

## The Light of Tabor: Christian Personalism and Adoptive Sonship

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COMMENTATORS HAVE OBSERVED on the significance of the date that the Holy Father chose to sign the encyclical.<sup>1</sup> The August Feast of the Transfiguration illuminates the themes contained in *Veritatis Splendor*, especially the divine reality in man that Catholic moral theology guided by the Magisterium seeks to explicate and promote. It is axiomatic that all the mysteries of Christ's life, death, and resurrection sanctify those who are members of his Body. "Every act and suffering of Christ," Aquinas assures us, "acts instrumentally in virtue of his divinity for man's salvation."<sup>2</sup> The mystery of Christ's Transfiguration points in a special way to the theme that occupies many theologians of the period: pre-ethical anthropology and its relationship to a Christian anthropology of sonship. The Transfiguration assures us that a rational nature can participate through grace and charity in the divine glory and majesty.<sup>3</sup> We are left to consider the question: How does God accomplish this

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<sup>1</sup> See for example, J. A. Di Noia, OP, "Veritatis Splendor: Moral Life as Transfigured Life," in *Veritatis Splendor and the Renewal of Moral Theology*, ed. J. A. Di Noia, OP and Romanus Cessario, OP (Chicago, IL: Midwest Theological Forum, 1999), 1–10. This volume was published to commemorate the encyclical's fifth anniversary in 1998.

<sup>2</sup> *Summa theologiae* III, q. 48, a. 6: "omnes actiones et passiones Christi instrumentaliter operantur in virtute divinitatis ad salutem humanum," cited in Jean-Pierre Torrell, OP, *Saint Thomas Aquinas*, vol. 2, *Spiritual Master*, trans. Robert Royal (Washington, DC: The Catholic University of America Press, 2003), 135.

<sup>3</sup> See *ST* III, q. 23, a. 3.

transformation in those members of the human race whom he has predestined for glory?<sup>4</sup>

## I

We find in the *Summa theologiae* of St. Thomas Aquinas (1224/25–74) certain considerations essential to a proper theological understanding of a Christian anthropology of sonship. One line of inquiry is found in Aquinas's discussion of the mystery of Christ's life that governs the central message of *Veritatis Splendor*. When he treats the Transfiguration in *tertia pars* question 45, Aquinas includes in article 4 what at first glance appears to be a throw-away question: "Whether the testimony of the Father's voice, saying, *This is my beloved Son*, was fittingly heard."<sup>5</sup> In fact, this article contains an important distinction. Aquinas's express inquiry is about the "convenience"—the fittingness or suitableness—of the text that is recorded variously in each of the Synoptic accounts (Mt 17:5; Mk 9:7; Lk 9:35): "This is my beloved Son, with whom I am well pleased; listen to him" (Mt 17:5).<sup>6</sup> The authority of the canonical Gospels supplies an *in contrarium*. Since Aquinas accepts the sacred texts themselves as sufficient warrant for the fittingness of the testimony, the article contains no *sed contra*. God spoke these words, so there is no reason for theological discussion about their coherence with the economy of salvation. Still, the testimony of the Father's voice at the Transfiguration points to the question of sonship, both of Christ's own and, according to the principle of instrumentality, of that possible for the rational creature.

The reply to question 45, article 4 sets forth, as I have indicated, a first and crucial distinction for a Christian anthropology of sonship: "Men become adopted sons of God by a certain conformity of image to the natural Son of God. Now this is accomplished in two ways. First of all, by the grace of the wayfarer, which is an imperfect conformity; secondly, by glory, which is a perfect conformity."<sup>7</sup> Aquinas includes in this article

<sup>4</sup> Aquinas holds that the splendor which Christ assumed at his Transfiguration was that of a glorified body "as to essence, but not as to mode of being" (*ST* III, q. 45, a. 2).

<sup>5</sup> *ST* III, q. 45, a. 4: "utrum convenienter auditum fuerit testimonium paternae vocis in transfiguratione."

<sup>6</sup> Scripture references are taken from the Revised Standard Version, Catholic edition (1965).

<sup>7</sup> *ST* III, q. 45, a. 4: "Dicendum quod adoptio filiorum Dei est per quamdam conformitatem imaginis ad Filium Dei naturalem. Quod quidem fit dupliciter: primo quidem fit per gratiam viae, quae est conformitas imperfecta; secundo, per gloriam patriae, quae erit conformitas perfecta. . . ." Translations from the *Summa theologiae*,

the text of 1 John 3:2: “Beloved, we are God’s children (in the Vulgate Latin, “*fili Dei*”) now; it does not yet appear what we shall be, but we know that when he appears we shall be like (“*similes*”) him, for we shall see him as he is.” A first thing to consider, therefore, about a Christian anthropology of sonship is that it exists for now in a twofold state or degree of likeness or similitude, one here below that is imperfect, another, above on high that is perfect. A second thing to consider is that this likeness or similitude is impressed on the human being after the fashion of an inhering form, which according to the adage *forma dat esse* becomes the principle of the Christian’s image-activity. The final perfection of this activity is called beatific vision.

To distinguish a twofold state of sonship gives theologians a way to talk about the eschatological expectations that Christians cherish in accord with what St. Paul writes in Romans, “and if children (“*fili*”), then heirs, heirs of God and fellow heirs with Christ . . .” (8: 17). It also affords a way to understand growth in holiness; for as *Veritatis Splendor* observes, there is a close connection “between eternal life and obedience to God’s commandments.”<sup>8</sup> The dynamic relationship between what here below remains imperfect and what at the same time tends toward being perfect is lived out by each believer in what the encyclical calls the “Christian moral life.”<sup>9</sup> “Dynamic” is not, in this context, a superfluous modifier. The term serves to signify any movement that proceeds both from the inner dimension of the reality itself and according to some kind of necessity, as an acorn contains imperfectly the perfect oak tree that (barring external impediments) will develop from it.

The necessity that attaches to natural dynamic movements is not absolute. Aquinas usefully points out in his commentary on Aristotle’s *Physics* that movement in nature proceeds according to a necessity that is suppositional, *ex suppositione finis*.<sup>10</sup> At the beginning of the *tertia pars*, without diminishing the excellence of the grace of union, he also applies this mode of necessity, that is, when something is required for a better and more expeditious attainment of an end, to the Incarnation itself.<sup>11</sup> Some

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sometimes slightly modified, are taken from the sixty-one-volume Blackfriars edition published in London by Eyre & Spottiswoode between 1964–1980.

<sup>8</sup> See *Veritatis Splendor*, no. 12.

<sup>9</sup> For example, “The Spirit of Jesus, received by the humble and docile heart of the believer, brings about the flourishing of Christian moral life and the witness of holiness amid the great variety of vocations, gifts, responsibilities, conditions and life situations” (no. 108).

<sup>10</sup> *Physics* II, ch. 9 (200a14). For further discussion, see William A. Wallace, *The Modeling of Nature* (Washington, DC: The Catholic University of America, 1996), 20ff.

<sup>11</sup> See *ST* III, q. 1, a. 2.

acorns will be eaten by squirrels, just as some wayfarers, though they may receive initially the grace of adoptive sonship, will sin and fall away. In the orders of nature and grace, *ex suppositione finis* works to illustrate how the God-given dynamism that belongs to a particular created form interacts with other natural or voluntary agents in the course of moving toward the perfective end proper to the form.<sup>12</sup> Our transformation into sons proceeds in accord with this kind of necessity.

## II

It is important to remember that Aquinas builds his anthropology of sonship around the notion of the image: “per quamdam conformitatem imaginis ad Filium Dei naturalem.” It is equally important to recall that Aquinas does not hold that adoptive sonship is to be thought of as a participation in the natural sonship that is Christ’s. Just as the human image is related to the Trinity as its model, adoptive sonship is contracted in respect to the whole Trinity. Although some New Testament texts, such as Galatians 4:4, “God sent forth his Son . . . so that we might receive adoption as sons,” may appropriate adoption to the natural Son within the Trinity, the bestowal of the grace of adoption, including the eschatological promises that this grace brings, results from the work of the whole Trinity.<sup>13</sup> In accordance with a way of speaking about God, which is in fact what appropriation is, adoption is attributed “to the Father as its author, to the Son as its model, to the Spirit as the Person who imparts to us the likeness of this model.”<sup>14</sup> As part of the divine economy, adoptive sonship itself is the common work of the three divine Persons.

In order to grasp what Aquinas means when he says that “adoptive sonship . . . is similar to natural sonship,” it is necessary to return to his discussion of the Blessed Trinity; in particular, to recall his absolute consideration of each divine Person found in *prima pars* questions 33–38.<sup>15</sup> After a single question devoted to the First Person, Aquinas turns “to study the Person of the Son. The names given him are three,” says Aquinas, “‘Son,’ ‘Word’ and Image.’ We know,” he continues, “the meaning of the term ‘Son’ from that of the ‘Father’; there remain to be

<sup>12</sup> The difference between providence and predestination is understood.

<sup>13</sup> See *Catechism of the Catholic Church*: “The whole divine economy is the common work of the three divine persons” (no. 258).

<sup>14</sup> *ST III*, q. 23, a. 2, ad 3. See *Blackfriars*, vol. 50, ed., Colman E. O’Neill, OP (1965), appendix 6, esp. 254–56.

<sup>15</sup> *ST III*, q. 23, a. 3.

examined, then, the names ‘Word’ and ‘Image,’<sup>16</sup> The examination continues in questions 34 and 35 of the *prima pars* where we learn that the Christian tradition agrees that the names “Word” and “Image” are both personal names in God and names proper (*proprium*) to the Second Person of the Blessed Trinity. It is not possible to develop a theologically accurate Christian anthropology of sonship without including proper reference to the other personal names of the Son, “Word,” and “Image.” This is the case because of the nature of the Trinitarian processions. The Christian tradition, following the lead of St. Augustine, holds that the Second Person is considered first as Word and only then, in terms of intellectual procession, as Son.<sup>17</sup> As Aquinas expresses it, “the procession of the Word corresponds to the action of the intellect (“actionem intelligibilem).”<sup>18</sup>

Two considerations follow: First, about the Word. As the biblical accounts of creation suggest, the divine “Word” bears a special relationship to creatures. In his commentary on John’s Gospel, Aquinas observes that *Logos* was not, as it could have been, translated as *ratio* because the Prologue expresses the effective power of the Word, “all things were made through him” (Jn 1:3), whereas *ratio* expresses only the cognitive character of the concept or mental word.<sup>19</sup> The name “Word” connotes, then, a reference to creatures inasmuch as, though God’s knowledge of Himself is cognitive, his knowledge of everything that is outside of himself is both cognitive and causative (*factiva*). “Logos” nonetheless connotes pattern or model, an “actionem intelligibilem.”<sup>20</sup> It is interesting to observe that when *Lumen Gentium* comments on the text of Colossians 1: 15, “He is the image of the invisible God, the first-born of all creation; for in him all things were created,” the conciliar text carefully expresses itself: “[Christus] est *imago Dei* invisibilis, in eoque *condita sunt universa*.”<sup>21</sup> In Christ, all things receive their foundation. In this foundation, living things find their ends: “[C]reatures are said to do God’s word inasmuch as they

<sup>16</sup> Prologue at *ST I*, q. 34: “Deinde considerandum est de persona Filii. Attribuuntur autem tria nomina Filio, scilicet Filius, Verbum et Imago. Sed ratio Filii ex ratione Patris consideratur; unde restat considerandum de Verbo et Imagine.”

<sup>17</sup> See *ST I*, q. 27, a. 2: “Unde processio verbi in divinis dicitur generatio et ipsum verbum procedens dicitur Filius.”

<sup>18</sup> *ST I*, q. 27, a. 3: “Processio autem verbi attenditur secundum actionem intelligibilem.”

<sup>19</sup> *Lectura super Ioannem* 1, lect. 1. For further information, see Blackfriars edition of the *Summa theologiae*, vol. 7, ed. T. C. O’Brien (1976), 38, n“c.”

<sup>20</sup> See above note 18 and *ST I*, q. 27, a. 3.

<sup>21</sup> *Lumen Gentium*, no. 7.

carry out some effect toward which they are directed through the begotten Word of divine wisdom.”<sup>22</sup>

The causal relationship that exists between God and creatures remains a central element of Aquinas’s Christian anthropology. When it is said that all things are created in the Word, this means that everything that God creates enjoys the special causal relation of creation. Anti-Arian caution excludes this relation being affirmed with reference to the Second Person, who is Son “origine non adoptione; veritate non nuncupatione; nativitate non creatione.”<sup>23</sup> Human beings, on the other hand, bear a likeness to the intelligible Word of divine wisdom because they have been created in Him. Pre-ethical anthropology concerns what is proper to this kind of creature, who since he is endowed with mind and will, is also said to bear the natural image of the Trinity.<sup>24</sup> The encyclical refers to “man’s proper and primordial nature, the ‘nature of the human person’ (*Gaudium et Spes*, no. 51), which is the person himself in the unity of soul and body, in the unity of his spiritual and biological inclinations and of all the other specific characteristics necessary for the pursuit of his end.”<sup>25</sup>

Second, about the Image” The Son is properly said to be the image of God because he is the Word of God: “[T]he Son proceeds in the manner of a word, whose meaning it is to be alike in kind (“similitudo speciei”) to the source from which it proceeds.”<sup>26</sup> However, adopted sons in the Son do not possess this “similitudo speciei,” and so we find ourselves compelled to recognize some form of analogical agreement. In order to ensure that the work of adoptive sonship, of making us like the natural Son, is seen as a work of the whole Trinity, recourse to analogy of proper proportionality is required: The natural Son is to the Father as the adoptive son is to the whole Trinity. God’s adoptive sons are in the fullest sense of the word, his creation, and thus they cry out, “Abba! Father!” (Rom 8: 15).

Now we can interpret what Aquinas means when he says that “men become adopted sons of God by a certain conformity of image to the natural Son of God.”<sup>27</sup> Because image also requires analogical predication when said of the Son and of the human creature, it is necessary to identify what is similar and different in the analogy: “The image of one

<sup>22</sup> *ST I*, q. 34, a. 1, ad 4: “creaturae dicuntur facere verbum Dei in quantum exsequuntur effectum aliquem, ad quem ordinantur ex verbo concepto divinae sapientiae.”

<sup>23</sup> Hilary of Poitiers, *De Trinitate* Bk 3, 11 (PL 10:82).

<sup>24</sup> See *ST I*, q. 45, a. 7, where Aquinas takes up the distinction between the image and the trace (“vestigium”) of the Trinity in creation.

<sup>25</sup> *Veritatis Splendor*, no. 50.

<sup>26</sup> *ST I*, q. 35, a. 2.

<sup>27</sup> See above, note 7.

thing is present in another in one of two ways. The first, as in a being of the same specific nature, e.g., the king's image in his son; the second, as in a being of a different nature, e.g., the king's image on a coin. The Son is the Image of the Father in the first manner; man is the image of God in the second."<sup>28</sup> When it is said that man is created after the image of God, this means that there exists within a specifically different nature from that of God an analogical likeness to God that is able to undergo transfiguration.<sup>29</sup> The existence of a natural likeness that is apt for receiving a new form that grace or glory confers remains a central notion of St. Thomas's theological anthropology and, I would argue, the supposition of the encyclical *Veritatis Splendor*.

To minimize the distinction between what is created by God through the Word and what is brought forth through the redemptive action of the incarnate Son in the Church risks confusing the orders of nature and grace, with the result that it would be difficult to treat rightly a Christian anthropology of sonship. To cite one example from the encyclical, it is sufficient to recall what it says about a sometimes fashionable exaggerated personalism: "This heightened sense of the dignity of the human person and of his or her uniqueness, and of the respect due to the journey of conscience, certainly represents one of the positive achievements of modern culture. This perception, authentic as it is, has been expressed in a number of more or less adequate ways, some of which however diverge from the truth about man as a creature and the image of God, and thus need to be corrected and purified in the light of faith."<sup>30</sup>

To take full account of "the truth about man as a creature and the image of God" it is necessary to insist upon a threefold distinction that governs the relationship between pre-ethical anthropology and a Christian anthropology of sonship. (1) God may be called "Father" with respect to intelligent creatures on account of the likeness of the natural image, but not with the priority of a personal name, and therefore by way of metaphor not by proper analogy. In order for the analogical deployment of Father to be valid, there must be a relation of one person to another. This personal analogy applies, as has been observed already, (2) to adoptive sons on earth who

<sup>28</sup> *STI*, q. 35, a. 2, ad 3: "... imago alicujus dupliciter in aliquo invenitur: uno modo in re ejusdem naturae secundum speciem, ut imago regis invenitur in filio suo; alio modo in re alterius naturae, sicut imago regis invenitur in denario. Primo autem modo Filius est Imago Patris; secundo autem modo dicitur homo imago Dei."

<sup>29</sup> Also see *STI*, q. 33, a. 3: "The quality of being God's son is present in a creature not in the full sense, but on the basis of a limited likeness, and one that becomes fuller the nearer it approaches the absolute expression of this sonship."

<sup>30</sup> *Veritatis Splendor*, no. 31.

enjoy likeness to the divine by grace and (3) to full-blown saints in heaven who enjoy the likeness of glory, in accord with what St. Paul says in Romans 8:17, “and fellow heirs with Christ, provided we suffer with him in order that we may also be glorified with him.”<sup>31</sup> One may speak of the dynamism of discipleship. In fact, adoptive sonship includes a missionary aspect, as the Holy Father so clearly indicated in his Apostolic Letter *Novo Millennio Ineunte*: “Did we not celebrate the Jubilee Year in order to refresh our contact with this living source of our hope? Now, the Christ whom we have contemplated and loved bids us to set out once more on our journey: ‘Go therefore and make disciples of all nations, baptizing them in the name of the Father, and of the Son and of the Holy Spirit’ (Mt 28:19). The missionary mandate accompanies us into the Third Millennium and urges us to share the enthusiasm of the very first Christians: we can count on the power of the same Spirit who was poured out at Pentecost and who impels us still today to start out anew, sustained by the hope ‘which does not disappoint’ (Rom 5:5).”<sup>32</sup> Only God can effectuate this movement.

### III

What is apparent to those persons who, over the past decade, have welcomed the encyclical? The limitations of space allow me to comment only on certain themes that had been suggested by those who organized the Roman symposium at which this essay was first read.<sup>33</sup> First are questions of the present moment. Three areas of concern that have emerged in the past several years include: stem cell research, which makes it difficult to work in the area of bioethics; the state approval of same-sex unions, which makes it more difficult to both instruct about chastity and promote the full truth about marriage; and lack of agreement on just war criteria, which relates to the general theme of political prudence. When one addresses these questions, following the method of *Veritatis Splendor* makes it possible to avoid giving the impression that the Church promotes sectarian or private moral views. What is at stake is man’s participation in the divine goodness: “Each creature is stretched out toward the attainment of its own perfection, which is a likeness of the divine perfection and goodness.”<sup>34</sup> As the important teaching found in

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<sup>31</sup> The material is set forth in *ST I*, q. 33, a. 3: “Utrum hoc nomen Pater dicatur in divinis per prius secundum quod personaliter sumitur.”

<sup>32</sup> *Novo Millennio Ineunte*, no. 58.

<sup>33</sup> The symposium composed of international scholars was held during the month of September 2003.

<sup>34</sup> *ST I*, q. 44, a. 4: “Et unaquaeque creatura intendit consequi suam perfectionem, quae est similitudo perfectionis et bonitatis divinae.”



chapter one of the encyclical reminds us, “Only God can answer the question about what is good, because he is the Good itself.”<sup>35</sup> The themes of adoptive sonship and the image of God find their completion in Beatitude, or in the beatific vision. But these themes also are to be understood within the context of the fundamental participation in the divine goodness that informs everything that exists. The basic teleological dynamism of creation emerges against the background of the divine will from which all striving after perfection springs.<sup>36</sup> The challenge for the Christian evangelist and theologian is to persuade people to consider this truth of creation when they engage in ethical issues.

Second is the question of conscience. The formation of the moral conscience requires adherence to the truth about the good. As the encyclical points out, “in the practical judgment of conscience, which imposes on the person the obligation to perform a given act, the link between freedom and truth is made manifest. Precisely for this reason conscience expresses itself in acts of ‘judgment’ that reflect the truth about the good, and not in arbitrary ‘decisions.’”<sup>37</sup> It is impossible for anyone to make a judgment of conscience that conforms to the truth about the good without possessing the virtue of prudence. In my view, there is more reason today than there has been in the past to employ the distinction between infused and acquired prudence. This distinction helps one to explain the Gospel and its requirements to people who possess some appreciation of what moral goodness imposes on every human being.

Prudence perfects the practical intellect. A moral anthropology that purports to serve *Veritatis Splendor* must take account of all the capacities in the human creature that require development and perfection. Sin in the broad sense occurs when these capacities do not produce an action that achieves the perfective ends that together comprise the good of man. To cite Aquinas, a person sins when he performs an action deprived of its proper ordering to the end, *actus debito ordine privatus*. Both moral conscience and sin are properly explained within the larger context of the goods that perfect man as an individual (particularly the virtues of personal discipline, temperance, and courage) and as a social being (the virtue of justice and its parts). None of these virtues can operate outside of the directive function that is unique to prudence and that ensures the harmony of right reason and right appetite. Every sin therefore involves some departure from prudence.

It seems to me that most of the commentary, at least in English, that the encyclical has received centers on the rich instruction, found in

<sup>35</sup> *Veritatis Splendor*, no. 9.

<sup>36</sup> See O’Neill, 252.

<sup>37</sup> *Veritatis Splendor*, no. 61.

section 4 of chapter 2, on the nature of the moral act. Competent moral theologians have sought to expound especially on the meaning of the phrase “in the perspective of the acting person” as this applies to the specification of the moral act.<sup>38</sup> It would not be useful to rehearse even briefly these discussions and exchanges. I would however like to conclude by remarking on what many consider to be an important connection between moral action and perfective end. The suggestion comes from a point that is well-known by those who study Aristotle’s *Ethics*: As a person is according to his appetites, so he views the end.<sup>39</sup> We discover in the ethical wisdom of the classical philosophers, who were deprived of all knowledge of adoptive sonship, a clue to understanding the full meaning of a Christian anthropology of sonship. To follow the way of the Lord Jesus a person must first of all be conformed to the Lord Jesus. This conformity is fully personal insofar as it extends to every properly human capacity that man enjoys: all the powers of the soul, including, and perhaps especially so, the powers of sense. The man who is conformed to Christ is the one who will love like Christ. In order to account for this new capacity to love completely, the theological tradition that follows Aquinas speaks about the infusion at baptism of both theological *and moral* virtues.

My pastoral experience persuades me that unless we bring people to love moral truth, especially in those situations where adhering to moral truth entails what is thought to be great sacrifice, for example, the care of pregnant rape victims and the refusal to resort to artificial forms of fertilization (IVH), we will never persuade them to act in accord with the truth. It is my impression that even some good Catholic moral theologians are too influenced by modern moral theories and so rest content to develop moral arguments. A Christian anthropology of sonship requires much more than minute attention to formal argument. Aquinas suggests what this “more” entails when he explains that the person in whom the influence of the virtues and the gifts is strong enters into a “semi-experiential” awareness of the divine indwelling Persons: “The Son in turn is the Word; not, however, just any word, but the Word breathing Love. . . . So Augustine says pointedly, ‘The Son is being sent whenever someone has knowledge or perception of him,’ for ‘perception’ points to a kind of

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<sup>38</sup> Many of the articles to which I refer have appeared in *The Thomist*. For example, Steven A. Long, “A Brief Disquisition Regarding the Nature of the Object of the Moral Act According to St. Thomas Aquinas,” *The Thomist* 67 (2003): 45–71.

<sup>39</sup> For a discussion of this adage and its place in the virtue theory of Aquinas, see my *Introduction to Moral Theology* (Washington, DC: The Catholic University of America Press, 2001).

experiential awareness and this precisely is what wisdom is, a knowing that, as it were, is tasted.”<sup>40</sup> To this wisdom, which comprises more than the recognition of moral norms, the encyclical summons us. The whole world should be grateful for the invitation. It supplies their title to transformation.

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<sup>40</sup> See *ST I*, q. 43, a. 5, ad 2.

## Shame, Lust, and the Human Body after the Fall: A Comparison of St. Augustine and Pope John Paul II

MEGHAN K. COKELEY

ALTHOUGH they are writing from different philosophical frameworks, the theological anthropologies of John Paul II and that of St. Augustine of Hippo share remarkable continuities in the area of human sexuality. In this article, I will draw out these theological continuities on the topics of shame, lust, and the human body. I intend to demonstrate that the Holy Father, specifically in his teachings in *The Theology of the Body*, offers an important development in thinking on these topics. At the same time, it will also become obvious that these developments do not stand isolated in the Tradition of the Church, but have their roots precisely in the theological anthropology of St. Augustine.

In his *City of God*, St. Augustine treats the state of man before and after the fall in great detail. He describes an order within the original human person that was the reason for man's blissful enjoyment of Paradise. The human person, he explains, was created according to a specific order in which God himself was the source of life for the soul and the soul, in turn, was the source of life for the body.<sup>1</sup> As long as the soul remained in union with God, life flowed directly from God to the soul and from the soul to the body. In this order, every operation of the body was in full submission to the will and the human will was, in turn, in full submission to the divine will. Through his continued obedience to God, man existed in a material and spiritual paradise that was made possible by the rightly ordered state of his own person.<sup>2</sup> In this paradise, the entire

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<sup>1</sup> St. Augustine, *City of God*, trans. Henry Bettenson (London: Penguin, 1972): 13.2.

<sup>2</sup> *Ibid.*, 14.11.

human person was covered with a “garment of grace” through which their bodies “did not know how to rebel against their will.”<sup>3</sup> This garment of grace kept the human person in perfect order. This perfect order resulted in the blissful experience of the first human beings in which “true joy flowed perpetually from God, and toward God there was a blaze of ‘love from a pure heart, a good conscience, and a faith that was no pretence’ . . . there was harmony and a liveliness of mind and body, and an effortless observance of the commandment. Man was at leisure, and tiredness never wearied him.”<sup>4</sup> This harmony of body and mind that characterized the state of Paradise is important for Augustine’s anthropology of lust and shame. It is through the Fall that the harmony between the body and mind is ruptured and man experiences for the first time his body as no longer in submission to his will. This is the entrance of lust into the human experience.

The lack of submission of the body to the will was not the first failure of the human being. Augustine instead describes the lack of submission of the body as a secondary result of man’s initial lack of submission to God that constitutes the original sin. Given the ordering of the human person as body dependent upon soul and soul dependent on God, it is clear how man’s first disobedience to God through his will would result in a secondary disobedience of the body to man’s will. A rupture in one aspect of the organic continuity that the man experienced between his constituent parts resulted in a rupture throughout the entire man. Augustine explains, “The soul, in fact, rejoiced in its own freedom to act perversely and disdained to be God’s servant; and so it was deprived of the obedient service which its body had at first rendered.”<sup>5</sup> Upon the break of the will with God came the break of the body with the soul.

In a brilliant move, Augustine then goes on to explain that the disobedience of the flesh now serves as a visible sign of man’s disobedience to God. The sexual body parts are those body parts to which Augustine explicitly refers when speaking of the disobedience of the body. They are the parts of the body that are moved by lust alone, completely apart from man’s will.<sup>6</sup> These sexual body parts, insofar as they move independently of man’s will, give witness to man’s movement independently of God’s will. This is the reason that shame is attached to the sexual parts of the body. Augustine explains, “For after their disobedience to God’s instructions, the first human beings were deprived of God’s favor; and immediately they

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<sup>3</sup> *Ibid.*, 14.17.

<sup>4</sup> *Ibid.*, 14.26

<sup>5</sup> 13.15 [?AU?ED: footnotes 5, 6, 7: Not *Ibid.*? Unclear]

<sup>6</sup> 14.16

were embarrassed by the nakedness of their bodies. They even used fig leaves . . . to cover their *pudenda*, the ‘organs of shame.’ These organs were the same as they were before, but previously there was not shame attached to them. Thus they felt a novel disturbance in their disobedient flesh, as a punishment which answered to their own disobedience.”<sup>7</sup> Notable in this passage is Augustine’s insistence that the sexual body parts, the *pudenda*, or parts of shame, were originally *not* shameful but are only called so now precisely because they are a witness to the soul’s shameful disobedience to God. This explains the embarrassment of the original pair upon realizing their nakedness. With the garment of grace removed, their bodies became disobedient to their wills and in so doing served as a witness to their own disobedience before God.

Shame, then, for Augustine is a secondary reaction, a reaction to sin in man’s heart. In the case of sexuality, shame is a reaction to the lust that arose in man’s heart because of sin. Especially in reference to the sexual body parts, shame is attached to them because they move in obedience to lust, disobedient to the rightly ordered will.<sup>8</sup> The entrance of lust into the human experience was a direct result of the Fall. The rupture in the unity between body and soul as a result of man’s break with God allowed for the disordering of man’s desires. In this disorder, emotional and physical desires created a deep disturbance within the interior man because they were no longer submissive to man’s will. Sexual lust is one of the strongest of these disturbances. Augustine explains that sexual lust “disturbs the whole man, when the mental emotion combines and mingles with the physical craving . . . there is an almost total extinction of mental alertness.”<sup>9</sup> This lust in man’s interior self is the force that motivates the movement of his sexual organs. For this reason, the sexual body parts become visible signs of man’s interior lust.

The experience of shame in reference to sexuality lies precisely in this fact that physical sexuality now gives witness to the lust that taints the whole experience of man. Shame, then, is a rightful part of the human experience of sexuality in that it is a reaction against the lust that is present in these experiences. “It is right, therefore, to be ashamed of this lust, and it is right that the members which it moves or fails to move by its own right . . . should be called ‘parts of shame,’ which they were not called before man’s sin.”<sup>10</sup> In this passage, a certain positive function of shame can be identified. While on the negative side, shame arises from the experience of

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<sup>7</sup> 13.13

<sup>8</sup> *Ibid.*, 14.19.

<sup>9</sup> *Ibid.*, 14.16.

<sup>10</sup> *Ibid.*, 14.17.

lust and professes that man was not made to experience it, it can also be said that shame, precisely as a reaction *against* lust, positively bears witness to the fact that man knows he was originally created with a wholly integrated order within himself, free from lust. For Augustine, shame declares that the human body was originally obedient to the human will, which in turn was obedient to God. The body, then, and in particular the sexual organs in the beginning bore witness to man's faithful obedience to God by their own faithful obedience to the human will. The reality of shame as a reaction to lust professes precisely this truth about the human person. In a sense, the experience of shame in reaction to lust is a proclamation from man's heart in which he declares with Christ "in the beginning, it was not so," in the beginning, man did not have this experience of lust.

This same positive function of shame is found in John Paul II's reflections upon the human person after the Fall. Like Augustine, John Paul II identifies shame as a secondary experience that results from the experience of lust. More precisely, shame "reveals the moment of lust."<sup>11</sup> In revealing the moment of lust, shame in a sense bears witness against it. From this negative meaning, a positive value also emerges. The Holy Father explains, "If [shame] reveals the moment of lust, at the same time it can protect from the consequences of the three forms of lust. It can even be said that man and woman, through shame, almost remain in a state of original innocence."<sup>12</sup> By this statement, John Paul II radically deepens the Augustinian positive value of shame: Shame in some sense makes possible the upholding of the original grace-filled dignity of the original man who was free from sin. While shame does not keep man from lust, it protects him from its demoralizing effects: "From shame springs respect for one's own body."<sup>13</sup> It does so as a reaction that identifies lust as a "threat" to man's original intrinsic value and precisely by doing so "preserves" the original and irrevocable dignity of man.<sup>14</sup> In other words, the Holy Father wants to say that the experience of shame is actually a witness to man's intrinsic dignity, which while constantly offended through sin, is nevertheless a truth about man that was not lost in the Fall. Shame is man's way of preserving the dignity bestowed upon him from the beginning.

From the beginning man was created with an interior order, according to the Holy Father. He follows in the Augustinian tradition of affirming

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<sup>11</sup> Pope John Paul II, *Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books and Media, 1997: General audience of 6/25/80.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*, audience of 2/4/81.

<sup>14</sup> *Ibid.*, audience of 5/28/80.

the rightful submission of the body to the soul as proper to the order and dignity given to man. Like St. Augustine, therefore, he describes an original psychosomatic unity within the human person in which the body gave full visible witness to the reality of the entire person.<sup>15</sup> This unity between body and soul was a direct result of man's unity with his Creator. Through the disobedience of the first man and woman, man's unity with God was ruptured. In choosing not to obey the command of God, the original man "casts God out of his heart." In doing so, he "detaches his heart and almost cuts it off from what 'is of the Father.'"<sup>16</sup> Through this rupture with God, a rupture takes place also within the man. John Paul II calls it a "rupture of man's original spiritual and somatic unity."<sup>17</sup> The Holy Father explains that this rupture gave rise to the entrance of lust into the human experience. Without the rightful submission of the body to the soul and the soul to God, human desires became disordered. In casting God out of his heart, "there remains in him what 'is of the world.'"<sup>18</sup> Concupiscence, or lust, is the result: "Flaring up in man, [lust] invades his senses, excites his body, involves his feelings and in a certain sense take possession of his heart. . . . [lust] suffocates in his heart the most profound voice of conscience, the sense of responsibility before God."<sup>19</sup> Therefore, lust is that experience in which man's disordered desires overturn the rightful authority of the intellect and will and become themselves the authors of man's actions.

John Paul II defines sexual lust as above all the desire to appropriate another person for the satisfaction of one's own desires, in this case, sexual desires. In the beginning, all sexual desires were ordered toward fulfilling the nuptial meaning of human existence, that call to make a disinterested gift of oneself in love to another human being.<sup>20</sup> With the disordering of those desires originally intended to call man to communion came the disordering of the purpose of those desires. The reality of lust in the human heart causes the communion of persons, which is based on mutual self-giving in love, to give way to a "relationship of possession of the other as the object of one's own desire."<sup>21</sup> In the context of the nuptial meaning of human existence and the communion of persons, lust takes on a whole new dimension. Not only does lust cause the breakdown of the

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<sup>15</sup> Ibid., audience of 11/14/79.

<sup>16</sup> Ibid., audience of 4/30/80.

<sup>17</sup> Ibid., audience of 5/28/80.

<sup>18</sup> Ibid., audience of 4/30/80.

<sup>19</sup> Ibid., audience of 9/10/80; cf. *City of God* 14.16.

<sup>20</sup> Cf. *ibid.*, audience of 1/16/80.

<sup>21</sup> Ibid., audience of 6/25/80.



unity and harmony *within* the *individual* human person, but also it represents the breakdown in the unity and harmony *between* persons. For this reason, lust becomes not just destructive on a personal level, but on a social level as well.

One finds here a development on St. Augustine's formulation that the dominance of carnal desire lies at the foundations of the city of man, that human society which exists counter to the harmony and righteousness of the City of God. Augustine identifies the beginnings of this earthly city with Cain who, "overcome by envy," slew his brother Abel.<sup>22</sup> The notion of being "overcome" by disordered desire marks the roots of the city of man. From this point on in human history, the disorder in man's own heart, that disorder whereby carnal desire supercedes the authority of the will, creates conflict and division in human society. Augustine describes this breakdown as a battle between spiritual and carnal desire, a battle that he also insists occurs not just within the individual, but *between* individuals: "And in the individual it is true that 'the flesh has desires which resist the spirit, and the spirit has desires which resist the flesh.' Accordingly, spiritual desire can fight against the carnal desire of another person, or carnal desire against another's spiritual desire, just as the good and the wicked fight against one another."<sup>23</sup> So it is clear that for Augustine (and here we find the roots of John Paul II's thought) the reality of carnal desire, or concupiscence, in man is the source and cause of the breakdown of the communion of persons in human society.

Although for Augustine and John Paul II lust has destroyed the original unity that existed within the person and between persons, the break is not complete and definitive. While for the Holy Father original sin represents an irrevocable loss of the original bliss and harmony of paradise, there remains in the human person the call to self-giving love even after the Fall.<sup>24</sup> Concupiscence has not completely dominated the heart of man. Furthermore, through the death and resurrection of Christ, redemptive grace is made available for overcoming lust and the restoration of the communion of persons. The Holy Father explains, "The fruit of redemption is the Holy Spirit, who dwells in man and in his body as a temple."<sup>25</sup> Insofar as the Holy Spirit dwells in man through his faithfulness to the grace of redemption, man is said to live a life "according to the Spirit" that affords him the gradual regaining of his original dignity, the transformation of his desires, and the harmonization of his body and

<sup>22</sup> St. Augustine, *City of God*, 15.5.

<sup>23</sup> *Ibid.*

<sup>24</sup> John Paul II, *Theology of the Body*, audience of 2/13/80.

<sup>25</sup> *Ibid.*, 2/11/81.

soul. This healing and reordering of man's desires renders him free to give himself away in love. This makes man capable of experiencing human sexuality as it was originally intended, as an incarnation and expression of the nuptial meaning of his existence. Human sexuality becomes, through a life lived according to the Holy Spirit, no longer a source of shame but the sign and sacrament of self-giving love.

The Holy Father contrasts this "life in the Holy Spirit" with a life lived "according to the flesh" in which lust overcomes and gradually takes over the interior life of the man. Instead of experiencing freedom, the continued indulgence or passive compliance with lust leads to slavery in the heart of man.<sup>26</sup> Human sexuality becomes a source of slavery and as a consequence also a source of shame. Man knows deep in his heart that he was created for freedom and self-giving love. The man of lust recognizes the disorders of his heart and is ashamed of them, even if he is not yet willing to open himself to the redemption of these disorders.

It is important here to note that in the distinction between "life in the Spirit" and "life in the flesh," one does not understand "flesh" to represent the body, as if the body were the source of all that is contrary to the work of the Holy Spirit. This point is also made by St. Augustine. Both refer to the Pauline text that lists the "works of the flesh" (Gal 5:20–21) and remark that many of the "works" listed have their source in the mind. Augustine states, "For among the 'works of the flesh' which [Paul] said were obvious, and which he listed and condemned, we find not only those concerned with sensual pleasures . . . but also those which show faults of the mind."<sup>27</sup> John Paul II echoes this argument: "It is significant that Paul mentions not only 'fornication, impurity, licentiousness . . . drunkenness, carousing.' He names other sins too . . . 'idolatry, sorcery, envy. . . .' According to our anthropological categories, we would rather be inclined to call all the works listed here sins of the spirit."<sup>28</sup> In other words, both theologians want to argue that the Pauline distinction between flesh and Spirit is not so much about the body as contrary to the spirit as it is about *sin* in contrast to the Holy Spirit. This is important for maintaining the dignity and inherent goodness of the body that both Augustine and John Paul II affirm in their reflections.

For both Augustine and John Paul II, the human body has inestimable worth and value. Augustine, however, stops short of articulating the full beauty of those parts of the body that express human sexuality. Whereas

<sup>26</sup> Karol Wojtyła (Pope John Paul II), *Love and Responsibility*, trans. H. T. Willets (New York: Farrar, Straus and Giroux, 1981), 159–66.

<sup>27</sup> St. Augustine, *City of God*, 14.2.

<sup>28</sup> John Paul II, *Theology of the Body*, audience of 1/7/81.

he recognizes the *original* dignity of the human sexual body parts, he maintains that they are rightfully named *pudenda*, or ‘parts of shame,’ in the *historical*, post-lapsarian reality of man’s lust-tainted existence. They are ‘parts of shame’ because they irrevocably bear witness to man’s disobedience in the Fall and are thus the “private property of lust.”<sup>29</sup> Man rightfully blushes at this reality and treats human sexuality with a sense of modesty and protective shame.

John Paul II echoes this stance when he says that “man is ashamed of his body.”<sup>30</sup> However, the Pope also opens up for us a new perspective in his theology of the body: the “absorption of shame by love.”<sup>31</sup> Applying an Augustinian theology of grace to human sexuality, John Paul concludes that the shame that is rightfully a part of the human sexual experience can give way to an experience of love as the grace of redemption transforms the heart. As man’s heart is continually healed and redeemed, he experiences the victory of love over lust. Shame, defined as man’s reaction to lust, has no foothold where love prevails. In this way, Augustine’s “parts of shame” begin to speak a theology of nuptial love. They no longer incarnate man’s shame, but with the absorption of shame by love, they incarnate for man the entire meaning of his being and existing in the world: namely, to give himself away in love.

This is an astonishing and life-changing stimulus to hope. For as sure as are the promises of Christ, so is the truth that a life lived in the Spirit will offer the gradual redemption of human sexuality. The possibility of experiencing in this life human sexuality not as a source of lust and shame, but as a sign and sacrament of self-giving love stirs the human heart to its depths and brings forth a hope for joy hitherto untapped in the hearts of men and women. While Augustine has provided the seeds for this anthropology, John Paul II’s *Theology of the Body* thus moves theological anthropology forward in a profound, and as yet insufficiently noticed, manner.

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<sup>29</sup> St. Augustine, *City of God*, 14.19.

<sup>30</sup> John Paul II, *Theology of the Body*, audience of 5/28/80.

<sup>31</sup> Karol Wojtyła, *Love and Responsibility*, 181.

## The Purification of Memory<sup>1</sup>

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WE ARE INVITED by the Holy Father to start the procedure of purifying the memory. Immediately, however, questions arise: What is the meaning of the purification of memory? Is such an endeavor possible? What kind of memory are we speaking about? Let us begin by answering that we are dealing with the memory of history (*mémoire historique*). Then we have to ask: What kind of relation is there between personal memory and the memory of history?

“To purify the memory” includes a verb that implies an action; it presupposes that we have taken hold of our memory, that we are the masters of it. At first, we may be tempted to say that the whole endeavor is an illusion: isn’t it rather our memory that masters us?

### I. Forms of Memory

In spite of the criticisms it faces, psychoanalytical doctrine has directed our attention to the phenomenon of unconscious repression. The unconscious is a fact of memory: The recollection of painful and tormenting periods, that the conscious mind cannot stand, are thrown into a state of being forgotten. They are repressed because the state to which they are relegated—which one wishes would lead to their abolition, their destruction—immerses them in a zone of our psyche that is outside the conscious realm. Their existence surfaces through troubles they introduce in our conscious mind. They have an appearance that remains indirect: They do not show up uncovered. They are disguised, camouflaged, to the point of passing unnoticed. Artifices must be used in order to bring them to the surface of the conscious mind.

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<sup>1</sup> Translation by Joseph Alobaidi, OP, of “Purification de la mémoire,” *Nova et Vêtera* 75 (2000): 33–42.

Such repressed memories are of wounds suffered, generally belonging to the first stage of childhood; the individual does not have the strength to face them. Thus, repression represents a kind of spontaneous self-defense mechanism of someone finding himself powerless. This is why he never fully reaches his goal; the troubles arising from this failure bear witness to the repression. Here, we have not yet reached the realm of ethics.

Referring to the process of repression in the subconscious makes it easy to show the points that enlighten our reflection. Automatism reflex, for example, is typical of certain memory phenomena. We will also maintain the fact that what we forget is not eliminated—Bergson used to say that we forget nothing—but remains in a state of dormancy, with the possibility of being awakened either suddenly or by suggestion.

What has been said does not pertain to all kinds of memories. We have in mind the pages of *Confessions* (X, 6–28) where Augustine describes the vastness of memory in order to illustrate the mystery of the spirit. From the memory of things perceived to the universe of images, then to the universe of ideas, the spirit continues its surprising exploration, which is at the same time the itinerary toward the depth of the human inner self. Hence, the journey of the spirit in the vast expanses of the memory leads to self discovery and, furthermore, to the encounter with God: *et intravi ad ipsius animi mei sedem, quae illi est in memoria mea, quoniam sui quoque meminit animus, nec ibi tu eras . . . ita nec ipse animus es, quia dominus deus animi tu es, et communtantur haec omnia, tu autem incommutabilis manes super omnia et dignatus es habitare in memoria mea, ex quo te didici . . . habitas certe in ea, quoniam tui memini, ex quo te didici, et in ea te invenio, cum recordor te* (XXV, 36).

While progressing in the investigation of these regions of the memory, the spirit grasps itself as an object of its own investigation. This grasping of self does not shut off the spirit, since it remains open to transcendence: *Memoria sui, memoria Dei*. During all this, the soul stays active. It draws forth memories from oblivion by its willed attention. Its creative imagination may freely use images already stored. Finally, and this too is a reason for being amazed, our spirit, helped by memory, masters time to some degree, since it is able to connect in the present what was experienced in the past with what will happen in the future.

Speaking about the first layers of the memory, Augustine notices that animals too have this kind of memory, to which one cannot reduce all the other kinds. The attention, the creation of new images and even the spirit's dynamic are witnesses of freedom's ascendancy over the memory.

## II. Forgiveness

This particularity becomes obvious when we enter the field of ethics, which deals precisely with actions that depend on our responsibility. This field also extends to our past actions, which means that we have ascendancy over our memories.

Let us think about remorse and forgiveness. Remorse supposes that I judge differently today an action that I accomplished and judged otherwise yesterday. This remains possible, still, because it is in my power to reconsider the same action according to the requirements of the moral law, present in my conscious. I can confer to it its true moral value. Thus, the same act is present to my conscious with a new qualification, to the point that I wish that I had never committed it. The remorse presumes that the error is recognized as such, with no possibility to suppress it. On the contrary, remorse makes the presence of the error more incisive, more painful.

Remorse, however, may lead to a petition for forgiveness. If by mistake I hurt others, I can make up for the hurt by reparation or another form of compensation. When others assent to my petition for forgiveness, the weight of the guilt-memory becomes lighter.

But the mistake—we are speaking about sin—first of all offends God. That is why it is toward God that the sinner must turn. Here we meet the mighty pardon of God. We know the episode of the Gospel where the paralytic man was healed: “[W]ho but God alone can forgive sins?” (Mk 2:7). The scribes are right. Their mistake is to fail to ask themselves by what right Jesus, who reveals here something of his identity, accords to himself this prerogative.

The forgiveness of sins by God is precisely the highest and most eminent form of the purification of memory. This is because the divine forgiveness really erases and destroys the sin, so that its weight does not burden the conscience anymore. It remains true that the aspect of the sinful act as such that is destroyed is that very aspect that made it sinful, even if the psychological memory of it remains. Therefore, the moral evaluation by which an individual sees his past actions is no longer the same: The sin’s stigma that leads him to suffer does not exist. The individual is freed from it.

There is a great difference between divine and human forgiveness. The man who forgives, imitating his heavenly Father, refrains from considering the offense he received. God, instead, really eradicates the sin.

Thus, in the divine forgiveness, the malice—the moral disorder—that provides the sinful aspect of an act is destroyed, even though the fact, in its materiality, leaves records in the psychological memory. However, and

in the deepest meaning, which is the moral meaning, the memory is truly purified. "Son, your sins are forgiven" (Mk 2:5): The healing that restores the paralytic's ability to move freely is the sign of a deeper liberation; liberation from spiritual paralysis, from the death that sin represents.

### III. Memory of History

The previous considerations deal with the memory of a particular person. Our subject is the memory of history, which is a collective memory. Nevertheless, an understanding of personal memory, provided that the right transposition takes place, can still be useful for the understanding of questions pertaining to the memory of history. This notion of the memory of history is collective: It applies to peoples, nations, and groups. In each case, the nature of the subject defines the nature of the memory. I am not going to expand on this point here. However, we should keep it in mind.<sup>2</sup>

Our reflection has to deal with a specific subject, a subject of the supernatural order: the Church of Christ. What do we mean when we speak about the memory of the Church?

We have to look with faith at the Church and at her memory. It is the words of Jesus himself, in the Gospel according to John, that reveal to us the principle of this memory that is supernatural: "I have much more to tell you, but you cannot bear it now. But when he comes, the Spirit of truth, he will guide you to all truth. He will speak on his own, but he will speak what he hears, and will declare to you the things that are coming. He will glorify me, because he will take from what is mine and declare it to you. Everything that the Father has is mine; for this reason I told you that he will take from what is mine and declare it to you" (Jn 16:12–15).

We may notice that the verb "to bear" pertains to the understanding and to the participation in the death and glorification of Jesus. The Holy Spirit is at the very beginning of the living Tradition by which the Word of God, which makes known to us the mystery of salvation and opens our mind, is faithfully kept, explained, and scrutinized in its boundless riches. The same Spirit who inspires the sacred scribes assists the Magisterium of the Church and brings forth the *sensus fidei*.

The living presence of the past, and therefore, of the memory, of the mystery of salvation, takes many forms because of its riches and its fecundity, as it is recalled by the beautiful text of the Council, the *Constitution on the Sacred Liturgy: Sacrosanctum Concilium*, no. 7.

<sup>2</sup> There is perhaps something similar to the repression of memory in the amnesia regarding the enormity of the crimes committed by the communist regimes. However, other explanations for such behavior are not to be excluded.

Scripture, received in the Tradition, becomes, consequently, the source of an ever-surging light. Sacraments become a source of life. In them, under the action of the Spirit, Christ himself acts and, in so doing, remains present to his Church, in pilgrimage toward the end of time and the fullness of eternal life. It is remarkable that the sacrament in which resides the highest level of Christ's presence is called a memorial.

What is the purpose of this remembering? The memory of the Church, a gift from the Holy Spirit, forcefully calls attention to the dimension of presence, which is typical of memory. Memory does not leave us in the past; it makes the past present and immediate.

#### IV. The Presence of the Sin

It is to be noticed that in the Gospel according to John that we quoted, the Holy Spirit is called the Spirit of truth (Jn 16:13) that leads the disciples to the fullness of the truth. Here we have the principle of the purification of memory.

The sources of living waters that are the word of God and the sacraments do not need to be purified. In order to understand the necessity for purification we have to introduce a new consideration, already expressed in *Tertio Millennio Adveniente*, which refers to the Constitution *Lumen Gentium*: "The Church, although holy by its incorporation to Christ, never ceases to make penance: It always acknowledges sinners, before God and before men, as its own" (no. 33). In this sense, the constitution *Lumen Gentium* says: "The Church, that has sinners in its midst, at once holy and always in need of purification, advances by way of penance and renewal" (no. 8).

The word of God entrusted to the Church and Christ's gestures that are the sacraments yield fruits of holiness. This is what should normally happen. The Church is holy; her members, however, are sinners. By sin, we remove ourselves from this living stream. The motherly love of the Church makes her do whatever is in her power in order to snatch her sons away from sin and to look after them when they fall. She considers them hers, always, and for them she makes penance. Horrified by sin, she still loves the sinner.

The relation between the Church that is holy and her members that are not, poses a central theological question, which I will mention only briefly at this point. It is a decisive question for understanding the petition for forgiveness and the purification of memory.

It is necessary here to bring up two clarifications. The first deals with the petition for forgiveness. We have to distinguish, foremost, between two aspects of sin. The first is the guilt of the individual who commits



the sinful act. Everyone is accountable before God for his actions. Such a process is strictly personal. It remains possible, of course, in the communion of saints, to pray for the conversion of the sinner. We can pray also in order that “the temporal punishment,” the consequence of the sin, of the contrite and already forgiven sinner may be blotted out.

The guilt, which is the proper responsibility of the sinner because of his sin, remains strictly personal. However, beyond the guilt, which remains always personal, we may consider the sin under another aspect: the nature of the sinful act, which is the opposition to the moral law. Some acts in themselves and in what constitutes them (which presupposes the responsibility of the individual that we spoke about) are against the moral law—such as murder, adultery, and theft. It is at the level of the objective characteristics of the act that the petition for forgiveness and the purification of the memory reside. Furthermore, regardless of the individual responsibility of the perpetrators, who may have been blinded by invincible ignorance, some of these acts are serious obstacles to the testimony and the mission of the Church. *Tertio Millennio Adveniente* speaks of the sins of Christians who offered to the world “not the testimony of a life inspired by the values of faith, but ways of thinking and behaving that truly were forms of counter-testimony and scandal” (no. 33).

The Church has the mission of proclaiming the Gospel. Testimony is the basis for such proclamation. The behavior of some Christians acts directly against this.

The second clarification pertains to the Church as subject that spans the centuries, unchanged and stronger than the erosion of time: The Church has the promise of life everlasting. Here, a first distinction becomes evident: Not every action accomplished by a Christian may be attributed to the Church as subject. This is the case when the Christian behaves as part of the temporal city. One must be aware of how various actions accomplished by Christians may or may not be attributed to the Church. Each action should be analyzed according to its own situation.

There is another problem, though, that I want to emphasize. *Lumen Gentium*, no. 8, indicates that the Church is an elaborate reality, made of double elements: human and divine. Thus, in the light of a remarkable (*non mediocris*) analogy, she could be paralleled to the mystery of the incarnate Verb who uses, like an instrument, the human nature that he incorporated. “In the same way, the society as a whole that constitutes the Church is at the service of the Holy Spirit of Christ who gives her life for the growth of the body.” There is indeed an analogy: By virtue of the hypostatic union, the humanity of Jesus is totally and flawlessly holy. In the Church, however, that which is human remains subject to frailty and

weaknesses. Until now, we envisaged the paradox of the Church's holiness, received from God, and her members who are sinners. We must somehow continue our analysis.

The Church, existing within history, receives from human society goods that are true cultural acquisitions.<sup>3</sup> It also happens that she receives institutions modeled on those of human civil society, with procedures that conceal in various ways the evangelical aspect of her mission. Apart from the shortcomings themselves, one must consider the imperfections and solutions in history, which are marked by an "all-too-human" burden.

It is in this perspective that the Council decree regarding ecumenism, *Unitatis Redintegratio*, mentions the call for perpetual reform (*perennis reformatio*) pushed by this renewal, which is nothing less than the Church's being more faithful to her vocation, a great momentum that pushes the Church toward the fullness of the Kingdom, which will be given to her in eternity (no. 6). That is why it has been said in *Dei Verbum* that "while the centuries pass, the Church constantly advances toward the fullness of the divine truth, until the words of God are accomplished in her" (no. 8).

It is in such a vision of the Church that the purification of memory could be understood. The Augustinian expression *memoria sui*, *memoria Dei* applies to the Church as a subject, who receives her living unity from the Holy Spirit. However, the words' order is reversed: It is the *memoria Dei* that enlightens the *memoria sui*, whose meaning is close to the old meaning of "become what you are," become always more faithfully, more perfectly conformed to the One who is your Head, whose Body you are.

Dealing with the treasure that is entrusted to her, the word of God and the sacraments, it remains in her. Its presence is intact and always new: *Memoria Dei*. In other words: *Memoria Christi*. Sure of her indefectible faithfulness, which is a gift from God, the Church, in the act of *memoria sui*, looks truthfully at her own history, where human aspects intrude with their imperfection, along with the sins of her children. When it comes to examining these aspects, the Spirit of truth, who leads the Church to scrutinize more and more intensely the mystery in the depth of her being, allows her at the same time to have a critical judgment about her past, a critical judgment that becomes more and more refined in conformity with her own essence. The knowledge of herself as the Body of Christ, the Bride of Christ, gives her the points of reference and the criteria that allow her to appreciate the institutions, the practices and the actions that marked her progression in history. This remains true, evidently, of her past as well as of her present.

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<sup>3</sup> Cf. *Gaudium et Spes*, no. 44.

Here, we are thinking about an institution like the inquisition. The first objective, which is to defend the integrity of the faith of God's people against harmful errors, is something inscribed in the pastoral vocation of the Church. It is the implementation of this very objective that, from two points of view, poses a problem. First, we must take note of the context: Christendom, that is, a political society whose citizens are Christians and that, in itself, is concerned with the unity of the faith. Second—it is at this level that a critical judgment must be exercised—the Church's institutions set up a series of procedures that belong to civil tribunals. The death penalty was a common practice. Its form, being burned at the stake, horrifies us. There was no hesitation at using torture in order to obtain confessions of guilt. Some time later, the Protestant Reformation did not change matters. Soon after that, the Treaty of Westphalia made things worse in opening the way to the truth of the State.

Thus the purification of memory pertains to judgment. It is the fruit of the critical reading that she makes of her own history, enlightened by the Gospel, whose riches, specificity, and demands she ponders continually. This judgment, a consequence of her quest for the truth, leads her to ask God for forgiveness, in the name of his children, who are either sinners or are so lethargic that they cannot read the signs of times. At the same time, she asks forgiveness from men, too. Not because, while facing them, she is as if sitting before a tribunal; rather, the memory of errors and imperfections erect in their way a barrier that keeps them from reaching the word of salvation to which they are entitled.

It should go without saying that by "critical judgment" I intend the original meaning of the expression "discernment," without any connotation of the intention of denial or suspicion. "Krisis," from which come "critic" and "criterion," means, first of all, "judgment." Thus, "critical judgment" means judgment exercised in light of the criteria of the truth of the Gospel.

Before concluding I want briefly to raise an objection that is often made to the idea of the purification of memory. It is an objection issued in various ways by certain circles and schools of thought, generally independently of one another, that all have in common the concept of what we may call "mentality." This objection would say that an invitation to the purification of memory becomes a gross anachronism. It is a fact that we partake in our own age's mentality. No one, the strongest personalities included, totally escapes this fact. That is why it is right to examine the concept of mentality. Let us say that "mentality" is the sum of ideas received in a passive and unchecked manner, in a certain time by a society or by a particular group. These ideas are not investigated by reason,

because they seem obvious, as if they are self-evident. They encounter no objection or particular difficulty. They are indisputable because they are believed to be so. Hence, a certain number of unquestioned judgments are passed to us through education, others by social mimesis, still others by force of public opinion.

The question remains whether everything that individuals think in a determined time and a specific society is enclosed in the mentality. It is also true that a mentality is not so strong that it eliminates critical revision, and that there are universal values that transcend epochs and particular societies. This is the case especially for ethical values, in spite of their tendency toward commands and particular forbiddances.

They were called prejudices at the time of Enlightenment. They presumably belonged to the past; the light of reason would disperse them forever. Today, however, it seems that we are deep in the opposite tendency: All is prejudice, because everything is radically determined by the time and place. In ethics, this leads to relativism.

If we have to examine this dimension of social life, its mentality, it is because it forms the basis for many objections to the idea of asking forgiveness and the purification of memory.

The first objection results from methodic scruple. It is provoked by historians who aim at the restitution of the past by referring facts, behaviors, and events to the ideological context of the epoch, and refraining from any value judgment. My answer to this is that the study of the history of facts constitutes an indispensable step that preserves us from anachronism. Being conscious of the complexity of situations is an advantage that we have because of the discipline of history. However, the latter, because of its methodological presuppositions, is probably incapable of providing the last word about history. For our subject, the philosopher's and the theologian's opinion of history are necessary. Objections by historians—rather, by some historians—should be examined from the epistemological point of view. It is more difficult to understand clearly the objections that themselves proceed from a relativist mentality, inspiring, without discernment, surveys, and opinion polls. Those who find in their changing features the marks of the Spirit will ultimately be able to justify anything: “to each, his own truth.”

Finally there are the theoretical justifications of relativism that do not necessarily negate moral values, but attribute them to no moral, psychological, or social origin. A good example can be seen in the (now old) book by Lucien Lévy-Bruhl, *Ethics and Moral Science (La morale et la science des moeurs)*. According to this disciple of Durkheim, moral imperatives do not refer to a transcendental source; they are the individual expression of

“social pressure.” Hence, speaking of the science of behaviors, one confirms the immanence of moral values in the society, together with the fact that they prevail over individuals. Clearly in this perspective, the idea of the purification of memory bears no meaning. History offers a spectrum of many moralities. One morality follows on the other just as epochs and societies do.

We say that the *science of behavior* or sociology cannot replace philosophy or moral theology. It can be a precious addition that allows the moral theologian to be aware of the function of social pressures and of the existence of prejudices, which are still at a pre-moral level but can strongly induce moral choices. He will become aware, as well, of the venues of the transmission of moral values, like imitation or the influence of role models.

I want, however, to highlight two decisive factors pertaining to our problem that underline the relation between morality and history. The first is the slow maturation in time before being conscious of the implications and the aftereffects of the demands of the moral life. I express the second factor by the term “constellation.” In a more or less explicit way, certain fundamental values of morality are recognized in different epochs. What changes is their articulation, with this or that value being given priority over another. I cannot expand further on this point here, but it is nevertheless important. Thus, what was essential for the generations of Christendom was defending the truth, which was a concern both of the civil society and of the Church. The question of the means employed for this defense was put aside.

Should we say that our time is marked by the eclipse of the sense of the truth? Relativism is certainly widespread. However, a deeper analysis leads one to think that in the present constellation of values, what occupies the first place is the appropriation of the truth by an act that attests to both the transcendence and the freedom of the person. The truth is fully honored when it imposes itself on a freedom that finds its fulfillment in its vital acceptance, decisive for its destiny. It seems to me that this is the message of *Dignitatis Humanae*. This is what gives the purification of memory its highest rationale.

Many men and women have been victimized by brutal methods that constituted an insult to the causes they were intended to serve. These men and women have the right to our respect and *pietas*.<sup>4</sup>

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<sup>4</sup> For further discussion, see Georges Cottier, OP, *Mémoire et repentance: pourquoi l'Église demande pardon*, preface by Cardinal Roger Etchegaray (Parole et Silence: Paris, 1998).

## Imago Dei–Imago Christi: The Theological Foundations of Christian Humanism<sup>1</sup>

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IT HAS BEEN widely recognized that the documents of the Second Vatican Council represent a notable reaffirmation of the theology of the *imago Dei*.<sup>2</sup> For a variety of reasons, in some traditions of Catholic theology after the Reformation and Enlightenment periods, this element of classical theological anthropology had not received the attention it properly deserved. But in the first half of the twentieth century, both in neo-Thomistic and *ressourcement* circles, the theology of the *imago Dei* enjoyed a significant revival. Inspired in part by this retrieval of classical theological anthropology, the Council Fathers sought to recover the Christological and eschatological contexts that had been essential in the theology of the *imago Dei* of the best patristic and scholastic authors. Among the conciliar documents, none was more complete in its articulation of the theology of the *imago Dei* than *Gaudium et Spes*.<sup>3</sup>

The importance of the connection between anthropology and Christology both for a correct interpretation of *Gaudium et Spes* and for an authentic Christian humanism was noted early on. Over thirty years ago,

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<sup>1</sup> Presented to the International Congress of the Pontifical Academy of St. Thomas Aquinas, Rome, 21–25 September 2003.

<sup>2</sup> See Luis Ladaria, SJ, “Humanity in the Light of Christ in the Second Vatican Council,” in René Latourelle, ed., *Vatican II: Assessment and Perspectives*, Vol. II (New York: Paulist Press, 1989), 386–401.

<sup>3</sup> See the comprehensive treatment in George Karakunnel, *The Christian Vision of Man: A Study of the Theological Anthropology in “Gaudium et Spes” of Vatican II* (Bangalore: Asian Trading Association, 1984).

in one of the first theological commentaries on *Gaudium et Spes*, the now Cardinal Joseph Ratzinger argued that it is essential to take into account the intrinsic linking of anthropology with Christology (and thus with eschatology) that unfolds across the entire text and that in his view constitutes its crucial insight. Any properly comprehensive interpretation of the theology of the *imago Dei* in *Gaudium et Spes* would need to balance passages that speak of man as created in the image of God (such as no. 12) with those that speak of Christ as key to the mystery of man (such as no. 22). The perfect image of God is the incarnate Word who is both the exemplar of the created of God in man and the pattern for its graced transformation.<sup>4</sup> The concrete human person who is created in the image of God is always *in via*, always being drawn to the Father, but partly impeded by sin; he is redeemed by Christ, yet still undergoing a lifelong transformation in the power of the Holy Spirit, with a view to the final consummation of a life of communion with the Blessed Trinity and the saints. The image of God is always, as it were, a work in progress. From the moment of creation, the perfection of the image of God—more simply, holiness—is already intimated as the end of human life. A Christian theology of creation “is only intelligible in eschatology; the Alpha is only truly to be understood in the Omega.”<sup>5</sup> Thus, according to Cardinal Ratzinger’s early essay, *Gaudium et Spes* presents “Christ as the eschatological Adam to whom the first Adam already pointed; as the true image of God that transforms man once more into likeness to God.”<sup>6</sup>

Subsequently, as is well-known, Pope John Paul II made this cluster of themes the hallmark of his pontificate. The dominant interest in anthropology, which had characterized his entire career as a philosopher and theologian, now in his papal Magisterium blossomed prodigiously into the full-blown reaffirmation of an authentic Christian humanism.<sup>7</sup> A distinctive element in Pope John Paul’s teaching about the *imago Dei* has

<sup>4</sup> Joseph Ratzinger, “The Dignity of the Human Person,” in Herbert Vorgrimler et al., eds., *Commentary on the Documents of Vatican II*, Vol. V (New York: Herder and Herder, 1969), 115–63.

<sup>5</sup> *Ibid.*, 121.

<sup>6</sup> *Ibid.*, 159. See the discussion of these issues in Walter Kasper, “The Theological Anthropology of *Gaudium et Spes*,” and David L. Schindler, “Christology and the *imago Dei*: Interpreting *Gaudium et Spes*,” *Communio* 23 (1996), 129–41 and 156–84.

<sup>7</sup> See Kenneth Schmitz, *At the Center of the Human Drama: The Philosophical Anthropology of Karol Wojtyła/Pope John Paul II* (Washington, DC: The Catholic University of America Press, 1993), and Jaroslav Kupczak, OP, *Destined for Liberty: The Human Person in the Philosophy of Karol Wojtyła/John Paul II* (Washington, DC: Catholic University of America Press, 2000).

been his stress on the relational character of the image: Creation in the image of God is the basis for and is realized precisely in the communion of persons. In addition, the Holy Father has made his own the distinctive blend of anthropology and Christology, which is the mark of conciliar teaching. Pope John Paul II frequently invokes the words of *Gaudium et Spes* no. 22, which state that “it is only in the mystery of the Word made flesh that the mystery of man truly becomes clear.” Beginning with his programmatic first encyclical, anthropology and Christology are always to be found interwoven in the relational theology of the *imago Dei* expounded by the Holy Father.

The juxtaposition of *imago Dei* and *imago Christi* in the title of my essay is meant to capsule the Christocentric anthropology that is characteristic of patristic and scholastic theology of the image of God and that has been expressed anew by the Second Vatican Council, by Pope John Paul II, and by Cardinal Ratzinger and other theologians. It can truly be said that, according to this vision, the human person is created in the image of God (*imago Dei*) in order to grow into the image of Christ (*imago Christi*). This Christocentric vision of the human person is the foundation of authentic Christian humanism. What is more, *Gaudium et Spes* and the Magisterium of Pope John Paul II testify to the immense relevance of this vision for the new evangelization and for theology today as the Church confronts a wide range of challenges in her proclamation of the truth about man.

The challenges to authentic Christian humanism today are of at least two kinds, though the first arises from within the Christian theological tradition itself and is represented by the lingering influence of nominalist patterns of thought in moral theology and in the anthropology that it implies. A second kind of challenge has sources largely external to the Christian tradition, and is represented by the variety of secular humanisms and anti-humanisms that advance alternative accounts of the meaning (or lack of it) in human existence. Another important kind of challenge arises from the distinctive religious visions of the human espoused by Buddhism, Hinduism, and Islam, but I shall not be considering it here. The two kinds of challenge I do want to consider can be seen to be convergent in their final outcomes, and I want to suggest that the theology of the *imago Dei* of St. Thomas Aquinas can be of particular assistance in facing them.

We have seen that the Christocentric anthropology of Pope John II and the Second Vatican Council highlights the intrinsic link between what human beings are as such and what they can hope to become. Implicit in this anthropology is the conviction that human fulfillment and religious consummation are themselves intimately connected. The



holiness (or religious consummation) that is Christ's gift in the Holy Spirit constitutes the perfection of the image of God (integral human fulfillment). Created in the image of God, human persons are meant to grow into the image of Christ. As they become increasingly conformed to the perfect man, Jesus Christ, the fullness of their humanity is realized. There is thus a finality built into human nature as such and, although its realization is possible only with the assistance of divine grace, this realization is in a real sense continuous with the tendencies and even aspirations essential to human nature as such. The cultivation and fulfillment of the human person through seeking the good in a graced moral life enables one to enjoy the Good that is beyond life.

It is precisely this identification of human fulfillment with religious perfection that is, in different ways, severed or negated by the lingering nominalism of some Catholic moral theology and by the competing secular humanisms and anti-humanisms of Western modernity. The result in both cases is a spiritual crisis in which the goods of human life are disengaged from the desire for transcendence. Nominalism divorces human moral fulfillment from the possibility of the enjoyment of a transcendent good, while secular humanisms and anti-humanisms declare the desire for this transcendence to be itself irrelevant and even injurious to integral human fulfillment. Let us consider these challenges in turn.

The features of nominalist thought that are crucial to my argument here will be familiar to students of the history of late medieval philosophy and theology.<sup>8</sup> Nominalist thinkers famously sought to preserve the divine freedom by stressing the unlimited possibilities available to the absolute power of God (the *potentia absoluta*) that cannot be regarded as in any way constrained by the existing order of things in creation and redemption established by the divine *potentia ordinata*. To a certain extent under the influence of Scotus, who had already made Aquinas the target of his criticism,<sup>9</sup> nominalists explicitly denied that which Aquinas had affirmed, namely, the

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<sup>8</sup> For details, see Frederick Copleston, *A History of Philosophy*, vol. 3 (New York: Doubleday, 1963), 43–122, and Paul Vincent Spade, ed., *The Cambridge Companion to Ockham* (Cambridge: Cambridge University Press, 1999), especially the essays by Peter King, Marilyn McCord Adams, A. S. McGrade, and Alfred J. Freddoso.

<sup>9</sup> See Thomas Williams, "How Scotus Separates Morality from Happiness," *American Philosophical Quarterly* 69 (1995), 425–45. See Copleston, *A History of Philosophy*, vol. 2, 476–551, and Thomas Williams, ed., *The Cambridge Companion to Scotus* (Cambridge: Cambridge University Press, 2003), especially the essays by James Ross and Todd Bates, William E. Mann, Hans Möhle, Thomas Miller and Bonnie Kent. For the contrast between Scotus and Aquinas, and the links between nominalism and Scotus on these issues, see especially Anthony Levi, *Renaissance and Reformation: The Intellectual Genesis* (New Haven, CT: Yale University Press, 2002), 30–67.

existence of a rationally ordered universe reflecting the divine wisdom and accessible to human experience and knowledge. Whereas for Aquinas there is a congruence between the knowable divine law inscribed in human nature (natural law) and human aspirations for fulfillment, on the one hand, and the enjoyment of supernatural beatitude, on the other, for nominalism God is completely unconstrained in enjoining moral laws. The moral law imposes obligations that reflect neither the rational character of God's activity nor the inbuilt finalities of human nature. Moreover, since absolutely free, God's decision to save or damn particular individuals could not be in any way dependent on their fulfillment, or lack of it, of these obligations. Rather than being the intrinsic principle of the moral life, as in Aquinas, beatitude becomes an external reward whose enjoyment may or may not reflect the moral character of a particular human life. Since moral law is the expression of the divine will and thus ceases to depend upon the ontological constitution of human nature, moral theology is detached from theological anthropology and from any exemplary Christology. Yielding its place in theological anthropology and moral theology, Christocentrism in the form of intense devotion to Christ became a persistent feature of the spirituality of the *devotio moderna*, which was itself a religious strategy designed to bypass the troublesome philosophical and theological perplexities of nominalist *via moderna*. In an important recent book, Anthony Levi has argued that nominalist theology gave rise to an "intolerable spiritual tension, deriving from the separation of moral achievement from religious fulfillment," principally because individuals "could not know what unalterable fate God had decreed for them without reference to the exercise of autonomously self-determining powers during life."<sup>10</sup> With the divorce of moral achievement from religious perfection, religious practices and observances served to allay this tension independently of the moral state of the individual.

Father Servais Pinckaers has convincingly demonstrated that certain fundamental presuppositions of nominalist theology are embedded in the casuistic moral theology of the manuals in use from the seventeenth century to the eve of the Second Vatican Council.<sup>11</sup> Among these, perhaps the most important for our theme are the centrality accorded to obligation in the moral life and the eclipse of beatitude as an intrinsic principle

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<sup>10</sup> Levi, 64.

<sup>11</sup> Servais Pinckaers, OP, "La nature de la moralité: morale casuistique at morale thomiste," in *Somme théologique: Les actes humains*, vol. 2, trans. S. Pinckaers (Paris: Desclée & Cie, 1966), 215–76. See his *The Sources of Christian Ethics* (Washington, DC: Catholic University of America Press, 1995), 327–53. For a helpful summary of Pinckaers's argument, see Romanus Cessario, OP, *Introduction to Moral Theology* (Washington, DC: Catholic University of America Press, 2001), 229–42.

of moral action. In this tradition of moral theology, the categories of the obliged and the forbidden are prior to the categories of good and evil in actions. Actions are bad or wrong because they are forbidden, rather than vice versa. Actions that are bad or wrong merit punishment, while those that are good or right merit reward. But there is no intrinsic connection between these actions as such and the punishment or reward they merit. Since nominalist philosophical theology does not survive in the casuist worldview, the predestinating deity has vanished. God is now understood to confer reward or punishment in view of an individual's success or failure in meeting moral obligations. Under the influence of nominalism, casuist moral theology has no need for an account of how moral agents become good by seeking the good. It is significant, as Father Pinckaers has pointed out, that the treatise on beatitude disappeared from manualist moral theology while the treatise on the virtues was consigned to the realm of spiritual theology.

Although I cannot pursue the point here, the prevalence of this kind of moral theology gave rise to the intolerable tensions experienced by many Catholics in the face of the moral teaching of *Humanae Vitae*—and eventually the entirety of Christian teaching about human sexuality—which seemed to impose an outdated moral obligation whose connection with the human good was either denied or dismissed or, more commonly, simply not apparent. The proportionalist and consequentialist moral theories devised with a view to allaying these tensions failed to question, and indeed often presupposed, the very edifice of casuistic moral theology that had made these tensions almost inevitable.

The fundamental difficulty here—echoing Levi, one might speak of an “intolerable spiritual tension”—is that many people can no longer discern an intrinsic link between the moral law and their good, and, furthermore, no longer view religious achievement (the reward of happiness) as intrinsically connected with moral or human fulfillment. Religious practices—often in the form of eclectic spiritualities—are now often seen as unconnected from moral obligations, whose specific content is in any case exiguous. Morality, even when faithfully observed, is viewed as disengaged from, and indeed is often regarded as in conflict with, basic human aspirations for a good and happy life. In addition, a good and happy life here is not seen as continuous with the life of beatitude as such. Heaven is inevitable in any case, while hell is unthinkable and purgatory unintelligible.

In accounting for the revolution that came with modernity and saw the emergence of secular humanism and, more recently, of neo-Nietzschean anti-humanisms, one can certainly point to the spiritual mentality fostered

by casuist moral theology as among the likely contributing factors. Certainly, Charles Taylor is right in seeing affective and spiritual factors as crucial in fostering this revolution and maintaining the West in what he terms a “post-revolutionary” climate.<sup>12</sup> It is not simply the loss of belief in God and in other central Christian dogmas that contributed to this revolution, but possibly, in the terms of the argument of this essay, the long-term insupportability of the edifice of casuist moral theology with its divorce of human and moral fulfillment from religious perfection. Be that as it may, according to Taylor, secular humanisms and postmodern anti-humanisms agree in affirming a good to human life without the need to invoke any good beyond life. What distinguishes them is the anti-humanist insistence that a comprehensive affirmation of human life must embrace (and even celebrate) suffering and death. But both secular humanism and postmodern anti-humanism simply deny that religious aspirations have any relevance for human and moral fulfillment. The desire for transcendence is a kind of human and moral dead end. “Immortal longings,” to use Fergus Kerr’s felicitous phrase, may not be good for one’s moral health nor, indeed, for one’s humanity.<sup>13</sup> For Taylor, the “horizon of assumptions” that “shapes the pervasive outlook toward religion in our culture” includes the view that for us “life, flourishing, driving back the frontiers of death and suffering, are of supreme value” and that what prevented people from seeing this sooner and more widely was “precisely a sense, inculcated by religion, that there were higher goals,” a good beyond life. In the post-revolutionary climate, “to speak of aiming beyond life is to appear to undermine the supreme concern with life in our humanitarian, ‘civilized,’ world.”<sup>14</sup>

One can readily see, in the terms of Taylor’s persuasive analysis of the rejection or marginalization of religion in Western modernity, that in order to seek the good of human life, one must give up pursuing a good beyond life or, at least, one must define the good beyond life in non-religious terms. Religious perfection is seen not only as irrelevant to human fulfillment but as an actual obstacle to it. We can also readily see, if we recall the fundamental features of the Christocentric anthropology of Pope John Paul II and the Second Vatican Council, how radical a challenge is posed both by moral theology in the nominalist-casuist vein and

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<sup>12</sup> Charles Taylor, “Iris Murdoch and Moral Philosophy,” in Maria Antonaccio and Michael Schweiker, eds., *Iris Murdoch and the Search for Human Goodness* (Chicago: University of Chicago Press, 1996), 3–28.

<sup>13</sup> Fergus Kerr, OP, *Immortal Longings* (Notre Dame, IN: University of Notre Dame Press, 1997).

<sup>14</sup> Taylor, 23.

in its current variants, and by the secular humanisms and anti-humanisms of Western modernity.

According to the Christocentric anthropology sketched earlier, there is an intrinsic link between what human beings are as such and what they can hope to become. There is a link, not a contradiction, between human fulfillment and religious consummation. Holiness (religious consummation) is the perfection of the created image of God (human fulfillment). The legacy of nominalism in casuistry and in the moral theories that sought to correct it is such as to make it very difficult to grasp the terms of an authentic Christian humanism even when they are forcefully presented. (Consider, in this connection, the cool reception still accorded to *Veritatis Splendor* in some quarters.) Without a moral theology that is thoroughly integrated with anthropology and Christology, it will be difficult to withstand the variety of secular humanisms and anti-humanisms of Western modernity. Indeed, in the climate of contemporary culture, there is a powerful temptation for some religious people, including Catholics, tacitly to accept the “horizon of assumptions” of Western modernity and to promote precisely (and sometimes chiefly) those aspects of their faith that can be seen as contributing to the good of human life. The documents of the Second Vatican Council have themselves sometimes been subjected to readings employing this strategy with an eye to well-meaning programs of renewal that, without denying the good beyond life, do not always leave much room for it in practice. It may well be that the divorce between human/moral fulfillment and religious perfection, embedded in prevailing forms of Catholic moral reflection, makes it difficult for Catholics influenced by them to respond to the challenges posed by non-religious or anti-religious humanisms for which the presumption of this divorce is axiomatic.

I am convinced that a recovery of Aquinas’s theology of the *imago Dei* can and has already begun to make a significant contribution to the Catholic response to these challenges. Here I can only sketch briefly the possibilities as I see them. That Aquinas’s theology affords such resources may not be obvious to everyone. Certainly, many will readily admit that, in linking anthropology, Christology, and eschatology in its theology of the *imago Dei*, *Gaudium et Spes* had recovered important strands in the patristic doctrine of the *imago Dei*. Perhaps less widely known is how thoroughly Christological and eschatological is the theology of the *imago Dei* advanced in the writings of St. Thomas Aquinas. One of the more refreshing aspects of recent scholarship on Aquinas is the emergence of a broad appreciation of this central element of his theology.<sup>15</sup>

<sup>15</sup> For an orientation to the literature on this topic, see Jean-Pierre Torrell, OP, *St. Thomas Aquinas: Vol. II: Spiritual Master*, translated by Robert Royal (Washington,

A crucial feature of this more comprehensive appraisal of Aquinas's theology of the *imago Dei* has involved the recognition that his explicit consideration of the matter as part of the theology of creation in question 93 of the *prima pars* cannot be treated in isolation but must be located within the broader context of the overall argument of the *Summa theologiae*.<sup>16</sup> It is well-known that the structure of this argument is framed in terms of Aquinas's distinctive appropriation of the *exitus-reditus* scheme. This structure has immense significance for his theology of the *imago Dei*: The human being created in the image of God is by the very fact of his human nature and from the very first moment of his existence directed toward God as his ultimate end.<sup>17</sup> Contrary to a widespread

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DC: Catholic University of America Press, 2003). See: Emile Bailleux, "A l'image du Fils premier-né," *Revue Thomiste* 76 (1976): 181–207; Romanus Cessario, OP, *Christian Faith and the Theological Life* (Washington, DC: Catholic University of America Press, 1996), 38–48; Michael A. Dauphinais, "Loving the Lord Your God: The *imago Dei* in St. Thomas Aquinas," *The Thomist* 63 (1999): 241–67; Ignatius Eschmann, OP, "St. Thomas Aquinas, the Summary of Theology I–II: The Ethics of the Image of God," in Edward A. Synan, ed., *The Ethics of St. Thomas Aquinas: Two Courses* (Toronto: Pontifical Institute of Medieval Studies, 1997), 159–231; L.-B. Gillon, OP, *Cristo e la Teologia Morale* (Roma: Edizioni Romane Mame, 1961); Thomas Hibbs, "Imitatio Christi and the Foundation of Aquinas's Ethics," *Communio* 18 (1991): 556–73, and *Virtue's Splendor: Wisdom, Prudence and the Human Good* (New York: Fordham University Press, 2001); Fergus Kerr, OP, *After Aquinas: Versions of Thomism* (Oxford: Blackwell, 2002); Matthew Levering, *Christ's Fulfillment of Torah and Temple* (Notre Dame, IN: University of Notre Dame Press, 2002), 83–107; D. Juvenal Merriell, *To the Image of the Trinity: A Study in the Development of Aquinas's Teaching* (Toronto: Pontifical Institute of Medieval Studies, 1990); Luc-Thomas Somme, *Fils adoptifs di Dieu par Jésus Christ* (Paris: Vrin, 1997); Batista Mondin, "Il bene morale come perfezione della persona," in Pontifical Academy of St. Thomas, *Atti della III Plenaria* 2002, 127–37.

<sup>16</sup> See G. Lafont, *Structures et méthode dans le Somme théologique de saint Thomas d'Aquin* (Paris: 1961), and, more recently, Servais Pinckaers, "Le thème de l'image de Dieu en l'homme et l'anthropologie," in P. Bühler, ed., *Humain à l'image de Dieu* (Geneva: 1989), 147–63. See Thomas S. Hibbs, "The Hierarchy of Moral Discourses in Aquinas," *American Catholic Philosophical Quarterly* 64 (1990): 199–214; and A. N. Williams, "Mystical Theology Redux: The Pattern of Aquinas' *Summa theologiae*," *Modern Theology* 13 (1997): 53–74, and "Deification in the *Summa theologiae*: A Structural Interpretation of the *Prima Pars*," *The Thomist* 61 (1997): 219–55.

<sup>17</sup> In this essay, I have not dealt with the controversy that has surrounded the "nature and grace" of theological anthropology which originated in the work of Henri de Lubac and has been sharpened lately in the writings of David Schindler and others in the "communio" school. It will be evident to the careful reader that, with Aquinas and many other Thomists, I both hold for the description of a natural end for human nature *and* deny a double order of nature and grace extrinsically related to one another. A teleological understanding of human nature is crucial to maintaining the link between religious perfection and integral human

misrepresentation of his thought (which while losing much its currency remains entrenched in certain quarters), for Aquinas the theology of the *imago Dei* constitutes not a static and thus ahistorical conception of human nature, but rather a fundamentally dynamic and active one.<sup>18</sup>

This is already explicit in question 93. The dynamism is that of the *exitus-reditus*, a movement rooted in the divine purposes in creation and redemption, and inscribed in the created order by the very finalities of human nature. In addition, Aquinas's account of the *imago Dei* explicitly asserts that it is primarily in acts of knowing and loving God through faith, hope, and charity that the imaging of God is realized.<sup>19</sup> According to Father Romanus Cessario, "Aquinas contends that we should look for the image of God, not primarily in the intellectual capacities of the soul, but in the very acts of those operative capacities or habits."<sup>20</sup>

Looking beyond question 93, to the *secunda* and *tertia pars*, we can see that the theology of the *imago Dei* within the overall argument of the *Summa theologiae* secures the intrinsic link between moral theology, anthropology, and Christology, and thus the connection between human/moral fulfillment and religious perfection, or beatitude. For one thing, we find that the entirety of the *secunda pars*—Aquinas's expansive treatise on the moral life—unfolds as an explication of what it means for man to made in the image of God. Here the dynamic character of the *imago Dei* is clear: Human beings must be active in the grace-enabled actualization of the image of God within them. Coming from God, they are active participants in the movement of their return to him. What draws them is their pursuit of the good of human life that is continually

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fulfillment. For a perspective on this controversy touching on the issues raised in this essay, see Romanus Cessario, OP, "On Bad Actions, Good Intentions and Loving God: Three Much Misunderstood Issues about the Happy Life that St. Thomas Aquinas Clarifies for Us," *Logos* 1 (1997): 100–22. On the broader issues, see the comprehensive treatment of Schindler's position in Tracey Rowland, *Culture and the Thomist Tradition* (London: Routledge, 2003). For a splendid survey of the twentieth-century controversy, see Lawrence Feingold, *The Natural Desire to See God* (Rome: Appolinare Studi, 2000). See: Benedict Ashley, OP, "What is the End of the Human Person? The Vision of God and Integral Human Fulfillment," in Luke Gormally, ed., *Moral Truth and Moral Tradition* (Dublin: Four Courts Press, 1994), 68–96; Steven A. Long, "On the Possibility of a Purely Natural End for Man," *The Thomist* 64 (2000): 211–37; Peter A. Pagan-Aguilar, "St. Thomas Aquinas and Human Finality: Paradox or *Mysterium Fidei*?" *The Thomist* 64 (2000): 374–99.

