the Church exists through sacramental, administrative, and teaching ministries, Afanasiev can treat each of these in his chapter on the laics.

Chapter four identifies special ministries: the apostle, the evangelist, the prophet and the teacher. "The variety of the gifts of the Spirit not only creates the common ministry of God's people but also the special ministries fulfilled not by all but by a few." Some persons are set apart for building up the body of Christ. The gift of apostleship is bestowed for ministry, and while the ministry of the apostles cannot be repeated or passed on to successors, the apostolic work of ministry is continued. The evangelist continues to preach, for the sake of individual conversion to bring people into the churches founded by the apostles. The prophet

does not add to tradition, but exists for upbuilding, encouragement, and consolation. Teachers are learned theologians who are at the service of the Church.

The general principle behind all ministry is that "there is no ministry without gift but no gift without ministry." This is true for ordained ministers, as well, treated in chapters five through seven. Afanasiev does a simultaneous historical and theological analysis of the episcopacy. It is likely that more recent historical scholarship will bring greater clarity and precision, and occasionally a correction, to what he says, but his theological analysis is valuable for concluding that "the structure and order of the Church originate in the eucharistic assembly, the foundation for the Church's entire organization." He will connect Eucharist and episcopacy. "This means that wherever the local Church appears, there the ministry of presiders is established. From this follows one of the fundamental principles of eucharistic ecclesiology: no local church can exist without the ministry of presiders." His own historical reading of the first decades concludes that there was a council of presbyters and among them one senior presbyter had oversight (episcopacy). "The New Testament presbyter-bishops were neither bishops nor presbyters but bishop-presbyters." Although the terms "bishop" and "presbyter" at the outset "did not designate different but the same figures," the one who was first among them eventually received a high priestly ministry, and the monarchical episcopacy was established.

This sets up the conclusions in chapter eight which views all activity in the Church under "the power of love." The Church recognizes the place of law in empirical social life, but essentially grace is the unique mover of all that happens within the Church. "Consequently, the organizing principal in the Church is the Spirit and this excludes every other principle since this would be external to it."

There will be challenges facing the reader because Afanasiev thinks in a way typical of Orthodox theology namely, with antinomy. In Pavel Florensky's study of the concept (*The Pillar and Ground of the Truth*) he defines it thus: "Antinomicalness does not say, 'Either the one or the other is not true.' It also does not say, 'Neither the one nor the other is true.' It only says, 'Both the one and the other are true, but each in its own way. Reconciliation and unity are higher than rationality.' " Because Afanasiev has this antinomical quality of thought, he could be misunderstood by one side and another. Schmemann spoke of the liturgy possessing a cultic antinomy because at the heart of the liturgy there is a cultic expression of the radical abolishment of cult. It looks like a temple, but it is not; he looks like a priest the pagans might recognize, but is not; it looks like a

religious sacrifice, but is much more. All these things—temple, priest, sacrifice—have passed through the hypostatic union.

In a parallel manner, Afanasiev has identified a hierarchical antinomy. Just when he sounds like he is describing the dinner party's pot roast, we discover he is in fact describing something more important. He is describing relationships that do not fit into either the world of law or the world of anarchy, and that is why he will be misunderstood by both the "clericalizer" and the "laicizer." Or, to borrow two of his terms, "church administration was neither aristocratic nor democratic, for it is not the will of man but the will of God through the revelation of the Spirit that is active in the Church." Just when one thinks he is on the side of the laity against the hierarchy, he assumes the apostolic importance of the hierarchy, and one realizes the distinction is a false one. He has been trying to make the false distinction evaporate under the heat of a new theology, a eucharistic theology. All things must pass through the hypostatic union before they are of any value in describing the Church, including the relationship of priest and laic. But, then, this is what theology is about, and what it demands of us. Theology is thinking on the level of the divine, and eucharistic ecclesiology would be thinking about the Church on something other than a human level. Afanasiev moves in a different world. And dislocating our mental patterns is one of the values, and pleasures, of the book. NV

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Georges Cottier. Itinéraire d'un croyant by Patrice Favre (*Tours, France: Éditions CLD, 2007*), 258 pp.

THIS IS an interesting and pleasant read on a significant Catholic thinker of the second half of the twentieth century, Georges Cardinal Cottier, theologian of the pontifical household under Pope John Paul II and professor of philosophy (emeritus) at the Universities of Geneva and of Fribourg, Switzerland. The reader of this journal should recognize the name Georges Cottier, since, as editor-in-chief of the French edition of *Nova et Vetera*, he is the senior editor of its English edition.

Authored by the religion editor of the newspaper of Fribourg, *La Liberté*, this book is written in the form of an interview, and the questions span the entirety of Cottier's life. Hence the subtitle of the work: *Itinerary of A Believer*. Indeed, the book proposes to serve as "both a biography and . . . a meditation on events and persons met, on God's presence in life

and in the Church" (10), and on this score it more than delivers. The author and interviewer, Patrice Favre, demonstrates a refreshing adeptness in Catholic theological and philosophical thought—refreshing, at least, for those on this side of the Atlantic who suffer under the clumsiness by which inept journalists routinely discuss the most superficial of things Catholic, if not of matters generally religious.