<sup>18</sup> See Ian A. McFarland, "When Time Is of the Essence: Aquinas and the *Imago Dei*," *New Blackfriars* 82 (2001): 208–23.

<sup>19</sup> *Summa theologiae*, I, q. 93, a. 4.

<sup>20</sup> Cessario, *Christian Faith and the Theological Life*, 43.

revealed as the Good beyond life. No one demonstrates better than Aquinas the continuity between the inbuilt desire for the good and the enjoyment of the Good beyond all limited goods, which is beatitude. Hence the capital importance of the meditation on the nature of beatitude, which begins Aquinas's treatise on moral theology: Only the supernatural beatitude of communion actualizes the movement of the human person toward his or her fulfillment.

In the *tertia pars*, Aquinas arrives at the culmination of the theology of the *imago Dei* when he shows how Christ, the perfect image of the Father, is the principle and pattern of the restoration and the perfection of the image of God in us.<sup>21</sup> All the mysteries of Christ's life, but especially his passion, death, and resurrection, bring about the work of transformation in us by which the image of God, damaged by original sin and by our own personal sins, can be restored and perfected. Configured and transfigured in the *imago Christi* by the power of the Holy Spirit, we return to the Father, and come to enjoy to the communion of Trinitarian life that is the essence of beatitude.

In the terms of the argument of this essay, and contrary to both nominalist moral theology and to the secular humanisms and anti-humanisms of Western modernity, Aquinas can be construed as advancing a theology of the *imago Dei* that shows how in the gracious plan of divine providence religious perfection is central to human and moral fulfillment. The human person is created in the image of God in order to grow into the image of Christ. This truth about man is the foundation of the authentic Christian humanism central to the teaching of Vatican Council II and John Paul II. A critical task of Christian anthropology in every age is precisely to supply an adequate basis for moral theology. Among the most significant of Pope John Paul's encyclicals, *Veritatis Splendor* corrects the unfortunate legacy of casuist moral theology and its contemporary progeny and, more important, presses upon us the profound links between anthropology and Christology that establish the basis of an authentic Christian humanism.

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<sup>21</sup> In addition to the works by Torrell, Gillon, Hibbs, Levering, Somme, and Williams cited in footnote 14 above, see Jean-Pierre Torrell, OP, "Le Christ dans la 'spiritualité' de saint Thomas," in Kent Emery and Joseph P. Wawrykow, eds., *Christ among the Medieval Dominicans* (Notre Dame, IN: Notre Dame University Press, 1998), 197–219, and J. A. Di Noia, OP, "Veritatis Splendor: Moral Life as Transfigured Life," in J. A. Di Noia, OP and Romanus Cessario, OP, eds., *Veritatis Splendor and the Renewal of Moral Theology* (Princeton, NJ: Scepter, 1999), 1–10.





## Capital Punishment and the Catholic Tradition: Contradiction, Circumstantial Application, or Development of Doctrine?

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IN *VERITATIS SPLENDOR*, John Paul II is usually interpreted as having affirmed tradition; but in *Evangelium Vitae*, he is seen as breaking with it, at least in terms of his discussion of the death penalty. By way of context, I would like first to briefly state the traditional Catholic teaching, followed by current teaching as articulated by Pope John Paul II. Then I will explore various understandings of this teaching. Some see contemporary teaching as a radical rejection of previous tradition. Others highlight tradition, downplaying the significance, importance, and novelty of the contemporary teaching. They argue that nothing has really changed and that the contemporary view of capital punishment is merely a circumstantial application of the traditional teaching. The first tendency emphasizes change to the detriment of continuity; the second emphasizes tradition without sufficiently taking note of what is new. I believe both views are mistaken and that rather a development of doctrine has taken place—a development that does not contradict what was taught in the past but also a development that significantly moves beyond what was taught in the past. The final section of the essay will explore the ramifications of this view of capital punishment for building a culture of life.

### **I. Justification for the Death Penalty in the Catholic Tradition**

Drawing on Thomistic resources, Thomas Higgins defines punishment as the act of a legitimate authority depriving an offender of a good of which

the offender is no longer worthy.<sup>1</sup> The Catholic tradition has accepted the use of the death penalty as fulfilling the four purposes of punishment: retribution, defense of society, deterrence, and rehabilitation of the criminal. Although there is some debate among scripture scholars about the interpretation of these texts, numerous scriptural passages have been cited to justify the death penalty as fulfilling one or more of these purposes of punishment. “Whoever sheds the blood of man, by man shall his blood be shed, for God made man in his own image” (Gen 9:6). God is sometimes portrayed as putting evildoers to death (Num 16). Perhaps the most common passage used to justify capital punishment as retribution is: “He who kills a man shall be put to death. . . . as he has done it shall be done to him, fracture for fracture, eye for eye, tooth for tooth” (Lev 24:17). In the Old Testament, murder, adultery, idolatry, incest, rape, kidnapping, pederasty, witchcraft, blasphemy, bestiality, and other forms of wrongdoing were punishable by death.

In the New Testament as well, there are passages that seem to affirm the right of the state to administer the death penalty. Governmental authority “does not bear the sword in vain; for he is the servant of God to execute his wrath on the wrongdoer” (Rom 13:4). As Cardinal Avery Dulles notes: “Jesus commends the good thief on the cross next to him, who has admitted that he and his fellow thief are receiving the due reward for their deeds”<sup>2</sup> (cf. Lk 23:41). Again, according to Cardinal Dulles, “In the New Testament the right of the State to put criminals to death seems taken for granted.”<sup>3</sup>

This view is certainly taken for granted in the patristic tradition and later in the work of medieval theologians. Although a sermon by St. John Chrysostom on the wheat and the weeds argues against the death penalty,<sup>4</sup> the patristic tradition is fairly united in support of it. Offering what would become the standard understanding in the West, St. Augustine argued that the fifth commandment does not forbid the taking of any human life, but only the taking of innocent human life. By understanding the commandment in this way, Augustine made room for both a theory of just war as well as legitimate use of capital punishment.

<sup>1</sup> Thomas J. Higgins, SJ, *Man as Man, The Science and Art of Ethics* (Rockford, IL: Tan Books and Publishers, 1992).

<sup>2</sup> Avery Cardinal Dulles, SJ, “Catholicism and Capital Punishment,” *First Things* 112 (April 2001): 30–35, at 30.

<sup>3</sup> Ibid.

<sup>4</sup> John Chrysostom, Homily 46 on Matthew 13:24–30, in *Nicene and Post-Nicene Fathers of the Christian Church*, ed. Philip Schaff (Grand Rapids, MI: Eerdmans, 1975 [reprint]), vol. 10: 288f. Throughout the historical section of this work, I am particularly indebted to James J. Megivern’s massive work *The Death Penalty: An Historical and Theological Survey* (Mahwah, NJ: Paulist Press, 1997).

St. Thomas Aquinas followed Augustine on this matter and argued that the death penalty can satisfy the four purposes of punishment. Finally, he understood the retributive aspect of punishment as demanding that only the unjust, and never the innocent, may be executed.<sup>5</sup> Thomas compared state execution to individual self-defense arguing that the body politic, like an individual, has the right to protect itself against criminals.<sup>6</sup> He also compared capital punishment to amputation of a diseased limb in that someone protects the common good of the body by removing the private good of the limb.<sup>7</sup> Thomas argued that capital punishment deters others from sinning by making them fear doing evil.<sup>8</sup> The death penalty even serves the purpose of rehabilitation by ensuring that the sinner cannot commit further sins and by confronting the wrongdoer with immanent death, which can efficaciously stir a person to repent.<sup>9</sup> As Samuel Johnson noted (in a letter asking for clemency for someone on death row), “When a man knows he is to be hanged in a fortnight, it concentrates his mind wonderfully.”<sup>10</sup>

Approved manuals of moral theology, the consensus of theologians, and the writings of pontiffs well into the twentieth century do not differ substantially from the position articulated by Thomas. Among the most germane of papal teaching on this matter comes from Pope Innocent III, who in 1210 demanded that the Waldensians (a splinter group who had rejected capital punishment) affirm the following proposition in order to be restored to communion with the Church: “the secular power can, without mortal sin, exercise judgment of blood, provided that it punishes with justice, not out of hatred, with prudence, not precipitation” (Denz 257).<sup>11</sup>

## II. Contemporary Teachings on the Death Penalty

The most significant papal statement on the death penalty in recent times comes from John Paul II’s encyclical *Evangelium Vitae*. It apparently marks

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<sup>5</sup> *Summa contra Gentiles* III, 146.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *SCG* III, 144.

<sup>9</sup> *SCG* III, 146.

<sup>10</sup> James Boswell, *Life of Samuel Johnson* (1791), entry of 19 September 1777.

<sup>11</sup> Germain Grisez argues that Innocent III’s required profession of faith is not addressing the objective morality of the act of execution, but the question of culpability. E. Christian Brugger, *Capital Punishment and the Roman Catholic Tradition* (Notre Dame, IN: University of Notre Dame Press, 2003) offers a fascinating treatment of the death penalty in the Catholic tradition, and in chapter seven, agrees with Grisez that at no time did the Magisterium ever propose that the death penalty was morally permissible.

a change in the traditional teaching: “It is clear that, for these purposes [retribution, defense against the criminal, deterrence, rehabilitation] to be achieved, *the nature and extent of the punishment* must be carefully evaluated and decided upon, and [the state] ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society. Today, however, as a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent” (*Evangelium Vitae* 56, emphasis in the original). This doctrine is echoed also in the revised edition of the *Catechism of the Catholic Church* (CCC). Many questions have arisen about the relationship between these statements and the statements cited earlier from tradition. Do we have in *Evangelium Vitae* a rejection of previous teaching? Are the remarks in *Evangelium Vitae* merely a prudential application of traditional teachings in new circumstances?

### **1. A Contradiction within Church Teaching?**

Needless to say, scholars have debated a great deal about the above quoted passage taken from *Evangelium Vitae*, as well as other statements drawn from official sources that echo the teaching. In this reflection, some have claimed that this teaching represents a radical departure, reversal, and rejection of previous teaching. Justice Antonin Scalia sees a tension between retribution and *Evangelium Vitae's* insistence that the use of the death penalty is rarely if ever appropriate in contemporary society. “If just retribution is a legitimate purpose (indeed, the principal legitimate purpose) of capital punishment, can one possibly say with a straight face that nowadays death would ‘rarely if ever’ be appropriate? So I take the encyclical and the latest, hot-off-the-presses version of the catechism (a supposed encapsulation of the ‘deposit’ of faith and the Church’s teaching regarding a moral order that does not change) to mean that retribution is not a valid purpose of capital punishment.”<sup>12</sup> On this view, the teaching of *Evangelium Vitae* represents a radical departure from previous teaching because it replaces retribution with defense of society as the valid purpose of capital punishment.

Scalia presupposes a disjunctive understanding of the purposes of punishment: It must be *either* for retribution *or* to protect society. Although the standard interpretation of the phrase “when it would not be possible otherwise to defend society” emphasizes a movement away from the death penalty, it is seldom noticed that the statement also implies that the death

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<sup>12</sup> Antonin Scalia, “God’s Justice and Ours,” *First Things* 123 (May 2002): 17–21.

penalty is justified when needed to defend society. But surely defending society *alone* does not justify judicial execution. Imagine a pathologically insane person who continually escapes mental hospital confinement and harms others. His mental pathology renders him innocent and guiltless despite the harmful effects he causes. Since such a person is innocent, it would always be wrong to intentionally kill him according to Catholic teaching (CCC 2268, *Evangelium Vitae* 57), although it would be permissible to stop him with lethal force when he is in the process of attack (CCC 2263, *Evangelium Vitae* 55). Since the death penalty intentionally kills an incapacitated person, capital punishment for the insane, but innocent, is impermissible. However, imagine a different person, not insane but just very wicked, who continually escapes confinement and harms others. It would not be contrary to the teaching of *Evangelium Vitae* to execute such a person since capital punishment would be needed in such a situation to defend society and the person executed would be guilty and, therefore, a fit object for retribution. These “exceptions” may be in fact fairly numerous if one takes into account those who escape from prison and kill, those who order “hits” or coordinate terrorist activities from within the prison walls, as well as those who kill other inmates or guards without escaping. However, these examples considered together indicate that “defense of society” *has not* supplanted “retribution” (since defense of society *alone* does not justify the death penalty). Therefore, these purposes of punishment should not be read disjunctively (capital punishment is *either* for defense *or* for retribution) but rather conjunctively (capital punishment is both for retribution and for the defense of society).

In *Evangelium Vitae*, John Paul II is suggesting an answer to a question never before formally dealt with by the Magisterium: What is the relationship of the various purposes of punishment in the case of the death penalty? or What are the necessary or sufficient conditions for exercising capital punishment? The answer seems to be that *both* defense of society and retribution are necessary for the legitimate exercise of capital punishment, and neither alone suffices. Arguably, this is a development of doctrine. The teaching of *Evangelium Vitae* on the death penalty does not reject or reverse any previous Church teaching, since no previous Church teaching had addressed the question of the relationship among the various purposes of punishment in the case of the death penalty.

Indeed, applying Scalia’s own theory of judicial interpretation to this controversy would suggest that reading a contradiction between prior and current teaching on the death penalty is unwarranted. In his book *A Matter of Interpretation*, Justice Scalia proposes the following hermeneutic

in interpreting ambiguous legal texts: “Another accepted rule of construction is that ambiguities in a newly enacted statute are to be resolved in such a fashion as to make the statute, not only internally consistent but also compatible with previously enacted laws.”<sup>13</sup> If we apply this rule of construction to the current ambiguity about how to understand *Evangelium Vitae*’s teaching on the death penalty, then we should favor readings that make *Evangelium Vitae* internally consistent and consistent with previous magisterial teachings. On Scalia’s interpretation, *Evangelium Vitae* would be rendered *internally inconsistent* for it would be explicitly asserting that the primary purpose of punishment is retribution and then within the very same paragraph also implicitly rejecting the notion that the primary purpose of punishment is retribution. *Evangelium Vitae* would also be incompatible with previously enacted Church teaching, as Scalia notes. So the very hermeneutic suggested by Scalia in interpreting ambiguous texts leads one to believe that Scalia’s understanding of *Evangelium Vitae* that should not be accepted.

Indeed, John Paul II puts his own consideration of the death penalty squarely within the context of the traditionally recognized purposes of punishment. Admitting that punishment is for retribution, defense of society, rehabilitation of the criminal, and deterrence, he nevertheless concludes that there is no necessity in imposing the death penalty. To properly understand the teaching on capital punishment one must again consider these purposes.

Of the four purposes of punishment mentioned, the most commonly misunderstood is retribution, which is too often characterized as simple vengeance. Vengeance arises from feelings of anger or hatred and typically punishes until that emotion is satisfied. On the other hand, retributive justice has to do with the expiation of guilt and the recognition of a moral order that may or may not be tied to any emotional state. In fact, the Church teaches that retributive justice is punishment’s primary purpose. As the *Catechism of the Catholic Church* says: “Punishment has the primary aim of redressing the disorder introduced by the offense. When it is willingly accepted by the guilty party, it assumes the value of expiation” (CCC 2266).

What is meant by “primary aim”? As Aristotle noted in the *Categories* (12), one thing can be primary to another in time, in existence, in some particular order or in importance. What is meant by primary in this context is probably not a primacy of importance as the most important purpose of punishment, in John Paul II’s thought at least, is arguably the

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<sup>13</sup> Antonin Scalia, *A Matter of Interpretation* (Princeton, NJ: Princeton University Press, 1998), 16.

defense of society. Securing the common good is the most important function of the state, and discharging punishment, like any other activity of the state, is only legitimately done in light of promoting the common good. Indeed, it would be contrary to the duties undertaken by legitimate authority to punish someone if to do so would destroy the common good—say putting to death a brilliant scientist who was desperately needed to develop a cure for a disease ravaging society. So, of the various aims of punishment, retribution is not the most important, at least in the sense of being the overriding consideration.<sup>14</sup> Primary might also mean first in the order of time, since before deterrence or defense of society from the criminal can take place, retribution is inflicted on the guilty party.

However, it is probably best to understand the notion that the “primary aim” of punishment is retribution to mean that retribution is a necessary condition for the existence of any just punishment. In other words, what is going on is not really just *punishment* unless there is a *guilty party* whose good is deprived by legitimate authority on account of his or her wrongdoing. The state can justly punish only those who are guilty of a crime. Were such a restriction not in place, the state could imprison innocent people if such an act would serve the goals of deterring crime (such as punishing an innocent person who the public at large believed to be guilty), or detaining people for what they are likely to do in the future but which they have not in fact done (defense against likely criminals). Punishment of any kind may be justly administered only upon the guilty and never upon the innocent.

Critics of capital punishment sometimes believe retributive justice dehumanizes the criminal even if the criminal’s guilt is established. Thurgood Marshall argued that capital punishment “has as its very basis the total denial of the wrongdoer’s dignity and worth.”<sup>15</sup> Put another way, a person might oppose capital punishment primarily because they hold retribution in itself to be inhumane or contrary to human dignity. Or if they see a value in retribution, they might oppose capital punishment as a denial of the dignity or goodness of the life of the criminal, though they might see other punishments as not opposed to that dignity. In the words of Rudolf Gerber:

Politicians regularly defend the death penalty on the ground that human life is so sacred that to snuff it out demands the highest penalty possible. Only by using the highest penalty, they argue, can we deter the

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<sup>14</sup> *Summa theologiae* II–II, q. 43, a. 7, ad 1.

<sup>15</sup> Thurgood Marshall, “The Death Penalty is a Denial of Human Dignity,” in *Life and Death: A Reader in Moral Problems*, ed. Louis P. Pojman (Belmont: Wadsworth Publishing, 2000), 373.



taking of life and spread the message that life, above all other values, is never to be taken. The death penalty directly contradicts this message. If human life is so sacred that it is never to be taken, the argument also applies by the same logic to governmental killing of a criminal. The death penalty exemplifies that killing is permissible, even desirable, by a powerful entity responding to provocation.<sup>16</sup>

On this view, there would be a contradiction in Church teaching between upholding the value of every human life and admitting that capital punishment may be used.<sup>17</sup>

Some see this contradiction within the teaching of John Paul II himself. For Christian Brugger, there is an important natural law argument against any use of the death penalty, which arises from the goodness of life. In his book *Capital Punishment and the Roman Catholic Tradition*, Brugger argues that John Paul II's teaching in *Veritatis Splendor* provides all the premises needed for an absolute prohibition of capital punishment. Natural law, on this view, excludes the death penalty in an exceptionless way, just as it excludes abortion or "direct" euthanasia. Brugger writes:

In summary, the logic of *Veritatis Splendor's* account of the foundations of morality is as follows: "human dignity," appealed to as a moral principle, is shorthand for the intrinsic goodness proper to human persons as such; human persons are a unified body-soul reality; human bodily life, because inseparably and irreducibly part of the body-soul reality which is the human person, is invested with the full value (goodness) of human personhood; and deliberate acts that do not have "absolute respect" for human life are wrong, that is, human life is to be absolutely respected. The encyclical's formulation of the relevant exceptionless norm is traditional: "it is always morally illicit to kill an innocent human being." It says nowhere that killing the guilty is morally licit, nor, in light of its own moral logic, does it account for why the norm is formulated as it is.<sup>18</sup>

Indeed, for Brugger, the logic of *Veritatis Splendor* leads one to the conclusion that all intentional taking of human life, guilty or innocent, is morally wrong.

<sup>16</sup> Rudolph J. Gerber, "Death Is Not Worth It," *Litigation* 24 (1998): 351–52

<sup>17</sup> Bernard Nathanson, *Aborting America* (Fort Collins, CO: Life Cycle Books, 1979), 241; David Boonin, *A Defense of Abortion* (Cambridge: Cambridge University Press, 2003), 55.

<sup>18</sup> E. Christian Brugger, *Capital Punishment and the Roman Catholic Tradition* (Notre Dame: University of Notre Dame Press, 2003), 30.

In fact, application of retributive justice actually recognizes and reaffirms the humanity of the one being punished; it does not involve a denial of the goodness of human life. Although the ancients put inanimate objects on trial and punished them, we do not. We only try and punish human beings because only human beings enjoy freedom in such a way that they may be held responsible for their actions. The dignity of the person gives rise to freedom, and freedom gives rise to responsibility. If we were to let criminals like elderly mafia dons or Nazi concentration camp officers “off the hook” with no punishment whatsoever since they no longer posed a threat to society, we would be acting on the same principle that they did: Some human beings should be treated as less than human. We would be failing to take their human responsibility seriously, and we in fact would be responding to them as we might respond to a tree or a fire that had caused human misery.

In reply to the second concern—that capital punishment, uniquely among punishments, denies the dignity and goodness of the criminal’s life—it may be helpful to return to the previously mentioned definition: Punishment deprives an offender of a good of which the offender is no longer worthy. If wealth were not a good, then a fine would not be a punishment. If liberty were not a good, then imprisonment would not be a punishment. If the criminal’s life were not a good, then the death penalty would not be a punishment. Rather than denying the goodness of the life of the one put to death, capital punishment presupposes that goodness, as a fine presupposes the goodness of wealth or imprisonment presupposes the goodness of liberty. Since judicially imposed fines or imprisonment do not “send a message” that private theft or kidnapping is permissible, capital punishment need not be understood as a tacit approval of taking innocent human life.

The thought of John Paul II supports the idea that capital punishment does not of itself violate the natural law in part because freedom, like bodily life, is an intrinsically good aspect of a human being. In this passage from *Veritatis Splendor*, the Pope criticizes views of freedom that pit freedom against the biological nature of humankind. According to John Paul II, these theories hold that:

human nature and the body appear as “presuppositions or preambles,” materially “necessary” for freedom to make its choice, yet extrinsic to the person, the subject and the human act. Their functions would not be able to constitute reference points for moral decisions, because the finalities of these inclinations would be merely “physical” goods, called by some “pre-moral.” To refer to them, in order to find in them rational indications with regard to the order of morality, would be to expose

oneself to the accusation of physicalism or biologism. In this way of thinking, the tension between freedom and a nature conceived of in a reductive way is resolved by a division within man himself.

This moral theory does not correspond to the truth about man and his freedom. It contradicts the “Church’s teachings on the unity of the human person,” whose rational soul is “*per se et essentialiter*” the form of his body. The spiritual and immortal soul is the principle of unity of the human being, whereby it exists as a whole—“*corpore et anima unus*”—as a person. These definitions not only point out that the body, which has been promised the resurrection, will also share in glory. They also remind us that reason and free will are linked with all the bodily and sense faculties. (*Veritatis Splendor* 48).

In other words, freedom, linked to our bodily capacities, is an intrinsic aspect of the human person properly understood, just as is the good of life. Elsewhere, private property is also spoken of as a proper good of the person (*Veritatis Splendor* 13). But given that both freedom and private property are proper goods of persons, it does not follow that fines or imprisonment imposed by legitimate authorities in punishment for crime contradicts the just relationship between states and individuals. Thus, Brugger’s argument from John Paul II proves too much because for the Pope not only is life a proper good of the person, so is freedom and property. Obviously, freedom and property can be curtailed through the just punishment of wrongdoers. So too, the good of life can be justly taken away without denying that life is a good or denying that life is an intrinsic aspect of the person.

Retribution is also sometimes misunderstood by advocates of capital punishment. Retribution demands that there must be a proportion between crime and punishment. Everyone agrees that one may not legitimately exceed proportionality in retribution. Thus, it is unjust to sentence a man who stole a loaf of bread to life in imprisonment, even if this will greatly deter others from stealing bread. However, from these considerations it would seem to follow that the *worst crime*, such as first degree murder, deserves the *worst punishment*, the death penalty. So a failure to execute a murderer is a failure to do what justice requires.

Although justice does demand a proportionality between crime and punishment, there is no duty to impose capital punishment because retribution is not a matter of geometrical precision. Although crime and punishment must be proportionate, they can *never* be perfectly proportionate, save perhaps in financial matters. Obviously, we could not put Timothy McVeigh to death 168 times. We cannot sexually abuse the adult child molester in his youth. Even death for death for someone who

has taken a single human life is not *exactly* proportionate, since all the details of the original killing could never be perfectly reproduced. The truth of the biblical adage, “An eye for an eye, a tooth for a tooth,” rests in its affirmation of the need for retributive justice, but not for a justice understood as a geometrical correspondence. Indeed, an “eye for an eye” is best understood as a principle *limiting* violence and, therefore, as an alternative to the more severe punishment prompted by vengeance.

Nor should the more exact retribution of capital punishment in the case of murder be understood as a necessary divine imperative.<sup>19</sup> As St. Ambrose noted about Cain’s fratricide of Abel: “God who preferred the correction rather than the death of the sinner, did not desire that a homicide be punished by the exaction of another act of homicide.”<sup>20</sup> Unlike Kant, the Catholic tradition never maintained that a state *must impose* the death penalty, rather it allowed that in some cases the state may impose it. The state has a right to execute, but it does not follow that from a right to execute the state must execute or should execute. The natural law tradition recognizes the right of the state to execute, but it never claimed that capital punishment *must be* discharged.

Indeed, understanding retribution as implying that the *worst crime* (first degree murder) *deserves* the *worst punishment* (the death penalty)<sup>21</sup> is difficult to reconcile with the biblical and Christian tradition. Scripture approves of punishing lesser crimes, such as adultery, with the death penalty (Lev 20:10), and in Christian societies many lesser crimes were punished by capital punishment, including theft. It is clear then that the tradition does not understand retributive justice in terms of an obligation to inflict the worst punishment for the worst crime, since it was accepted that death may be inflicted for lesser crimes. Retributive justice punishes serious crime with a serious punishment, but it does not require and, indeed in most cases, cannot respond with a mathematically understood retribution. For Thomas, the natural law requires that wrongdoers be punished, but exactly how they should be punished is a determination of the natural law, which human beings often must determine by means of prudential consideration of concrete circumstances (*ST* II–II, q. 85, a. 1, ad 1).

There is, therefore, no need to administer capital punishment in the name of retributive justice. Lifelong imprisonment is an extremely serious punishment that is proportionate to an extremely serious crime.

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<sup>19</sup> J. Budziszewski, “Categorical Pardon: On the Argument for Abolishing Capital Punishment,” *Notre Dame Journal of Law, Ethics, and Public Policy* 16 (2002): 43–56.

<sup>20</sup> *De Cain et Abel*, II, 10, 38; CSEL 32, 408.

<sup>21</sup> David S. Oderberg, *Applied Ethics: A Non-Consequentialist Approach* (Oxford: Blackwell, 2000), 159.

Consider the punishment of the “Unabomber” Ted Kaczynski in a new “super-maximum” security prison:

Those in the special segregated population will be confined individually 23 hours a day in a 7-by-12 foot cell. The narrow slat for a window will have smoked glass so the prisoner cannot see outside the cell. The prisoner will have an exercise period of one hour a day, pacing by himself in a narrow concrete yard surrounded by a 12-foot high concrete wall and topped by barbed wire. These segregated prisoners will have no group activities and no educational or vocational programs. The worst criminals will have no reading materials. When visitors are admitted, no physical contact will be allowed.<sup>22</sup>

Some consider this punishment worse than death, even cruel and unusual. Undoubtedly, such punishment is extremely severe, fitting extremely serious crimes, and it is due to this fittingness that it fulfills the purpose of punishment as retribution.

Let us move now to the second purpose of punishment: defense of society. Although the death penalty absolutely excludes the chance of the criminal harming society again, imprisonment in contemporary Western society can usually serve to defend others against the aggression of the criminal. In Aquinas’s justification of self-defense (*ST* II–II, q. 64, a. 7), the violence of the means used in defense cannot exceed that which is necessary to save innocent life. So too in St. Thomas’s justification of amputation—amputation would not be justified if a less radical remedy can accomplish the same goal of protecting the rest of the body. In his treatment of the death penalty, Thomas compares the death penalty to private self-defense and amputation.

Now every part is directed to the whole, as imperfect to perfect, wherefore every part is naturally for the sake of the whole. For this reason we observe that if the health of the whole body demands the excision of a member, through its being decayed or infectious to the other members, it will be both praiseworthy and advantageous to have it cut away. Now every individual person is compared to the whole community, as part to whole. Therefore, if a man be dangerous and infectious to the community, on account of some sin, it is praiseworthy and advantageous that he be killed in order to safeguard the common good, since “a little leaven corrupteth the whole lump” (1 Cor. 5:6) (*ST* II–II, 64, 2).

If the punishment of criminals is understood as analogous to amputation or individual self-defense, then capital punishment is only permissible if

<sup>22</sup> William Saunders, “Capital Punishment and Church Teaching (Part Two)” *Catholic Herald*, 5/31/01. ([www.catholicherald.com/saunders/01ws/ws010531.htm](http://www.catholicherald.com/saunders/01ws/ws010531.htm))

it is the only means available for the defense of the physical well-being of society.

Christian Brugger argues that the focus on the importance of the defense of the society indicates a rather radical shift in the Church's understanding. On this view, the death penalty is now under the "model" of private self-defense.<sup>23</sup> He points out that the word "aggressor" rather than "criminal" is used in formulations treating the death penalty (CCC 2267). He notes further regarding the language used in the *Catechism*: "Rendering aggressors incapable of doing further harm' is classical terminology used to refer to the lawful killing of aggressors by private citizens in self-defense."<sup>24</sup>

However, this approach is not without its difficulties. Cardinal Dulles points out that double-effect reasoning, which justifies violent self-defense, excludes intending the evil effect of death, but in capital punishment the death of the criminal is intended.<sup>25</sup> In addition, the treatment of the death penalty is itself within *Evangelium Vitae* and the *Catechism* explicitly put in the context of *punishment*, not within the treatment of killing in self-defense. Furthermore, in private self-defense, one may not kill an attacker who has been, at least for the moment, incapacitated. If someone attacks me and I knock him out and then tie him up, I would not be justified in going a step further and killing him. But virtually all forms of capital punishment (hanging, electric chair, guillotine, lethal injection) presuppose that the "aggressor" is not, at least for the time being, an aggressor. Thus, if capital punishment were simply a form of community self-defense governed by the same norms as private defense, then justified capital punishment should not be described in *Evangelium Vitae* as "rare, if not practically non-existent" but rather as *entirely non-existent*.<sup>26</sup> Lethal private self-defense is not justified in cases where the aggressor is incapable of inflicting harm, but that is precisely the circumstance in which capital punishment is exercised.

The shifts noted by Brugger are significant in that they highlight the development of communal defense as a necessary condition for justly

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<sup>23</sup> Christian Brugger, "Avery Cardinal Dulles and His Critics: An Exchange on Capital Punishment," *First Things* 115 (August/September 2001): 7–8.

<sup>24</sup> *Ibid.*, 8.

<sup>25</sup> Avery Cardinal Dulles, SJ, "Avery Cardinal Dulles and His Critics: An Exchange on Capital Punishment," *First Things* 115 (August/September 2001), 14.

<sup>26</sup> This was pointed out also by Steven Long, "For if we interpret *Evangelium Vitae* as assimilating the *ratio* of public justice to the *ratio* of wholly private self-defense, then *Evangelium Vitae* will appear to miscontextualize the teaching of Thomas while suggesting grave difficulties for the Catholic tradition's distinction between private and public authority." Steven Long, "*Evangelium Vitae*, St. Thomas Aquinas, and the Death Penalty," *The Thomist* 63 (1999): 511–52, at 516.

administering capital punishment. The shifts do not, however, indicate a rejection of the traditional fourfold purpose of punishment, the context within which John Paul II treats the death penalty, nor do they indicate the assimilation of capital punishment to the norms governing private self-defense.

It would also be mistaken to hold that the defense of society includes retribution. As Scalia writes: “The text [of *Evangelium Vitae*] limits the permissibility of the sanction to one situation: ‘when it would not be possible otherwise to *defend society*.’ No reasonable speaker, much less careful draftsman of an encyclical, would use that language to describe or include the goal of *retribution*.”<sup>27</sup> It is quite easy to see how the *physical defense* of society is facilitated by contemporary prisons, the “steady improvements in the organization of the penal system,” that lessen the likelihood of escape. It is hard to see how such penal improvements would make any difference whatsoever in manifesting the transcendent order of justice.<sup>28</sup>

The third purpose of punishment, deterrence, is also subject to discussion. In itself, the practical abolition of capital punishment does not impede the traditional purpose of punishment as a deterrent. Study of the issue has not determined, to the best of my knowledge, a definitive answer to the question of whether capital punishment is a better deterrent than other forms of punishment. Some suggest capital punishment does deter, if well publicized nationally.<sup>29</sup> Others argue strongly that no

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<sup>27</sup> Antonin Scalia, “Antonin Scalia and His Critics: The Church, the Courts, and the Death Penalty,” *First Things* 126 (October 2002): 8–18, emphasis in the original.

<sup>28</sup> Long rightly points out this misreading, “The primary purpose of punishment is stated as being ‘to redress the disorder caused by the offence,’ yet the reductionist reading has interpreted the ‘rehabilitative’ goal highlighted in the following sentence as the complete and sufficient meaning of ‘redressing the disorder.’” Long, “*Evangelium Vitae*, St. Thomas Aquinas, and the Death Penalty” 516. However, Long, I believe, overemphasizes that the defense of the physical order of society did not play a role in Catholic considerations of the death penalty prior to *Evangelium Vitae*. In the first edition of the *Catechism of the Catholic Church* (that is, pre-*Evangelium Vitae*), it reads: “If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the *safety of persons*, public authority must limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person” (no. 2267, emphasis added). A proper interpretation of *Evangelium Vitae* must take into account that for John Paul II, the physical protection and the criminal not only guilty but an “aggressor” does play a role in the interpretation and development of the tradition in the encyclical.

<sup>29</sup> Steven Stack, “Publicized Executions and Homicide,” *American Sociological Review* 52 (1987): 532–39.

discernable deterrent is provided by capital punishment.<sup>30</sup> Still others hold that homicide increases immediately before and after the use of the death penalty!<sup>31</sup> At best the jury is out, and in cases of doubt, one should err on the side of not taking human life.

Although Aquinas is correct that the death penalty keeps the sinner from committing more sins, and although imminent death may prompt conversion (it seems better to foresee and prepare for death than to be surprised and unable to prepare as happened with Jeffrey Dahmer), capital punishment completely excludes rehabilitation in any ordinary sense. Even if there is an end of life conversion, the death penalty does not allow conversion to bear fruit. Many grave sinners, even murderers, have later led exemplary lives and done great good. In the Old Testament, Moses killed a man but then gave the Ten Commandments to the people of Israel. David committed adultery and ordered the death of the innocent husband, but in the Psalms later composed some of the most beautiful and influential of all passages in Scripture. In the New Testament, St. Paul persecuted and colluded in the death of Christians but later went on mission to the Gentiles and offered his own life rather than hurt that Body of Christ he once persecuted. In our own time, Dr. Bernard Nathanson performed or oversaw some 75,000 abortions, including killing his own child. He co-founded the National Abortion Rights Action League (NARAL). However, he experienced a profound conversion, as detailed in his book *The Hand of God*, and has spent more than twenty years in exemplary service to human beings in the womb through lectures, books, and movies such as *The Silent Scream* and *Eclipse of Reason*. Admittedly, not all killers experience this metanoia, but our world is a better one because some have. In sum, the contemporary teaching is in continuity with received doctrine regarding the purposes of punishment and is not in contradiction with other teachings of the Church past or present.

## ***2. Change in Circumstances or Development of Doctrine?***

Some scholars, however, have viewed contemporary teaching on the death penalty as only a restatement of past teaching applied in a new situation. In other words, they see John Paul II's statements about the death penalty as refinement of Catholic teaching in the sense of an application of the traditional doctrine to new circumstances. New circumstances can certainly render a new application of a traditional teaching. Just as shifts

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<sup>30</sup> Gerber, "Death Is Not Worth It."

<sup>31</sup> William J. Bowers et al., *Legal Homicide: Death as Punishment in America, 1864–1982* (Boston, MA: Northeastern University Press, 1984).



in economic models brought a change in the understanding of usury, so too perhaps shifting contemporary circumstances have made a difference in the application of the death penalty.

Since capital punishment is compared by Aquinas and others in the tradition to communal self-defense (though as noted it is not *simply* a form of self-defense), and since it is generally agreed that the use of protective force in self-defense must never exceed that which is necessary for defense (it would be wrong to kill, if injuring provides defense; wrong to injure, if one can simply detain the attacker), it follows that if bloodless means can secure communal defense, such means should be used. Perhaps our contemporary circumstances of the modern penal system have brought a change in the application of teaching.

A difficulty can be raised with this argument in that the physical protection of society from criminals could be secured long before the twentieth century. Ancient Greek and Romans could enslave entire peoples for life. In the middle ages, the *oubliette* left prisoners to languish until the end of their lives. The Tower of London likewise contained many prisoners without parole. So, the ability of society to imprison for life does not seem to be a radical new development.

Secondly, even with contemporary technology, it is not clear that capital punishment would only rarely contribute to the defense of society. The Department of Justice recorded 83 murders in prison during 1993 alone, and untold numbers of convicted murderers have escaped and killed again or have killed guards or fellow inmates within the prison walls. Unfortunately, the modern criminal justice system has many times failed to render the incarcerated harmless. Even when not killing personally, mafia bosses in jail have ordered hits executed by subordinates on the outside. The circumstances are, therefore, not really new, for societies have for centuries had the technological capacity to imprison criminals for life, and even with contemporary technology, many such prisoners have continued to harm society. Thus, the notion that there is simply an application of a traditional teaching in contemporary circumstances is unfounded.

Perhaps contemporary society may itself be viewed as a change in circumstance with respect to the application of the death penalty. Experience of the horrid abuse of human life at the hands of the state in the twentieth century has led to an increasing awareness that justice is sometimes not well-served by the “justice” system, and that perhaps the state should not have jurisdiction over life and death. Not only are the innocent sometimes put to death, but sadly sometimes the holiest of saints. Robert Royal’s *Catholic Martyrs of the 20th Century* details the way state

power exercising capital punishment has been particularly abusive to religious believers in various totalitarian regimes.<sup>32</sup> The Thomistic understanding of the parable of the wheat and the weeds (Matt 13.24–30) allowed that if the good cannot be distinguished from the bad, then it is better to spare both than to lose both. To the extent that the criminal justice system does a poor job in the discernment of innocent from guilty, then to that extent the death penalty ought not be administered.

Although the abuse of capital punishment has been regular during the twentieth century, it is not clear that this abuse is a *new* circumstance unique to contemporary experience. From the very beginning, innocent people have been unjustly killed or imprisoned. The death penalty took the lives of Socrates, St. Peter, St. Paul, Boethius—and of course Jesus—to cite just a handful of examples. What may be new is an increasing unwillingness to risk harming innocents. That innocents have been harmed by capital punishment has clearly been a consideration from the earliest stages of the discussion and applies also to lesser punishments such as imprisonment or exile.

A third circumstance that would seem to differentiate current administration of the death penalty from its theoretical justification in the past is the contemporary understanding of the state. In medieval times, theologians justified capital punishment by saying that the state does not act on its own authority but on God's. But as Cardinal Dulles notes:

Retribution by the State can only be a symbolic anticipation of God's perfect justice. For the symbolism to be authentic, the society must believe in the existence of a transcendental order of justice, which the State has an obligation to protect. This has been true in the past, but in our day the State is generally viewed as simply an instrument of the will of the governed. In this modern perspective, the death penalty expresses not the divine judgment on objective evil but rather the collective anger of the group.<sup>33</sup>

The traditional justification of the death penalty rested on the idea of a natural law or transcendental moral order reflected by laws of state that the state has an obligation to protect. This transcendental moral order presupposed by traditional defense is completely absent in the administration of justice in the United States, based as it is on an explicit rejection (in most legal quarters) of a transcendent moral order and an explicit acceptance of a positivistic understanding of law.

<sup>32</sup> Robert Royal, *Catholic Martyrs of the 20th Century* (New York: Crossroad, 2000).

<sup>33</sup> Avery Cardinal Dulles, SJ, "Catholicism and Capital Punishment," *First Things* 112 (April 2001): 30–35, at 33.

One way of construing this argument is that the corruption of modern states renders them unjustified in the administration of the death penalty. Contemporary states have so abused their authority that even though, in principle, a state might have the right to administer the death penalty, contemporary states may no longer exercise this right, just as parents who abuse their children have their parental rights terminated. As Ralph McInerny notes: "The traditional justification for the death penalty sees the state as the instrument of the common good. But modern states, most notably in the matter of abortion, have farmed out to some members of society the right to take innocent life. Is the Holy Father suggesting that such states no longer meet the conditions of the traditional justification for the death penalty?"<sup>34</sup> In the words of Cardinal Dulles: "The classical vision of the state has fallen on hard times, perhaps because of the outrageous abuses of governmental power by the Nazis, Stalinists, and Maoists of the past century. For better or for worse, the state in our secular democratic societies is seen as a creature and instrument of the people, bound to carry out the will of the majority. In a society so governed, it becomes difficult to see the death sentence as representing the divine order of justice. Rather, it is seen as implementing the sovereign will of the people, whose appetite for vengeance grows with what it feeds on."<sup>35</sup>

However, this way of construing the argument fails to establish a true change in circumstance, for the argument could equally well apply to many states throughout history that were arguably even more corrupt than contemporary governments. Yet these prior states administered capital punishment without ecclesiastical condemnation. Many ancient states not only condoned abortion, but also infanticide, murder of foreigners, slavery, and blood sports. They had not merely a malignant indifference to religion but actively imposed, at least in Christian judgment, idolatrous practices on citizens. It is certainly true that states are viewed differently by contemporary society than they were viewed during the height of Christendom, but again this does not seem entirely new. As Mary Kochan observes: "There is no reason to think that, at the time that St. Paul wrote the Romans, belief in a 'transcendent order of justice' generally informed the civil authority. This authority, which permitted infanticide, slavery, and blood sports, was according to the Apostle, 'the servant of God to execute his wrath,' not because of what society believed but

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<sup>34</sup> Ralph McInerny, "Avery Cardinal Dulles and His Critics: An Exchange on Capital Punishment," *First Things* 115 (August/September 2001): 10.

<sup>35</sup> Avery Cardinal Dulles, SJ, "Avery Cardinal Dulles and His Critics: An Exchange on Capital Punishment," *First Things* 115 (August/September 2001): 15.

because God had instituted this authority.”<sup>36</sup> Contemporary Catholic teaching as expressed in the *Catechism of the Catholic Church* echoes the idea that the contemporary state, whether consciously or not, whether acknowledged by society at large or not, still shares in the administration of God’s authority (CCC 2238). Corrupt states, like corrupt religious superiors, may still exercise authority (though obviously within limits) over their subjects.

Nor is the emergence of democracy a circumstance that necessarily gives rise to a change in Church teaching on the death penalty. U.S. Supreme Court Justice Antonin Scalia, for example, sees in the teaching of *Evangelium Vitae* an excessive deference to democracy:

The death penalty is undoubtedly wrong unless one accords to the state a scope of moral action that goes beyond what is permitted to the individual. In my view, the major impetus behind modern aversion to the death penalty is the equation of private morality with governmental morality. This is a predictable (though I believe erroneous and regrettable) reaction to modern, democratic self-government. . . . These passages from Romans [affirming the morality of the death penalty] represent the consensus of Western thought until very recent times. Not just of Christian or religious thought, but of secular thought regarding the powers of the state. That consensus has been upset, I think, by the emergence of democracy. It is easy to see the hand of the Almighty behind rulers whose forebears, in the dim mists of history, were supposedly anointed by God, or who at least obtained their thrones in awful and unpredictable battles whose outcome was determined by the Lord of Hosts, that is, the Lord of Armies. It is much more difficult to see the hand of God—or any higher moral authority—behind the fools and rogues (as the losers would have it) whom we ourselves elect to do our own will. How can their power to avenge—to vindicate the “public order”—be any greater than our own?<sup>37</sup>

Clearly, it is more difficult to envision a higher moral authority operating in the rough and tumble world of celebrity politicians and hanging chads than it was in a society that believed in the divine right of kings. However, even in democracies, a distinction between individual rights and state rights, between private morality and governmental morality, is clearly rational and overwhelming recognized. If one follows Kant in arguing that rights arise from responsibilities, and then notice further that governments in democratic societies have many responsibilities that individuals qua

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<sup>36</sup> Mary Kochan, “Avery Cardinal Dulles and His Critics: An Exchange on Capital Punishment,” *First Things* 15 (August/September 2001): 10–11.

<sup>37</sup> Antonin Scalia, “God’s Justice and Ours,” *First Things* 123 (May 2002): 17–21.

individuals do not have (such as securing public order and building public works), then it would follow that there are many rights enjoyed by the state but not by private citizens, *even if* the powers of the state come directly or indirectly from these private citizens. This truth is widely recognized. After all the government as government, and no private individual as private individual, may tax, throw criminals in prison, and fine wrongdoers. None of these prerogatives are licitly discharged by a private individual who cannot tax but only steal, cannot imprison but only kidnap, and cannot fine but only rob. So there is no problem in itself with a state discharging the death penalty in a democratic society based on the presumption that the state enjoys no more power than the individual since everyone recognizes, in a number of other cases, that the state does enjoy greater rights than private individuals. Democracies both modern (U.S.) and ancient (Athenian) used the death penalty without such problems arising, and there is no theoretical contradiction in so doing. In sum, the allegedly "new" circumstances are not really new and so it does not seem plausible to say, therefore, that contemporary Catholic teaching on the death penalty is merely an application of traditional doctrine to new circumstances.

If the allegedly new circumstances are not actually new, then it would appear that a development of doctrine has taken place rather than just an application of the traditional teaching in new circumstances. What then has been developed? I believe there has been development in two ways, the first of which has been addressed at some length already, namely the newly considered relationship among the purposes of punishment, and the second of which relates to a major theme in *Evangelium Vitae*—the culture of life.

In contemporary teaching on the death penalty, there is a new emphasis on the primacy—in the sense of importance—of defending the community. Although the four purposes of punishment are retained, there is for the first time an ordering among them, at least in the case of capital punishment. The Pope does not say explicitly that he is establishing a hierarchy among the various purposes of punishment (*Evangelium Vitae* takes up the question only briefly), but his emphasis on the defense of the common good seems to highlight this goal of punishment as the most significant, indeed, along with retribution, a necessary condition for its justified use. If bloodless means secure the protection of society, capital punishment should not be used even if the death penalty would secure other goals of punishment. Although retribution remains a necessary condition of any just punishment (and so remains in this sense "the primary purpose of punishment"), the pope seems to be clarifying that the most important aim of punishment is to protect public order and the safety of persons. It is not that contemporary circumstances are so remarkably different from the past

that has elicited the change, but rather that there is a greater refinement in our understanding of the purposes of punishment.

### III. Development of Doctrine

Since the teaching of *Evangelium Vitae* cannot be explained as simply the application of the traditional understanding in new circumstances, and since the teaching of *Evangelium Vitae* also does not contradict previous teaching, it seems most reasonable to understand the teaching as a development of doctrine. As a study of the history of theology makes clear, the understanding of revealed truth deepens in the course of time. This is true of all areas of theology. Scripture speaks of the Father, Son, and Holy Spirit, but a more precise understanding of God as a Trinity of three Divine Persons sharing one divine nature arose in the post-apostolic Church. Likewise, an understanding of Jesus Christ as fully God and fully human, with two complete natures, one human and another divine, arises from the New Testament but is not explicitly contained therein. The Catholic understanding and appreciation of the role of Mary, her Immaculate Conception, and her Assumption body and soul into heaven likewise took time to develop. Nor is development restricted to matters of dogma alone, for developments may also be seen in the Church's moral teaching, for example, in the issues of slavery and religious liberty. Why is there development of doctrine? What distinguishes true developments from corruptions? Great minds, including John Paul II and most especially John Henry Cardinal Newman, have wrestled with these questions.

For Aquinas, the first principles of theology are the articles of the creed and the creed in turn summarizes what is found in Scripture. Like other medieval theologians, the Angelic doctor recognized many senses of scripture. Aquinas rooted his account of theology in the literal sense of Scripture, and what the author intends to communicate constitutes the literal sense.<sup>38</sup> Since God is the author of Scripture, Aquinas, following Augustine, holds that there may be multiplicity of true meanings intended by God in the literal sense of Scripture.<sup>39</sup> Divine authorship of Scripture leads the text to have a profound depth of meaning unlike any other.

When combined with other Thomistic theses, namely God's perfect simplicity and the inability of any human being to comprehend God's essence, it follows that a complete understanding of the many true meanings of the literal sense is and will always remain elusive. God's incomprehensible essence is one with God's understanding, will, and intention. As

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<sup>38</sup> *ST I*, q. 1, a. 10; *De potentia*, q. 4, a. 1.

<sup>39</sup> *ST I*, q. 1, a. 10.

God is beyond comprehension, so the Word of God is beyond comprehension. Scripture therefore must always remain mysterious in a way no other text is. Thus, even brief phrases of Scripture are filled with deep meaning. For example, in commenting on the passage *factus ex mulier* in his commentary on Galatians (c.4, lesson 2), Thomas unpacks deep Christological meaning out of this one phrase arguing that it excludes both Nestorianism and Valentinianism as well as showing that Mary is the Mother of God.<sup>40</sup> Examples could be multiplied indicating Thomas's confidence in the pregnant meaning of the literal sense. In the words of Aquinas: "[S]ince the prophet's mind is a defective instrument, as stated above, even true prophets know not all that the Holy Ghost means by the things they see, or speak, or even do."<sup>41</sup> Aquinas's high account of Scripture's authorship ensures that we could never have a definitive understanding of the text, for a human being could never fully comprehend the divine intention, which is nothing else than the divine essence.

In addition, there is always need for an explanation of Scripture. "The purpose of Scripture," writes Aquinas, "is the instruction of people; however, this instruction of the people by the Scriptures cannot take place save through the exposition of the saints."<sup>42</sup> There is no new public revelation, but there will always be a need for an explanation of revelation situated in a given time and place and tailored for a given audience. This needed explanation (*interpretatio sermonum*) by the saints is a gift of the Holy Spirit.<sup>43</sup> Aquinas notes elsewhere in terms of understanding this revelation, "the faith is able to be better explained in this respect each day and was made more explicit through the study of the saints."<sup>44</sup> Given the ever changing audience, the *telos* of Scripture cannot be reached without an ever adapting interpretation or development. Therefore, it is not just that the nature and the purpose of Scripture for Aquinas allow for doctrinal developments, but that the nature and purpose of Scripture invite such development.<sup>45</sup> We should not be at all surprised therefore that there is doctrinal development in matters of both faith and morals.

<sup>40</sup> Throughout this section I am much indebted to the work of Leo Elders and his article, "St. Thomas Aquinas and Holy Scripture" forthcoming in a volume about Aquinas and his sources edited by Timothy Smith.

<sup>41</sup> *ST II-II*, q. 173, a. 4, English Dominican Province translation.

<sup>42</sup> *Quodlibet XII*, q. 16, a. unicus [27].

<sup>43</sup> *Quodlibet XII*, q. 16, a. unicus [27]; *SCG*, III, 154; *In 1 Cor.* 12, lect. 2.

<sup>44</sup> *In Sent.* III, d. 25, 2, 1, ad 5.

<sup>45</sup> See Christopher Kaczor, "Thomas Aquinas on the Development of Doctrine," *Theological Studies* 62 (2001): 283–302, and E. Christian Brugger, *Capital Punishment and the Roman Catholic Tradition* (Notre Dame, IN: University of Notre Dame Press, 2003), chapter seven.

However, to consider the question of development at length in relation to capital punishment falls outside the scope of the present discussion.<sup>46</sup> However, suffice it to say that from what has been said earlier in this essay (section 3), this development should not be characterized as simply a filtering of the true propositions from a previous mixture of true and false propositions taught by the Magisterium. Nothing formally taught previously by the Magisterium is formally “revoked” by *Evangelium Vitae*. Neither should this development be characterized as development of specification whereby imprecise language becomes more precise. Rather, the development should be considered as an answer to a question never formally proposed before: What is the relationship among the purposes of punishment in the case of the death penalty?

#### IV. Capital Punishment and a Culture of Life

Contemporary moral theology has developed a deeper understanding of the dignity of all persons, an intrinsic dignity that cannot be lost. For some in the tradition, such as Aquinas, it seems that the criminal loses human worth: “[A]lthough it be evil in itself to kill a man so long as he preserve his dignity, yet it may be good to kill a man who has sinned, even as it is to kill a beast. For a bad man is worse than a beast, and is more harmful, as the Philosopher states (*Polit.* i, 1 and *Ethic.* vii, 6)” (*ST* II–II, q. 64, a. 2, ad 3). Rejecting this element of the tradition, John Paul II, on the other hand, repeatedly affirms, “Not even a murderer loses his personal dignity, and God himself pledges to guarantee this” and that “great care must be taken to respect every life, even that of criminals and unjust aggressors” (*EV* 9, 57). In this he may not be entirely rejecting Aquinas after all, for Thomas states that even those in hell do not completely lose the goodness of their nature (*ST* I–II, q. 85, a. 2, ad 3). Every human person is made in God’s image, even if each individual does not always live up to that dignity.

This development in moral teaching is sometimes called the “consistent life ethic,” which holds that all human beings have intrinsic dignity and value regardless of condition, size, health, beliefs, past, present, or future—period. One might speak of a growing understanding of a “bias” or “preferential option” for life—the dignity of the person must always be respected, and respecting this dignity involves the respecting of the goods of the person, fundamental among them is the good of life, the foundation of all other goods. In the face of an increasingly lethal culture of

<sup>46</sup> For a discussion of the question of capital punishment and development of doctrine, see E. Christian Brugger, *Capital Punishment and the Roman Catholic Moral Tradition* (Notre Dame, IN: University of Notre Dame Press, 2003), chapter seven.



death, the Church's consciousness of the value of each human life and its unwillingness to allow for the taking of life, except perhaps to save the life of another, leads naturally to a careful reconsideration of the death penalty.

Two objections might be raised at this point. First, is not contemporary culture after all just another "circumstance" marking not so much a change in teaching but a change in application? Furthermore, didn't ancient cultures clearly disrespect human life, perhaps even more than contemporary culture? Yes, but theoretically the response to these abuses did not lead to the theorizing about what all the abuses had in common, namely a disrespect for the human person. Hence, even were all contemporary abuses of human life to end, the "consistent life ethic" would still theoretically make sense in those new circumstances.

Secondly, it is not clear that those working for a culture of life should also oppose the use of the death penalty because in failing to punish those who take innocent human life as severely as we could, in fact punishing cold-blooded murder with the same punishment in some cases as repeated robbery or drug dealing, the law indicates a societal disrespect for life. In response, it might be said that whatever is received is received in the manner of the receiver. Although theoretically punishing murderers more severely might underscore a lesson about the value of human life, contemporary society does not as a whole seem to understand that as the lesson. The law certainly teaches, but Cardinal Dulles's argument in part seems to be that the lesson society takes is not the correct one. Rather, there is a moral danger that the use of capital punishment in fact reinforces the belief of many people in contemporary society that some human beings are expendable and may be killed for the good of others.

Some have argued that the consistent life ethic neglects important distinctions between the aggressors and the innocent, and in its most popularized form this is true. However, even among prominent advocates of the consistent life ethic, not all "life" issues are held to be of the same importance. The person who first brought the "consistent life ethic" or "seamless garment of life" to prominence, Joseph Cardinal Bernadin, said:

I made it very clear that by the consistent life ethic I was articulating I was not saying that all the problems or issues were the same. . . . but that they were all related in some way. Some of the people who didn't like the consistent ethic accused me of down-playing abortion, just making it one issue among many, but . . . they [the life issues] are not all the same or equally important, but they are all important and all related, and to be truly "pro-life," you have to take all of those issues into account.<sup>47</sup>

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<sup>47</sup> James J. Megivern, *The Death Penalty: An Historical and Theological Survey*, 378.

Underscoring this idea and formulating more completely the relationship among life issues, the National Conference of Catholic Bishops wrote:

Adopting a consistent ethic of life, the Catholic Church promotes a broad spectrum of issues seeking to protect human life and promote human dignity from the inception of life to its final moment. Opposition to abortion and euthanasia does not excuse indifference to those who suffer from poverty, violence and injustice. Any politics of human life must work to resist the violence of war and the scandal of capital punishment. Any politics of human dignity must seriously address issues of racism, poverty, hunger, employment, education, housing, and health care. Therefore, Catholics should eagerly involve themselves as advocates for the weak and marginalized in all these areas. Catholic public officials are obliged to address each of these issues as they seek to build consistent policies which promote respect for the human person at all stages of life. *But being "right" in such matters can never excuse a wrong choice regarding direct attacks on innocent human life.* Indeed, the failure to protect and defend life in its most vulnerable stages renders suspect any claims to the "rightness" of positions in other matters affecting the poorest and least powerful of the human community. If we understand the human person as the "temple of the Holy Spirit"—the living house of God—then these latter issues [such as racism, poverty, hunger, employment, education, housing, and health care] fall logically into place as the cross-beams and walls of that house. *All direct attacks on innocent human life, such as abortion and euthanasia, strike at the house's foundation.* These directly and immediately violate the human person's most fundamental right—the right to life. Neglect of these issues is the equivalent of building our house on sand.<sup>48</sup>

For the National Conference of Catholic Bishops, the preeminent human dignity issues are abortion and euthanasia. Abortion and euthanasia undermine the very foundation of the house, the temple of the human person in whom dwells the Spirit. Concerns about education, poverty, hunger, and unemployment are moot for the dead. Furthermore, although the state retains the right, in principle, to administer capital punishment even though in practice it may not legitimately do so, according to Catholic teaching, no state or person ever has the right to take innocent life. The very magnitude of the killing involved (some 1.25 to 1.5 million deaths each year from abortion versus around 100 a year from capital punishment) suggests urgency to the abortion issue vis-à-vis other life issues. Therefore, the U.S. bishops have written: "Because victims of abortion are the most vulnerable and defenseless members of the human family, it is imperative

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<sup>48</sup> NCCB, *Living the Gospel of Life*, no. 23, emphasis in the original.

that we, as Christians called to serve the least among us, give urgent attention and priority to this issue of justice. . . . This focus and the Church's firm commitment to a consistent ethic of life complement each other. A consistent life ethic, far from diminishing concern for abortion or equating all life issues touching on the dignity of human life, recognizes the distinctive character of each issue while giving each its proper role within a coherent moral vision."<sup>49</sup> Without ever acting as if all life issues were of equal importance, those committed to reducing the number of abortions should also be committed to a critical examination of the death penalty as used in the United States. Commitment to the value of all human life makes witness to the value of innocent life even more powerful.

Returning to John Paul II, it is interesting to note that although he is a philosopher, *Evangelium Vitae's* treatment of capital punishment, indeed all life issues, emphasizes salvation history rather than philosophy. Christ was only once directly asked about capital punishment. A woman was caught in adultery and was about to be stoned by an angry mob. "The law of Moses says she has merited death. What do you say?" "Let him without sin cast the first stone." For John Paul II, the Gospel of Jesus is the Gospel of Life. And so the people of this Gospel message stand on the side of life, even when it is unpopular, difficult, and trying. Debbi Morris, who was raped by Robert Willie, the subject of *Dead Man Walking*, once noted: "We don't sing 'Amazing Justice'. We sing 'Amazing Grace.'" We give witness to life and grace even, no especially, in the face of death and sin. For John Paul II this means opposition to the death penalty, even for the most horrid criminals, save in those cases where execution is needed to save innocent lives.

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<sup>49</sup> U.S. Bishops, *Pastoral Plan for Pro-life Activities: A Reaffirmation*, 1985, 3–4.

**Pope John Paul II’s “Theology of the Body”  
and the Significance of Sexual Shame  
in Light of the Body’s “Nuptial Meaning”:  
Some Implications for Bioethics and Sexual Ethics\***

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POPE JOHN PAUL II’S theology of marriage and sex is not only profound in its own right, but it has wide-ranging implications for every branch of theology, including moral theology.<sup>1</sup> Indeed, theologian and papal biographer George Weigel has called the Pope’s 130 general audience addresses on the “theology of the body,”<sup>2</sup> “a kind of theological time bomb set to go off, with dramatic consequences, sometime in the third millennium of the Church.”<sup>3</sup> Studying this time bomb is, he says, the “best

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<sup>1</sup> See, for example, Stratford Caldecott, “The Heart’s Language: Toward a Liturgical Anthropology,” *Antiphon* 6 (2001): 27–34, who insightfully applies insights from the Pope’s theological anthropology, not to marriage, but to the liturgy!

<sup>2</sup> These addresses, sometimes referred to as the “Wednesday Catechesis on Human Love,” were originally published in four separate volumes. They are now available in one volume: John Paul II, *The Theology of the Body: Human Love in the Divine Plan* (Boston: St. Paul Editions, 1997), with a “Foreword” by John S. Grabowski.

<sup>3</sup> George Weigel, *Witness to Hope: The Biography of Pope John Paul II* (New York: HarperCollins, 1999), 343. When this time bomb goes off, Weigel adds, “the

way to come to terms with the Catholic sexual ethic today.”<sup>4</sup> However, for this reason and because of the density of the Pope’s thought, Weigel observes that there is a great need for “secondary literature” that both accurately interprets this teaching and makes it accessible to men and women of today.<sup>5</sup> The need to understand and communicate this teaching is, to my mind, one of our most urgent pastoral tasks in the Catholic Church of the twenty-first century, especially given the ever-growing threat posed by the “culture of death,” the recent clergy sexual abuse scandal, and the failure to appropriate the Church’s moral teaching on the part of many of the Christian lay faithful themselves. Positively speaking, the pope’s teaching is also a crucial component of the Church’s mission to preach the message of the “new evangelization” in a sex-saturated society.

In many ways, John Paul II’s “theology of the body” was given its theoretical foundation in fundamental moral theology in his masterful 1993 encyclical, *Veritatis Splendor*,<sup>6</sup> whose tenth anniversary provides a good occasion for reflecting on the Pope’s contribution to bioethics and sexual ethics. However, many authors went so far as to say at the time of the encyclical’s promulgation that its major or underlying theme is sex.<sup>7</sup> Although I strongly disagree with those who would find sex lurking in every nook and cranny of this document, the encyclical, as moral theolo-

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*Theology of the Body* may well be seen as a critical moment not only in Catholic theology, but in the history of modern thought. . . . By insisting that the human subject is always an *embodied* subject whose embodiedness is critical to his or her self understanding and relationship to the world, John Paul took modernity’s ‘anthropological turn’ with utmost seriousness. By demonstrating that the dignity of the human person can be ‘read’ from that embodiedness, he helped enrich the modern understanding of freedom, of sexual love, and of the relationship between them” (ibid.).

<sup>4</sup> George Weigel, *The Truth of Catholicism: Ten Controversies Explored* (New York: HarperCollins, 2001), 99. Weigel calls John Paul II’s Theology of the Body “the most powerful contemporary statement of the foundations of the Catholic sexual ethic” (103).

<sup>5</sup> Weigel, *Witness to Hope*, 343. Some, in addition to Weigel (see *ibid.*, 333–43), have already begun to contribute to this secondary literature. The notes of the present article will refer to some of these authors.

<sup>6</sup> John Paul II, *Veritatis Splendor* (1993). A good introduction to the encyclical is the volume edited by J. A. Di Noia, OP and Romanus Cessario, OP, *Veritatis Splendor and the Renewal of Moral Theology: Studies by Ten Outstanding Scholars* (Chicago: Midwest Theological Forum, 1999).

<sup>7</sup> See, for example, Nicholas Lash, who writes: “And it is not war or poverty, atheism or the dead hand of the ‘commodity form’ which most preoccupies the Pope, but sex” (Lash, “Teaching in Crisis,” in John Wilkins, ed., *Considering Veritatis Splendor* [Cleveland, OH: Pilgrim Press, 1994], 27–34, at 29).

gian James P. Hanigan has observed, is “not without great significance for moral theology in the area of human sexuality.”<sup>8</sup> One way that the pope grounds sexual ethics in fundamental moral theology is by showing how the language of the body “is subject to the demands of moral truth, that is, to objective moral norms.”<sup>9</sup>

This essay aims to provide a modest and by no means comprehensive overview of the “theology of the body,” which “translates,” as Weigel says, its message to our contemporaries. I hope to present the Pope’s thought as clearly and faithfully as possible, so that this overview might serve as a foundation for comprehending his teaching on specific issues in bioethics and sexual ethics.

To accomplish this goal, I will focus on two fundamental themes that are indispensable, in my view, for understanding John Paul II’s “theology of the body.” First, I will analyze the meaning of what John Paul calls the “nuptial meaning of the body.” However, before doing that, it will be necessary to treat the Pope’s thought on the human body-person (which will include a comparison of his anthropology with that of Aquinas in order to show both its originality and continuity vis-à-vis the Catholic tradition), and then relate this thought both to his view of the nature of love and to the “personalistic norm.” I will also spell out here the implications of this personalistic understanding of love for bioethics and sexual ethics. Second, I will deal with the theme of sexual shame and how the Pope relates this (often neglected) phenomenon to the experiences of original nakedness, original sin and the Fall, and lust. Third, I will offer a brief reflection on what this understanding of shame means in light of our study of the “nuptial meaning of the body.” Fourth, I will briefly discuss what implications the Pope’s “theology of the body” has for understanding the Church’s moral teaching, as articulated by John Paul II, especially on marriage, the family, and sexual ethics, in a secular culture often aggressively opposed to that moral teaching. Thus, while I will in no way neglect the insights of John Paul II’s fundamental moral theology (especially as found in *Veritatis Splendor*; see, e.g., part one) and their relevance for specific issues in bioethics and sexual ethics, my primary focus is to set forth the general contours of his “theology of the body.”

Throughout the essay I will make use of numerous (but by no means all) philosophical and theological works by John Paul II that were written

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<sup>8</sup> James P. Hanigan, “*Veritatis Splendor* and Sexual Ethics,” in Michael E. Allsop and John J. O’Keefe, eds., *Veritatis Splendor: American Responses* (Kansas City: Sheed and Ward, 1995), 208–23, at 209–10.

<sup>9</sup> John Paul II, “The Church’s Position on the Transmission of Life,” in *Theology of the Body*, 398.

both before (as Karol Wojtyła) and after his election to the papacy in October 1978 in order to provide a more complete picture of his “theology of the body.” Although the Pope’s thinking is both original and modern (in the best sense of the term), as illustrated in his use of phenomenology,<sup>10</sup> it is also true that he has remained faithful to the constant teaching of the Church, while building on its tradition in a coherent and creative way.<sup>11</sup>

### **I. The Human Person, Love, and “Nuptiality”: The Human Person as a Bodily Being**

According to John Paul II, the human body is an icon, the expression or revelation of the person. “Man is a subject,” the Pope says, “not only because of his self-awareness and self-determination, but also on the basis of his own body. The structure of this body is such as to permit him to be the author of a truly human activity. In this activity the body expresses the person.”<sup>12</sup> This body is “human,” for unlike non-human creatures, it consists of both matter and spirit; the “human body is the body of a person because it forms a unity of substance with the human spirit.”<sup>13</sup> Thus, to sever the bodily aspect of the human person from the spiritual (or personal) aspect, is to separate the person from something that is “constitutive of the *being*” of that person—his or her body.<sup>14</sup> For as sexual

<sup>10</sup> Robert Sokolowski has defined phenomenology as “the study of human experience and of the ways things present themselves to us in and through such experience” (See Sokolowski, *Introduction to Phenomenology* [Cambridge: Cambridge University Press, 2000], 2).

<sup>11</sup> The Pope’s thoughts on the “theology of the body” have not been unopposed. There are critics on both the “left” and the “right” in the Church. For an example of the former, which is more common, see Luke Timothy Johnson, “A Disembodied ‘Theology of the Body’: John Paul II on Love, Sex & Pleasure,” *Commonweal* (January 26, 2001): 11–17. For a balanced and sympathetic assessment of the Pope’s philosophical project, which creatively blends (although not without tensions) phenomenology with Thomism, see, for example, Kenneth Schmitz, *At the Center of the Human Drama: The Philosophical Anthropology of Karol Wojtyła/Pope John Paul II* (Washington, DC: The Catholic University of America Press, 1993), 30–41. See Ronald Lawler, *The Christian Personalism of John Paul II* (Chicago: Franciscan Herald Press, 1982), and Peter Simpson, *On Karol Wojtyła* (Belmont, CA: Wadsworth, 2001).

<sup>12</sup> John Paul II, “The Alternative between Death and Immortality Enters the Definition of Man,” in *Theology of the Body*, 40–41. See St. Thomas Aquinas, *Summa theologiae*, I, q. 91, a. 3, ad 3, where we find a precedent for the Pope’s thoughts on this point.

<sup>13</sup> Karol Wojtyła, *Love and Responsibility* (New York: Farrar, Strauss, and Giroux, 1981), 54–55.

<sup>14</sup> William E. May, *Sex, Marriage and Chastity: Reflections of a Catholic Layman, Spouse and Parent* (Chicago: Franciscan Herald Press, 1981), 9.

beings, human persons exist only as *bodily* beings. It is in and through our human bodies that the spiritual or interior acts of knowing and willing find their outward expression.<sup>15</sup>

Thus, any form of anthropological dualism that separates the person from his or her body or treats the body only as an instrument to be used by the person, ultimately denies a fundamental truth of human existence: *I am my body and my body is me*.<sup>16</sup> Indeed, the Pope says, in a characteristically Thomistic fashion,<sup>17</sup> that one's body "belongs to the structure of the *personal subject* more deeply than the fact" that someone in his or her physical make-up exists as either male or female.<sup>18</sup> The body is not, then, "baggage" that I "own" or carry around, nor is it a "shell," that conceals the true person. It is, rather, something intrinsically *personal* that shares in the dignity of the person, thus revealing his or her nature. As a "sign" or "sacrament" of the person, the body, "and it alone," says John Paul II, "is capable of making visible what is invisible: the spiritual and the divine."<sup>19</sup> Many serious errors in contemporary bioethics, for example, abortion, euthanasia, assisted-suicide, and cloning among others, are committed, however, because the anthropological perspective of the author is wedded to an untenable dualism.<sup>20</sup>

Recognizing this problem, the Pope argues that human nature and the body are not simply "materially *necessary* for freedom to make its choice, yet extrinsic to the person, the subject and the human act." Thus, to refer to *human goods*, especially in the area of sexuality, is not mere "physicalism"

<sup>15</sup> Richard M. Hogan and John LeVoir, *Covenant of Love: Pope John Paul II on Sexuality, Marriage, and Family in the Modern World* (Garden City, NJ: Doubleday, 1985), 10.

<sup>16</sup> Germain Grisez notes that persons are more than their bodies in their ability to think, make free choices, and put things to use. "But persons can be more than their bodies without being realities other than their bodies, since a whole can be more than one of its parts without being a reality other than that part" (Grisez, *The Way of the Lord Jesus, Vol. 2: Living a Christian Life* [Quincy, IL: Franciscan Press, 1993], 491).

<sup>17</sup> Against dualism, for example, Plato's spiritualism, as one author put it, Aquinas "emphasizes the intrinsic union and the mutual coordination of both principles," that is, the spiritual soul and matter, in man. As Aquinas states: "It is clear that man is not a soul only, but something composed of soul and body" (*Summa theologiae*, I, q. 75, a. 4) (see Jean Lauand, "Basic Concepts of Aquinas's Anthropology," available at: [www.hottopos.com/mp2/aquinaspsy.htm](http://www.hottopos.com/mp2/aquinaspsy.htm)).

<sup>18</sup> John Paul II, "The Original Unity of Man and Woman," in *Theology of the Body*, 43.

<sup>19</sup> John Paul II, "Man Enters the World as a Subject of Truth and Love," in *Theology of the Body*, 76.

<sup>20</sup> See, for example, the writings of Princeton University philosopher and bioethicist Peter Singer, among them, *Rethinking Life and Death: The Collapse of Our Traditional Ethics* (New York: St. Martin's Press, 1994). See John Paul II, *Veritatis Splendor*, nos. 46–50, on the proper place of the body and human nature in moral theology.



or “biologism,” as some critics of the Church’s understanding of the natural law assert.<sup>21</sup> Rather, it is a reminder of “*the unity of the human person, whose rational soul is per se et essentialiter the form of his body.*”<sup>22</sup> The person, the Pope concludes,

discovers in the body the anticipatory signs, the expression and the promise of the gift of self, in conformity with the wise plan of the Creator. It is in the light of the dignity of the human person—a dignity which must be affirmed for its own sake—that reason grasps the specific moral value of certain goods toward which the person is naturally inclined. And since the human person cannot be reduced to a freedom which is self-designing, but entails a particular spiritual and bodily structure, the primordial moral requirement of loving and respecting the person as an end and never as a mere means also implies, by its very nature, respect for certain fundamental goods, without which one would fall into relativism and arbitrariness.<sup>23</sup>

Central also to John Paul II’s thought on the person—as well as for the entire Catholic tradition—is the belief that every human person, male and female, is an “image of God” (see Gn 1:27).<sup>24</sup> As beings created by God in his image and likeness (see Gn 1:26), John Paul II observes that persons are characterized by both freedom and transcendence. Our *freedom* enables us to be self-determining beings, beings that shape their moral character (and ultimate destiny) through freely chosen acts.<sup>25</sup> Our *transcendence* enables us to

<sup>21</sup> Prominent among the critics who have made this accusation, are the “revisionist” Catholic moral theologians Charles E. Curran and Joseph Selling. There are, however, numerous published refutations of this argument against the Church’s moral teaching.

<sup>22</sup> See *Veritatis Splendor*, no. 48. The Pope refers to the Ecumenical Council of Vienne, Constitution *Fidei Catholicae*, DS 902 and Fifth Lateran Ecumenical Council, Bull *Apostolici Regimini*, DS 1440. In speaking this way about the soul as the substantial “form” of the body, the Pope is only following Aristotle and St. Thomas Aquinas (see St. Thomas Aquinas, *De anima*, II, 1, 412, a. 27, b. 5; see *De anima*, II, 2, 414, a. 12). See *Catechism of the Catholic Church*, no. 365.

<sup>23</sup> *Ibid.* In *Veritatis Splendor* no. 49 John Paul II notes, “A doctrine which dissociates the moral act from the bodily dimensions of its exercise is contrary to the teaching of Scripture and Tradition.” See on this theme, William E. May, “Pope John Paul II’s Encyclical *Veritatis Splendor* and Bioethics,” in Christopher Olafsen, ed., *Pope John Paul II and Bioethics*, a volume in the “Philosophy and Medicine” Series (Dordrecht/Holland; Boston/USA: Kluwer Academic Pub.), forthcoming.

<sup>24</sup> On this theme, see John Paul II, “By the Communion of Persons Man Becomes the Image of God,” in *Theology of the Body*, 45–48.

<sup>25</sup> Hence, self-determination means not only that I am the cause of my acts, but that “through them I am also in some sense the ‘creator of myself.’ . . . [Self-determination] explains the reality that by my actions I become ‘good’ or ‘bad,’ and

be open to God's truth in all of its fullness and "to reach beyond ourselves and reflect God more perfectly."<sup>26</sup> Authors Richard Hogan and John LeVoi eloquently sum up these two interrelated concepts: "A human person is an image of God because he/she possesses a mind and a will. Through the awareness (consciousness) of his/her freely chosen (efficacious) acts of knowing and willing, a human person knows himself/herself." Continuing, they note that transcendence is "the effect of our acquiring the truth . . . and our choices made in accordance with the truth. These interior spiritual realities reflect God and when they are expressed through the body, it becomes a physical image of God in the world."<sup>27</sup>

### 1. Aquinas and Wojtyla on Anthropology

At this point, it will be useful to provide a brief examination of how John Paul II/Karol Wojtyla's view of the human person compares with that of St. Thomas Aquinas, whose own thought on the essential unity of body and soul in man expresses the fundamental conviction of a sound Catholic anthropology. It is important to do so in order to show that the Pope's anthropology, while different from Aquinas on some matters, as we will see, is an expression of traditional Christian anthropology as embodied in the Common Doctor, and not some drastic change in the way Catholicism understands the person.

As Janet Smith has well noted, Wojtyla, in his essay "Thomistic Personalism,"<sup>28</sup> "accepts Aquinas' definition of the person, but integrates this definition into his ethics in a way significantly different from Aquinas."<sup>29</sup> Aquinas's definition is that taken from Boethius (a "person is an individual

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that then I am also 'good' or 'bad' as a human being—as St. Thomas so eminently perceived" (Wojtyla, "The Personal Structure of Self-Determination," in Wojtyla, *Person and Community: Selected Essays*, trans. Theresa Sandok, OSM [New York: Peter Lang, 1993], 187–95, at 191). See also *Veritatis Splendor*, nos. 65–68; Karol Wojtyla, *The Acting Person* (Dordrecht: D. Reidel Publishing Co., 1979), 151; Jaroslaw Kupczak, OP, *Destined for Liberty: The Human Person in the Philosophy of Karol Wojtyla/John Paul II* (Washington, DC: The Catholic University of America Press, 2000), 113–25.

<sup>26</sup> Hogan and LeVoi, *Covenant of Love*, 11. See Mary Durkin, *Feast of Love: Pope John Paul II on Human Intimacy* (Chicago: Loyola University Press, 1983), chapter 6 for further discussion of these themes.

<sup>27</sup> Ibid.

<sup>28</sup> This essay can be found in Wojtyla, *Person and Community*, 165–75.

<sup>29</sup> Janet Smith, "Natural Law and Personalism in *Veritatis Splendor*," in Michael E. Allsopp and John J. O'Keefe, eds., *Veritatis Splendor: American Responses* (Kansas City: Sheed and Ward, 1995), 194–207, at 198. In *Person and Community*, Wojtyla also compares his own anthropology with a modern philosopher such as Descartes (see "Thomistic Personalism," 169–70).

substance of a rational nature”) and hence philosophical. Wojtyła, Smith observes, restates the definition: “The person . . . is always a rational and free concrete being, capable of all those activities that reason and freedom alone make possible.”<sup>30</sup> Wojtyła notes, says Smith, “that whereas Aquinas makes much use of the term ‘person’ in his theological treatises, in his treatise on the human being, he adopts a hylomorphic view that sees man as composite of form and matter.” However, this definition, Smith points out, “does not, of course, conflict with the definition of man as a person, for man’s form is a spiritual soul which is characterized by its rationality and freedom,”<sup>31</sup> and serves as the ground of the person’s dignity. In brief, Smith rightly claims that while Wojtyła “accepts Aquinas’ view of the person, he supplements it,”<sup>32</sup> and does so in a number of ways.

One way Wojtyła supplements Aquinas is found in the following passage: “St. Thomas gives us an excellent view of the objective existence and activity of the person, but it would be difficult to speak in his view of the lived experiences of the person,” that is, consciousness and self-consciousness.<sup>33</sup> On this point, argues Smith, Wojtyła “moves beyond” St. Thomas. He does so by sharing the “modern interest in consciousness and self-consciousness,” while at the same time rejecting, as Smith puts it, “the modern view that the person is consciousness.” Rather, as she shows, “in [Wojtyła’s philosophical treatise] the *Acting Person* he uses an analysis of consciousness to unfold his notion of man as being free and self-determining. For it is his consciousness of himself as one who is an efficient cause of his own action and of his self-actualization that allows the human being to have a sense of responsibility for his actions and his character.”<sup>34</sup>

“Ultimately,” we can conclude with Smith, Wojtyła “draws upon a Thomistic metaphysics, for Wojtyła finds Aquinas’ appropriation of the Aristotelian concepts ‘potentiality’ and ‘actuality’ (metaphysical terms) to

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<sup>30</sup> Ibid. Smith is quoting from “Thomistic Personalism,” 167.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid., 199.

<sup>33</sup> Wojtyła, “Thomistic Personalism,” 171. Here, Wojtyła favorably contrasts Aquinas with Descartes, since for the latter “the person is not a substance, an objective being with its own proper subsistence—subsistence in a rational nature,” but rather “consciousness and self-consciousness,” these wrongly constituting the “essence of the person” (170).

<sup>34</sup> Smith, “Natural Law and Personalism in *Veritatis Splendor*,” 199. For Wojtyła, Smith adds, “the dignity of the human person . . . lies in this self-determination of the self through the free choice of what is good” (199). This in turn presupposes that the person first has “an authentic grasp of values or goods and must work to determine himself in accord with objective goods; only thus is his true freedom realized” (ibid.).

be essential to a proper description of man's power to determine himself; man's life is a process of bringing into actualization various potencies that he has." But, she continues, "the fact remains that Aquinas aims at a metaphysical description (one ultimately rooted in experience, but one that seeks to arrive at ultimate principles, described in universal categories), whereas Wojtyła aims at a phenomenological one, one that remains as closely linked as possible to the lived experience of the concrete human being of his own consciousness of himself as a self-determining person."<sup>35</sup> Although there is much more that could be said by way of comparison and contrast between the respective anthropologies of Aquinas and Wojtyła, these comments should suffice to show that, despite their different emphases, there is great harmony between them.

## 2. The Nature of Love and the "Personalistic Norm"

Crucial too for grasping our author's "theology of the body," indeed his basic theory of Christian ethics is his in-depth account of human love. In *Love and Responsibility*, Wojtyła begins his general analysis of love with the fact that "love is always a mutual relationship between persons."<sup>36</sup> Here, however, we are concerned with the special form this love takes in the relationship between *man and woman*, particularly in marriage. In the Pope's analysis, love between man and woman, like other kinds of love, has numerous distinguishing characteristics ("basic elements") and exists on many different levels (i.e., the metaphysical, the psychological, and the ethical).<sup>37</sup> First, I will take up Wojtyła's general treatment of love in the metaphysical sense, which includes his examination of "betrothed love." Second, I will briefly examine his ethical analysis of love, which is closely

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<sup>35</sup> Ibid., 200, emphasis added. See Smith's brief discussion (200–201) with respect to Wojtyła's portrait of man as a "self-giver," and how this feature of the human person found in Vatican Council II, especially *Gaudium et Spes*, no. 24 (as well as in Wojtyła's pre- and post-Vatican II work) is fully "in accord with the [Catholic] tradition and with Thomism, but in a way moves beyond them both" (200).

<sup>36</sup> Wojtyła, *Love and Responsibility*, 73. Wojtyła adds: "This relationship in turn is based on particular attitudes to the good adopted by each of them individually and by both jointly" (ibid.). Here I will rely on the synthesis Wojtyła offers in *Love and Responsibility*. For an insightful commentary on this book, see Rocco Buttiglione, *Karol Wójtyła: The Thought of the Man Who Became Pope John Paul II* (Grand Rapids, MI: Eerdmans, 1997), trans. Paolo Guetti and Francesca Murphy, especially 83–116. See also Simpson, *On Karol Wójtyła*, chapter 4.

<sup>37</sup> See ibid., 73–140. A good discussion of the person and these various dimensions of love can be found in Joseph De Lestapis, SJ, "A Summary of Karol Wojtyła's *Love and Responsibility*," in Raymond Dennehy, ed., *Christian Married Love* (San Francisco: Ignatius Press, 1981), 108–14.

linked with his metaphysical and psychological analysis of love.<sup>38</sup> Third, as noted earlier, I will show how Wojtyla/John Paul II brings this understanding of love to bear on bioethics and sexual ethics.

For Wojtyla, love can be analyzed (in a positive way) not only as *attraction* and as *desire* but also as *goodwill*.<sup>39</sup> Love as goodwill, *amor benevolentiae*, is love “in a more unconditional sense than love as desire.”<sup>40</sup> It is indeed love in its purest form. “Such love,” says Wojtyla, “does more than any other to perfect the person who experiences it, brings both the subject and the object of that love the greatest fulfillment.”<sup>41</sup> However, genuine love as goodwill and love as desire (or even desire itself) are not it must be said contradictory loves—they can “keep company” with each other, especially in marriage—“provided that desire does not overwhelm all else in the love of man and woman, does not become its entire content and meaning.”<sup>42</sup> Attraction and desire, although they are the “matter” or basic “building blocks” of love,<sup>43</sup> we might say, must be, therefore, shaped by goodwill if they are to attain their true end: union with the beloved.

Here it is appropriate to quote Wojtyla on the meaning of genuine love as opposed to false love. A genuine love, he observes, is one in which “the true essence of love is realized—a love which is directed toward a genuine good (not merely an apparent) in the true way, or . . . the way appropriate to the nature of that good . . . A false love is one that is directed toward a specious good, or . . . to a way which does not correspond to but is contrary to its nature. . . . A false love is an evil love.”<sup>44</sup>

Love can also be approached from the standpoint of the problem of *reciprocity* between persons. Here Wojtyla considers love as something that exists *between* the man and the woman, that is, the love that is “common to them and unique.”<sup>45</sup> A reciprocal or bilateral love “creates the most immediate basis on which a single ‘we’ can arise from two ‘I’s. It is in this

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<sup>38</sup> I skip over a formal overview of Wojtyla’s interesting *psychological analysis of love*, where he treats sensuality, sentiment, and love, and the problem of integrating love (see 101–18).

<sup>39</sup> On love as attraction and as desire in Wojtyla, see *Love and Responsibility*, 74–82. For a good commentary, see Hogan and LeVoir, *Covenant of Love*, 16–18.

<sup>40</sup> Wojtyla, *Love and Responsibility*, 83.

<sup>41</sup> *Ibid.*, 84.

<sup>42</sup> *Ibid.*

<sup>43</sup> In *ibid.*, Wojtyla will later observe that *sensuality* is “a sort of raw material for true, conjugal love.” For this reason, it “must then be open to the other, nobler elements of love” (108).

<sup>44</sup> *Ibid.*, 82–83.

<sup>45</sup> *Ibid.*, 84.

that its natural dynamism exists.”<sup>46</sup> It is reciprocity, Wojtyła argues, “which determines whether that ‘we’ comes into existence in love.” Hence, reciprocity is the evidence that “love has matured, that it has become something ‘between’ persons, has created a community of feeling and that its full nature has thereby been realized.”<sup>47</sup> However, true reciprocity, Wojtyła reminds us, cannot exist between persons if pleasure or self-gratification is the sole or principal characteristic of what the relationship is based on. Genuine reciprocity, therefore, “cannot arise from two egoisms.”<sup>48</sup> As Wojtyła notes, the “structure of Love is that of an interpersonal communion.”<sup>49</sup>

*Betrothed love*, however, “is something different from and more than all the forms of love so far considered. . . . When betrothed love enters into this interpersonal relationship something more than friendship results: two people give themselves each to the other.”<sup>50</sup> The concept of betrothed love is especially valid when applied to marriage. Indeed, it is the kind of love that we can definitely call “conjugal.” This conjugal or spousal love leads in marriage to the “mutual dedication” of husband and wife to each other, to their common good or welfare. “From the point of view of each individual person this is a clear surrender of each individual person, while in the interpersonal relationship it is surrender of each to the other.”<sup>51</sup> Only in this way can marriage satisfy what Wojtyła calls the “personalistic norm.”<sup>52</sup> It is this personalistic perspective that leads Wojtyła to argue that the “gift of self” should not be interpreted in “a purely sexual, or sexual and psychological, sense.”<sup>53</sup>

Wojtyła begins his *ethical analysis of love*, which is closely tied to the preceding metaphysical analysis of love, by noting, “*there is no possibility of*

<sup>46</sup> Ibid., 85.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., 88.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid., 96. As Aquinas argues, “. . . well-wishing [i.e., good will, does not] suffice for friendship, for a certain mutual love is required, since friendship is between friend and friend: and this well-wishing is founded on some kind of communication [i.e., common good] (*Summa theologiae* II–II, q. 23, a. 1).

<sup>51</sup> Ibid., 98.

<sup>52</sup> Ibid., 41: “This norm, in its negative aspect, states that the person is the kind of good which does not admit of use and as such the means to an end. In its positive form the personalistic norm confirms this: the person is a good toward which the only proper and adequate attitude is love.” See Paul F. de Ladurantaye, “‘Irreconcilable Concepts of the Human Person’ and the Moral Issue of Contraception: An Examination of the Personalism of Louis Janssens and the Personalism of Pope John Paul II,” *Anthropotes* 13 (1997): 433–55.

<sup>53</sup> Ibid., 99.

*psychological completeness in love unless ethical completeness is attained.*"<sup>54</sup> Expressed another way, "love as experience should be subordinated to love as virtue." This requires first of all, an "affirmation of the value of the person,"<sup>55</sup> and the need to subordinate sensual and emotional attraction to the sexual values of the person, to the realization that, like oneself, "the human being concerned is a person."<sup>56</sup>

Love must also be, Wojtyła argues, directed "not toward 'the body' alone, nor yet toward 'a human being of the other sex,' but precisely toward a person. What is more, it is only when it [freely] directs itself to the person that love is love."<sup>57</sup> This leads to love in its "objective aspect" as "an interpersonal fact, [as] reciprocity, and friendship based on a shared good—it is, then, always the unification of two persons, with the result that they belong to each other."<sup>58</sup> This is the "self-giving" character of the love that Wojtyła, as we saw, calls "betrothed love." Thus, for example, sexual relations can be morally good, that is, in accord with the "personalistic norm," only when they involve persons who have irrevocably committed themselves to this kind of singular love (i.e., in marriage).<sup>59</sup>

Thus understood, this love requires an affirmation of the objective *value* of the person, for the person is, as Wojtyła expresses it, "a good toward which the only proper and adequate attitude is love."<sup>60</sup> Since the person is a being with fundamental worth and inestimable dignity, created in God's image, he or she must never be treated in a mere utilitarian fashion—either as an object of use or as a means to an end.<sup>61</sup> Here, again, in a nutshell, is the "personalistic norm" that Karol Wojtyła uses to ground his ethics of marriage and sexuality, indeed, his entire ethical system.<sup>62</sup> Wojtyła argues, in fact, that this particular norm provides a *justification* for the New Testa-

<sup>54</sup> Ibid., 120.

<sup>55</sup> Ibid., 121.

<sup>56</sup> Ibid., 122–23.

<sup>57</sup> Ibid., 123.

<sup>58</sup> Ibid., 127.

<sup>59</sup> See *ibid.*, 130–39. Further insight into Wojtyła's ideas on love and friendship can be found in his many poems and plays, for example, *The Jeweler's Shop*, in Karol Wojtyła, *The Collected Plays and Writings on Theatre*, trans. Boleslaw Taborski (Berkeley and Los Angeles, CA: University of California Press, 1987), 278–322. See Scott Fitzgibbon, "Wojtylian Insight into Love and Friendship: Shared Consciousness and the Breakdown of Solidarity," in Luke Gormally, ed., *Culture of Life—Culture of Death* (London: Linacre Centre, 2002), 279–98.

<sup>60</sup> Ibid., 41.

<sup>61</sup> Ibid.

<sup>62</sup> Kupczak, *Destined for Liberty*, notes, "This norm presupposes a personalist anthropology that describes the human person as possessing a unique dignity as well as enjoying personal freedom and the possibility of knowing the truth" (89–90).

ment commandment to “love persons.” This commandment is even the same as the “personalistic norm,” if the commandment is taken together with this justification.<sup>63</sup> “For if Jesus Christ commanded us to love those beings who are persons, then love,” according to Wojtyla, “is the proper form of relating to persons: it is the form of behavior for which we should strive when our behavior has a person as its object, since this form is demanded by that person’s essence, or nature.”<sup>64</sup>

### 3. Christian Love, Bioethics, and Sexual Ethics

There are clear implications here of the centrality of love in Karol Wojtyla/John Paul II for bioethics and sexual ethics, among other areas of human life, since both disciplines have the “person as [their] object.”<sup>65</sup> For example, as John Paul II teaches in *Veritatis Splendor* no. 13, the commandments of the “second tablet,” concerning treatment of other human persons, have their summary and foundation in *the commandment of love of neighbor* (see Mt 22:37–40 and par.). Indeed, this commandment expresses *the singular dignity of the human person*. “The different commandments of the Decalogue,” John Paul II teaches, “are really only so many reflections of the one commandment about the good of the person, at the level of the many different goods which characterize his identity as a spiritual and bodily being in relationship with God, with his neighbor and with the material world.”<sup>66</sup>

Hence, in the Gospel story of the rich young man (see Mt 19:16–30), Jesus calls his attention to the commandments that “are meant to safeguard *the good* of the person, the image of God, by protecting his *goods*.”<sup>67</sup>

<sup>63</sup> Wojtyla, *Love and Responsibility*, 41. See on Wojtyla’s concept of love, Andrzej Szostek, “Karol Wojtyla’s View of the Human Person in the Light of the Experience of Morality,” in *Existential Personalism: Proceedings of the American Catholic Philosophical Association*, Vol. 60 (Washington, DC: 1987), 58–62; Kupczak, *Destined for Liberty*, 44–46.

<sup>64</sup> Wojtyla, “The Problem of Catholic Sexual Ethics: Reflections and Postulates,” in Wojtyla, *Person and Community*, 279–99, at 289. See especially 286–91.

<sup>65</sup> See Mary F. Rousseau, “Deriving Bioethical Norms from the Theology of the Body,” *The National Catholic Bioethics Quarterly* 3 (Spring 2003): 59–67, who writes, the “theology of the body is . . . a necessary source of moral norms for Catholic Bioethics” (59).

<sup>66</sup> *Veritatis Splendor*, no. 13.

<sup>67</sup> See the rich analysis of this theme in Livio Melina, *Sharing in the Virtues of Christ: For a Renewal of Moral Theology in Light of Veritatis Splendor*, trans. William E. May (Washington, DC: The Catholic University of America Press, 2001), 72–86. “In . . . *Veritatis splendor* a personalistic interpretation of the classical doctrine of natural law has been proposed, based on the distinction between the ‘good of the person’ and ‘goods for the person’ (see *Veritatis splendor*, nos. 13, 48–50)” (ibid., 72).



Continuing, the Pope argues that these “negative precepts express with particular force the ever urgent need to protect human life, the communion of persons in marriage, private property, truthfulness and people’s good name”—essential goods all in such areas as bioethics and sexuality. Therefore, the commandments of which Jesus speaks, “represent the basic condition for love of neighbor; at the same time they are proof of that love. They are the *first necessary step on the journey toward freedom*, its starting point.”<sup>68</sup> In other words, one does not, indeed *cannot*, even if for a noble reason, love one’s neighbor by directly depriving him or her of a fundamental good, say, *human life*, by aborting our neighbor or by euthanizing our neighbor.<sup>69</sup> The latter acts of intentional killing are “intrinsically evil acts,”<sup>70</sup> prohibited by absolute moral norms that safeguard the inviolable and sacred dignity of the human person.<sup>71</sup>

#### 4. “Nuptiality”: *The Human Body Expresses Love*

Our previous discussion has provided us with a foundation for relating the Pope’s ideas about the human person and love to the “nuptial meaning of the body.” In order to accurately understand this concept, so central to John Paul II’s thought, we turn to his exegesis of Genesis 1–3, where he describes the “original unity” of Adam and Eve before the first sin. One author has remarked that the Pope’s reflections are not so much a biblical commentary (although they are that!) as they are a philosophical meditation on marriage and sexuality.<sup>72</sup> Because these chapters of Genesis speak of “foundational human experiences” that are at the core of every human experience, they speak therefore in a manner that is trans-temporal and universal. Christ

<sup>68</sup> *Veritatis Splendor*, no. 13.

<sup>69</sup> With respect to sexual ethics and the *communion of persons in marriage*, we can say that one does not love one’s neighbor by committing adultery with one’s neighbor. See Derek Jeffreys, “Euthanasia and John Paul II’s ‘Silent Language of Profound Sharing of Affection:’ Why Christians Should Care About Peter Singer,” *Christian Bioethics* 7 (2001): 359–78.

<sup>70</sup> On the concept of “intrinsic evil,” see *Veritatis Splendor* nos. 78–83.

<sup>71</sup> On the moral norms prohibiting intentional killing of the innocent, abortion, and euthanasia, see John Paul II, *Evangelium Vitae*, nos. 57, 62, and 65, respectively. On the understanding of moral absolutes in *Veritatis Splendor*, see William E. May, *An Introduction to Moral Theology*, revised edition (Huntington, IN: Our Sunday Visitor Press, 1994), 145–53; John Finnis and Germain Grisez, “Negative Moral Precepts Protect the Dignity of the Human Person,” *L’Osservatore Romano* 8 (1994): 6–7. See further on the important subject of moral absolutes, John Finnis, *Moral Absolutes: Tradition, Revision, and Truth* (Washington, DC: The Catholic University of America Press, 1991).

<sup>72</sup> Sergius Wroblewski, “John Paul II and *Humanae Vitae*,” *Homiletic & Pastoral Review* (October 1984): 26.

himself authoritatively referred to these chapters when he spoke the words “From the beginning” (Mt 19:3ff), in affirming the indissolubility of marriage as part of God’s original intention for spouses. In referring to the “beginning” in this way, John Paul II argues that Christ has thereby divinely accorded *normative* status on these original human experiences.<sup>73</sup>

John Paul II states that in the Garden of Eden there were three “original human experiences”: solitude, unity, and nakedness.<sup>74</sup> Here I will discuss the first two original experiences, leaving the third, nakedness, for part two, when we discuss the latter’s relation to shame.

Solitude results because of Adam’s realization that no other creature in the world is like him.<sup>75</sup> In Genesis 2:19 we read that Adam names the animals. In the process of this naming, he realizes that he is unique among all other creatures around him. Only his body is able to express a “person.” Yet in this self-knowledge, Adam also becomes aware that he is alone. However, God does not desire this state for him (i.e., man). Earlier, we read: “It is not good that man should be alone” (Gen 2:18). Thus, the inspired biblical author informs us, it is only through another *person* that this solitude on the part of Adam can be overcome.

Moreover, Adam was still *incomplete* as a human person: As a being created to love, he could not love! For love obviously implies both a “lover” and a “beloved.” As authors Hogan and LeVoir nicely comment: Adam “could not truly love the animals because love is a mutual self-donation of at least two persons to one another. It was the discovery that only he was a person called to love in and through a physical body that led directly to his loneliness. . . . But Adam had to experience solitude . . . his unique call to imitate God in love expressed through the body” before he could see that only another person could satisfy this powerful innate need.<sup>76</sup>

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<sup>73</sup> I do not concern myself here with the important question of the historicity of the creation accounts found in Genesis. See the brief discussion of this issue in George Hunston Williams, *The Mind of John Paul II: The Origins of His Thought and Action* (New York: Seabury Press, 1981), 271–72.

<sup>74</sup> The structure and at times the substance of my presentation of these themes are indebted to Hogan and LeVoir, *Covenant of Love*, 11–27.

<sup>75</sup> As Lorenzo Albacete points out, however, it “is not that the lonely individual Adam needs others to assist him physically or accompany him psychologically. His solitude is much deeper, much more fundamental. It is a wound in his very experience as a person, a need that must be fulfilled if the human creature is to achieve its potential” (Albacete, *God at the Ritz: Attraction to Infinity* [New York: Crossroad, 2002], 21).

<sup>76</sup> Hogan and LeVoir, *Covenant of Love*, 14. See on original solitude and original unity, Mary Shivanandan, *Crossing the Threshold of Love: A New Vision of Marriage* (Washington, DC: The Catholic University of America Press, 1999), 94–105.

This other person is, of course, Eve, the “mother of all the living” (Gen 3:20). After casting the man into a “deep sleep,” she is made by God “with the rib” taken from Adam (see Gen 2:21–22). Upon seeing her, Adam exclaims: “This at last is bone of my bones and flesh of my flesh” (Gen 2:23).<sup>77</sup> This passage has great significance, for as John Paul II notes, it conveys the fact that both Adam and Eve are created from the same stuff, from the same humanity. There is, in fact, a “somatic homogeneity” (even though there are obvious sexual differences), which the Pope speaks of, that becomes evident with Adam’s breathless poetic joy in discovering another being like him.<sup>78</sup>

The masculinity of Adam and the femininity of Eve are really, then, “two ways of ‘being a body,’” two equal, but complementary ways of being a human person created in God’s image.<sup>79</sup> It is precisely this duality (not dualism!) of man’s bodily nature that enables him to overcome his original solitude, unite him in communion with another person of the opposite sex, and thus become “two in one flesh/body” (see Gen 2:24). For masculinity and femininity, that is, sexual differentiation, in this perspective, makes possible a true (physical and spiritual) union between persons. Sexuality, in other words, gives persons the bodily agency to express this unity, which without there would be no union.<sup>80</sup>

The physical union of spouses is also a holy or sacred one, for through it the man and the woman are able to express a personal communion (*communio personarum*), one that is a sacramental reflection of the Trinitarian communion of divine Persons in heaven. This is why the Pope argues that Genesis 2:24 (“A man . . . cleaves to his wife and they become one flesh”) constitutes marriage “as an integral part and, in a certain sense, a central part of the ‘sacrament of creation.’” In this sense, John Paul II says, it “is the primordial sacrament.”<sup>81</sup> Thus, man and woman are not only images of God insofar as they are human, with reason and will, but also insofar as they form a *communio of persons* with each other that reveals God’s love.<sup>82</sup>

<sup>77</sup> John Paul II remarks that here Adam, in speaking this way, seems to say, “*here is a body that expresses a person*” (“The Nuptial Meaning of the Body,” in *Theology of the Body*, 61, emphasis added).

<sup>78</sup> John Paul II, “Original Unity of Man and Woman,” in *Theology of the Body*, 44–45.

<sup>79</sup> *Ibid.*, 43.

<sup>80</sup> Richard M. Hogan, “A Theology of the Body: A Commentary on the Audiences of Pope John Paul II from September 5, 1979 to May 6, 1981,” *Fidelity* (December 1981): 10–15, 24–27, at 14.

<sup>81</sup> John Paul II, “Marriage is the Central Point of the ‘Sacrament of Creation,’” in *Theology of the Body*, 335.

<sup>82</sup> John Paul II, “By the Communion of Persons Man Becomes the Image of God,” in *Theology of the Body*, 46. See John Paul II, *Mulieris Dignitatem* (1988), nos. 6–7.

The fulfillment of man's original solitude is the result of the *communion of persons in unity*; this is the second original experience. This communion signifies a relationship "existing in mutual 'for,' in a relationship of mutual gift."<sup>83</sup> The actual truth of this aspect of the relationship, the Pope argues, is found in two passages from Genesis: "It is not good that man (male) be alone," so God says, "I will make him a helper . . ." (Gen 2:18). Thus, these words ("alone" and "helper") indicate that the man and the woman are to exist with each other and for each other in total mutual self-giving.<sup>84</sup>

Because the bodies of Adam and Eve could, before the Fall, express their persons authentically and fully (for sin had not yet affected them), their gift (which each of them is to the other) could be a *total gift* of two persons to one another. This gift is the external expression or revelation of a "communion of persons."<sup>85</sup> Moreover, both bodies bare witness to creation as a gift, and to the fact that the fountain from which this giving springs is God, who is love itself (see Jn 4:8). It is precisely this capacity of the body (with its sex and bi-sexuality) to express a unique "gift-love" that constitutes the "nuptial meaning of the body."

All married persons (as well as all single persons, too) are called to imitate the experience of original unity, that is, to live in accord with the will of the Creator for human love. This gift of love is to be given freely from the "heart" of the person—"for the sake of the other."<sup>86</sup> In giving love this way, the human person is able to transcend the solely physical aspect of sexuality (good in itself), and see that through its proper exercise, he or she is able to affirm the unique value of another person. The Pope comments: "On the one hand, [the nuptial meaning of the body] indicates a particular capacity of expressing love, in which man becomes a gift. On the other hand, the capacity and deep availability for the affirmation of the person corresponds to it. This is, literally, the capacity of living the fact that the other—the woman for the man and the man for the woman—is, by means of the body, someone willed by the Creator for his or her own sake."<sup>87</sup> In other words, the person (as mutual gift) is viewed (and treated),

<sup>83</sup> John Paul II, "The Nuptial Meaning of the Body," in *Theology of the Body*, 61.

<sup>84</sup> *Ibid.*, 60. For a discussion of this point, see the essay by Daryl J. Glick, "Recovering Morality: Personalism and the Theology of the Body of John Paul II," *Faith and Reason* 12 (1986): 7–25, at 12–15.

<sup>85</sup> Hogan, "A Theology of the Body," 12.

<sup>86</sup> John Paul II, "The Human Person Becomes a Gift in the Freedom of Love," in *Theology of the Body*, 64–65.

<sup>87</sup> *Ibid.*, 65. See Jorge V. Arregui, "The Nuptial Meaning of the Body and Sexual Ethics," in Luke Gormally, ed., *Issues for a Catholic Bioethic* (London: The Linacre Centre, 1999), 119–33.

by means of the body, as someone who is created by God to be irreplaceable and unrepeatable: “someone chosen by eternal Love.”<sup>88</sup>

In affirming the value of the person, one thus accepts the gift, and by means of reciprocity, “creates the communion of persons.”<sup>89</sup> It is only by total *self-giving* to another, then, that the person can truly discover himself or herself, as John Paul II ceaselessly proclaims in his echo of Vatican Council II’s *Gaudium et Spes*, no. 24.<sup>90</sup> In other words, the human person can only exist and grow in the “plural,” in communion. Without communion-in-love there is, ultimately, only death, despair, and loneliness. But this form of self-giving love really “enables a person to experience his own life in a way that unifies it with the life of another person and establishes an inner bond between their individual selves.”<sup>91</sup> “Gift-love” also presupposes that the spouses see in each other that “unique value” that the “personalistic norm” speaks of and exhorts them to recognize.

Originally, as we noted, Adam and Eve were able to exchange the gift of their selves in total innocence, for sin had not yet impaired their bodies from expressing their persons.<sup>92</sup> This mutual and selfless exchange is based upon and made possible by freedom (for freedom is to be at the service of love); that is, the human will, which is originally innocent in their case, enables Adam and Eve to fully give and accept each other. They are able to “will” or act out internally what their bodies will express externally. Put another way, in the state of original innocence, their minds and acts of the will are in perfect harmony with their acts of the body.<sup>93</sup>

Since Adam and Eve were able to fully express their persons by means of the body, the communion of persons was perfectly realized for them. This communion of persons, the Pope states, is characterized by the “mutual interpenetration” of giving and receiving as gift. John Paul II

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<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

<sup>90</sup> The conciliar text in Austin Flannery, OP, ed., *Vatican Council II: The Conciliar and Post Conciliar Documents* (Northport, NY: Costello Publishing Co., 1984), 925 reads as follows: “. . . if man is the only creature on earth that God has wanted for its own sake, man can fully discover his true self only in a sincere giving of himself.” This is a consequence, the Council Fathers maintain, of Jesus implying in John 17:21–22, that “there is a certain parallel between the union existing among the divine persons and the union of the sons of God in truth and love” (*Gaudium et Spes*, no. 24).

<sup>91</sup> Andrew Woznicki, *A Christian Humanism: Karol Wojtyla’s Existential Humanism* (New Britain, CT: Mariel Publications, 1980), 36–37.

<sup>92</sup> See John Paul II, “The Mystery of Man’s Original Innocence,” in *Theology of the Body*, 66–69.

<sup>93</sup> See Hogan and LeVoir, *Covenant of Love*, 16.

beautifully articulates what he means by “mutual interpenetration”: “In the mystery of creation, the woman was ‘given’ to the man. On his part, in receiving her as a gift in the full truth of her person and femininity, man thereby enriches her. At the same time, he too is enriched in this mutual relationship. The man is enriched not only through her, who gives him her own person and femininity, but also through the gift of himself.” Through this giving of himself is manifested “the specific essence of his masculinity, which, through the reality of the body and of sex, reaches the deep recesses of the ‘possession of self.’ Thanks to this he is capable both of giving himself and of receiving the other’s gift.”<sup>94</sup>

John Paul II sees in the second “original experience” implications for our understanding of marriage today. The union between Christian spouses, if it is to be a communion-in-love of persons, must be based on the “personalistic norm.” The bond that joins them must, therefore, transcend mere erotic attraction and strive for that unique graced love (which can heal, purify, and elevate attraction and desire) and which is proper to spouses in the sacrament of marriage, and which reflects the love of the divine Persons. By doing so, the married couple realizes the “nuptial meaning” of their bodies: They see that they are capable of giving to each other the love that the Creator wills them to give, the love that expresses their persons as both made in God’s image and likeness and redeemed by His Son. This is a love, moreover, that is open, indeed ordained to the handing on of new human life, that is, the blessing of children. Hence, like God’s love, it is inherently a *fertile* love, a *procreative* love (see, e.g., Gen 1:28).<sup>95</sup>

The use of contraception by couples, however, according to John Paul II’s view of fertility, can only be a “lie,” a deception. It is both a falsification of their conjugal love *and* a denigration of their human personhood: for each of them is called to give life in imitation of God—to be, in a word, a

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<sup>94</sup> John Paul II, “Man and Woman: A Gift for Each Other,” in *Theology of the Body*, 71–72.

<sup>95</sup> See John Paul II, “The Nuptial Meaning of the Body,” in *Theology of the Body*, 60–63. See “Analysis of Knowledge and Procreation,” and “The Mystery of Woman is Revealed in Motherhood,” in *Theology of the Body*, 77–80 and 80–83, respectively. In his *Love and Responsibility*, Wojtyła asks: How is it possible for the husband and wife to avoid treating each other as nothing more than a means to an (selfish) end? Spouses, he replies, “must share the same end. Such an end, where marriage is concerned, is procreation, the future generation, a family, and, at the same time, the continual ripening of the relationship between two people, in all areas of activity which conjugal life includes” (30). See Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, DC: The Catholic University of America Press, 1991), chapter 8, “Self-Giving and Self-Mastery: John Paul II’s Interpretation of *Humanae Vitae*,” especially 255–56.

“co-creator” with God.<sup>96</sup> Contraception, then, involves not only a refusal to hand on new life (a “no” to life), but a refusal to give oneself totally to the other (“I withhold a basic aspect of my person which makes me like God, namely my fertility, my power to give life”).<sup>97</sup> Thus, for John Paul II, contraception involves both moral and anthropological concerns.<sup>98</sup> This makes sense, since human sexuality, as the Pope argues, is no mere biological phenomenon, but is something that permeates the entire being of the person. The human power to give life surpasses the biological order and involves a whole series of profound personal values.<sup>99</sup>

## II. The Phenomenon of Sexual Shame

In order to examine the phenomenon of shame as experienced by Adam and Eve, it will be necessary to first deal with the third “original experience”—*nakedness*.<sup>100</sup> It is only by describing the experience of nakedness (an experience that changed after the Fall), which enables John Paul II to show the dichotomy between humankind’s original innocence and its’ fallen (although not totally corrupted) state.

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<sup>96</sup> As John Paul II states, “the conjugal act signifies not only love, but also potential fecundity.” When contraception is used, however, “a real bodily union is carried out in the conjugal act, but it does not correspond to the interior truth and to the dignity of personal communion—communion of persons. . . . Such a violation of the interior order of conjugal union, which is rooted in the very order of the person, constitutes the essential evil of the contraceptive act” (“The Church’s Position on the Transmission of Life,” in *Theology of the Body*, 398).

<sup>97</sup> See John Paul II, *Familiaris Consortio* (1981), no. 32. See also the audiences in the section, “Reflections on ‘*Humanae Vitae*,’” in *Theology of the Body*, 386–423; Wojtyła, “The Teaching of the Encyclical *Humanae Vitae* on Love,” in Karol Wojtyła, *Person and Community*, 301–14. In commenting on the “theology of the body,” Benedict Ashley, OP, argues that, according to John Paul II, the use of contraception involves treating the person “as a mere object of erotic pleasure” because it not only “artificially alters the act in its biological structure [i.e., its teleology] but because it depersonalizes it.” See Ashley, “John Paul II: Theologian of the Body of the Acting Person,” *Josephinum Journal of Theology* 7 (2000): 31–45, at 34.

<sup>98</sup> See *ibid.*, where John Paul II recognizes that there is a radical “*difference, both anthropological and moral*, between contraception and recourse to the rhythm of the cycle . . . one which involves . . . two irreconcilable concepts of the human person and human sexuality.”

<sup>99</sup> *Ibid.*, no. 11. See John Grondelski, *Fruitfulness as an Essential Dimension of Acts of Conjugal Love: An Interpretive Study of the Pre-Pontifical Thought of John Paul II* (Ph.D. Diss.: Fordham University, 1985).

<sup>100</sup> On the theme of original nakedness and shame, see the helpful analysis of Shivanandan, *Crossing the Threshold of Love*, 121–30.

### **1. The Experience of Nakedness**

In Genesis 2:25 we read: “And the man and his wife were both naked, and were not ashamed.” This passage refers to the actual state of mind or consciousness of Adam and Eve. In fact, John Paul II says, it articulates “their mutual experience of the body,” “the experience on the part of the man of the femininity that is revealed in the nakedness of the body and reciprocally, the experience of masculinity on the part of the woman.”<sup>101</sup> Thus, the words of Genesis 2:25 do not imply a “lack,” but rather show the “particular fullness of consciousness and experience” on the part of Adam and Eve. “Above all they indicate a full understanding of the meaning of the body, bound up with the fact that they were naked.”<sup>102</sup>

Furthermore, the nakedness of our first parents corresponds to an immediate and spontaneous participation in the “perception of the world—in its ‘exterior aspect. . . .’ It is prior to any ‘critical’ complication of knowledge and human experience,” and is viewed as closely linked with the meaning of the human body.<sup>103</sup> One could say that the (proto) couple of humankind objectively “experience” their nakedness before being “aware” of it. Yet the meaning of this original nakedness cannot be understood by considering only the “exterior” aspect of Adam and Eve’s experience. Consistent with his phenomenological method, there is still another aspect of the human body that the Pope believes he must look at to help us understand original nakedness. This aspect is the “consciousness” of the human being, that is, his or her interiority.

First, recall what was said about John Paul II’s understanding of the human body. He teaches that “the body expresses/reveals the person.” It is “something more than the ‘individual,’ and therefore expresses the personal ‘self,’ which derives its ‘exterior’ perception from within.”<sup>104</sup> The body enables the man and the woman to “communicate” their desires, feelings, thoughts, and intentions. It acts as a “bridge” (although one not separate from the person) whereby the spouses can manifest their persons to each other.

In the beginning, man and woman are characterized by an original innocence that both reveals and determines the perfect exchange of the mutual gift. Moreover, there is also a primordial consciousness of the nuptial meaning of their bodies. For as yet, Adam and Eve had not eaten the fruit of the forbidden “tree of knowledge of good and bad [evil]” (see

<sup>101</sup> John Paul II, “The Meaning of Original Experience,” in *Theology of the Body*, 52.

<sup>102</sup> John Paul II, “The Fullness of Interpersonal Communication,” in *Theology of the Body*, 55.

<sup>103</sup> *Ibid.*, 56.

<sup>104</sup> *Ibid.*



Gen 2:17); hence original sin was not a part of their nature. Without the reality of original sin (and its residue, concupiscence) to affect them, Adam and Eve could stand naked before each other, in all the fullness of their masculinity and femininity, and be without shame. As John Paul II comments, interior innocence “as purity of heart made it impossible somehow for one to be reduced by the other to the level of a mere object. The fact that they ‘were not ashamed’ means that they were united by awareness of the gift. They were mutually conscious of the nuptial meaning of their bodies, in which the freedom of the gift is expressed and all the interior riches of the person as subject are manifested.”<sup>105</sup>

This mutual self-giving creates the “communion of persons” John Paul II constantly refers to: By the sincere “giving” and “accepting” of the gift, its meaning is expressed in its purity and strengthened in its substance. It is only when the man or the woman deny the fact that the other person exists as a gift in his or her own right, does the gift of oneself become cheapened, while at the same time reducing the gift that is the other human being to an “object” to be used or exploited, instead of one (who is) to be loved totally and unselfishly.<sup>106</sup> It is by such a depersonalized act that one severs the intimate connection that should exist between affirming the value of the person and his or her body (sensuality). Without the affirmation of the value of the person, the man and the woman cannot become “one flesh/body” together. They are unable as it were to come to a “full realization of the union of persons, which results from reciprocal conjugal love.”<sup>107</sup>

## 2. The Experience of Shame

After the fall (see Gen 3:1–24), with the onset of, among other things, the “war of the sexes,” the ability of man and woman to perfectly affirm the value of the other person is damaged. No longer could it be said that Adam and Eve were without shame. With the first sin, then, comes the first experience of (sexual) shame; in fact, shame, like death, is a direct consequence of sin. Genesis 3:7 reads: “Then the eyes of both were opened and they knew that they were naked.” Hogan and LeVoir state that because of sin, our first parents not only lost the gift of divine life, they “lost the gift of integration.”<sup>108</sup> In other words, their bodies no longer were able to perfectly express their personhood: From now on their

<sup>105</sup> John Paul II, “Man Enters the World as a Subject of Truth and Love,” in *Theology of the Body*, 75.

<sup>106</sup> See John Paul II, “Man and Woman: A Gift for Each Other,” in *Theology of the Body*, 69–72.

<sup>107</sup> Karol Wojtyła, *Love and Responsibility*, 184.

<sup>108</sup> Hogan and LeVoir, *Covenant of Love*, 20.

bodies and wills (as well as ours) would not always operate in harmony to reveal the value of each as a person.

With the introduction of sin into the world by Adam and Eve's freely chosen act, "a fundamental disquiet" occurs in human existence, as John Paul II poetically expresses it.<sup>109</sup> No longer able to control their bodies as they had before the Fall, their shame "confirms that the original capacity of communicating themselves to each other, which Genesis 2:25 speaks of, has been shattered."<sup>110</sup> It is as if the body, John Paul II continues, in "its masculinity and femininity, no longer constituted the trustworthy substratum of the communion of persons, as if its original function were called in question in the consciousness of man and woman."<sup>111</sup>

Now, the Pope observes further, within the human person a "rupture" has taken place, causing "man's original spiritual and somatic unity" to be separated on the existential plane. Man "realizes for the first time that his body has ceased drawing upon the power of the spirit, which raised him to the level of the image of God."<sup>112</sup> However, not only does this rupture affect the nature of the individual, it also affects society insofar as the rupture hinders the person's ability to bring into existence the communion of persons. From now on, the body is no longer the perfect means of revealing the person and giving love—and since love is both the condition and fruit of the communion of persons—the union of the man and woman is damaged and the "nuptial meaning of the body" is distorted. As theologian Benedict Ashley, OP, comments: "The experience of shame reveals the human condition [as a result of original sin]: our sense of alienation from our true selves, from other human persons, and from God. Yet at the same time that shame obscures our true selves, it also reveals our responsibility for ourselves and for others and hence our personhood, as sickness reveals the glory of health." It spurs us also, Ashley argues, "to acknowledge that God has not abandoned us, since he promises to Eve and to all her and Adam's children that the serpent will not have final victory" (see Gn 3:15).<sup>113</sup>

In Genesis 3:7 we also read the following: "[T]hey knew that they were naked; and they sewed fig leaves together and made themselves aprons."

<sup>109</sup> See John Paul II, "A Fundamental Disquiet in All of Human Existence," in *Theology of the Body*, 114–17.

<sup>110</sup> John Paul II, "The Relationship of Lust to the Communion of Persons," in *Theology of the Body*, 117. The Pope notes that this shame induces them to hide their bodies, especially their sexual differentiation, from each other.

<sup>111</sup> *Ibid.*, 117–18.

<sup>112</sup> John Paul II, "A Fundamental Disquiet in All Human Existence," in *Theology of the Body*, 115.

<sup>113</sup> Ashley, "John Paul II," 35.

Thus, shame is also a communal experience (“they knew . . .”). Yet unlike the experience of love, it does not lead to a true communion of persons. The Pope states that this feeling of shame is a “symptom” or consequence of the first sin.<sup>114</sup> However, Adam and Eve could never again experience the disinterested loving gaze of each other’s bodies without seeing in the other the possibility of making that person an object of use. The phenomenon of sexual shame occurs precisely when the (naked) body is viewed as an object. Paradoxically, we can say that the body, even though it might be naked, often acts more as a *barrier* to the revelation of the inherent value and worth of the person. We can also say that after the first sin is committed, the body in its maleness and femaleness, does not constitute the “trustworthy substratum of the communion of persons.”<sup>115</sup> Rather, as we read in Romans 7:22–23, it goes off on its own, obeying a “law” of its own (i.e., “the law of sin in my members”), in search of sensual pleasure (here is the beginning of lust, which I shall treat in the next section).

In discussing lust, however, we must keep in mind that the concepts of “nakedness” and “shame” do not refer solely to the body. That is, John Paul II believes that the experience of nakedness (and the shame that results) manifests the profound spiritual and metaphysical deficiencies that man brought into existence by sinning. In the damaged state of sin, humankind is seen as “deprived of participation in the gift . . . alienated from that love which had been the source of the original gift, the source of the fullness of the good intended for the creature.”<sup>116</sup>

We are able to witness the profound spiritual change that takes place in the depths of the human person, when we read the words of Genesis 3:10: “I was afraid, because I was naked; and I hid myself.” These words, according to John Paul II, both reveal that shame causes fear in the human person (i.e., fear of the material world and its deterministic processes) and they illumine the loss of certainty that the body of the

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<sup>114</sup> John Paul II, “The Real Significance of Original Nakedness,” in *Theology of the Body*, 111.

<sup>115</sup> John Paul II, “The Relationship of Lust to the Communion of Persons,” in *Theology of the Body*, 118. See the section titled, “The Metaphysics of Shame,” in chapter 3 of *Love and Responsibility* (especially 177–86). Here Wojtyła makes the observation that sexual shame arises when the person realizes that his or her body is being regarded as an object to be used for pleasure alone. Wojtyła refers to this phenomenon as “*depersonalization by sexualization*” (191). This is not compatible with the “value of the person.” Thus, “*The experience of shame is a natural reflection of the essential nature of the person*” (178). It truly reveals the “supra-utilitarian” nature of the person. This is the exact opposite of prudery (see 188).

<sup>116</sup> John Paul II, “The Real Significance of Original Nakedness,” in *Theology of the Body*, 112.

person is a “sign,” an image of God in the visible world.<sup>117</sup> In short, in the state of original unity and innocence, man and woman could love perfectly through bodies that expressed their persons. Thus, their love for each other was able to mirror the love of the divine Persons. However, sin prevents the gift of this love from being given. Humankind has lost the original certainty that they can express this image of God through their bodies. And, as noted, the body no longer draws upon the power of the spirit to control the desires of the person.

### ***3. The Threat of Lust***

Virtuous self-control of the body is gravely threatened by lust. Unlike the couple in the state of original innocence, who were able to control or master their bodies and their desires according to the measure of reason, the ability of the human being to do this under the influence and power of lust is “shaken to the very foundations in him.”<sup>118</sup> The body now “bears within it a constant center of resistance to the spirit. It threatens, in a way, the unity of the person, that is, of the moral nature, which is firmly rooted in the constitution of the person.”<sup>119</sup> Since both Adam and Eve give birth to lust in their hearts, lust too becomes a communal experience. Because of it, they are ashamed. This communal character of lust testifies also to the relative character of sexual shame (i.e., lust causes shame of their individual sexuality with regard to the other human being).<sup>120</sup> Thus, one must usually have another human being present for the phenomenon of shame to occur. By understanding the chief characteristics of lust, we can see how John Paul II will argue that it destroys the communion of persons.

Lust will distort sexuality, in such a way, as to make it an obstacle in the relationship of man and woman. It will prevent the man and the woman from exchanging the self-giving love they were once able to experience and give to one another in their pre-lapsarian condition. The Pope comments on this situation: Lust causes an “almost constitutive difficulty of identification with one’s body. This is not only in the sphere of one’s own subjectivity, but even more with regard to the subjectivity of the other human being, of woman for man, of man for woman.”<sup>121</sup> Each of them becomes an “object” in the eyes of the other, instead of a gift. This does not mean, in any

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<sup>117</sup> *Ibid.*, 112–14.

<sup>118</sup> John Paul II, “A Fundamental Disquiet in All Human Existence,” in *Theology of the Body*, 115.

<sup>119</sup> *Ibid.*

<sup>120</sup> *Ibid.*, 114–15.

<sup>121</sup> John Paul II, “The Relationship of Lust to the Communion of Persons,” in *Theology of the Body*, 119.

way, we should add, that every spousal relationship today, whether Christian or not, is by definition sinful or characterized at all times by behavior that treats the other as an “object of use.” It is only the spouses “driven by lust” who make the “gift of love to a person of the opposite sex impossible.”<sup>122</sup>

To lust after another person, then, is not to love him or her—it is to depersonalize; and it is also to enslave oneself to one’s disordered passions.<sup>123</sup> However, all spouses (both now and in the future) are called by God to strive for the (ideal) state of original innocence and overcome, with His grace, the desires of the flesh, that is, to live according to the new law of Christ, which addresses each and every person throughout the ages. All persons and hence, all spouses, are called to *control* themselves. As John Paul II writes, “the ethos of redemption [of the body] contains in every area—and directly in the sphere of the lust of the flesh—the imperative of self-control, the necessity of immediate continence and of habitual temperance.”<sup>124</sup> It is only by developing this virtue that the man and the woman can free themselves from lust and become a free gift to each other.<sup>125</sup> Thus, each spouse “must will (love) as our first parents did and control concupiscence. . . . [C]ontrol and self-mastery begin with the interior man and this is why” John Paul II will always emphasize that Christ “appeals to the heart,”<sup>126</sup> as we see him do paradigmatically in the Sermon on the Mount (see Mt 5–7).

### **III. Sexual Shame in Light of the “Nuptial Meaning of the Body”**

“From the beginning” man and woman were called to form a mutual communion of persons. They were entrusted to be the guardians of the “reciprocity of donation and its true balance.”<sup>127</sup> Because of sin and (one

<sup>122</sup> Hogan and LeVoi, *Covenant of Love*, 21. John Paul II expresses the idea this way: The gift becomes impossible when, “The relationship of the gift is changed into the relationship of appropriation” (see “The Heart—A Battlefield Between Love and Lust,” in *Theology of the Body*, 127). See John Paul II, “Mutual Attraction Differs from Lust,” in *Theology of the Body*, 147–50.

<sup>123</sup> See John Paul II, “The Depersonalizing Effect of Concupiscence,” in *Theology of the Body*, 150–52.

<sup>124</sup> John Paul II, “Christ Calls Us to Rediscover the Living Forms of the New Man,” in *Theology of the Body*, 175.

<sup>125</sup> See John Paul II, “The Heart—A Battlefield Between Lust and Love,” 127.

<sup>126</sup> Hogan, “A Theology of the Body,” 24. See John Paul II, “Christ Appeals to Man’s Heart,” in *Theology of the Body*, 103–6.

<sup>127</sup> John Paul II, “The Opposition in the Human Heart Between the Spirit and the Body,” in *Theology of the Body*, 128. John Paul II notes that although “The maintenance of the balance of the gift seems to have been entrusted to both . . . a special responsibility rests with man above all, as if it depended more on

of) its consequence, lust, masculinity and femininity (constituting the mutual gift or “nuptial meaning of the body”) became means of possible disordered enjoyment and pleasure.<sup>128</sup> At the same time, man and woman are still called to live in accordance with the will of God, “to rediscover,” as it were—“on the foundation of the perennial and indestructible meanings of what is human—the living forms of the new man” in Christ.<sup>129</sup> This is made possible only by Christ’s redemptive act on the Cross, his death and resurrection, which provides the grace for all persons to live in harmony with his commandments and beatitudes. Richard M. Hogan states that Christ is therefore the “link” between the state of original innocence and humankind’s condition after the Fall (i.e., so-called “historical man”): Christ “bridges the gap caused by sin because he redeems the body.”<sup>130</sup> This is an idea that the Pope will constantly return to, for example, in his affirmation of the resurrection/redemption of the body (i.e., the “eschatological state”).<sup>131</sup> There can be no dualism in the kingdom of God!

We will never again, obviously, attain our original innocence in this life. However, as transcendent beings created for union with God, we cannot, like St. Augustine, be fully satisfied with this conclusion. For not only does the moral law of Christ call into question all sinful relationships of men and women, our own *experience of shame* clearly shows that we are not content to live in conjugal unions based solely on the “law of lust.” In other words, we battle to regain the pristine condition we had before original sin. Moreover, God’s never-failing grace empowers the Christian to live a life worthy of his or her supreme calling in Christ. Yet, in the present age, “sin and shame

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him whether the balance is maintained or broken or even—if already broken—re-established” (ibid., 128–29).

<sup>128</sup> Here it is important to note that lust radically differs from the good and natural experience of mutual attraction on the part of spouses. Lust reduces the value of the person merely to his or her sexuality. On the other hand, a healthy and virtuous mutual attraction situates sexuality in a whole spectrum of other values (e.g., love of the person). See John Paul II, “Mutual Attraction Differs from Lust,” in *Theology of the Body*, 147–50.

<sup>129</sup> John Paul II, “Christ Calls Us to Rediscover the Living Forms of the New Man,” in *Theology of the Body*, 175.

<sup>130</sup> Hogan, “A Theology of the Body,” 13. Christ, John Paul II says, “leads us, in a certain way, beyond the limit of man’s hereditary sinfulness to his original innocence. In this way he enables us to find the continuity and the connection existing between these two situations” (“Analysis of Knowledge and Procreation,” in *Theology of the Body*, 77).

<sup>131</sup> See John Paul II, the audiences in the section, “The Redemption of the Body,” in *Theology of the Body*, 233–61. See John Paul II, “The Mystery of the Body’s Redemption,” and “The Redemption of the Body and the Sacramentality of Marriage,” in *Theology of the Body*, 299–302 and 419–22, respectively.

still exist in us because we have not been restored to the *state* of original innocence, but only to the possibility of self-control (integration).<sup>132</sup>

In *Love and Responsibility*, Karol Wojtyła states that shame, paradoxically, serves as a means for leading a person to discover the *value* of another person. When a human person recoils from the reactions of others that are purely sexual in kind, he or she wishes to spark a reaction to himself or herself that corresponds more closely to the value of the person in and through love. This, Wojtyła maintains, is not a retreat from love, but rather a way of opening oneself to it.<sup>133</sup>

For spouses who truly love each other, shame, Wojtyła argues, is “swallowed up by love, dissolved in it.”<sup>134</sup> Yet to say that shame is “absorbed” by love does not mean, of course, that it is totally eliminated: “‘Absorption’ means . . . that love fully utilizes . . . the characteristic effects of shame, and specifically that awareness of the person and sexual values.”<sup>135</sup> Thus, shame both protects and strengthens love. True married love consists, then, in the affirmation of the person, making shame really unnecessary. No longer does the other person have to fear he or she will be looked at or treated as an object for use—rather the spouse is seen as a person with inherent dignity. There is no need for shame in a relationship of mutual conjugal love, trust, and abandonment!

We, “historical man,” tainted with original sin, cannot recover, as we indicated, the “nuptial meaning of the body” on our own power, with our own resources. We are in desperate need of the grace of Christ (which we first receive in the sacrament of baptism), in addition to our own firm wills to change. Christ, as John Paul II reminds us, offers this grace to us every day. We, already as “adopted” sons and daughters, “children” of his Father (see Rom 8:14–17), must open ourselves to this grace and accept it. That is, in biblical terms, we must undergo a conversion, a *metanoia*. Only then will man and woman, in the words of John Paul II, regain the “possibility of loving each other in truth and freedom.”

#### **IV. Some Implications of the Pope’s Teaching for Marriage and Sexual Morality**

Since, to a great extent, I have already indicated some implications of the Pope’s “theology of the body” for bioethics, let me in this last part of the essay say something, in the way of a sketch, about the implications of this theology for Christian marriage, sexual ethics, and the family, that is, how his specific moral teaching in these areas is grounded in his theology of

<sup>132</sup> Hogan and LeVoir, *Covenant of Love*, 29.

<sup>133</sup> Wojtyła, *Love and Responsibility*, 179.

<sup>134</sup> *Ibid.*, 181.

<sup>135</sup> *Ibid.*, 182.

the body and his personalistic perspective.<sup>136</sup> To some degree, we have already partially done this with respect to the moral issue of contraception—an issue also treated in various ways in bioethics.

### **1. Marriage and the Family as an “Icon” of the Trinity**

Following the New Testament witness, John Paul II affirms in his 1981 Apostolic Exhortation *Familiaris Consortio*<sup>137</sup>—which will serve as my primary guide—the innate vocation of every human person is to love.<sup>138</sup> This vocation can be fully realized in either the state of marriage or in consecrated celibacy/virginity for the kingdom of God or the single life.<sup>139</sup> In choosing *marriage*, which has God as its author—a man and a woman commit themselves to the intimate community of life and love willed by God.<sup>140</sup>

Marriage, moreover, is a human reality inwardly ordered toward God’s covenant of grace; and, in and through Jesus Christ marriage becomes fully integrated into God’s loving plan for the salvation of human persons. So, by virtue of their baptism, the marriages of the lay faithful are sacramental, that is, living images of the spousal covenant of Christ with his bride, the Church.<sup>141</sup>

Because marriage is also *inherently* ordered to the procreation and education of children and the good of the spouses, it requires, John Paul II argues, lifelong indivisible unity and indissolubility.<sup>142</sup> Moreover, God “wills and . . . communicates the indissolubility of marriage as a fruit, a sign and a requirement of the absolutely faithful love that God has for man and that the Lord Jesus has for the Church.”<sup>143</sup>

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<sup>136</sup> See Karol Wojtyła, “The Problem of Catholic Sexual Ethics,” 279–99; Ronald Lawler, OFM Cap, Joseph Boyle, Jr., and William E. May, *Catholic Sexual Ethics: A Summary, Explanation, and Defense*, 2nd Ed. (Huntington, IN: Our Sunday Visitor Press, 1998), which skillfully integrates the Pope’s “theology of the body” with his teachings in particular areas of sexual morality; and Donald P. Ascii, *The Conjugal Act as a Personal Act: A Study of the Catholic Concept of the Conjugal Act in Light of Christian Anthropology* (San Francisco: Ignatius Press, 2002). On a more popular level, see Christopher West, *Good News About Sex and Marriage* (Ann Arbor, MI: Servant Publications, 2000).

<sup>137</sup> In addition to *Familiaris Consortio*, John Paul II’s “mini summa” on marriage and the family, one should consult his *Letter to Families* (1994) and the audiences in the section, “The Sacramentality of Marriage,” in *Theology of the Body*, 304–85.

<sup>138</sup> See *Familiaris Consortio*, no. 11.

<sup>139</sup> See *ibid.*, nos. 11, 16.

<sup>140</sup> See Vatican Council II, *Gaudium et Spes*, no. 48.

<sup>141</sup> See John Paul II, *Familiaris Consortio*, no. 13.

<sup>142</sup> See *ibid.*, nos. 14, 19–20.

<sup>143</sup> *Ibid.*, no. 20.



Out of marriage arises the family, which is the basic unit of society (its “first and vital cell”).<sup>144</sup> The Christian family, as the “domestic Church,” participates in the threefold mission (or office) of Christ as prophet, priest, and king. Hence, the family will exercise its *prophetic* role by being a believing and evangelizing community, its *priestly* role by being a community in dialogue with God, and its *kingly* role by being a community at the service of mankind.<sup>145</sup>

The primordial model of the Christian family, for John Paul II, is the Trinitarian mystery of God’s life. Thus, as we saw, the communion of the spouses in love is an “icon” or “image” of the mutual exchange of love among the divine persons of the Trinity.<sup>146</sup> It is, in a word, a *sacrament* of divine love. It is this divine love that ultimately grounds the family’s unique apostolate to build up the kingdom of God through the everyday realities that distinguish its unique state of life.

## ***2. The Pope’s Personalism and Specific Moral Teachings***

Pope John Paul II’s personalistic teaching—which I believe is firmly rooted in sacred scripture and tradition—on such controversial subjects as contraception, premarital sex, adultery, divorce and remarriage, and other non-marital acts is based on first, his understanding that human sexuality is no mere biological datum, but something that permeates the entire being of a person. In this perspective, as we noted earlier, one’s fertility or power to give life surpasses the biological and animal order and involves a whole series of personal values.<sup>147</sup> Thus, when spouses use contraception to separate the “procreative” and “unitive” meanings of the conjugal act, they falsify their sexuality’s innate, God-given language of “total” self-giving. In other words, as we previously observed the Pope saying, they engage in a “lie,” in a deceit with their bodies.<sup>148</sup>

<sup>144</sup> See *ibid.*, no. 42.

<sup>145</sup> See *ibid.*, nos. 49–64.

<sup>146</sup> See *ibid.*, nos. 11–13.

<sup>147</sup> See *ibid.*, no. 11. This personalistic conception of the body and fertility has obvious implications for an issue that we will not consider, that is, artificial means of reproduction (e.g., *in vitro* fertilization and cloning). On this issue, see Congregation for the Doctrine of the Faith, *Donum Vitae* (1987), a document greatly influenced by John Paul II’s “theology of the body” in its condemnation of technologies of birth that violate the following values: the “language of the body,” the inseparability of the unitive and the procreative meanings of the marital act, and the dignity of the child conceived.

<sup>148</sup> See *ibid.*, no. 32. When, however, by means of natural family planning, “the couple respect the inseparable connection between the unitive and procreative meanings of human sexuality, they are acting as ‘ministers’ of God’s plan and they ‘benefit from’ their sexuality according to the original dynamism of ‘total’ self-

Second, the Pope's teaching is based on the argument that an intelligent, loving response to the personal values of human sexuality requires the lifelong covenant of marriage in order to make a man's gift of himself to a woman and a woman's gift of herself to a man truly a "gift." Thus, sex outside of marriage (i.e., fornication or adultery) is also a deception, a "lie."<sup>149</sup>

Third, his teaching is based on the very nature of conjugal love itself, which requires that marriage be a permanent and exclusive relationship, that is, that it be a true conjugal "communion of persons."<sup>150</sup> This excludes adultery in desire (i.e., the adultery of the heart, see Mt 5:27–28) and deed.

Fourth, his teaching is based on the notion that because the human body is "the temple of the Holy Spirit" (see 1 Cor 6:19–20; 15:44–45), with "nuptial" significance, the body is never to be "instrumentalized" in masturbatory, anal, or oral sex—whether heterosexual or homosexual.<sup>151</sup>

Only by living faithfully and chastely within the "covenant of love," can spouses respect both their own dignity and God's redemptive plan for marriage as a sacramental and social reality. In this way, according to John Paul II, such a great human good as marriage can truly be an authentic way of holiness, of sanctity.<sup>152</sup>

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giving, without manipulation or alteration" (Here the Pope refers to Pope Paul VI, *Humanae Vitae*, no. 13). The latter would involve treating sexuality as an "'object' that, by breaking the personal unity of soul and body, strikes at God's creation itself at the level of the deepest interaction of person and nature" (ibid.). So, the Pope implies, the use of contraception depends on a dualistic view of the human person.

<sup>149</sup> See ibid., no. 11.

<sup>150</sup> See ibid., nos. 18–21.

<sup>151</sup> See Robert P. George and Gerard V. Bradley, "Marriage and the Liberal Imagination," *Georgetown Law Review* 84 (1995): 301–20, and Patrick Lee and Robert P. George, "What Sex Can Be: Self-Alienation, Illusion, or One-Flesh Union," *American Journal of Jurisprudence* 42 (1997): 135–58. Both of these excellent essays are reprinted in Robert P. George, *In Defense of Natural Law* (Oxford: Clarendon Press, 1999). See Germain Grisez, *The Way of the Lord Jesus*, Vol. 2, 649–51, who develops an argument, rooted in John Paul II's understanding of the "nuptial meaning of the body" (see footnote 190 on page 650), that masturbation "damages the body's capacity for the marital act as an act of self-giving which constitutes a communion of bodily persons" (650). On pages 651–54, Grisez extends this analysis to show how fornicators "achieve only the illusion of marital communion" and how sodomites "use their bodies in a self-defeating attempt at intimacy."

<sup>152</sup> See Karol Wojtyła, *Fruitful and Responsible Love* (NY: Crossroads, 1979) for a good synthesis of Wojtyła's views on many of the topics dealt with in this section.

## V. Conclusion

In this essay, I have sought to expound Pope John Paul II's thought on two specific themes—the “nuptial meaning of the body” and “shame”—integral to his “theology of the body” and specific teachings on bioethical and sexual matters. While by no means intended as an exhaustive treatment of these contested areas, or the many other aspects of John Paul II's thought, my hope has been to provide an adequate introduction to the Pope's theology of the body and sex. To my mind, to ignore the Pope's insights on these matters is to remain ignorant of many basic aspects of the human condition involving Christian marriage and human sexuality. As the philosopher Donald DeMarco has written, “The *Theology of the Body* offers a coherent image of masculinity and femininity. It enjoys a remarkable consistency, not only with Vatican II and Church teaching in general, but also with psychology, philosophy, anthropology, and the natural law. The reason for this lies in the simple fact that the *Theology of the Body* is centered on truth rather than trend, and takes an approach that is broad and trans-cultural.”<sup>153</sup>

Overcoming the “culture of death” and restoring the Christian vision of human life, marriage and sex vitally depend, in many ways, then, on the whole Church—clergy and laity—fully appropriating this coherent and consistent teaching of the Pope in the coming years. There is no greater contribution than this that the Church can make toward building the “civilization of love” with a “culture of life” at its heart.<sup>154</sup>

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<sup>153</sup> Donald DeMarco, “The Nuptial Significance of the Body,” available at: [www.catholic.net/RCC/Periodicals/Faith/2001-04/demarco.html](http://www.catholic.net/RCC/Periodicals/Faith/2001-04/demarco.html).

<sup>154</sup> See, further, Damian P. Fedoryka, “John Paul II as a Prophet of Life in a Culture of Death,” *Faith and Reason* 24–25 (1999–2000): 67–84.

## Revelation, Natural Law, and Homosexual Unions

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### I. Introduction

AT A RECENT CONFERENCE celebrating the twenty-fifth anniversary of the Holy Father's pontificate, Cardinal Ratzinger recalled the aim of *Veritatis Splendor* to help moral theologians bring together the metaphysical and biblical sources of moral theology.<sup>1</sup> Both are necessary. A pure biblicalism set free from the appreciation of the natural law founded in creation cannot address contemporary questions, while confining the Bible to providing inspiration to do good and avoid evil empties Christian morality of its specific ethos. On the other hand, inattention to creation means inattention to the creation that the Lord God found good and even very good. We end with a rationalism that, divorced from both the Bible and the order of creation, can do nothing but calculate the consequences of acts.

It is easy to see that limiting the Bible in the way Cardinal Ratzinger laments means limiting Christ himself, who is the fullness of revelation and the only adequate referent of the Scripture, to the role of a moral motivator or cheerleader. Truly to found moral theology in the Bible would be, contrariwise, to take Christ as the one who in the concreteness of his life, death, and resurrection conveys to us the content of the moral law.<sup>2</sup>

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<sup>1</sup> Intervention by Cardinal Joseph Ratzinger at the Symposium of the Pontifical Lateran University on the 25th anniversary of the Pontificate of His Holiness John Paul II (May 9, 2003). For the full text of Ratzinger's remarks, see: [www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20030509\\_ratzinger-simpolio\\_laterano\\_ge.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030509_ratzinger-simpolio_laterano_ge.html)

<sup>2</sup> *Veritatis Splendor*, no. 15: "Jesus himself is the 'fulfillment' of the Law inasmuch as he fulfills its authentic meaning by the total gift of himself: he himself becomes a living and personal Law, who invites people to follow him; through the Spirit, he gives the grace to share his own life and love. . . ." For a particularly vigorous

It must be said, unfortunately, that the call of *Veritatis Splendor* has not been entirely met. If there has been positive reception of the encyclical, there has also been non-reception. An especially good instance of its non-reception, we think, is to be found in Professor Stephen Pope's recent treatment of homosexuality. It is a good instance, not only because Dr. Pope seems content with the consequentialism the Holy Father reproves, but also because, although he seems to see what *Veritatis Splendor* is offering by way of a properly Christian apprehension of the natural law, where nature is illumined by revelation, he rejects it. It is this second issue we would like to take up. We would like to show both the unsatisfactory character of Dr. Pope's approach and as well indicate what the road not traveled might look like. In other words, we want to show how the revelation of Christ—Christ himself—provides the “content” of the moral law relative to sexuality and marriage.<sup>3</sup>

## II. Stephen Pope on Natural Law on Homosexual Unions

Dr. Pope characterizes the Magisterium's rejection of same-sex relations as a position based on what he calls “‘revealed’ natural law.”<sup>4</sup> The seemingly contradictory nature of this name is calculated and is meant to indicate that the position holds not only that grace is necessary to keep the law but also that revelation—supernatural revelation—is necessary even to know the law. This is to say that *supernatural* revelation teaches and is required for us to know the *natural* law. *Veritatis Splendor* is an expression of this, according to Dr. Pope, and we may well agree.<sup>5</sup> Dr. Pope seems at one point to recognize that this position has the support of St. Thomas.<sup>6</sup> Subsequently, however, he wants to distinguish it from St. Thomas's position, and he criticizes the idea that we need revelation to know the natural law on the ground that it is not the position of St. Thomas.<sup>7</sup> So to speak, the difference between Dr. Pope and us is wholly and entirely over this name—

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statement of this view, see Hans Urs von Balthasar, “Nine Theses in Christian Ethics,” in *International Theological Commission: Texts and Documents 1969–1985*, ed. Michael Sharkey (San Francisco: Ignatius, 1989), 105–20. The theses first appeared in 1974.

<sup>3</sup> For an overview of the problem of Christocentrism and moral theology as well as a summary of moralists who approach Christ as a motivator, see Livio Melina, “Christ and the Dynamism of Action: Outlook and Overview of Christocentrism in Moral Theology,” *Communio* 28, 1(2001): 112–39.

<sup>4</sup> Stephen J. Pope, “Scientific and Natural Law Analyses of Homosexuality,” *Journal of Religious Ethics* 29(2001): 89–126.

<sup>5</sup> *Ibid.*, 104.

<sup>6</sup> *Ibid.*, 105.

<sup>7</sup> *Ibid.*, 108.

“revealed natural law.” For Dr. Pope, the paradox invites dismissal. For us, the paradox leads to some important truths.

Dr. Pope thinks the Magisterium’s rejection of same-sex relations is not really a rejection based on the natural law, but a rejection based on revelation. He thinks that when the Magisterium takes the procreative finality of sexual relations to be evident and evidently constitutive of such relations, such that it is immoral to take steps to thwart this finality, that this is based on a “certain interpretation” of such passages as Genesis 1:27–18 and not also a straightforwardly factual claim. He thinks the Magisterium’s rejection relies too much on such passages as Leviticus 18:22, 20:13, and Romans 1:26, and is therefore unsuccessful, since the meaning of such passages is controversial.<sup>8</sup> Further, Dr. Pope considers that the “revealed natural law” position “attends too narrowly to the ultimate [supernatural] end [of man] and does not give sufficient attention to the inclusive end of human desire, encompassing body as well as soul.”<sup>9</sup> Allied with this, the position too much “isolates” the theological understanding of man from modern empirical scientific interpretations of man.<sup>10</sup>

In the absence of a natural law argument against same-sex unions, and on the supposition that biblical revelation does not speak clearly on the issue, Dr. Pope wants to listen to the experience of homosexual couples. If they report happiness and fulfillment and flourishing within the context of such unions, then this should count heavily for their moral legitimacy. The happiness of stable gay unions is an empirical question,<sup>11</sup> and we will find out whether such unions contribute to the human flourishing of couples and communities by both psychological and sociological investigation.<sup>12</sup> Dr. Pope seems to recognize that the sciences cannot determine issues of virtue and vice;<sup>13</sup> still, if human flourishing is an empirical question, and is to be settled by psychological and sociological survey, it is hard to see that this will entail anything much more sophisticated than asking couples whether they are “happy,” and neighbors whether such couples keep their lawns mowed and sort their recyclables.<sup>14</sup> It is this approach,

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<sup>8</sup> Ibid., 107, n. 13.

<sup>9</sup> Ibid., 109. How it is that risen life in Christ is not sufficiently “inclusive” is not explained.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid., 118.

<sup>12</sup> Ibid., 120.

<sup>13</sup> Ibid., 119.

<sup>14</sup> Ibid., 112. Exactly what Dr. Pope thinks science contributes to ethics is in fact hard to say, nor does it seem any clearer in his *The Evolution of Altruism and the Ordering of Love* (Washington, DC: Georgetown University Press, 1994), where an elaborate

moreover, that Dr. Pope thinks congruent with St. Thomas's way to the discovery of ethical principles.<sup>15</sup>

Dr. Pope's position is in fact hard to summarize. Whatever he seems to give with one hand he takes away with the other. So, St. Thomas agrees with "revealed natural law" on what it takes to know the natural law easily and accurately, and he does not; the question of the morality of sexual unions cannot be settled by science, and then it can be so settled; appeals to lived experience in settling matters moral are inadequate and treacherous,<sup>16</sup> and on the other hand reports of such experience are a font of theology.<sup>17</sup> He is apparently evenhanded in criticism of both the "revealed natural law" and "revisionist" positions. But this a mere appearance. The only thing he brings to the revisionist discussion is a call for more "science," which quickly devolves into a call to listen to the experience of homosexuals as reported by homosexuals.

### III. Initial Criticism of Stephen Pope's Position

#### 1. A First Criticism

In the first place, it has to be said that the natural law argument for the immorality of same-sex relations has been made several times and that, in its own order, it is very strong. We return to the qualifying phrase shortly. The argument has been made by the Congregation for the Doctrine of the Faith in 1975 and again in 1986.<sup>18</sup> As Dr. Pope recognizes in a note, John Finnis has addressed the natural law argument that same-sex relations are immoral at length.<sup>19</sup> Martin Rhonheimer is alert to the natural law's declaration of the "truth" of the sexual inclination in stable and

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deployment of sociobiological machinery somehow gives intelligibility to the ethical obligation of parents to love their own children more than other children.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., 116.

<sup>17</sup> Ibid., 111–12.

<sup>18</sup> *Declaration on Certain Questions Concerning Sexual Ethics*, 1975, no. 8; *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons*, 1986, no. 7.

<sup>19</sup> John Finnis, "Natural Law and Unnatural Acts," *Heythrop Journal* 11 (1970): 365–87. In this article, Finnis is especially aware of the relation of the natural law to revelation in the area of sexual morality. Finnis returns to the topic of same-sex relations in "Law, Morality, and 'Sexual Orientation,'" *Notre Dame Law Review* 69 (1994): 1049–76, and "The Good of Marriage and the Morality of Sexual Relations: Some Philosophical and Historical Observations," *The American Journal of Jurisprudence* 42 (1997): 97–134.

permanent marriage ordered to procreation.<sup>20</sup> The natural law argument for the immorality of same-sex unions is already made in principle by *Humanae Vitae* and its many able apologists.<sup>21</sup> Among these should be mentioned John Paul II in *Familiaris Consortio*.<sup>22</sup> It should be clear that the natural law exclusion of contraception found there is equally exclusive of homosexual acts, and this is indicated briefly in *Veritatis Splendor*, where it restates the principle of *Humanae Vitae*.<sup>23</sup>

One will think the argument has not been made only if one is persuaded that natural law arguments, if made, must be found persuasive by any man of good sense, whatever his religious persuasions or lack thereof. Russell Hittinger charts the course by which it came to be supposed that the truth of a natural law argument can be “measured by its success in garnering assent” and that appeal to the natural law is an appeal to “what every agent is supposed to know according to what is first in cognition.”<sup>24</sup> If this is erroneous, it should not surprise us that what Hittinger characterizes as “the thin strands of argument about natural functions” in *Humanae Vitae* did not carry the Western world.<sup>25</sup>

Three reasons especially may be given why the argument against same-sex relations and same-sex unions is unconvincing to modern men. First, there is no argument from a natural finality or the procreative meaning embedded in human persons and their sexually differentiated bodies to a moral obligation of law unless one thinks nature, including human nature, is created, and its finalities capable of speaking the mind of a Lawgiver.<sup>26</sup> Apart from creation, we may speak of natural right but

<sup>20</sup> Martin Rhonheimer, “Excursus: The Natural Law and Contraception,” 109–38, in his *Natural Law and Practical Reason: A Thomist View of Moral Autonomy* (New York: Fordham University Press, 2000).

<sup>21</sup> One can start with Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, DC: Catholic University of America Press, 1991).

<sup>22</sup> Apostolic Exhortation on the Role of the Christian Family in the Modern World (1981), *Familiaris Consortio*, no. 32.

<sup>23</sup> Read no. 47 and no. 50 together.

<sup>24</sup> Russell Hittinger, “*Veritatis Splendor* and the Theology of the Natural Law,” in *Veritatis Splendor and the Renewal of Moral Theology*, ed. J. A. Di Noia, OP, and Romanus Cessario, OP (Princeton, NJ: Scepter Publishers, 1999), 108, 111. A fuller statement of this material can be found in chapters 1 and 2 of Hittinger’s *The First Grace: Rediscovering the Natural Law in a Post-Christian World* (Wilmington, DE: ISI Books, 2003).

<sup>25</sup> *Ibid.*, 107.

<sup>26</sup> Lawrence Dewan, OP, “St. Thomas, Our Natural Lights, and the Moral Order,” *Angelicum* 67 (1990): 297–98.



not of natural law.<sup>27</sup> But non-existent babies have no rights, and the rights of spouses can easily be supposed freely and morally renunci-able.

Second, and even granted that all natural finalities are created, such finalities may, but again may not, bespeak a moral obligation. The natural finality of the hair follicles on masculine faces does not forbid shaving. The natural finality of sex to procreation forbids contraception and homosexual acts. For in the first place, this finality is not realized apart from an exercise of the properly human agency, informed by thought and presupposing freedom (even where freedom is pressured by passion), of a man and a woman. In the second place, this finality terminates in the instantiation of another agent similarly endowed with intelligence and freedom—a person. Part of our appreciation of the difference between the finalities of hair follicles and of sex, in both the realization of the finality and its term, therefore, will be a function of apprehending human persons as the only personal reality within a material world created by a transcendent personal agency.<sup>28</sup> Our ability to respond to the good of persons, in other words, is conditioned according as we think them the product of the chances of evolution, or the product of the choice of a transcendent Person.<sup>29</sup> Where there is nothing above it, the universe itself and everything in it too easily gets flattened out, and in a time when all our bodily functions are increasingly under technological control, it can be hard to see why any finality should escape our own direction of it by our own choice to good ends, even where such direction is contrary to what is given prior to our choice.

A third reason the natural law argument seems weak, a reason with ties to the first, is that even supposing one has the greatest respect for the procreative meaning of sex, and wants children, it can still be hard to see why every single act of sexual intercourse must be open to procreation. Why must union and fecundity go together in every act? Even if they do so “naturally,” in a sexual practice unconditioned by interventions ranging from *coitus interruptus* to the use of condoms to an orally ingested contraceptive, why must they? It is not that there is no good natural law

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<sup>27</sup> Ernest Fortin, “Natural Law,” in *Human Rights, Virtue, and the Common Good: Untimely Meditations on Religion and Politics*, ed. Brian J. Benestad (New York: Rowman & Littlefield, 1996), 160.

<sup>28</sup> See John Paul II, *Evangelium Vitae* (1995), no. 83.

<sup>29</sup> See Robert Sokolowski, *Eucharistic Presence: A Study in the Theology of Disclosure* (Washington, DC: The Catholic University of America Press, 1994), Chapter 10, “The Christian Understanding of the Person.” The New Testament brings a further light, according as our personal agency is now to be a participation in the personal agency of Christ.

argument here, but only, we are saying, that at this point especially, an unreligious man of good will will most easily fail to be moved.

Even so, there is one thing in the argument of *Humanae Vitae*, as well as in the argument against same-sex unions, that really should be taken as obvious, and that is the procreative finality of sexual acts. If this is obvious, *and* if we see the rightness of never impeding this finality because of the dignity and fundamentality of the good it is ordered to, *and* if we take the world as created, then the moral obligations themselves become “obvious” as a matter of “natural law.” What, however, of the first and foundational obviousness? Is not such a characterization of the procreative finality or meaning of sexual acts as “obvious” a polemical one and, as well, something that begs the question Dr. Pope addresses?<sup>30</sup> Kevin Flannery nicely expresses the way in which such a thing may be said to be obvious.

Consider the type of acts characteristic of homosexual activity: acts in which one of the partners penetrates the body of the other or somehow simulates such penetration (as even a masturbator can do). If one is to give a complete account of such acts, one must acknowledge that they belong properly to heterosexuality. Why this desire to *penetrate*? And why penetration with that organ from which is discharged semen? Homosexual advocates prefer to look away from these facts and limit their account of what homosexuals do to talk about providing pleasure or intimacy or about giving expression to their true selves.<sup>31</sup>

This account is noteworthy for its calm insistence, first, that the heterosexual and therefore procreative finality of sexual acts is nothing except the intelligibility of facts (penetration, discharge of seed) universally available to every human being.<sup>32</sup> Moreover, if the intelligibility of a fact is part of the fact, then the procreative finality of sexual acts is also a

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<sup>30</sup> See “Scientific and Natural Law Analyses,” 99, for dutiful reportage of the socio-biological assessment that homosexual behavior is “normal,” “beneficent,” and related to altruism.

<sup>31</sup> Kevin L. Flannery, SJ, “Homosexuality and Types of Dualism: A Platonico-Aristotelian Approach,” *Gregorianum* 81(2000), 363–64. Is this physicalism? Then so is the recognition of the eye as the organ of sight.

<sup>32</sup> See St. Augustine, *The City of God*, Book 14, c. 22: *sicut evidentissime apparet in diversi sexus corporibus, masculum et feminam ita creatos, ut prolem generando crescerent et multiplicarentur et implerent terram, magnae absurditatis est reluctari*. “As appears most evidently in bodies of diverse sex that masculine and feminine were so created that they might increase and multiply by generating offspring and fill the earth, it is a great absurdity to deny it.”

“fact.”<sup>33</sup> Second, the sort of fact or insight that is determinative of the issue of the morality of sexual acts is something available to common experience. It is not something for which one needs the refined, specialized experience of the modern empirical sciences.<sup>34</sup> It is not something for which we need modern chemistry, biology, or psychology. Third, the heterosexual and procreative meaning of sexual acts is nonetheless something that one can ignore. One turns away from such givens as the desire to penetrate, and the capacity of semen, and changes the subject. To say that something is “obvious” does not mean one does not have to look. The “obvious,” therefore, is not the “undeniable.” It might also therefore be the case that we need help to see the obvious.

To conclude this first criticism. If deliberately to destroy the procreative meaning of heterosexual acts is immoral, if it is to act against the truth of the language of the body, in John Paul II’s way of putting things, then it must be likewise so for homosexual acts.<sup>35</sup> Even though intended to signify a sincere gift of the self, the homosexual act cannot of itself bear that meaning, because the meaning of the body that is part of one’s “self” has been ignored.<sup>36</sup> The “proper and primordial nature” of man, “which is the person himself in the unity of soul and body, in the unity of his spiritual and biological inclinations,” has been ignored.<sup>37</sup>

## 2. A Second Criticism

There is a second initial criticism of Dr. Pope to be made. The kind of grounds upon which he thinks same-sex unions could be seen to be legitimate would also legitimate polygamy. There are men and women in polygamist families in Utah and Arizona, so-called “fundamentalist Mormons,” that will readily assert that their form of marriage is an active ingredient in their human flourishing and felt satisfaction.<sup>38</sup> The reports of the lived experience of such families, the narrative of their own lives

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<sup>33</sup> See Bernard J. F. Lonergan’s discussion of “data” and “facts” in *Method in Theology* (New York: Herder and Herder, 1972), 201–3.

<sup>34</sup> For the notion of “common experience,” see Henry B. Veatch, “Some Suggestions on the Respective Spheres of Science and Philosophy,” *The Thomist* 3 (1941): 177–216.

<sup>35</sup> See John Paul II, General audience of August 22, 1984, in *The Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books & Media, 1997), 398.

<sup>36</sup> See John Paul II, *Familiaris Consortio*, no. 32.

<sup>37</sup> *Veritatis Splendor*, no. 50.

<sup>38</sup> For an instance with regard to the experience of women see Janet Bennion, *Women of Principle: Female Networking in Contemporary Mormon Polygyny* (New York: Oxford University Press, 1998).

such as they can give them, will be filled with accounts of the warmth of the affective exchanges and loyalties such families foster among the adults, man and women, and of the advantages for the children of many caregivers, and all this quite independently of the special satisfaction such families take in living according to the will of God as they hold is revealed to them by the teaching and example of Joseph Smith.

#### **IV. That We Need Revelation Even for What We Can Know by the Natural Light**

The above criticisms are easily made. What is more vexing about Dr. Pope's essay is its failure to understand the relation between reason and revelation, nature and grace, in the Church's apprehension of the immorality of same-sex relations and unions. In the first place, this is indeed a matter of seeing in general that we need revelation to strengthen our grasp of the natural law. In the second place, it is a matter of beholding the quite explicit light that revelation sheds on the immorality of same-sex relations and unions. This is in fact what *Veritatis Splendor* invites us to do.

Our ordinary apprehension of the natural law needs to be strengthened by the light of revelation. Dr. Pope's rejection of previous natural law arguments concluding that same-sex relations are immoral is itself a kind of proof of this. The inability of people to see the immorality of such relations on natural grounds is not extraordinary or remarkable and is not evidence that the argument has not been made.

##### **1. St. Thomas, Revelation, and Natural Law**

First, just what is St. Thomas's position as to whether we need revelation to strengthen our grip on the natural law? Denis J.M. Bradley has recently addressed this question. After noting that the love of neighbor is a primary and self-evident principle of the natural law for St. Thomas, he reports his position on how evident the Ten Commandments are.

It should be . . . apparent that killing, committing adultery, bearing false witness, and stealing are not beneficent acts to one's neighbor. These acts clearly violate the first-order principle that one should not harm or do evil to any person. Yet ordinary men, because of passions and evil habits, can ignore what is obviously just and what is obviously unjust.<sup>39</sup>

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<sup>39</sup> Denis J.M. Bradley, *Aquinas on the Twofold Human Good: Reason and Human Happiness in Aquinas's Moral Science* (Washington, DC: The Catholic University of America Press, 1997), 321.

This is an accurate summary. Can the natural law be removed from the heart of man according to St. Thomas? In the abstract, the first principles of the natural law cannot not be known; they cannot be expunged from the human heart, St. Thomas says.<sup>40</sup> Concretely, even they can, as it were, be suspended by passion. As for the secondary principles, such as are to be found in the Decalogue, they are even more fragile. St. Thomas says:

as to the secondary precepts, the natural law can be blotted from the human heart, either by evil persuasions, just as in speculative matters errors occur in respect to necessary conclusions; or by vicious customs and corrupt habits, as among some men, theft, and even unnatural vices, as the Apostle states, were not esteemed sinful.<sup>41</sup>

Therefore, St. Thomas expressly remarks the “fittingness” of the assistance provided by revelation for our apprehension of the secondary principles of the natural law, conclusions from the first principles. Reason can err, and sinful habits corrupt our purchase on these principles. Therefore, he concludes, “there was need for the authority of the divine law to rescue man from both these defects.”<sup>42</sup> There is a lapidary summary of St. Thomas’s thought in his late conferences on the Ten Commandments:

Because the law of nature had been destroyed by the law of concupis-  
cence it was necessary that man be brought back to the works of virtue  
and withdrawn from vice: for which needful things there was the law  
of Scripture.<sup>43</sup>

Man still desires the good, but “the law of concupiscentia frequently corrupts the law of nature and the order of reason.”<sup>44</sup>

<sup>40</sup> *Summa theologiae* I-II, q. 94, a. 6.

<sup>41</sup> *Ibid.*

<sup>42</sup> *ST I-II*, q. 99, a. 2, ad 2. See q. 100, a. 5, ad 1. See for the same position St. Augustine, *The City of God*, Book 18, c. 41 and Book 22, c. 22. On the problem of the naturally unknowable character of the natural law, see Ernest Fortin, “Augustine, Thomas Aquinas, and the Problem of the Natural Law,” *Ernest Fortin: Collected Essays, II: Classical Christianity and the Political Order*, ed. J. Brian Benestad (New York: Rowman & Littlefield, 1996), 199–222, for an examination of the role of revelation in knowing natural law.

<sup>43</sup> *Expositio in duo praecepta caritatis et in decem legis praecepta*, in *Opuscula Theologica II* (Rome: Marietti, 1954), Prologus I, no. 1131. Or see the new edition by Jean-Pierre Torrell, *Collationes in Decem Preceptis*, I, line 27, in *Revue des sciences philosophiques et théologiques* 69(1985): 5–40, 227–63.

<sup>44</sup> *Ibid.*, no. 1130. See the discussion in Hittinger, “*Veritatis Splendor* and the Theology of the Natural Law,” 102–4.

Dr. Pope does not accurately reflect this teaching when he says that for St. Thomas “human reason is more or less adequate for understanding the natural law *per se*,” and that the competence of reason is “unnecessarily diminished in revealed natural law” as measured by the teaching of St. Thomas.<sup>45</sup> It is not quite clear what the “*per se*” is doing here. But, yes, St. Thomas’s position is that human reason is “more or less adequate,” that is, in itself or “*per se*” competent to understand the natural law since the natural law means especially the first principles of practical reason. These principles of the law, such things as that life is to be preserved, remain always in the habit of *synderesis*, which can be styled a natural habit, which is to say a natural faculty of the intellect whereby we understand and assent to the truth of these principles.<sup>46</sup> Since the first principles are correlative to the fundamental inclinations of human nature, and human nature is wounded but not destroyed by sin, they must always be able to be formulated.<sup>47</sup> These are but seeds, however; to get a crop requires more.<sup>48</sup> The first principles must grow into prudence and the moral virtues, and are themselves as little sufficient for human action as is seed just broadcast in the field for a harvest. Moreover, human reason does not exist in itself, abstractly, and it does not operate unconditioned by history, culture, sin, grace. Especially as to those last, reason operates conditioned by either sin or grace or both. Dr. Pope makes St. Thomas out to be some Enlightenment *philosophe* for whom “reason” is ever the same, has always the same prospects, sees always clearly and distinctly.<sup>49</sup>

## 2. Revelation and the Knowledge of God

Further, our cognitive situation relative to the natural law is not unique. It is very like our cognitive situation relative to the knowledge of God. God is naturally knowable, and knowable as creator. But as St. Thomas notes, the natural knowledge of God is difficult, is restricted to those fortunate enough to have the leisure required for the philosophic life, and is commonly mixed with error.<sup>50</sup> Chapter 2 of *Dei Filius* follows St. Thomas

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<sup>45</sup> Pope, “Scientific and Natural Law Analyses”, 108.

<sup>46</sup> See the detailed treatment in Bradley, *Aquinas on the Twofold Human Good*, 296–313.

<sup>47</sup> *ST* I–II, q. 94, a. 1 and q. 109, a. 2.

<sup>48</sup> See *ST* I–II, q. 61, a. 1 for naturally known first principles of both knowledge and action, first principles that are seeds (*seminalia*) of both intellectual and moral virtue.

<sup>49</sup> See the discussion of what is called “Encyclopaedia” in Alasdair MacIntyre’s *Three Rival Versions of Moral Enquiry: Encyclopaedia, Genealogy, and Tradition* (Notre Dame, IN: University of Notre Dame Press, 1990).