Despite being born and raised in Geneva, the city of Calvin, Georges Cottier grew up with a keen sense of a "grand Catholic culture," thanks in large measure to the influence of his friend and mentor, the great Thomist theologian and the founder of *Nova et Vetera*, Charles Journet. It is no exaggeration to maintain that Journet's influence stands behind nearly every word penned by Cottier throughout the entirety of his life. During Cottier's collège years, Journet spent each Saturday in Geneva expounding upon the beauty and grandeur of the Catholic faith to interested young Genevan Catholics. From Journet Cottier learned how to resolve the conflict between science and faith—and how his Catholic faith compelled him to oppose the totalitarian regimes of the 1930s. Indeed, Journet's group became such a hotbed of "spiritual resistance in Switzerland" during World War II (24) that even non-Catholics, mostly French refugees, came to listen to Journet. On this score Cottier is resolute: "For me, Nazism and communism belonged to the same order, the same totalitarian state, the same danger for the Church. Journet put us very quickly on guard against anti-semitism, the cult of the Nazi race. . . . There was no doubt in me on these issues" (19).

Cottier emerged as an ardent witness of such "spiritual resistance" during his university studies, which he began in 1941 at the University of Geneva. In his first public lecture to fellow students in December of 1943 at the age of twenty-two, Cottier chose to denounce the closing of the University of Oslo by the Nazis. However, while many of his fellow students fell to the allure of communism in their opposition to Nazism, Cottier was never fooled by the false romanticism by which so many westerners viewed Marxist thought. Denouncing the "cult of violence" integral to Marxism, Cottier delivers one of his many penetrating insights into the Marxist mind: "The Hegelian spirit, in conjunction with a kind of Darwinism, is foundational to Marxism. Marx's history operates like a great animal. The consequence, whether one wishes it or not, is a primacy given to the irrational and to force" (34).

A committed Christian and a reader of Maritain on being, Cottier would not take the bait of another philosophy *du jour* at the French universities: John-Paul Sartre's existentialism: "At bottom," Cottier contends, "Sartre is on the side of the vast current of modern philosophy that considers God

as man's rival. Sartre refuses to accept that he is a creature, since he sees this as a negation of human freedom. The consequence of this rejection is that moral action has no absolute source. Everything is permitted if God doesn't exist: is this not at the heart of today's culture, the idea that everything can evolve, that everything is relative? If I can determine my own values and standards, why can't I change them? This is the key moral problem of today" (39–40).

On July 2, 1945, Cottier took the Dominican habit. Responding to questions related to consecrated life, Cottier offers some spiritual gems that would benefit any religious to ponder anew (43–48): "Poverty is the Gospel! Jesus was poor. The religious lives detached from worldly goods to show that the values of the Kingdom are primary"; "What saves is the knowledge that we [religious] are as weak as others. . . . [W]e [religious] are always inferior to the task. But this [ministry] is the affair of the Holy Spirit, whose servants we are"; "Celibacy allows us to welcome those who suffer particular affective wounds, those who are completely lost. For them our hearts as priests must remain ready to serve. The father of a family cannot open his door to just anyone at any time, but a religious can"; "There is no 'trick' to remaining faithful [to one's religious vows], all one need do is pray!"; "A virtuous act is always a free act. [The vow of obedience] assumes that one *wishes* to obey: I have freely decided to submit my will to a superior. If obedience is not this, it is pure putting on."

In 1946 Cottier was sent to Rome to study under Garrigou-Lagrange, the great Thomist who nonetheless shared some sharp differences with Journet and Maritain (Journet once called Garrigou-Lagrange a "great theologian with a primitive mentality"). Still, Cottier admits to breathing deeply in the air of a revived living Thomism seeking to engage the modern world. This was a very different neo-scholastic Thomism from the one that, nine years before becoming Pope Benedict XVI, Cardinal Ratzinger suggested was incapable of dialoguing with our present culture (see *Salz der Erde. Ein Gespräch mit Peter Seewald* [Munich: 1996]). Cottier instead tells of enjoying "the grace of studying St. Thomas directly from the text, from the *Summa* itself" and not simply from the reductive formulaic syntheses of the manuals (55). Like Journet, Cottier believed the manualist tradition exhumed the mystery of God from Thomism by presenting the *Summa* as if it were the Code of Canon Law.

Interested by the religious elements of Marxism, Cottier returned to Geneva to finish his dissertation, subsequently published as *The Atheism of the Early Marx* (*L'athéisme du jeune Marx* [Paris: J.Vrin, 1959]). Not the fruit of philosophical reasoning, Marx's atheism, Cottier argues, was instead the result of a pure willful choice, of a defiant, Promethean rejection of God

in order to make man himself god (57–58). As a consequence of his doctoral research, Cottier became the expert in the Church on Marxism at a time when the Church and the world were most confronted by it. Regarding Marxism Cottier does not mince words: "It is an atheist and a totalitarian system. It denies both God and the human person, in the name of the Party and of the collective" (112).