<sup>50</sup> *ST* I, q. 1, a. 1; cf. Aristotle, *Metaphysics* I, 1, 981b19–22.

here.<sup>51</sup> So also does *Fides et Ratio*, expressly attributing our difficulty in coming to know God by the natural light to sin.<sup>52</sup> *Veritatis Splendor* recognizes an analogous cognitive situation in the moral order.<sup>53</sup>

The supposition that since something is contained in or follows strictly from the natural law, it ought therefore to be acknowledged by all men is reminiscent of the naïve supposition that since St. Paul says truly that God can be known from the things that have been made and the First Vatican Council repeats him, therefore his existence and the character of his transcendence are generally acknowledged by all men in every state and condition. But these implications by no means follow. If there is a nation that does not know God, the teaching of St. Paul is not falsified, and if there is a nation that does not recognize the immorality of contraception, the claim that contraception is contrary to the natural law is not invalidated. For our ignorance of first things, whether they be metaphysical or moral, the Catholic tradition has always supposed, with St. Augustine, that the condition and orientation of our will affects what we can see. And for the deformation of our appetite and the wounding of our will itself, we know of the presence of sin, both original and actual, and of the absence of original justice. Apart from grace, we will not keep the moral law; not keeping the moral law, we shall soon be unable to see it.

Now, just as Christ is the author of grace, so is he the fullness of revelation who perfects it in both word and deed, in the personal history that leads from cradle to cross and from death to risen life. Just as we should not expect to keep the moral law apart from his grace, so we should not expect to know it in any detail apart from his light.

What most of all one misses in Dr. Pope's article, therefore, is any awareness of the context, cognitive and affective, in which we both act morally and think about our moral action. It is awareness of this context, however, the context of sin and grace, that in part constitutes Catholic moral theology as Catholic.

### ***3. Revelation and the Knowledge of the Nature and Properties of Marriage***

In the third place, our cognitive situation relative to same-sex relations and unions is not unique even within our knowledge of the nature and properties of marriage.

<sup>51</sup> DS 3005. See *Decrees of the Ecumenical Councils*, ed. Norman Tanner (Washington, DC: Georgetown University Press, 1990), II, 806.

<sup>52</sup> *Fides et Ratio*, nos. 21–23.

<sup>53</sup> *Veritatis Splendor*, no. 12.

There is a natural law argument for the unity and indissolubility of marriage, as required for the successful prosecution of the ends of marriage. One would never learn from Dr. Pope that it is just as strong, or for him, just as weak a position as the natural law argument against same-sex unions, for both depend on the procreative meaning of sexual relations.

But revelation, in providing further grounds for the unity and indissolubility of marriage also enables that natural law grounding to be more easily and confidently seen. It is admitted by theologians that otherwise this grounding is difficult to perceive. After all, for hardness of heart Moses permitted divorce even though from the beginning and by the nature of marriage as fashioned by the Creator's hand it was not so. Michael Schmaus, who can stand for the traditional theological sensibility here, readily acknowledges this.

As the history of marriage shows, not only has it been difficult for man, in the course of his development, to preserve the unity and indissolubility of marriage; *it has been difficult for him even to recognize it.*<sup>54</sup>

If there were no natural grounding for the unity and indissolubility of marriage, then a revealed requirement of these things would be a deformation of marriage, a deformation of something natural or at best a burden imposed on marriage extrinsic to its nature. What revelation provides is rather, as John Finnis puts it, a more "intense grasp" of the basic value of life, since human life is now ordered to share in the divine life.<sup>55</sup> But it is the same value, life, that is grasped both naturally and supernaturally.

## V. Revelation on Same-Sex Unions

### *1. The Exemplarity of the Moral Agency of Christ*<sup>56</sup>

It is usually taken for granted that the revelation of the immorality of same-sex relations is confined to a few pieces of Old Testament legislation or New Testament condemnation. In fact, it is much more massive and, one can even say, central to revelation as a whole and especially as completed by Christ. Also, this revelation is such as to bring out the natural law prohibition itself more plainly, and make it easier for us to see it.

<sup>54</sup> Michael Schmaus, *Dogma*, Vol. V: *The Church as Sacrament* (London: Sheed and Ward, 1975), 289, emphasis added.

<sup>55</sup> Finnis, "Natural Law," 384.

<sup>56</sup> In what follows, we will take St. Thomas as a guide; for a brief exposition of St. Bonaventure on this theme, see Livio Melina, *Sharing in Christ's Virtues: For a Renewal of Moral Theology in the Light of Veritatis Splendor*, trans. William E. May (Washington, DC: Catholic University of America Press, 2001), 128–34.



*Veritatis Splendor* invites us to see this more massive witness of the New Testament to the immorality of same-sex unions where, in affirming the immutability of the natural law, it remarks that according to St. Thomas moral norms maintain a “determinate content” in the New Law because of “the assumption of human nature by the Word.”<sup>57</sup> The encyclical directs us to the *Prima secundae* of the *Summa*, q. 108, the first article, on whether the New Law ought to proscribe or prohibit any exterior acts. The question arises because, according to q. 106, article 1, on whether the New Law, the law of the New Testament, is a written law, we learn that “the New Law is chiefly the grace of the Holy Spirit.” And in the reply to the first objection, we read that “the gospel writings contain only such things as pertain to the grace of the Holy Spirit, either by disposing us to it, or by directing us to its use.” They dispose us, for example, by manifesting the divinity of Christ and so inviting us to faith, whereby we receive grace. As to directing the use of grace, “this consists in works of virtue to which the writings of the New Testament exhort men in various ways.” And in q. 107, article 1, the New Law is again first of all grace poured into our hearts. However, as the reply to the third objection has it, the New Law of which Christ is the author “consists secondarily in certain moral and sacramental acts.” So, regarding these acts, are new or different exterior acts prescribed? That is the question of q. 108, article 1.

In addressing the question whether the New Law prescribes external acts, article 1 of q. 108 determines the basis upon which it does so. The New Law is grace; but grace is from the incarnate Word, whose humanity grace filled first. Hence, it is fitting that the grace that comes from the incarnate Word “should be given to us by means of certain external sensible objects,” “and that from this inward grace, whereby the flesh [our flesh] is subjected to the Spirit, certain external works should follow.”

The external sensible objects are the sacraments; the external works concern acts that are necessarily either in keeping with or opposed to internal grace: so, for example, the confession of faith is prescribed, and the public denial of faith is forbidden. Above, in article 1 of q. 106, however, the external acts are acts of the virtues.

This last point finds more complete expression in article 2 of q. 108, on whether the New Law made sufficient ordination about external acts. “The New Law had to make such prescriptions or prohibitions alone as

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<sup>57</sup> *Veritatis Splendor*, no. 53, fn. 98. Nor, as the letter tells us, at no. 37, n63, is this a question touching theological opinion alone, since the Council of Trent reproves those who deny a moral teaching to the New Testament and see Christ only as redeemer and not also as law-giver; see the Sixth Session, canons 19–21 of the Decree on Justification. For these canons see *Decrees of the Ecumenical Councils* II, 680.

are essential for the reception or right use of grace.” So, Christ instituted the sacraments, and they are for the reception of grace; but, the article continues, “the right use of grace is by means of works of charity,” and these “insofar as they are essential to virtue, pertain to the moral precepts, which also formed part of the Old Law. Hence, in this respect, the New Law had nothing to add as regards external action.”<sup>58</sup> “Accordingly, the New Law had no other external works to determine, by prescribing or forbidding, except the sacraments, and those moral precepts which have a necessary connection with virtue, for instance, that one must not kill, or steal, and so forth.”<sup>59</sup>

Now, although St. Thomas does not belabor the idea here, we perceive that just as the sensible and bodily incarnation makes it fitting that grace be given through sensible and bodily sacramental forms, so the exercise of grace in Christ himself is according to the moral precepts of the New Law, which repeat the Decalogue. The giver of the Law on Sinai gives it again, and—mystery of condescension—obeys it perfectly as a man.<sup>60</sup>

He gives it again in giving the New Law, most obviously in his teaching, preeminently the Sermon on the Mount. St. Thomas has it in q. 107, article 2, that “Christ fulfilled the precepts of the Old Law both in His works and in his doctrine,” where by works is meant the ceremonial precepts and by doctrine the moral precepts. Christ fulfills the sense of the moral precepts by teaching that the true sense of the Law regards not just the exterior act of the moral precepts but the interior act as well.<sup>61</sup> The New Law adds to the Old Law the interior disposition of charity.

He obeys the Law as a man, both Old and New. For in addition to Christ’s role as teacher, there is his example. In q. 108, article 1, St. Thomas does not dwell on the point that the incarnate Word not only institutes the sacraments but himself also exercises the very external acts we are called upon to exercise, and with the right interior disposition.

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<sup>58</sup> See *ST I–II*, q. 108, a. 3, ad 3: “the moral precepts necessarily retained their force under the New Law, because they are of themselves essential to virtue.”

<sup>59</sup> *ST I–II*, q. 108, 2.

<sup>60</sup> Recall the Great Antiphon for the Magnificat of December 18: *O Adonai, et Dux domus Israel, qui Moysi in igne flammae rubi apparuisti, et ei in Sina legem dedisti: veni ad redimendum nos in brachio extento*. “O Adonai and Leader of the house of Israel, who appeared to Moses in the fire of the burning bush and who gave him the Law on Sinai, come to redeem us with your powerful arm.” His redemption of us includes keeping the Law he gave to Moses.

<sup>61</sup> For an extended treatment of Christ’s fulfillment of the Law according to St. Thomas, see Matthew Levering, *Christ’s Fulfillment of Torah and Temple: Salvation according to Thomas Aquinas* (Notre Dame, IN: University of Notre Dame Press, 2002), 15–30, 51–79.

Elsewhere, however, he takes it up quite explicitly. So, in the *Tertia pars* of the *Summa*, q. 7, article 2, he asks whether Christ possessed the virtues. The answer is yes, that all the virtues were in Christ. As powers flow from the essence of the soul, so virtues from grace.<sup>62</sup> Here, evidently, it is a question of the infused supernatural moral virtues.<sup>63</sup> In fact, Christ possessed them “most perfectly” and “surpassing the common mode.”<sup>64</sup> So, as Michele Schumacher says: “Christ, the new Moses, giver of the New Law, is the first to obey its precepts and, in so doing, he sets the standard of its perfection.”<sup>65</sup>

Further, the exercise of the virtues depends on knowledge, practical knowledge, which must be the case in Christ, too, a man like us in all things but sin. St. Thomas recognizes such knowledge in Christ in two places. First, presenting the reasons for acknowledging created knowledge in the soul of Christ, he gives as the third reason the existence of a knowledge natural to man: “[S]ome created knowledge pertains to the nature of the human soul, namely, that whereby we naturally know first principles.”<sup>66</sup> Therefore, we must acknowledge the naturally known first principles of practical reason in Christ, too, which are first principles of the natural law, the habit of which is *synderesis*. Second, St. Thomas acknowledges in Christ the virtue of practical wisdom itself, prudence: “[S]ince Christ had the fullness of prudence by the gift of counsel, he consequently knew all singular things—present, past, and future.”<sup>67</sup>

Beholding Christ, we see that human nature, its exercise within a human history, is the fitting and adequate expression of a divine person, a divine identity, that of the Son. This means also that the humanly natural knowledge of the natural law, and the virtue of prudence, which knows what is right in the sensibly perceived here and now, and the moral virtues properly so called—it means that all these things are fit instruments of the expression of the moral agency of the Son of God within the economy of salvation. By the incarnation, there is therefore a sort of seal stamped on the moral principles with which we are endowed by nature, as well as their

<sup>62</sup> The same argument appears in *In III Sent.*, d. 13, q. 1, a. 1, and a. 2, q. 1a 1.

<sup>63</sup> Though different in species from the acquired moral virtues, since they enable acts that move us to our final and supernatural end, the infused virtues perfect action with regard to the same matter as the acquired virtues; see *ST I–II*, q. 63, a. 4 and ad 2. Infused temperance does not, for instance, permit the agent any indulgence forbidden by the standard of acquired temperance.

<sup>64</sup> *ST III*, q. 7, a. 2, ad 2. Christ possesses the gifts, too: q. 7, a. 5.

<sup>65</sup> Michele M. Schumacher, “An Inseparable Connection: The Fruitfulness of Conjugal Love and the Divine Norm,” *Nova et Vetera* 1(2003), 389–90.

<sup>66</sup> *ST III*, q. 9, a. 1.

<sup>67</sup> *ST III*, q. 11, a. 1, ad 3.

development in prudence, and of the virtues that we know by the natural light are the excellences of man. What were once the instruments of the expression and a part of the expression in time of the moral agency of a divine and eternal Person remain for all time models for the moral agency of us who are created in the image of that eternal Person. Christ is the incarnate Word in whom and according to whom all things, including our freedom and its exercise were created. His moral agency must be the expression of the norm of our own.<sup>68</sup> Furthermore, we see in Christ's agency not only the beginning and pattern but also the end of our own. We can say that his agency is the norm of our own because our very "person" is now to be included in his person; we are to have the same mind as was in Christ Jesus (Phil 2:5), and our mission is an extension of his mission.<sup>69</sup> Because we act in the power of the grace of Christ, moreover, we can say with Livio Melina that the moral acts of a Christian are "a participation in the action of Christ," and for that reason are they beatifying and a foretaste of beatitude.<sup>70</sup>

It is by both grace and revelation, therefore, that Christ conforms us to the moral law in conforming us to himself. We find inspiration in his example; also, he inspires the Holy Spirit in us. Nor is it the case that his exemplarity is merely illustrative of a moral knowledge we already possess. Yes, the seeds of virtue remain in us, but by them and by the first precepts of the natural law we recognize only that the supernaturally graced moral agent is in continuity with, builds on, and perfects the naturally constituted moral agent. This continuity is presupposed in beholding Christ as the standard of human moral agency than whom no greater could be conceived. But the content of that agency, beyond the fulfillment of the rudiments of the natural law, is difficult for us to see in our post-lapsarian condition, and impossible for us to anticipate insofar as it bespeaks action inspired by charity. So, without his example, we could not really see, clearly and effectively, what human life should look like. As the Holy Father puts it: "The crucified Christ reveals the authentic meaning of freedom; he lives it fully in the total gift of himself and calls his disciples to share in his freedom."<sup>71</sup>

To ask WWJD? ("What would Jesus do?") is therefore an entirely appropriate question, a necessary question, for a morally earnest Christian. One of the motives of the incarnation is to promote us in the good,

<sup>68</sup> See Livio Melina, "Christ and the Dynamism of Action," 126.

<sup>69</sup> See here Hans Urs von Balthasar, *Theo-Drama III. Dramatis Personae: Persons in Christ*, trans. Graham Harrison (San Francisco: Ignatius Press, 1992), 263ff.

<sup>70</sup> Livio Melina, "Christ and the Dynamism of Action," 138.

<sup>71</sup> *Veritatis Splendor* no. 85.

and in particular, “with regard to well-doing, in which he set us an example.”<sup>72</sup> It is therefore wholly right and just to ask what a divine person operating through human senses, mind, synderesis, prudence, and moral virtues would do. Just so, St. Paul tells the Corinthians, “Be imitators of me, *as I am of Christ*” (1 Cor 11:1).

## 2. *The Exemplarity of the Chastity of Christ*

If we say with q. 108, articles 1 and 2, that by his incarnation Christ confirms the material content of the natural law, he must do this also relative to the sixth and ninth commandments. Again, if we say that Christ had all the virtues, then he had also the virtue of chastity, and his chastity is an example and norm for ours.<sup>73</sup>

The vice opposed to chastity is lust, a species of which is “unnatural vice.” When St. Thomas discusses it in due course, he purports to show the immorality of same-sex relations by saying simply enough that they are pursued for erotic pleasure but without being able to be procreative.<sup>74</sup> This, it will be said, is a mere statement of the natural law exclusion of such relations; it does not add anything to what we know from the natural law or strengthen it by an appeal to the example of the chastity of Christ. Where is that given to us?

The example and manner of Christ’s chastity is communicated to us in what the New Testament says about Christ and the Church. Commenting on chapter 5 of the Letter to the Ephesians, St. Thomas notes that the chastity of the husband is a matter of both the precept of Genesis (2:24) and of the example of Christ.<sup>75</sup> It is in contemplating this example that we can perceive a revealed judgment of the immorality of same-sex unions. St. Paul, it will be remembered, says that he betrothed the Corinthians as a chaste bride to Christ (2 Cor 11:2). The Lord styles himself a bridegroom in Mark (2:19), something said also by the Baptist in the Gospel according to John (3:29). Ephesians (5:25, 28–32), however, is the great text.<sup>76</sup>

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<sup>72</sup> ST III, q. 1, a. 2.

<sup>73</sup> This is not to say that Christ’s is the only chastity the New Testament presents to us as an example. See John Paul II, “Letter to Families,” no. 20, on Mary and the Holy Family.

<sup>74</sup> ST II–II, q. 154, a. 11.

<sup>75</sup> *Lectura super epistolam ad Ephesios*, V, lectio 8, no. 321.

<sup>76</sup> See Mt 22:1–14, the parable of the wedding feast, and Mt 25:1–13, the parable of the wise and foolish virgins, and the characterizations of Christ and the Church in Rev 19: 7, 9, and 21:2.

Husbands, love your wives, as Christ loved the church and gave himself up for her. . . . Even so husbands should love their wives as their own bodies. He who loves his wife loves himself. For no man ever hates his own flesh, but nourishes and cherishes it, as Christ does the church, because we are members of his body. “For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.” This mystery is a profound one, and I am saying that it refers to Christ and the church.

The teaching about Christ’s relation to the Church in Ephesians calls on our acquaintance with marriage. Also, it reveals something about marriage, and speaks normatively about marriage.<sup>77</sup> We would not know of the extent to which a husband is to love his wife by looking to our already known and measured human experience of marriage; we know of it by looking to Christ. Of course, there is a circle, and Ephesians presupposes a prior acquaintance with marriage just as did Isaiah before him speaking of the relation of Israel to God. The point is that we can and ought to argue from the Christological–ecclesiological reality to the nature and structure of marriage. This is completely classical. So for instance Michael Schmaus says that husband and wife “re-enact” the relation of Christ and the Church.<sup>78</sup> “Husband and wife play the roles of Christ and the Church.”<sup>79</sup> Christ is the perfect revelation of the man who abandons all to cling to his wife, and so gives Christological concreteness to Genesis 2:24, “therefore a man leaves his father and his mother and cleaves to his wife.”<sup>80</sup> The same mutual illumination of marriage and the relation of Christ and the Church is pursued by the Holy Father.<sup>81</sup>

Others, however, are wary of such argument. Elizabeth J. Picken, for instance, warns us against making too much for sacramental theology of the nuptial imagery the Bible uses in speaking of the relation of God to Israel, of Christ to the Church. “A metaphor is a metaphor. God is not married to Israel any more than God is a shepherd of sheep.”<sup>82</sup> The appeal to the relation of Christ to the Church, however, is not an invocation of a purely symbolic reality. Truly, the Old Testament characterization of the relation between God and Israel in nuptial terms can be called figurative. However,

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<sup>77</sup> Rudolf Schnackenburg, *The Epistle to the Ephesians: A Commentary*, trans. Helen Heron (Edinburgh: T. & T. Clark, 1991), 241, 154, 257.

<sup>78</sup> Schmaus, *Dogma*, 269.

<sup>79</sup> *Ibid.*, 272.

<sup>80</sup> *Ibid.*, 270.

<sup>81</sup> John Paul II, *The Theology of the Body*, 304ff.

<sup>82</sup> Elizabeth J. Picken, “If Christ is Bridegroom, The Priest Must be Male?” *Worship* 67 (1993): 274.

as Louis Ligier says, the New Testament is “the passing from figures to the time of reality.”<sup>83</sup> The incarnation makes of the Word a quite concrete and historically apprehensible man of the male sex. “For this reason,” Ligier says, “his nuptial relations with his people take on a sacramental value which goes beyond that of the symbols of the first covenant.”<sup>84</sup> The surplus sacramental value he alludes to is spelled out by Michele Schumacher, who points out that the relation signified by marriage, that of Christ and the Church, is also shared in and fostered by marriage: The grace of the sacrament is a participation in the life-giving grace Christ gives to the Church as a whole in sanctifying each of her members.<sup>85</sup> Therefore we may expect that the resources for thinking about the sacrament of marriage offered by the nuptial characterization of Christ and the Church are a little richer than Picken allows. Especially, to characterize Christ, a man like us in all things but sin, as “spouse” of the Church is to direct us to the determinate moral character of a quite concrete human being. If we then say that Christ is “personally” chaste, therefore, we are saying that it is the chastity of the Son of God displayed, as chastity perforce must be, since it is a virtue whose formality presupposes both the body and sexual differentiation, in the flesh and blood, the passions and prudence and practical wisdom that are part of the perfection of the assumed humanity of Christ.

It may be rejoined that, although Christ is not figuratively a man, but concretely and literally so, the Church remains figuratively a bride just as much as Israel in the Old Testament. Does not the symbolic character of the Church as bride destroy the inference from the theological to the anthropological level? No, it does not. First, it is enough that one pole of the relation be concretized and take historical form. We see that the chastity of Christ, which is a determination of reason in his passionate nature, and that the self-gift he makes of his entire being are both turned to and specified by a femininely characterized personal subject, and this is enough to indicate what must be true when both poles are concrete, historical individuals.<sup>86</sup> Moreover and second, the contours of the nuptial chastity of the Church are concretized for the Christian, as is the very person of the Church herself, in Mary.<sup>87</sup> Third, the extreme density of

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<sup>83</sup> Louis Ligier, “Women and the Ministerial Priesthood,” *Origins* 44.7 (April 20, 1978), 698.

<sup>84</sup> *Ibid.*

<sup>85</sup> Michele M. Schumacher, “An Inseparable Connection,” 385, 387–88.

<sup>86</sup> *Ibid.* For the same teaching, see *Gaudium et Spes*, no. 49.

<sup>87</sup> See, for instance, among many, many things, Hans Urs von Balthasar, “Who Is the Church?” 112–65 in *Church and World* (New York: Herder, 1967), or “The Marian Principle,” *Communio* 15 (1988): 122–30.

the symbolic value of the nuptial imagery follows from the Eucharist. The relation of Christ and the Church is not indeed sexual, but it is consummated in a “one flesh” union, really and not figuratively, in virtue of the Eucharist.<sup>88</sup>

To repeat, it is not, then, as if Christian spouses are told to imitate some purely figuratively indicated heavenly or theological reality when we read Ephesians. The heavenly and theological has become the earthly and anthropological. That is the point of the incarnation. Here, we have the chaste Jesus who takes the Church for his spouse, a Church styled as Bride, and this shows us something about chastity. Moreover, if the relation of Christ to the Church is normative for marriage, what Christ’s chastity shows us is something normative for the virtue of chastity that marriage, every marriage, calls on. Furthermore, if every sacrament depends on a natural sign, then we can deduce what the parameters of the sign are from the nuptial relation of Christ and the Church. To quote Ligier again, “the sacraments are not only instruments of a purely spiritual grace; they are also natural signs of it because they symbolize it in their natural structure.”<sup>89</sup> Symbolizing grace in its natural structure, the sacrament of marriage as kept in the Church, and even more the great sacrament of Christ and the Church, both declare what the “natural structure” of marriage is and that it is constituted by sexual distinction. If in a period of cultural and moral confusion, we have forgotten this, revelation comes to the aid of what we should see, and used to see more readily, by the natural light.

### ***3. The Content of the Exemplary Chastity of Christ***

#### *The Chastity of Christ and the Chastity of Christians*

What then does the chastity of Christ, as displayed relative to the Church, his Bride, teach us about sexual morals and marriage?

The relation of Christ and the Church implies the duty of faithfulness. Christ is faithful to the Church unto his death, giving himself up for her (Eph 5:25). It implies exclusivity or “unity,” for the Bride is the Body, and there is only one body of Christ just as there is only one Christ (Eph 4:4).

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<sup>88</sup> Michele M. Schumacher, “An Inseparable Connection,” 396. Earlier, see Yves Congar, *Lay People in the Church*, trans. Donald Attwater (Westminster, MD: Newman Press, 1967), 128: “[T]he body God has fashioned [Heb 10:5] is at the same time Christ’s personal body, his fellowship body—the body of which we are the members—and, making a living bond between these two, his sacramental body.” Congar appeals to St. Augustine for this point.

<sup>89</sup> Ligier, “Women and the Ministerial Priesthood,” 698–99.



The relation of Christ and the Church implies indissolubility. For again, the Bride is the Body, and the members of the Body are one person in Christ. Further, as the Church is the fullness of Christ (Eph 1:23), so a man comes to the fullness of his personal reality when he makes the gift of himself as husband. It is therefore well said in Ephesians that “he who loves his wife loves himself” (Eph 5:28).<sup>90</sup> Last, the relation implies fruitfulness. The bridal bath in which Christ washes the Church is the bath at once of his passion and of baptism, in which we are made to die to self and live in Christ.<sup>91</sup> The laver is the womb of the Church, and makes it be that Christ is the first born among many brethren.<sup>92</sup>

So, the relation of Christ to the Church teaches us that marriage excludes adultery, polygamy and polyandry, divorce, and the separation of the marital act from its reproductive possibilities, which separation would be like celebrating baptism without the baptized, keeping the bath water without the baby.

But does the relation of Christ to the Church also imply that marriage must be between a man and a woman, and so exclude same-sex unions? Most obviously and certainly, for how can the couple be a sign of the relation of Christ to the Church if in the absence of their sexual distinction they would more naturally be taken to be an image of the relation of Christ to Christ or Church to Church?

As was said above, the distinction between Christ and the Church is more than “symbolized” by styling Christ as the husband and the Church as wife. Christ really is male. The differences between male and female here help to show the identities of the differentiated. We come to know Christ and Church across the distinction. So also, and in the same way, we come to know man and woman, which is to say man and woman come to know themselves as male and female, and in those ways human, across and through the distinction. Man as such is shown in the distinction of male and female, and male and female themselves only appear within their distinction from one another, a distinction that allows for marital union and that marital union is uniquely privileged to bring to light. “The encounter of man and woman presupposes their diversity,” Schmaus says, commenting on Genesis 2.<sup>93</sup> Moreover, “the fullness of being-human, according to the testimony of Genesis, is achieved only in the encounter of man and woman.”<sup>94</sup> As the Holy

<sup>90</sup> Schnackenburg, *Ephesians*, 257.

<sup>91</sup> *Ibid.*, 249–51.

<sup>92</sup> See here John Paul II, “Letter to Families,” no. 19.2.

<sup>93</sup> Schmaus, *Dogma*, 265.

<sup>94</sup> *Ibid.*

Father says, commenting on the expostulation “bone of my bones and flesh of my flesh”:

The man uttered these words, as if it were only at the sight of the woman that he was able to identify and call by name what makes them visibly similar to each other, and at the same time what manifests humanity.<sup>95</sup>

Writing in 1952, Schmaus says that the diversity of the partners of the marital encounter is “not only external” but determines the whole reality of the spouses.<sup>96</sup> Writing today, one supposes, he might be tempted to reverse the emphasis and say that the diversity of the spouses is not only “internal,” a matter of the mind and freedom of the person, but also somatic and “external.” The Holy Father asserts both kinds of diversity, both kinds of complementarity.

These are, as it were, two “incarnations” of the same metaphysical solitude before God and the world. They are two ways of “being a body” and at the same time a man, which complete each other. They are two complementary dimensions of self-consciousness and self-determination and, at the same time, two complementary ways of being conscious of the meaning of the body.<sup>97</sup>

It might be objected that the symbolic structure of marriage is in fact more complicated than has been represented above. Each spouse, after all, is conformed to Christ.<sup>98</sup> Both spouses together form a domestic church that images the great Church.<sup>99</sup> While the latter may be granted, it should be recalled that the conformation to Christ that the grace of the sacrament works is interior, a conformation in charity. The sexual difference of the spouses, on the other hand, both bodily and personal, belongs to the exterior, sensible, and natural sign the sacrament presupposes. Within and on basis of imaging Christ and the Church visibly and publicly, each is interiorly conformed to Christ by grace, both image the Church publicly.

Each sacrament is built on a natural sign. The signification of grace in marriage is built on the difference of man and woman, which recalls the

<sup>95</sup> John Paul II, *Theology of the Body*, 47.

<sup>96</sup> Michael Schmaus, *Katholische Dogmatik, IV/1: Die Lehre von den Sakramenten* (Munich: Max Hueber, 1952), 609: “Die Bestimmtheit als Frau bzw. als Mann haftet dem Menschen nicht nur äußerlich an, sondern prägt ihn vom Innesten her. Der Mensch ist ganz Mann oder ganz Frau.” This is repeated in *Dogma*, 265.

<sup>97</sup> John Paul II, *The Theology of the Body*, 48. See the whole of the 8th, 9th and 10th catecheses in “Original Unity of Man and Woman,” 42–51.

<sup>98</sup> Schmaus, *Dogma*, 282.

<sup>99</sup> *Ibid.*, 283.

relation of Christ and the Church, wherein Christ purifies and sanctifies the Church. Marriage is like the sacrament of orders in that both require sexually determinate subjects: male and female for marriage, male for priestly orders. It is no accident that those who do not see the relevance of maleness for priestly orders do not see the relevance of sexual diversity for marriage. A reading of Ephesians that suppresses its implied rejection of homosexual unions was first produced by those who wished to suppress its implication for orders.

*Objection: An Alternative Reading of Ephesians*

Ephesians 5, in helping us see the content of Christ's exemplary chastity, is directing us at the same time to what Catholic tradition has always said the natural law also teaches us. Those who do not see what is inscribed in the relation of Christ and the Church for our moral instruction predictably do not perceive the law that is written on our heart and vice versa. Just as predictably, failure to hear the word about orders spoken by the relation of Christ and the Church silences it for marriage as well.

Elizabeth Picken is concerned not to restrict priestly orders to men. She sees no grounds for such restriction in the nuptial imagery of the Bible. She wishes to reduce the content of the Bible's nuptial imagery to fidelity. For Picken, "sexuality and marriage are not the model on which Christ fashions his relationship to the Church," and marriage does not tell us anything about this relationship.<sup>100</sup> This relationship rather tells us of something about marriage, but what it tells us is only that spouses should be faithful to one another. "What is the point of the comparison?" she asks. "Is it not the loving fidelity of the covenant relationship . . . ?"<sup>101</sup>

In this reductive reading of the data of revelation, Picken is preceded by David Power and Carroll Stuhlmueller and followed by Susan Ross. So Power, also writing about the ordination of women, reduces the meaning of the nuptial symbolism to unity.

It is doubtful that prevailing importance needs to be given to the sexual side of this imagery in configuring the Christ-Church or Christ-humanity relationship. Indeed, that would risk undermining the unity that has been established between Christ and the Church through the work of reconciliation.<sup>102</sup>

<sup>100</sup> Picken, "If Christ is Bridegroom," 276.

<sup>101</sup> *Ibid.*, 276–77.

<sup>102</sup> David N. Power, "Representing Christ in Community and Sacrament," in *Being a Priest Today*, ed. Donald J. Goergen (Collegeville, MN: The Liturgical Press, 1992), 120.

In other words, the imagery cannot be used to argue that the distinction of the male Christ from the femininely figured Church is significant, and calls for male priests. Stuhlmüller concludes his study of the image with the judgment that “the Yahweh-Spouse or Jesus-Bridegroom image does not stress sexual differences but intimate, joyful and fruitful union of all persons.”<sup>103</sup>

Susan Ross’s immediate concern is likewise ordination. She does not see quite the same thing in the “spousal/nuptial imagery” that Picken does. Where Picken sees fidelity, Ross sees what she thinks is the same thing, namely “intimacy,” “the close relationship between God and Israel, and between priest and faithful, as it is also found in the relationship between husband and wife.”<sup>104</sup> Ross sees something Power and Picken do not, however, and that is the extension of the implication of this reductive reading of Ephesians to the question of same-sex relations. She reproves the Magisterium for adverting to the differentiation of Christ and Church as inscribed in the difference of man and woman, husband and wife, and alleges the deleterious consequences of such a focus on differences, not only for women within marriage, and not only for the prospect of the ordination of women, but also for same-sex relations. The implications of “Vatican theology,” she says “for men and women in same-sex relations are at least as severe as they are for women in heterosexual relationships.”<sup>105</sup>

What shall we make of these other ways of reading the nuptial theme of revelation whose climax is found in Ephesians? In the first place, the unity that Power rightly sees established between Christ and the Church and that is enacted in the Eucharist does not mean the Church is absorbed into Christ. The Mass is indeed the sacrifice of Christ himself, as Congar observes, but it is also the Church’s sacrifice, first, “in as much as Christ’s sacrifice is offered by the Church,” and second “in as much as the Church offers her own sacrifice in and through Christ’s.”<sup>106</sup> Thus it makes sense for Congar to say:

The worship of the Church as such, considered not simply as Christ’s worship sacramentally celebrated but as her own worship, is worship as

<sup>103</sup> Carroll Stuhlmüller, “Bridegroom: A Biblical Symbol of Union, not Separation,” in *Women Priests*, ed. Leonard Swidler and Arlene Swidler (New York: Paulist Press, 1977), 283.

<sup>104</sup> Susan A. Ross, *Extravagant Affections: A Feminist Sacramental Theology* (New York: Continuum, 1998), 114–15. She makes no distinction between her “intimacy” and Power’s “unity.”

<sup>105</sup> *Ibid.*, 115, n 67.

<sup>106</sup> Congar, *Lay People*, 216.

bride, and in this respect a theology of liturgy must learn from an ecclesiology of the Church as bride.<sup>107</sup>

In the second place, let us note that Ross, with her “intimacy,” sees even less there than Picken’s fidelity. There can be plenty of intimacy, sexual and personal, without fidelity. Can that really be the only thing that Scripture has to say to married people? In order for women to be ordained, and in order for same-sex marriage to be blessed, the word of God is prevented from speaking to genuinely married couples about anything except “intimacy.” But of course, we do not need the Scripture to speak to us about intimacy. That is one of the watchwords of the modern de-sacralized world. Sexual intimacy and sexual self-definition together make one of the chief things modernity recognizes as sacred, and worthy of worship and sacrifice.<sup>108</sup> We can learn about intimacy from watching *Friends*. There really is a slippery slope. Get rid of the procreative meaning of sexual relations, and the whole ensemble of the properties of marriage dissolves. In the third place, the reductive readings, as a group, seem not to reckon with the overwhelming testimony of the Bible to the Lord God’s interest in life and in fostering life. He is the God not of the dead, but of the living (Mt 22:32); he is the God of life, who gives life—and this is arguably the most characteristic description of God in the Old Testament.<sup>109</sup> Does this interest in life and the production of life turn up expressly every time the nuptial imagery is used? No, just enough to see that it is most certainly co-intended whenever the symbolism is used, something that therefore can go without saying. Particularly fine and express, on the other hand, is Isaiah 54:1.

Sing, O barren one, who did not bear;  
break forth into singing and cry aloud,  
you who have not been in travail!

<sup>107</sup> *Ibid.*, 209.

<sup>108</sup> See Jacques Ellul, *The New Demons*, trans. C. Edward Hopkin (New York: The Seabury Press, 1975), 70–80. Ellul also points out the convergence of technology, another object of modern absolute reverence, with sex. This book is too early for an appreciation of “deep ecology,” but we see how things shape up: the nature that man is not is the nature that is to be preserved pure and inviolate from technological alteration and manipulation; the nature that man is is open to every such possible manipulation. This is because, really, modern man no longer has a nature, but is only a locus of rights and the freedom to exercise them; see Pierre Manent, *The City of Man*, trans. Marc A. LePain (Princeton, NJ: Princeton University Press, 1998), 133–55.

<sup>109</sup> Cf. Alfons Deissler, “Gottes Selbstoffenbarung in Alten Testament,” in *Mysterium Salutis*, ed. J. Feiner and M. Löhrer (Einsiedeln: Benziger, 1965) II, 238–39.

For the children of the desolate one will be more than the children of her that is married, says the Lord.

And with regard to Ephesians itself, it is an uncontroversial exegesis to see the bridal bath as also the laver of baptism, the teeming womb of the Church. What this Great Mystery tells us of marriage, then, beyond “intimacy” and even beyond fidelity, is that marriage is to be fruitful, for which procreative end there is required the congress of two distinct but complementary principles of sexual fecundity.

A same-sex union, on the other hand, can neither look back to the origins of Genesis nor forward eschatologically to the Bride and the Lamb of Revelation. Marriage passes away, according to that saying whereby there is no marriage or giving in marriage in heaven (Mk 12:25), but what it figures and in what it finds its norm does not. In that respect, therefore, it is not just an “earthly” reality, but “an element” of the Kingdom, in Schmaus’s words, and this is shown by the very fact that Jesus spoke of it in the first place.<sup>110</sup> The Holy Father says the same when he speaks of the nuptial meaning of the body finding its fulfillment in heaven.<sup>111</sup>

#### *The Fundamentality of Fecundity*

We said that orders and marriage are alike in depending on sexual distinction. They are alike in this, too, that as marriage passes away into eschatological fulfillment, so also an ordained priest’s priesthood passes, in the sense that it is no longer exercised in the eschaton, because in heaven everyone has immediate access to what the ministerial priesthood imitates and is a participation of, Christ the High Priest. Both in their various ways are signs of the eschatological goods of the last age.

Priestly orders and marriage are alike in a third way, too. Both are ordered to fecundity. Priestly evangelization and catechesis should be fruitful in drawing new Christians from the laver of baptism. As was briefly noted above for marriage, the unity and indissolubility of marriage were classically seen to follow from its procreative end. The friendship enacted within marriage is also served by exclusivity and permanence.<sup>112</sup> It is the good of children, however, that demands a stable and permanent union of man and wife so that a child can have both a father and a mother available. Finnis puts it this way:

<sup>110</sup> Schmaus, *Dogma*, 268.

<sup>111</sup> John Paul II, the catecheses entitled “The Resurrection of the Body,” in *The Theology of the Body*, 233–61, especially 243–45.

<sup>112</sup> See *Gaudium et Spes*, no. 50.

... what, in the last analysis, makes sense of the conditions of the marital enterprise, its stability and exclusiveness, is not the worthy and delightful sentiments of love and affection which invite one to marry, but the desire for and demands of a procreative community, a family.<sup>113</sup>

That the procreative good of marriage calls for stability and permanence is a matter of justice rendered to children.<sup>114</sup> Of course, pursuing this procreative good, remaining open to it, is a matter of justice to one's spouse as well. It is a matter of the justice of spousal love, in that one does not render the complete gift of oneself to one's spouse if one withholds one's fecundity, nor does one receive the complete gift of one's spouse if one refuses to receive his or her fecundity. Nor is justice rendered to the sacrament, to the Great Mystery of which the sacrament is a sign, if the procreative meaning of marriage is abrogated. Certain it is that the *bonum prolis* is not the only good of marriage. But it is foundational. Getting in its way wrecks all the other goods of both nature and grace in Christian marriage.<sup>115</sup>

This priority of fecundity, this foundational role that fecundity plays in the natural law intelligibility of the traditional form of marriage, is true also for the relation of Christ and the Church, which in turn enables us to discern the natural order more clearly. That is to say, the unity and indissolubility of the relation of Christ to the Church in the supernatural order is a function of the good of the life, but here, the supernatural life, of the children of this union, the members of the Church, Christians. They need the constant availability of both the Church and her head, and so the promise of Christ to be Spouse must be unbreakable, and the Church's cleaving to Christ indefectible.

### *The Inseparability of Procreative and Unitive Meanings*

There is, finally, the issue of the inseparability of the procreative and unitive meanings of sex for each sexual act. Does the symbolic force with which the Church is Bride, and the denial that the relation is, in fact, sexual, mean that revelation finally deserts us, and has nothing to say here in order to strengthen the natural law assertion of this inseparability? Michele Schumacher offers two resources here.

Because . . . the conjugal act is considered . . . as an act of love, it is necessarily governed by the love of Christ. Thus the same logic applies: because

<sup>113</sup> Finnis, "Natural Law," 383.

<sup>114</sup> See, for instance, John Paul II, "Letter to Families," no. 10.

<sup>115</sup> See Bernard J. F. Lonergan, "Finality, Love, Marriage" in *Collection*, ed. F. E. Crowe (New York: Herder and Herder, 1967), 22, 49: While the supernatural goods of marriage are more excellent, children are the more essential good of marriage.

the divine love is so fully generous not merely in itself (as a mutual gift of Persons, bearing fruit in a third, divine Person) but also in the economy of creation and redemption . . . the spousal love of Christians, and more specifically the conjugal act itself, ought to be generous.<sup>116</sup>

But then, second, there is also the Trinitarian gift of Persons that is fecund. While marriage finds its exemplar, a exemplar in which it participates, in the Christ–Church relation, that relation itself is a sign and a function of a yet higher relation, that of Father and Son in the Trinity. Here, union and fecundity coincide.<sup>117</sup> That the three Persons are one eternal God means, Schumacher says, that “neither the ‘union’ nor the ‘fruit’ is subsequent to the real distinction of Persons within the Trinity.”<sup>118</sup>

Both as to the kinds of goods and the ordering of these goods in marriage, revelation gives us to see in the relation of Christ and the Church the natural order writ more clearly, more largely. Just as one cannot look at the nuptial relation of Christ and the Church and ask whether there could be such a thing as Christian polyandry, or a sacramental marriage that was “open” and “non-exclusive,” so little can one look at the Great Mystery and ask whether same-sex unions could be blessed in the Church. But, and this is the point, in showing us these holy things, the Great Mystery also and at the same time shows us the natural things of marriage, the structure and requirements of marriage such as can in principle, “per se,” be made evident to us by the natural light.

## VI. Conclusion

That we should expect not to need revelation in order to know the natural law with the completeness required to direct our action betrays a twofold forgetfulness, dogmatic and historical. First, we are forgetting the ignorance that is a result of original sin and the enfeeblement of our sight by passion and vice. Second, we forget how much of the intellectual effort of modernity is devoted systematically to obscure the very idea that man has a nature. If Pierre Manent is correct in this characterization of the modern project, then there can be no argument for modernity from the nature of sexuality as concerned with the good of new human life to such things as the immorality of contraception and homosexual unions.<sup>119</sup>

<sup>116</sup> Schumacher, “An Inseparable Connection,” 399.

<sup>117</sup> *Ibid.*, 399–402.

<sup>118</sup> *Ibid.*, 391. And again, 391, the Trinity means that “God is ‘always-already’ fruitful.”

<sup>119</sup> For a brief expression of Manent’s view, see his “Christianity and Democracy: Some Remarks on the Political History of Religion, or, on the Religious History of Modern Politics,” 97–115, in *Modern Liberty and Its Discontents*, ed. and trans. Daniel J. Mahoney and Paul Senton (New York: Rowman & Littlefield, 1998).



There can be no invocations of bodily distinction as by nature fitted to signify the alterity of persons in marriage, or as expressing anything about the person except what the person says it expresses. Neither can there be any argument from the nature of child-rearing to a requirement of permanence and promise. All there can be are persons—not necessarily inclined to respect the antecedent givenness of their bodies—who are subjects of rights. Then we shall very easily construct the sexual culture and mores of modern America. But this is not to say it will have anything to do with the civilization of love, or the culture of life.

Understanding Stephen Pope's article as an instance of the non-reception of *Veritatis Splendor* shows some important things. It lays bare the possibilities: either a Christ that speaks to the moral life as empowering us to enter into him and the moral pattern that he lived and that he revealed to us as the full revelation of man's true identity, or a Christ understood as one who inspires us to do the good, whatever that is, and avoid evil, however we may make it out by our own lights—a Christ who can be the truth and the life, but who cannot be the way. Such a view of Christ is far from the view of St. Thomas and, indeed, from the experience of the Church.

## The Holiness of the Church: *Communio Sanctorum* and the Splendor of Truth

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### Introduction

IN AN ANCIENT baptismal rite practiced in Syria, Egypt, and Africa, the bishop begins by asking the candidate, “*Credis in Deum . . . in Jesum Christum . . . ?*” and continues with: “*Credis in Spiritum sanctum in sancta Ecclesia?*”<sup>1</sup> The final three words of this last question most probably refer back to the previous two questions as well, thus implying that the Trinity is manifested in the life, worship, and teaching of the Church. It may be, however, that Irenaeus had a different understanding of the relation between the Holy Spirit and the holy Church in his famous phrase: “*Ubi enim Ecclesia, ibi et Spiritus Dei, et ubi Spiritus Dei, illic Ecclesia et omnis gratia.*”<sup>2</sup> In any event, certain realities mediated in these ancient expressions must be grasped if we are to move closer to a common understanding today of what it means to say that the Church is holy and that it is and bears within itself the *communio sanctorum*. The first of these realities is the oneness of the Church. Our belief takes place “in the holy Church,” not in the churches. Second, the oneness of the Church may be seen as the work of the Holy Spirit or of the whole Trinity.<sup>3</sup> Third, the holiness of the Church lies in the fact that it has been made so by the one

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<sup>1</sup> For a discussion of this text, see Henri de Lubac, *The Christian Faith: An Essay on the Structure of the Apostles' Creed*, trans. Richard Arnandez (San Francisco: Ignatius Press, 1986).

<sup>2</sup> *Adversus Haereses* 3, 24 (PG 7, 966B). Cited in de Lubac, *The Christian Faith*, 204, n4.

<sup>3</sup> Thus Cyprian describes the Church as, “de unitate Patris and Filii and Spiritus Sancti plebs adunata” (*De orat. dom.* 23; cf. Vatican II, *Lumen Gentium* 4).

God: Father, Son, and Holy Spirit. Thus holiness and oneness are two integral aspects of the Church's being.

In this brief essay, I wish to reflect on the mystery of the one, holy Church and seek to present an understanding of this mystery in such a way that we can appreciate the intimate connection between the splendor of truth and the radiance of this splendor as it appears in the *Communio Sanctorum*. As the encyclical itself expresses it:

The natural law "is nothing other than the light of understanding infused in us by God, whereby we understand what must be done and what must be avoided. God gave this light and this law to man at creation." He also did so *in the history of Israel*, particularly in the "ten words," the *commandments of Sinai*, whereby he brought into existence the people of the Covenant (cf. Ex 24) and called them to be his "own possession among all peoples," "a holy nation" (Ex 19:5–6), which would radiate his holiness to all peoples (cf. Wis 18:4; Ez 20:41).<sup>4</sup>

In this study, I wish to explore the intimate connection established by the encyclical between sharing in the holiness of God and the radiation of that holiness. To this end, I will proceed in two steps. I will first consider the biblical teaching on the mystery of God who is holy and the relation between this holiness and the holiness of his people. In this part of the study, I will enlist some philosophical and theological insights that can render more intelligible especially the New Testament teaching about our relation to God and his holiness. Then, in the second part, I will reflect on some modern discussions of the unity and holiness of the Church. In this I will present some characteristic Catholic understandings of the expressions *sancta ecclesia* and *communio sanctorum*.

## I. The Holiness of God and of His People

### *Old Testament Teaching*

#### *A Sense of the Holy*

It is a fact that we find in the Old Testament some vocabulary and attitudes in regard to the numinous well described by Hans Urs von Balthasar:

Along with the creature's primal intuitive knowledge concerning the abyss in being between a relative and an absolute, between the world of men and that of the gods, there also comes a primal concept of holiness:

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<sup>4</sup> *Veritatis Splendor* (VS) no. 12. The text quoted in the encyclical is from Thomas Aquinas, *In Duo Praecepta Caritatis et in Decem Legis Praecepta. Prologus*.

everything within the world that belongs to the realm of the divine or the god is radically “set aside” or “separated” from the world . . . and it is therefore dangerous for mortals to approach it.<sup>5</sup>

We see this natural intuition caught up into an understanding of God conferred upon Israel through revelation. Two things emerge as a result of this revelation. First, the notion of “holy” is first and foremost a *personal* attribute of YHWH and not a vague, numinous force that permeates the world of gods and men.<sup>6</sup> Holiness, therefore, is the inner mystery of God’s unique being. Second, this personal God is creator, and that means he is unique:

The object of creation is without exception something outside the divine. The action of God as creator is directed exclusively to the world. God is outside creation; to be created means to be not-god.<sup>7</sup>

Glory is the outer manifestation of that mystery, and Name is the expression of his being that he shares with us a gift. Because of his generosity we are enabled to know something of God and indeed are taught to imitate him. I wish to give here a brief survey of some of the ways in which Israel thus understood and spoke of God and the mystery of his being.<sup>8</sup>

#### *How Israel Understood the Holy*<sup>9</sup>

The presence of God means the presence of the Holy. Places where God reveals himself are thus sometimes called holy. Moses is told, “Do not come near; put off your shoes from your feet, for the place on which you are standing is holy ground” (Ex 3:5; see Jos 5:15). In another place Moses says to God, “The people cannot come up to Mount Sinai; for you yourself charged us, saying, ‘Set bounds about the mountain, and consecrate it

<sup>5</sup> Hans Urs von Balthasar, *The Glory of the Lord: A Theological Aesthetics*, vol. VI: *Theology: The Old Testament*, ed. John Riches, trans. Brian McNeil, CRV and Erasmo Leiva-Merikakis (San Francisco: Ignatius Press, 1991) 61.

<sup>6</sup> This is brought out well by Walther Eichrodt, *Theology of the Old Testament*, trans. J. A. Baker (London: SCM Press, 1961), 270–82.

<sup>7</sup> Claude Westermann, *Genesis*, vol. I/1, *Bibl. Kommentar Altes Testament* (Neukirchen-Vluyn, 1974), 26.

<sup>8</sup> I have left aside many other expressions wherein the “primal intuitive knowledge” shared by all human beings is also voiced. These are well treated by H.-P. Müller, “QDS,” in *Theological Lexicon of the Old Testament*, ed. Claus Westermann and Ernst Jenni (Peabody, MA: Hendrickson, 1997), 1103–18.

<sup>9</sup> With a few exceptions the quotations from the Bible in this essay have been slightly adapted by the author from the RSV. Those from other published translations are noted.

(*qidašto*—“make it holy”).<sup>9</sup> At the same Sinai incident Moses is commanded to “consecrate (*qds*)” the people to prepare them for the coming of YHWH on the mountain (Ex 19:10), a command he also gives to the people to prepare them for the manifestation of YHWH in providing food for them (Num 11:18). The abiding of YHWH in the midst of his people perpetuates this sanctifying presence:

There I will meet with the people of Israel, and it (the tent of meeting) shall be sanctified by my glory [manifestation of my holiness]; I will consecrate the tent of meeting and the altar; Aaron also and his sons I will consecrate, to serve me as priests (Ex 29:42–44).

This notion underlies the expression “holy assembly” (*miqr* [from the root *qr* “to call”] *qds*),<sup>10</sup> which occurs some nineteen times in the Old Testament, usually in connection with the phrase “appointed feast (*mw’d*) of/for YHWH.” God’s people are most themselves, they are in a particular way “holy” when they are assembled to worship and praise YHWH and know his presence in their midst. Thus, in the introduction to the list of appointed feasts (within which we find the expression “holy assembly” eleven times), we read: “Say to the people of Israel, The appointed feasts of YHWH which you shall proclaim as holy assemblies, my appointed feasts, are these” (Lev 23:2). Having been called by YHWH, the people belong to him and thus are holy: “For you are a people holy to YHWH your God; YHWH your God has chosen you to be a people for his own possession, out of all the peoples that are on the face of the earth” (Dt 7:6).

We see that YHWH will call himself Holy in order to indicate that he is “utterly other”: “I will not unleash my anger I will not return to ruin Ephraim for I am God not man. In the midst of you, the Holy One: I do not come to destroy” (Hos 11:9). And this truth is proclaimed in Israel’s life of praise: “There is none holy like YHWH, there is none besides you; there is no rock like our God” (1Sam 2:2). “Who is like you, O YHWH, among the gods? Who is like you, majestic in holiness, terrible in glorious deeds, doing wonders?” (Ex 15:11). The notion that YHWH reveals or manifests his holiness by his “glorious deeds” is a central theme in the prophet Ezekiel.

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<sup>10</sup> It is important to note here that the Septuagint employs a neologism in order to translate *miqr qds*, namely, *klētē agia*. This forms the basis for many Pauline turns of phrase as we will see. For more on this, see Lucien Cerfaux, *The Church in the Theology of St. Paul*, trans. Adrian Walker and Geoffrey Webb (New York: Herder and Herder, 1963), 118–20.

As a pleasing odor I will accept you, when I bring you out from the peoples, and gather you out of the countries where you have been scattered; and I will manifest my holiness among you in the sight of the nations (Ez 20:41).

Sidon, I am against you and I shall show my glory in your midst. People will know that I am YHWH which I execute judgment on her and show my holiness in her (Ez 28:22, NEB).

The Lord YHWH says: When I gather the Israelites from the peoples among whom they are dispersed, I shall show my holiness in them for all the nations to see. (Ez 28:25, NEB).

I shall hallow my great name, which you have profaned among those nations. When they see that I reveal my holiness through you, they will know that I am YHWH, says the Lord YHWH. (Ez 36:23, NEB).

It is not only that God's actions reveal his holiness, the mystery of his being, but human actions reveal his holiness as well as reveal man to himself. As the encyclical expresses it:

*What man is and what he must do becomes clear as soon as God reveals himself.* The Decalogue is based on these words: "I am the Lord your God, who brought you out of the land of Egypt, out of the house of bondage" (Ex 20:2-3). In the "ten words" of the Covenant with Israel, and in the whole Law, God makes himself known and acknowledged as the One who "alone is good"; the One who despite man's sin remains the "model" for moral action, in accordance with his command, "You shall be holy; for I the Lord your God am holy" (Lev 19:2); as the One who, faithful to his love for man, gives him his Law (cf. Ex 19:9-24 and 20:18-21) in order to restore man's original and peaceful harmony with the Creator and with all creation, and, what is more, to draw him into his divine love: "I will walk among you, and will be your God, and you shall be my people" (Lev 26:12). (*Vérité et Splendeur* no.10).

Negatively, our failure to obey obscures the holiness of God. Moses is told that he will die before entering the Promised Land, just as Aaron has already died: "because both of you broke faith with me in the midst of the people of Israel at the waters of Meri-bath-kadesh, in the wilderness of Zin; you did not manifest my holiness in the midst of the people of Israel." (Dt 32:51; see Num 27:14).<sup>11</sup> The notion that by responding to YHWH's offer of a covenant the people become "to me a kingdom of priests and a holy nation" (Ex 19:6) means that they are to manifest God's holiness by

<sup>11</sup> It is probable that Moses' sin on this occasion was to arrogate to himself the saving power, the holiness of YHWH. He is told in Num 20:12: "Because you did not believe/trust me so as to manifest my holiness in the sight of the Israelites, you will not lead this community into the land I am giving them."

keeping faith with him. This extends to each individual Israelite who is told, “You shall be holy for I, YHWH, your God, am holy” (Lev 19:2 *et passim*), which is to say, the Israelite by his actions becomes more and more like God. The significance of this refrain is well expressed by John Hartely whose words can serve as a summary of our consideration:

Israel is to be *qdš*, “holy” because Yahweh, her God, is *qdš*, “holy” . . . Holiness is the quintessential quality of YHWH. In the entire universe, he alone is intrinsically holy. The nominal sentence, YHWH is holy, points in this direction. That God is holy means that he is exalted, awesome in power, glorious in appearance, pure in character. God’s holiness is contagious. Wherever his presence is, that place becomes holy. Since Israel’s holiness is learned and is derived from YHWH, the command for Israel to become holy is expressed in a verbal sentence; the use of the verb *yhy* “be, become,” captures the maturing dimension of holiness on the human plane. Being YHWH’s representative on earth, Israel is to evidence in her community characteristics that are similar to God’s.<sup>12</sup>

### ***Holiness in the New Testament***

The fact of Christ, one Person in two natures, literally a hypostatic union, creates a new category and thus gives new understanding to all of the Old Testament. In the light of Christ risen from the dead the entire understanding of holiness acquired in the Prior Testament is enshrined, deepened, and carried to a higher plane. The Incarnation is not merely a piece of new information to be placed in pre-existing categories. Rather, knowledge of this reality changes all that we previously knew. When Helen Keller, blind, deaf, and apparently dumb, first perceived the relation between words and things, as her teacher, Anne Sullivan, traced the letters “water” on her hand as water was flowing over it, a new dimension of being was disclosed to her, not just a new thing.<sup>13</sup> The Incarnation is a disclosure of an even greater magnitude.

It was already perceived, for instance, that the unity of God’s people derived, not only from the fact of a common revelation and a common worship, but also more profoundly from the fact that “God is one.” In the light of Christ it was further understood that the oneness of the Church is caused by the fact that it shares in a mysterious way in the very unity of God himself. The holiness of God, the mystery of his triune being, is

<sup>12</sup> John E. Hartley, *Leviticus*, ed. David A. Hubbard (Dallas: Word Books, 1992), 312.

<sup>13</sup> I owe this clarifying example to Robert Sokolowski, *Eucharistic Presence: A Study in the Theology of Disclosure* (Washington, DC: Catholic University of America Press, 1993), 201.

the reason for the holiness and thus the unity of the Church.<sup>14</sup> We have seen that the people are never more holy as a people than when they are gathered together to worship and praise God and know his presence. Now that Christ is among us we understand that holiness is realized in that act in which God's people, in the Holy Spirit, gather and celebrate in sacrament that communion of persons that shares in the very communion of the Trinity.

Since the being of God only exists in three hypostases, we must understand God to be relational in his essence: the eternal, freely willed relationality of the Father is the personal source of the Son and the Spirit who are equal to him in an infinite movement of freedom and love. Holiness, the mystery of God's inner being, is, therefore, a mystery of communion.

In the following section, I will look briefly at the ways in which the New Testament predicates holiness of the Father, the Son, and especially the *Holy* Spirit. I will then look at the ways in which the endowment of "holy" is predicated of the Church. We will then finally be in a position to reflect theologically on the mystery of the Church as holy.

#### *The Holy God in the New Testament*

The New Testament does not apply the term "holy" with great frequency to the Father or to Jesus his Son, and some of these New Testament usages clearly cite or reflect the Old Testament. In order to understand the latter, we must bear in mind the entirely new dimension of reality opened up to the New Testament community by the resurrection of Christ. In this new dimension not only the teaching of the Old Testament, but even the words of Jesus himself now reveal their true inner meaning. Before this event, who could have ever imagined the true identity of the Father and the depth of intimacy to which he calls us with himself? Who could have understood the meaning of Jesus' use of the word *Abba* before Jesus' glorious resurrection and the outpouring of the Holy Spirit? Or again, who could have understood the meaning of the exhortation expressed in the words of Leviticus 11:44 (19:2, etc.), "Be holy as I am holy" (1 Pet 1:16)? We must surely hear this exhortation within the entirely new context of those who were ransomed by the precious blood of Christ, who was known before the foundation of the world but revealed in the final time (see 1 Pet 1:17–21). We will return to this.

God the Father is called "holy" (*agios*) in the lines immediately preceding those just cited from the First Letter of Peter: "but as he who called

<sup>14</sup> For a development of this theme, as well as Jewish and Hellenistic expressions of divine unity, see Francis Martin, "Pauline Trinitarian Formulas and Christian Unity," *Catholic Biblical Quarterly* 30 (1968): 199–219.



you is holy, be holy yourselves in all your conduct . . ." (1 Pet 1:15). Mary sings that "his name is holy" (Lk 1:49), Jesus addresses him as "holy Father" (Jn 17:11), and the Book of Revelation tells us of "the four living creatures, each of them with six wings, are full of eyes all round and within, and day and night who never cease to sing, Holy, holy, holy, is the Lord God Almighty, who was and is and is to come!" (Rev 4:8).

Then we see how Jesus is addressed in Peter's act of faith: "and we have believed, and have come to know, that you are the Holy One of God" (Jn 6:69). John surely intends this in its most solemn sense, as opposed to the demons quoted in Mark 1:24 and Luke 4:34.<sup>15</sup> The angel tells Mary that the Holy Spirit will come upon her and "the child to be born will be holy, he will be called the Son of God" (Lk 1:35). Jesus himself is "filled with the Holy Spirit" (Lk 4:1), anointed by the Holy Spirit at his baptism (Acts 10:38; Lk 3:22) in such a way that his works manifest his unique holiness. Peter, like Isaiah, when confronted with such a manifestation of holiness is brought to confess his sinfulness (Lk 5:8; Is 6:5). Peter tells the inhabitants of Jerusalem, "you denied the Holy and Righteous One" (Acts 3:14), a title whose full meaning is now revealed since Jesus has been "instituted Son of God in power according to the spirit of holiness due to resurrection from the dead (Rom 1:4). Thus, John receives instruction: "And to the angel of the church in Philadelphia write: 'The words of the holy one, the true one, who has the key of David, who opens and no one shall shut, who shuts and no one opens'" (Rev 3:7). Finally, believers are told, "But you have an oil of anointing from the Holy One, and you all have knowledge" (1 Jn 2:20).<sup>16</sup>

It is significant that the Spirit of the Father and the Son is called the *Holy Spirit*, using an expression already present in the Old Testament.<sup>17</sup>

<sup>15</sup> I say "as opposed to the demons" reported in the Synoptic tradition. What the Evangelists, at level three of the tradition, intended is more likely to be ironic: what the demons confessed was true in a way they could not suspect.

<sup>16</sup> Some commentators would see the title "Holy One" as being applied here to the Father, but the context and general tone of the passage favor seeing the risen Jesus as the "Holy One." See Rudolf Schnackenburg, *The Johannine Epistles: A Commentary*, trans. Reginald and Ilse Fuller (New York: Crossroad, 1992), 142–43.

<sup>17</sup> "Paul's experience of God as Spirit, as mysterious vivifying and inspiring power, was of a piece with the experience of *ruach* attested by Moses (2 Cor. 3.16) and the prophets before him. That experience could be more clearly defined and recognized by reference to Christ, as the Spirit of Christ. But it was not another Spirit, which was so designated, only the Spirit of God, the Spirit given by God. If the character of Christ had now defined the character of the Spirit, it was the Spirit of God which was so defined." James D. G. Dunn, *The Theology of Paul the Apostle* (Grand Rapids, MI: Eerdmans, 1998), 717.

Jesus is conceived by the action of the Holy Spirit (Lk 1:35), in his ministry is anointed by God with this same Spirit (Acts 10:37–38; Mt 3:16, par.), and now raised to the right hand of the Father, “he received the promised Holy Spirit from the Father and has poured him out” (Acts 2:33). The Spirit is mentioned with the Father and the Son in two texts that accent the unity of the Church (1 Cor 12:4–6; Eph 4:4–6); it is in their threefold name that the baptismal mandate is given (Mt 28:19); and it is through Christ, in one Spirit, that we both (Jew and Gentile) have access to the Father (Eph 2:18). Indeed “in one Spirit we were all baptized into one Body . . . and we all drank of one Spirit” (1 Cor 12:12–13). It is the one Spirit of the Father and the Son who gives access to the mystery of their being and thus makes the Church both one and holy. We will see how prominent is the unifying and sanctifying action of the Holy Spirit as we now discuss how the Church is holy.

### *One Holy People*

I have already pointed out that the Septuagint, by coining a new phrase, *klētē agia*, to translate the Hebrew expression “holy assembly,” provided Paul with vocabulary to express part of his understanding of the church. In writing to the Corinthians, he first calls himself a “called apostle (*klētos apostolos*) of Jesus Christ,” and then describes them as the “Church (assembly/*ekklēsia*) of God at Corinth, made holy in Christ Jesus, “holy called ones” (*klētios agiois*)” (1 Cor 1:2). Much of the same vocabulary is found in the opening lines of the Letter to the Romans, and in the Letter to the Colossians.<sup>18</sup> The influence of the Septuagint phrase as adapted by Paul is certainly one of the sources of his ability to call Christians “holy/*agios*” (Rom 8:27–28, 16:2; 1 Cor 6:1–2; Eph 1:1; etc.).

If we strive to grasp more deeply what is implied in the call of God, we will be able to more adequately understand the New Testament teaching regarding the holiness of the Church. This call, in effect, is made up of two realities: the sanctifying work of Christ on the cross and the action of the Holy Spirit in bringing people into touch with this work. This rhythm of the work of God is well expressed in the teaching of the First Letter of John (5:6): Jesus Christ *came*, that is, he accomplished the work of redemption, and the Spirit *bears witness*, that is, he brings people

<sup>18</sup> In Romans: *klētos apostolos*, which is then specified as “set apart for the Gospel of God” (1:1), *klētoi Iēsou Christou* (1:6), *agapētois Theou*, *klētos agiois* (1:7). In Colossians 3:12, “Put on then as the *eklektōi tou Theou*, *agioi kai ēgapēmenoi* . . .” elect of God For a complete treatment of this theme, see Lucien Cerfaux, *The Church in the Theology of St. Paul*, trans. Geoffrey Webb and Adrian Walker (New York: Herder and Herder, 1959).

to know and be transformed by that work. Or again in the words of the Letter to the Hebrews (9:13–14): “For if the blood of goats and bulls and the ashes of a heifer sprinkled on those defiled sanctifies for the purification of the flesh, how much more the blood of Christ who by the eternal Spirit offered himself unblemished to God, will purify your conscience from dead works for the worshipping of the living God?” Christ offered himself by the “eternal Spirit” who in this sacrifice accomplished what the “eternal fire” did in the old sacrificial system.<sup>19</sup> The transforming fire of the Spirit who moved Jesus to die in an act of love is the one who animates those who, “baptized into his death,” now walk in newness of life/Spirit (Rom 6:3–4, 7:6).

The New Testament expresses in several different ways the fact that by his death out of love Jesus has reconciled us to God and sanctified us. There is first of all the rhythm of “love—give himself over” that we find in Galatians 2:20: “The life I now live in the flesh, I live in faith, faith in the Son of God who loved me and gave himself over for me.” This is repeated in Ephesians 5:2 and applied to the obligation of husbands to their wives in Ephesians 5:25. We read in John 14:31 that Jesus goes to his passion in obedience to the Father and to show the world his love for the Father: “But that the world might know that I love the Father; and as the Father commanded me, so I do . . . rise up, let us go from here.” Jesus’ self-gift to the Father merited his exaltation, which consisted in rendering his humanity apt to reveal his divine Personality: “And therefore God exalted him and gave him the Name that is above all names, so that at the name of Jesus every knee should bow . . . and every tongue confess to the glory of God the Father that Jesus Christ is Lord” (Phil 2:9–11, cf. Is 45:22–25). This act of love, accomplished in the fire of the Holy Spirit, makes Christ’s blood capable of purifying our conscience from dead works in order to serve the living God. Because he possesses a body, Christ is able to give human, historical existence to the will of God: “In this will, we have been sanctified through the offering of the body of Jesus Christ once for all” (Heb 10:10). For this reason Paul tells us: “The body is not for immorality but for the Lord, and the Lord is for the body. . . . You have been purchased at a price, therefore glorify God in your body” (1 Cor 6:14, 20). We are holy, we belong to God, we are the people he has acquired (Eph 1:14) and we join those in heaven who sing: “Worthy are you to receive the scroll, and to open its seals because you were slain and purchased for God with your blood from every tribe

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<sup>19</sup> See Albert Vanhoye, “Esprit éternel et feu du sacrifice en He 9,14,” *Biblica* 64 (1983): 263–74.

and tongue and people and nation; and made them for our God, a kingdom and priests, and they will reign upon the earth" (Rev 5:9).

This action of God in Christ changes us. Our holiness is not that of an external adherence to God's people at worship, rather, "we are the true circumcision, who worship by the Spirit of God, who boast in Christ Jesus, and put no confidence in the flesh" (Phil 3:3). Christ dwells in us by faith and the Spirit of God is in our inner being (Eph 3:16–17; see Rom 8:10–11). This means that we have been called into "participation in his Son" (1 Cor 1:9) and we have "participation in the Holy Spirit" (2 Cor 13:13; see Phil 2:1).<sup>20</sup> This participation extends to sharing in the sufferings and resurrection of Christ: "that I may know him and the power of his resurrection, and participate in his sufferings, becoming like him in his death, that if possible I may attain the resurrection from the dead" (Phil 3:10–11; see Rom 8:15), which means that Paul's wounds are "the brand marks of Jesus" (Gal 6:17),<sup>21</sup> and that we are "always carrying in the body the death of Jesus, so that the life of Jesus may also be manifested in our bodies" (2 Cor 4:10).

The Church's union with Christ is set forth even more powerfully with the use of the analogies of vine and branches, temple, and most important, body. In this last predication, which is Pauline, it is revealed to us that we are physically joined to the Holy One (Jn 6:69; 1 Jn 2:20; Rev 3:7, 16:5) and make one reality with him. This fact is the basis for Christian chastity (1 Cor 6:12–20), it is the source and reason for Christian *agapē*, and for good order in the community (1 Cor 12–14), it is the context within which we offer our whole selves (*sōmata*) to God as a "living sacrifice, holy and pleasing to God," and practice mutual love and concern (Rom 12:1–2, 3–8, 9–21). Not only have we received from his fullness (Jn 1:16), but this fullness from him who is the Head "from whom the whole body, joined and knit together by every joint with which it is supplied, when each part is working properly, makes bodily growth and upbuilds itself in love (Eph 4:15). We are thus parts of him and parts of each other (1 Cor 12:12–31). This union is not only spiritual, it is human, that is, it involves the physical dimension of our personality as well as the spiritual (see

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<sup>20</sup> For an ample treatment of these texts and a justification of the above translation of *koinōnia*, see J. Y. Campbell, "Koinōnia and Its Cognates in the New Testament," in *Three New Testament Studies* (Leiden: Brill, 1965), and the discussion in Dunn, *The Theology of Paul the Apostle*, 561–62, 616–17.

<sup>21</sup> Robert Jewett comments on this text, "Already it is evident that the body of man, the focus of suffering in this world, was viewed by Paul as the sphere where Christ's rule becomes visibly evident." Robert Jewett, *Paul's Anthropological Terms: A Study of Their Use in Conflict Settings* (Leiden: E. J. Brill, 1971.)

Heb 2:14–16). Failure to recognize this, failure to “discern the Body,” has resulted in “many of you being ill and infirm, and a considerable number are dying” (1 Cor 11:29–30).

*Marriage, Communion, and the Splendor of Truth*

It is particularly in the spousal mystery that the relation between holiness and communion shows us the perfective nature of truth: Truth desired and received becomes a value, and as a value it becomes a force, a power:

In a particular way, it is *in the Crucified Christ* that *the Church finds the answer* to the question troubling so many people today: how can obedience to universal and unchanging moral norms respect the uniqueness and individuality of the person, and not represent a threat to his freedom and dignity? The Church makes her own the Apostle Paul’s awareness of the mission he had received: “Christ . . . sent me . . . to preach the Gospel, and not with eloquent wisdom, lest the cross of Christ be emptied of its power. . . . We preach Christ crucified, a stumbling block to Jews and folly to Gentiles, but to those who are called, both Jews and Greeks, Christ the power of God and the wisdom of God” (1 Cor 1:17, 23–24). *The Crucified Christ reveals the authentic meaning of freedom, he lives it fully, in the total gift of himself* and calls his disciples to share in his freedom. In a particular way, it is *in the Crucified Christ* that *the Church finds the answer* to the question troubling so many people today: how can obedience to universal and unchanging moral norms respect the uniqueness and individuality of the person, and not represent a threat to his freedom and dignity? The Church makes her own the Apostle Paul’s awareness of the mission he had received: “Christ . . . sent me . . . to preach the Gospel, and not with eloquent wisdom, lest the cross of Christ be emptied of its power . . . . We preach Christ crucified, a stumbling block to Jews and folly to Gentiles, but to those who are called, both Jews and Greeks, Christ the power of God and the wisdom of God” (1 Cor 1:17, 23–24). *The Crucified Christ reveals the authentic meaning of freedom, he lives it fully, in the total gift of himself* and calls his disciples to share in his freedom. (*Veritatis Splendor* no. 85)

The mystery of the physical union of Christ and his Body is important for our understanding of the holiness of the Church. We will reflect briefly on the most mature expression of that union as set forth in the Letter to the Ephesians 5:21–33.<sup>22</sup> We may first note how the holiness of

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<sup>22</sup> The lines which follow are adapted from Francis Martin, “The New Feminism: Biblical Foundations and Some Lines of Development,” in *Women in Christ. Toward a New Feminism*, ed. Michele Schumacher (Grand Rapids, MI: Eerdmans, 2004), 141–68.

the Church is directly attributed to the act of love in which Christ died, a theme we touched upon above:

Husbands, love your wives just as Christ loved the Church and gave himself over for her that he might make her holy, purifying her in the washing of water, with a word, that he might present to himself the Church resplendent, not having spot or wrinkle or anything of the sort, but that she be holy and without fault. (Eph 5:25–27)

This is an eschatological vision of the completed work of Christ: the Church, his bride “holy and without fault” thus realizing the eternal plan of the Father (see Eph 1:4). This plan is being worked out even now, and that is why the Church is incipiently holy: The believers are called “holy” nine times in this Letter alone,<sup>23</sup> and their corporate reality is called a “holy temple” (Eph 2:21). The theme of bride is then developed, indicating that the holiness of the Church lies fundamentally in its physical and spiritual union with Christ. Thus we read in the lines that follow:

Even so husbands are obliged to love their own wives as their own bodies. He who loves his own wife loves himself. No one ever hated his own flesh; rather, he provides and cares for it just as Christ [does] for the Church, because we are parts of his Body (Eph 5: 28–30).

We may ask why the norm for this love of husband for wife, is given not only as that of the love of Christ for the Church, but is also presented as “love for their own [*εαυτῶν*] bodies.” I believe that behind these lines stands an Old Testament anthropology that looked upon unity between human beings as grounded on the fact that they share “flesh” (*basar*). The concept moved in concentric circles. Humanity as a whole can be called “all flesh,” and this outer circle becomes progressively denser until the immediate family is considered to be sharing the same flesh. Thus, the laws against incest in Leviticus 18 begin with the enigmatic phrase (literally): “No one shall approach any flesh of his body/flesh (*basar*) to uncover nakedness (i.e., have sexual relations). I am YHWH.” This is further specified by specific instances of what “flesh of his body/flesh” may mean. For example, “You shall not uncover the nakedness of your father, that is, the nakedness of your mother; she is your mother, you shall not uncover her nakedness” (18:6). “You shall not uncover the nakedness of the wife of your father, she is your father’s nakedness” (18:7). “You shall not uncover the nakedness of your mother’s sister because she is your mother’s flesh” (18:13).

<sup>23</sup> Eph 1:1, 15,18; 2:19; 3:8,18; 4:12; 5:3; 6:18.

It is clear from this that there are degrees of what we would call consanguinity, which the Hebrews considered as “con-fleshness.” The source of consanguinity is marriage. That is why when a man marries a woman they become “one flesh.” A development of this notion is found in the phrase (literally) “bone of my bone and flesh of my flesh” and similar expressions that indicate the familial bonds, either very close or, at least among Israelites, which form the basis for a covenant.<sup>24</sup> Both expressions “one flesh” and “bone of my bones and flesh of my flesh” occur in Genesis 2:23–24, texts alluded to in the Ephesians passage we are considering. When we add to this the fact that there was no current word for “body” in Hebrew, we realize that the substitution in Greek of the word *sôma* (body) where *sarx* (flesh) might be expected would occasion no surprise. Paul, in fact, when he loosely cites Genesis 2:24 in 1 Corinthians 6:16 speaks of “one body”: “Do you not know that anyone who joins himself to a prostitute becomes one body [with her]? For it says, ‘the two will become one flesh.’”

The lines in the passage that we are studying now are based on just this type of thinking and reflect, I think, the fundamental source of Paul’s description of the Church as the Body of Christ. What the Ephesians text does here is render more explicit the equation Body/Flesh = Bride, which Paul has already exploited in 2 Corinthians 11:2–3: “I feel a divine jealousy for you, for I betrothed you to Christ to present you as a pure bride to her one husband. But I am afraid that as the serpent deceived Eve by his cunning, your thoughts will be led astray from a sincere and pure devotion to Christ.” Time does not allow us to develop this line of thought here, but it is important to consider some of its anthropological implications in regard to the notion that the Church is the Body of Christ.<sup>25</sup>

For this reason, a man will leave his father and mother and be joined to his wife and the two will become one flesh. This Mystery is great: for my part, I am speaking in reference to Christ and the Church (Eph 5:31–32)

Without any indication that he is citing a biblical text, probably because he considers it too well-known, the author, with slight variations from our present Septuagint text (Gen 2:24) begins, “For this reason.” The reason given in the text is that as the Lord God (*Kyrios o Theos*) leads the

<sup>24</sup> For a complete treatment of this point, see Maurice Gilbert, “‘Une Seule Chair’ (Gen 2,24),” *Nouvelle Revue Théologique* 100 (1978): 66–89.

<sup>25</sup> For an initial development of what I hope to treat at greater length in another study, see Paulus Andriessen, “The New Eve, Body of the New Adam,” in *The Birth of the Church* (New York: Alba House, 1968).

woman to Adam, he exclaims, “This now is bone of my bones and flesh of my flesh; she shall be called woman because from her man (*andros*) she was taken.” In the Ephesians text, the reason referred to is that Christ provides and cares for his own flesh, the Church, because we are parts of his body.

The Genesis text continues to speak of a man leaving father and mother, which is an aspect ignored by Paul who puts the accent on being joined to his wife so the two become one flesh. The physical union between Christ and the Church is precisely the great Mystery, as the author explicitly says, and it is precisely that union, which forms the model for husband and wife, and is itself the living source of the love that binds them together. As Pierre Benoit expresses it:

In this union (between Christ and the Church), which is the model for human marriage, and which is not endowed with any less physical realism, the “mystery” of the Genesis text is fully realized and definitively clarified.<sup>26</sup>

We may ask why, after citing the Genesis text with the intention of applying it primarily to the union between Christ and the Church, the author calls it a “mystery.” Some commentators point to the fact that *raz* and *sod*, the semitic terms that lie behind the New Testament *mysterion*, can sometimes mean the secret meaning of a text and they apply that meaning here.<sup>27</sup> But the author’s point is that the *mysterion* is an aspect of God’s plan now revealed. He is insisting on the analogical relation between the union of husband and wife, who become one flesh and the union of Christ and the Church who form one flesh. The “mystery” is not primarily in the text but in the realities it is mediating to us. To employ Augustine’s phrase: “*In ipso facto, non solum in dicto, mysterium requirere debemus.*”<sup>28</sup>

With the creation of the New Man/Adam by Christ’s act on the cross (see Eph 2:15) it becomes apparent, as Heinrich Schlier expresses it, that, “In Adam as the original (*ursprünglichen*) man, the creation of God, the future Christ is already hidden, but really present. Christ is the revealed,

<sup>26</sup> “Corps, Tête et Plérôme dans les Épîtres de la Captivité,” in *Exégèse et Théologie* 2 (Paris: Cerf, 1960), 107–53, at 135.

<sup>27</sup> This is the position of Raymond Brown in his fine study, *The Semitic Background of the Term “Mystery” in the New Testament* (Philadelphia: Fortress, 1968), 65.

<sup>28</sup> *On Psalm 68* (*Patrologia Latina* 36,858). For a number of patristic texts on this same theme, see Henri de Lubac, *Catholicism. Christ and the Common Destiny of Man*, trans. Lancelot Sheppard and Sister Elizabeth Englund (San Francisco: Ignatius Press, 1988), 165–70.



original man . . . in the creation is already hidden the redemption provided in Christ.”<sup>29</sup> Adam, as Paul tells us was the “type” (*typos*) of the one to come (Rom 5:14), who is the “second man (*anthrōpos*), the one from heaven” (1 Cor 15:47). While these texts place the accent on Jesus Christ as the individual man who recapitulates the reality of the “first man,” our Ephesians text reminds us that as we now see Christ, the “second man,” we understand that creation itself is a prophecy of redemption. This means that in the corporate reality of man and woman, as Genesis describes it, is already present in a proleptic symbol—the unity of Christ and the Church:

On the day when Elohim created *'adām* he made him in the image of Elohim; male and female he created them, and he blessed them and called their name *'adām* on the day they were created (Gen 5:1–2).

As it requires male and female to make up God’s creation, *'adām*, so it also requires Christ and the Church to make up God’s new creation, the Christ (see 1 Cor 12:12; 1:13[?]).<sup>30</sup> The great mystery, therefore, is in the *fact* of Christ’s physical union with the Church, a union effected by the Holy Spirit. This is the deepest source of the Church’s holiness.

That all of the great work of Christ actually exists now in an actual and historical dimension is due to the action of the Holy Spirit. At baptism believers receive the Holy Spirit in their hearts: “he has put his seal upon us and given us his Spirit in our hearts as a guarantee” (1 Cor 1:11; Eph 1:13; see Rom 5:5); “God has sent the Spirit of his Son into our hearts” so that we can, with all truth, pray and relate to the Father as Jesus did and does. Because the same Spirit dwells within us, the Church is one and holy:

The Father and the Son wanted us to enter into communion with each other and with them through what is common to them and wanted to join us together as one through that Gift that they both possess together, namely the Holy Spirit, God, and Gift of God. It is in him that we are reconciled with the Deity and that we enjoy the Deity.<sup>31</sup>

<sup>29</sup> *Der Brief an der Epheser: Ein Kommentar* (Düsseldorf: Patmos Verlag, 1958), 278. The translation is basically that of Barth, *Ephesians* 2, 643, n141.

<sup>30</sup> Gordon Fee, one of the few commentators to comment on 1 Cor 12:12, says that the phrase “so it is with the Christ” is a form of metonymy: “Thus, ‘Christ’ means the church as a shortened form of the ‘body of Christ.’” This is true as far as it goes, but what could Paul possibly mean by employing such a shortened form at all? See Gordon D. Fee, *The First Epistle to the Corinthians* (Grand Rapids, MI: Eerdmans, 1987), 603.

<sup>31</sup> St. Augustine, *Sermon 71, 12, 18* (PL 38,454), cited in Yves Congar, “The Holy Spirit Makes the Church One,” in *I Believe in the Holy Spirit* (New York: Seabury, 1983), 23.

The Spirit co-institutes the Church as Christ institutes it, that is, because of the Spirit, the Church brought into existence and made one and holy by Christ, actually *lives* its existence authentically: It is actually one and holy.<sup>32</sup> Just as it is because of the action of the Holy Spirit that Christ in his human nature exists, so it is because of the same Holy Spirit that the Church in its actual human and historical nature exists. This mystery of the action of the second and third Persons of the Trinity characterizes all their activity outside the Godhead in both creation and redemption. The Spirit hovers over creation and over the people (Gen 1:2; Ex 19:4; Dt 32:11) and thus the word addressed by God has its effect: There is light, there is a people made one by being addressed as one.<sup>33</sup>

It is in this light that we can understand the New Testament teaching in regard to the Holy Spirit and the Church. Having been baptized in one Spirit into one Body (1 Cor 12:13), we have “participation in the Spirit” (2 Cor 13:13; Phil 2:1; see above), and “he who cleaves to the Lord is one Spirit with him” and becomes a temple of the Holy Spirit (1 Cor 6:17, 19). It is by the “ministry of the Spirit” that God’s people are formed (2 Cor 3:4–11). They are justified and sanctified “in the name of the Lord Jesus Christ and in the Spirit of our God” (1 Cor 6:11). Indeed, “when the goodness and loving kindness of God our Savior appeared, he saved us . . . in virtue of his own mercy, by the washing of regeneration and *renewal in the Holy Spirit*, which he poured out upon us richly *through Jesus Christ our Savior*” (Tit 3:4–7).<sup>34</sup> I will end this all too brief section with a quote from *Lumen Gentium* (no. 8), which may serve to sum up a Catholic understanding of the Spirit and the Church.

Just as the assumed nature inseparably united to the divine Word serves him as a living instrument of salvation, so, in a similar way, does the communal structure of the Church serve Christ’s Spirit who vivifies it by way of building up the body (cf. Eph 4:16). This is the unique Church of Christ, which in the Creed we avow to be one, holy, catholic and apostolic. After his resurrection our Savior handed her over to Peter to be shepherded (Jn 21:17).

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<sup>32</sup> The term “co-institute” is found in Yves Congar, “The Church is Made by the Spirit,” in *I Believe in the Holy Spirit* (New York: Seabury, 1983). For a development of this notion using the term “constitute,” see John D. Zizioulas, *Being As Communion* (Crestwood, NY: St. Vladimir’s Seminary Press, 1985).

<sup>33</sup> For a study of this rhythm in the theology of St. John, see Ignace de la Potterie, “Parole et Esprit dans S. Jean,” in *L’Évangile de Jean. Sources, Rédaction, Théologie*, ed. M. de Jong (Gembloux: Duculot, 1977).

<sup>34</sup> These last two texts are illustrative of the rhythm, “institute–constitute” mentioned earlier.

## II. Communion of Persons and *Communio Sanctorum*

In this part, I wish to reflect briefly on three aspects of holiness and unity as they are relevant to our understanding of the holiness of the Church. First, I will discuss the priority of ontology over morality in a consideration of personal holiness. I will then place the discussion within the context of the relational character of the human person: the Body of Christ as holy. Finally, I will look at what the traditional understanding of *communio sanctorum* can add to a more profound grasp on the note of “holy” as applied to the Church.

### *Moral Actions and Ontological Change*

It is simply a matter of common wisdom that a person becomes virtuous or vicious as a result of a consistent series of repeated decisions. Unfortunately, this wisdom was not sufficiently operative in the course of the last few hundred years of Christian moral thinking, which contented itself with the question “What is the law?” rather than the ancient and much more profound question “What must I do in order to arrive at the goal of my life and find happiness?”<sup>35</sup> As Josef Pieper once expressed this basic law of moral action: “Human activity has two basic forms: doing (*agere*) and making (*facere*). Artifacts, technical and artistic are the ‘works’ of making. We ourselves are the ‘works’ of our doing.”<sup>36</sup> The consequence of recent law-based moralism (as opposed to morality) has been that we read the New Testament exhortations to a holy life as having little to do with the objective state of our being. Yet, what the New Testament teaches us is really that our actions are meant to flow from our ontological union with Christ and to increase our participation in his life by yielding to the activity of the Holy Spirit moving us to acts of love.<sup>37</sup> If holiness is a share in the mystery of God’s being, then, in our own case as well, it is an ontological reality.

I believe that this is the intent of the famous statement in 2 Peter 1:3–4: His divine power has bestowed on us everything that makes for

<sup>35</sup> For a history of this situation and an analysis of its causes and remedies, see Servais Pinckaers, *The Sources of Christian Ethics*, trans. Mary Thomas Noble (Washington, DC: The Catholic University of America Press, 1995).

<sup>36</sup> Josef Pieper, *The Four Cardinal Virtues*, trans. Lawrence E. Lynch, Richard and Clara Winston, and Daniel Coogan (South Bend, IN: University of Notre Dame Press, 1966), 29. Consider this remark by Karol Wojtyła: “The self constitutes itself precisely through the acts proper to man as a person.” Karol Wojtyła (Pope John Paul II), “The Person: Subject and Community,” *Review of Metaphysics* 33 (1979/80): 273–308.

<sup>37</sup> I have developed this point using the ancient concept of the imitation of Christ in Francis Martin, “Historical Criticism and New Testament Teaching on the Imitation of Christ,” *Anthropotes* 6 (1990): 261–87.

life and godliness, through the knowledge of him who called us to his own glory and excellence, by means of which he has bestowed on us his precious and magnificent promises, that through them you may become sharers (*koinōnoi*) of the divine nature having escaped from the corruption that is in the world as a result of desire.

The phrase “sharers of the divine nature,” while it borrows its terminology from Jewish–Hellenistic mysticism, refers to the common New Testament theme that we have become children of God, animated by his Spirit (Rom 8:5, 14–17; Gal 4:6); that we have fellowship (*koinōnia*) with the Father and with his Son Jesus Christ (1 Jn 1:3); that a Christian is a sharer (*koinōnia*) in the glory to be revealed (1 Pet 5:1). With such parallel expressions available (see Col 2:9 *plēroma–peplērōmenoi*) it is exaggerated reductionism to restrict this text to similar expressions elsewhere in extra-biblical literature when the precise point is to show that now in Christ these aspirations have been fulfilled.

Peter teaches us that our holiness comes from knowledge of the One who has called us to his own glory and excellence and that our immortality is fundamentally a share in his own. The text goes on immediately to urge us to supplement our faith with virtue, our virtue with knowledge, and finally our godliness with brotherly affection and our affection with love (see 2 Pet 1:5–7). Our acts therefore are changing us and bringing us into a deeper participation in the divine nature. I recognize that most modern commentators tend to avoid this line of thinking being content to point out the relation in Jewish–Hellenistic mysticism between immortality and sharing in the divine nature. I think, however, that the massive patristic tradition cannot be ignored here. As J. N. D. Kelly puts it:

His [the author’s] tentative ideas, however, were destined to provide a firm scriptural foundation for the vast theology of redemption by the divinization of human nature which, beginning with Clement of Alexandria, was to dominate the patristic centuries and remains immensely influential in large sections of the Church down to the present day.<sup>38</sup>

While the text from 2 Peter is helpful it is not necessary in order to establish the point that holiness for the Church and for all the persons who make up the Church is an ontological quality and not merely a moral quality. Before passing on to consider the intrinsically relational quality of moral action we should add two reflections. We should first observe that human activity is always historical, that is, it is the activity of a being who

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<sup>38</sup> J. N. D. Kelly, *A Commentary on the Epistles of Peter and Jude* (Grand Rapids, MI: Baker, 1981 [reprint]), 304.

is both spiritual and material, whose spirituality pervades his materiality and gives it a properly human dimension. Spirituality for a human being is not immateriality, and, as we shall see, it is not individual but shared. Holiness is a complete fulfillment of the human person because it realizes the transcendent orientation of the whole human being and results in a transformation that is perfected in that act in which the Trinity gives himself unreservedly to the whole spiritual–material being in an embrace of love that is eternal life.

Secondly, genuine holiness realizes and sublates the autoteleological drives of human nature, bringing them to a transcendent fulfillment.<sup>39</sup> Thus, to quote Karol Wojtyła:

Man fulfills himself, he realizes the autoteleology of his personal self through the transcendent dimension of his action. The transcendence of truth and good has a decisive influence on forming the personal subject as is evident in the analysis of conscience and morality. The same analysis allows one to penetrate more profoundly the contingency of man, elucidating how essential is his striving for self fulfillment, how in this striving he is constantly torn between good and evil, between self-fulfillment and non-fulfillment. . . .<sup>40</sup>

### *The Human Person as Essentially Relational*

In his recovery of the thinking of the Cappadocians in regard to personhood, John Zizioulas has managed to forge a link between the enormous reversal effected by these saints within classical Greek thought and the modern move from the “turn to the subject” to the “turn to the person.”<sup>41</sup> I wish, in just a few lines, to show how this understanding of the human person renders intelligible the twofold holiness of the Church, individual and corporate.

<sup>39</sup> The process I am referring to is aptly portrayed in this description of sublation given by Bernard Lonergan: “What sublates goes beyond what is sublated, introduces something new and distinct, yet so far from interfering with the sublated or destroying it, on the contrary needs it, includes it, preserves all its proper features and properties, and carries them forward to a fuller realization within a richer context.” Bernard Lonergan, *Method in Theology* (New York: Herder & Herder, 1972), 241.

<sup>40</sup> “The Person: Subject and Community,” 287. For a discussion of how these philosophical principles are elaborated in terms of nature and saving grace, see Gerard Beigel, *Faith and Social Justice in the Teaching of Pope John Paul II* (New York: Peter Lang, 1997), Chapter Three, “Man Within the Sphere of Redemption.”

<sup>41</sup> Zizioulas, *Being as Communion*. This mode of thought is also part of Western theological thought: see Yves Congar, “The Father, the Absolute Source of Divinity,” in *I Believe in the Holy Spirit* (New York: Seabury, 1983).

The understanding that within the Trinity the Father is the very source of the Divinity for the Son and Spirit helps us to understand that Person is not added to substance, as though with the Trinity there were a neutral substance equally divided among the Persons. It is rather that the Father, as essentially Father, hypostasizes the Divinity in a relational manner eternally and freely begetting the Son and giving rise to the Spirit who is, as it were, the subsisting “we” between the Father and the Son. Having arrived at this insight, it is easier to see that the human person is also essentially relational, and that, in a created manner that does not identify substance and relation, it is still possible to understand that a human person hypostasizes his or her substance, drawing it up into the very relational nature of personality. This means that community, when it is genuine, is not added to personhood but belongs to it essentially, though only in such a way that the selfhood of each person is enhanced and not diminished.

The classical definition of person, given by Boethius (and modified somewhat in the course of history) asserted basically that a person is “an individual substance of a rational nature.”<sup>42</sup> Modern philosophical and theological thought has advanced the understanding of person and thus would understand these terms in a more existential manner than that in which they were formerly understood. When “substance” is seen in the light of creation, it becomes obvious that it is what it is by its relation to God, that it subsists as what it is, and that it expresses what it is by relation to other beings. Thus, W. Norris Clarke proposes a triadic structure of being: “being *from* another, being *in* oneself, and being *toward* others.”<sup>43</sup> Given the dynamic structure of all being it is true to say that the *individuum*, the *concretum*, seen in the light of its reality as created, is constituted by relation: to God, to itself, and to other beings. This last relation, that to other beings, is what Maritain calls, “the basic generosity of existence,”<sup>44</sup> in which every being at its own level does impart something of itself: *bonum est diffusivum sui*.

Similarly, when we reflect on what “rational” means, we see that the unique and incommunicable reality of a person is also constituted by relation, it is *from* God, it relates *in* itself and to itself, and it is a being *toward* others. Because in regard to person we are concerned with a spiritual reality that is one who possesses itself and can reflect upon itself, we are

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<sup>42</sup> For a discussion of this definition and its history, see Max Müller et al., “Person,” in *Sacramentum Mundi: An Encyclopedia of Theology*, ed. Karl Rahner (New York: Herder and Herder, 1969), 404–19.

<sup>43</sup> W. Norris Clarke, “A Response to David Schindler’s Comments,” *Communio* 20 (1993): 596.

<sup>44</sup> Jacques Maritain, *Existence and the Existent* (New York: Doubleday, 1957), 90.

in the presence of the mystery of freedom. From this point of view we can see that what is unique in the instance of person is that this threefold relation is actualized in the personal activity of freedom by which the relation, accepted and lived in love, becomes *relationship*. Thus, the particular property of a “rational” substance is that it is constituted by relation in such a way that this is given properly human existence in the free acts by which the person realizes him- or herself. This philosophical elaboration is expressed biblically by saying that man is the image of God, and can find himself only in a relationship of mutual self-giving love.

For Adam, the first man, was a figure of Him Who was to come, namely Christ the Lord. Christ, the final Adam, by the revelation of the mystery of the Father and His love, fully reveals man to man himself and makes his supreme calling clear. . . . Indeed, the Lord Jesus, when He prayed to the Father, “that all may be one. . . as we are one” (John 17:21–22), opened up vistas closed to human reason, for He implied a certain likeness between the union of the divine Persons, and the unity of God’s sons in truth and charity. This likeness reveals that man, who is the only creature on earth which God willed for itself, *cannot fully find himself except through a sincere gift of himself* (*Gaudium et Spes* nos. 22, 24, emphasis added).

The mention of the Trinity in the above text points once again to the fact that *communio* in the Church is an icon of the Trinity, a realization on the human level of the mystery and fulfillment of person through love. This communion is a communion of persons. On the created level of the Church it can increase or decrease according to the degree of love with which the created and graced persons actually give themselves to each other in love: Their actions affect their being and the being of the whole Church. These actions cannot be, of their nature, purely spiritual. They must be human actions and thus the holiness of the Church has a physical dimension: It is realized by body-persons. I will return to this in discussing *communio sanctorum*.

The final point to be realized here in the discussion of *communio personarum* is that the Catholic view understands the nature of these relationships to be stronger than death since they are centered on the relationship to the risen Christ whose Body we are. It is for this reason that the “communion of saints” includes the Church triumphant, the Church suffering, and the Church militant, and that the celebration of the heavenly banquet gathers all of the Church together. I will give here some expressions of this faith from Vatican II.<sup>45</sup>

<sup>45</sup> See Christoph Schönborn, “The ‘Communion of Saints’ as Three States of the Church: Pilgrimage, Purification and Glory,” *Communio* 15 (1988): 169–81. For an even stronger expressions, see Zizioulas, *Being as Communion*, Chapter 4,

Until the Lord shall come in His majesty, and all the angels with Him and death being destroyed, all things are subject to Him. Some of His disciples are exiles on earth, some having died are purified, and others are in glory beholding “clearly God Himself triune and one, as He is”; but all in various ways and degrees are in communion in the same charity of God and neighbor and all sing the same hymn of glory to our God. For all who are in Christ, having His Spirit, form one Church and cleave together in Him. Therefore the union of the wayfarers with the brethren who have gone to sleep in the peace of Christ is not in the least weakened or interrupted, but on the contrary, according to the perpetual faith of the Church, is strengthened by communication of spiritual goods.

For by reason of the fact that those in heaven are more closely united with Christ, they establish the whole Church more firmly in holiness, lend nobility to the worship which the Church offers to God here on earth and in many ways contribute to its greater edification. For after they have been received into their heavenly home and are present to the Lord, through Him and with Him and in Him they do not cease to intercede with the Father for us, showing forth the merits which they won on earth through the one Mediator between God and man, serving God in all things and filling up in their flesh those things which are lacking of the sufferings of Christ for His Body which is the Church. Thus by their brotherly interest our weakness is greatly strengthened (*Lumen Gentium*, no. 49).

### ***Communio Sanctorum***

The origins of this expression and its precise original understanding are shrouded in the mists of history.<sup>46</sup> This much is clear: From a very early date the phrase referred to two different but interconnected realities, namely, participation in holy things, specifically baptism and Eucharist, and communion among those sanctified by the Holy Spirit. I will give here two quotes from Catholic authors to give an idea of how the phrase functions in Catholic thought and practice. The first is from the Commentary on the Apostles Creed by St. Thomas Aquinas:

Just as in a physical body the operation of one member conduces to the good of the whole body, so it is in a spiritual body such as the Church. And since all the faithful are one body, the good of one member is

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“Eucharist and Catholicity.” One might also consult the study by Paul McPartlan, *The Eucharist Makes the Church: Henri de Lubac and John Zizioulas in Dialogue* (Edinburgh: T & T Clark, 1993).

<sup>46</sup> For a study of these origins one may consult Stephen Benko, *The Meaning of Sanctorum Communio* (Naperville, IL: Allenson, 1964); J. N. D. Kelly, *Early Christian Creeds*, 3rd ed. (London: Longman, 1972), “The Communion of Saints,” 388–97.



communicated to another: *every one*, as the Apostle says (Rom. xii, 5), *members, one of another*. Wherefore among points of faith handed down by the Apostles, is that there is a community of goods in the Church, and this is expressed in the words *Communion of saints*. Now of all the members of the Church Christ is the principal, for He is the head: *He . . . hath made him head over all the Church which is his body* (Eph. i, 22). Accordingly Christ's good is communicated to all Christians, even as the power in the head is shared by all the members.

This communication is effected by the sacraments of the Church, wherein the power of Christ's passion operates, the effect of which is the bestowal of grace unto the remission of sins. . . .<sup>47</sup>

The second text is by Hans Urs von Balthasar who reflects a typically Catholic sense of interconnection between the saints on earth and between those in heaven and those on earth. After speaking of the vertical dimension of unity and holiness effected by the Holy Spirit, von Balthasar goes on to speak of the "horizontal element," which equally owes its existence to the same Spirit.

The extent to which the "saints"—those who attempt to take seriously their sanctification by the holy triune God and to respond to it—are able in their community to be, to live, to work, and to suffer for one another can only begin to be realized when one has grasped the principle which welds them together into the unity of the community of the Church: the unity of the triune God manifested in the self-giving of Christ and poured out in the Holy Spirit. For this unity is nothing other than pure being-for-another. . . .

It is here that the biblical concept of fruitfulness is introduced. This supersedes (but without destroying their limited meaning) the concepts of works and rewards, which at first, as images taken from the world of human labour, presuppose a system of individuals distinct from one another in order to be able to stress the effective "being-for" of the "saint" (that is to say of the truly believing, hoping, loving man). . . .

There is perhaps no more comforting truth about the Church than that in it there is a community, a communism of saints. For, on the one hand, this means that there is a continually overflowing richness on which all the poor may draw; it is called the treasure of the Church. It is precisely the same as the incalculable fruitfulness of those who offer themselves and all they have to God to dispose of for the sake of the brotherhood.<sup>48</sup>

<sup>47</sup> Thomas Aquinas, "Exposition of the Apostles' Creed," in *The Three Greatest Prayers: Commentaries on the Our Father, the Hail Mary and the Apostles' Creed* (Westminster, MD: Newman Press, 1956), 80.

<sup>48</sup> Hans Urs von Balthasar, *Elucidations*, trans. John Riches (London: S.P.C.K., 1975), 58–59, 62.

### III. Conclusion

In the Catholic tradition the expressions *sancta ecclesia* and *communio sanctorum* have come to designate two aspects of the one mystery of the holiness of the Church. The first puts the accent on the aspect of person, and of how the “subsisting altruism” of the Trinity is shared in and manifested in the human dimension. The second places the accent on what is shared, namely the life of Christ as he shares himself in the Eucharist. One of the contributions of the encyclical *Veritatis Splendor* is, as we have seen, to set forth the rhythm between holiness received and holiness manifested. Let this text from the encyclical sum up this teaching in the context precisely of the Eucharist:

The lives of the saints, as a reflection of the goodness of God—the One who “alone is good”—constitute not only a genuine profession of faith and an incentive for sharing it with others, but also a glorification of God and his infinite holiness. The life of holiness thus brings to full expression and effectiveness the threefold and unitary *munus propheticum, sacerdotale et regale* which every Christian receives as a gift by being born again “of water and the Spirit” (Jn 3:5) in baptism. His moral life has the value of a “spiritual worship” (Rom 12:1; cf. Phil 3:3), flowing from and nourished by that inexhaustible source of holiness and glorification of God which is found in the Sacraments, especially in the Eucharist: by sharing in the sacrifice of the Cross, the Christian partakes of Christ’s self-giving love and is equipped and committed to live this same charity in all his thoughts and deeds. In the moral life the Christian’s royal service is also made evident and effective: with the help of grace, the more one obeys the new law of the Holy Spirit, the more one grows in the freedom to which he or she is called by the service of truth, charity and justice. (*Veritatis Splendor* no. 106).



## The “New” Evangelization, Catholic Moral Life in Light of *Veritatis Splendor*, and the Family

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I WILL BEGIN by showing why a new evangelization is needed and summarizing what it means, and then focus on the intimate link between it and Catholic moral life. A centrally important document for understanding what a Catholic moral life entails is Pope John Paul II’s masterful encyclical of 1993, *Veritatis Splendor*. I will therefore focus on central themes of this great encyclical and show how the Holy Father relates the moral life to the new evangelization both in this encyclical and in other writings, especially in his 1988 apostolic exhortation, *Christifideles Laici*. I will end by summarizing John Paul’s thought on the evangelizing mission of the Christian family, particularly as set forth in his 1981 apostolic exhortation, *Familiaris Consortio*.

### I. The “New” Evangelization: Its Necessity and Nature

Fierce debates rage in our society over such issues as abortion, euthanasia, and “gay” marriage. I believe that cogent arguments can be and have been developed to show the truth of propositions such as: *It is always gravely immoral intentionally to kill innocent human persons; unborn children, whose lives begin at fertilization are human persons and therefore it is gravely immoral intentionally to kill them; it is utterly impossible for persons of the same sex to marry because they cannot do what married persons are supposed to do, etc.* The difficulty is that cogent arguments demonstrating the truth of these and other morally significant propositions frequently fail to persuade others. For instance, one could give arguments to members of the Planned Parenthood Federation to show that it is always wrong intentionally to abort unborn babies and not succeed in having them accept

the truth of this proposition. One could give strong arguments to members of the Gay and Lesbian Alliance to show why it is not possible for same sex couples to marry and fail to change their minds. The reason is that “whatever is received is received in the mode the recipient” (an old scholastic adage), and we make ourselves the kind of receivers we are by the choices that we make, preeminently by choices that can rightly be regarded as fundamental commitments.<sup>1</sup> Thus a person who has committed himself/herself to the way of life proposed by the Planned Parenthood Federation has made himself or herself the kind of person less capable of receiving the truth about the grave immorality of intentionally aborting unborn human life. What is needed is not an argument but a change of heart—a *metanoia*, a conversion, a new kind of fundamental commitment. That is why a new evangelization is needed.

The necessity and nature of this new evangelization has been a constant theme in the pontificate of John Paul II. Thus, for example, in *Tertio Millennio Adveniente* (November 1994), he proposed a special assembly of the Synod of bishops for each of the five continents (Africa, America, Asia, Oceania, Europe) to prepare for the new millennium, and these synods subsequently took place. In proposing them, he affirmed that “the theme underlying them all is *evangelization*, or rather the *new evangelization*,” whose “foundations had been laid down by Paul VI in his 1975 apostolic exhortation *Evangelii nuntiandi*” (no. 21, emphasis added). Earlier, in his 1990 encyclical, *Redemptoris Missio*, John Paul II had declared: “I sense the moment has come to commit all of the Church’s energies to a *new evangelization*” (no. 3; emphasis added). The Holy Father has made similar references to the imperative need of a new evangelization or “re-evangelization” again and again over the past 25 years. Calling attention to the loss of faith in the countries of the so-called First World, for example, he said in 1987: “Without a doubt a mending of the Christian fabric of society is urgently needed in all parts of the world” (*Christifideles Laici*, no. 34), and he insisted that “the entire mission of the Church . . . is concentrated and manifested in *evangelization*. . . . ‘To evangelize,’ writes Paul V I, ‘is the grace and vocation proper to the Church,

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<sup>1</sup> On this see John Paul II, *Veritatis Splendor*, no. 71, where he cites a marvelous passage from St. Gregory of Nyssa’s *De Vita Moysis*, in which this great Father of the Church declared: “All things subject to change and to becoming never remain constant, but continually pass from one state to another, for better or worse. . . . Now human life is always subject to change; it needs to be born ever anew. . . . But here birth does not come about by a foreign intervention, as is the case with bodily beings . . . ; it is the result of free choice. Thus *we are* in a certain way our own parents, creating ourselves as we will, by our decisions.”

her profound identity’” (ibid, no. 33, citing Paul’s *Evangelium Nuntiandi*, no. 14). To evangelize in essence means to proclaim the good news of our redemption in Christ and to lead people to embrace him and to be united with him through baptism.

John Paul II emphasizes that lay men and lay women are called in a unique way to share in the work of evangelization by bearing witness to Christ and to his Church in the “world,” which is precisely “*the place and the means for the lay faithful to fulfill their Christian vocation. . . .* The lay faithful, in fact [as Vatican Council II reminds us], ‘are called by God so that they, led by the spirit of the gospel, might contribute to the sanctification of the world, as from within like a leaven, by fulfilling their own particular duties. Thus, especially in this way of life, resplendent in faith, hope, and charity, they manifest Christ to others’” (*Christifideles Laici*, no. 15, citing *Lumen Gentium*, no. 31). Laypeople, however, will be able to exercise properly the evangelizing task entrusted to them only if they “know how to overcome in themselves the separation of Gospel from life, to take up in their daily activities in family, work, and society, an integrated approach to life that is fully brought about by the inspiration and strength of the Gospel” (ibid. no. 34). They must open their doors, their hearts, to Christ (cf. ibid.) and “Put out into the deep for a catch!!!—*duc in altum*” (the major theme of *Novo Millennio Adveniente*). They must encounter Christ and “put on Christ.” And this leads us to consider the nature of Catholic moral life and its relationship to the “new evangelization” and, in particular, the indispensable role of laypeople in this ecclesial task.

## **II. Catholic Moral Life in Light of *Veritatis Splendor* and Its Relationship to the New Evangelization**

### **1. Catholic Moral Life in Light of *Veritatis Splendor***

John Paul II himself identified the “central theme” of *Veritatis Splendor* as the “*reaffirmation of the universality and immutability of the moral commandments, particularly those which prohibit always and without exception intrinsically evil acts*” (no. 115). This reaffirmation was necessary insofar as so many of our contemporaries, including, unfortunately, a sizable and influential number of Catholic theologians, were claiming that norms such as those forbidding the intentional killing of the innocent, adultery, fornication, and the like were not absolute. According to them such norms admit “exceptions” whenever engaging in the acts they proscribe is necessary to achieve some alleged “greater good” or to avoid some alleged “greater evil.”

John Paul II’s reaffirmation of the universally binding force of the moral norms prohibiting intrinsically evil acts was needed; it constitutes,

as it were, the “first word” about living an upright moral life whether or not one is a Catholic. But this reaffirmation, as he himself makes clear in this great document, in no way constitutes the “last word” about Catholic moral life. It is in essence a “following” of Christ, a matter of becoming conformed to him.

The Holy Father insists on this. Indeed, in his introduction to the encyclical John Paul II calls attention to a truth of supreme importance for Catholic moral life. This is the truth, central, as he reminds us, to the teaching of Vatican Council II, that “it is only in the mystery of the Word Incarnate that light is shed on the mystery of man. . . . It is Christ, the last Adam, who fully discloses man to himself and unfolds his noble calling by revealing the mystery of the Father and the Father’s love” (*Veritatis Splendor*, no. 2, citing *Gaudium et Spes*, no. 22). Jesus, in his very person, “fulfills” the natural law, among whose universally binding norms are the moral absolutes whose “reaffirmation” was the “central theme” of the encyclical. Jesus does so by bringing the natural law to perfection and revealing to man his noble calling. Thus to live a Catholic moral life means to follow Christ; it is a “*sequela Christi*.” “Following Christ,” John Paul writes, “is the essential and primordial foundation of Christian morality,” and following him involves “holding fast to the very person of Jesus” (no. 19). It means “becoming conformed to him who became a servant even to giving himself on the cross (cf. Phil. 2:5–8) (no. 21).

But how do we become conformed to Christ; how do we hold fast to his very person? One requirement is that we are to keep his commandments, and first of all the precepts of the Decalogue. John Paul II emphasizes that the “different commandments of the Decalogue are really only so many reflections on the one commandment about the good of the person, at the level of the many different goods which characterize his identity as a spiritual and bodily being in relationship with God, with his neighbor, and with the material world” (no. 13). Indeed, “the commandments of which Jesus reminds the young man [who asks him what he must do to gain eternal life] are meant to safeguard the good of the person, the image of God, by protecting his goods. . . . The commandments thus represent the basic condition for love of neighbor, at the same time they are proof of that love. *They are the first necessary step on the journey to freedom*” (no. 13).<sup>2</sup>

The commandment to love our neighbor as ourselves, which is at the heart of the precepts of the Decalogue, had been given to the Chosen

<sup>2</sup> Here John Paul II simply articulates accurately the Catholic tradition as found in the work of St. Thomas Aquinas, who centuries ago emphasized that “God is offended by us only because we act contrary to our own good” (*Summa contra Gentiles*, 3.122).

People of old (cf. Deut 6:5; Lev 19:18). But, as the Holy Father reminds us, Jesus has given us a new commandment. We are to love one another as *Jesus, who gave himself for us on the cross, loves us* (cf. Jn 15:12) (no. 20). Commenting on this new commandment, the Pope writes: “Jesus’ way of acting and his words, his deeds and his precepts constitute the moral rule of Christian life. Indeed, his actions, and in particular his Passion and Death on the Cross, are the living revelation of his love for the Father and for others. This is exactly the love that Jesus wishes to be imitated by all who follow him. . . . Jesus asks of everyone who wishes to follow him: ‘If any man would come after me, let him deny himself and take up his cross and follow me’ ” (Mt 16:24) (no. 20).

Moreover, the vocation to perfect love “is not,” the Pope declares, “restricted to a small group. . . . *The invitation, ‘go, sell your possessions and give the money to the poor,’ and the promise, ‘you will have treasure in heaven,’ are meant for everyone*, because they bring out the full meaning of the commandment of love of neighbor, just as the invitation which follows, ‘Come, follow me,’ is the new, specific form of the commandment of love of God” (no. 18).

John Paul II also underscores the truth that to follow Jesus and to love even as he has loved us by giving himself for us on the cross requires us to shape our lives in light of Jesus’ great Sermon on the Mount and of the Beatitudes found in it. The Holy Father, following an ancient Christian tradition,<sup>3</sup> declares that the Sermon on the Mount is the “*magna charta* of Gospel morality” (no. 15). Jesus calls us to be perfect, and the Beatitudes of the Sermon on the Mount “speak of basic attitudes and dispositions in life.” The Beatitudes are “*promises* from which there also indirectly flow *normative indications* for the moral life. In their originality and profundity they are a sort of *self-portrait of Christ*, and for this very reason are *invitations to discipleship and to communion of life with Christ*” (no. 16).

The Beatitudes, consequently, are not optional for the Christian. They describe the dispositions and attitudes that ought to characterize followers of Christ. The Beatitudes, rooted in the new command to love as Jesus loves, can be considered, as Germain Grisez has proposed, “modes of Christian response.” They designate characteristics of Christians that inwardly dispose them to do only what is pleasing to the Father. They specify ways of acting that mark a person whose will, enlivened by the

<sup>3</sup> See, for instance, St. Augustine, *The Lord’s Sermon on the Mount*, I, 1; trans. John J. Jepson, SS, in *Ancient Christian Writers*, No. 5 (Westminster, MD: Newman Press, 1948), 18–21. On the Sermon on the Mount as the *magna charta* of Christian ethics see Servais Pinckaers, OP, *The Sources of Christian Ethics*, trans. Sister Mary Noble, OP (Washington, DC: The Catholic University of America Press, 1995), 134–67.



love of God poured into his or her heart, is connaturally inclined to act with confidence, born of his or her Christian hope, that complete human fulfillment is realizable because of Christ's redemptive work.<sup>4</sup>

In considering Catholic moral life as a following of Christ John Paul II also shows the paramount importance of the Christian's *baptismal commitment* for that life. He reflects on this commitment in the section of *Veritatis Splendor* where he shows the fallacious reasoning of those who deny that we determine ourselves through our freely chosen actions and claim that we do so through an alleged act of "basic" or "fundamental" option at the core of the person different from and other than free choice. The Holy Father rightly repudiates this erroneous view; it has been responsible for the denial that one always commits *mortal sin* if one freely chooses to do what one knows to be gravely evil, for example, killing innocent persons, committing adultery, and similar deeds. However, he takes care to note that "[E]mphasis has rightly been placed on the importance of certain choices which 'shape' a person's entire moral life, and which serve as bounds within which other particular everyday choices can be situated and allowed to develop" (no. 65). He goes on to declare:

There is no doubt that Christian moral teaching, even in its biblical roots, acknowledges the specific importance of a fundamental choice which qualifies the moral life and engages freedom on a radical level before God. It is a question of the decision of faith, of the *obedience of faith* (cf. Rom 16:26) "by which man makes a total and free self-commitment to God, offering 'the full submission of intellect and will to God as he reveals.'" This faith, which works through love (cf. Gal 5:6) comes from the core of man, from his "heart" (cf. Rom 10:10), whence it is called to bear fruit in works (cf. Mt 12:33–35; Lk 6:43–45; Rom 8:5–10; Gal 5:22) (no. 66; internal citations from Vatican II, *Dei Verbum*, no. 5 which in turn cites Vatican I, *Dei Filius*, Chap. 3; *DS* 3008).

Here the Holy Father is referring to our *baptismal commitment*, to our free choice (made for most of us in our name by our godparents and reaffirmed at various times in our lives, for instance, during the Easter vigil service) to renounce Satan and to follow Christ, to *be Christians, that is, to be other Christs in the world*.

This baptismal commitment is the fundamental choice or option of the Christian. In and through this choice, which henceforth "shapes the Christian's entire moral life and serves as the framework within which other particular everyday choices can be situated and allowed to develop"

<sup>4</sup> See Germain Grisez, *The Way of the Lord Jesus*, Vol. 1, *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), 627–59.

(*Veritatis Splendor*, no. 65), Christians freely take on the task and honor of sharing in Christ's redemptive work; through it they commit themselves to complete, in their own flesh, "what is lacking in Christ's afflictions for the sake of his body, that is, the Church" (Col 1:24).<sup>5</sup>

Speaking of baptism and Christian life elsewhere, John Paul II declared:

It is no exaggeration to say that the entire existence of the lay faithful has as its purpose to lead a person to a knowledge of the radical newness of the Christian life that comes from Baptism, the sacrament of faith, so that this knowledge can help that person live the responsibilities which arise from that vocation received from God. . . . *Baptism regenerates us in the life of the Son of God, unites us to Christ and to his body, the Church, and anoints us with the Holy Spirit, making us spiritual temples* (*Christifideles Laici*, no. 10).

## **2. The Relationship Between Catholic Moral Life and the New Evangelization**

As we have seen, Catholic moral life is in essence a following of Christ, of inwardly conforming oneself to Christ, of committing oneself to be as perfect as the heavenly Father is perfect and to love even as Jesus loves us. It is a call to holiness, and this call is addressed to *all Christians*. Here I will focus on Catholic moral life and its call to holiness and to the indispensable role that Catholic laypeople are called upon to play in the work of the new evangelization.

John Paul II addresses this issue at greatest length in his 1988 apostolic exhortation, *Christifideles Laici*. There he emphasizes that the call to holiness, so eloquently expressed at Vatican Council II (see *Lumen Gentium*, no. 31 and nos. 39–42, and *Apostolicam Actuositatem*), is addressed to laypeople as well as to clergy and religious. Holiness is in fact "their fundamental vocation," and it "is not a simple moral exhortation but is an *undeniable requirement arising from the very mystery of the Church . . .*" (no. 16). The lay vocation to holiness "expresses itself in a particular way in *their involvement in temporal affairs and in their participation in earthly activities*" (no. 17). This is so because "*the 'world' . . . [is] the place and means for the lay faithful to fulfill their Christian vocation.*" Reminding laypeople of the teaching of Vatican Council II, John Paul II says:

He [God] entrusts a vocation to them [the lay faithful] that properly concerns their situation in the world. The lay faithful, in fact, [as Vatican Council II affirmed] "are called by God so that they, led by the spirit of

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<sup>5</sup> For a masterful development of these ideas, see *ibid.*, 551–71.

the gospel, might contribute to the sanctification of the world, as from within like leaven, by fulfilling their own proper duties. Thus, especially in this way of life, resplendent in faith, hope, and charity, they manifest Christ to others:" Thus for the lay faithful, to be present and active in the world is . . . in a specific way a theological and ecclesiological reality as well. In fact, in their situation in the world God manifests his plan and communicates to them their particular vocation of seeking the Kingdom of God by engaging in temporal affairs and ordering them according to the plan of God (no. 15, citing *Lumen Gentium*, no. 31).

The "world" in which laypeople are summoned to find holiness and to evangelize is well described by Paul VI in *Evangelium Nuntiandi*, and John Paul II cites him at length in *Christifideles Laici*. Paul had said that this world is:

the vast and complicated world of politics, society and economics, as well as the world of culture, of the sciences and the arts, of international life, of the mass media. It also includes other realities which are open to evangelization, such as human love, the family, the education of children and adolescents, professional work, and suffering. The more Gospel-inspired laypeople there are engaged in these realities, clearly involved in them, competent to promote them and conscious that they must exercise to the full their Christian powers which are often repressed and buried, the more these realities will be at the service of salvation in Jesus Christ, without in any way losing or sacrificing their human content but rather pointing to a transcendent dimension which is often disregarded (*Evangelium Nuntiandi*, no. 70; cited in *Christifideles Laici*, no. 23).

It is thus in the "world" that laypeople are called on to share in the ecclesial work of evangelization or rather, in view of the rendering of the "Christian fabric of society" (cf. *Christifideles Laici*, no. 34), of re-evangelization or of a new evangelization. Here the major responsibility of the lay faithful is "to testify how the Christian faith constitutes the only fully valid response . . . to the problems and hopes that life poses to every person and society" (no. 34). As we have seen, if the lay faithful are to do this work entrusted to them they must live a Catholic moral life and be holy. For "holiness must be called a fundamental presupposition and an irreplaceable condition for everyone in fulfilling the mission of salvation within the Church" (no. 17).<sup>6</sup>

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<sup>6</sup> I have developed the role of laypeople in evangelization in my essay, "Evangelization: The Apostolate and the Personal Vocation of Laymen and Women," in *The Church's Mission of Evangelization: Essays in Honor of the Most Reverend Agostino Cacciavillan*, ed. William E. May (Steubenville, OH: Franciscan University, 1996), 265–86.

### III. The Indispensable Role of the Christian Family in the New Evangelization

John Paul II addressed the indispensable role of the Christian family most fully in one of his earliest apostolic exhortations, namely in *Familiaris Consortio*, promulgated on November 22, 1981. John Paul II himself identified this document as a “*summa* of the teaching of the Church on the life, the tasks, the responsibilities, and the mission of marriage and of the family in the world today.”<sup>7</sup>

The third and longest part of this document considers in depth the “role of the Christian family in the world today,” and it contains four major sections: (1) building a community of persons; (2) serving life; (3) participating in the development of society; and (4) sharing in the life and mission of the Church. The fourth section, in which John Paul develops magnificently the idea of the Christian family as the “domestic church,” contains three subsections, devoted to (1) the family as a believing and evangelizing community—its prophetic role; (2) the family as a community in dialogue with God—its priestly role; and (3) the family as a community at the service of man—its kingly role. Of these subsections the one immediately relevant to our concerns is the first, devoted to the Christian family as a believing and evangelizing community.

The Christian family shares in Christ’s prophetic mission “by welcoming and announcing the word of God” (no. 51). Thus the first requirement of Christian spouses and parents is faith, because “only in faith can they discover and admire with joyful gratitude the dignity to which God has deigned to raise marriage and the family, making them a sign and meeting place of the loving covenant between God and man, between Jesus Christ and his bride, the Church” (no. 51). The driving force of the Christian family is the love specific to spouses, but Christian spouses know through faith that their love is a sign and real participation in the love of God and in his redemptive power. God, who through faith “called the couple *to* marriage, continues to call them *in* marriage” (no. 51). “In and through the events, problems, difficulties, and circumstances of everyday life, God comes to them, revealing and presenting the concrete ‘demands’ of their sharing in the love of Christ for his Church in the particular family, social, and ecclesial situation in which they find themselves” (no. 51).

Faith thus heard and experienced in love makes the Christian family a fire that sheds its light on many other families (cf. no. 52). This prophetic mission of the family, John Paul II emphasizes, is the dynamic

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<sup>7</sup> John Paul II, Address of December 22, 1981, in which the Pope presented the new apostolic exhortation.

expression of its inner identity; the family carries this mission out by being faithful to its own proper being as a community of life and love: The “apostolic mission of the family is rooted in baptism and receives from the grace of the sacrament of marriage new strength to transmit the faith, to sanctify and transform our present society according to God’s plan” (no. 52).

The Pope notes two characteristics of the prophetic apostolate of the family. First of all, it is exercised within the family itself by encouraging and helping family members to live fully their Christian vocation. Wisely, the Holy Father notes that “just as in the Church the work of evangelization can never be separated from the sufferings of the apostle, so in the Christian family parents must face with courage and great interior serenity the difficulties that their ministry of evangelization sometimes encounters in their own children” (no. 53). In addition, this prophetic and evangelizing apostolate, begun within the family itself, includes the “task of defending and spreading the faith, a task that has its roots in baptism and confirmation, and makes Christian married couples and parents witnesses of Christ ‘to the ends of the earth,’ missionaries, in the true and proper sense, of love and life” (no. 54). One form of this missionary activity, John Paul II observes, “can be exercised even within the family. This happens when some member of the family does not have the faith or does not practice it with consistency. In such a case the other members must give him or her a living witness of their own faith in order to encourage and support him or her along the path toward full acceptance of Christ the Savior” (no. 54).

This, then, is the evangelizing role John Paul II assigns to the Christian family.

#### IV. Conclusion

There is an intimate bond between Catholic moral life, understood as a *sequela Christi*, a call to holiness, and a summons to be faithful to our baptismal commitment and the work of the “new evangelization.” Laypeople in particular have the sacred mission of bringing the truth and good news of Jesus’ saving death and resurrection to the secular world in which they live their lives. They are called to be “other Christs,” to be his vicarious representatives in the world of everyday life. If they are true to their call they will indeed be a “light to the nations,” people who bring others Jesus’ own self-giving love.

## Revisiting the Biblical Renewal of Moral Theology in Light of *Veritatis Splendor*

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### I. Introduction

AS THE NEO-THOMISTIC revival lost momentum in the 1950s, a growing number of Catholic thinkers had been persuaded by those who emphasized a “return to the sources” that a more rigorous philosophical development of the Thomistic tradition, broadly speaking, should not be at the forefront of the Church’s intellectual response to the challenges presented by modern thought. Instead, many were convinced that the mysteries of the faith would be most appealing when presented through a rich array of primarily biblical language and images. On the other hand, John XXIII and Paul VI insisted that the Second Vatican Council must uphold the doctrinal and moral tradition, expressed especially in the conceptual formulations of Thomism.<sup>1</sup>

In moral theology there was growing dissatisfaction with the predominant emphasis on natural law and casuistry, and with the lack of integration with Scripture, the sacraments, and the spiritual life. Following the enthusiastic response to the more ample reference to Scripture in Bernard

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<sup>1</sup> Here I cite footnote 100 of *Veritatis Splendor*, as it makes my point precisely. “The words spoken by John XXIII at the opening of the Second Vatican Council can also be applied to moral doctrine: ‘This certain and unchanging teaching (i.e., Christian doctrine in its completeness), to which the faithful owe obedience, needs to be more deeply understood and set forth in a way adapted to the needs of our time. Indeed, this deposit of the faith, the truths contained in our time-honored teaching, is one thing; the manner in which these truths are set forth (with their meaning preserved intact) is something else’: *AAS* 54 (1962), 792; cf. *L’Osservatore Romano*, October 12, 1962, 2.”

Häring's *The Law of Christ*, the Fathers of the Second Vatican Council issued their oft-cited call for a biblical renewal of moral theology.<sup>2</sup> In the post-conciliar era, various efforts have been made toward fulfilling this mandate; however, none of these have been successful in combining a credible and compelling biblical vision of the Christian life with a moral philosophy adequate to the Catholic tradition.

In this essay, I will focus primarily on offering an explanation of why this mandate has yet to be fulfilled, following the principle that a problem properly defined is half-solved. On this basis, I will argue that *Veritatis Splendor* not only encourages us to take up again the mandate of the Second Vatican Council for this biblical renewal of moral theology, but also gives several helpful indications of how this might be done. I will proceed in three steps. First, I will briefly sketch the decisive characteristics of the theological and philosophical context in which early efforts toward this renewal were attempted. Second, I will highlight some of the most influential developments in Catholic moral theology between the Council and the encyclical, offering a preliminary assessment of the extent to which these efforts can be considered an authentic biblical renewal of the discipline. Third, I will summarize how *Veritatis Splendor*, read in light of John Paul's basic theological approach, both encourages a recommitment to conciliar mandate and exemplifies how it might be fulfilled.

## II. The Post-Conciliar Theological and Philosophical Context

Early efforts toward the biblical renewal of moral theology were heavily influenced by the theological and philosophical context in which they took place. Whereas various forms of what John McDermott has called "conceptual Thomism"<sup>3</sup> had formed the backbone of Catholic theology

<sup>2</sup> The primary text is from the decree on the formation of priests: "Special attention needs to be given to the development of moral theology. Its scientific exposition should be more thoroughly nourished by scriptural teaching." Note that this reference to the renewal of moral theology follows a more general discussion of a renewal of theology, in which Scripture is first treated as the animating principle of theology, followed by a study of the Fathers and the broader historical development, giving special attention to the Thomistic synthesis. See Austin Flannery, ed., "*Optatum totius*," in *Vatican Council II: the Conciliar and Post Conciliar Documents* (North Port, NY: Costello Publishing Co., 1975), Chap. 5, §16.

<sup>3</sup> For the notion of "conceptual Thomism," and the following characterization of the shift from it to "transcendental Thomism," I am following the work of John M. McDermott, SJ, because it offers a particularly thoughtful analysis of post-conciliar intellectual climate, including the place of John Paul II's thought within it. This is an important area needing further research, and I plan to offer a more extended discussion in a forthcoming book that expands upon the present article. For a more adequate presentation of McDermott's work on this "shift," see

and philosophy since the Council of Trent, especially during the neo-Thomistic revival, the period following Vatican II was marked by a widespread shift to “transcendental Thomism.” Among other characteristics, this “conceptual Thomism” had been distinguished by a confidence in the ability of Thomistic concepts and propositional formulations to attain to the truth of things.<sup>4</sup>

This first part will proceed in four major steps: (1) we will trace the shift from conceptual Thomism to transcendental Thomism;<sup>5</sup> (2) we will summarize several of the ways that transcendental Thomism impacts moral theology; (3) we will briefly survey some ways in which the embrace of historical-critical methods of Scripture study impacts efforts

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his “The Methodological Shift in Twentieth Century Thomism,” *Seminarium* 31 (1991): 245–66, and the many references cited therein and below. More generally, the approach one takes to the renewal of moral theology is heavily dependent upon the narrative framework within which one interprets not only the history of moral theology, but also the history of the Thomistic intellectual tradition.

<sup>4</sup> For example, some of the most important of these Aristotelian/Thomistic “concepts” pertaining to the articulation of Catholic doctrine include nature, person, substance, accident, form, matter, essence, and existence. For the sake of precision we should note that, strictly speaking, Thomism distinguishes between the internal “concept” as “the natural, formal and imaging sign” and the corresponding “term” (a written or spoken word), understood as the external, “artificial, instrumental and non-imaging sign of the concept.” Thus, my examples are really “terms,” which are understood to correspond to concepts in our minds. See William A. Wallace, *The Elements of Philosophy: A Compendium for Philosophers and Theologians* (New York: Alba House, 1977), 15–16. Most philosophical traditions hold for the existence of concepts, or mental entities as the internal signification of our words. But for a provocative rejection of the very existence of such mental entities, see Robert Sokolowski, “Exorcising Concepts,” *Review of Metaphysics* 40 (1989): 451–63. This topic also requires a more extended discussion.

<sup>5</sup> In what follows, I will offer descriptive, sometimes sympathetic and sometimes critical comments regarding transcendental Thomism. While open to draw useful insights from this school, my position is closer to Avery Dulles’s “postcritical theology,” to the example of John Paul II, to Aquinas himself, and perhaps to many associated with what McDermott calls conceptual Thomism. Dulles summarizes that “Insofar as [transcendental Thomism] retains its Thomistic inspiration, it is unquestionably viable. But to the extent that it borrows from transcendental idealism, it remains contestable.” See his *The Craft of Theology: From Symbol to System* (New York: Crossroad, 1992), 132 and also 124. It seems to me that, when one adopts a “modern/critical” bias toward revising traditional conceptual and propositional formulations of doctrinal and moral teachings as opposed to a post-critical respect for them as bearing tacit knowledge and mediating true judgments, one has conceded too much to a highly deficient modern epistemology. Further clarification and broader consensus on this point is crucial to the renewal of Catholic theology. For a study of the important but neglected dialogue between Jacques Maritain and J. Maréchal on this topic, see Ronald



toward a biblical renewal of moral theology; and (4) we will note how the centrality of the debate over sexual ethics diverts attention from a biblical renewal of moral theology.

### *Tracing the Shift from Conceptual to Transcendental Thomism*

Transcendental Thomism shares common roots with mid-century *nouvelle théologie* in the work of the Jesuits Pierre Rousselot and Joseph Maréchal.<sup>6</sup> These thinkers sought to show that Aquinas offered a better framework within which to appropriate certain insights of modern philosophy than the various post-Kantian alternatives.

This school of thought is built upon Rousselot's recovery and elucidation of Aquinas's distinction between *intellectus*, or understanding, and *ratio*, or reason.<sup>7</sup> Following this distinction, the prime analog for *intellectus*, and knowledge in general, is the divine mind, or God's knowledge of all things through a simple act of understanding. The human intellect is understood primarily in light of its orientation and underlying dynamism toward fulfillment in the perfect knowledge of beatific vision; indeed, this dynamism was considered so fundamental that each earthly act of human knowing was understood to include an implicit knowledge of God. However, because of its limited character as *intellectus imperfectus*, human knowing involves both *intellectus* and *ratio*, with reason working to remedy our defects in understanding.<sup>8</sup> This foundational element of transcendental Thomism is widely accepted today, even by scholars who stick

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McCamy, *Out of a Kantian Chrysalis?: A Maritainian Critique of Fr. Maréchal* (New York: Peter Lang, 1998). For a recent rejection of any basis for transcendental Thomism in Aquinas, see John F.X. Knasas, *Being and Some Twentieth-Century Thomists*, 1st ed. (New York: Fordham University Press, 2003).

<sup>6</sup> For this section, I have benefited from John A. Gallagher's *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (New York: Paulist Press, 1990), 140–61.

<sup>7</sup> See his *L'intellectualisme de saint Thomas* (Paris: Beauchesne, 1909), ET: *The Intellectualism of St. Thomas*, trans. James E. O'Mahoney, OFM Cap (New York: Sheed & Ward, 1935). Joseph Maréchal is the other major figure in the early development of transcendental Thomism. As evident in the previously cited work by McCamy, traditional Thomists saw these thinkers as Kantians and predicted their movement would lead to problematic theological consequences. For a careful analysis of this question, granting various modern insights while rejecting a strong transcendentalism and the resulting revisionism, see the works of John M. McDermott, SJ, starting with his *Love and Understanding: The Relation of Will and Intellect in Pierre Rousselot's Christological Vision* (Rome: Universita Gregoriana Editrice, 1983). For our present purposes, McDermott's reading is helpful as it parallels John Paul II's theological approach.

<sup>8</sup> Here I borrow from the more detailed discussion in my "Martin Rhonheimer's *Natural Law and Practical Reason*," *Sapientia* 56 (2001): 533–34.

more closely to Aquinas such as Servais Pinckaers. Indeed, Bernard Lonergan and others have argued forcefully that the conceptualists were closer to Scotus than Aquinas in their overemphasis on the concept and corresponding neglect of the act of understanding.<sup>9</sup>

Early advocates of this distinction between *intellectus* and *ratio* not only pointed to its textual basis in the Angelic Doctor's teaching, but also argued that it merited greater contemporary development to purify Thomistic thought from the influences of enlightenment rationalism, with its exaggerated confidence in human reason. Similarly, they saw a greater appreciation for this distinction as providing a better account of human knowledge of the divine mysteries; these, they would argue, are initially grasped intuitively through *intellectus*, and then more discursively, though imperfectly, through a reasoning (*ratio*) that makes use of concepts and rational explication, leading to a deeper understanding. Moreover, this basic approach of affirming the mysterious depths of theological realities, claiming a real but limited grasp of them through a knowledge that is initially more intuitive, and then allowing for a deeper grasp of their intelligibility through reason and conceptual formulations, offered a promising framework for addressing the question of the development of doctrine.<sup>10</sup>

Perhaps more importantly, advocates saw in this epistemological distinction between *intellectus* and *ratio* a path toward the reintegration of the Thomistic tradition with its biblical, patristic, and spiritual roots.<sup>11</sup>

<sup>9</sup> Bernard Lonergan, *Verbum: Word and Idea in Aquinas*, ed. David Burrell (Notre Dame, IN: University of Notre Dame Press, 1967). Knasas, on the other hand, rejects this a priori emphasis on an intellectual dynamism and argues for a retrieval of the neo-Thomistic a posteriori emphasis on sensation as the basic access to reality. See his *Being*, 285–313. It is a positive sign for Thomistic thought that these central questions are getting the attention they deserve.

<sup>10</sup> For example, whereas the magisterial declarations of Marian dogmas might be explained as deductions from previous doctrinal propositions according to the methodology of conceptual Thomism, this framework would treat them as a further unpacking of something implicit in the mystery of Christ.

<sup>11</sup> The recovery of this dimension of Thomistic thought facilitated the appropriation of various useful insights from modern philosophy. For example, it helped Catholic scholars to accommodate something of Heidegger's emphases on the importance of implicit knowledge over explicit, on the importance of an involved, practical viewpoint over detachment and objectivity, on the social dimension of knowing over methodological individualism, and on the importance of holistic perspectives over a mere multiplication of distinctions. This parallels Avery Dulles's characteristics of a post-critical philosophy. See his *Craft of Theology*, 5–7. On the other hand, it is not clear to me how a more neo-Thomistic and philosophical retrieval of Aquinas, such as that proposed by Knasas, will address the need of Thomistic theologians to appeal to these more biblical, patristic, and postmodern sensibilities.

However, while recovering and emphasizing the underlying dynamic movement of the intellect toward the fullness of truth, and thereby relativizing somewhat the epistemological status of conceptual formulations, John M. McDermott shows that the best transcendental Thomists acknowledged the ability of concepts and propositional statements to attain to the truth of things in judgments.<sup>12</sup> Put another way, just as Aquinas maintained a careful balance between a dynamic existential order and an Aristotelian essential order, these thinkers hoped to maintain a similar balance in the contemporary context.

Indeed, we might read the documents of the Second Vatican Council as embodying a blending of this new emphasis with the earlier conceptual Thomism. For example, documents like *Lumen Gentium* utilize various biblical images to mediate the mysteries of the faith, while the documents as a whole explicitly maintain continuity with previous doctrinal formulations, although often in footnotes. Similarly, McDermott argues persuasively that, although there is no evidence that transcendental Thomism directly influenced Pope John Paul II, his basic theological approach could be understood as a commonsense blending of these two.<sup>13</sup>

On the other hand, the risks inherent in such partial movements from traditional varieties of conceptual Thomism were clearly recognized before the Council, and clearly proven thereafter. The most obvious example of pre-conciliar concern was the 1950 encyclical *Humani Generis* of Pius XII, which effectively halted the *nouvelle théologie* movement, citing concerns over a false irenicism toward modern thought and a tendency toward dogmatic relativism.<sup>14</sup> In this period leading to the Council, the two thinkers who were to lead the transition to transcendental Thomism, Karl Rahner and Bernard Lonergan, escaped a similar critical scrutiny in light of the encyclical, even though they followed the fundamental shift initiated by Rousselot and Maréchal; this is perhaps

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<sup>12</sup> See his "The Context of *Veritatis Splendor*," in *Prophecy and Diplomacy: The Moral Doctrine of Pope John Paul II*, ed. John J. Conley, SJ and Joseph W. Koterski, SJ (New York: Fordham University Press, 1999), 115–72.

<sup>13</sup> See, for example, John M. McDermott, SJ, "The Theology of John Paul II: A Response" in *The Thought of John Paul II*, ed. John M. McDermott, SJ (Rome: Editrice Pontifica Università Gregoriana, 1993), 55–68, and "The Context of *Veritatis Splendor*," 166–72. I would suggest, however, that Karol Wojtyła was certainly exposed to the moderate accommodation of transcendental insights through the work of Henri de Lubac. Moreover, we might say that his accommodation of certain insights from modern philosophy, without losing the metaphysical grounding of truth claims, mirrors that of the best transcendentalists.

<sup>14</sup> See Gallagher, *Time Past, Time Future*, 149–51.

because their early works were so explicitly grounded in Thomistic thought.<sup>15</sup> However, the fears of doctrinal anarchy were realized in the years following the Council, especially as Catholic thinkers engaged more seriously with modern philosophy.<sup>16</sup>

Rahner was the most influential of the leading transcendental Thomists, perhaps because of his focus upon particular theological questions, whereas Lonergan focused more upon methodological issues.<sup>17</sup> Although a thorough discussion of this movement is far beyond the scope of this essay, I think it is fair to say that transcendental Thomism can develop in either orthodox or heterodox directions, the former generally characterizing the great thinkers like Lonergan and Rahner, given their deep familiarity with the tradition, and the latter more prevalent among disciples who lack such familiarity.<sup>18</sup> Among the latter it becomes clear that the less one is able to affirm the truth-bearing capacity of traditional and authoritative doctrinal and moral formulations, the more problematic for Catholic theology.<sup>19</sup>

With a growing reliance on modern philosophy and a corresponding loss of confidence in traditional Thomistic metaphysics, this new era dominated by transcendental Thomism led to a critical re-evaluation,

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<sup>15</sup> *Ibid.*, 153–54.

<sup>16</sup> By modern philosophy, I mean all philosophy following Ockham's break with realism up to the advent of the contemporary, postmodern, era. For those who doubt whether a more traditional Thomistic epistemology is a serious contender in contemporary debate, see John O'Callahan's *Thomist Realism and the Linguistic Turn* (Notre Dame, IN: University of Notre Dame Press, 2003).

<sup>17</sup> For understanding these developed forms of transcendental Thomism, the classic work is Otto Muck, *The Transcendental Method*, trans. William D. Seidensticker (New York: Herder and Herder, 1968). For a recent introduction, see J. A. Di Noia, OP., "Karl Rahner" in *The Modern Theologians*, ed. David F. Ford (Oxford: Blackwell, 1997). Concise introductory remarks pertaining to moral theology can be found in Gallagher, *Time Past, Time Future*, 151–58 and 207–9.

<sup>18</sup> This is not to say that the works of Lonergan and Rahner themselves should be exempt from critical scrutiny, especially as their thought contributes to the subsequent departure of their disciples from the Catholic moral tradition; but the present essay can only touch obliquely on such matters. Once again, the work of John McDermott provides an excellent starting point for those willing to consider developments of, and departures from, traditional Thomistic positions. See, for example, his "Dialectical Analogy: The Oscillating Center of Rahner's Thought," *Gregorianum* 75 (1994): 675–703; and his "Tensions in Lonergan's Theory of Conversion," *Gregorianum* 74 (1993): 101–40.

<sup>19</sup> At a minimum, those who wish to appropriate selected insights associated with transcendental Thomism, in a way that does not lead to Kantian idealism, will need a post-critical stance of deep familiarity with, and sympathy for, the traditional doctrine and practices of the Church.

reformulation, and revision of both the doctrinal and moral teachings that had been expressed in these traditional concepts. Given the mid-century consensus that Western thought had embraced modern philosophy in a definitive way, thereby rejecting Thomistic realism and metaphysics, many concluded that Catholic theology needed to forgo traditional metaphysics and philosophical categories and be rethought in contemporary ones.

Although one can argue that efforts to communicate the faith through the categories of modern, and especially Kantian, philosophy have a certain merit in cultures where such language is widespread, such strategies have proven highly problematic.<sup>20</sup> Moreover, recent years have witnessed a shift from the modern to the postmodern era, indicating that the widespread embrace of modern presuppositions by Catholic thinkers needs a critical re-evaluation. Furthermore, within the more recent postmodern context, more Christian thinkers are recognizing the dangers of subjecting Christian theology to the epistemological criteria of modern philosophy.<sup>21</sup> This may be leading to a more fruitful theological context that remains open to accommodating the legitimate insights of transcendental thought, modern philosophy, and postmodern philosophy while retaining the crucial elements of Thomistic realism and metaphysics, thereby upholding the doctrinal and moral tradition.<sup>22</sup>

As practiced in the post-conciliar era, transcendental Thomism is inclined toward the ongoing reformulation of doctrines in the terminology of contemporary cultures, presupposing these cultures are something to which the faith needs to accommodate itself. This basic presupposition

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<sup>20</sup> Bruce Marshall observes that when Christian doctrine has conflicted with the perspective of modern philosophy, the general approach of modern theology has been to reinterpret even the most central Christian claims to meet the epistemic standards of modernity. See his *Trinity and Truth, Cambridge Studies in Christian Doctrine* (Cambridge: Cambridge University Press, 2000), 4.

<sup>21</sup> I deal at some length with the problematic relationship between modern philosophy and Christian theology in my "Towards a Postcritical Recovery of the New Testament Foundations of Christian Ethics: A Catholic, Evangelical and Thomistic Narrative," *Pro Ecclesia* 12 (2003): 261–86.

<sup>22</sup> From our postmodern perspective, we can suggest several factors that indicate whether a scholar achieves the benefits promised by such developments of the Thomistic tradition, or whether they necessarily lead to the doctrinal anarchy of the post-conciliar era. For example, one must first have a deep familiarity with the tradition. Second, in marked contrast to the modern distrust of tradition, one must have a sympathy toward it, treasuring it as a vehicle through which God discloses to us knowledge of himself and the divine plan of salvation. Third, one must affirm the ability of past and present conceptual formulations to mediate true, albeit limited, judgments.

of much post-conciliar thought is now receiving the level of critical scrutiny that it deserves. As Tracy Rowland has argued forcefully, the treatment of culture in *Gaudium et Spes* is ambiguous and, if interpreted through the metaphor of “opening the windows” instead of through the Christocentric theological anthropology of No. 22, is highly problematic.<sup>23</sup> Indeed, the first reading ignores all the significant pre-conciliar scholarship on culture, including that of Romano Guardini, Hans Urs von Balthasar, and others who insist that culture is inseparable from religious presuppositions (i.e., *cultus*). If the document is read in this first way, culture appears as an autonomous, theologically neutral reality, and something to which the Church must accommodate itself, assuming modern persons are fundamentally products of secular modern culture. However, leading contemporary thinkers like Alasdair MacIntyre have offered powerful analyses of modern culture, emphasizing how it works against an understanding of human flourishing through growth in the Christian virtues. Moreover, other scholars like von Balthasar, and David Schindler following his lead, argue that the culture of modernity, because of its anti-theological bias, is unable to mediate the transcendentals of goodness, truth, and beauty, which disclose the supernatural destiny of human persons. In light of these growing critiques, the Church needs to be more critical in its accommodation to modernity.

### ***The Impact of Transcendental Thomism on Moral Theology***

Following upon the more general philosophical and methodological shifts indicated above, the widespread adoption of strong forms of transcendental Thomism had profound implications for moral theology. Because of its emphasis on the dynamism of the mind toward the fullness of truth in an intuitive vision of God, transcendental Thomism tends to relativize internal mental concepts, the external terms corresponding to them, the propositional statements through which doctrines are articulated, and the judgments corresponding to them.

Similarly, in light of the prevailing preference for a unified, intuitive perspective over divisions and concepts, this transcendentalism tends to dissolve various distinctions deemed essential in traditional moral theology and philosophy. These would include the distinctions between intellect and will, matter and form, subject and object, love of God and love of neighbor, and the natural and supernatural orders. I would agree that there are many reasons to prefer more unified perspectives, especially in

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<sup>23</sup> See Tracey Rowland, *Culture and the Thomist Tradition after Vatican II* (London: Routledge, 2003).

theology.<sup>24</sup> For example, rather than continuing the common Thomistic practice of speaking as if faculties like the intellect and the will act on their own, it is better to adopt a personalistic perspective following Thomas's affirmation, however occasional, that "actions are of the person." However, such a shift of emphasis need not come at the cost of rejecting useful distinctions, such as that between the intellect and the will as in the present example, or any of the others mentioned above. Similarly, an emphasis on a more unified perspective on knowledge, which recognizes that the fullness of human knowing comes in the beatific vision, need not come at the cost of denying the ability to make judgments that attain to the truth of things through concepts and propositional formulations. Just as Thomas did not hesitate to multiply distinctions within his *Summa* to allow for more fine-grained moral analysis, we should not hesitate to do the same, rejecting an extreme transcendentalism that would have us dismiss conceptual formulations and distinctions that are of great use to moral theology and philosophy.<sup>25</sup>

Besides the general tendency to distrust or revise classical distinctions, concepts, and doctrinal formulations, post-conciliar transcendental Thomists, associated especially with Karl Rahner, introduced and advanced several notions that were to have great and often problematic implications for moral theology.<sup>26</sup> Prominent among these is the programmatic distinc-

<sup>24</sup> For example, in contrast to the scholastic principle of distinguishing in order to unite, *ressourcement* theologian Henri de Lubac emphasizes the unity of revelation, theology, and Christian life around an all-inclusive interpretation of the Pauline notion of "the Mystery of Christ." Von Balthasar observes that this notion is chosen based on a philosophical decision that the "power of inclusion that becomes the chief criterion of truth." See Hans Urs von Balthasar, *The Theology of Henri de Lubac: An Overview* (San Francisco: Ignatius Press, 1991), 28–29. We might also note that, although more difficult to defend on biblical grounds, the notion of "nuptiality" can function similarly in Balthasarian thought.

<sup>25</sup> Indeed, making distinctions has been, and should remain, central to philosophy. Although he is a phenomenologist and not a Thomist, see Robert Sokolowski's "The Method of Philosophy: Making Distinctions," *Review of Metaphysics* 51 (1998): 515–32.

<sup>26</sup> My point here is not to give an adequate account of these complex notions in their native contexts, but simply to identify them in a simplified form and indicate how they follow from transcendental Thomism and contribute to the crisis in moral theology that *Veritatis Splendor* attempts to address. The enormous and highly problematic influence of Karl Rahner on post-conciliar moral theology will be discussed briefly below. The extent of this influence is noted in recent histories of moral theology including that of Paulinus Ikechukwu Odozor, *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition Since Vatican II* (Notre Dame, IN: University of Notre Dame Press, 2003), 85–98, and Gallagher, *Time Past, Time Future*, 152–58 and 207–9.

tion between the “transcendental level,” pertaining to salvation, and the “categorical level” pertaining to particular acts. Building upon this distinction, revisionists articulated the theory of a “fundamental option” for God, which occurs solely at the transcendental level, beyond the categorical realm of free and conscious choice. Because this transcendental notion of the fundamental option cannot be overridden by particular sinful acts, the traditional notion of mortal sin is rendered obsolete and the salvific relevance of moral action obfuscated. Building further on this understanding of the fundamental option, and rejecting the distinction between nature and grace to affirm their continuity, the theory of the “anonymous Christian” seeks to explain how those outside the visible Church are saved. Despite certain merits, this theory tends toward the presupposition of universal salvation and, in practice, has undermined not only evangelical preaching but also the call to moral conversion.

In summary, the recovery of Aquinas’s distinction between *intellectus* and *ratio*, which marked the beginning of transcendental Thomism, offers many benefits including a more adequate theory of cognition, the ability to accommodate valuable insights from modern philosophy, and a framework congenial to the retrieval of more biblical and patristic perspectives. However, it is crucial to guard against an extreme transcendentalism that denies the ability of traditional concepts and propositional statements to mediate true, albeit limited, judgments.

### ***The Unfinished Appropriation of Historical-Critical Methods***

Associated with the widespread appropriation of transcendental and critical philosophy within Catholic theology, the post-conciliar era is also marked by the great attention given the question of historicity.<sup>27</sup> This corresponds to the wholehearted embrace of historical-critical methods, especially in the study of Scripture, resulting in unquestionable gains in understanding the sacred texts themselves, along with unprecedented challenges in grasping their theological relevance.

The main challenge following this embrace of historical-critical studies can be seen by recalling the Second Vatican Council’s *Dei Verbum* no. 12, on the interpretation of Scripture. In stark contrast to biblical studies

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<sup>27</sup> For a thoughtful discussion of this topic in post-conciliar Catholicism, see Philip Gleason, “History, Historical Consciousness and Present-Mindedness,” in *Keeping the Faith: American Catholicism, Past and Present* (Notre Dame, IN: University of Notre Dame Press, 1987), 202–25. For a good overview of the growing contemporary literature regarding the debate over the epistemological status of historical knowledge, see Mark Noll’s series on the “History Wars” in *Books and Culture*.



in the post-conciliar era, this decisive paragraph from the *Dogmatic Constitution on Divine Revelation* gave about the same amount of attention to the question of how historical-critical exegesis pertains to the theological tradition as to the utilization of historical methods. In other words, Catholic biblical scholars, while embracing the historical-critical methods developed primarily through liberal Protestantism, have almost completely neglected the more challenging task of interpreting Scripture in light of the theological tradition.<sup>28</sup> Thus, for example, while gaining a wealth of historical information about various biblical writings, Catholicism has struggled with what Hans Frei called “the eclipse of biblical narrative,”<sup>29</sup> the widespread loss of an understanding of the Bible as a unified story of salvation in Christ.<sup>30</sup> Similarly, Catholic scholarship has yet to recover a sacramental understanding of the Scriptures, and instead continues to read them with nominalist presuppositions, intentionally restricting attention to the text itself, and not the theological realities mediated by the text. Fortunately, more recent scholarship is beginning to focus attention on more theological readings of Scripture, in light of tradition, while giving increasing attention to philosophical issues.<sup>31</sup> While this bodes well for the future, it also helps explain why it has been difficult to renew moral theology in light of Scripture.

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<sup>28</sup> For an initial discussion of this neglected dimension of *Dei Verbum*, emphasizing how such elements as an adequate philosophy and a recovery of the spiritual understanding of Scripture can help, see Francis Martin’s “Vatican II and the Holiness of the Church: A Contribution of *Dei Verbum*,” forthcoming in *Called to Holiness and Communion*, Proceedings of the November 2003 conference at the Sacred Heart Major Seminary of Detroit.

<sup>29</sup> See Hans Frei, *The Eclipse of Biblical Narrative: A Study in Eighteenth and Nineteenth Century Hermeneutics* (New Haven, CT: Yale University Press, 1974). Frei traces how this eclipse plagues liberal Protestantism with the acceptance of historical-critical methods. We should notice how post-conciliar Catholicism, unfortunately, recapitulates in many ways the experience of liberal Protestantism.

<sup>30</sup> For efforts to recover such a unified reading of the Bible, see W. T. Dickens, *Hans Urs Von Balthasar’s Theological Aesthetics: A Model for Post-Critical Biblical Interpretation* (Notre Dame, IN: University of Notre Dame Press, 2003). See Donald Keefe, SJ, *Covenantal Theology: The Eucharistic Order of History*, 2 vols. (Lanham, MD: University Press of America, 1991).

<sup>31</sup> See, for example, Thomas F. Torrance, *Divine Meaning: Studies in Patristic Hermeneutics* (Edinburgh: T & T Clark, 1996); Joel B. Green and Max Turner, eds., *Between Two Horizons: Spanning New Testament Studies and Systematic Theology*, *Two Horizons* (Grand Rapids, MI: Eerdmans, 2000); Luke Timothy Johnson and William S. Kurz, SJ, *The Future of Catholic Biblical Scholarship: A Constructive Conversation*, 1st ed. (Grand Rapids, MI: Eerdmans, 2002); and the new “The Bible in its Tradition” project of the *École Biblique*.

### **Centrality of the Debate over Sexual Ethics**

After remaining somewhat in the background before the Council, the deep divisions over contraception became evident during conciliar deliberations, foreshadowing what some have described as a “schism” in Catholic moral theology.<sup>32</sup> Soon after the Council, the movement to reject the norm against contraception was broadened to include a revision of traditional sexual norms in general, as exemplified in the 1977 document *Human Sexuality*, published under the auspices of the Catholic Theological Society of America and edited by Anthony Kosnick.<sup>33</sup> Three points regarding this controversy are relevant to our study: First, post-conciliar efforts toward the renewal of moral theology took place in the context of an unprecedented and interminable debate between those theologians seeking to revise traditional sexual norms and those struggling to uphold them;<sup>34</sup> second, this context relegated efforts toward a biblical renewal of moral theology to a secondary place, at best; third, because a *sola scriptura* ethics is impossible and philosophy is essential, even the more biblical efforts usually embodied philosophical presuppositions reflecting one side or the other of the debate on sexual ethics.

We can now summarize our reflections on the philosophical and theological context in which the first generation of efforts toward the biblical renewal of Catholic moral theology took place, from shortly before the Council to the promulgation of *Veritatis Splendor*. In general, this was an era of vigorous and unprecedented exploration. While in some ways it brought much needed renewal, in other ways it fostered an almost unprecedented crisis because of the radical departure from Scripture and Tradition as interpreted in light of the Magisterium. As we have seen, the turbulence of this era is centered on several factors: a paradigmatic shift from conceptual to transcendental Thomism; the widespread appropriation of historical-critical methods and the still limited progress toward determining the epistemological, theological, and moral relevance of Scripture; and the explosive debate over whether Catholic sexual norms should be revised to conform more closely to those of the prevailing secular culture. Following this lengthy but necessary discussion of the theological and philosophical context, we are ready to focus directly on the biblical renewal of moral theology before *Veritatis Splendor*.

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<sup>32</sup> See, for example, Todd A. Salzman, *What Are They Saying about Catholic Ethical Method?* (New York, Mahwah: Paulist Press, 2003), 3.

<sup>33</sup> Anthony Kosnick, *Human Sexuality: New Directions in American Catholic Thought: A Study* (New York: Paulist Press, 1977).

<sup>34</sup> As we will discuss below, much of the motivation behind this generation of theological work comes from an effort to overturn Catholic teaching on contraception.

### III. The Biblical Renewal of Moral Theology Prior to *Veritatis Splendor*

Following the conciliar mandate, Catholic moral theologians of the last generation have clearly given more attention to Scripture than those of the Tridentine and neo-Thomistic eras. Similarly, biblical ethicists have made considerable progress in understanding the ethical teachings of the various biblical writings. Moreover, in spite of the post-conciliar collapse of neo-Thomism,<sup>35</sup> progress continued toward a more theological and biblical retrieval of Aquinas, one that has borne fruit in recent years. However, as I indicated above and will sketch below, moral theology in the period leading to the publication of *Veritatis Splendor* was characterized less by the anticipated biblical renewal than by the debate between various types of revisionists and more tradition-minded thinkers, primarily those following the basic goods theory (BGT) of Germain Grisez and his collaborators.<sup>36</sup>

This second part will be divided into four subsections: (1) Bernard Häring as the most biblical of the revisionists; (2) Karl Rahner and the transcendental revisionists; (3) Richard McCormick as a representative American revisionist; and (4) the biblical renewal in the basic goods theory.

#### *Bernard Häring as the Most Biblical of Revisionists*

Bernard Häring was a leading moral theologian both before and after the Council.<sup>37</sup> He was deeply influenced by the German Tübingen movement and therefore inclined toward Scripture and away from neo-Thomism, with its emphasis on the metaphysical foundations of moral norms. As a Redemptorist priest, Häring had a deep familiarity with the manualist tradition, and, as a gifted and circumspect German intellectual of the mid twentieth-century, he was well-versed in the intellectual currents of phenomenology and situation ethics. Alert to the contemporary appeal of existentialist and personalist thought, he was persuaded of the need for Catholic moral theology to give greater attention to the moral judgment of the *person* in the concrete situation as a corrective to the predominant emphasis on *nature* and moral law.

<sup>35</sup> See, for example, Gleason, *Keeping the Faith*, 172–77.

<sup>36</sup> For a recent treatment of the contemporary status of this debate, which provides a sympathetic account of revisionist developments since *Veritatis Splendor*, see Salzman, *Catholic Ethical Method*.

<sup>37</sup> For this section, I have drawn from especially from Gallagher's *Time Past, Time Future*, 169–76 and 204–7, and also from Häring's *The Law of Christ* and his *Free and Faithful in Christ: Moral Theology for Priests and Laity*, 3 vols. (Slough: St Paul Publications, 1978). See Artur Niemira's *Religiosità e moralità: vita morale come realizzazione della fondazione cristiana dell'uomo secondo B. Häring e D. Capone*, *Collana Tesi Gregoriana* (Roma: Pontificia Università Gregoriana, 2003).

Häring's first comprehensive work, the three-volume *The Law of Christ*, was originally published in German in 1954; it was so well-received that it initiated the replacement of the neo-Thomist manuals of moral theology. Indeed, it provided an exemplar when the Fathers of the Second Vatican Council called for a biblical renewal of the discipline. In this work, Häring seeks explicitly to ground moral theology in Scripture rather than in a systematic theological context. Thus, he emphasizes New Testament themes like the invitation of Christ; the human response to Christ's call, conversion and the imitation of Christ; the person of Christ as the norm and standard for Christian moral action; and the inseparability of the religious response to God and the moral life. In its biblical foundations, this work remains an indispensable point of reference for the biblical renewal of moral theology after half a century.<sup>38</sup> In addition, Häring emphasized the "new law of the gospel" and the theology of grace, as opposed to moral law and legalism, foreshadowing a tendency that would later place him at odds with Catholic teachings.

The crucial issue for our purposes is Häring's underlying moral theory or moral philosophy. He develops this through a creative synthesis of traditional Thomistic elements, though mediated through the manualist tradition, along with insights from contemporary thought. From the Thomistic tradition he retains the natural law, though presented quite differently from the neo-Thomists, as subordinated to the new law of the gospel.<sup>39</sup> Although transposed to a more evangelical context, the natural law in *The Law of Christ* retains some access to an objective moral order. But it will lose this foundation in his later *Free and Faithful in Christ*, where it is reduced to something more like a gentle curb on moral relativism. Häring's analysis of the moral act also follows the manualist tradition he had received, treating object, intention, and circumstances. However, as the debate surrounding *Veritatis Splendor* has shown, this tradition had an inadequate understanding of the all-important object of the moral act, understanding it merely at the physical or material level, and neglecting the intellectual and volitional dimensions that make it a properly human act.<sup>40</sup> This physicalist or naturalist understanding of the object will make the

<sup>38</sup> For this reason and others, I would argue that his work merits renewed study by contemporary moralists. The following paragraphs offer some preliminary reflections on his work in light of *Veritatis Splendor*.

<sup>39</sup> Interestingly, this priority is also seen in Servais Pinckaers's interpretation of Aquinas.

<sup>40</sup> For a defense and exposition of *Veritatis Splendor* on this point against the criticism of a leading revisionist, see Martin Rhonheimer, "Intentional Actions and the Meaning of Object: A Reply to Richard McCormick," *The Thomist* 59 (1995): 279–311.

notion of an objective moral order seem contrary to a personalistic ethics. Similarly, *The Law of Christ* relied upon the Thomistic and manualist traditions for an account of the virtues; but the ordering of the first volume around the two poles of “law and conscience” reflects less a Thomistic ordering of the moral life toward human flourishing through the growth in virtue, than the influence of nominalism on the subsequent tradition.

In addition, Häring develops a comprehensive theory of conscience, which although far superior to largely imprecise references to conscience in post-conciliar ethics, foreshadows a movement toward a revision of moral norms. This is especially true when a moral philosophy based on an expanded notion of conscience, over a more Thomistic notion of prudence, is combined with (1) an aversion to moral law in general—in contrast to a more biblical understanding of law as covenantal gift; (2) an emphasis on person over nature; (3) an emphasis on the inviolability of conscience; and (4) an emphasis on freedom. Moreover, even Häring’s relatively developed theory of conscience is lacking many of the elements included in Aquinas’s notion of prudence.<sup>41</sup> Therefore, the analysis of moral action suffers a considerable loss of philosophical precision. More recently, the growing recognition of this loss of precision with the widespread recourse to an expanded notion of conscience contributes to a renewal of interest in accounts that are more Thomistic.<sup>42</sup>

The most contemporary and creative aspect of Häring’s underlying moral philosophy was his attempt to propose a coherent account of the modern and phenomenological notion of “value,” which he presented as something that engages not merely the intellect, but the whole person, emotions, intellect, and will. For Häring, value was the foundation of moral obligation. Thus, although his theory of value was rooted ultimately in the perception of God, it was ordered toward the practical significance of value perceived in existential situations. His theory of value included three components: “basic value,” perceived as an awareness of God; “types of values” such as the virtues of charity, justice, or chastity; and “particular

<sup>41</sup> Robert J. Smith discusses this in his *Conscience and Catholicism: The Nature and Function of Conscience in Contemporary Roman Catholic Moral Theology* (Lanham, MD: University Press of America, 1998).

<sup>42</sup> David M. McCarthy discusses Aquinas’s more precise language as primary, or first level philosophical discourse about ethics, that is, a set of concepts that is adequate to the complexities of the moral life. He suggests that the expanded notion of “conscience,” on the other hand, can be seen as a less precise way of speaking which, although more congenial to the postmodern context, leads necessarily to moral confusion. Still, many find it desirable because it allows us to dodge the question of moral truth and “agree to disagree.” See his “Conscience: A Richer Moral Language,” *Josephinum Journal of Theology* 8 (2001): 43–53.

values,” which are realized in concrete acts and provide the basis for concrete norms. These concrete norms were seen as guides to help the person realize the particular values, and as a summons in continuity with the most fundamental or basic summons from the personal God, and not as an arbitrary constraint.

In this preliminary reconsideration of Häring’s moral philosophy, I would suggest that his general tendency is to highlight neglected elements of moral theory that needed greater contemporary attention, and to underestimate the ability to do so while maintaining continuity with the moral tradition. In this respect, although Häring is not closely associated with transcendental Thomism, his thought exhibits a similar tension with the metaphysical grounding of traditional moral norms.

As a first example of this observation, *The Law of Christ* reflects Häring’s concern to develop a personalistic presentation of moral theology. Thus, he emphasizes the person over against the neo-Thomistic emphasis on nature. This project parallels early efforts to articulate more personalistic accounts of Thomism, such as those of Maritain and even Wojtyła, although some Thomistic scholars have been slow to embrace a distinct priority of the person over nature. In the pre-conciliar era, Catholic thinkers who placed greater emphasis on the person generally did so while retaining both a metaphysical account of human nature, and the resulting moral norms. Similarly in *The Law of Christ*, although Häring leans toward personalism, he maintains this pre-conciliar balance and supports traditional Catholic teaching regarding sexual ethics, including a rejection of contraception. However, his traditional articulation of the object of the act at the material level, along with his treatment of sexual ethics with reference to human nature, indicates in the former a weakness in the tradition and in the latter a tension with his preference for personalism; this ambiguity foreshadows his later dissent from Catholic teaching on contraception.

Second, similar to the tension he sees between person and nature, Häring presents his preference for the imitation of Christ, and exemplary causality in relation to God, as an alternative to the metaphysics and final causality of Thomism, apparently assuming these are incompatible, which they are not. Third, the weak Christological dimension of neo-Thomistic ethical treatments leads Häring to see a Christocentric ethic as an alternative to a Thomistic one, where it is more accurate to say that a more Christological articulation of Thomistic ethics is needed.<sup>43</sup> Fourth, Häring

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<sup>43</sup> As I will discuss below, the early work of Josef Fuchs was along these lines, and I have argued more recently, that a more Christocentric Thomistic ethic can and should be developed. See my “Christ as a Principle of Moral Action in Thomistic Ethics,” *Angelicum* 79 (2002): 147–75.

emphasizes the biblical notion of conversion as a more inclusive alternative, rather than a complement, to a Thomistic understanding of growth in virtue through the habitual shaping and integration of our appetites, intellect, and will. Similarly, he emphasizes “getting the right vision” as opposed to fulfilling laws and duties, whereas he could have emphasized following laws and duties as integral to growing in virtue and therefore “getting the right vision.”

### ***Biblical Renewal in Rahner and the Transcendental Revisionists***

Earlier we considered some of the general ways that the transition to transcendental Thomism impacts moral theology, including the relativization of traditional concepts, propositional statements, and philosophical distinctions, and the introduction of several new and problematic distinctions. In this section, we will look more closely at how this movement impacts the biblical renewal of moral theology, considering the work of Karl Rahner, Josef Fuchs, and Richard McCormick.<sup>44</sup>

#### *Karl Rahner*

Because of his widespread influence, we will first offer some general and introductory remarks regarding the moral thought of Karl Rahner, and then do the same for some of the most influential moralists who followed his lead. Because Rahner is generally seen as a systematic theologian, his significance in post-conciliar moral theology is often overlooked. Whereas Bernard Häring located moral theology within a biblical context, Rahner chooses instead to locate it in the systematic context of his transcendental Thomism. This does not mean that he thereby condemns his followers to neglect Scripture, but it does relegate Scripture to a subordinate role within this broader context. In other words, Rahner’s primary goal is not a biblical renewal of moral theology, but the transposition of moral theology into his transcendental framework, which I would argue, inclines it toward a problematic updating and revision of Catholic thought in modern concepts and according to contemporary sensibilities.

John Gallagher provides a concise summary of how Rahner builds upon his theological anthropology to articulate both an “essential ethic” and an “existential ethic.”<sup>45</sup> His essential ethic is a revised, or critical, natural law theory, which follows from the German theologian’s under-

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<sup>44</sup> A more detailed treatment would need to include thinkers like Bruno Schüller, Bernard Hoose, and Bernard Lonergan.

<sup>45</sup> See Gallagher *Time Past, Time Future*, 207–9.

standing of the “three a priori conditions of personhood,” namely freedom, power, and grace. While these pertain to the moral order, Rahner sees them as insufficient for determining specific moral norms, which require a further consideration of the a posteriori of concrete human experience. Moreover, any such norms are considered potentially incomplete, inaccurate, and even misleading, because of their dependence upon historical and cultural context. Thus, although Rahner’s essential ethic can determine norms that proscribe certain acts as immoral, it can only do so in a highly qualified way, emphasizing their historical and cultural dependence. His existential ethic, on the other hand, focuses more positively on what one ought to do. It addresses the realization of personal identity through choices and acts. This involves not universal moral norms, but an individual judgment of what ought to be done in a particular, existential situation; only this determination attains to the concrete will of God.