Participating in the Second Vatican Council as the private theologian of the archbishop of Aix-en-Provence, Cottier played a significant role in the drafting of *Dignitatis Humanae* and of *Nostra Aetate*. He admits that the post-conciliar period has been a trying time for the Church, what with "too many bishops passing a blind eye" to priests "holding the faithful hostage to liturgical improvisations, which is a form of clericalism," and with too many priests letting "their feet slip off the pedals" in the face of the pressing evangelizing needs of the Church (97–98).

On the controversy surrounding artificial contraception, Cottier discloses that, before the publication of *Humanae Vitae*, he himself saw nothing morally wrong with the birth control pill. However, by his own admission, this was on account of "an inadequate understanding of the science. I thought the pill was a kind of medication that 'helped nature' in that it prolonged the woman's period of infertility, though in truth it blocks the natural process" (188–89). Cottier was also friends with the Swiss Dominican who was secretary of the commission established by Pope Paul VI to examine the morality of artificial contraception. As most know, this commission rendered a favorable judgment on the matter in 1966. Instead, Paul VI went with the opinion of the little known Polish cardinal, Karol Wojtyla, the future Pope John Paul II. "When the encyclical [*Humanae Vitae*] came out," Cottier acknowledges, "I immediately saw that I was wrong and why the Pope was right" (192).

Pope John Paul II named Georges Cottier theologian of the pontifical household—the pope's private theologian, as it were—in 1989 at the age of sixty-five (Cottier had been present for a homily by Wojtyla during the seven hundredth anniversary of the death of Aquinas, at which time he thought to himself, "Too bad he's Polish, he'd make a good pope!" [124]). He remarks that his work as the papal theologian consisted mostly of checking the content of the documents destined for the Pope's approval ("never before had a pope written so much!"), among the first of which was the *Catechism of the Catholic Church* ("This is a work that the Church *must* use!"). Singling out the great encyclical on the renewal of moral theology, *Veritatis Splendor*, Cottier notes that five or six versions of this document came before his desk before it was finally published in 1993. Cottier wrote his own commentary on the encyclical, *Deviens ce*

que tu es (*Become What You Are*) (Parole et Silence, 2003), wherein he develops the Pope's efforts at reestablishing the link between truth, the good, and human freedom. In this work he also takes issue with the Darwinian notion that morality is simply the result of an ongoing evolutionary process, and that it is therefore nonsensical to speak of an objective moral law written in the human conscience.

As for *Fides et Ratio*, the first version of which John Paul II himself wrote in 1986 but which was not issued until 1998, the thrust of this encyclical, Cottier observes, consists in its proclamation of reason's ability to know the real, to know with certainty, to know good and evil, and to know God. It seeks to counter the crisis facing truth itself, to reverse the human mind's retreat from the demands of truth and from its ability to attain it—and the ability of faith to come to reason's aid, to lift reason out of its metaphysical crisis, to give reason the certitude of faith (130, 151–52).

Continuing to address the modern spirit, the Genevan Cardinal notes how scientific progress has, for all its advantages, helped distract us from the "real" human drama: the fact that eternity enters into the frailty and brevity of human life. "Man plays out his eternal destiny here below," Cottier remarks, "and we can lose our souls! God wants all men to be saved, but if my freedom rejects God's love, God will respect my rejection. The human condition is dramatic, but that is our dignity . . . God's goodness is quite different [from that of someone who makes light of our sins], since he went to the extent of giving up his Son on the Cross. This proves that sin is no small affair! Rejecting God's love is no small affair" (214).

The book concludes with some reflections on the challenges facing the Church's attempt at dialogue with Islam (222–24). Cottier firstly points out the problem of Islam's failure to distinguish the spiritual realm from the temporal/political one. Second is Islam's problematic regard for the role of women. Third is Islam's refusal to allow for a critical reading of the Koran. Fourth is the Islamic view that God is totally beyond human knowledge, that God acts in history with a freedom that remains absolutely independent of all rational logic. Fifthly, noting that a developed understanding of the human person marks one of the great contributions of Judaeo-Christianity to the world, Cottier expresses concern over what the absence of such an understanding in Islam spells for religious freedom. And finally, the Cardinal reminds us that Islam has spread by war and conquest since its inception.

On a personal note, I close by noting that I took Fr. Cottier's metaphysics course at the University of Fribourg the year before he was appointed theologian of the pontifical household. What I beheld in the classroom twenty years ago shines forth fully in this book now: a profound

and penetrating spirit, a brilliant mind, and a shining example of a Thomism that engages and challenges contemporary culture. I warmly recommend this book for anyone who can read French and who wishes, even if for a brief couple hundred pages, to sit at the feet of a true master. NV

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