Note how clearly this rejection of the universal, and exclusive insistence on the particular, shows the nominalism that underlies Rahnerian thought.<sup>46</sup> Moreover, in an important recent study, Louis Roy, while acknowledging Rahner’s contributions, elucidates the deficiencies in his epistemology and its unfortunate consequences among his more revisionist followers. Roy argues that the fundamental problem in Rahner’s epistemology is the lack of a cognitional theory, based on a Scotistic misreading of Aquinas that leads to a diminished understanding of how understanding and judgment attain to truth. This misreading results in a moderate anti-intellectualism and anti-dogmatism, which fosters “disrespect for the Christian insights of the past and has legitimized the primacy of the imagination in its free choice of symbols.” Moreover, “his continual stress on the mystery and on human transcendentalism has brought about the relativization of the ecumenical councils, of the doctors of the church, and of the Magisterium. Evidently Rahner would disapprove of that trend among his disciples. Nevertheless, the seeds of that deviation from sound doctrine are found in his deficient epistemology.”<sup>47</sup>

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<sup>46</sup> John McDermott identifies this nominalism as a fundamental weakness of Rahner’s transcendentalism. See “The Context of *Veritatis Splendor*,” 153–54 and his “Metaphysical Conundrums at the Root of Moral Disagreement,” *Gregorianum* 71 (1990): 713–42.

<sup>47</sup> See Louis Roy, OP, “Rahner’s Epistemology and its Implications for Theology,” forthcoming in the proceedings of the Lonergan Workshop, edited by Frederick Lawrence.



*Josef Fuchs*

Josef Fuchs was another leading figure in post-conciliar moral theology who exemplifies the widespread transition to transcendental Thomism. His early seminary manual, *Theologia Moralis Generalis*,<sup>48</sup> offers a creative synthesis of the more biblical and Christocentric perspectives of Häring with more traditional neo-Thomistic moral theory. From Thomism, he retains the traditional philosophical categories and recourse to the metaphysics of human nature, which provides the basis for upholding traditional norms of sexual ethics. Following the precedent of Häring, Tillman, and others, Fuchs emphasizes not only Scripture and the person of Christ, but also the integral relation between the moral and spiritual life, the notion of response to the divine call, and the location of natural law within the law of Christ. Thus, for example, *Theologia Moralis Generalis* retains Thomistic themes like final end or beatitude, but utilizes the biblical language of the kingdom of God, with an emphasis on God's personal call and our free response. This work also reflects a greater emphasis on the notion of person, though not yet to the detriment of nature, and it shows a growing emphasis on unity over distinctions, especially regarding nature and grace, faith and reason, and body and soul.

Tragically, Fuchs undergoes a significant "intellectual conversion" while participating in the Pontifical Commission on Population, Family, and Birth from 1963 to 1966, which leads him to change his position on contraception, and to embrace Rahner's existential ethics as a framework to accommodate his new position.<sup>49</sup> Bernard Häring played an indirect role in this conversion, not so much through theological or philosophical arguments since he was not a Rahnerian, but through the testimony of Catholic couples that he helped to bring before the group.<sup>50</sup> Häring, a trusted advisor who had just preached a retreat to Paul VI, persuaded the pontiff to expand the commission to include married laypersons, in particular Patrick and Patricia Crowley of the Christian Family Movement (CFM), acquaintances of Häring's through a speaking engagement

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<sup>48</sup> Josef Fuchs, *Theologia Moralis Generalis*, editio altera (Roma: Editrice Universita Gregoriana, 1963). For this paragraph, I am drawing on the study by John Gallagher, *Time Past, Time Future*, 176–81.

<sup>49</sup> Mark E. Graham, *Josef Fuchs on Natural Law, Moral Traditions Series* (Washington, DC: Georgetown University Press, 2002), especially 83–110.

<sup>50</sup> On Häring and the Crowleys, see Robert McClory, *Turning Point: The Inside Story of the Papal Birth Control Commission, and How Humanae Vitae Changed the life of Patty Crowley and the Future of the Church* (New York: Crossroad, 1995).

for their movement.<sup>51</sup> Along with a few other lay participants, the Crowleys were especially influential in providing testimony about the difficulties faced by couples practicing the “rhythm method” in its current state. When this testimony was not sufficient to sway commission members like Fuchs, the Crowleys and their collaborators arranged for a broader survey of CFM members through the help of the Notre Dame sociology department. The results of the survey were mixed, with 64% finding the rhythm method helpful to marriage in at least some ways, but 78% claiming it had caused at least some harm. The written comments were decisive, with many accounts of the hardships faced by couples in modern societies who were restricted to periodic continence. Moreover, the written comments mirrored and supported the arguments of revisionists on the commission, arguments that had already influenced the public debate and presumably shaped the views of the respondents who sought an “easier” means to practice responsible parenthood.<sup>52</sup>

In a nutshell, Fuchs became convinced that the experience and testimony of these highly committed couples in marriage must provide a more reliable guide on this question than a combination of historical precedent, traditional moral philosophy—including a Thomistic metaphysics of human nature—and the guidance of the Magisterium. This “intellectual conversion,” turning on the testimony of these couples, leads Fuchs to repudiate much of his earlier work, with its traditional position on the existence of intrinsically evil acts, and the dependence of moral theology upon a metaphysics of human nature. In its place he adopted Karl Rahner’s transcendental Thomism as the new systematic context for

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<sup>51</sup> In the euphoric context of the early 1960s, the Crowleys were intrigued with the progressives and promptly reported news about the growing debate about contraception in their CFM newsletter. They had invited Häring, who was the world’s leading liberal/progressive moral theologian, to speak at one of their conferences in August of 1963, two months before the first session of the commission, although he did not touch on the disputed topic. See McClory, *Turning Point*, 45–50, and Graham, *Fuchs on Natural Law*, 91–95.

<sup>52</sup> The historical context here was several years into the sexual revolution, when moral teaching was in considerable need of renewal, when moral teaching and preaching was not well-integrated with the universal call to holiness, and when methods of natural family planning were not well-developed. Even if the surveys were unbiased, well-designed, and well-implemented, this context raises important questions regarding how they should be interpreted. Did they indicate that new methods of contraception were morally acceptable in this new historical situation? Or did they reflect certain disorders in modern societies, a need for better methods of NFP, a need for better support for couples and deeper moral and spiritual maturity, along with a frank acknowledgment of the difficulties of following Christ in any state of life?

a moral theology that would give greater weight to the moral experience and aspirations of persons in modern societies than to traditional and more abstract moral principles, thereby providing a framework for revised sexual norms.

The decisive role of such experiential and empirical claims in Fuchs's decision to adopt a new moral framework merits further consideration, especially since other post-conciliar revisionists give similar weight to such claims. In particular, it invites a critical reconsideration in light of a broader review of the experience of the last generation. Such a study would consider the dependence of the various deviant practices of the sexual revolution upon availability of the pill, the various moral, medical, social, and political links between contraception and abortion, the emerging culture of death, the "gender wars," the breakdown of marriage and family life, the ongoing vocations crisis, the "queering" of Western societies, and the emerging demographic crisis and Islamization of Europe. Indeed, it seems clear that the practice of contraception has not delivered on its promises of stronger marriages and children better formed to live their Christian vocations.<sup>53</sup> Instead, it seems that even the dire consequences of contraception that Pope Paul VI predicted in *Humanae Vitae* no. 17 have been far exceeded, whereas those who follow Church teaching are much more likely to realize the benefits that the revisionists promised to those who practice contraception.

Following his intellectual conversion, Fuchs continued to exercise considerable influence in Catholic moral theology. His project is both deconstructive, methodically dismantling the earlier natural law tradition, and constructive, building especially on the theological anthropology of Karl Rahner. Thus, he emphasizes Rahnerian notions like the fundamental option, the distinction between the transcendental and categorical levels, and the concrete situation over universal principles. As Mark Graham has shown in his recent study, Fuchs' natural law ethic has many merits, along with serious deficiencies.<sup>54</sup> For our purposes, it suffices to note that his post-conversion natural law theory is unable to exclude any particular moral judgment, and therefore is highly problematic in light of Scripture, Tradition, and the Magisterium.

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<sup>53</sup> On the contrary, there is now evidence that, although involving real sacrifice and discipline, the practice of natural family planning has many benefits along these lines. Especially within the context of a strong religious conviction, it contributes greatly not only to the communication and intimacy of the marriage, but also corresponds with a dramatic increase in marital stability.

<sup>54</sup> See his *Fuchs on Natural Law*.

### 3. Richard McCormick as a representative American revisionist

Through his contribution to the development of proportionalism, Richard McCormick was one of the most influential American revisionists of the post-conciliar generation.<sup>55</sup> He is best categorized as a casuist since his work grew out of this tradition and because he wrote primarily in response to particular questions, especially in the area of medical ethics.

Although biblical and theological themes have little role in many of his writings, McCormick was also well aware of their pertinence to moral theology. He showed this in various ways, beginning with an early essay in which he summarized several common components of Catholic moral theology such as the primacy of God's grace and charity, the interiority of the new covenant, and the existence of the natural law. He later discusses 13 key elements in the Christian story, "such as 'God is the author and preserver of life,' and 'in Jesus' life, death and resurrection we have been totally transformed into new creatures, into the community of the transformed.'" <sup>56</sup> Moreover, through his "Notes on Moral Theology," written from 1965 through 1984, McCormick was in critical dialogue with almost everything pertaining to the discipline, including works emphasizing biblical foundations. Through them, he introduced the leading European revisionists like Häring and Fuchs to American readers. However, given his primary focus on particular issues in medical ethics, McCormick never wrote a text in fundamental moral theology where he might have developed at greater length his moral theory and how Scripture informs it.

Given that McCormick does not make a major contribution to the biblical renewal of moral theology, we will attempt to summarize the primary factors—shared by many of his contemporaries—that lead him to advocate revision of numerous traditional moral norms, and that place him at the center of the debate leading to the publication of *Veritatis Splendor*. First, McCormick adopts key aspects of Karl Rahner's theological framework, especially through the influence of his teacher and friend Joseph Fuchs.<sup>57</sup> Thus, for example, McCormick considers the notions of the "fundamental option," and "the anonymous Christian" as among the most significant

<sup>55</sup> For a concise introduction to McCormick's thought, see Gallagher, *Time Past, Time Future*, 214–17, followed by a discussion of his contribution to the development of proportionalist moral theory on 245–56. For a more detailed discussion of McCormick's work, see Paulinus Ikechukwu Odozor, CSSp, *Richard McCormick and the Renewal of Moral Theology*, (Notre Dame, IN: University of Notre Dame Press, 1995). I draw upon both for the following summary comments.

<sup>56</sup> See Gallagher, *Time Past, Time Future*, 214–16.

<sup>57</sup> For this and the following sentences, see Odozor, *McCormick and the Renewal*, 28–31. See 159 to 160 where Odozor summarizes the decisive influence of Schüller and Fuchs on McCormick's thought.

theological developments of his generation. Similarly, he follows Rahner's emphasis on the fundamental distinction between the pre-moral and moral.

Second, although McCormick seeks to address moral problems through a development of the Catholic and especially casuist tradition, the balance he strikes between learning from contemporary culture and upholding tradition is too slanted toward the former, reflecting a common tendency of his generation.<sup>58</sup> Motivated by a critical desire to overcome the weaknesses he perceived in Catholic thought, McCormick sought a dialogue between Church and culture to the enrichment of both. However, I would argue that McCormick's critical scrutiny of the moral tradition accepts too much of the philosophical bias of modernity,<sup>59</sup> and also embodies the deficient ecclesiology to be discussed below, thereby underestimating the truth-bearing capacity of the tradition. Along the same lines, his thought reflects an affirmation of both "the secular" and "the autonomy of earthly affairs," and along with a concern that Catholics should overcome a "ghetto mentality" as exhibited by holding too tightly to their distinctive cultural and intellectual traditions.<sup>60</sup> In contrast to this widespread post-conciliar adoption of a critical stance toward the tradition and openness toward modern culture, more recent trends include a critical scrutiny of the deficiencies of modern philosophy and culture, and of the dangers involved in appropriating it.<sup>61</sup>

Third, McCormick emphasizes the tentativeness of moral judgments, based on his growing attention to the question of historical consciousness. This emphasis on tentativeness is also consistent with his Rahnerian tendencies, and does not adequately allow that true and binding judgments about moral norms could have been made in previous historical and cultural contexts.

<sup>58</sup> This bias reflects a reaction against the intellectual climate of the "cultural Catholicism" that peaked in the mid-twentieth century, with its cradle-to-grave institutions, and multi-faceted isolation. Most important, the educational system of this cultural Catholicism featured neo-scholastic manuals, which although valuable in various respects, were more the latest iteration of the manualist tradition than a fresh and thoughtful engagement with contemporary thought. See Odozor, *McCormick and the Renewal*, especially 1–7.

<sup>59</sup> See chapter 1 of Avery Dulles's *The Craft of Theology*, where he critiques this modern stance and suggests a post-critical alternative more appropriate for theological reflection. Notice, for example, the revealing title of McCormick's *The Critical Calling: Reflections on Moral Dilemmas Since Vatican II* (Washington, DC: Georgetown University Press, 1989).

<sup>60</sup> See Odozor, *McCormick and the Renewal*, 6–7.

<sup>61</sup> Indeed, the widespread capitulation of Catholics to the thought and culture of modernity is now getting the critical attention it deserves. See, for example, Rowland's previously cited *Culture and the Thomist Tradition*.

Fourth, McCormick's understandable rejection of the legalism and extrinsicism of the manuals goes too far, denying the existence of any universally applicable moral norms and placing his thought in tension with Scripture, Tradition, and the Magisterium.<sup>62</sup> This overreaction mirrors his exaggerated position against the manualist and casuist emphasis on individual acts. Like most revisionists of his generation, the decisive event that leads McCormick to abandon a more organic development of traditional methodologies and conclusions is the debate over contraception, although he is also influenced by the debates regarding the Vietnam War and his involvement in medical ethics. Once he accepts the conclusion of his mentor Fuchs and other revisionists on this disputed question, McCormick abandons his earlier arguments and works toward the development of a methodology that supports his new position.<sup>63</sup>

Fifth, McCormick's revisionism follows from his inadequate account of the object of the moral act, and of its relation to the intention and circumstances—a faulty understanding he adopts from the manualist tradition. At the risk of oversimplifying a complex matter, McCormick understands the traditional notion of the object of the act to include only the physical level, separate from the intention or circumstances.<sup>64</sup> As Martin Rhonheimer shows in a published exchange with the Jesuit moralist on the teaching of *Veritatis Splendor*, McCormick fails to account for the basic level of intention that is included in a proper understanding of the object, which allows a determination of the moral species.<sup>65</sup>

The sixth, and closely related, factor in McCormick's revisionism is his acceptance of Peter Knauer's expanded application of the principle of double effect (PDE). The scope of PDE is expanded, from a limited role constrained by moral norms, to become the decisive criterion for the

<sup>62</sup> This reflects the nominalist tendencies in McCormick's post-*Humanae Vitae* work, reinforced by the nominalist tendencies of Rahner. John M. McDermott discusses the affinities between the moralists Fuchs and Schüller and transcendental systematians like Rahner in his "The Context of *Veritatis Splendor*," especially 139–52. As noted above, he touches upon the nominalist character of McCormick's thought on 153–54, and in especially in his "Metaphysical Conundrums," 713–42.

<sup>63</sup> See Odozor, *McCormick and the Renewal*, 96–99.

<sup>64</sup> If the object of the act is understood in this deficient sense as merely physical, and not including any level of willing, it is not sufficient to describe a human act in the proper sense, and therefore is not sufficient to identify its moral species. Thus, McCormick insists that intention and circumstances must also be taken into account, which is correct, but he does not offer an adequate account of how this can be done.

<sup>65</sup> See Rhonheimer's, "Meaning of Object." See Richard A. McCormick, "Some Early Reactions to *Veritatis Splendor*," *Theological Studies* 55 (1994): 481–506.

evaluation of every act. As we will discuss in our subsequent discussion of the work of Germain Grisez, McCormick exemplifies the common revisionist mistake of confusing the moral order of practical reasoning with that of technique, an error with remote roots in a lack of clarity by Aquinas, and more proximate roots in the manualist tradition. Moreover, the criteria used to apply the PDE are reduced to that of commensurate or proportionate reason, involving a weighing of pre-moral values and disvalues.<sup>66</sup> Ironically, as Chris Kaczor has shown, when the system is strengthened by the additional conditions and principles that enable it to handle basic moral test cases, it rules out practically all recourse to the contraception it was developed to justify.<sup>67</sup>

The seventh factor contributing to McCormick's revisionism is his deficient ecclesiology, which distorts the teaching of Vatican II by claiming that the Council's retrieval of the biblical theme of the "people of God" overrides what the third chapter of *Lumen Gentium* clearly states about the ability of the Magisterium to teach authoritatively regarding faith and morals. As the respectful but gently critical Paulinus Odozor observes, McCormick tends to make the Magisterium irrelevant in moral matters.<sup>68</sup>

Eighth, although McCormick seeks to consider moral matters primarily in terms of "the person integrally and adequately considered," his shift to proportionalism implies a rejection of the metaphysics of human nature as a potentially decisive aspect of anthropology for certain moral questions. Ninth, McCormick emphasizes the distinction between moral rightness and moral goodness, which, as Odozor rightly observes, introduces an unacceptable dualism into moral analysis.<sup>69</sup> Moreover, it neglects the salvific relevance of moral action.

In the concluding chapter of his evaluation of McCormick's work, Odozor points out various potential contributions and deficiencies and concludes generously: "[N]o one can doubt the overall significance of his

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<sup>66</sup> For a discussion of McCormick's treatment of proportionate reason, see Odozor, *McCormick and the Renewal*, 91–118.

<sup>67</sup> See Christopher R. Kaczor, "Proportionalism and the Pill," *The Thomist* 63 (1999): 269–81, especially 280–81. Kaczor discusses how the conditions of necessity and chronological simultaneity "exclude the most common motives for using contraception, including financial stability, family harmony, and career advancement." Similarly, the "condition of avoiding superfluous evil leads to the elimination of various means of contraception, including the pill." Finally, "the principle that in conflict situations one should choose the lesser of two evils or the greater good leads to the conclusion that one should choose NFP over contraception."

<sup>68</sup> See Odozor, *McCormick and the Renewal*, 70–73, 160–61.

<sup>69</sup> *Ibid.*, 70–73.

contribution to the renewal of moral theology in the post-Vatican II Church.”<sup>70</sup> Whatever legitimate contributions he may have made, however, it seems clear that McCormick’s work does not exemplify the biblical renewal envisioned by the Council, and has major philosophical and theological deficiencies; thus, it contributes at least as much to the post-conciliar crisis in moral theology as to an authentic renewal.

Although we cannot discuss other revisionists in the present context, for our purposes, those treated above are representative of the strengths and weaknesses of their generation.

#### 4. *Biblical Renewal in the Basic Goods Theory*

The most prominent alternative to revisionism in the post-conciliar era has been the “basic goods theory” (BGT) associated especially with Germain Grisez, John Finnis, and Joseph Boyle. Building upon Grisez’s early work in distinguishing logic from metaphysics and technique, the BGT proceeds from a distinction between four rational orders: the moral order, and those of nature, logic, and technique.<sup>71</sup> Whereas nature or metaphysics were emphasized as the standard for morality in typical neo-Thomistic accounts, the BGT reformulation of Thomistic natural law theory emphasizes reasoning according to principles of the moral order, which are distinguished sharply from those of metaphysics and nature.

This basic goods theory has been advanced through both theological and philosophical works. On the theological side, the primary exposition is Germain Grisez’s *Christian Moral Principles (CMP)*, the first installment of his *The Way of the Lord Jesus*.<sup>72</sup> In general, the BGT seeks to provide a

<sup>70</sup> Odozor discusses the primary contributions under the headings of “retrieving the critical component of moral theology,” “entering into critical dialogue with culture,” “acceleration of theological dialogue,” “the rediscovery of casuistry,” “methodology” and “theology.” See his *McCormick and the Renewal*, 163–80.

<sup>71</sup> The best starting place for understanding the basic goods theory is Germain Grisez and Joseph M. Boyle, “Response to Our Critics and Collaborators,” in *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. Robert P. George (Washington, DC: Georgetown University Press, 1998), 213–37. On distinguishing these four orders, see 213–14.

<sup>72</sup> Germain Gabriel Grisez, *The Way of the Lord Jesus*, vol. 1, *Christian Moral Principles*, (Chicago: Franciscan Herald Press, 1983). See the work of William E. May, such as his *An Introduction to Moral Theology*, 2nd ed. (Huntington, IN: Our Sunday Visitor, 2003). Besides, on the favorable side, Robert George, *Natural Law and Moral Inquiry*, some of the major secondary literature on this school includes Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame, IN: University of Notre Dame Press, 1989), and Nigel Biggar and Rufus Black, *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School* (Aldershot, England: Ashgate, 2000).



contemporary development of the Catholic and Thomistic tradition that meets the needs of the post-conciliar era. Because of the crisis created by the widespread adoption of revisionist methodologies, *CMP* rightly gives considerable attention to the challenge of defending Catholic moral doctrine and refuting those who seek to undermine it. In various ways, it succeeds in providing a serious alternative to revisionism in the years preceding *Veritatis Splendor*. For example, it not only provides a more coherent framework for the analysis of human acts, but also offers a powerful critique of proportionalist moral theory.

*Christian Moral Principles* also seeks to respond to the call for a biblical renewal of moral theology through extensive reference to Scripture, as can be seen through a review of the index. But how well does it meet the need for the biblical renewal of moral theology called for by the Council, and presumably still needed by the Church of our day? Perhaps the best way to answer this question would be to evaluate questions such as the following: (1) whether it utilizes the best available moral philosophy; (2) whether the theological approach it employs is considered sufficiently credible to support fruitful dialog with scholars from outside the school itself; and similarly (3) whether its utilization of Scripture is considered sufficiently credible to support fruitful dialogue with the broader intellectual community. While a careful evaluation of each of these questions is beyond the scope of the present discussion, I will offer some preliminary remarks to encourage further study.

#### *Comments on the Moral Philosophy of the BGT*

Considering first the moral philosophy of the basic goods theory, I would argue that it has made an important contribution in a difficult historical context and deserves serious ongoing attention. As noted above, the BGT's analysis of the moral act remains a significant contribution,<sup>73</sup> and the massive body of work produced by these scholars contains many others. Beyond this, much depends on whether one accepts Grisez's strong distinction between the four orders, and his judgment that a careful definition and exposition of the virtues is not important to moral philosophy and theology.<sup>74</sup>

Although this is not the place for a lengthy treatment, I would agree that the distinctive character of practical reasoning had been neglected in many Thomistic interpretations, and the focus placed on the moral order

<sup>73</sup> For a discussion of how this compares to some other Thomistic interpretations, see my "Martin Rhonheimer's Natural Law and Practical Reason," *Sapientia* 56 (2002): 538–44.

<sup>74</sup> See Grisez and Boyle, "Response," 218, 235–36.

by the BGT has helped stimulate further clarification.<sup>75</sup> But I would also argue that this must be done in a way that does not lead readers to conclude that the BGT holds nature and metaphysics to be irrelevant to moral norms. I would argue that the real challenge for contemporary Thomists is not to emphasize a metaphysical thesis about the irreducibility of the moral order to other orders, but to articulate the relationship between (1) God's eternal wisdom; (2) the created order and especially human nature understood through a development of classical metaphysics in dialogue with modern science; (3) right practical reason within the distinctively "moral order" of practical reasoning; (4) the normative content of the Catholic moral tradition as articulated by the teaching office of the Church; and (5) growth in virtue.<sup>76</sup>

The great emphasis that the basic goods theory places on the distinctiveness of the moral order from that of nature is the apparent cause of some perceived weaknesses in the system. For example, whereas Aquinas can discuss how moral choices and corresponding external actions shape our capacities and help us to develop virtuous or vicious dispositions, Grisez writes that our choices "endure," without reference to an anthropological theory of powers, faculties, and virtues, leaving many readers perplexed as to what this might mean.

Moreover, a moral system that gives such prominence to self-evident principles, self-evident human goods, deductive reasoning, and rational argumentation is not congenial to the postmodern philosophical and cultural climate. This emphasis upon self-evident principles and rational argumentation reflects the confidence in reason that characterized Enlightenment thought and can still be seen in analytic philosophy, but can no longer be assumed. For example, it reflects a strong tension with the thought of scholars like Alasdair MacIntyre who, taking account of Nietzschean and Genealogical critiques, emphasize that traditions of moral reasoning are dependent on various presuppositions, practices, and communal context. Given these features, the BGT appears to be optimized for a rational defense against moral revision, which was especially

<sup>75</sup> This distinction has been recognized as reflecting the authentic thought of Aquinas by various scholars, including Wolfgang Kluxen, *Philosophische Ethik bei Thomas von Aquin* (Hamburg: Meiner, 1980), 21–71, Livio Melina, "The 'Truth about the Good': Practical Reason, Philosophical Ethics, and Moral Theology," *Communio* 26 (1999): 644–46, and Martin Rhonheimer, *Natural Law and Practical Reason: A Thomist View of Moral Autonomy*, trans. Gerald Malsbary (New York: Fordham University Press, 2000).

<sup>76</sup> I argue that alternative interpretations of Aquinas, such as that of Martin Rhonheimer, better meet these needs in my previously mentioned "Rhonheimer's *Natural Law and Practical Reason*."

important before *Veritatis Splendor*, and retains a certain value. However, our primary need today is a moral theology that is developed explicitly for an age of evangelization, which will be more organically biblical and Christocentric, as I will argue below.

#### *Comments on the Methodological Approach of the BGT*

Regarding the basic methodological or theological approach, it seems that the basic goods theory was developed when the primary options were retaining a strong continuity with neo-scholasticism or adopting transcendental Thomism, especially in the Rahnerian forms that I have argued are inclined toward doctrinal and moral revision. Given these options, the BGT sticks closer to the former path, with an emphasis on deductive principles, propositional revelation, and the Magisterium as a primary source of true propositions, while most revisionists take the latter.<sup>77</sup> If one were to develop a fundamental moral theology today with the potential for a broad range of fruitful dialogue, while retaining the ability to defend truth claims, several options appear especially promising. These would include the contemporary emphasis on more historically informed, theological, and biblical readings of Aquinas, with an openness to insights from the *ressourcement* theology of de Lubac and von Balthasar, and from more moderate forms of critical and transcendental thought that are better able than Rahnerianism to affirm the truth-bearing capacity of traditional doctrinal and moral formulations.

#### *Scripture in the Basic Goods Theory*

Next, we will offer a few summary comments regarding the use of Scripture in the basic goods theory. Although Grisez does support his work with some reference to contemporary biblical studies, *Christian Moral Principles* primarily seeks to employ Scripture as the Church has traditionally done in its official teachings, such as the documents of Vatican II. This should not be dismissed as mere proof-texting, as it can be defended through phenomenology,<sup>78</sup> although it could still benefit from further recourse to the best

<sup>77</sup> Although Aquinas does write that *Sacra Doctrina* is a science (*ST I*, q. 1, a. 2), he also writes that it is most especially called wisdom (*ST I*, q. 1, a. 6, *est maxime sapientia*). However, the place of “scientific” deduction from principles gains a new prominence in the tradition as it develops under the pressure of modern philosophy and enlightenment rationalism, often at the cost of the sense of mystery that pervades patristic thought. Thus, although there is a place for principles and conclusions within theological and especially moral reflection, one must retain a place for mystery, wisdom, intuition, connaturality, spiritual gifts, etc.

<sup>78</sup> See Robert Sokolowski, *Eucharistic Presence: A Study in the Theology of Disclosure* (Washington, DC: Catholic University of America Press, 1994), chapters 11 and 13.

contemporary exegesis.<sup>79</sup> *Christian Moral Principles* gives priority both to Matthew's gospel, reflecting its prominence in Catholic liturgy between Trent and the *novus ordo* of Paul VI. Within Matthew, it emphasizes the Sermon on the Mount, which mediates the authoritative teaching of Jesus about an interior righteousness and holiness that includes, but surpasses, the exterior righteousness of the Old Testament.

In emphasizing Matthew's gospel and reading the Scriptures in a traditional, non-critical manner, *Christian Moral Principles* does not attempt the more comprehensive and systematic biblical grounding that Grisez admits would be ideal.<sup>80</sup> This choice reflects his judgment that the state of Catholic biblical studies was not able to support such a project because scholars had yet to fulfill Vatican II's mandate for interpreting the Bible.<sup>81</sup> Following the propositional understanding of revelation he finds in *Dei Verbum* no. 11—though not giving sufficient attention to the broader theology of revelation in the document—Grisez discusses the development of a more adequate biblical foundation for moral theology in terms of determining which propositions the sacred writers assert in the Scriptures. Of course, an important part of the task of evaluating moral norms is determining which propositions were asserted in Scripture, and in the broader Tradition. However, I would also emphasize the need for a much broader biblical foundation than propositional assertions, which Grisez also attempts to provide.

Thus, Grisez explains the moral implications of New Testament revelation in terms of cooperating with Jesus and imitating his exemplification of the Beatitudes through a personal vocation to share in his redemptive work. In this distinctively Christian way of life, the “modes of responsibility” corresponding to the Basic Human Goods are transformed by charity into the “modes of Christian response,” which Grisez attempts to align with the Beatitudes. Although, many readers find his attempt to reconcile the Beatitudes with the Basic Human Goods unsatisfactory, Matthew does present Jesus as exemplifying them,<sup>82</sup> and this does need to be integrated with an account of how Christians share in the mission of Jesus.

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<sup>79</sup> See Grisez, *Christian Moral Principles*, 24. For a critical discussion of the use of Scripture in the BGT, see Salzman, *Catholic Ethical Method*, 87–96. See Benedict Ashley, “The Scriptural Basis of Grisez’s Revision of Moral Theology,” in Robert P. George, *Natural Law and Moral Inquiry*, 36–49, and Grisez and Boyle, “A Response to our Critics and Collaborators,” esp. 232–36.

<sup>80</sup> See Grisez and Boyle, “A Response to our Critics,” 232–33.

<sup>81</sup> *Ibid.*, 233–34.

<sup>82</sup> See Frank J. Matera, *New Testament Ethics: The Legacies of Jesus and Paul* (Louisville, KY: Westminster John Knox Press, 1996), 53.

Moreover, Grisez's broader treatment deserves more scholarly analysis than it has received to date. But, since a comprehensive treatment is not possible in the present context, I will limit my critical comments to one area, namely Grisez's claim that "virtue ethics is a singularly unpromising framework for a renewed moral theology nourished by sacred Scripture."<sup>83</sup> This assertion is in tension with both much of the tradition and more recent studies, which are rediscovering the fecundity of a virtue-oriented approach to Christian ethics.<sup>84</sup> To be sure, Grisez does not deny that the moral virtues are essential for a morally good life. However, he emphasizes how they are transformed in Jesus, and gives little attention to defining or providing an exposition of them, because he sees no evidence that such efforts help people to be good and holy.<sup>85</sup> Grisez is correct to insist that a renewed moral theology needs to give much more attention to the Christological dimension of the virtues than we see in the Thomistic tradition, but he has underestimated the importance of a careful definition and exposition of them.<sup>86</sup> Of course, a more intuitive grasp of prudence can be gained to some degree through experience and example. But given that all Christians are called to holiness, that this holiness is defined in terms of the practice of heroic virtue, that Catholics in modern societies receive a relatively high level of education, that it is not so difficult to understand the virtues, and given the widespread revival of virtue ethics, a strong case can be made that moral theology needs to include a more thorough treatment of the virtues than Grisez allows.

As noted above, critics of the biblical foundations of the basic goods theory also point to the way the philosophical nucleus of *Christian Moral*

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<sup>83</sup> Grisez and Boyle, "A Response to our Critics," 236.

<sup>84</sup> On the Old Testament, see for example William P. Brown, *Character in Crisis: A Fresh Approach to the Wisdom Literature of the Old Testament* (Grand Rapids, MI: Eerdmans, 1996). On the New Testament, see among others Joseph J. Kotva, *The Christian Case for Virtue Ethics, Moral Traditions & Moral Arguments* (Washington, DC: Georgetown University Press, 1996), and Daniel J. Harrington and James F. Keenan, *Jesus and Virtue Ethics: Building Bridges Between New Testament Studies and Moral Theology* (Lanham, MD: Sheed & Ward, 2002).

<sup>85</sup> Grisez and Boyle, "A Response to our Critics," 235.

<sup>86</sup> I would argue, for example, that in developing the capacity to act prudently, it is quite helpful to know the "integral parts" of the virtue, such as *understanding* of moral principles, *knowledge* of how to apply them, *memory* of past experience, the disposition to seek and take *counsel*, the *astuteness* to make quick decisions when necessary, along with the *foresight* and *circumspection* to take account of the proximate implications of a given action. Similar arguments could be offered regarding the definition and parts of justice, charity, or other virtues. As rational animals, we benefit from a reasoned account of the character traits that contribute to our flourishing.

*Principles*, the basic goods, is correlated with the Beatitudes.<sup>87</sup> In particular, the Beatitudes are presented as “modes of Christian response” that complete the moral order embodied in the basic goods. To those who approach the theory, and who may already be struggling with the claim that the basic goods are self-evident, this appears as a forced fit, with Scripture “added on” afterward to a philosophical theory, a pattern repeated in the very structure of the work. Grisez responds first that the basic goods themselves were formulated to correspond to the Beatitudes. Moreover, he argues further that chapters 13 through 34 of his *CMP* seek to “root his moral theology firmly and profoundly in Scripture, not so much by the many Scripture texts he quotes or cites, or by his references to Scripture scholars, but by his drawing the implications for Christian life from all the central truths of faith, which are themselves rooted in Scripture.”<sup>88</sup> However, even though these later chapters of *Christian Moral Principles* are more biblical, the more philosophical flavor of the first 300 pages leaves readers with the impression that Scripture is largely an afterthought.<sup>89</sup> Moreover, the revisionist Todd Salzman charges, not surprisingly, that *Christian Moral Principles* approach to Scripture is also characterized by the citation of particular texts based on their ability to illustrate moral teachings of the Church, implying proof-texting and a lack of critical rigor.<sup>90</sup>

I would draw the following conclusions following this three-part preliminary study of the basic goods theory. First, although it provides a much-needed defense of traditional morality and has made important contributions in areas such as the analysis of moral action, which make it a useful source for further study, the underlying moral philosophy is skewed by a concern to defend a metaphysical theory that traces to Grisez’s work in logic. This, along with other characteristics, makes it less promising than contemporary Thomistic alternatives.<sup>91</sup> Second, the basic

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<sup>87</sup> See Ashley, “The Scriptural Basis,” 36–49, and Salzman, *Catholic Ethical Method*, 87–96.

<sup>88</sup> Grisez and Boyle, “A Response to our Critics,” 234.

<sup>89</sup> For example, the largely philosophical topics treated in the first 300 pages of *Christian Moral Principles* include choice and self-determination, conscience, moral principles, the basic human goods, a critique of proportionalism, the natural law and principles of morality, the modes of responsibility, voluntariness, moral norms, laws, and judgments.

<sup>90</sup> See his *Catholic Ethical Method*, 159–60, n37.

<sup>91</sup> Indeed, John Finnis now tries to present himself more as an interpreter of Aquinas than as a follower of the new Grisez school. See his *Aquinas: Moral, Political, and Legal Theory, Founders of Modern Political and Social Thought* (Oxford; New York: Oxford University Press, 1998). However, more traditional Thomists argue

theological approach is isolated from the most promising streams of contemporary theology. Third, although the approach to Scripture has some merit, it was always considered an interim measure, it includes major elements that are not convincing, and it is too focused on propositional assertions.

Unfortunately, the present context does not allow for an adequate discussion of the beginnings of a Thomistic renewal before *Veritatis Splendor*, which could be seen in the work of philosophers like Alasdair MacIntyre and theologians like Servais Pinckaers and Romanus Cessario.<sup>92</sup> However, I would argue that, with the publication of *Veritatis Splendor*, there had not yet been an attempt to articulate a fundamental moral theology thoroughly grounded in a sound contemporary reading the Scripture, drawing upon the best of the contemporary Thomistic renewal, and upholding traditional norms of Christian sexual ethics against the pressures of the sexual revolution.

#### IV. *Veritatis Splendor* as Stimulus and Exemplar

In this section, we will consider several ways that *Veritatis Splendor* exemplifies a promising path toward an authentic biblical renewal of moral theology as envisioned by the Fathers of the Second Vatican Council.

##### 1. *In the Context of John Paul II's Broader Theological Approach*

As noted above, John Paul's basic theological approach is best understood as a prudent blending of strengths drawn from two primary schools of thought.<sup>93</sup> The first of these we previously characterized, following the work of John McDermott, as "conceptual Thomism," which dominated

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he ought to follow Aquinas more closely. See Steven A. Long, "St. Thomas Through the Analytic Looking Glass," *The Thomist* 65 (2001): 259–300.

<sup>92</sup> In the forthcoming book mentioned above, I hope to discuss the contributions of such thinkers in some detail.

<sup>93</sup> Of course, anyone familiar with John Paul's thought knows that he interacted with, and did not hesitate to draw insights from, the widest range of sources. For example, he learned German to read Kant in his original language, and drew from him what he would call "the personalistic norm," to never use a person as a means to an end. Similarly, he wrote his second dissertation on Max Scheler, considering whether his phenomenological ethics of value was adequate to the Catholic moral tradition. Moreover, he interacted extensively with Marxist thought. Indeed, his interaction with various movements in Western and especially continental philosophy was so broad that some readers fail to recognize his deep commitment to Thomistic metaphysical realism. On the other hand, it is just as easy to overlook the ways in which he suggests developments of Thomism, especially his basic shift of emphasis from "nature" to the "person" and "freedom," while still upholding the intelligibility and moral implications of the natural order.

Catholic thought before the Council, and emphasized a metaphysical and epistemological realism that affirmed the ability to grasp the truth of things through conceptual formulations. The second was the *ressourcement* or “back to the sources” movement, especially as integrated with the Thomistic tradition through the recovery of the distinction between *intellectus* and *ratio*.<sup>94</sup> The retrieval of this synthesis, already embodied in Aquinas’s work, allows contemporary theologians to make wide recourse to the more symbolic language of biblical and patristic sources, while retaining the ability to uphold truth claims of the doctrinal and moral tradition through recourse to Thomas’s metaphysical and epistemological realism.

Although this synthesis is present more implicitly in *Veritatis Splendor*, perhaps the most systematic and explicit example of how John Paul blends these two aspects of Catholic thought can be seen in the encyclical *Fides et Ratio*, where he addresses the relationship between faith and reason, and the corresponding rapport between theology and philosophy. Chapter 1, which functions as the doctrinal core of the encyclical, presents the mysterious and Christocentric character of revelation<sup>95</sup> and then situates human reason as striving to grasp the intelligibility of this mystery.

Thus, the first half of Chapter 1 is titled “Jesus, Revealer of the Father,” which locates the relationship between faith and reason within the context of a biblically grounded theology of revelation centered in the disclosure of the mystery of God, and his plan of salvation as it has been made manifest in the person and work of Jesus Christ.<sup>96</sup> In this all-encompassing theological perspective, the God who is utterly transcendent and mysterious is also luminously intelligible through the cosmos, through his actions in history as mediated to us through the inspired Scriptures, and especially through the person of his Son. The second half of the first chapter is titled “Reason Before the Mystery,” and presents human reason as striving to grasp the infinite intelligibility of this reality, whether through its natural capacities, or with the benefit of the light of faith. Philosophy, like the other human disciplines, is understood to pursue knowledge according to its proper methods, while theology studies God and all things in relation to Him, according to its own distinctive approach,

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<sup>94</sup> This allows John Paul II to take a middle position regarding concepts, allowing true access to the thing known while avoiding the extremes of reification and nominalism.

<sup>95</sup> For a more detailed discussion of this situating of faith and reason within the context of a Christocentric theology of revelation, see my “Revelation in *Fides et Ratio*,” *Josephinum Journal of Theology* 8 (2001): 74–89. See Avery Dulles, “Can Philosophy Be Christian,” *First Things* 102 (2000): 24–29.

<sup>96</sup> This paragraph is adapted slightly from pp. 276–77 of my “Postcritical Recovery.”



which proceeds by the light of faith, and with special priority given to the biblical revelation. This two-part structure of (1) the intelligible mystery of God and the divine plan of salvation, and (2) human reason that seeks to comprehend it, provides an epistemological framework within which we can understand how God reveals through the Scriptures as read in the Church, while recognizing that many things are known in a way that is tacit, intuitive, or implicit, and therefore imperfect.

Both those aligned with *ressourcement* theology and those who identify themselves as Thomists will recognize that this two-part structure corresponds to Aquinas's basic distinction between *intellectus* and *ratio*, which as discussed above, provides the basic framework for further reflection on the dynamic orientation of the intellect toward the fullness of truth. Later, the encyclical presents Aquinas as a prime example of one who has successfully integrated faith and reason (nos. 43–44), and also points toward a recovery of key elements central to Thomistic thought such as a sapiential view of reality (no. 81) and epistemological realism (no. 82). It also emphasizes the importance of metaphysics (no. 83), albeit one that gives new prominence to the metaphysics of the person, reflecting John Paul's prioritization of person over nature. Such an approach, remaining open to insights from more recent thought, has great and largely untapped potential for the biblical renewal of moral theology.

## **2. Biblical and Christocentric Priorities of the Encyclical**

Although limited by its genre as an encyclical, and therefore vulnerable to critique as insufficiently historical and critical in its use of Scripture, *Veritatis Splendor* encourages a biblical renewal of moral theology in several ways: through the evangelical theme of "the encounter with Christ," as expressed in the dialog with the rich young man; through the structure of the encyclical, which locates the technical matter of chapter 2 in a rich biblical setting; and through a broad sampling of key New Testament themes, which encourages moral theologians to draw deeply from the wellspring of Scripture.

First, the emphasis on the theme of "the encounter with Christ" relocates morality within the context of evangelization. Although a preoccupation with historical and literary questions can lead one to overlook the role of the inspired texts in mediating such an encounter with the risen Christ, this is a legitimate though neglected use of the text,<sup>97</sup> and its location at the beginning of this moral teaching sets an important example

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<sup>97</sup> See, for example, Luke Timothy Johnson, *Living Jesus: Learning the Heart of the Gospel* (San Francisco: HarperSanFrancisco, 1999).

for future moral teaching in a postmodern age of evangelization. Moral theologians looking to build on this example will find ample resources in contemporary New Testament studies, in the tradition of *lectio divina* and the moral sense of scripture,<sup>98</sup> and in the spiritual thought of the great theologians like Aquinas.<sup>99</sup> Moreover, a recovery of the notion of the mysteries of the life of Christ,<sup>100</sup> especially as mediated through the liturgical year, will make the liturgy of the word within the Eucharistic liturgy the privileged place for a regular encounter with Christ and ongoing evangelization.

Second, the overall structure of the encyclical signals the priority of Scripture in the moral life, with the opening and closing chapters aptly situating a distinctively Christian morality within the envelope of a broader biblical and Christocentric spirituality.<sup>101</sup> Following the introduction, this structure begins with the encounter with Christ in the first chapter and concludes with an exhortation to the fullness of Christian life in the third. The reader will quickly recognize the sharp contrast between utilizing moral philosophy to address technical matters within this evangelical and biblical framework, and an alternative approach that follows a lengthy philosophical prologue with a biblical reflection meant to complete it. Surprisingly, apart from some less ambitious efforts, such as those of Carlo Caffarra,<sup>102</sup> the exemplar for a biblical presentation of Catholic moral theology life remains the pre-conciliar work of Bernard Häring discussed earlier.

Third, the encyclical encourages a biblical renewal of moral theology through a rich survey of the central themes of New Testament spirituality

<sup>98</sup> See, for example, my “Henri de Lubac’s Mystical Tropology,” *Communio* 27 (2000): 171–201.

<sup>99</sup> See, for example, Jean-Pierre Torrell, *Saint Thomas Aquinas: Volume II—Spiritual Master*, trans. Robert Royal (Washington, DC: Catholic University of America Press, 2003).

<sup>100</sup> See, for example, Jean-Pierre Torrell, *Le Christ en ses mystères: la vie et l’oeuvre de Jésus selon saint Thomas d’Aquin* (Paris: Desclée, 1999). Recall also, the classic work by Don Columba Marmion, *Christ in His Mysteries*, trans. Mother M. St. Thomas (London: Sands & Co., 1939).

<sup>101</sup> This broader NT spirituality could be conceived, for example, in terms of the Pauline language of living “in Christ,” the Johannine language of living in Christ the vine (Jn 15) or “abiding in God” (1 Jn), or the synoptic notion of living in light of the inbreaking Kingdom of God. More precisely, this kingdom is present fully in Jesus’s preaching, teaching, and healing; present in a hidden way in the hard-hearted disciples who are only beginning to believe; and will be present fully when Jesus returns.

<sup>102</sup> Carlo Caffarra, *Living in Christ: Fundamental Principles of Catholic Moral Teaching: A Brief Exposition of Catholic Doctrine* (San Francisco: Ignatius Press, 1987).

and morality, especially in the first chapter, but also throughout the document. For example, the introduction presents the existential situation of man, wounded by original sin, with a darkened intellect and disordered appetites, and vulnerable to a distorted understanding of freedom that is separated from the truth. It proclaims that, though wounded by sin, we do not lose our dignity as the image of God, but retain an inclination to know the ultimate truth about human life, the truth about fundamental questions, and the truth about particular moral questions (no. 1).

Building on this introduction, the first chapter presents a survey of key New Testament themes. For example, it teaches that natural law is available to human reason through reflection on the created world, and that the promised new covenant is fulfilled in Christ and his kingdom (no. 12). In this kingdom, the commandments of the Old Law find their place as pedagogy on the path toward true human freedom (no. 13), and are summarized in the twofold command to love God and neighbor (no. 14). Throughout his Sermon on Mount, Jesus gives the authoritative interpretation of God's law (no. 15) and calls us to the perfection of holiness (nos. 16–18). This is achieved by accepting his invitation to discipleship, by imitating him, and by being conformed to him (19–21). The first chapter also emphasizes that all things are possible through the grace of God (nos. 22–24). This implies that even difficult moral teachings, like those that inspired the post-conciliar debate on contraception and broader questions of sexual ethics, are indeed practicable as an integral part of a life oriented toward holiness, because of the ongoing presence of Christ through his Spirit (nos. 25–27).

Through this rich sampling of NT themes, the encyclical suggests a promising but widely neglected approach for a moral theology at the service of the new evangelization.

### ***A Creative Retrieval of Thomism in Support of Moral Tradition***

Whereas the first and third chapters of the encyclical reiterate the basic contours of the Christian life through a judicious but ample selection of biblical texts, the burden of the second chapter is to respond to the various challenges presented by revisionist moral theology. Thus, biblical references, while still present and operative, yield the heavy lifting to more philosophical argumentation, drawn from the Thomistic tradition. This chapter is divided into four major subsections, each addressing a central deficiency of revisionist moral theology.

The first and longest section addresses the topic of freedom and its relation to moral law. It focuses on the fundamental problem of a widespread understanding of freedom as absolute and autonomous, and therefore directly opposed to the biblical notion that an objective moral law

appropriately regulates human action. This Promethean notion of moral freedom can be traced to the late medieval nominalism of William of Ockham and his “freedom of indifference,” which has exercised a wide influence in the West, especially as reinforced by Luther’s unfortunate and unbiblical dichotomy between faith and works.<sup>103</sup> Of course, this “freedom of indifference” is quite different from the Christian freedom Paul presents in Galatians chapter 5, or that promised to those who receive the truth revealed by Jesus (Jn 8:32).

In response to a freedom that would claim autonomy from the truth of moral law, the encyclical distinguishes a “rightful autonomy,” which is better described as a “participated theonomy” that includes the acceptance of God’s law. This divine moral law is available to us through both revelation and human reason, which is able to grasp the natural law through its participation in divine wisdom and Providence. The encyclical recalls how the existence of the natural law, especially as articulated by Aquinas, has long been affirmed by the Church and utilized in ecclesial documents. It concludes by responding to various revisionist strategies designed to undermine the normative force of natural law and advance a notion of freedom incompatible with Scripture and Tradition.<sup>104</sup>

Moral theologians wishing to address more fully the question of freedom and law can follow John Paul II in drawing on the riches of the Thomistic tradition. For example, Servais Pinckaers describes how Aquinas provides an account of this “moral or personal freedom” that is adequate to biblical revelation. This can be described as a “freedom for excellence,” which is achieved through a formation in truth and virtue under the movement of Grace. It presents this moral or personal freedom, which is not merely the freedom to choose, but the freedom to perform excellent actions, and do them promptly, easily, and joyfully. It does so by taking into account the role of the *intellect* in grasping moral truth, of the *inclinations* in inclining persons toward perceived goods, and of the way that virtuous or vicious dispositions condition our moral freedom.

The second section addresses the confusion that has arisen in post-conciliar moral theology around the notion of conscience. This confusion

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<sup>103</sup> On this, see my “Towards A Narrative of Truth and Freedom,” *Logos* 12 (2002): 65–98. On antinomianism that follows from Luther, see Reinhard Hüter, “(Re-) Forming Freedom: Reflections ‘After *Veritatis Splendor*’ on Freedom’s Fate in Modernity and Protestantism’s Antinomian Captivity,” *Modern Theology* 17 (2001): 117–61.

<sup>104</sup> Tragically for Western culture, Ockham and his followers have confused the basic freedom to choose, which is characteristic of *the will*, with a moral freedom at the level of *the person*.

arises for several reasons: because the theological and philosophical tradition includes several loosely defined and often overlapping notions of conscience; because the Thomistic tradition, where conscience is defined more precisely within a comprehensive moral philosophy, was poorly understood and in the process of being abandoned; because of the increasing contemporary reference to the inviolability of conscience; and because Catholic moralists of this era were often looking for ways to justify a position they had adopted based upon largely experiential claims, to allow for contraception and other violations of traditional sexual ethics.

Therefore, this section of the encyclical can be read as both a general appeal to, and acknowledgment of, a loosely defined notion of conscience that is part of both the tradition and common vocabulary, and a clarification of confusion in moral theology by reference to a narrow and precisely defined notion. It therefore recognizes the practical reality that speaking about conscience in the contemporary context involves appealing to something familiar but not well understood, and then backing this up with a coherent account that is part of a broader moral philosophy. Once again the encyclical relies upon the Thomistic tradition, by presenting a very limited notion of conscience as a judgment of reason about the moral quality of an action, whether antecedent or consequent. This allows for a more comprehensive moral theory—including an underlying metaphysics, anthropology, theory of cognition, and an account of natural law and the virtues—to complement an account of conscience in a way that upholds the moral tradition.

In a crucial text, no. 64 of the encyclical indicates the ongoing value of the Thomistic tradition in this regard as a useful tool in the service of biblical revelation:

In the same vein, St. Paul exhorts us not to be conformed to the mentality of this world, but to be transformed by the renewal of our mind (cf. Rom 12:2). It is the “heart” converted to the Lord and to the love of what is good that is really the source of true judgments of conscience. Indeed, in order to “prove what is the will of God, what is good and acceptable and perfect” (Rom 12:2), knowledge of God’s law in general is certainly necessary, but it is not sufficient: what is essential is a sort of “*connaturality*” between man and the true good. (110).<sup>105</sup> Such a connaturality is rooted in and develops through the virtuous attitudes of the individual himself: prudence and the other cardinal virtues, and even before these the theological virtues of faith, hope and charity. This is the meaning of Jesus’ saying: “He who does what is true comes to the light” (Jn 3:21).

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<sup>105</sup> Footnote 110 of the encyclical refers to *ST II–II*, q. 45, a. 2.

The third section addresses the problems resulting from the widespread acceptance of a Rahnerian account of the transcendental fundamental option. It acknowledges that some choices do “‘shape’ a person’s entire moral life” (no. 65), but insists that our overall choice for or against God is reflected in, and can be revised through, the performance of particular acts. Thus, it rejects the exaggerated separation between the transcendental choice for God and particular acts, and insists, with Scripture and Tradition, that some acts are mortal sins, which disrupt our graced union with God and place us in danger of eternal loss. Following the biblical and evangelical character of the entire document, it includes two long paragraphs that emphasize the fundamental choice to respond to God in faith, and to Jesus’ call to discipleship, true freedom, and the perfection to which God has foreordained us in Christ.

The fourth section addresses the somewhat technical topic of the moral evaluation of the human act, which lies at the heart of the post-conciliar debate. In summary, it rejects the proportionalist strategy of redescribing human acts in terms of their hoped for benefits and insists that the object must be understood properly. It apparently agrees with revisionists that a merely external or physicalist description of an act is insufficient, because it does not take into account the volitional dimension. Thus, the encyclical insists that the object be understood from the perspective of the acting person, which includes a basic level of intentionality, and may also include morally relevant circumstances. The essential point is to uphold the biblical and traditional notion that certain types of acts are intrinsically and therefore always wrong, while recognizing that a proper description of particular acts can be a complex matter.

## **V. Conclusion**

In this essay, I have first offered an explanation for why, although a great deal of valuable work was done, the theological and philosophical context of the post-conciliar generation was not conducive to the successful realization of the call for a biblical renewal of moral theology. Second, in light of this context, I have surveyed the work of leading post-conciliar moral theologians and suggested reasons why these efforts do not yet realize this vital objective. Third, I have presented an interpretation of John Paul II’s basic theological approach as, on the one hand, more open to both *ressourcement* theology and the appropriation of contemporary insights than most of the more traditional forms of Thomism, and on the other hand, better able to uphold traditional doctrinal and moral teachings than extreme forms of transcendentalism. In this context, I have highlighted the central characteristics and themes

of *Veritatis Splendor*, suggesting that it provides a promising, but largely unexplored path toward a biblical renewal of fundamental moral theology along the lines envisioned by the Council Fathers, and badly needed by the Church in its newly rediscovered evangelical mission.<sup>106</sup>

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<sup>106</sup> Special thanks to Dr. Carmina M. Chapp and Damian Lenshek for reviewing the manuscript, identifying various errors, and suggesting clarifications and improvements. Of course, any remaining deficiencies are my responsibility.

## Human Suffering and John Paul II's *Theology of the Body*

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*The root reason for human dignity lies in man's call to communion with God. From the very circumstance of his origin man is already invited to converse with God. (Gaudium et Spes, no. 19)*

THE ROOT of our dignity as human beings lies in our destiny. As beings created in God's image and likeness, we are destined and called to share the good of eternal friendship in communion with him, the vicissitudes of this "vale of tears" notwithstanding. Thanks to our medicine and advanced technologies, however, we can prevent or alleviate these vicissitudes. A Bengali typhoon kills thousands, but thanks to good roads, advanced building codes, and efficient communications, Hurricane Isabel killed fewer than a score in the U.S.A. in 2003. Trauma centers and hospitals can restore accident victims and military casualties "as good as new," and if eighteenth century surgery required a shot of whisky and a bullet clenched in the teeth, contemporary anesthetics make the cutting and much of recovery relatively pain-free. As a result, we tend to regard sufferings and misfortune as anomalous evils that can, in principle, be avoided completely. It is not at all surprising that as the promise of scientific technology was on the verge of its realization, J. S. Mill held the maximization of pleasure to be the touchstone of the good life, that intelligent public administration combined with industrial technology could make possible lives of prosperity, comfort, and minimal suffering, at least for most.<sup>1</sup> We now expect the pleasures of bed and banquet without their

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<sup>1</sup> See J. S. Mill, *Utilitarianism*.



usual but unwanted consequences, and we look for a healthy old age ending in a comfortable, sanitary death. In many ways we have created an analgesic society in which suffering and humiliation constitute the only intolerable evils. And yet suffering exists, not just bodily pain, but psychological anguish and—for us all—death. In encyclicals, letters, and addresses Pope John Paul II has repeatedly addressed the questions of pleasure and pain. The key to understanding both is the human person's destiny to love: "The meaning of life is found in giving and receiving love, and in this light human sexuality and procreation reach their true and full significance. Love also gives meaning to suffering and death."<sup>2</sup>

### I. Suffering Characterized

What is suffering? John Paul II defines it as the experience of an evil,<sup>3</sup> and in doing so he holds that it is not suffering that is, in the first instance, an evil. John Paul II accepts the classical analysis that evil has no reality of its own, but is parasitic upon good.<sup>4</sup> Since evil is a loss of or disorder with respect to the appropriate good, we find the significance of suffering in relation to the good. Indeed, we know that the pain associated with trauma is often a good,<sup>5</sup> and this reveals something essential about suffering. Why does a blister affect the mechanics of one's tennis serve? Despite its exposed nerve, a decayed tooth can still bite an apple. Grieving her husband's sudden death, the scholar can make no sense of the differential equations she had handled facily the day before. In each of these cases—and in almost any other one may think of—suffering hinders the ability to act. The sufferer cannot easily get on with life as normal. Popular wisdom has it that pain is nature's warning against danger. But this can be only one function of pain and not the most important one at that. The warning is always too late. Those who suffer really serious injury—catastrophic burns are a good example—or the gravest losses do not experience the pain until the event is over. The essential message of suffering is "Take care of this evil." The suffering person needs the lost good restored.

We may contrast this position with phenomenalist philosophy, which defines pain as a kind of perception or sensation that is disliked and

<sup>2</sup> John Paul II, Encyclical *Evangelium Vitae (EV)*, no. 81.

<sup>3</sup> John Paul II, Apostolic Letter, *Salvifici Doloris (SD)*, no. 7.

<sup>4</sup> St. Augustine, *City of God*, XI, ch. 9; St. Thomas Aquinas, *De malo*, q. 1, aa. 1–3.

<sup>5</sup> The starkest illustration of this is congenital insensitivity to pain. Children afflicted with this condition have normal tactile sensitivity but feel no pain, so that a needle is felt simply to be small. Such patients are especially susceptible to severe injury and illness because their bodies do not alert them when something is wrong.

shunned for its own sake.<sup>6</sup> This position makes pain—and suffering in general—into a kind of positive reality, an experiential surd that is evil in itself. Under such a conception, pain is reduced to subjective experience that may (or may not) be related to any thing or event in reality. However, no one who has suffered grievously will recognize such a definition as adequate. More than anything else, suffering gives the lie to the philosophical distinction between facts and values. An unrelenting toothache is more than just another fact about the world and one's perception of it. Pain, by its very nature, demands a response.

Suffering tends to be holistic. The greater the suffering, the more completely does it engulf one's whole person. The pain in one part of the body tends to form one's entire consciousness, so that it is the person and not just the arm or the tooth that is in pain. Were pain only a kind of perception or sensation, this phenomenon would be difficult to understand. The malfunction of an automobile's turn signal lever does not affect the steering, but the pain from an ear infection can hinder virtually all one's activities. If we understand pain (or suffering) to be the experience of an evil, this phenomenon makes sense, for the evil is not localized sensation with localized effects but rather an evil from without that one can deal with as a person, that is, with rational understanding and appropriate action. It is for this reason that we often feel insulted or offended by suffering, even when we recognize that its origin is random or irrational.

## II. Kinds of Suffering

We may describe a threefold *phenomenology of suffering*, according as one's sufferings are in the feelings and perceptions, in the engagement of the will within the world, and in the meaningfulness of one's life. Pain, properly speaking, is the sensation that accompanies damage to the body. Break a bone or scratch the skin and it hurts. The failure of one's efforts to attain an important goal is experienced as frustration. This is not only the athlete's "agony of defeat," but also the embarrassment of failure and the bitterness of being passed over. The loss of meaning, of significance is experienced as despair. In despair, the sense of the effort is lost. There is no point in pursuing further, for the goal will never be reached. Having tried and tried again to pass the bar, the law graduate abandons his goal. He despairs of ever becoming a lawyer. Despair is the loss of the good that had shaped one's life. Pain, frustration, and despair correspond to the

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<sup>6</sup> "Pain," in Ted Honderich, ed., *The Oxford Companion to Philosophy* (Oxford: Oxford University Press, 1999).

forms of evil that afflict our bodies, our intentions, and our spirits. These three forms of suffering fall into a kind of hierarchy, an order of acceptability. An athlete, for example, will endure pain for the sake of victory; the battered champion, his bruised face grinning in triumph, is practically a cultural icon. More seriously, a birthing mother's "labor pains" are powerful muscle contractions, which she works with to bring the child to the light. And just as success trumps pain, comfort does not assuage failure. The worst, most destructive form of suffering, however, is despair, the suffering of the spirit. Victory and defeat find their respective values within a context. The local champion eventually tires of defeating his weaker rivals and needs to prove himself against regional or national competitors. An important measure of maturity is whether one can pick himself up after failure and continue to meet his responsibilities.

As the loss of meaning to one's life and experiences, despair is relatively unrelated to pain and frustration. To be sure, someone suffering incurable, unremitting pain may foresee nothing but misery and thus despair of life, but others in such straits do continue to find meaning in their lives. On Black Tuesday, 1929, several Wall Street traders, having lost the wealth for which they had invested their lives, jumped from windows to their deaths on the street below. It is well-known that many wealthy celebrities live lives of comfort in their personal hells, seeking refuge from the emptiness of meaning in drink, drugs, and sensual pleasures. While pain debilitates and defeat stings, despair is deadly, for having lost meaning one becomes destructive of his own life.

### III. Engagement with Evil

Considered from a different perspective, the human person's engagement with evil is twofold. First, evil *happens to a human being*. It befalls him as the body suffers trauma, as important projects are frustrated, and as loss casts doubt on the sense he has made of things. Second, evil is also something that the *person does*.<sup>7</sup> Further, the evil a person performs is that in which he is most implicated, to the point that by acting evilly he becomes evil.<sup>8</sup> In his ethical studies, Karol Wojtyla insists strongly on this, and it is worth reflecting upon. We may pose the problem more precisely

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<sup>7</sup> The distinction between "what happens to a human being" and "a human being acts" is central to Karol Wojtyla's (John Paul II's) analysis of human personhood. See *the Acting Person* (Dordrecht, Boston, & London: D. Reidel, 1979), 38, 48, 60–65; *Person and Community; Selected Essays* (New York: Peter Lang, 1993), 182, 189, 224.

<sup>8</sup> "Self-determination, therefore, and not just the efficacy of the personal self, explains the reality of moral values; it explains the reality that by my actions I become 'good' or 'bad' . . ." (*Person and Community*, 91).

like this: How can an act one performs render him evil or bad? Is it even reasonable to maintain that the defects of an event in the physical order can communicate moral evil to the inner core of personal subjectivity? Many contemporary ethicists and moral theologians deny that it can. One act, they argue, cannot reveal the fundamental orientation of one's entire being.<sup>9</sup>

Wojtyla argues that it does and he takes precisely the physical act as his starting point. The reason that the act makes the person evil is that the act flows from the will, which is precisely what is innermost in the person. Wojtyla maintains that "the essence of the will does not lie in (the contents of practical reason) but in the specific dynamism contained in the efficacy of the rational person."<sup>10</sup> The point is not that the physical act, considered simply as a spatio-temporal interaction among physical bodies, is tainted with an evil that somehow transmits itself to the moral order, but that the act itself finds its origin within the personal subjectivity that caused it. That subjectivity is capable of choosing to act well or evilly. The person as a free and responsible agent chooses to bring about good or evil, and in virtue of this freely chosen action becomes personally good or evil.

Ironically, although we suffer when evil beyond our control afflicts us, the evil we do may well cause no direct discomfort beyond some pangs of conscience. To be sure, this evil eventually exacts its toll. Plato illustrates dramatically (and probably from his own observation) the persistent paranoia and the anxious loneliness of the tyrannical soul, the one who gives himself over entirely to injustice.<sup>11</sup> We now know too well the serious effects that abortion has on the mother—the anniversary grief, the burden of guilt and unworthiness, the profound and unrelenting sense of loss. What is most common in human experience, however, is that one seldom recognizes the disintegrating effects of one's own wrongdoing on one's own life. As a result, we fail to connect the resultant suffering with the evil we have embraced. Further, compared to excruciating bodily pain, crushing defeat, and humiliating despair, the sense of guilt for having done wrong is often modest suffering indeed. Precisely this is one of the classical problems of good and evil: The evil prosper while the good endure misfortune. Robert Bolt's Thomas More, stripped of office, honor, and freedom goes to the executioner, while the perjurer Richard Rich

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<sup>9</sup> See Charles Curran, *Directions in Fundamental Moral Theology* (Notre Dame, IN: University of Notre Dame Press, 1985), 107–8.

<sup>10</sup> "The Will in the Analysis of the Ethical Act" in *Person and Community*, 4.

<sup>11</sup> Plato, *Republic*, Books VIII and IX. For a time Plato lived in the home of Dionysius II, who was himself a tyrant.

“became a Knight and Solicitor-General, a Baron and Lord Chancellor, and died in his bed.”<sup>12</sup> It seems, then, that the sufferings that are most external to the self, to the will and its responsible exercise of freedom, are the most patent. The pains that afflict one’s physical organism and the misfortunes that befall every wayfarer in this world shout, while the evils one embraces within his heart whisper. Since these are the evils most properly called “human” and “personal,” we must address this paradox.

#### IV. Evil and the Loss of Good

When the body is injured, the sufferer seeks relief from the pain, approaching medical professionals with the expertise to fix the damage.<sup>13</sup> But as much as the patient wants the pain to go away, she will endure further pain for the sake of overcoming the evil. Here one thinks of the discomforts of chemotherapy and physical rehabilitation.<sup>14</sup> But repairs are not enough. Suffering has a deeper aspect, touching the core of one’s personhood.

In suffering, the person experiences solitude and this in rough proportion to the degree of the suffering. She asks, “Why?” This “why” is of cosmic import, for—as we so often see—no theoretical or philosophical answer suffices. The Pope writes: “Why does evil exist? Why is there evil in the world? . . . Both questions are difficult, when an individual puts them to another individual, when people put them to other people, as also when *man puts them to God*.”<sup>15</sup> Christ himself cried out in his pain, “My God, why have you abandoned me!” (Mk. 15:34). In his solitude, the sufferer needs a helper, someone to share his burden. If in our academic seminars we discuss the *significance of suffering*, an important philosophical and theological problem, the sufferer faces it as an immediate, profoundly personal issue. If my suffering is meaningless, then evil triumphs—not simply in the abstract, but *in my life*. Meaningless suffering is, in a very real sense, the ultimate insult, for it constitutes a negation of one’s life value. *My* meaningless suffering makes *my life* less. To the extent I am defeated by the evil I am irrelevant to reality and to its author—defeated.

Further, suffering threatens to shut one off from the good that all others share. To the sufferer it seems that no one can share his pain. Whatever another says is inadequate. Unless one has suffered something similar—and this is the value of support groups—he really does not understand. In

<sup>12</sup> Robert Bolt, *A Man for All Seasons* (New York:Vintage Books, 1990), 127.

<sup>13</sup> *Salvifici Doloris*, no. 5.

<sup>14</sup> We must also note that once the body’s affliction has been identified or when the affliction is beyond treatment, palliative care is certainly in order.

<sup>15</sup> *Salvifici Doloris*, no. 9.

suffering, especially in great suffering, one feels alone before the evil. Suffering calls for a Someone who can make sense of it and overcome one's lonely helplessness before the evil—indeed, Someone who can restore the good completely. Here we may note the serious problem that phenomenalist accounts pose. If indeed suffering is essentially subjective, a “kind of sensation disliked for its own sake,” then the sufferer is irredeemably alone. The reality of her sufferings lies in her feelings and only there. And thus there can in principle be no answer to suffering, no adequate response, save to prevent its continuation or reoccurrence.

Also integral to suffering is shame. To be sure, Henry Fleming<sup>16</sup> may console himself with his war wound, his “red badge of courage.” But in the first instance, we are ashamed to suffer. Even as one asks God why this has happened, he asks himself what he did wrong. Right or wrong, he senses that evil has gotten the better of him, that he cannot control the evil that afflicts him. In suffering, one is not the subject acting on his initiative, but the *object* of something alien. Ironically, it is often when the ills afflicting our bodies are most effectively being treated—namely, in the hospital—that we feel most like objects, poked and prodded, cut into and sewn up again. This is one of the painful insults of aging, that one may be incontinent and diapered, talked down to by caregivers, reduced to an object of care but not an agent. In this context let me also mention the retarded and the mentally disabled. Those with psychosis or autism, traumatic brain injury, developmental disability, and the like, typically experience a world in which they are treated as objects. Knowing that they are different and somehow “less,” they find themselves in settings where they, their lives, and their behavior are discussed in detail, where plans are made for them—all with their having no chance to express their own wishes, to be agents in their own lives. Less able than others, they become the objects of others' plans, missing out at humanity's table where the rest of us dine on freedom. Shame arises from the passivity of suffering. To suffer is to become a *patient*, afflicted from without and by this deprived of the agent's dominion over his life and acts. To suffer is to experience a loss of dignity.

The shame of suffering is rooted in one's own guilt as a sinner. Although the Galileans Pilate butchered were not worse sinners than others because they had suffered thus, Christ goes on to warn his listeners: “But unless you all repent you will all likewise perish” (Lk 13:1–3). The father blames himself for the child's injuries: “I should have reminded him. . . . If only I had been a stronger disciplinarian. . . . If only I had not been so harsh. . . .” And his family, his friends rightly console

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<sup>16</sup> In Stephen Crane's *The Red Badge of Courage*.

him with the truth that the child's injuries were not his fault. But what he knows—and what each of us knows deep in his heart—is that even if he is innocent of causing specifically this evil, he is deeply implicated in evil, that were an accurate tally reckoned, a much greater burden of suffering would be levied. Another, inverse, sign of this is the survivor's guilt of one who has escaped a calamity that has arbitrarily fallen upon another. Therefore we may say that beyond the shame of being an object in the eyes of others, there is the deeper shame of being revealed as an evildoer, as the author of wrongs that lead to suffering. Having eaten of the forbidden tree, the first couple hid themselves from God. Adam said to him, "I heard the sound of you in the garden, and I was afraid, because I was naked" (Gn. 3:10). Thus it is that evildoing demands a satisfaction, a setting things right. As Dostoevsky shows so clearly in *Crime and Punishment*, the wrongdoer *needs* his punishment, to experience in his own self the evil he has wrought. He needs his punishment as part of his return to the good he abandoned by embracing evil in his acts.

### V. Theology of the Body

A fundamental principle of John Paul II's theology of the body is that the body itself signifies the person's vocation to love. It is in the context of explaining this "nuptial meaning" that the Holy Father brings forward the importance of *solitude* and *shame*, those two experiences that lie in the heart of suffering. In the naming of the animals (Gn 2:19–20), Adam experienced his difference from other living beings as solitude within his own subjectivity. John Paul II writes: "Solitude, in fact, also signifies man's subjectivity, which is constituted through self-knowledge. Man is alone because he is 'different. . . .'"<sup>17</sup> In virtue of this subjectivity, the human being is a person.<sup>18</sup> But solitude had also another aspect; the man had no one like himself to share his life with. In this respect "it was not good for the man to be alone" (Gn 2:18). And so the Lord God fashioned a helper for him. Adam's exclamation, "This at last is bone of my bone and flesh of my flesh" (Gn. 2: 23), amounts to a recognition that the woman is another self, one like him, a *person*. Only in communion with another person could he overcome the loneliness of his solitude and break out of the isolation of his own subjectivity. Man and woman realize this communion as they give freely of themselves, each to the other in love.

<sup>17</sup> John Paul II, *The Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books and Media, 1997), 37.

<sup>18</sup> On subjectivity, personhood, and the image of God, see the audiences of April 9 and 16, 1986. Accessed at [www.vatican.va/holy\\_father/john\\_paul\\_ii/audiences/alpha/index\\_it.html](http://www.vatican.va/holy_father/john_paul_ii/audiences/alpha/index_it.html), 9/3/03.

This love is a mutual giving, which fulfills the meaning of the body—male and female—and reveals its destiny for love, its “nuptial significance.” Underlying John Paul II’s thought here is an important text from the Second Vatican Council: “[M]an, who is the only creature on earth which God willed for its own sake, cannot fully find himself except through a sincere gift of self” (*Gaudium et Spes*, no. 24).<sup>19</sup>

*Shame*, the second element found in suffering, appears in Genesis 2:25: “They were naked but they were not ashamed.” Why did they feel no shame? It was not that they were ignorant, too childlike to realize that they were naked. The meaning of their sexual characteristics, that they could unite bodily in intercourse as “one flesh,” was clear to them. Through this union they could give of themselves freely and generously in love; intercourse was for the original pair an expression—indeed, an act—of mutual gift of self. The issue, according to John Paul II’s analysis, is not so much why before the Fall *they* lacked shame as why *we* experience it. Shame, he writes, is a “boundary experience”<sup>20</sup> between the original state and our sinful state. In rupturing their relationship with God, the original sin also wounded their relationship with each other. No longer could the man and the woman—nor we, their sons and daughters—appear naked before each other without shame. John Paul II writes: “In the experience of shame, the human being experiences fear with regard to his ‘second self’ . . . and this is substantially fear for his own ‘self.’ With shame, the human being manifests almost ‘instinctively’ the need of affirmation and acceptance of this ‘self,’ according to its rightful value.”<sup>21</sup> In our post-lapsarian experience, to be naked is to be vulnerable. Shame arises from nakedness because others can regard the body as an *object for use*, for their own enjoyment.<sup>22</sup>

Shame has also a cosmic sense.<sup>23</sup> The body, the instrument of sin, has become another thing in the universe, an object no longer entirely

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<sup>19</sup> It would be impossible to overstate the importance of this text in John Paul II’s thought. See, for example, Karol Wojtyła, *Person and Community*, 193, 267, 316–18, 323, 350; *Sign of Contradiction* (New York: Seabury Press, 1979), 132; John Paul II, *Theology of the Body*, 63–66, 71, 127, 284, 286, 357; *Crossing the Threshold of Hope* (New York: Alfred A. Knopf, 1994), 201; Encyclical *Redemptor Hominis*, no. 13; Encyclical *Dominum et Vivificantem*, no. 62; Encyclical *Centesimus Annus*, nos. 11, 41; Encyclical *Veritatis Splendor*, nos. 13, 86; Encyclical *Evangelium Vitae*, nos. 25, 49, 96; Encyclical *Ut Unum Sint*, no. 28; Apostolic Letter *Mulieris Dignitatem*, no. 8; and Apostolic Exhortation *Familiaris Consortio*, no. 22.

<sup>20</sup> *Theology of the Body*, 53.

<sup>21</sup> *Ibid.*, 54.

<sup>22</sup> We note further that the truly malicious—I am thinking of dictators and criminals—often use nakedness to humiliate their victims.

<sup>23</sup> *Theology of the Body*, 114 ff.



subject to one's will. My body no longer transparently manifests my self. John Paul II writes: "Through these words [of Genesis 3:10] there is revealed a certain constitutive break within the human person, almost a rupture of man's original spiritual and somatic unity. He realizes for the first time that his body has ceased drawing upon the power of the spirit, which raised him up to the level of the image of God."<sup>24</sup> As St. Paul complains, "I do not do what I want, but I do the very thing I hate" (Rm 8:15). The body is almost the instrument of judgment, its concupiscence inspiring our sin, and so in the body we are ashamed. We dissemble to hide our inner selves where the guilt is hidden.

Precisely here can we find the connection between suffering and the nuptial meaning of the body: its significance as a gift of love. Paradoxically, it is precisely through this body that one is able to give oneself in love to transcend suffering's shame and solitude. John Paul II writes: "Love is also the richest source of the meaning of suffering."<sup>25</sup> This is to say that the answer to suffering is the gift of self, that free gift by which one finds himself (*Gaudium et Spes*, no. 24). Here we recall the fundamental principle of theology of the body: that the body is intended for love, to be given in love. The young and fertile body is given in love to a spouse, and the fruit of this gift is often the creation of new life. How, then, is the weakened, suffering, even dying body given in love? And to whom is it given? Here John Paul II cites Christ's words at John 3:16, "For God so loved the world that he gave his only Son, that all who believed in him might be saved," and continues: "Salvation means liberation from evil, and for this reason it is closely bound up with the problem of suffering. According to the words spoken to Nicodemus, God gives his Son to 'the world' to free man from evil, which bears within itself the definitive and absolute perspective on suffering."<sup>26</sup> This salvation was won precisely by the Son's gift of himself in the body. "In this way Jesus proclaims that *life finds its center, its meaning, and its fulfillment when it is given up.*"<sup>27</sup>

We may indeed take this a step further. To suffer is to be ashamed and alone, and yet the suffering Christ is exalted and surrounded by others. In his fourth Servant Song, which the Gospel of John applies explicitly to Jesus (Jn 12:38), Isaiah writes: "See, my servant will prosper, he shall be lifted up, exalted, rise to great heights. As the crowds were appalled on seeing him—so disfigured did he look that he seemed no longer

<sup>24</sup> *Ibid.*, 115

<sup>25</sup> *Salvifici Doloris*, no. 13.

<sup>26</sup> *Ibid.*, no. 14.

<sup>27</sup> *Evangelium Vitae*, no. 51.

human—so will the crowds be astonished at him, and kings stand speechless before him” (Is 52:13–14). Jesus was lifted up in shame and disgrace (crucifixion was intended to humiliate) and died abandoned by those he had gathered and taught. And the crowds gathered to watch. Indeed, that was precisely the point: “And when I am lifted up from the earth,” Jesus said, “I shall draw all men to myself” (Jn 12:32). As he preached and healed he drew many to himself, but it was precisely in shame and solitude that he gathered all. On the cross, the suffering Christ made of his own body a gift<sup>28</sup> and thereby transcended the shame and solitude of his suffering, reconstituting it as his exaltation.

### VI. The Joys of the Wicked, the Suffering of the Good

In the light of this vocation, we may turn again to the paradox of sin and suffering—that the evil held most closely is that which hurts the least. Earlier we distinguished three general forms of suffering—pain, frustration, and despair—and as we consider them in terms of immediate discomfort, we notice a kind of inverse ratio. The more deeply the evil touched the person, the less immediate the pain. Minding her own business and doing no harm, Sally is seriously injured by a drunk driver, laid up for weeks in the hospital, and then consigned to months of difficult physical therapy. She did not deserve this pain. The evil came upon her immediately and insistently to overtake her. The good to be restored is the physical integrity of her body, and the restoration is tedious and grueling. Sam trains long and hard for competition, but in the tournament he slips slightly. He continues to compete, but his mistake dooms him to bitter defeat. All he can recall of the match was “what could have been,” the lost opportunity for a victory so urgently desired. There is no going back, of course, but there is next year.<sup>29</sup> Every competitor, every planner and builder, every general and leader, has heard and is called to make her own the exhortations: “try, try again” . . . “never give up” . . . “winners never quit.” Today’s pain of defeat is overcome in future triumph.

The deepest and most personal evil—and with it the most insidious suffering—comes from within. This third form of suffering is despair, the loss of hope. To be sure, pain and frustration bring with them a loss of hope—“This pain will never end,” “I can never win”—but this loss can be restored or transcended from within. One can learn to live fruitfully

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<sup>28</sup> With respect to this we might note a common reaction to the recent film *The Passion of the Christ* by Mel Gibson. Although the film’s brutality is stark and painful to watch, many viewers have commented that through seeing it they came to realize for the first time how much Jesus gave of himself for them.

<sup>29</sup> This essay is written within one hundred miles of Wrigley Field.

with pain. One can set new goals. True despair, however, is the despair of meaning. If, as *Gaudium et Spes* states, the human being indeed “cannot fully find himself except through a sincere gift of self,” then it is implied that one can fail to fully “find himself.” He can lose his own self, and this not by losing his life or what he has, but by losing the capability to order himself to the good, to embrace the good, and therefore to *be* good. To despair is to lose the point of reference for his life as a whole. The singer whose voice has begun to fail or the arthritic pianist can take up the baton or (more typically) teach her art to the young. Music continues to order her life, and therefore, in the context of her vocation, she may hope even without the chance to perform. The person whose life is in despair has no such principle, but he pursues apparent goods to satisfy his longing for the true good that escapes him. Because he cannot recognize it, he is unable to orient himself to this good.

This is the significance of John Paul II’s analysis of the Gospel story of the rich young man in the first chapter of *Veritatis Splendor*. “The question which the rich young man puts to Jesus of Nazareth is one which rises from the depths of his heart. It is *an essential and unavoidable question for the life of every man*, for it is about the moral good which must be done, and about eternal life. The young man senses that there is a connection between moral good and the fulfilment of his own destiny.”<sup>30</sup> The moral life is ultimately an exercise not simply of finding the right thing and doing it while avoiding the wrong thing, but of pursuing the perfect and all-fulfilling good that is the destiny of every person. This means to turn to God, “who alone is good” (Lk 18:19).<sup>31</sup> Conversely, to embrace evil by one’s actions is to turn away from God the good and by that to turn away from one’s own destiny. Here we can begin to glimpse the nature and depths of the suffering consequent upon moral evil. This evil, which is not experienced directly as a pain, takes the form of a sickness, in Kierkegaard’s analysis, a “sickness unto death.” This is a sickness, however, not of the mortal body, the physical organism, but of the self that is no longer related to that in virtue of which it is a self.<sup>32</sup> This despair takes the form of an ultimately purposeless search for things and pleasure, which are incapable of filling up the desire for meaning. Having turned from the One who created it for himself, the evildoer’s heart comes inexorably to despair of finding rest. Indeed, John Paul II echoes the Second Vatican Council by pointing to the emptiness of human development based on “having” and

<sup>30</sup> *Veritatis Splendor*, no. 8.

<sup>31</sup> *Ibid.*, no. 9.

<sup>32</sup> Soren Kierkegaard, *Sickness unto Death* (Princeton: Princeton University Press, 1980), especially 13 ff. on despair as a sickness of the self understood as relation.

not on “being.”<sup>33</sup> Such despair is dramatically illustrated by the stories of wealthy celebrities who turn to alcohol, drugs, and promiscuous sex to find happiness. They have everything, but nothing satisfies. Less noticed, but equally real are the “lives of quiet desperation” of many ordinary people who have embraced unremarkable evils. Leading lives with little pain and perhaps even great success, they experience no joy.

Here we may recall Dostoevsky’s theme from *Crime and Punishment*. The wrongdoer needs punishment, even if, unlike Raskolnikov, he fails to recognize this need, because the experience of moral evil—the suffering of despair—is not direct. It manifests itself in a loss of direction, a spiraling out of control amenable to no technique or investigation. The wrongdoer, having turned away from good and embraced evil, is no longer able to recognize the true good, because she has forfeited, as it were, the inner criteria by which that good may be sought and recognized. The burn victim can look at the cause of his pain and seek the help of the professional healer. The sinner looks everywhere for consolation of the inner loss but cannot find it, because what was lost is within.

## VII. Redemption and Suffering

The answer to suffering is not simply that it must end, but that evil must be overcome and good restored. The true good, however, that good in virtue of which our lives have value—the good to which we are destined—is not a good to be found in this world, but rather in relationship with the Author and Creator of it. Speaking of consumerism, in which “having” is valued more than “being,” John Paul II writes: “In such a context suffering, an inescapable burden of human existence but also a factor of possible personal growth, is ‘censored,’ rejected as useless, indeed opposed as an evil, always and in every way to be avoided. When it cannot be avoided and the prospect of even some future well-being vanishes, then life appears to have lost all meaning and the temptation grows in man to claim the right to suppress it.”<sup>34</sup> Suffering forces us to reflect, to enter our own solitude and in that to turn to the only one whose good transcends the evil that afflicts us. Revealing the transitory, fragile character of the goods of this body and this world, suffering is an invitation to give our bodies, ambitions, and the very sense of self to the One who has destined us to himself.

Suffering, then, turns out not to be the evil we are to avoid. The goods lost in the sufferings of this life are not the goods for which we

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<sup>33</sup> Encyclical *Sollicitudo Rei Socialis*, no. 28; cf. *Gaudium et Spes*, no. 35.

<sup>34</sup> *Evangelium Vitae*, no. 23.

are ultimately destined. St. Paul wrote, “I consider that the sufferings of this present time are not worth comparing to the glory that is to be revealed to us” (Rm 8:18). This is not to say that the experience of temporal evils is not real suffering. Such a position is callous. It is to say that the patient enduring of sufferings in this life has a twofold value. First is that of witness. If all we have to hope for are the pleasures and triumphs of this life, then even moderate suffering may be intolerable. However, for her who hopes in the promise of eternal communion with God, even severe suffering does not represent the triumph of evil, nor does it deprive her of the expectation of perfect fulfillment. In this respect, every Christian can be a martyr, for the patient endurance of suffering—of pain and illness, of frustration and defeat, of humiliation and disgrace—in itself bears witness to the One who went before us in suffering and who opens the way to the true good that transcends every evil. The second value of suffering is the redemptive. St. Paul wrote: “In my flesh I complete what is lacking in Christ’s afflictions for the sake of his body, that is, the church” (Col 1:24).

Within this lies an important truth from the theology of the body. Love is not in the accomplishment but in the gift. Christ effected our salvation not by smashing Satan with a mighty spiritual sword but by offering his body to the Father on the cross out of love for sinners.

By offering the gift of one’s own bodily self in patient acceptance of suffering, the sufferer participates in that sacrifice. In his Apostolic Letter for the third millennium, John Paul II points to the “lived theology” of the saints<sup>35</sup> and quotes St. Catherine of Siena: “Thus the soul is blissful and afflicted: afflicted on account of the sins of its neighbor, blissful on account of the union and the affection of charity which it has inwardly received. These souls imitate the spotless Lamb, my Only-begotten Son, who on the Cross was both blissful and afflicted.”<sup>36</sup> Precisely here is the mysticism that lies at the heart of the faith we all share. The patient and redemptive acceptance of even ordinary sufferings is a participation in the love of the Father and the Son within the Trinity. It is a distinctive and privileged way to know Christ because it is an imitation and sharing of his sacrifice of love.

Adam and Eve’s original solitude was overcome in their mutual communion, a communion so profound that it shares in God’s creative work. Protected by shame from our lusts, we their children can share this communion and so experience something of their original joy, the joy of

<sup>35</sup> John Paul II, Apostolic Letter, *Novo Millennio Ineunte*, no. 27.

<sup>36</sup> St. Catherine of Siena, *Dialogue of Divine Providence*, cited in John Paul II, Apostolic Letter *Novo Millennio Ineunte*, no. 27.

being husband and wife. But this is not the greatest joy, nor is it the perfectly beatifying communion. If the couple in each other's arms share in the work of God the Creator, the sufferer can share in the work of Christ the Redeemer. The sinner, by sharing in Christ's gift of his body in suffering and death, enters into communion with the heavenly Father. In this communion, the good lost not only in suffering, but through Adam's sin itself is restored.



## The Perspective of the Acting Person and the Nature of Practical Reason: The “Object of the Human Act” in Thomistic Anthropology of Action<sup>1</sup>

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### The Notion of “Object of the Human Act” and the Perspective of the Acting Subject

THE PASSAGE in *Veritatis Splendor* no. 78 that clarifies the concept of the “object” of a human act is widely acknowledged as decisive for the central argument of the encyclical, which reaffirms “the universality and immutability of the moral commandments, particularly those that prohibit always and without exception intrinsically evil acts.”<sup>2</sup> In accordance with the tradition, but referring explicitly to St. Thomas Aquinas, the encyclical states that “the morality of the human act depends primarily and fundamentally on the ‘object’ rationally chosen by the deliberate will.” The text adds: “In order to be able to grasp the object of an act that specifies [an] act morally, it is therefore necessary to place oneself *in the perspective of the acting person*.” By the term “object,” the encyclical does not designate “a process or an event of the merely physical order, to be assessed on the basis of its ability to bring about a given state of affairs in the outside world.” According to *Veritatis Splendor*, “objects” of human acts are not mere “givens,” that is, “things,” realities, or physical, biological, technical, or juridical structures; nor are they bodily movements and

<sup>1</sup> Paper partially given at the Congress “Walking in the Light. Perspectives for Moral Theology Ten Years after English translation by *Veritatis Splendor*” (Pontificia Università Lateranense/Pontificio Istituto Giovanni Paolo II per studi su matrimonio e famiglia, Rome, November 20–22, 2003). Italian text to be published in the proceedings of the Congress. English translation by Joseph T. Papa.

<sup>2</sup> John Paul II, Encyclical *Veritatis Splendor* (VS), no. 115.



the effects caused by such movements; nor is the object of a human act a simple “physical good” or “non-moral good,” as is, for example, a human life or a possession. Rather, the “object” of a human act is always the object of an act of the will and, as such, the encyclical affirms, a “freely chosen behavior”: It is a type of action, as, for example, “to kill an innocent person” or “to steal.”

For this reason, a few lines later the text of the encyclical adds: “[The] object is the *proximate end* of a deliberate decision that determines the act of willing on the part of the acting person.” The object of an act must therefore be understood as *the end of an act of the will*, and thus as a practical good, presented by reason to the will. Consequently, in the moral context, no opposition exists between the notions of “object” and “end.”<sup>3</sup> The object is, precisely, a *particular type* of end, that is, that toward which, primarily and fundamentally, the act of the will from which an action originates tends: the act of choice or *electio* of an act or of a concrete behavior. This means that it is impossible to describe the object of a moral act without considering it as object and content of an act of choice of the will, full of moral significance, or rather as a good toward which the elective act of the will tends. Thus, the object is necessarily already formulated by reason. As the object of an interior act of the will, it is, in the words of St. Thomas, a “good understood and ordered by reason”<sup>4</sup> or, put differently, “the intelligible content that morally specifies a deliberate choice.”<sup>5</sup> As a “good understood and ordered by reason,” the object also includes in itself an intentional structure, given that it is characteristic of reason to be ordered to an end. Understood in this way, the object of a human act is, precisely, its primary and fundamental intentional content: The object indicates what one does when one does something, and for this reason it also indicates, in a basic and fundamental way, *why* one does what one does, given that a human act cannot be understood as a specific kind of act without the end to which it is directed: *quantum aliquis intendit tantum facit*: “what someone intends, that he does.”<sup>6</sup>

<sup>3</sup> This has been clearly shown by Servais Pinckaers in his classic essay *Le rôle de la fin dans l'action morale selon Saint Thomas*, in Pinckaers, *Le renouveau de la morale* (Tournai: Casterman, 1964), 114–43 (originally in *Revue des Sciences philosophiques et théologiques* 45 (1961) : 393–421). I am very indebted to this article, despite the presence of some weaknesses and ambiguities, which I will speak of later.

<sup>4</sup> *Summa theologiae* I–II, q. 20, a. 1, ad 1: “bonum apprehensum et ordinatum per rationem.”

<sup>5</sup> E. Colom and A. Rodríguez Luño, *Scelti in Cristo per essere santi. Elementi di Teologia morale fondamentale* (Rome: Apollinare Studi, 1999), 127.

<sup>6</sup> De malo 2, 2, ad 8. For some comments on this passage see John Finnis, “Object and Intention in Aquinas,” in *The Thomist* 55 (1991): 1–27.

Despite its clear Thomistic character, the notion of the “object” of a human act as I have just described it is not accepted by all adherents of Aquinas’ moral theology. Indeed, to conceive the object of a human act in the way expounded above is in contrast with another vision that would also base itself on St. Thomas. It is true that the relevant texts in Thomas are not always clear, and the terminology adopted in them not always coherent. This is because Thomas never treated, in an explicit and systematic way, the question that interests us today: What is a “moral object”? What exactly are we speaking of when we speak of the object of a human act?

Thomas provides us with a systematic exposition of everything that qualifies—at all levels, and not only from a philosophical perspective, but especially theologically—the human act as morally *good* or *evil*. In this context the “object” appears as the element that confers on the human act its primary and fundamental moral specification. As for his theory of action, it essentially serves this ethical-normative purpose. Conversely, he ignores a systematic exposition of certain questions that we today call “meta-ethical.” These are not ethical questions, but rather questions *about* ethics, in part pertaining to action theory (e.g., our question regarding the significance of the term “object” of a human act).

One can find various elements for responding to such questions spread throughout St. Thomas’s works. His doctrine on the topic is implicit, in the sense that while he certainly employs identifiable meta-ethical presuppositions, he nevertheless does not construct a theory from them: Precisely this causes a lack of clarity and at times confusion. One must also admit that, from the *Scriptum super libros Sententiarum*, through the *De malo* to the *Summa theologiae*, St. Thomas’s thought is characterized, if not by contradictions, at least by a notable evolution and maturation. Nevertheless, the *Scriptum* on the Sentences of Peter Lombard is very useful for understanding the genesis and the substructure of the thought—certainly more mature, but also expressed more synthetically—of the *Summa theologiae*.

It would not seem to me excessive to say that *Veritatis Splendor* itself invites us to further clarify some of these meta-ethical presuppositions of St. Thomas’s moral theology, and to do so without fearing to affirm things that St. Thomas had not yet said, or to say them in a different way, without ever, of course, ignoring what he actually did say. The encyclical also recommends a direction, that is, that of integrating the point of view of the subject, the perspective of the acting person, more explicitly in the understanding of the human act and the evaluation of its morality. This approach, in a certain sense more “personalistic,” means, as we have seen, to understand the object of a human act as an end of the will, as action

or behavior inasmuch as it is the object of an elective act of the will. This is what Aquinas himself does, although to recognize it one must read the texts in the light of questions, which, for Thomas, at least it seems, did not yet exist.

### The Object, a “Thing” or an Action?

The lack of explicitness and clarity on St. Thomas’s part regarding what is the object of an act can be illustrated by such typical phrases as “the primary evil in moral actions is that which is from the object, for instance, *to take what belongs to another*,”<sup>7</sup> or “the evil act *ex genere* is that which falls upon inappropriate matter, like *to take that which belongs to another*.”<sup>8</sup> We find no effort here by St. Thomas to clarify whether the object, or the referred-to *inappropriate matter*, is the “*res aliena*,” or rather the action itself, “*accipere/subtrahere rem alienam*.” According to the perspective we are considering, suggested in *Veritatis Splendor* no. 78, we would have to say that precisely *the act* of “to take what belongs to another” would be the object chosen by the will. Nevertheless, it could be objected that the object we are seeking is not *the act* of “to take what belongs to another,” but rather the *object of this act* (of the “taking”), that is, the thing itself “which belongs to another.” The object of a human act, in this case, would not be an action, but the thing or reality toward which a particular act is directed.<sup>9</sup>

This last interpretation, however, contains difficulties that in my view are not easily overcome. In the first place, the terms “to act,” “action,” “act,” etc. are used throughout the discussion with not a little ambivalence and confusion. Are we considering the human act as chosen, willed, and voluntarily carried out? Or those elements of the act that are external and observable behavior? A second difficulty is that a *res aliena* simply cannot, as such, morally qualify a human act. This would be the case, however, if the *res aliena* itself were that which we call “the object of a human act.” The confiscation of a stolen item by the police, for example, so as to restore it to its owner, has the same *res aliena* as its “matter” as did the original theft, and yet we are dealing with two acts that are different precisely *because of their object*. The difference seems to derive, therefore, not from the “thing” taken, nor from the fact that it “belongs to another,” but from the

<sup>7</sup> *ST I-II*, q. 18, a. 2: “primum malum in actionibus moralibus est quod est ex obiecto, sicut *accipere aliena*.”

<sup>8</sup> *De malo* 2, 4 ad 5: “actus autem malus ex genere est qui cadit supra indebitam materiam, sicut *subtrahere aliena*.”

<sup>9</sup> This is what, at first glance, *ST I-II*, q. 110, a. 1 seems to suggest, as well as the various statements that the “*materia circa quam*” of the action is identical with its object.

difference in the act of “taking” of this “thing”: from the diversity of will and intentionality, respectively, implicit in the act.

Analogously, “to observe an eagle” and “to kill an eagle” are two different acts because of their objects; this would be inexplicable, however, if the object of the two acts were the eagle itself. In a certain sense it is true that both the *res aliena* and the eagle are “objects,” but not of a human act; they are rather the object of bodily movements or the acts of specific organs. But these latter, in themselves, cannot be morally qualified; they are not, in fact, human acts, which always proceed from a deliberate will. The eagle as object of a visual act of the eye, or of a physical movement that causes the destruction of its life, is not considered to be “the object of a human act,” but only of a series of events or physical processes. In the act “to kill an eagle,” the eagle is certainly the object that specifies the physical act as “eagle-cide”; but this does not further specify it as “just,” “unjust” or “indifferent”—that is, it does not specify it *morally*.<sup>10</sup> We, however, are seeking that object that specifies an act morally.

Precisely because we are speaking of the object of a human act, this object cannot be isolated from the context of voluntary action, which depends on reason.<sup>11</sup> This is obviously Aquinas’s perspective, as well. When he speaks of the object that morally specifies an act, he always speaks of the object of a moral (i.e., voluntary) act, which is synonymous with “human act.”<sup>12</sup> As early as the *Scriptum* on the Sentences it is clear that, just as the acts of natural agents are specified according to the “forms” that are their principles, so human acts are specified by their respective “form”: This, Aquinas points out, is a form of the *will*. “The form of the will, however, is the end and the good which is its object and which is what is willed.”<sup>13</sup> We must ask ourselves therefore what St. Thomas says when he speaks of the object of the *will*: He does not treat here simple elements of exterior acts like particular movements of the body or acts of other faculties, even if such an act (for example, an act of sexual copulation) possesses a natural finality inscribed in it.

Thomistic theory concerning the will and its object is found in questions 19 and 20 of the *Prima secundae*, which treat of the goodness and evil,

<sup>10</sup> Cf. *De malo* 2, 4.

<sup>11</sup> *ST* I-II, q. 1, a. 1: “Illae ergo actiones proprie humanae dicuntur, quae ex voluntate deliberata procedunt.”

<sup>12</sup> *ST* I-II, q. 1, a. 3: “. . . idem sunt actus morales et actus humani.”

<sup>13</sup> *In Sent. II*, d. 40, 1, 1: “Forma autem voluntatis est finis et bonum, quod est eius obiectum et volitum.” Subsequently, in the *Summa theologiae*, we find the same perspective: I-II, q. 1, a. 1: “Obiectum autem voluntatis est bonum et finis. Et ideo manifestum est quod principium humanorum actuum, in quantum sunt humani, est finis.”

respectively, of the interior act of the will (intention, choice) and of the exterior act commanded by it (acts of other powers or organs, or bodily movements, chosen and carried out under the rule of the will).<sup>14</sup> It will be useful here to carry out a more detailed exposition of this theory.

### **The Exterior Act as Object of the Will According to St. Thomas (I–II, 19 & 20)<sup>15</sup>**

Aquinas generally distinguishes the object of the interior act of the will, that is, the end, from that which he sometimes calls the “object of the exterior act.”<sup>16</sup> The “object of the exterior act,” he says, is to the end as matter is to form. This object of the exterior act is “that on which the exterior action is brought to bear”<sup>17</sup> and which gives to the act its primary goodness.<sup>18</sup> More decisive, however, is the specification that derives from the end that the will proposes. For this reason “the species of a human act is considered formally with regard to the end, but materially with regard to the object of the exterior act.”<sup>19</sup> Thomas then offers an example that shows that he speaks here of an act that is “composed” of the choice of a means, made with the intention of an end. The example demonstrates this: “[H]e who steals that he may commit adultery, is strictly speaking, more adulterer than thief.” The result, then, would seem to be as follows: For Thomas, the

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<sup>14</sup> The Thomistic notion of “exterior act” is not to be confused with that of an external, visible act carried out with bodily organs. “Exterior acts” are those acts of the will that the will does not carry out by itself, that is, in an “elicited” way, (*velle, intendere, eligere, uti*), but by making use of another power, commanding its act. The exterior act is therefore the action of another power as it is commanded by the will; for example an (voluntary) act of knowing something; or also an act of the will commanded by another act (“elicited”) of the will; but, certainly, exterior acts are also properly “external,” bodily acts (to walk, to speak, to kill, sexual acts, etc. as commanded by the will). The examples used below will refer exclusively to such external bodily acts and behaviors, which could cause the impression—which would be mistaken—that these are identical with the “exterior act.”

<sup>15</sup> For what follows see Martin Rhonheimer, *Natural Law and Practical Reason: A Thomist View of Moral Autonomy* (New York: Fordham University Press, 2000: originally *Natur als Grundlage der Moral* [Innsbruck-Wien: Tyrolia Verlag, 1987]; Italian ed.: *Legge naturale e ragione pratica. Una visione tomista dell'autonomia morale* [Roma: Armando, 2001]; Spanish ed.: *Ley natural y razón práctica: una vision tomista de la autonomía moral* [Pamplona: EUNSA, 2000]).

<sup>16</sup> Cf. *ST I–II*, q. 18, a. 6.: “. . . id autem circa quod est actio exterior, est obiectum eius.”; cfr. also *ibid.* 7: “. . . obiectum exterioris actus dupliciter potest se habere ad finem voluntatis. . . .”

<sup>17</sup> *ST I–II*, q. 18, a. 6: “id circa quod est actio exterior”.

<sup>18</sup> *ST I–II*, q. 18, a. 2: “prima bonitas actus moralis”.

<sup>19</sup> *ST I–II*, q. 18, a. 6.

object of the will is the end; the object of the exterior act, on the other hand, are particular bodily movements or acts of other powers by which one carries out an act, as well as those things to which such bodily movements and acts are directed. A “theft,” for example, would be a type of exterior act with its proper object. This object would not be the exterior act itself, but that to which that act is directed; in the case of a theft, the *res aliena*. “To choose to steal” would be precisely to choose particular bodily movements that take a *res aliena* from its owner; and the exterior act of taking would be evil based on its object: the *res aliena*.

This analysis, however, is mistaken, for two reasons. The first is that a *res aliena* as such is neither good nor evil. How then could it alone specify the physical act of taking as a morally evil act? Some moralists in the past said that the act is morally evil based on a “transcendental relationship” of the physical object to the moral norm, according to which the act is unjust. If this were the case, however, the evil *ex obiecto* would be completely extrinsic, an explicative model being proposed that is more legal than moral, that is, an act would be evil because it is contrary to the moral norm, rather than vice versa. The second reason the analysis is mistaken is that it implies that the exterior act (i.e., the bodily movements in question) would be, immediately and as such, an end of the will. This, however, is simply impossible, and indeed is contrary to one of the most fundamental principles of Thomas’s theory of action, that is, the principle that “the will cannot desire a good *that is not previously apprehended by reason.*”<sup>20</sup> This proposed solution, then, ignores the fundamental, constitutive, and normative role of practical reason, which for St. Thomas is the proper, immediate, and intrinsic rule of the goodness and evil of human acts.

Accordingly, Thomas states that the goodness or evil in acts of the will depends generally on the object,<sup>21</sup> because the object is presented to the will by means of reason, which is the principle and the measure of the goodness in human acts.<sup>22</sup> For this reason, he adds, the goodness of the will depends on reason exactly in the measure in which it depends on the object.<sup>23</sup> Indeed, the goodness and evil of acts depend *solely* on the object,

<sup>20</sup> *ST I-II*, q. 19, a. 3, ad 1: “. . . appetitus voluntatis non potest esse de bono, nisi prius a ratione apprehendatur.”

<sup>21</sup> *ST I-II*, q. 19, a. 1: “. . . bonum et malum in actibus voluntatis proprie attenditur secundum obiecta.”

<sup>22</sup> *Ibid.*, ad 3: “. . . bonum per rationem repraesentatur voluntati ut obiectum; et in quantum cadit sub ordine rationis, pertinet ad genus moris, et causat bonitatem moralem in actu voluntatis. Ratio enim principium est humanorum et moralium actuum. . . .”

<sup>23</sup> *ST I-II*, q. 19, a. 3: “. . . bonitas voluntatis dependet a ratione, eo modo quo dependet ab obiecto.”

because that which specifies the will is the end, but every object of the will is precisely also an end.<sup>24</sup> In other words, any act of the will, and therefore also the act that chooses a concrete action, is specified by that which is called an “object,” which is essentially also an *end* of this act of the will. This end, however, is a good rendered present and desirable to the will by means of reason, the principle of human acts.

The coincidence between *objective* determination and *rational* determination of the will, heavily emphasized by St. Thomas, is of decisive importance for the subject we are discussing.

The first important result is that, when human action is considered *formally*—according to that which is of its essence, that is, as action proceeding from a deliberate will<sup>25</sup>—“the object of a human act” is precisely the exterior act itself, or, said with more precision, it is the content, the intelligible significance, of the exterior act of the will. For this reason, the question treated in the (following) 20th question now becomes crucial: *From where does the goodness (or the evil) of the exterior act originate?* Does it originate perhaps from that which, as we have seen, Thomas at times calls the “object of the exterior act,”<sup>26</sup> which then would finally be that object which confers on the human act its primary and fundamental moral specification? Curiously, there is no article in question 20 that asks “if the goodness of the exterior act depends on its object.” In fact, in the entire question the term “object of the exterior act” does not appear again. Rather, Thomas states that as the exterior act is ordered, through the intention, to an ulterior end, its goodness or evil derives precisely from this act of the will (i.e., from the object of the intention). This corresponds to what had been said earlier.<sup>27</sup> We would now expect the assertion that the goodness or evil of the exterior act, in itself, derives precisely *from its object*. But this is not the case. Thomas continues: “The goodness or malice which the exterior act has of itself, on account of its being about due matter and its being attended by due circumstances, is not derived from the will, *but rather from reason.*”<sup>28</sup> For this reason, adds Thomas, “if the goodness of the exterior act is considered inasmuch as it is ordered and

<sup>24</sup> *ST I-II*, q. 19, a. 2: “. . . bonitas voluntatis ex solo uno illo dependet, quod per se facit bonitatem in actu, scilicet ex obiecto”; *ibid.*, ad 1: “. . . quantum ad actum voluntatis, non differt bonitas quae est ex obiecto, a bonitate quae est ex fine, sicut in actibus aliarum virtutum.”

<sup>25</sup> *ST I-II*, q. 1, a. 1.

<sup>26</sup> For example, *ST I-II*, q. 18, aa. 6 and 7.

<sup>27</sup> *ST I-II*, q. 18, a. 6.

<sup>28</sup> *ST I-II*, q. 20, a. 1: “Bonitas autem vel malitia quam habet actus exterior secundum se, propter debitam materiam et debitas circumstantias, non derivatur a voluntate, sed magis a ratione.”

understood (“apprehended”) by reason, it is prior to the goodness of the act of the will.”<sup>29</sup> In other words, the goodness of an act of choice, as well as of the voluntary execution of the exterior act (the *usus*), depends on its object, which is the exterior act; the goodness of this latter, however, does not depend, in turn, on an object of its own, but on an “*ordinatio et apprehensio rationis*” in virtue of which the exterior act becomes properly the object of a human act, a practical good that morally specifies the act of the will, that is, the will’s elective act, and along with it the act carried out on the basis of this choice.<sup>30</sup>

<sup>29</sup> Ibid.: “unde si consideretur bonitas exterioris actus secundum quod est in ordinatione et apprehensione rationis, prior est quam bonitas actus voluntatis.”

<sup>30</sup> Precisely in this context, Pinckaers (*Le renouveau de la morale*, 135) has fallen into what seems to me a significant contradiction. Initially, he says that the object of the exterior act (according to him, in the case of theft, “the good of another as desirable”) confers on the act its first moral specification, “qui le constitue en son essence sur le plan moral.” But immediately afterward he adds: “Cependant l’objet de l’acte extérieur n’a de valeur morale que si la volonté le prend pour le but de son mouvement.” It is not possible, however, that the object of the exterior act confer the first moral specification on the act and, simultaneously, that this act, without it being grasped by the will as an end, not yet possess any moral significance. The cause of what seems a strange contradiction is certainly the failure to include the constitutive function of reason for the object in the analysis. A few pages further on (140), Pinckaers states, surprisingly, that the *finis operis*, which according to him coincides with the *finis proximus* of the will, is not “une donné purement objective,” but “déjà une œuvre de la raison humaine.” This seems to indicate that Pinckaers, in fact, had not forgotten the constitutive role of reason in the formation of the object. The problem is that at this point Pinckaers asserts that this “*finis proximus*” (or “*finis operis*”) is not the object that confers on the human act its first moral specification: “Cet objet, c’est la *materia circa quam* qui de soi préexiste et s’impose à l’intention qui dirige l’action; ce sont les matériaux, antérieurement à tout projet de construction.” This unfortunate metaphor taken from technology (also used later by Pinckaers in his book *Ce qu’on ne peut jamais faire. La question des actes intrinsèquement mauvais. Histoire et discussion* [Paris: Cerf, 1986]: 108ff.) seems, however, to contradict that which the author had said on p. 135 (as has been mentioned), that is, that the exterior act receives from the object of the exterior act, that is from the “*materia circa quam*,” “une spécification morale première.” In my opinion, Pinckaers read St. Thomas exactly as I did, but is guilty of a significant confusion in terminology. The exterior act or the “*materia circa quam*”—which St. Thomas identifies with the object that morally specifies the act—is not an aggregate of “pre-existent matters” on which the will then confers its moral significance in a “creative” way, an impression which Pinckaers’s statements could give, but a “good understood and ordered by reason,” presented by reason to the will as an objective datum, a practical proposal or good, already bearing moral significance, but, obviously, “une œuvre de la raison,” a “work of reason,” a “*forma a ratione concepta*” (cf. note 35). If Pinckaers had more closely analyzed St. Thomas’s texts regarding on



It seems significant to me that, in the context of this more analytical discussion, the term “object of the exterior act” does not reappear. From this perspective, in which the human act is considered as a properly *voluntary*—that is, chosen—act and, therefore, from the perspective of the person who acts, it is precisely the exterior act itself, in its intelligible essence, which shows itself to be “object.” What is chosen is not, therefore, the *res aliena*, but *accipere rem alienam*: an intelligible proposal, presented to the will as a good and as a proximate end. And this object is what we call a “theft.” In the order of execution, this object—which is a proposal of action, an *intentio voluntatis* directed to a way of acting, conceived by reason—confers on the sum of bodily movements of which the exterior act of the theft is composed its primary and fundamental moral specification as a particular type of act; and chosen in this way, the exterior act “to take that which belongs to another against his will” causes a disorder in the will of the person who so chooses: It renders him unjust. The object causes such a disorder, obviously, because the *res aliena* is not “appropriate matter” for an act of taking it from someone against his will.<sup>31</sup> We can say that *materially considered* this *res aliena* with all its related circumstances is the object of the act. But an object cannot be understood only materially; its formal part must be included as well. If for Aquinas the object of an act of seeing is not the thing, but the color that makes it visible,<sup>32</sup> the object of an action such as a theft cannot be properly the “thing which belongs to another,” but rather this “thing which belongs to another” taken under its formal aspect of being a practical good, that is, a practical aspect, *to be indicated with a verb that expresses an action*.<sup>33</sup> For this reason—and this is the decisive point—

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the one hand the relation between “exterior act”/“object”/“*materia circa quam*,” and on the other hand, reason, he would have in my opinion been able to give a more coherent form to his excellent and praiseworthy initial intuition of re-evaluating the perspective of the acting subject, of voluntariness, and of finality in the understanding of human action.

<sup>31</sup> Cf. *ST* I–II, q. 18, a. 10: “. . . tollere alienum habet speciem ex ratione alieni, ex hoc enim constituitur in specie furti.” The fact that the thing taken is “alien”—or rather the “*ratio alieni*”—is not the object, but a circumstance, which is understood “a *ratione ordinante ut principalis conditio obiecti determinantis speciem actus*” (ibid.).

<sup>32</sup> Cf. for example *ST* I, q. 1, a. 7: “. . . sicut homo et lapis referuntur ad visum in quantum sunt colorata, unde coloratum est proprium obiectum visus.” In other words: the object of the act “to see Peter” is not “Peter,” but “Peter under the aspect of his visibility.”

<sup>33</sup> Cf. Theo G. Belmans, *Le sens objectif de l’agir humain. Pour relire la morale conjugale de Saint Thomas* (Vatican City: Libreria Editrice Vaticana, 1980), 175ff. I owe much to Belmans’s studies. Servais Pinckaers, *Le rôle de la fin dans l’action morale*, 135,

only in the context of an action, that is, of an ulterior finalization, can such “matter” appear as “inappropriate” matter. In itself, a *res aliena* is neither “appropriate,” nor “inappropriate.” It becomes so only in relation to specific desires, choices, and corresponding modes of acting. To establish and to know such a relation is exclusively the work of reason, which in this way informs the will, conferring the moral species on its act. For this reason an object is “evil” that is not in accordance *with reason*, and therefore “to take another’s property” is an “object in disaccord with reason.”<sup>34</sup>

Because the morally relevant object of an exterior act is defined not in relation to the material elements to which it refers, but to these elements *as understood and ordered by reason*, St. Thomas says that as “the species of natural things are constituted by their natural forms, so the species of moral actions are constituted by forms as conceived by reason.”<sup>35</sup> In a more general way, Thomas affirms in the *Scriptum* on the Sentences that “the good proper to any human faculty is that which suits it according to reason, because that goodness derives from a certain ordered unification [*commensuratio*] of the act with respect to the circumstances and to the end, which unification reason performs.”<sup>36</sup> For this reason it is important to note that when St. Thomas speaks of the goodness or evil “*secundum se*” of the exterior act, he does not say that this specification comes from its “object,” but from its matter and its circumstances, which, nonetheless, are not *the object*, but the elements from which the object is “understood and ordered” by means of reason.<sup>37</sup>

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on the other hand says that the object of a theft is “le bien d’autrui apparu come désirable.” This is true in the sense that the aspect of being desirable means to think of the *res aliena* already as the matter of an exterior act insofar as this act is, precisely, an object of the will (and a good or an end for it). For this reason, the object is not the *res aliena* itself, but the action of taking it from its owner.

<sup>34</sup> *ST I–II*, q. 18, a. 5, ad 2: “. . . obiectum non conveniens rationi, sicut tollere aliena.”

<sup>35</sup> *ST I–II*, q. 18, a. 10: “. . . sicut species rerum naturalium constituuntur ex naturalibus formis, ita species actuum constituuntur *ex formis prout sunt a ratione conceptae*.”

<sup>36</sup> *In Sent. II*, d. 39, 2, 1: “. . . bonum autem cuiuslibet virtutis est conveniens homini secundum rationem: quia talis bonitas est ex quadam commensuratione actus ad circumstantias et finem, *quam ratio facit*.” An explication of the term *commensuratio* as “unification in an ordered way” can be found e.g., in *ST III*, q. 2, a. 1. Cf. *ST I–II*, q. 71, a. 6: “Habet autem actus humanus quod sit malus, ex eo quod caret debita commensuratione. Omnis autem commensuratio cuiuscumque rei attenditur per comparisonem ad aliquam regulam, a qua, si divertat, incommensurata erit. Regula autem voluntatis humanae est duplex: una propinqua et homogenea, scilicet ipsa humana ratio; alia vero est prima regula, scilicet *lex aeterna*, quae est *quasi ratio Dei*.”

<sup>37</sup> *ST I–II*, q. 20, a. 3. We will return to this point briefly later on (the relevant texts are cited in notes 50, 51, and 52).

Our interpretation is confirmed by the response to the first objection of I–II, q. 20, a. 1. The objection claims, correctly, that the exterior act is the object of the interior act of the will and for this reason one normally says “to will to commit a theft [to will to take something that is another’s property], or to will to give an alms.”<sup>38</sup> Thomas’s response confirms this, but also makes it more precise. He replies: “the exterior action is the object of the will, inasmuch as it is proposed to the will by reason, *as a good understood and ordered by reason*.”<sup>39</sup> The exterior act, therefore, as the object of the will that chooses it, is a “*bonum apprehensum et ordinatum per rationem*.” For this reason it is not the “object” of the exterior act that is simply the cause of the primary goodness of the act, but rather reason, which forms what is “matter” in this exterior act into an object for the will—its *finis proximus*, on which the morality of human acts depends “primarily and fundamentally.” This proximate end is the intelligible content of a concrete way of acting, a “form conceived by reason.”

In this precise sense, the goodness of the will is caused by the goodness of the exterior act, which is its object. The exterior act, nevertheless, causes this goodness not as a performed act—not as an external behavior—but precisely as it is the object of an *intentio* of the will, that is, willed,<sup>40</sup> and therefore as the intelligible content of a concrete way of acting. This does not mean that Thomas would want to reduce the objective significance of the exterior act—making it indifferent *in itself*—to that which, in each case, “is willed,” thus reducing the object to an intention that is somehow separable from its material conditions.<sup>41</sup> This would be, essentially, Abelard’s claim. Such an interpretation loses sight of the fact that the exterior act, as the object of the interior act of the will, is already a good understood and ordered by reason. For this reason, in the same passage just cited, St. Thomas affirms that the exterior act receives

<sup>38</sup> *ST* I–II, q. 20, a. 1, obj. 1: “Sed actus exterior est obiectum interioris actus voluntatis: dicimur enim velle furtum vel velle dare eleemosynam.” As is obvious, “velle furtum” is equivalent to “velle accipere rem alienam.” This *velle* is the act of choice, i.e., the *usus*, by which the act is carried out.

<sup>39</sup> *Ibid.*, ad 1: “. . . actus exterior est obiectum voluntatis, in quantum proponitur voluntati a ratione ut quoddam bonum apprehensum et ordinatum per rationem: et sic est prius quam bonum actus voluntatis.”

<sup>40</sup> Cf. *In Sent. II*, d. 40, 1, 3: “. . . quia actus exterior comparatur ad voluntatem sicut obiectum, inde est quod hanc bonitatem voluntatis actus interior ab exteriori habet, non quidem ex eo secundum quod est exercitus, sed secundum quod est intentus et volitus.”

<sup>41</sup> John Finnis, Germain Grisez, and Joseph Boyle use this passage in this way, citing it only partially, however, in their article “‘Direct’ and ‘Indirect’: A Reply to Critics of our Action Theory,” in *The Thomist* 65 (2001): 1–44, at 16.

its goodness not from the will, but “from the commensuration of the circumstances, according to which the exterior act is proportioned so as to attain the goal of man.”<sup>42</sup> As we know, this *commensuratio* is a work of reason. This being the case, it follows that the “proposal” or proximate end, which is “the object,” is, certainly, that which is willed, but this willing cannot direct itself to other than what is presented by reason. The measure, therefore, according to which the exterior act is configured as a practical good and chosen by the will is not the will itself, or “that which the agent proposes,” but reason. We cannot define or redefine the objective significance of our actions in function of what we propose. Rather, that which an agent can reasonably propose (and consequently choose) in a given situation is understood by reason, not simply as a function of “proposals” or “intentions” that can be freely oriented by the agent, but subject to the concrete circumstances in which the choice is carried out, according to criteria of reasonableness inherent—in virtue of the natural law—in practical reason, criteria that are therefore also objective.<sup>43</sup>

It will be useful to recall that for Thomas Aquinas, the *ratio* is not simply a knowing organ that “discovers” a moral rule, preexistent in nature, so as

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<sup>42</sup> *In Sent. II*, d. 40, 1, 3: “actus enim exterior bonitatem habet ex circumstantiarum commensuratione, secundum quam proportionatus est ad finem hominis consequendum. . . .”

<sup>43</sup> For this reason *ST I–II*, q. 18, a. 10 is important (cf. my *Die Perspektive der Moral. Philosophische Grundlagen der Tugendethik* [Berlin: Akademie Verlag, 2001], 135ff.), where Thomas lays out his doctrine of the formation of the object as “forma a ratione concepta,” showing how specific circumstances can at times become a “principalis conditio obiecti rationi repugnans” (cf. *ST I–II*, q. 18, a. 5, ad 4: “. . . circumstantia quandoque sumitur ut differentia essentialis obiecti . . .”). It seems to me that the action theory of Grisez/Finnis/Boyle ignores this decisive aspect of Thomistic doctrine. This becomes evident, for example, in their opinion (in “‘Direct’ and ‘Indirect,’” 30f.) that someone who blows up an airplane full of passengers only with the intention of collecting the insurance indemnity for the loss of the airplane *does not intend and therefore does not choose* the death of the passengers (because this is not his “purpose”—he would do it even if the airplane were empty), but only the destruction of the airplane (proximate end, object), with the ulterior intention of enriching himself; his act, according to these authors, is not therefore an act of “direct killing.” The death of the passengers would only be a collateral effect of the destruction of the airplane, an unintentional effect, even if, as the authors add, such a choice would be “gravely wrong,” as the collateral effect is foreseen and unjustifiable. I am certain that St. Thomas would not accept such a description of this choice. He would say, rather, that the circumstance of the presence of the passengers in the airplane is a “principalis conditio obiecti rationi repugnans,” which causes a “differentia essentialis obiecti”: the killing of the passengers, therefore, must be included in the description of the object; indeed, precisely this *would be* the object. The enrichment, on

to then apply it to action. Moral reason—practical reason—is itself a rule: It is “measure” of the morality of human acts, a natural rule, inherent in human nature and a participation in divine reason.<sup>44</sup> Participating in the light of the intellect, reason is not only regulated by the object of its speculative act—the being of things—but, as practical, and primarily as *lex naturalis*, reason itself regulates and directs the “naturalness” of human tendencies and inclinations to their *appropriate* end, an end that comprises part of an order that is not natural, but of reason. This is precisely the order *of reason*, which is the adequate expression of that which is natural for man in a properly *moral* sense. For this reason, as Thomas constantly affirms, morally speaking something is in conformity with man’s nature precisely to the degree in which it is in conformity with reason.<sup>45</sup> According to Thomas, this regulating task belongs to reason for a simple metaphysical or anthropological reason: Man is man because he has a rational soul, which is his substantial form. “For that is good for a thing which suits it

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the other hand, would in reality be the ulterior intention for which the massacre of the passengers is chosen and voluntarily carried out. This repugnance to reason does not depend on the will, but is grasped by reason in its function of effecting the *commensuratio* of the various circumstances.

<sup>44</sup> Cf. *ST I–II*, q. 71, a. 6 (cited above in note 36). It is important to understand that the rule on which reason depends is not “nature,” but properly the eternal law, which is the divine reason itself. This accords with the Thomistic idea that the natural law—which is man’s natural reason, distinguishing good from evil—is a participation in the eternal law by the rational creature, an “*impressio divini luminis in nobis*” (*ST I–II*, q. 91, a. 2). Cf. Martin Rhonheimer, “The Cognitive Structure of the Natural Law and the Truth of Subjectivity,” *The Thomist* 67 (2003): 1–44; also in Italian: Rhonheimer, “La legge morale naturale: conoscenza morale e coscienza. La struttura cognitiva della legge naturale e la verità della soggettività,” in *Natura e dignità della persona umana a fondamento del diritto alla vita* (Acts of the Eighth General Assembly of the Pontifical Academy for Life, February 25–27, 2002), ed. Juan de Dios Vial Correa and Elio Sgreccia (Vatican City: Libreria Editrice Vaticana, 2003), 125–58.

<sup>45</sup> Cf. *ST I–II*, q. 71, a. 2: “. . . quod est contra ordinem rationis, proprie est contra naturam hominis inquantum est homo; quod est autem secundum rationem, est secundum naturam hominis, inquantum est homo. Bonum autem hominis est secundum rationem esse. . . . Unde virtus humana . . . intantum est secundum naturam hominis, inquantum convenit rationi: vitium autem intantum est contra naturam hominis, inquantum est contra ordinem rationis.” Again, in *ST I–II*, q. 18, a. 5: “In actibus autem humanis bonum et malum dicitur per comparisonem ad rationem.” Cf. *ST I–II*, q. 71, a. 6 (cited in note 36). For a correct understanding of Thomistic doctrine according to which the rule of morality is not “nature,” but reason, still useful is L. Léhu’s book, *La raison, règle de la moralité d’après Saint Thomas* (Paris: 1930). Stephen L. Brock, in his review of my book *Natural Law and Practical Reason* (*The Thomist* 66 [2002]: 313) has characterized my assertion that, according to St. Thomas, not nature but reason is the measure

in regard to its form; and evil, that which is against the order of its form. It is therefore evident that the difference of good and evil considered in reference to the object is an essential difference in relation to reason; that is to say, according as the object is suitable or unsuitable to reason. Now certain actions are called human or moral, inasmuch as they proceed from reason.”<sup>46</sup> “Nature,” therefore, is not the *rule* of the good and evil of any operation, but only that which determines what this rule of good and evil is in each case. In the case of human nature and human action, this rule is reason (nor is “nature” the rule in the case of “actions” of brute animals, but rather instinct and other sensual drives, which are of course *natural*, as reason, too, is natural for human beings). Thus, nature is not a “norm of morality,” but that which establishes this norm, the norm being reason.

#### 4. The Object of the Human Act:

##### A “Good Understood and Ordered by Reason”

We can summarize the point we have reached thus far with the following four points:

1. That which morally specifies a human act is, exclusively, the object of an interior act of the will (*electio, intentio*, etc.), and inasmuch as it is such an object.
2. The primary and fundamental object of the will, which confers on the act its primary goodness, is the exterior act as it is a “good understood

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of morality, as “a disconcerting claim.” It is rather this characterization, made by a Thomistic scholar as expert as Brock, that seems to me disconcerting. This can perhaps be explained by the fact that Brock, like not a few other authors, creates a confusion between the question of the *ontological foundation* of the moral order (which is certainly “nature”), and that concerning the *way in which this natural foundation becomes practically effective and regulatory*. This latter is brought about, as St. Thomas never tires of repeating, precisely by means of reason, which, we must bear in mind, is also part of human nature—indeed reason is precisely human nature’s most formal determination, and consequently enters into its definition as its specific difference!—and knows the human good in a natural (spontaneous, necessary) way, promulgating the *lex naturalis*. Cf. Brock, *Action and Conduct: Thomas Aquinas and the Theory of Action* (Edinburgh: T&T Clark, 1998) where the constitutive role of reason in voluntary action is almost ignored, with the consequence of a certain “naturalization” of human action. (The three passages cited above from I–II, for example, are not mentioned in Brock’s book.)

<sup>46</sup> ST I–II, q. 18, a. 5: “Unicuique rei est bonum quod convenit ei secundum suam formam; et malum quod est ei praeter ordinem suae formae. Patet ergo, quod differentia boni et mali circa obiecta considerata comparatur per se ad rationem: scilicet secundum quod obiectum est ei conveniens vel non conveniens. Dicuntur autem aliqui actus umani, vel morales, secundum quod sunt a ratione.”

and ordered by reason.” It is therefore precisely the exterior act as the *intelligible content of a concrete action*, chosen by the will as a practical good, which is “the object of a human act”; for example, “to take from someone that which belongs to him.”

3. For this reason, the goodness of the exterior act does not depend, in its turn, on its “object,” but, as Aquinas affirms with emphasis and constancy, *on reason*. This is so because it is precisely reason, and reason exclusively, which proposes the exterior act, in the variety of its components, to the will as an intelligible good, which can then lead to an act of choice and a subsequent action. If one were to further seek an “object” of the exterior act itself as such, he would inevitably fall into physicalism. He would confuse that object on which the primary goodness of the human act depends with a series of natural tendencies, realities, and structures, which, though perhaps very significant morally, are not that which, as such, confers moral species on a human act.
4. Speaking *materially*, we can say that the various elements that compose the exterior act are like a “*materia circa quam*,” a matter around which the action develops and that specifies it as a particular *type* of action. Considered *formally*, however, that is, as the object of a human act and as an end—as the object, that is, of a voluntary act—this “*materia circa quam*” is the same exterior act as *bonum apprehensum et ordinatum per rationem*. Only in this way can the *materia circa quam* be understood as a moral object, and only in this way, as St. Thomas explicitly states, does it specify the act *morally*.<sup>47</sup> This shows that the “moral object” is not, for Thomas, properly an “object of the exterior act,” but always and exclusively the object of the interior act of the will and, for this reason, a *forma a ratione concepta*.<sup>48</sup>

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<sup>47</sup> Cf. *ST I–II*, q. 72, a. 3, ad 2: “obiecta secundum quod comparantur ad actus exteriores, habent rationem materiae circa quam: sed secundum quod comparantur ad actum interiorem voluntatis, habent rationem finium; et ex hoc habent quod dicitur speciem actui.”

<sup>48</sup> Cf. *ST I–II*, q. 18, a. 10 (cited above in note 35). This “flexibility” of the “*materia circa quam*” is also explained precisely by the fact that it is not a “*materia ex qua*,” that is, the matter *of which* something is made (cf. *ST I–II*, q. 18, a. 2, ad 2). The “*materia circa quam*” has different characteristics depending on whether it is considered only materially—in its relation to the exterior act—or as the proximate end of a voluntary act (*ST I–II*, q. 72, a. 3, ad 2; cf. previous note); in this latter case, the “*materia circa quam*” is precisely that which is called the object “et habet quodammodo rationem formae, in quantum dat speciem” (*ST I–II*, q. 18, a. 2, ad 2).

To call the moral object the “object of the exterior act,” as Thomas himself at times does, could therefore cause confusion; it would seem inconsistent with the exposition provided in I–II, questions 19–20.<sup>49</sup> According to that exposition, the exterior act does not properly “have” an “object” (in a moral sense), but the exterior act itself is considered to be the object morally, the *finis proximus* of the interior act of the will (i.e., the electio), and as such it morally specifies the human act. The expression “object of the exterior act,” however, ultimately means—including for St. Thomas—“the exterior act as a good understood and ordered by reason,” or “the rational and rationally ordered apprehension of the exterior act” (= of the *materia circa quam*, which as a good understood and ordered by reason is the “form” that morally specifies the act). For this reason, speaking of the good and evil, which at times the exterior act possesses *secundum se*, Aquinas does not say that this derives from its “object,” but from its “matter” and its circumstances.<sup>50</sup> These latter are not the object, but precisely the elements that, according to reason, are or are not a “principal condition of the object that determines the action’s species”<sup>51</sup> (or an “essential difference of the object”<sup>52</sup>), and which are conceived by reason as the moral species of the action. Precisely this rational comprehension of the exterior act, which contains a rational

<sup>49</sup> This problem goes unnoticed even in the accurate and brilliant exposition of St. Thomas’s doctrine on this subject by R. McInerny, *Aquinas on Human Action. A Theory of Practice* (Washington, DC: The Catholic University of America Press, 1992); for example when the author, although correctly, says: “The external, commanded act of the will can be good because of the kind of act it is, something determined by its object, for example, giving alms to the poor” (p. 98). “Giving alms to the poor” appears three times in this statement, each with a different meaning: once as “exterior act”; then as “object of the exterior act”; and finally as “type of act” (moral species). It is not that this is incorrect, but that it requires a further clarification so as to be comprehensible. McInerny’s clarification seems correct to me, because it points in the direction of understanding that the object of the external act is precisely this act as its matter and circumstances are understood and ordered by reason, which presents it to the will as a good.

<sup>50</sup> *ST* I–II, q. 20, a. 3: “Quando autem actus exterior habet bonitatem vel malitiam secundum se, scilicet secundum materiam vel circumstantias. . . .”

<sup>51</sup> *ST* I–II, q. 18, a. 10: “Et ideo quod in uno actu accipitur ut circumstantia superaddita obiecto quod determinat speciem actus, potest iterum accipi a ratione ordinante ut principalis conditio obiecti determinantis speciem actus.” (This is the article that begins with the words “species moralium actuum constituuntur ex formis prout sunt a ratione conceptae.”)

<sup>52</sup> *ST* I–II, q. 18, a. 5, ad 4: “. . . circumstantia quandoque sumitur ut differentia essentialis obiecti, secundum quod ad rationem comparatur: et tunc potest dare speciem actui morali. . . . non enim circumstantia faceret actum malum, nisi per hoc quod rationi repugnat”.



*ordinatio* of its various material elements, is the object of the act of choice and therefore of a human act.<sup>53</sup>

This is necessarily so because, as has already been mentioned, it is not possible that the will refer immediately to the constitutive (material, circumstantial) elements of an “exterior act,” or to things or to the natural acts of specific powers, except through the *mediation of reason*.<sup>54</sup> Precisely for this reason the exterior act as such cannot have an “object” from which it receives its moral species—the search for such an object would end in an infinite regression. The “objects” proper to the exterior act (as considered materially, i.e., not as an intelligible good for the will) are found at the physical, pre-moral level (which, to repeat, does not exclude that they be significant and at times decisive for the morality of an act, as, e.g., the fact that something belongs to a particular person and a corresponding right of property exists, or that the sexual act is naturally ordered to the procreation of the human species).

Every deliberately chosen human act, on the other hand, already *necessarily* has an object at the moral level, because its object is this exterior

<sup>53</sup> It is correct, therefore, when Tobias Hoffmann in his article “Moral Action as Human Action: End and Object in Comparison with Abelard, Lombard, Albert, and Duns Scotus,” in *The Thomist* 67 (2003): 73–94, asserts that the “*materia circa quam*” is “what the agent is doing,” as “*uti re sua*” or “*accipere aliena*” which are good or evil objects (or acts) according to their “proportion to reason.” It must be added, however, that reason not only judges concerning the goodness of the object, but also formulates or constitutes it cognitively, in the sense that only before reason can it appear as *this kind of* object.

<sup>54</sup> Here is where the fundamental error of the so-called “teleological ethics” (consequentialism, proportionalism) is found, all of which assume, in one way or another, that the will can refer in an immediate way to an exterior act and to its elements (to goods, i.e., called “ontic,” “non-moral” or “pre-moral,” “physical”), without this also implying a moral specification of the will. For example, according to the adherents of “teleological ethics,” “to kill a human being” would only be to physically cause the death of a man (to cause a non-moral evil), which, according to the totality of the circumstances and foreseeable consequences, can be considered morally right or wrong. In reality, however, the will chooses the action “to kill a human being” not as though it were simply the (physical) cause of an evil that is equally physical, but as a “good understood and ordered by reason,” as the intelligible content of an action which already implies a rational configuration, full of moral significance, of the various “physical goods and evils” implicated in the action. This rational configuration is what morally specifies the act of the will as just or unjust; it specifies it, precisely, independently of the foreseen consequences and of other, perhaps worthy, intentions. I refer here to my book *Die Perspektive der Moral*, which, among other things, is intended as a systematic refutation of so-called “teleological ethics,” and to Martin Rhonheimer, “Intentional Actions and the Meaning of Object: A Reply to Richard McCormick,” in *The Thomist* 59 (1995): 279–311.

act itself, as a “good understood and ordered by reason.” To deny this is to fall into physicalism. Traditionally, to avoid this danger, it was customary at this point to resort to the *Deus ex machina* of the mysterious “transcendental relation of the physical object to the moral norm.” This solution, however, more juridical than moral, hindered a proper understanding of the *intrinsic* constitution of the moral object, and therefore also of the goodness or evil that human acts intrinsically possess on the basis of their object. To avoid the necessity of recourse to this *Deus ex machina* or—like those who were aware of the inadequacy of this “legalistic” solution and rebelled against it—to avoid ending up in proportionalism or consequentialism (which are nothing other than variations of the same ethical-normative extrinsicism), one must place himself “in the perspective of the acting person,” conceiving the object of a human act as the proximate end of the will, i.e., as an “object rationally chosen by the deliberate will” on which “primarily and fundamentally depends” the morality of the human act (*Veritatis Splendor* no. 78).

At this point we must state clearly that we have yet to resolve any of the problems of normative ethics, i.e., of the argumentative foundation of specific moral norms.

To object, then, that what has been said so far accomplishes nothing, is tautological and, as has been claimed, of “little explanatory value,” and that the ethical-normative problem has merely been “put off,” would seem to me to express a certain *ignoratio elenchi*, an ignorance of the problem we have been treating so far.<sup>55</sup> We have attempted to clarify the notion of the “object” of a human act as “it causes goodness and evil in the will”; we have not yet, however, spoken of that which is the proper task of normative ethics, which is how to discern whether this or that act is morally good or evil.

Action theory, which is properly what we have been dealing with to this point, is not asked to resolve normative problems, even if the method of resolving such problems depends in a decisive way on the theory of action one uses to such an end; in the present case it depends on the notion of “moral object,” employed in the normative task of ethics.

The theory of action proposed here, firmly based in the thought of Thomas Aquinas, is properly an *anthropology* (or *metaphysics*) of action, and

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<sup>55</sup> This is the criticism of my position by Alberto Bonandi, “Dieci anni di teologia morale con ‘Veritatis Splendor’. Aspetti della ricezione dell’enciclica,” in *La Scuola Cattolica* 131 (2003): 22f. In my opinion, Bonandi in his critique confuses action theory with normative ethics, and fails to differentiate between their respective tasks; nor does he seem to understand well the importance of the former for the latter.

not merely a logical analysis of practical reason. The correct understanding of the object of a human act, moreover, is also the key for resolving the difficult question of so-called “intrinsically evil” acts, because what causes problems of comprehension is not so much the objective evil of certain acts, but precisely the notion of their being *intrinsically* evil.

The consequence of what has been shown so far is that to understand the notion of the “object” of a human act, it is necessary to understand the fundamental role—decisive from the anthropological point of view—of practical reason in human action. Whoever looks for an “object of the exterior act” as *an external, observable behavior*, will end by reducing the human act to its non-moral elements, in a crude physicalism that ignores the regulating and morally ordering role of reason. To ignore the decisive role of reason for the constitution of the objective moral significance of human actions flaws not only action theory, but also loses the “moral perspective” itself, that of action guided by a “rational appetite,” the will. It forgets that goods and evils in a moral sense are not “ontic” or “physical” goods like “human life,” “death,” “property,” “the conception of a new life,” and so on, even though these are morally of great importance; but that moral goods and evils are rather *actions* and their corresponding choices, such as “respect human life,” “kill an innocent person,” “take that which belongs to someone against his will,” “transmit human life.” The objects that morally specify such actions are not “human life,” “another’s property,” or “the conception of a new life,” but precisely the respective actions *inasmuch as they are the intelligible contents of concrete ways of acting*, “goods understood and ordered by reason,” and willed as such: In this way these actions are the proximate end, the “object,” of the will, and it is precisely this object that confers on the human act its primary and fundamental moral specification.

The perspective set forth here maintains, to return to our earlier example, that an external behavior considered physically (bodily movements like, for example, a sexual copulation, or the act that causes the contents of a safe to disappear) becomes an “object” for the will, and therefore causes moral good or evil in the will, in correlation with certain of the behavior’s characteristics that are comprehensible only by reason, such as the “circumstance” that one is dealing with one’s own safe or with that of another. The *res aliena*, or more specifically, the circumstance that the *res* in question is another’s property, and the corresponding juridical-moral fact of the existence of the other’s right, is in no way “the object” of a theft, but a circumstance that, before reason, shows the *res* to be *indebita* (“inappropriate”) with respect to the physical action of taking it from its owner. The characteristic of being *materia debita* or *indebita* does not

derive from an ulterior object of the physical act, but from reason in its aspect of being a rule, or, in other words, from the exterior act considered as a “good understood and ordered by reason,” from the intelligible content of a concrete type of action.

It is clear that we are speaking of a “reason” that is not a rule only in the formal sense. It is a reason, rather, permeated with axiological content, a content that derives from the fact of reason being a faculty integrated into the being of a human person, constituted in a substantial unity of body and spirit. It is not reason (or the intellect) that knows, but the person who knows *by means of* reason. Even more important, however, is the fact that reason can be the rule of that which is just or unjust because reason itself depends on its own principles, *on the natural law*. This latter, according to St. Thomas, is “the light of natural reason, whereby we discern what is good and what is evil,” because it is essentially a “*naturalis inclinatio ad debitum actum et finem*,” “a natural inclination to the (*morally*) appropriate act and end.”<sup>56</sup>

To understand the moral configuration of an exterior act, the object of a choice of the acting subject, we must affirm therefore that it does not depend simply on natural acts, but neither does it depend on the will of the subject. Rather, it depends on reason, which, as the discursive part of the intellect, is also as intellect and practical reason precisely that cognitive faculty that not only orders our actions, but also fundamentally opens us to the truth of our being, in this way establishing the practical truth of our actions, which is the “truth of the subjectivity” of the person who acts.

Kevin Flannery has raised the criticism that such an emphasis on the contribution of the subject, or rather of the human understanding (“the mind’s contribution”), in the constitution of the object of a human act would be “difficult to reconcile with Thomas Aquinas,” and that at times would lead to “the exclusion of that which is outside the mind.”<sup>57</sup> This objection that can be responded to easily using the words of authors who are under no suspicion of subjectivism.<sup>58</sup> Moreover, the criticism seems so

<sup>56</sup> *ST I-II*, q. 91, a. 2. *Veritatis Splendor* twice cites (nos. 12 and 40) the concise Thomistic formulation of *In duo praecepta caritatis et in decem legis praecepta expositio*, Prologus I: “. . . lex naturae (. . .) nihil aliud est nisi lumen intellectus insitum nobis a Deo, per quod cognoscimus quid agendum et quid vitandum. Hoc lumen et hanc legem dedit Deus homini in creatione.” Cf. the above-mentioned articles (note 44).

<sup>57</sup> Kevin Flannery, review of my book *Die Perspektive der Moral*, in *Gregorianum* 83 (2002): 591–94; at 592.

<sup>58</sup> For example Ralph McInerny, *Aquinas on Human Action*, 101f.: “The human voluntary act will be good, insofar as will is measured by reason. . . . Anything that the mind judges to be good, sees as good, is thereby brought under the

odd to me that it may be due to a simple misunderstanding on Flannery's part. This misunderstanding probably consists in the assumption—false, in any case—that what is constituted and ordered by reason is not “objective,” is not always rooted in extra-mental reality, and indeed, that it excludes “that which is outside the mind” and depends on the arbitrariness of the subject. In reality things are not this way, and to say so presupposes an anthropology and a conception of the mind different from the Aristotelian concept according to which “the intellect is always correct; the appetite, on the other hand, and the sensible imagination can be either correct or not correct,”<sup>59</sup> an anthropology equally reflected in the Thomistic expression according to which, “corrupt reason is not reason.”<sup>60</sup>

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common formality of goodness. . . . Mind's grasp of the good is the measure of the will's goodness.”

<sup>59</sup> Aristotle, *De Anima* III, 10, 433a 27–28.

<sup>60</sup> *In Sent. II*, d. 24, 3, 3 ad 3: “. . . ratio corrupta non est ratio”. Cf. on this subject *Die Perspektive der Moral*, 146ff. (“Der anthropologische Primat der Vernunft”), and in more detail in Rhonheimer, *Praktische Vernunft und Vernünftigkeit der Praxis. Handlungstheorie bei Thomas von Aquin in ihrer Entstehung aus dem Problemkontext der aristotelischen Ethik* (Berlin: Akademie Verlag, 1994), 155–72, and passim. Like not a few Thomists, Flannery apparently works with a somewhat “inverted-Cartesian prejudice” in the sense of dualistically—and in this very sense Cartesian—assuming that the “objective,” the “natural,” and the “truthful” are equal to what is “outside the mind,” whereas what is “inside the mind” (or the mind itself) is “subjective,” “non-natural,” and the mere representation of truth. Even if such an inverted Cartesianism seems to be a very common Neo-Scholastic scheme, I hardly think that it agrees with Aquinas's way of thinking. For him, as for Aristotle (and in another way also for Plato), the human mind—especially the active intellect, which is to intelligible truth as light is to the visibility of things—is part of man's nature and therefore, in a basic ontological way, it *is* “nature” as well. In clarifying the concept of the “natural,” both the distinction into intra- and extra-mental reality and that into reason and nature seem to me to be of little use, and anthropologically misleading. The intellect and its proper object—intelligible reality—are, for the human person, as natural as any of his natural inclinations. It is, therefore, strange to assume that the proper objects and goods of extra-mental (or non-mental) natural inclinations (such as the natural object and goals of, for example, the sexual inclination or the inclination to self-preservation) should be more “natural” and “objective” than the inclinations, objects, and goods that naturally spring from the mind (or the intellect, or “natural reason”), such as, for example, the concept of “the just” or “the due” (which, as a concept of the good and formally, is purely “mental”, i.e., not to be found in extra-mental reality). So, nothing excludes that there is a “mind's contribution” which is both natural and entirely objective, without there being any problematic “subjectivism” or aprioristic transcendentalism. On the contrary, a concept of “naturalness” that excludes the “mind's contribution” would not seem to be an idea of “human naturalness” at all. If we consider the human person both anthropologically and ethically as

It is correct, therefore, to hold that the object of a human act is the act itself. This is not logically contradictory,<sup>61</sup> since it is this act taken precisely as object: as the proximate end of the will, that is, as the intelligible content of a concrete action, a good that can be and is in fact chosen, and not as an act “done” in the order of execution.<sup>62</sup> The object is the exterior act, as the object of the interior act of the will.

The exterior act itself is a good, known and ordered by reason and as such “presented” to the will, which can also be considered, as such, in abstract. This consideration would be precisely the description of the act in its “objective” significance, at the level of its “object.” This significance is not a naturally preexistent “given”: it is a species, *a ratione concepta*, just as at the universal level the natural law, like every law, is “something constituted by reason,” a “work of reason.”<sup>63</sup>

### **5. Practical Reasonableness and Finality: The Intentional Structuring of the Object**

An important consequence derives from the fact that the object of a human act is configured by reason: The exterior act itself, presented by reason to the will as object, as proximate end, and therefore as a practical good, must already include an intentional element that can define it as a “human act” or “human action.” An action without its proper and intrinsic finality is inconceivable. Speaking of human acts, “the end is not

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part of the “outside” or “objective” world, we must include in this consideration the mind and the intellectual powers of man—otherwise such a consideration would reduce man to his pure animality. (We will see later how this bears upon the concept of “natural law” as a moral law.)

<sup>61</sup> As Kevin Flannery claims in his review of *Die Perspektive der Moral*, and likewise Alberto Bonandi, 23. Both seem to think that I am saying that the object of an act of choice is the choice itself, which would in fact be absurd.

<sup>62</sup> It could be that I have confused Flannery by my statement (somewhat embarrassing, I admit, but marginal) that the object of an act of seeing is not the “thing” that is seen, but rather the act of “seeing this thing.” This is certainly true if we consider the act of seeing as an exterior act, that is, as commanded by the will, which is to say as a human act. If we consider it, rather, as a natural act of the vision, it cannot be said that the object of this act of seeing something is the act itself of seeing the thing. The object of the act of seeing would be rather the “thing seen under the formal aspect of its visibility” (for St. Thomas: “the thing as colored”; cf. note 32 above). Flannery seems to construct his entire criticism around this imprecision, which is entirely marginal to my argument. The argument is based, rather, on the fact that the will refers to extra-mental realities as goods and ends (for example, to another person’s watch) only by means of a judgment of reason, and as a “good understood and ordered by reason.”

<sup>63</sup> *ST* I–II, q. 94, a. 1: “. . . lex naturalis est aliquid per rationem constitutum, sicut etiam propositio est quoddam opus rationis.”

altogether extrinsic to the act, because it is related to the act as principle or terminus.” It is a characteristic property of an act not only that it proceeds from a principle, but also “ut sit ad aliquid,” it “tends toward something.”<sup>64</sup> It is therefore not possible to dissolve an exterior act into a collection of material elements, devoid of order or finality, without dissolving it, ultimately, as an action. The exterior act, as the intelligible content of a concrete action, as the object of the will and a practical good, is precisely a *coherent and unified proposal* that confers significance on a particular aggregation of bodily movements; it is, therefore, precisely that which explains why one does what one does. An exterior act, the object of a choice, can be described as such an object only by including an intentional element in the description. It is, in fact, reason’s proper task to order something to an end.<sup>65</sup>

We again see that, in order to be able to describe an object in this way, we must put ourselves in the perspective of the acting person. Only thus can the object be grasped as the *end* of a choice, and as *a good to be pursued*. Aquinas confirms this when he says that there are exterior acts that can be per se ordered to the end of the will, such as “to fight” is per se ordered to “victory”; and there are other acts that are ordered *per accidens* to an end, as when “to rob” is ordered toward “the giving of alms.”<sup>66</sup> “To fight” is a series of exterior movements that can be understood as a human act—and as that particular human act—only in virtue of the end of “victory.” Indeed, the term “to fight” itself is incomprehensible—it simply doesn’t make sense—without a reference to “victory” as its end. The object-basis

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<sup>64</sup> *ST I–II*, q. 1, a. 3, ad 1: “. . . finis non est omnino aliquid extrinsecum ab actu; quia comparatur ad actum ut principium vel terminus; et hoc ipsum est de ratione actus, ut scilicet sit ab aliquo, quantum ad actionem, et ut sit ad aliquid, quantum ad passionem.”

<sup>65</sup> *ST I–II*, q. 90, a. 1: “. . . rationis enim est ordinare ad finem, qui est primum principium in agendis. . . .” The fact that this is equally valid both at the universal level (the law) and at the level of the specification of individual acts is important for the comprehension of the unity of practical reason.

<sup>66</sup> *ST I–II*, q. 18, a. 7: “. . . pugnare per se ordinatur ad victoriam . . . accipere rem alienam per accidens ordinatur ad dandum eleemosynam.” Thomas says here that “*pugnare*” (“to fight”) is “the object of the exterior act,” which is per se ordered to the end of the will (victory). This mode of expression is a simplification, because to understand the expression “*pugnare*,” we must already include in it the notion of an end (to win), otherwise this “*pugnare*” would simply not be a “*pugnare*.” Rather than to speak of an object of the exterior act, it would therefore be better to say “the object qua exterior act” (or “the exterior act as object”), which would be the exterior act conceived by reason, ordered to an end, and as such presented to the will as object.

of the act of fighting is therefore defined by “why one does what one does,” by that which the agent intends by what he is doing exteriorly.<sup>67</sup>

To see this more clearly, let us return to our example of the theft. A theft, in the Thomistic tradition, is defined as “taking another’s thing secretly.”<sup>68</sup> We have already seen that the object of this act is *not* the “res aliena.” Moral objects are *practical* goods, and therefore *actions*, and must be expressed linguistically not with a noun, but with a verb (or with the latter’s respective nominization). To be able, therefore, to describe the act in question and to identify its object, we must also indicate a primary and fundamental “why” that which is done, is done. This is equally valid for the definition of the theft: In the expression “covert appropriation (or taking),” such a “why” is implicit.<sup>69</sup> This becomes clear by reflection on the term “appropriation” (or “taking”): In fact, from a “physical” or merely “technical” point of view, the act of theft can be carried out in various ways. With the words “appropriate” or “take,” however, we are not designating the act at this physical level. Rather, these words signify a *specific way* of “taking” something from another: to physically take it *for a particular end*, for example, to steal it from someone. “To steal an amount of money from Paul” is more than “to cause the fact that an amount of money pass physically from Paul to John”; it is to cause this fact with the intention of removing the money from the discretionary power of Paul, its owner, so as to make it pass into John’s discretionary power (a complex structure, objectifiable only by reason; according to St. Thomas’s expression, this is precisely a “forma a ratione concepta”).

With this in mind, imagine two different people who, with an artist’s skill, remove the watch attached to Mrs. Jones’s wrist. One does it merely to entertain the public, or to play a small joke on Mrs. Jones; the other is a pickpocket and commits the same physical action so as to steal the watch from its owner and use it for his own purposes. The two people have performed two acts, which, while identical at the physical or natural level, are different at the moral level. The two acts have a different object. Nevertheless, in both acts the watch is identical and, from the point of view of bodily movements or technique, the external act is also identical. The same relationship also exists between the watch and its wearer, that is, it is her legitimate property; for the agent, therefore, it is a *res*

<sup>67</sup> Cf. the well-known example of G. E. M. Anscombe in her book *Intention*, 2nd ed. (Oxford: Basil Blackwell, 1963, 35) of a person lying on a bed. To know “what he is doing,” we must know “why” he is doing what we see him do: for example, to rest, to do Yoga exercises, etc.

<sup>68</sup> *ST* I-II, q. 66, a. 3: “occulata acceptio rei alienae.”

<sup>69</sup> Cf. G. E. M. Anscombe, *Intention*, 34f.



*aliena*. The intentionality implicit in the bodily movements of the agent, however, is different: For this reason, the movements proceed from *different choices*. A simple external observer of this act—without knowing any of the other circumstances—would not be able to distinguish the two actions from the moral and therefore “objective” point of view, since he does not know the content of the agent’s choice: From the point of view of an external observer the two acts would be identical. Only by placing oneself in the perspective of the person who acts does it become possible to understand the difference in the acts, which is in fact a difference in choice: The goods pursued in each of the actions are different, as is the *finis proximus*. In other words: only in the perspective of the acting person does the exterior act, the observable behavior, appear also in its significance as the “object” of a human act.

In order to make this fact even more explicit, we must make our definition of the object “a theft” more precise. The object of a theft is to “secretly take something that is another’s property *so as to appropriate it*.” It seems obvious, for Aquinas, that this is understood, given that by the use of the word *acceptio* he certainly does not intend to refer merely to the aggregate of physical movements that cause a local transfer of a thing from its rightful owner to another person. The expression *acceptio* must therefore be understood as including the intentionality to really appropriate the *res aliena* in question—in such a way that it changes owners, against the will and right of the original owner—and not merely to “take it” in a physical sense.<sup>70</sup>

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<sup>70</sup> One can object that my description of the act in question is simply mistaken. According to this objection, we must begin from the physical action “to take something from someone,” which would then be morally specified by its object: If the object is a *res aliena*, then the taking is illicit and we are dealing with a theft. For this reason, the objection concludes, the object does not include the exterior act, but only the thing to which this action is directed, in this case the “*res aliena*.” The objection does not seem to me, however, to be conclusive. It presupposes that we can describe the action of “taking something from someone” without making reference to an intentional element, that is, at a merely physical level. This, however, is not possible. *Physically*, the act of taking is no different than, for example, “to cause, by means of a series of bodily movements, the fact that a watch moves from one place to another” (for example, from Mrs. Jones’s arm into Mr. Brown’s pocket). In this case, however, even if the watch in question were a “*res aliena*,” we cannot yet say whether we are dealing with a theft or with a trick; indeed, Mr. Brown could even be a policeman who is confiscating the watch—a “*res aliena*”—which had been previously stolen from Mrs. Smith, and is now being retrieved from Mrs. Jones. If we describe, however, the acting of taking not physically, but as a human act, then it is impossible to describe it without including the “thing” that is taken. This would mean that to describe “to take something from someone,” we must already include the notion

“To place oneself in the perspective of the acting person” means to understand that to *choose* a type of action or behavior—or rather a series of physical or bodily movements—and therefore to carry out a human act, one must *will* this action as a *good*. To describe the object of a human act, therefore, we must also include in the description the *will* with which it is chosen and executed. Given that the action is an end of the *will*, the intervention of reason is necessary, as Aquinas never tires of repeating. It is reason, and only reason, that presents to the will, and therefore also to the act of choice (the *electio*), its object.<sup>71</sup> How, then, could it be possible for reason to present a series of bodily movements as a good to the will—such as “to take a watch from Mrs. Jones’s arm in a certain way”—if not under the aspect of an end? Indeed, reason must objectivize these movements under the *ratio formalis*—the formal aspect—of a “why one does what one does,” for example, “appropriation” or “to entertain an audience.” This good is not already “given” with the external behavior, nor is it in some way “included” in the external behavior; the behavior, considered in itself, could have various meanings. It is precisely for this reason that St. Thomas asserts, as has already been mentioned, that the species of human acts are not, like the species of natural things, constituted by natural forms, but by “forms conceived by reason.” From this it follows that to describe the

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that this “something” be a “*res aliena*”; otherwise the concept of “taking” would automatically fall back to the physical level of simply “causing, by means of a series of bodily movements, the fact that . . . etc.” In this way, the objection falls into a vicious circle. Even if we add to “take something” the element “to appropriate this thing for oneself” we arrive at the same result: The description of the act of “appropriation” includes even more clearly an intentionality. Without this, the act would be, again, nothing other than to “cause, by means of a series of bodily movements, the fact that . . .”; including the intentionality of “appropriating” the thing in question already includes the fact that the thing is a “*res aliena*.” One could object that it is possible that we are dealing with something that is not (yet) anyone’s property, and therefore we are not dealing with a theft (but an act of “original appropriation”). This is true, but shows that in that case the term “appropriation” is used twice, each time with a different meaning: in the second case it no longer includes the element of “taking of something from someone against his will, etc.” With this we arrive at the result, already recognized, that the existence of a “*res aliena*” is, certainly, an indispensable condition for a concrete action to be a theft, but it is not a sufficient condition. We cannot conclude: Since an act of original appropriation, given that there is no “*res aliena*,” is not a theft, an act of appropriation is a theft *only* because it includes a series of bodily movements that are directed toward a “*res aliena*” (which would then be the object that morally specifies this act). This is a *non sequitur* that obscures the circular character of the argument.

<sup>71</sup> Cf. the texts cited above: *ST* I–II, q. 19, a. 1, ad 3; I–II, q. 19, a. 3 and ad 1; but also I–II, q. 13, a. 1.

object of a human act as chosen by the will, we must describe it in its *rational structure* (as intelligible content at the practical level, as a proposal of action), which, as is obvious, also includes its primary and basic intentionality, which defines it as the object of an *act*.

These statements can be misunderstood, unfairly, as subjectivism leading to arbitrariness, arguing that this perspective makes the moral value of any action depend on the arbitrariness of the person who acts, directing his intentions in each situation toward what he wants. In my opinion, however, this criticism misses the point, since it ignores the decisive fact that every act of the will necessarily depends on reason. Nothing can be willed unless reason presents it to the will as a good, and the judgments of reason regarding the good can be evaluated precisely according to criteria of reasonableness, that is, objectively and therefore not arbitrarily. “Reason is not an arbitrary measure of the will.”<sup>72</sup> “To take and appropriate to oneself a watch that belongs to another” is something *objectively* unjust in the sense that it is precisely reason that grasps the necessary relationship of injustice between “another’s property” and “taking it from him against his will” so as to appropriate for oneself the thing in question; it is also reason, and reason only, in its speculative as well as in its practical function, which grasps the link between the thing and its owner, that is, the right of property, the difference between “mine” and “yours.” Practical reason comprehends all of this, on the basis of its own principles formulated from the natural law, as contrary to justice—for example, as contrary to the golden rule—and therefore as an evil to avoid. For this reason, the intentionality rooted in practical reason does not “create” the injustice of this or that theft; this intentionality only causes that certain movements of the body would be, in fact, a theft. All of this is knowable only by reason, and it is reason that proposes this ordered aggregate of bodily movements and circumstances to the will, as a good to be pursued.<sup>73</sup>

We see therefore how, *for reason*, there exists a non-arbitrary connection between the material elements of the exterior act, its objective moral species as a “theft,” and its consequent valuation as “unjust.” Equally, there exists, *again for reason*, a non-arbitrary connection between an act of sexual copulation and its specification as good or evil, as, for example, “an act of infidelity” or “an act of conjugal love.” This connection is under-

<sup>72</sup> Ralph McInerney, *Aquinas on Human Action*, 102.

<sup>73</sup> The first principle of the natural law expresses this structure of the “bonum faciendum et prosequendum”; this is found also at the level of the concrete act, which is always presented to the will as “bonum faciendum et prosequendum”; cf. *ST* I–II, q. 94, a. 2.

stood by reason on the basis of its natural principles—the natural law—according to which reason orders the act proper to the sexual inclination and its natural end to its morally just end, that is, according to the circumstances that are significant for reason, such as, for example, whether or not the act is with one's own wife.<sup>74</sup>

A possible objection is that the inclusion of a prior—and constitutive for the object—intentionality in the notion of the object of a human act ultimately means to render irrelevant, for the object's description, whatever does not proceed from this intentionality, and is rather “pre-configured” by factors independent of the actor, such as the natural structures and properties of the “things” or realities around which the action is performed. Kevin Flannery, for example, has criticized my assertion that “to swallow X” (where X is, for example, a morphine capsule) is not, as such, a practical good and therefore cannot be understood as the object of an act, precisely because a morphine capsule as such cannot be a good for the will, and therefore cannot even be chosen. To choose “to swallow X,” I wrote, it is necessary that there exist a primary and fundamental “why” one does this, as for example “to take a means for alleviating pain.”<sup>75</sup> With this, objects Flannery (who seems to want to sustain that it is precisely “to swallow X,” as such, that is the object of the act “to swallow X so as to alleviate pain”), the practical sphere would be isolated from the very sphere to which we apply descriptions such as “to swallow X,” that is, from the physical sphere, from the nature of things.<sup>76</sup> Which is to say, the connection would be lost between the natural properties of morphine (its narcotic effects) and its being a good chosen to the end of alleviating pain.

This criticism, as well, seems to me to express a difficulty that results from failing to notice the constitutive role of reason in the constitution of the moral object, and therefore from a different (or entirely lacking?) anthropology of action. With the assertion, that “to swallow X” is not yet the description of an object of a human act, but that this object is “to swallow X so as to alleviate pain,” we in no way separate the realm of praxis from the realm to which we apply the description “to swallow X”—that is, the connection is not severed between the natural properties of the morphine (its narcotic effect) and its being a good chosen for the end of alleviating pain—and this for the simple fact that to be able to choose “to swallow X so as to alleviate pain,” reason must understand the link between “X” and “alleviate pain”; it must know that “X,” because of its specific (narcotic) effect, is a preparation suitable for alleviating pain.

<sup>74</sup> Cf. *De malo* 2, 4.

<sup>75</sup> Cf. *Die Perspektive der Moral*, 101.

<sup>76</sup> K. Flannery, *Review of Die Perspektive der Moral*, 591.

Knowing this identical information, however, it is also possible that one choose “to swallow X” to get high on drugs! This latter act would be different *on the basis of its object*, even though the external act of “to swallow X,” as well as the “X” itself, are identical in both cases. This, in my view, proves that “to swallow X” is not the object in the moral sense, but the action considered at a merely physical level, and therefore not as a practical good, that is, not as an object of the will.<sup>77</sup>

At this point, one could nevertheless object that the above example of taking the watch is poorly chosen, since the external behavior (the removal of the watch from Mrs. Jones’s wrist) can in fact be understood as the object of an act that is morally *indifferent*, which becomes evil only through the successive intention of the unjust appropriation; because of this, according to the objection, my argumentation becomes pointless. This objection seems unconvincing to me, however, given that, as has already been shown, the behavior described in our example can be described as a human act, as an act chosen and voluntarily carried out, if and only if we include a specific intentionality in the description. This makes clear that such an intentionality is not an *ulterior* or *subsequent* intention by which an act, in itself already morally defined on the basis of its proper object, becomes ordered as a means, but rather it is this basic intentionality that defines the act, precisely, as a *human* act (= an act proceeding from a deliberate will). A different case, and a case of an act that is truly *indifferent* “*ex obiecto*,” chosen as a means in view of an ulterior end, would be that of one who chooses to “take a walk *with the intention* of preserving his health.” “To take a walk” is an act, definable as a human act, which can be considered to be morally indifferent: It is a type of bodily movement or bodily behavior—“walking”—chosen in view of what we typically call a “walk,” for example, “to go for a walk”; the term “a walk” itself means: “An act which is the effect of walking without hurry and without fixing a particular destination in advance, so as to move a bit, to enjoy oneself. . . .”<sup>78</sup> Here also the basic intentional element is not lacking in the description of the act and of its objective significance. “To take a walk” is more than simply (physically) “to

<sup>77</sup> This unfolds in what is called a “practical syllogism,” in which, by means of theoretical judgments (assertions of facts) one infers, from a higher-level practical judgment, a successive, more-concrete practical judgment, to the point of arriving at the choice of an action, and to the action itself. We will speak of this briefly at the end of this study.

<sup>78</sup> “Atto, effetto di camminare, senza affrettarsi e senza prefiggersi una meta particolare, per fare un po’ di moto, svagarsi. . . .” (Nicola Zingarelli, *Vocabolario della Lingua Italiana* [11th edition], entry *passaggio*, 1345). In Italian the word “camminare” indicates the physical act of “walking,” while “passeggiare” means “to take a walk.”

walk”: It is a specific type of “walking,” which as intelligible content can be chosen by the will as a good and an end. We can distinguish “to take a walk” from other types of human acts, which, from the point of view of the bodily movements involved, are exactly the same, but which are chosen for a different intrinsic end: for example, from the action “to walk to work.” One who performs this latter action does not “take a walk with the intention of going to work,” for the simple reason that precisely what he does not do is “take a walk.” Rather, he has chosen, and carries out, a different action: He takes a *trip* (he “walks to work”). “To take a trip” and “to take a walk” are two human acts that are indifferent, but distinguished by their respective objectives; their intelligible content, capable of being chosen by the will, is different. What cannot be done, however, is to describe the external behavior alone—the bodily “to walk”—as a human act, without making reference to an intentionality of the type “take a walk,” “take a trip,” or something else of this nature (e.g., “make a pilgrimage”). This demonstrates that these bodily movements are not yet the object of a human act, but only the physical elements and requirements of an act, not yet rationally ordered to an end and for this reason not yet morally qualifiable. The same can be said about “to raise an arm,”<sup>79</sup> which is an act of greeting, or one indicating departure, but never simply “to raise an arm.” This latter, as such, cannot be chosen. There would not be an intentional basic-action, and therefore no action at all. Nor can it be chosen only so as to falsify the theory of action just proposed, because in that case “to raise an arm” would again be something more than simply “to raise an arm”: It would be “to raise an arm so as to demonstrate that my affirmation is in error.”

Something similar is valid also for a sexual act: The simple natural end of sexual copulation between a man and a woman—procreation—is not the object that provides such an act with its primary and fundamental *moral* characteristic. I do not want to say here that the moral object of a sexual act has no relation to its natural end. But to grasp the moral object of the sexual union between man and woman, something more is necessary, something that only reason can conceive as a good, and propose to the will as an end to be pursued. “Marriage” is not a “natural” fact or finality, in the sense of being pre-existent independently of the ordering act of human reason and of subsequent acts of the will. The objective significance of human sexuality is understood only in the context of the auto-experience of the subject as a being constituted in a unity of body and spirit, of the experience of the other not merely as a body or a

<sup>79</sup> I have used this example, taken from Wittgenstein’s “Philosophische Untersuchungen,” to illustrate the notion of “intentional basic-action,” in my judgment very important in *Die Perspektive der Moral*, 96ff.

“sexual partner,” but as a person, “equal to me,” and of the sexual act itself as a relationship of love between two *persons*.

It is equally true, however, that between the act “to play a trick” and “to remove another’s watch from the arm to which it is attached,” or between “to take a walk” and “to walk,” there is a different relationship than between “the marriage act” and “the natural end of sexuality.” We will speak of this shortly. The only thing I want to point out here is that, just as with “to play a trick,” “the marriage act,” in its specific configuration (as an act of love and special friendship, of affective union between two persons, open to the transmission of life), is not simply an object “given” by nature, but something in whose configuration also enters the intentionality of the acting person. As an act of love and fidelity between two persons—as an act of persons—sexual union presupposes an intentionality on the part of the persons who perform this act. This intentionality certainly assumes the natural finality of the sexual act, but it also transforms, regulates, and orders it, in accordance with the requirements of reason, to the end of love between persons and of the procreation of human life. Only within the order of reason can the circumstance that the agents either are, or are not, married—that is, mutually bound in an indissoluble union—present itself as a decisive circumstance for distinguishing, on the basis of their object, the marriage act from an act of fornication. The fact of not being married becomes, therefore, a “principal condition of the object . . . opposed to reason.”<sup>80</sup> Considered, on the other hand, outside the order of reason, the sexual act cannot be morally qualified as “good” or “evil,” even if it fulfills its natural finality of being the cause of the conception of human life.<sup>81</sup>

It would, of course, be equally possible to describe the action of “taking the watch” without making reference to a “why” or to a particular intention of the agent. But in this case, one would be describing this action not as a human act, deliberately chosen and morally qualifiable, but only an event or a physical process. In this case, therefore, the act would not be described from “the perspective of the acting person,” and therefore as an act or behavior that is *chosen*, the “proximate end” of an act of the will, informed by reason that orders the external behavior to this end, presenting it as a (practical) good to the will. If we remain at the merely physical level, we would not be able to understand why *Veritatis Splendor* affirms, in accordance with the entire Thomistic tradition, that the “morality of the act depends primarily and fundamentally” on such an

<sup>80</sup> *ST* I–II, q. 18, a. 10: “. . . principalis conditio obiecti rationi repugnans.”

<sup>81</sup> *ST* I–II, q. 18, a. 5, ad 3.

object. We observe, moreover, that *Veritatis Splendor* does not say merely that the morality depends on the “object,” but that it depends “*on the object rationally chosen by the deliberate will.*” With this expression, everything contained in this passage of the encyclical is synthesized at the outset: Such an object is the intelligible content of a concrete type of action that is presented by reason to the will as a good, as the proximate end of the will’s elective act, that is, of the choice of a concrete action.

### 6. The Intentional Constitution of the Object and the “Ethical Context”; the Example of Lying

If we compare no. 78 of *Veritatis Splendor* with the exposition of the *Catechism of the Catholic Church*, published a year prior to *Veritatis Splendor*, on the theme of the “sources of morality,”<sup>82</sup> it is clear that the Catechism takes a somewhat different approach on the matter, one based more in the classical tradition of the manuals, with a clear opposition between “objective” and “subjective.” Compared with the Catechism’s approach, that of *Veritatis Splendor* seems innovative in various respects, even if there is not yet consensus on the exact meaning and importance of the encyclical’s approach.

“The chosen object” of an action is defined by the Catechism as “a good toward which the will deliberately directs itself. It is the matter of a human act.”<sup>83</sup> To speak, in the Thomistic tradition, of the object as the “matter” of a human act is certainly correct in the sense that the object is called, precisely, “*materia circa quam.*” Nevertheless, we must not forget (as we have seen) that for Aquinas this *materia circa quam* has in a certain sense the character of a form, inasmuch as it confers on the act its species.<sup>84</sup> Human acts, however, receive their species from their end.<sup>85</sup> For this reason Thomas says that the *materia circa quam*—which is the object as exterior act—as it is considered formally, that is, as the object of an interior act of the will (which the act of choice is), possesses the character of an end, *and as such gives the act its species.*<sup>86</sup> It follows that for Thomas the “*materia circa quam*” is the end and the form of the act.

For precisely this reason, every object is also “matter,” in the same sense in which all that is capable of being ulteriorly determined by a form is

<sup>82</sup> Cf. the CCC nos. 1750ff.

<sup>83</sup> CCC no. 1751.

<sup>84</sup> *ST* I–II, q. 18, a. 2, ad 2: “. . . habet quodammodo rationem formae, in quantum dat speciem.”

<sup>85</sup> *ST* I–II, q. 18, a. 6.

<sup>86</sup> Cf. yet again *ST* I–II, q. 72, a. 3, ad 2: “obiecta, secundum quod comparantur ad actus exteriores, habent rationem materiae circa quam; sed secundum quod comparantur ad actum interiorem voluntatis, habent rationem finium; et ex hoc



also “matter.” The object, which confers on the act its first moral species, is susceptible of being informed by successive ends to which this act is ordered by the will, that is, by an “intention” in the strict sense (as distinct from the choice [*electio*] of the means to an end). The object is not, however, “matter” in the sense of a material element of an act which, considered in itself, would as yet be lacking any finalization whatsoever on the part of the subject. This, as we have seen, is not possible, given that the object of the act is the object of an act of the will—the act of choice—and therefore, as voluntary, depends on a previous *ordinatio* on the part of the practical reason of the acting subject: It includes the intelligible content of the constitutive voluntariness of this act.<sup>87</sup>

The distinction between “object” on the one hand and “end” on the other can therefore cause misunderstanding, because the object is the “*finis proximus*” of the act of choice [*electio*], and the “end” to which the intention tends is the “object” of the act of intention [*intentio*]. Nor can it be said that, unlike the end followed by the intention, the object is something that *does not* proceed from the acting person.

In particular, the following statement of the Catechism could cause confusion: “In contrast to the object, the intention resides in the acting subject.”<sup>88</sup> With this statement, what is valid generally for human action at all levels is attributed to the intention alone. In our example, the difference between the two objects “a trick” and “a theft” is constituted by what the Catechism seems to attribute exclusively to the intention: by a different “movement of the will,” a different “[orientation to] the good anticipated from the action undertaken.”<sup>89</sup> But it is precisely *this*—a particular movement of the will and an intentional orientation toward a good—that we find also at the level of the object of the action itself, and without which we cannot describe this object. Otherwise, we would not be dealing with a human act, morally qualifiable on the basis of its object.

In discussing intrinsically evil acts, however, the *Catechism of the Catholic Church* itself confirms the approach suggested by *Veritatis Splendor* and the interpretation that we have proposed here: to describe, at the moral level, the object of some types of actions that are categorized as

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habent quod dant speciem actui”; cf. De malo 2, 4 ad 9: “Finis proximus actus idem est quod obiectum, et ab hoc [actus] recipit speciem”; *ST* I–II, q. 73, a. 3, ad 1: “obiectum, etsi sit materia circa quam terminatur actus, habet tamen rationem finis, secundum quod intentio agentis fertur in ipsum. . . . Forma autem actus moralis dependet ex fine.”

<sup>87</sup> E. Colom and A. Rodríguez Luño, *Scelti in Cristo per essere santi*, 127.

<sup>88</sup> CCC no. 1752.

<sup>89</sup> *Ibid.*

morally evil, neither can the Catechism do without a reference to an intentional element, constitutive for the object of these actions.

The Catechism defines the act of contraception, for example, using the words of the encyclical *Humanae Vitae*, as any “action which, whether in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, *proposes, whether as an end or as a means*, to render procreation impossible.”<sup>90</sup> Masturbation is defined as “the deliberate stimulation of the genital organs *in order to derive sexual pleasure*.”<sup>91</sup> For the description of the act of lying, also traditionally considered to be an intrinsically evil act, the Catechism refers to St. Augustine’s *De mendacio*: “A lie consists in speaking a falsehood *with the intention of deceiving*.”<sup>92</sup> The following number adds: “To lie is to speak or act against the truth in order to lead someone into error.”<sup>93</sup>

It is not possible here to analyze the objects of these types of behavior.<sup>94</sup> It will be useful, however, to further specify some aspects of lying, which will also be important for an exegesis of St. Thomas. It is common opinion that on this point Aquinas differs notably from St. Augustine’s position. The difference is, however, not as great as is customarily claimed. For St. Thomas, as well, to tell a lie includes not only to say what is false, but also an *intentio voluntatis* to say what is false, the *voluntas falsi enuntiandi*,

<sup>90</sup> CCC no. 2370: “actus qui [. . .] id tamquam finem obtinendum aut viam adhibendam intendat, *ut procreatio impediatur*” (emphasis added).

<sup>91</sup> CCC no. 2352: “voluntarium organorum genitalium excitationem, *ad obtinendam ex ea veneream voluptatem*” (emphasis added).

<sup>92</sup> CCC no. 2482: “. . . enuntiatio falsa] *cum voluntate ad fallendum prolata . . .*” [emphasis added].

<sup>93</sup> CCC no. 2483: “Mentiri est contra veritatem loqui vel agere *ad inducendum in errorem*” (emphasis added).

<sup>94</sup> Concerning contraception, see my analysis in “Contraception, Sexual Behavior, and Natural Law. Philosophical Foundation of the Norm of *Humanae Vitae*,” in *Humanae Vitae: 20 anni dopo. Atti del II Congresso Internazionale di Teologia Morale Roma (9–12 novembre 1988)* (Milan: ARES, 1989), 73–113; also published in *The Linacre Quarterly* 56 (1989): 20–57, and in an expanded version in German as *Sexualität und Verantwortung. Empfängnisverhütung als ethisches Problem* (IMABE Studie Nr. 3) (Vienna: Verlag IMABE—Institut für medizinische Anthropologie und Bioethik, 1995); in Italian in *Sessualità e responsabilità: la contraccezione come problema etico*, in Rhonheimer, *Etica della procreazione. Contraccezione—Fecundazione artificiale—Aborto* (Milan: Edizioni PUL–Mursia, 2000), 15–125 (Spanish edition *Ética de la procreación* [Madrid: Rialp., 2004], 27–131). See my “Contraccezione, mentalità contraccettiva e cultura dell’aborto: valutazioni e connessioni,” in R. Lucas Lucas, ed., *Commento interdisciplinare alla «Evangelium vitae»* (Pontifical Academy for Life, Italian edition eds. E. Sgreccia and R. Lucas Lucas) (Vatican City: Libreria Editrice Vaticana, 1997), 435–52.

the “will to say what is false,” which includes the intention to say something that is contrary to what one has in mind.

Thomas expressly says that the act of “manifesting the truth” is an act of reason, which joins a sign to something signified.<sup>95</sup> Even animals, which do not possess reason, manifest something signified by means of signs, but these “do not intend to manifest anything.”<sup>96</sup> As the manifestation of the truth is a moral act, Thomas continues, it must be voluntary and depend on an intention of the will.<sup>97</sup> For this reason, he says, the intention of a disordered will can refer either to the declaration of the untruth itself, or to the effect of deceiving someone;<sup>98</sup> this second *intentio*, the *intentio fallendi*, according to Thomas, is not part of the *ratio mendacii*, but only of its perfection, which is the effect of deceiving. But even the object of the *ratio mendacii* in the proper sense includes an *intentio voluntatis*, that of declaring what is false. With this, Thomas obviously means that lying is lying merely by the will to say what is false, without there being necessary an explicit intention to deceive someone. What, however, causes difficulties in Thomas’s position—and that seems to make St. Augustine’s definition preferable—is to understand how someone could will to lie without also willing to deceive the person to whom one lies. Perhaps St. Thomas would not claim that this is possible; he says only that formally, that is, essentially, lying must be defined without this second intention, and that the first suffices. It seems more logical, however, to include the *intentio fallendi* in the definition of lying or, said otherwise, to consider the will to say what is false and that of deceiving as a single *intentio voluntatis*, constitutive for an act to be a lie according to its object.

In any case, when the Catechism says in the following no. 2485 that “by its very nature, lying is to be condemned,” which is to say it is per se evil and not only due to circumstances or ulterior motivations, this refers to a “nature” of the object which includes a basic intentionality, whether

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<sup>95</sup> *ST* II–II, q. 110, a. 1: “. . . est rationis actus conferentis signum ad signatum.”

<sup>96</sup> *Ibid.*: “. . . non tamen manifestationem intendunt. . . .”

<sup>97</sup> *Ibid.*: “In quantum tamen huiusmodi manifestatio sive enuntiatio est actus moralis, oportet quod sit voluntarius et ex intentione voluntatis dependens.” Although St. Thomas says in the following sentence that the object of the *manifestatio* or *enuntiatio* is “the true or the false,” he speaks there of the power moved by the will, and not of the object of the act *qua* a human act. This latter object is the object of the “voluntas falsi enuntiandi,” that is, a “collatio” of a *signum* to a *significatum* that is properly an act of reason and includes a corresponding intentional structure, without which it could not be an object for the will that chooses this act.

<sup>98</sup> *Ibid.*: “Intentio vero voluntatis inordinatae potest ad duo ferri: quorum unum est ut falsum enuntietur; aliud quidam est effectus proprius falsae enuntiationis, ut scilicet aliquis fallatur.”

it be to will to deceive (Augustine), or at least the will to intentionally say what is false (Thomas).<sup>99</sup>

The most important point, however, and one that is often ignored, seems to me to be that for Aquinas, lying by its nature is not only contrary to the nature of linguistic acts and to the truth, but it is also a *violation of justice*. To say what is false so as to mislead is unjust, because it violates another's right, that of living in community with one's fellow men on the basis of a mutual trust. By their nature, linguistic acts are communicative acts, the object of the virtue of truthfulness.

According to Aquinas, the duty to manifest the truth with one's linguistic acts derives from the fact that "it would be impossible for men to live together, unless they believed one another, as declaring the truth one to another."<sup>100</sup> This speaks of a "moral duty" based on the fact that human honesty requires that one manifest the truth to others in his use of language,<sup>101</sup> that is, that he not abuse the proper nature of language that consists in the manifestation, by means of words, what one has in mind. This is the virtue of truthfulness, which is part of justice; we can call it "communicative justice."

Contrary to an exegesis that seems to me to concentrate too unilaterally on article 3 of I-II, q. 110, I believe that for St. Thomas lying is evil, not because it is contrary to the nature of language, but because it is opposed to the virtue of truthfulness, to communicative justice.<sup>102</sup> The fact that words, as Thomas affirms, are by nature signs of what one has in

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<sup>99</sup> It is important to specify "to *intentionally* say what is false," since simply "to say what is false" (a mere *falsiloquium*) would not be a lie even for St. Thomas (even if the "falsiloquium" were voluntary, as in the case in which someone voluntarily says something false, thinking however that it is true: He says what is false, but he does not say it *intentionally*). Also if *ST* II-II, q. 110, a. 1 says that the "false" and the "true" are *the object* of linguistic acts, this object is not yet the object that specifies morally. This latter occurs only when "to say what is false" becomes an object of the will. Thomas calls this the "falsitas formalis." We can describe it as "the will to manifest with linguistic acts something that is contrary to what one has in mind." Such a "will to say a falsehood" is necessarily the will to carry out a linguistic act (an exterior act in the material, physical sense) *with the intention* to manifest something that is contrary to what one has in mind. This is already very close to the Augustinian "intentio fallendi," which shows that the differences, in the end, are practically insignificant.

<sup>100</sup> *ST* II-II, q. 109, a. 3, ad 1: "Non autem possent homines ad invicem convivere nisi sibi invicem crederent, tanquam sibi invicem veritatem manifestantibus."

<sup>101</sup> *Ibid.*, a. 3, corpus: ". . . debitum morale, in quantum scilicet ex honestate unus homo alteri debet veritatis manifestationem."

<sup>102</sup> *ST* II-II, q. 110, a. 1; the virtue of truthfulness is treated in the preceding question, 109.

mind is not the reason for which lying is *evil*, but that for which *every* lie is evil.<sup>103</sup> But it is also clear that for Thomas “to say what is false”—a *falsiloquium*—can be a lie (in the moral sense) only inasmuch as it is opposed to the virtue of truthfulness. “Formal untruthfulness” or “the will to tell a falsehood,” in which according to Thomas lying consists, is evil precisely because such a will is opposed to the virtue relative to *veritas*: truthfulness.<sup>104</sup> The finality of the virtue of truthfulness constitutes, therefore, the “ethical context” in relation to which lying acquires its objective identity as a particular type of linguistic behavior and, therefore, also its specification as a morally evil act. One who “lies,” however, in the context of a scientific experiment so as to test a lie detector or during a party game in which lying figures as part of the game, clearly does not sin, even if he does do something contrary to the nature of language!

Precisely for this reason the following two cases are completely different: (1) those who told representatives of the Gestapo, searching for Jews so as to deport them, that there were no Jews in the house; and (2) the case of a person, for example, a functionary, a minister, a professor, or a father, who considers that in a particular situation their questioner does not have the right to know what he asks (or, which would be equivalent, that they themselves do not have the right to reveal that which the questioner wants to know) and who therefore thinks that he can licitly mislead his questioner with false answers or by responding “I don’t know.”<sup>105</sup> In this second

<sup>103</sup> *ST* II–II, q. 110, a. 3: “. . . malum ex genere. . .”

<sup>104</sup> For this reason article 1 of *ST* II–II, q. 110, where lying is defined as “voluntas falsum enuntiandi,” bears the title: “Utrum mendacium semper opponatur veritati.” This article establishes, therefore, the reason for which lying is a morally evil act. *ST* II–II, q. 110, a. 3, on the other hand, where Thomas speaks of lying as being contrary to the “nature of language,” is titled: “Utrum omne mendacium sit peccatum.” This latter article, therefore, does not deal with the question of what a lie is, and why it is morally evil, but rather why lying is *intrinsically*, always and without exception, evil: It is the “nature of language” itself—the natural and necessary relationship between *vox* and *signum*—which makes every act of “saying what is false,” performed with the will to say what is false, to be a lie, contrary to the virtue of truthfulness, and hence evil. A movement of the hand or an inclination of the head *can* also, according to the situation, be lies, but they aren’t always, because there is no natural link between a movement of the hand (or an inclination of the head) and their being a sign of a specific mental content. Given that words are *naturally* signs of what one has in mind, to profer words contrary to what one has in mind is an “actus cadens super indebitam materiam” (*ibid.*), an act whose matter is (in this case: by nature) inappropriate.

<sup>105</sup> Kevin Flannery arrives at the opposite result—according to my moral intuition in a way that is inadmissible—in his article “The Multifarious Moral Object of Thomas Aquinas,” in *The Thomist* 67 (2003): 95–118: “Thus, all lies are sins, even the notorious lie told to the Nazis who come to the door asking whether there

case, in the context of normal life, a “communicative community” exists between the people involved in which language fulfills its communicative function, and in which, given a “normal” situation or context, there exists a right that words spoken by one’s neighbor be expressions of truth, with a corresponding duty on the part of the neighbor. This is valid also for the case in which someone could, by lying, gain a great advantage or avoid a great disadvantage: A lie remains a lie, even if put forth with good intention. In the first case, on the other hand, a situation of war and aggression exists in which the social significance of linguistic acts is altered; to say what is false becomes an act of self-defense—and of the defense of others—not because “in this case” it is so, but because *objectively* there no longer exists between these persons a communicative community that could be damaged. For this same reason, neither can communicative justice be damaged in such a case. This latter is the reason why saying what is false, abusing language, is morally evil and is called “lying.”

What has been said so far can be summarized in the following two points: First, we cannot understand and define the object of a human act without including in this definition an intentional element that expresses the “why” one does what one (externally) does. Without such a “why” (a basic intentionality is configured by reason) we would be left with only the material elements of the action, not yet ordered by reason, and therefore incapable of being the “form” of an act of the will and of conferring on it, as an end, its moral species. This basic intentionality, which comprises part of the object is, not to forget, Thomistically speaking its “formal” part; as such it is the expression of a good, the “*finis proximus*” pursued in the action.<sup>106</sup>

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are Jews inside . . .” (109). Cf. Flannery’s critique of my position in his review (cited above) of my book *Die Perspektive der Moral*.

<sup>106</sup> For this reason it seems strange to me that Jean Porter would assert: “In some cases, the agent’s aim forms an essential component which must be taken into account, in order to determine the object of the action” (“The Moral Act in Veritatis Splendor and in Aquinas’s *Summa theologiae*: A Comparative Analysis,” in Michael E. Allsopp and John J. O’Keefe, *Veritatis Splendor: American Responses* [Kansas City: Sheed & Ward, 1995], 278–95; at 288). I do not see why this would be true only in “some cases.” Porter maintains this because she thinks that one who commits an adultery *does not want to commit an adultery, but to enjoy himself* (“what he wants is not to commit adultery, but to have a good time”), even if, in fact, he commits an adultery (cf. *ibid.*). For Porter, this would be the example of an external action whose object could be determined without reference to what the agent wills. This is false, however: One who (voluntarily) commits an adultery knows that it is in fact an adultery he is committing, *and therefore also wills to commit it*, that is, he *wills*—intends—“to unite sexually with a woman who is married to another” (even if, obviously, he does not do it “to commit an

Second, I want to accentuate the fact that such a basic intentionality can be formulated and acquire its moral significance only in relation to what we can call the “ethical context.” Outside the context of a proposal to have sexual relations with someone and, for this reason, to want to impede the possible procreative consequences of the act, the ingestion of a contraception would not be, in a moral sense, an act of contraception.<sup>107</sup> It would be, for example, an act of self-defense, if done to prevent the procreative effects of a foreseeable rape; or a therapeutic act, in the case of a woman who intends by doing so to regulate her rhythm; or it could be a measure taken by a woman athlete who wants to impede menstruation during the Olympics. If the ethical context changes, so does the basic intentionality, as well as the object of the act—even if, considered physically, the act is the same in each case. Even lying, as an act contrary to justice, can be defined only in relation to the ethical context of the “communicative community” and therefore as contrary to communicative justice.<sup>108</sup>

### 7. Objective Evil and Intrinsic Evil: “Intrinsically Evil” Acts

Given that the object of a human act cannot be understood without the inclusion both of a primary and fundamental intentionality and of refer-

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adultery”). Without the basic intentionality “to will to unite oneself sexually with a woman,” the bodily movements, commanded by the will and constitutive of sexual union between a man and a woman, could not be understood as a human act. The fact that the woman is the wife of another is not the object, but a *circumstance*, relevant, however, for the constitution of the object, and therefore to be included in its description; it is, in this case, a “*principalis conditio obiecti rationi repugnans*” (*ST* I–II, q. 18, a. 10): it makes the action of uniting sexually with this woman to be morally evil (because it is unjust), and that the action be what is called an “adultery.”

<sup>107</sup> Cf. Martin Rhonheimer, “Minaccia di stupro e prevenzione: un’eccezione?,” *La Scuola Cattolica* 123 (1995): 75–90 (reprinted in Rhonheimer, *Etica della procreazione*, 110–25).

<sup>108</sup> The notion of “ethical context” does not lead to subjectivism or arbitrariness, at least no more than does the notion itself of the “moral object” of an act. The latter is not simply a “given object,” and to know whether it is good or evil, virtuous or opposed to moral virtue, is not always easy, causes debates and at times diverging conclusions; nevertheless, all else aside, the identification of the object always includes a rational valuation. In the same way, an “ethical context” is also an *objective*, non-arbitrary datum, but not in the sense of something given naturally (like, e.g., meteorological facts concerning today’s weather), but as something to be ascertained rationally on the basis of the ends of the individual virtues (justice, temperance, courage, etc.), whose rule are the first principles of practical reason, known naturally, which are also called the “natural law.”

ence to its specific ethical context, the qualification of an act as “intrinsically evil” also presupposes that it be understood precisely as an intentional act, defined with reference to a specific ethical context. Such ethical contexts are conceivable only by reason, which gives them their specific moral configuration. This “ethical context” is always that of a particular virtue. In the case of lying, the virtue is justice; with contraception and masturbation, chastity. The moral virtues, nonetheless, are not defined without reference to anthropological truth, that is, to human nature, which is made known and imposes itself as a moral rule by means of *reason*, beginning with the natural law, which is the *ordinatio rationis* at the universal level and at the level of principles.

Certainly, in a particular sense of the term “intrinsically,” every evil act is *intrinsically* evil, given that it is not evil because it is prohibited, but prohibited because it is evil, precisely on the basis of its intrinsic and specific “moral nature.” This meaning of the term “intrinsically evil” is trivial, however, and pleonastic in the context of ethical theory. *Veritatis Splendor*, rather, clarifies the significance of this expression, saying in no. 80 that *intrinsically* evil acts are evil “always and per se, in other words, on account of their very object, and quite apart from the ulterior intentions of the one acting and the circumstances.” What does this mean?

The notion of “intrinsically evil act” does not include, according to the citation from *Veritatis Splendor*, the idea that, independent of the person who acts, there would be something evil “in the action,” considered as a natural datum by itself, and independent of any intentionality on the part of the subject who acts. Rather, according to the encyclical an act that is “intrinsically evil” is simply an act that is evil when considered *independently of ulterior intentions*. It seems therefore that according to *Veritatis Splendor* “intrinsically evil” is equivalent to “evil *ex obiecto*”; what would not be considered “intrinsically” evil would be an action that is evil only because of successive intentions (and perhaps circumstances) for which it is done, that is, actions that by their object are good or indifferent, but are made evil by the evil intention with which they are chosen (such as “to give alms with the intention of committing adultery”).

For every human action, as *Veritatis Splendor* no. 80 affirms, the possibility of distinguishing, in each case, an object (*finis proximus*) from ulterior ends for which this object is chosen is fundamental; and, consequently, to be able to morally qualify this object in a way independent from the *whole* that is the action and all the ulterior intentions. Such a possibility is the basis for refuting every type of “teleological ethics” (e.g., consequentialism or proportionalism), which claims that this distinction is not possible since, according to such ethics, we can know



what a person objectively does only if we take into consideration all ulterior intentions referred to non-moral goods and the consequences that foreseeably derive from the action.<sup>109</sup>

Nevertheless, to read *Veritatis Splendor* in this way, in the sense that every act that is “evil on the basis of its object” would also be an “intrinsically evil” act, also seems unsatisfying, because the term “intrinsically evil act” commonly designates something more than simply “evil on the basis of its object.” With the words of the Catechism cited in no. 78 of *Veritatis Splendor*, “intrinsically evil” means that “there are certain specific kinds of behavior that are always wrong to choose, because choosing them involves a disorder of the will, that is, a moral evil.” But, to return to our example, the series of bodily movements that cause the watch to disappear from Mrs. Jones’s wrist are not a behavior the choice of which is always wrong, because that behavior can also be chosen to play an innocent trick, and therefore as an act that is good or at least indifferent. When, however, this choice is wrong, when it is in fact a theft, then the choice is evil *ex obiecto*. It seems, therefore, that if the argumentation until now put forth is universally valid and applicable to all human acts, then one must deny the existence of certain types of behavior “that it is always wrong to choose,” and reduce the notion of “intrinsically evil” to “evil *ex obiecto*.”

This would be a rather awkward conclusion, because the affirmation of the Catechism, repeated by *Veritatis Splendor*, that “there are certain specific kinds of behavior that are always wrong to choose, because choosing them involves a disorder of the will, that is, a moral evil” seems to indicate the contrary, that the malice of the “intrinsically evil” act is found, not at the level of the choice of a behavior, but rather in the behavior itself that is chosen: *Veritatis Splendor* seems to affirm that it is precisely this or that type of *external behavior* that causes the disorder in the will. It would be, therefore, precisely the behavior as such, in its pure “physical materiality,” which is the cause of the moral evil of the choice of this behavior and, therefore, the object that morally specifies the act.

It is obvious that such an interpretation would contradict not only the entire analysis proposed so far in these pages, but also the text itself of *Veritatis Splendor*, which immediately prior had affirmed that the object of an act “is the proximate end of a deliberate choice, which determines the act of willing on the part of the acting person.” We must therefore hold, with *Veritatis Splendor*, that that which is “always wrong” are not particular kinds of behavior, considered in their physical materiality, but

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<sup>109</sup> Cf. Martin Rhonheimer, *Intentional Actions and the Meaning of Object*.

particular kinds of *choices of such behaviors*. Even the object of an intrinsically evil act can only be understood “putting oneself in the perspective of the acting person”; it is therefore the object of a choice, and, therefore, the object of a judgment of reason.<sup>110</sup>

The contrary affirmation holds that specific exterior behaviors *as such*, in their “physical materiality” or “natural structure”—for example, bodily movements, including insofar as they produce specific effects, such as “to kill a human being,” “to copulate with a human being of the opposite sex,” “to utter certain words” (“to speak”), “to walk,” “to detach a watch from a wrist,” and so on—can *immediately* and as these types of behavior materially considered, be morally wrong and, consequently, are capable of negatively specifying an act of the will, rendering it disordered and evil. We must emphasize here that such a claim would violate one of the basic principles of a Thomistic theory of action. Indeed, it would imply the necessity of formulating a thesis directly contrary to what St. Thomas, as has been shown above, explicitly teaches: that it is always reason that presents to the will its object.<sup>111</sup> An “external behavior,” an aggregate of “material” elements such as movements of the body, processes, effects caused by these cannot influence the will directly; they are not an “object” for the will, except through the mediation of a judgment of reason, as a *bonum apprehensum et ordinatum per rationem*.<sup>112</sup> The material elements of any behavior can be willed as a good and as an end only in the measure in which they are presented to the will as a totality ordered by reason,<sup>113</sup> as a *bonum faciendum et prosequendum*.<sup>114</sup> It seems, therefore, that we find ourselves back at the preceding argument. In a certain sense, this is true, but we return to this argument only so as to be able to take a step forward.

The conclusion is inevitable, in fact, that the “intrinsic evil” we are speaking of is none other than a case of “evil *ex obiecto*,” and that essentially it is precisely this. If this were not the case, we would destroy the fundamental determination of human action on the part of reason, and with that the very voluntariness and freedom of action, given that every

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<sup>110</sup> This is precisely what John Finnis states, with clarity and proficiency, in his study *Moral Absolutes: Tradition, Revision and Truth* (Washington, DC: The Catholic University of America Press, 1991), 67ff. What seems to be lacking in Finnis’s analysis is an emphasis on the constitutive role of reason in the formation of the object (and therefore of the intentional content of a choice).

<sup>111</sup> *ST* I–II, q. 19, a. 1, ad 3; q. 19, a. 3, ad 1 (cf. the text cited in notes 22 and 20).

<sup>112</sup> *ST* I–II, q. 20, a. 1, ad 1 (cf. the text cited in note 39).

<sup>113</sup> *ST* I–II, q. 19, a. 3.

<sup>114</sup> Cf. *ST* I–II, q. 94, a. 2.

voluntary act is specified by its object, and only by its object.<sup>115</sup> This notwithstanding, a difference remains between the act of the theft of a watch or a trick (with the same watch)—and of any theft, for that matter—on the one hand, and a homicide, a lie, or an adultery on the other. This difference, intuitively grasped by all, is that in the case of the watch we are faced with a collection of elements that are in a certain sense accidental, artificial, and manmade (e.g., the watch itself is an artifact; wearing it on the wrist is, though very practical, a human invention; and the relationship of property between Mrs. Jones and the watch is circumstantial and proceeds from the will, for example, that of Mr. Jones who had bought the watch and given it to his wife—it is not, therefore, a natural and intrinsic characteristic of either the watch or of Mrs. Jones). In the case of lying or of contraception, on the other hand, we are dealing with “material elements” that are more “substantial” and intrinsically linked to the nature of the agent, in the sense that they are less disposable or accidental. They have to do with the “nature of man,” the nature of human sexuality, that of human language, and with natural inclinations that spring from the very being of the human person; we are also dealing with the essence of social relationships among people, these in a certain sense also being “natural,” not the mere fruit of invention, which, while perhaps useful, are more or less arbitrary. We are entering here the realm of specific natural conditionings of human identity, such as life and self-preservation, sexuality and its procreative function, language and its natural communicative function: a “nature” that is not an environment in which we find ourselves and that surrounds us, but that nature that each one of us is, and that constitutes and delimits the realm of fundamental human goods.

This being the case, I believe it is important to emphasize the following about our approach, according to which (1) the object of an act cannot be understood except by placing oneself in the perspective of the acting person; (2) this object always includes an intentional element; and (3) this intentional element must be understood with reference to a precise “ethical context,” which is the sphere of a specific moral virtue. Our approach does not exclude two things. First, it does not exclude that between certain natural data, such as the natural inclinations of the human person and their inherent finality, on the one hand, and the basic intentionality with which these inclinations are pursued, on the other, there exist a necessary and natural connection. Second, inversely, it does

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<sup>115</sup> Cf. again *ST* I–II, q. 19, a. 2: “. . . bonitas voluntatis ex solo uno illo dependet, quod per se facit bonitatem in actu, scilicet ex obiecto.”

not exclude that there are behaviors or ways of acting that it is not possible to choose *reasonably* with *any* intention. One is certainly free to choose the physical act of “laying down on a bed,” whether for the end of resting, to do a Yoga exercise, or to annoy someone: All of these are different human acts on the basis of their object. The same is not true, however, for a linguistic act: To articulate glottal sounds in the form of words includes, as it were, *in itself* a finality that tends to the expression of what one has in mind, that is, it is an act of communication. To engage in sexual intercourse and pretend that this act has nothing to do with an act that is by nature procreative means to choose and act in an unreasonable manner.<sup>116</sup> There exist natural finalities that form a necessary presupposition for the reasonableness of any intentionality with which the corresponding acts are carried out.

In this regard, the objects of acts such as “to commit a murder,” “to lie,” “to commit adultery,” “to fornicate,” “to render infertile one’s own freely performed sexually acts,” are not formulated in the same way that the object of a theft is constituted. All of these acts have in common the fact that in them there exists a merely “material” plane—the action considered in its *genus naturae*—such as in a murder, the physical act of killing (that perhaps could be licit in a just war),<sup>117</sup> in lying the act of saying what is untrue (that could be licit in the context of a game, in the theatre, in an experiment to test a lie detector); in adultery and fornication the sexual act as such (licit in marriage); in a contraceptive act the interference in the hormonal process (licit, for example, for therapeutic reasons, to regulate a woman’s rhythm, to avoid the procreative consequences of a foreseeable rape). But all of these differ from an act of theft by the fact that the “material elements” of a theft have nothing to do with “human nature,” they are not elements, structures, or natural data that have a relation to what the human person is. They lack a certain anthropological “anchoring.”

Even if a quantity of money is another’s legitimate property and it would *normally* be a theft to appropriate this money for oneself, it is thinkable that the same action, considered materially—the external “behavior”—could also be chosen licitly in particular circumstances, for example, in the case of extreme necessity or to save one’s life. In such

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<sup>116</sup> This is valid also for someone who intends to render such an act infertile; he does so precisely because he is dealing with an act that is by nature procreative.

<sup>117</sup> On the various types of “killing” in St. Thomas and some problems in this regard, cf. Martin Rhonheimer, “Sins Against Justice (IIa IIae, qq. 59–78),” in S. J. Pope, ed., *The Ethics of Aquinas* (Washington, DC: Georgetown University Press, 2002), 287–303; particularly pp. 292 ff.

circumstances, says St. Thomas (in accordance with the theological and canonical tradition of his and later times), everything is common property: Even though the right of the owner remains, it becomes relativized in the measure of the neighbor's vital interests; consequently such an act, which normally would be a theft, no longer is, but is rather a licit act of the preservation of one's life.<sup>118</sup> The act of taking a person's property from him against his will is evil due to the fact *that it is unjust*, but not due to the fact that it is (physically) "to take a quantity of money from its owner" (even if against his will); this latter behavior, in other well-defined circumstances (according to criteria of justice, grasped by reason in an objective manner), can also be not contrary to justice. A moral norm that says that "it is not licit to appropriate another's property to oneself" is therefore valid "ut in pluribus"; if it is formulated rather as: "it is illicit to steal," then it is valid *semper et pro semper*, given that it is already implied that some (well-defined) cases of "appropriating another's property" are not theft and, therefore, do not fall under this norm.<sup>119</sup>

Such a *mutatio materiae*, change of matter—not a change of intentionality, but a change of an important circumstance for the object, relativizing the right of property and with that, the significance of the external behavior—is not possible in acts like "to commit a murder," "to lie," "to commit adultery," "to fornicate" or "to practice contraception." Evil, therefore, not only *ex obiecto*, but *inalterably and always* "ex obiecto," are precisely those evil "ex obiecto" acts whose "materia circa quam" does not permit alteration, because constituted by something naturally given and constitutive for the nature of the human person, and inasmuch as this "given" is morally significant. A norm of the type: "[O]ne must never take another's property from him" is not sufficient—rather, one must add "one must never *unjustly* take;" conversely, the norm "one must never have sexual relations with a woman who is married to another man" is valid: The choice of this act, described in behavioral terms, is always objectively an act of infidelity and of injustice, contrary to the nature of conjugal love. What is constitutive for human nature cannot depend on circumstantial facts, as can, alternatively, property rights, because this would mean that the nature of the human person itself could change.

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<sup>118</sup> This is also due to the fact that the right to property is not absolute, in the sense that it is regulated by the higher principle that the goods of this earth are destined to the use of all.

<sup>119</sup> For the validity "ut in pluribus" of the precepts of the natural law cf. *ST* I–II, q. 94, a. 4. The prohibitive norms, if they are formulated correctly, do not admit of exceptions, and St. Thomas applies validity "ut in pluribus" only to some (positively) prescriptive norms (his example is "deposita sunt reddenda").

With this we arrive at the conclusion that to affirm the existence of intrinsically evil acts is equivalent to affirming that there exists a nucleus of the human person, called “human nature,” which is unchangeable and as such also morally significant, because it formulates the ontological and cognitive presuppositions for the order of reason, which is the moral order.

### **8. The Principles of Practical Reason: The Natural Rule of the Objective Significance of Human Action**

We have not, however, arrived at the end of the ethical–normative discourse. Indeed, we have yet to begin! The response just given is still inadequate, since, leaving things at this point, such an argumentation would finish in a pure naturalism. “To act against nature” (against the inclination to self-preservation, against the communicative nature of language and the social nature of man, against the natural meaning of sexuality) cannot be considered *morally evil*, as well, simply because it is contrary to something “natural.” To this point we have merely found an argument apt to show why some acts, as opposed to others, *and these acts always presupposed to be morally evil*, are so *intrinsically*. But the real ethical–normative question is: How does one know that these are precisely morally evil? From where, for example, come our notions of “just” and “unjust,” and how do we know if something is not only naturally given and therefore practically important—to be taken into consideration when we act—but also, as natural, *morally significant*? Why are many things that are not “natural,” or that even go against nature, such as, for a human being, to swim, to shave one’s beard, or to chew gum (frustrating the natural end of the jaws), not morally evil? It is only here that the task of normative ethics begins.

I stated above that, between the intentionality that constitutes the object and certain structures and natural givens, a connection exists that is not at the disposition of the agent. This means that we cannot reasonably choose any behavior we wish with whatever intentionality we wish, even if everything we choose we choose as a proximate end, this latter being precisely the object of the action. It is not rationally possible to chew gum with the end of feeding oneself; nor is it rationally possible to hit someone on the head with the purpose of healing his migraine. To claim to do so would be a sign of irrationality or even of insanity. Nor can two people of the same sex, even if moved by real affection and a bond of friendship, reasonably give fulfillment to their affection and express their friendship by means of acts involving the genital organs, because this would mean to err concerning the nature of the link between love and sexuality. That which we can *reasonably* will as the end of a concrete choice, doing specific

things, depends therefore not only on our subjective opinion or on our freedom, but in some cases also on natural preconditions, grasped by reason and understood as human goods.<sup>120</sup>

Even though every “object” is in fact a type of intentionality—a “proposal”—we must not forget that these proposals are also naturally conditioned. The object of an act is not therefore only “what I want” or “what I propose to do”; rather, a materiality proper to the “physical” nature of the act is also present, a materiality that enters into the constitution of the object. In particular cases, this natural matter of the act can have a special importance for reason, due to the fact that we are speaking of a nature that doesn’t merely surround us, but that we ourselves *are*.<sup>121</sup>

There exists, in fact, a “nature” of language, of sexuality, and so on, a “nature” that nevertheless makes itself known, as a human good, only within the *ordo rationis*, which is the order of the moral virtues, which finds its fulfillment in the *ordo amoris*. Likewise, the natural inclination to self-preservation reveals its “nature” as a human good and as part of the *ordo rationis* within the totality of that which is the human person. This nature, of course, can also appear as a simple natural conditioning, as a limit of our human possibilities. But in this latter sense, “nature” is morally ambivalent and does not provide us with a practical orientation: It is natural for a man to walk, and not to fly, yet we can fly artificially, and we do not consider this morally evil, even though it goes against

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<sup>120</sup> At this point one must speak of the notion of “sin against nature” and the Thomistic doctrine of “nature” as “praesuppositum” of the moral order, a theme amply treated in my *Natural Law and Practical Reason*, 94–109. Jean Porter, in her review of the English edition of this book (in *Theological Studies* 62 [2001]: 851–53), reproves me for having completely ignored St. Thomas’s teaching on the “moral significance of pre-rational nature” and on the “peccatum contra naturam.” Surprisingly, however, Porter completely fails to mention my ample treatment of the theme. I respond to the objections—unfounded—raised by Porter in my article “The Moral Significance of Pre-Rational Nature in Aquinas: A Reply to Jean Porter (and Stanley Hauerwas),” in *American Journal of Jurisprudence* 48 (2003): 253–80.

<sup>121</sup> In this sense I agree with what Steven A. Long says in his article “A Brief Disquisition Regarding the Nature of the Object of the Moral Act According to St. Thomas Aquinas,” in *The Thomist* 67 (2003): 45–71: “The moral object of an act is the act itself—inclusive of its essential matter or integral nature—under the *ratio* of its order to the end sought; it is not solely and simply that *ratio* apart from the essential matter or integral nature of the act” (p. 50). I think, however, that Long has a too-narrow understanding of the significance of the term “intentio” in St. Thomas and, consequently, of the expression “praeter intentionem” (pp. 62ff.), something that cannot fail to have repercussions on his understanding of the structure of the object.

nature. The same is true for the act, also against nature, of having a kidney removed so as to give it to another person who needs one. In other cases, however, “nature” presents itself as a “good,” as that which is to be pursued and done, and to act against which would be to err *morally*. The object of the human act is precisely such a good, at the concrete and particular level. It is the task of practical reason to determine this. But practical reason, which is directed to particular goods, is regulated by its own principles. Some of these principles are “natural”: They are the principles of natural reason, also called the “precepts of the natural law.”

We now arrive at the decisive point: The practical reason that “forms” the object of an act is not a reason that lacks principles of its own. These principles are precisely the precepts of the natural law. The natural law is, simultaneously, the principle of praxis—it impels and motivates the subject to act—and the principle of morality, that is, the rule of the goodness of praxis. Analyzing St. Thomas’s exposition on the natural law we discover that, for him, nature and the constitution of this moral law correspond exactly, both at the universal level and at that of principles, to that which we have said about the constitution of the object of a human act. There is a strict parallelism. As the objects and the moral species of human acts are *formae a ratione conceptae*, the natural law is, like every law, *ordinatio rationis*, and as such “something constituted by reason” and a “work of reason.”<sup>122</sup> The first precept of the natural law, which is based on the *ratio boni*—its character of being the object of appetite, tendency, and will, commands “*bonum est faciendum et prosequendum, et malum vitandum.*”<sup>123</sup> All of the other precepts of the natural law, which correspond to that which the practical reason naturally understands as the human good, are based on this practical principle.<sup>124</sup>

These goods, naturally grasped by the practical reason as human goods, are the ends of the various natural inclinations, not, however—and this is important—as such, but precisely “regulated” by reason. The ends of natural inclinations enter as objects, therefore, in the successive unfolding and specification of practical reason: as objects and “goods of reason” and “for reason,” undergoing a respective *commensuratio* of reason itself.<sup>125</sup>

<sup>122</sup> *ST* I–II, q. 94, a. 1: “. . . lex naturalis est aliquid per rationem constitutum: sicut etiam propositio est quoddam opus rationis.”

<sup>123</sup> *ST* I–II, q. 94, a. 2.

<sup>124</sup> *Ibid.*: “Et super hoc fundantur omnia alia praecepta legis naturae: ut scilicet omnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.”

<sup>125</sup> For the concept of “good of reason” (*bonum rationis*) cf. my systematic study *Praktische Vernunft und Vernünftigkeit der Praxis*, 124–35.



Thus, they are understood—in the perspective of the human person who tends to the good and therefore becomes an acting subject, and at the level of the order of reason—as *human*, and not merely natural, goods, inasmuch as they are grasped by reason, as ends and goods of the *voluntas ut natura*, of the natural act of the will.

The natural inclination to self-preservation is, as a human good *apprehensum et ordinatum a ratione*, more than mere self-preservation: It is the will—that is, *rational* desire—to live, which is capable of opening itself to the demands of justice and love of neighbor (to the point, possibly, of giving one's life for him, something that is opposed to the natural inclination as mere *natural* inclination). The sexual inclination, which mutually attracts the sexes to each other, when understood by reason as a human good is more than mere sexuality, which by means of the sexual instinct and its gratification serves to propropagate the species: It is love between persons that becomes marriage, mutual donation and affective union, a faithful and indissoluble union in the service of the transmission of human life, which, nevertheless, a person may freely renounce for the sake of pursuing other goods. In the sphere of the natural inclination to live in community with one's neighbors, reason finds language to be a natural and indispensable means of communication, whose use against nature, presupposing the existence of a communicative community, would be an injustice and therefore *in itself* evil (i.e., “quite apart from the ulterior intentions of the one acting and the circumstances,” as is said in *Veritatis Splendor* no. 80).

The first practical and moral principles (the precepts of the natural law) develop in reference to these human goods: They are the source of man's self-understanding as human being and moral subject. This self-understanding is the necessary presupposition for every subsequent theoretical and metaphysical comprehension of what we call “human nature.” We all know, from our infancy and progressively thereafter, who we are as “human beings” and moral agents; we know this not because we have studied metaphysics and anthropology, but because we possess the reflected experience of our interiority, part of which is the natural law, which is none other than the entirety of the first principles of the practical reason, commanding us to pursue what is good for man and to flee the contrary evils.<sup>126</sup>

These principles provide us with the fundamental notions of the specific virtues and of particular “ethical contexts,” without which understanding practical reason would remain without orientation. Therefore it

<sup>126</sup> On this topic I refer the reader to my systematic works on the theme: *Natural Law and Practical Reason; Praktische Vernunft und Vernünftigkeit der Praxis; Die Perspektive der Moral.*

belongs to this “natural law,” as well, to be the basis of the understanding of the distinction between “good” and “evil” in human acts. The natural principles of the practical reason—the precepts of the natural law—are therefore like a light that illuminates particular acts, rendering transparent that in them that is objectively good or evil.<sup>127</sup> The analysis of this can be conducted for every area of human action, for example, for the specific areas of sexuality, of truthfulness, and of respect for human life—analyses I have done in other works to which I refer the reader in the footnote.<sup>128</sup>

The underlying idea in such analyses is to show that some kinds of behavior can never be reasonably chosen without contradicting some of the first practical principles that order human action to the human good. Such a contrariness consists precisely in a fundamental non-agreement of the practical judgment and the chosen action with correct desire, in a contrariness with respect to practical truth. The fundamental correctness of desire depends, however, on the natural reason, from which emanates the natural law. Precisely in this sense the words cited in *Veritatis Splendor* no. 78 are germane, that “there are certain specific kinds of behavior that are always wrong to choose, because choosing them involves a disorder of the will, that is, a moral evil.”

### **9. The Unity of the Practical Intellect and the Interrelationship between Subjectivity and Objectivity**

At every level, whether at the level of the first practical principles, naturally understood, or at that of concrete acts and of their first moral specification

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<sup>127</sup> This is not to be understood in the sense that from the principles it can be deduced how, in each situation, it is good to concretely act. The demands of concrete action, in the variable and complex circumstances in which human life takes place, cannot be deduced from any principle, but must be judged by prudence. The principles are, however, the foundation that makes it possible to evaluate the act of prudence and the concrete action according to criteria which are, precisely, moral, and which pertain to the ends of the individual moral virtues. In addition, the principles delineate the limits of the “morally possible,” that is, they determine what one may never do. In this sense, and only in this sense, the principles, formulated as universal prohibitive norms, also regulate concrete action—they are valid *semper et pro semper*—prohibiting the choice of specific concrete behaviors. Cf. M. Rhonheimer, “Praktische Prinzipien, Naturgesetz und konkrete Handlungsurteile in tugendethischer Perspektive. Zur Diskussion über praktische Vernunft und *lex naturalis* bei Thomas von Aquin,” *Studia Moralia* 39 (2001): 113–58.

<sup>128</sup> *Die Perspektive der Moral*, 303ff.; *Natural Law and Practical Reason*, 452–90; *Contraception, Sexual Behavior, and Natural Law*; *Etica della procreazione; Abtreibung und Lebensschutz. Tötungsverbot und Recht auf Leben in der politischen und medizinischen Ethik* (Paderborn: Verlag Ferdinand Schöningh, 2003).

by means of their object, we find the subjectivity and the objectivity of the practical reason intertwined: It is intellective acts that open the subject to the truth that, precisely as truth, is always also objectivity. Moreover, it is the intellect itself that also forms the nucleus of human subjectivity: It is the soul of the will, which is free precisely in the measure in which it is rational. Reason is not only openness to the truth, but also the root and cause of freedom.<sup>129</sup> In this way an objectivity is constituted that, ultimately, is nothing other than the “truth of subjectivity.”

The judgments of the practical intellect, nevertheless, should not be understood as simple applications of what is known by the speculative or theoretical intellect. Even if, as St. Thomas says, the intellect becomes practical by its extension to action,<sup>130</sup> this does not mean that practical judgments are extensions and applications of theoretical or speculative judgments. It means only that the intellectual *power*—and this is what Thomas speaks of when he speaks of “extension”—which is by its nature originally and per se speculative, becomes practical in the extension of its cognitive activity to the realm of action.<sup>131</sup>

This *extensio* is due to the fact that man is a being that tends to the good; in other words, to the fact that the intellect as a power of the soul is always integrated into the totality of the structure of a human person, which is itself a bundle of inclinations and natural tendencies that aim at a variety of goods that this same intellect grasps naturally, rendering them intelligible, as human goods, in the context of the totality of the human person and of the *ordo rationis* that corresponds to him. Because the intellect becomes practical, it is not *theoretical judgments* that are applied to praxis, but it is *the intellect as faculty* that applies itself to the sphere of praxis, generating in this sphere, however, judgments of a particular type—practical judgments—which possess a point of departure of their own. St. Thomas explicitly affirms this: As with the speculative intellect, the practical intellect also has its proper point of departure, its own first principle. Insofar as they are *practical*, practical judgments of the intellect are not derived from judgments of the speculative type.<sup>132</sup>

To affirm that practical reason has its own point of departure and that practical judgments are not derived from theoretical judgments, as though the former were a simple application of the latter to action, is not to say that in the process of practical *reasoning*, composed of a series of judgments—what Aristotle calls the “practical syllogism”—theoretical

<sup>129</sup> *ST I-II*, q. 17, a. 1, ad 2; *De veritate* 24, 2.

<sup>130</sup> *ST I-II*, q. 79, a. 11: “Intellectus speculativus per extensionem fit practicus.”

<sup>131</sup> Cf. for this Rhonheimer *Natural Law and Practical Reason*, 24ff.

<sup>132</sup> Cf. *ST I-II*, q. 94, a. 2.

judgments do not intervene, along with perceptions and experiences of *facts*. In a practical syllogism, the minor premise, indeed, is not practical; but the major premise and the conclusion are.<sup>133</sup> What is important to maintain is that the practicality of reason is not reduced to a simple “application,” a “practical use” of theoretical judgments (which regard facts, the nature of man, etc.), but that it possesses, as St. Thomas clearly states, its own gnoseological and anthropological point of departure: the *ratio boni*. As being is the first object of the intellect as such, the process of the practical intellect begins with the *apprehensio* of the good (which, certainly, would not be possible without a prior cognition of being).<sup>134</sup> From this moment on, however, the logic of the practical reason follows its own course, with its own logic, an “autonomy,” which, to repeat, does not mean *independence* from the theoretical intellect, but precisely “auto”-“nomia.” This is clearly demonstrated in the natural cognition of fundamental

<sup>133</sup> In this sense it is true that: “Practical judgments draw on theoretical insights and theoretical insights motivate practical operations” (Romanus Cessario, *Introduction to Moral Theology* [Washington, DC: The Catholic University of America Press, 2001], 160). The example of the fish eaten by the author on the shore of Lake Geneva in the company of his Swiss friend (I confirm the exactness of the account) is also correct. I only want to highlight that a practical judgment is neither an application of a theoretical judgment, nor a simple inference from such a judgment. In its practicality it does not derive from any theoretical judgment, even if it can be derived from another practical judgment, of a higher order, *by means of* a theoretical judgment. We can examine his example, putting it in the form of a “practical syllogism”: 1. [Major premise, a practical judgment]: “It is good for me (i.e., I want to) to eat a delicious fish.” 2. [Minor premise, a theoretical judgment or sensible perception]: “This fish is delicious.” 3. [Conclusion, practical judgment and subsequent action]: “It is good for me (i.e., I want to, choose to) eat this fish.” The conclusion is not an application of the theoretical judgment “this fish is delicious,” but an *inference* from the first practical judgment by means of the theoretical judgment “this fish is delicious.” The process of the practical reason does not derive from an application of theoretical judgments, but is from its beginning practical. Structurally it is based on the first principle of practical reason, “one must do the good and avoid evil,” and from the other principles, which are immediately grasped by the practical reason in the totality of the natural inclinations of the human person. For the practical syllogism and the structure of the process of the practical reason cf. Rhonheimer, *Die Perspektive der Moral*, 108–15.

<sup>134</sup> Cf. *ST I–II*, q. 94, a. 2: “Sicut autem ens est primum quod cadit in apprehensione simpliciter, ita bonum est primum quod cadit in apprehensione practicae rationis, quae ordinatur ad opus: omne enim agens agit propter finem, qui habet rationem boni. Et ideo primum principium in ratione practica est quod fundatur supra rationem boni, quae est ‘Bonum est quod omnia appetunt.’ Hoc est ergo primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum.”

human goods: They are originally known in the context of the unfolding of practical reason,<sup>135</sup> and only afterward, in the subject's reflection on this original internal moral experience, do they become the object of the theoretical intellect, which on the basis of this practical original experience progresses in the understanding of "human nature."<sup>136</sup>

The fact that practical reason has its own point of departure means that the natural law, which contains the first principles of practical reason in the form of precepts, is, as has been mentioned, simultaneously both the principle of praxis—that is, stimulus and motivation of the subject toward action—and the principle of morality, that is, the rule of the goodness of praxis. The practical intellect, also, is always *intellect*, i.e., a cognitive faculty, although according to the structure of all imperative (or "prescriptive") acts, it would be "located" in an appetitive movement of the will.<sup>137</sup> The latter is in this way directed toward the truth of things. The practical intellect, also, is always the one and same human intellect whose natural object is properly the *truth of being*, even if, as practical intellect, it knows this truth under the "ratio boni," which is to say as an end, the object or the intelligible content of a tendency, a desire or a natural inclination.

The truth of the practical intellect is a "practical truth." Practical truth is, in the Aristotelian formulation, that truth that consists in the adequation of the judgments of practical reason with a right appetite. These practical judgments have as their object, as Aristotle never tires of repeating, a variable, contingent matter: the sphere of praxis, which is the sphere, not of the immutable order of being, but of that "which could also be differently." Some of these practical judgments, nevertheless, are *natural*: They have the character of *principles*, and as principles they do not refer to and are not measured by any superior appetite (except to that of the good in general). They are goods that refer—as St. Thomas affirms—in a non-derived, spontaneous way to the natural ends of the natural inclinations, grasping their intelligible content as human goods<sup>138</sup> (note the analogy with the object of the human act as "intelligible content of

<sup>135</sup> Cf. *ST I-II*, q. 94, a. 2 (cit. in note 124).

<sup>136</sup> In my opinion, *De veritate*, 1, 9 and 10, 9 is fundamental for this; cf. Rhonheimer, *Natural Law and Practical Reason*, 29f. (and notes 47 and 48).

<sup>137</sup> What St. Thomas says of the act that he calls "*imperare*" ("to command"), which is "*actus rationis, praesupposito actu voluntatis*" (*ST I-II*, q. 17, a. 1), generally applies here.

<sup>138</sup> Yet again *ST I-II*, q. 94, a. 2: ". . . ut scilicet omnia illa facienda vel vitanda pertineant ad precepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana." And further on: ". . . omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona. . . ."

a concrete action”), which implies precisely a regulation on the part of reason: Human goods also, grasped by natural reason, are, as the objects of human acts, “goods understood and ordered by reason.”<sup>139</sup> The principles of practical reason—the natural law—express that which is “by nature reasonable,” a reasonableness that cannot be reasonably founded or ulteriorly demonstrated, precisely because it is the natural law itself that founds all practical reasonableness.<sup>140</sup> Combined in an original way in the natural law, therefore, are the subjectivity of the person who acts and the objectivity of the natural knowledge of human good, a knowledge understood and made explicit by means of a discursive process of the natural reason, to the point of arriving at a knowledge of the species of the concrete acts pertaining to the individual virtues and of acts opposed to them, which latter are therefore evil.<sup>141</sup>

“To place oneself in the perspective of the acting person” is necessary therefore not only for comprehending what constitutes the object of a human act, but also for the correct understanding of the principles of practical reason, which we also call the natural law. It is important to

<sup>139</sup> Ibid., ad 2: “. . . omnes inclinationes quarumcumque partium humanae naturae, puta concupiscibilis et irascibilis, secundum quod regulantur ratione, pertinent ad legem naturalem. . . .”

<sup>140</sup> Cf. Rhonheimer, *Die Perspektive der Moral*, 227ff.; Rhonheimer, “Praktische Vernunft und das ‚von Natur aus Vernünftige.‘ Zur Lehre von der Lex naturalis als Prinzip der Praxis bei Thomas von Aquin,” *Theologie und Philosophie* 75 (2000): 493–522.

<sup>141</sup> In my opinion, what I have expounded in this paragraph was the basic idea, with which I agree completely, of J.M. Finnis, in his book *Fundamentals of Ethics* (Washington, DC: Georgetown University Press, 1983). My objections against Finnis’s criticism of the Aristotelian doctrine concerning the *ergon idion* can be found in *Praktische Vernunft und Vernünftigkeit der Praxis*, 53ff. In his debate with Finnis, and more generally against the differentiation between the theoretical and practical use of the intellect, Ralph McInerny commits the error—in my view significant—of confusing “practical knowledge” (of the moral subject) with “ethical reflection”: “Finnis, it seems, wishes to maintain that the end, the good, that guides ethical reflection is known in what he earlier called purely practical knowledge. . . .” (*Aquinas on Human Action*, 188). That which McInerny considers to be so fundamentally erroneous is, however, precisely what St. Thomas explicitly teaches in *ST I-II*, q. 94, a. 2. Speaking, on p. 155, of the “unwisdom of trying to separate as well as distinguish the theoretical and practical uses of the mind,” McInerny counters this “incipience” with the argument: “The practical syllogism incorporates speculative truths.” Nothing is more true than this, but this is not the question. Here we are speaking of the constitution of the “practicality” itself of a judgment, of the origin of the principles of practical reason, and of the constitution of a line of reasoning insofar as it is practical: These cannot be derived from the theoretical or speculative use of the intellect; they do not

emphasize that through the natural law, the human person is constituted simultaneously as a *practical* subject—an agent or actor—and as a *moral* subject. In precisely the measure in which the natural law—practical reason at the universal and natural level—is the principle of praxis, it is also the principle of morality. As *ordinatio rationis* it becomes the measure of the goodness of the pursuit of individual natural inclinations, and of all the specific acts that arise from these inclinations.

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originate from a simple application of *theoretical judgments* to action, rather this process of practical reason is from its origin practical: It begins with the cognition of the precepts of the natural law, which is not only the principle of morality and the moral rule, but also the *principle of praxis*, because it urges and motivates the subject to action within the realm of the intelligibility of fundamental human goods, grasped by practical reason in the subjectivity of the person's natural inclinations. This is St. Thomas's teaching in *ST* I–II, q. 94, a. 2.

## Book Reviews

**The Virtues, or the Examined Life** by Romanus Cessario, OP (*New York: Continuum, 2002*), vii + 202 pp.

THIS BOOK is part of a multilingual theology-textbook series known as the “Handbooks of Catholic Theology.” The AMATECA Foundation (*L’Associazione manuali di Teologia Cattolica*) sponsors this series, which includes approximately twenty-two volumes in ten different languages, and now, via *Continuum* offers five theology texts on various subjects to the English-speaking world. The series points to the theologies of Balthasar and De Lubac as “roots . . . guaranteeing the identity of the individual volumes.”

The volume under review here, as the title suggests, is dedicated to moral theology. Unique to this present volume among others within the “virtue renewal” is its explicit theological commitment. Those intrigued by the revival of virtue theory among both Catholic and Protestant theologians and philosophers—but unhappy with the way the “revivalists” have disembodied Thomas’s virtue-theory from its theological backdrop—will find a friend in Fr. Cessario. From beginning to end, this volume remains methodologically committed to the work of theology. This is not to say that Cessario does his moral theology in a vacuum devoid of nature or of a philosophical foundation; on the contrary, he affirms the value of “authentic human knowledge” (5) within the context of the Christian faith. But, consistent with both the data of revelation and the theological tradition of the Church, Cessario presents a morality of virtue in harmony with its theological fonts and cognizant of man’s eternal destiny. Hence, Cessario unabashedly affirms the uniqueness of the Christian moral life—as Christian. Fr. Cessario explains that:

This means that without an effective union with Christ, no human person can in practice achieve the perfection of the moral life that conduces to beatific fellowship with the Trinity. . . . In other terms, only the person who embraces a life of Christian virtue lives fully according to the norm of moral truth that Christ, the “image of the invisible



God,” communicates to the world, and so in Christ achieves the perfection of his or her human nature. (4)

Consequently, for Cessario, the life of virtue within the Christian framework is “virtuous” precisely because it is a life directed toward the perfection, completion, and fulfillment of human nature, which through grace culminates in the beatific vision in heaven. This commitment to offer a true “theology” of virtue enables Cessario to present a moral theology that does not sacrifice the overall unified nature of *sacra doctrina*. Similar to the *secunda pars* of Thomas’s *Summa theologiae*, no explicit “Treatise on Christ” can be found within this book. Yet, also analogous to the *Summa*, and unfortunately not frequently pointed out, nearly everything about the Christian moral life found in this book can be traced back to Christ. The infusion of grace, the possibility of the Gifts of the Holy Spirits, the Beatitudes, and so on, are all intimately connected with the life of virtue and depend explicitly on the saving value of Christ’s life, death, and resurrection. Thus this work dedicated to moral theology, as a part of *sacra doctrina*, can only be appreciated within the panoply of the doctrines of the Trinity, Incarnation, and the ecclesial (*communio*) nature of Christian existence. As Cessario succinctly intimates, “Christian faith determines ethical issues. And so the virtues of the Christian life are among those visible realities that find their fullness in Christ” (4).

Consistent with his theological commitments and Thomistic understanding of virtue, Cessario structures this work around seven chapters, dedicating one chapter to each of the three theological and four cardinal virtues. Refreshingly aware of St. Thomas’s own “theo-logical” ordering of the *Summa theologiae*, Cessario discusses the three theological virtues first, and presents the four cardinal virtues in the final four chapters. Moreover, when applicable, each chapter includes a discussion of the Gift of the Holy Spirit that corresponds to the virtue under discussion.

When Cessario passes from his discussion of the theological virtues to the cardinal virtues, he doesn’t check his faith or theology at the door, as if descending from the supernatural to the natural. Even though, “Christian theology today does not take much account of the distinction between the infused and the acquired virtue,” (101) the distinction forms an integral part of Cessario’s overall treatment. Affirming the preeminence of the theological virtues in the Christian moral life, Cessario further notes that: “[T]he Christian believer requires other human virtues in order to lead a good life” (99). Hence, for Cessario even the cardinal virtues (and their potential parts), in light of the infusion of grace, play a part in the specifically Christian character of Gospel morality.

For example, relative to the difference in perspective caused by distinguishing between infused and acquired virtues, and the specifically Christian character of the infused virtues, Cessario explains in reference to temperance:

Like the virtue of fortitude, Christian temperance serves the needs of the Church. As a gift that observes the norm of grace, infused temperance may observe a different rule or measure with respect to food; this happens in fasting and abstinence or even with regard to sexual abstinence, as is the case with consecrated chastity and celibacy. (194)

Concurrent with this book's uniquely and integrally theological presentation of virtue, Cessario is able to unite (or reunite) the oft and unfortunately separated subjects of Christian morality and the spiritual life. Throughout *The Virtues, or the Examined Life* a conscious effort is made to tease out the spiritual implications of Christian virtue. To offer two specific examples, closing out the chapter on faith is a fine reflection on "Our Lady and the Recollected Life"; moreover, the final pages of the book contain a section dedicated to "Infused Temperance and Christian Humility."

Also of special interest is the way in which Cessario discusses the problem of the nature-grace relationship from within his treatment of theological charity as the "form" of all the other virtues. The light of revelation requires us to affirm that even if certain people were able to acquire all of the "natural moral virtues," natural virtue as "natural" cannot unite a person with the ultimate Good, viz., God (72). "The Christian life," Cessario affirms, "animated by theological charity, provides the only way for the human person to reach the full perfection of human existence and to avoid the disintegrating effects of original sin" (74–75).

Those already familiar with the author's diverse bibliography of theological works—one that spans deeply into both dogma and morals—can expect yet another manifestation of Fr. Cessario's acute grasp of St. Thomas's theology. Beyond the Thomistic panorama, this book also draws heavily from the insights of many other saints, fathers, and doctors of the Church besides St. Thomas, including his much-neglected renaissance commentators. Cessario also proves conversant with contemporary issues and authors, especially Von Balthasar's "Nine Theses" and important texts of the Magisterium.

This work is readable, but not superficially so. The sacrifice necessary to traverse its pages is far outweighed by the breadth of insight contained within them. *The Virtues, or the Examined Life* is worthy of commendation

for its fidelity to Thomas, its eclectic sourcing, and contemporary relevance. But, more than anything else, this book is noteworthy because it offers a full-blown virtue-theory written completely from within the Christian economy of salvation and the “universal call to holiness.” Because of this rare accomplishment, the book stands as a true response to Vatican II’s call for a renewal of moral theology. N V

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**The Church in a Postliberal Age** by George A. Lindbeck, edited by James J. Buckley (London: SCM Press, 2002; Grand Rapids, MI: Eerdmans, 2003), xviii + 300 pp.

THROUGHOUT HIS LIFE, George Lindbeck (b. 1923) crossed borders—both in the geographical and theological sense. He spent seventeen years in Asia and more than five years in Europe. He started out specializing in medieval philosophy and became—after having been a Lutheran observer at Vatican II—a key interpreter of contemporary Catholicism for Protestants. Yale University was his academic home for half a century. His education and teaching at Yale and even more his manifold activities in national and international ecumenism inspired him to denounce a split between doctrine and church practice, theology and Christian discipleship, ecumenical advances and confessional identity. Lindbeck’s corpus reflects his geographical and theological globe-trotting: It consists chiefly of numerous articles that were mostly written on specific occasions and can only be fully appreciated when read in the context of their respective historical and theological settings and the author’s life. Although the Yale scholar’s writings exhibit to a great extent similar themes and arguments, they pose a special challenge to the reader who seeks to assess them systematically and as a unified whole. This might be the underlying reason why Lindbeck’s thought is nearly exclusively associated with his celebrated and controversial book *The Nature of Doctrine: Religion and Theology in a Postliberal Age* (1984).

Considered against this background, James J. Buckley’s effort to make some of Lindbeck’s more important articles accessible to readers who might be familiar only with *The Nature of Doctrine* deserves special acknowledgment. Buckley, a Catholic theologian at Loyola College in Maryland, has collected fourteen of his former teacher’s writings, which span a period of several decades and cover a range of theological specialities. In addition to providing a splendid overview and evaluation of

Lindbeck's work and its reception (VII–XVIII), the volume also offers brief but very helpful introductions to each of the essays as a means of situating them in their wider theological context and the overall trajectory of Lindbeck's career.

According to Buckley, the hermeneutical vantage point that holds these quite disparate writings together is that they form and articulate a "radical tradition." This view is not arbitrary, for the volume in question appeared in a series titled "Radical Traditions—Theology in a Postcritical Key," edited by Lindbeck's students Stanley Hauerwas and Peter Ochs. The definition of "radical traditions" employed by Hauerwas and Ochs fits perfectly with the aims of Lindbeck's postliberal project over the years, namely, to retrieve Christian resources—long ignored in modernity's reduction of theological reasoning—in a wholly renewed way and thereby to lay a new foundation for the future theology and ecclesial life that is utterly scripture-based, ecumenical, unapologetic, and attuned to contemporary social and political practice. Within such a conception, Buckley locates Lindbeck's thought within a triangular pattern consisting of three elements: "Evangelical," "Catholic," and "Postliberal." These categories also structure the three sections of the book. Well aware that articles in one section may be marked by the other two categories, Buckley argues convincingly that "'evangelical, catholic and postliberal' while not a comprehensive characterization of Lindbeck's theology, is useful for understanding some of the debates over it, including the way some critics only focus on one or two of its strands." In sync with Lindbeck's spirit, the editor holds out an additional challenge to the reader: "But more important than understanding this theology's radical traditions is participating in them" (xvi).

Having chosen this approach for a collection of Lindbeck's essays, Buckley certainly does justice to the aim and scope of the series "Radical Traditions." Yet one could also argue that a more genealogical approach would more clearly document the core of Lindbeck's thought and its development from the 1950s to the present. On the one hand, it would have been more apparent to the reader that Lindbeck mirrors in his early writings much more the theological mainstream and *zeitgeist* of his time than in his later writings; and that he only later gave the church a postliberal spin in reaction to what he perceived to be unwarranted developments in and outside of Christianity. On the other hand, such a chronological approach might have run the danger of being more concerned with Lindbeck's own development than with prospective theology and the kinds of methodological issues that have been central to Lindbeck's scholarship.

In addition, the selection of articles itself can be questioned. The volume begins with a personal account from 1990 in which Lindbeck characterizes his life and work. It is followed by “Reminiscences of Vatican II,” a moving conference given in 1993 and published previously only in pamphlet form. The Catholic reader might be particularly interested to learn from the former observer at the Council that, in his view, *aggiornamento* took precedence over *ressourcement* because the bishops opted for something that they themselves did not know how to put into effect. In the category “Evangelical” we find an essay on the congruity of Martin Luther and the rabbinic mind, one on the seminal problem of justification by faith and two pieces on theology in the Lutheran and Reformed traditions. The “Catholic” section is opened by “Ecumenism and the Future of Belief” (1968), which can also be read as a precursor of the postliberal agenda that would only be made explicit as a distinctive research program in the 1980s. “Hesychastic Prayer” testifies within the sphere of spiritual practices to Lindbeck’s overall desire to study religious traditions in their particularity. “Infallibility” (1972) takes up a specific theme in ecclesiology while avoiding a one-sided endorsement or refutation of the dogma of papal infallibility, whereas “The Church” (1988) elucidates the foundation of Linbeckian ecclesiology that would achieve by the 1980s a formulation in terms of “Israelology.” “Towards a Postliberal Theology,” which appears as the sixth chapter of *The Nature of Doctrine*, highlights the third section (“Postliberal”) and is followed by the English text of the foreword to the German edition of that book (1994). In this latter piece, which had previously been accessible only in the German translation, Lindbeck comments on the ten years of heated discussion about his postliberal manifesto and informs the reader about his original intentions. “Scripture, Consensus and Community” delineates the biblical hermeneutic of the postliberal school and is based on a lecture given in 1988 at a gathering of scholars that included Joseph Ratzinger, Avery Dulles, and Raymond Brown. The last essay, “The Gospel’s Uniqueness: Election and Untranslatability” (1997), provides one of the most up-to-date articulations of the postliberal challenge.

This reviewer submits that the still-unpublished English version of “Theologische Methode und Wissenschaftstheorie,” which appeared in *Theologische Revue* 74 (1978): 265–80 and lays open Lindbeck’s methodological creed like no other essay by the author, would also have been opportune. Another critical piece might have been the still-unpublished manuscript on the rule theory of doctrine, namely, the 1987 Princeton lecture, “Doctrine in Christianity: A Comparison with Judaism.” And maybe there is not enough emphasis given in this volume that Lindbeck’s

ecclesiological vision emerges out of a postcritical approach to Scripture. But we have to keep in mind that Buckley's principal aim is to introduce Lindbeck to a wider audience, and not to be of service to a limited group of postliberal scholars. As indicated at the beginning of this review, the difficulty in arriving at such a collection is owing to the nature of Lindbeck's oeuvre. Were ten proponents of postliberalism invited to come up with their own list of Lindbeck's key writings, no doubt they would all be different. While not exhaustive of Lindbeck's rich proposals for contemporary Christian theology, the present volume serves as a useful reference for those who wish to pursue a deeper understanding of the postliberal program. The bibliography that appears at the end of each chapter provides especially useful direction for engaging specific areas in Lindbeck's thought.

In reading through the essays of this book, it became clear once more to this reviewer that a unified ecclesiological framework cannot be distilled from Lindbeck's publications. The principal benefit of engaging the Yale theologian and noted ecumenist lies in his intriguing proposals for theological inquiry that set the church on a promising track in a post-modern and post-Christian world. The fact that Lindbeck does not offer us a series of volumes of a "systematic" theology need not imply a short-coming. Indeed, for the European observer it is particularly striking how much Lindbeck has—both as a theological teacher and as a writer—stimulated his peers in the academy and the broader church across generations and confessional boundaries. This collection of essays is essential reading and a useful reference for all those who participate in the discussion about postliberal theology or who consider George Lindbeck a model theologian and churchman. It exhibits Lindbeck's contribution in a comprehensive way and aptly serves as a precursor of and a hermeneutical framework for the magisterial book *The Nature of Doctrine*. **N.V**

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**Sharing the Inheritance: Identity and Moral Life in Colossians** by Allan R. Bevere (*Sheffield: Sheffield Academic Press, 2003*), x + 294 pp.

OF LATE there have been a spate of dissertations and monographs on Colossians and/or Ephesians that have shed some fresh light on these documents, and this monograph is one such document. The published form of this work is a revision of a dissertation done under J. D. G. Dunn at the University of Durham in the 1990s. Like most such dissertations,

it has its pluses and minuses, and it also very much reflects the orientation of Bevere's mentor when it comes to matters such as the so-called new perspective on Paul and the basic character of Colossians. For example, Bevere uses as his operating hypothesis that Colossians is written by Paul and Timothy, or perhaps Timothy on behalf of Paul, and in any case is a late Pauline document. Also following Dunn, he accepts the proposition that the letter to some degree is written as an apologetic in response to the propaganda of the synagogue that was affecting some of the Colossian converts. Surprisingly, since this conclusion makes Colossians an act of persuasion, Bevere completely ignores the rhetorical analysis of the document. It is a significant lacuna, in a dissertation that otherwise has some helpful argumentation, but then Dunn also spends very little time on the issue of rhetoric in his own work on Colossians.

The burden of Bevere's argument can be summed up as follows. First and foremost, the target against which Paul is arguing, particularly when he is dealing with the Colossian philosophy in Colossians 2, is a Jewish one. This argument is made over against the suggestions of T. Martin that Paul is opposing some sort of pagan philosophy, in particular a Cynic and/or Stoic one (see his volume in this same Sheffield series, *By Philosophy and Empty Deceit: Colossians as a Response to a Cynic Critique*), or the arguments of C. Arnold that some kind of folk religion that entailed a magic tainted syncretistic philosophy is involved (see his *The Colossian Syncretism: The Interface between Christianity and Folk Belief at Colossae*). In my judgment Bevere's arguments against these proposals and in favor of the uniformly Jewish character both of what Paul is affirming and what he is opposing are quite convincing. But in some of the particulars of his argument there are difficulties.

For example, Bevere simply asserts, without detailed argument, that the much-controverted phrase *stoicheia tou kosmou* can refer to elementary beings in Paul's letters. He seems to think there is evidence for such a meaning at this juncture in time, but in fact there is not. There is no lexical evidence that this phrase refers to beings until well after New Testament times. The only two meanings for which there is clear evidence before or during New Testament times is that this phrase can refer to the elements of the universe, or the elementary principles that govern the universe (or at least the human sphere). Furthermore, *stoicheia* is never a term Paul uses when he gives a list of powers and principalities (see, e.g., Col 2:15). Paul is likely referring to elementary teachings when he uses this phrase, and he never uses this phrase when he is talking about angels.

There is the further problem with Bevere's case that while he rightly draws on parallels with Galatians to show the Jewishness of what Paul is

opposing, he does not seem to see that the case would be far more compelling if he recognized that not only are the “opponents” in Galatia Judaizing Jewish Christians, but this is also the case in Colossae. There is simply no direct evidence at all in Colossians that Paul is opposing the synagogue or some of its leaders in Colossians. Not only is there no reference to the synagogue in Colossians, there is no reference to Judaism *per se*. If Paul were arguing against non-Christian Jews then Colossians 2:19a would be a singularly ineffective argument. Paul says there that “they” (the so-called opponents) have lost connection with the Head (i.e., Christ). One cannot lose connection with Christ if one has never had it in the first place. Colossians appears rather to be very much an in-house argument. The lack of direct reference to Judaism in Colossians is why it was possible for Martin or Arnold to make the cases they are making.

If one were to take Colossians 2:8–23 out of Colossians one would not know that this was a problem-solving letter at all. There is the further factor that the author or authors of this document do not know this audience firsthand. They have simply heard of the faith of Colossians (Col 2:4). This does not mean that Colossians is some sort of general broadside including general parenthesis, a sort of shooting in the dark, but it does mean that the authors have signaled they are at some remove from what is going on in Colossae.

Bevere, following Dunn, also makes much of the references to the so-called Jewish badges of identity. Paul is simply opposing the nationalistic features of Judaism that make it a distinct ethnic group. Paul is arguing for unity and he takes a minimalist approach in opposing that in Judaism, which undermines unity in Christ. But surely the most important of the badges, if we must call them that, that which most sets Judaism apart from Greco-Roman religions, is its monotheism. It is precisely the oneness of God that comes up for elaborate discussion in Colossians 1–2, in particular the Christological redefinition of monotheism. In Christ the fullness of deity dwells.

So as it turns out, Paul is arguing not only against Gentile Christians getting themselves circumcised and keeping the Law, as well as against various Jewish mystical practices (worshiping with the angelic host aided and abetted by ascetical practices), he is also arguing for a Christological redefinition of monotheism that makes obedience to the Mosaic Law no longer an obligation even for Jewish Christians. In other words, what is assumed in Colossians is what is argued at length in the earlier letter in Galatians. No Christian is obligated to keep the Mosaic Law, though Jewish ones may do so as a blessed option. They are under a different covenant, expected to keep the Law of Christ, which has some overlap



with and some differences from the Mosaic Law. One can be the Jew to the Jew and the Gentile to the Gentile as Paul says in 1 Corinthians 9 of himself, precisely because neither orientation is obligatory when it comes to matters of “badges of identity.”

One problem with Dunn’s take on the new perspective on Paul is that it fails to plumb the depths of Paul’s critique of the Mosaic Law. It is quite true to say that early Judaism was a religion that involved covenantal nomism in regard to the issue of “staying in,” but it also required a commitment to the Law at the juncture of getting in whether one was becoming an observant Jew at the coming of age or one was a non-Jewish proselyte. The phrase “works of the Law” is not a code phrase for simply taking up the badges of identity, as is quite clear from 4QMMT where the text speaks of such things as merely “some of the works of the Law” (see my critique in *Grace in Galatia* and the recent study edited by D. Carson and others on righteousness in early Judaism). This is not to deny at all that early Judaism was also a religion of grace, but Paul is not simply opposing imposing the badges on Gentiles when he critiques “works of the Law.”

Bevere has, however, made a very good case for the unity of the theology and ethics in Colossians, indeed the unity of the entire letter, as well as its thoroughly Jewish character. While he admits that the household codes in Colossians 3–4 do not seem to be directly tied to the argument against the Colossian philosophy, he is able to show how even this section of the letter is not some sort of general broadside without particular relevance to the rest of the letter’s discussion. M. Dibelius’s older thesis about the general character of such paraenesis is successfully countered and laid to rest.

It is the hallmark of a good dissertation that it moves the discussion of a particular matter along, closing off some options, and opening up others that seem more fruitful. Bevere has certainly done this and has done so in an effective manner showing the unity and the Jewishness of the case Paul is making for theological and ethical unity in Colossae. This is a dissertation that was certainly well worth publication and a careful reading. **N·V**

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**Thomism: The Philosophy of Thomas Aquinas, Sixth Edition**, edited by Etienne Gilson, translated by Laurence K. Shook and Armand Maurer (*Toronto: Pontifical Institute of Mediaeval Studies, 2002*), 454 pp.

DR. GILSON PUBLISHED the first edition of his *Le Thomisme* in 1919. The second edition appeared in 1922, the third in 1927, the fourth in 1942, the fifth in 1944, and the sixth in 1965. The third edition was translated into English by Edward Bullough, and the fifth by Father Shook. This translation of the sixth edition was begun by Fr. Shook but was left incomplete because of his failing health. Fr. Maurer, a student of Dr. Gilson, and later his colleague, began again at the beginning and brought the translation to completion, calling himself the “editor and continuator” of the work of Fr. Shook. This edition, he says, “while remaining substantially the same as the fifth edition, . . . offers the reader significant new clarifications of Gilson’s views on the philosophy of Thomas Aquinas. In many ways it is his last word on the subject.”

The publication includes (1) an appendix on Gilson’s revised interpretation of Boethius’s notion of *esse*; (2) an appendix on the life of St. Thomas; and (3) an appendix with a modern chronology of selected works of Thomas Aquinas, dealing with more recent studies on his writings and their improved editions. There is also a bibliography of the primary sources cited in the book, especially the works of St. Thomas, and indices of names and subjects.

A review of this large book cannot deal adequately with individual areas of Aquinas’s philosophy, such as the existence and nature of God, creation, the human person, intellect and will, or morality. Instead, it will consider what Gilson says (1) in his introduction, (2) in connection with Aquinas’s central philosophical doctrine, and (3) in his summing-up.

Gilson points out that St. Thomas Aquinas was a philosopher, but a philosopher in the service of a theologian. “What characterizes Thomas and gives him a special place in this general movement [using philosophy in theology] is precisely the intellectual effort he made to introduce this human learning into theology without destroying its [theology’s] unity.” For Aquinas, the revealed is what is knowable to us only by revelation; the revealable is what reason can know on its own and what is drawn into theology because it is necessary for salvation, revelation diffusing itself, as it were, by human reasoning.

Aquinas unified theology as a study of what is necessary or useful to salvation. His philosophy, which is part of the revealable, was “exalted, as it were, by being assumed into theology. . . . In becoming something revealable, philosophy does not give up in any way its essential rationality,

but it raises the use of rationality to its own ultimate perfection." In Aquinas, faith and reason are not isolated from one another, nor are they confused with one another. "For, if faith enlivens his reason, this reason, supported and enriched by this faith, always carries out purely rational operations and draws conclusions based solely on the evidence of first principles to all human minds."

Moreover, "we must state that there is room for rational argument even when it is a question of truths inaccessible to reason; and also for theological intervention in areas apparently reserved for pure reason."

Some philosophers think that combining theology so closely with philosophy is bound to result in faith somehow filling in for philosophy. But Aquinas's philosophy "is not philosophy because it is Christian; but he knows that the truer his philosophy will be the more Christian it will be, and the more Christian it will be the truer it will be. This is why he is equally open to Augustine and Aristotle. Rather than passively following the traditional path of Augustinism, he formulates a new theory of knowledge, changes the bases on which proofs of God's existence rest, submits the notion of creation to a new critique, and establishes or completely reorganizes the structure of traditional morality. Rather than passively following the philosophy of Aristotle, he everywhere breaks free from its limitations and transforms it by infusing into it a new meaning. The whole secret of Thomism lies in this immense effort to reconstruct philosophy on a plane where its agreement in fact with theology may appear to be the necessary consequence of the demands of reason itself, rather than the accidental result of some simple desire for conciliation."

The Thomistic revolt in philosophy came about because Aquinas achieved what a number of predecessors had glimpsed but were not able to adequately express: Reality has essences but beyond essence is existence. Existence is not simply a fact; it is an act, an actuality positing things outside of nothingness. It is "an act and not a state," "the peak of reality," the "act of acts," "at the heart or, if you prefer, at the very root of reality," "the very core of being," "that primitive energy from which arise both every knowing subject and every known object." "It is therefore the principle of the principles of reality. Absolutely first, it precedes even the good, for a being is good only if it is a being; and it is a being only in virtue of the *ipsum esse* that allows us to say of it: *It is*." "We cannot see existence, yet we know it is there, and we can at least affirm it by an act of judgment as the hidden ground of what we can see and of what we try to define." "The action of a being is only the unfolding in time of the primal act of existing that makes it be."

All knowledge requires concepts but they do not constitute knowledge of reality. Existence is “an act transcending any concept.” “It is impossible to reach the act of existing by an intellectual intuition that would grasp it directly by itself. . . . A pure *est* is unthinkable; but an *id quod est* can be thought.” “What characterizes Thomistic ontology . . . is not so much the distinction between essence and existence as the primacy of the act of existing, not over and above it, but within in.” “It is the act of existing in each being that is most inward, deepest, and metaphysically primary.”

Since the intellect is more at home with essences, for most philosophers it may never arrive at the notion of existence as the act of essences, and, even it has once done so, it may soon forget what it has discovered. “In a philosophy in which the act of existing can be conceived only in and through an essence, but in which every essence points to an act of existing, concrete riches are practically inexhaustible. But reason dislikes what is inconceivable, and because this is true of existence, philosophy does all it can to avoid it. It is inevitable that this natural tendency of reason should affect our interpretation of Thomism. Even those who vigorously deny this tendency know very well that they will succumb to it. We must know it at least as a temptation inviting us to err. A Thomism remaining on the level of concepts will exhaust itself by making one inventory after another of the concepts it has inherited. Raised to the level of judgment, Thomism will again make contact with the very heart of the reality it elucidates. It will become fruitful and creative again.” “The question is whether we will try to take [essences] alive or if our philosophy will be only a herbarium of dead essences. An essence is dead when the residue it leaves is deposited in the mind as a concept, without preserving its contact with its act of existing.”

Aquinas’s philosophy is highly unified. It gives a complete explanation of the universe from the point of view of human reason, an explanation entirely derived from various aspects of one central notion, the notion of being. “It would be difficult to find in the works of Thomas Aquinas a single concrete problem whose solution does not ultimately depend on this principle.”

Our knowledge begins with physical things. Their perfection is proportionate to their being; their existence is limited by their essence. They are in a constant state of becoming. Their essence does not fully realize its definition. Because they lack something, they cannot explain themselves. To explain them we have to posit a being that is what it is totally, “removed from becoming and situated entirely outside it.” “All

things hide some mystery; all things are veils which hide God.” “To prove the existence of God is, in the last analysis, to ascend by reason from any finite act of existing to the pure Act of Existence that causes it.”

Unknowable in himself, God is knowable only by analogy. All creatures participate in God, according to their nature. God is transcendent, not confused with creatures. Nor do creatures add anything to God. They are images, imitations, of God. And they imitate him primarily by existing. “Instead of having an intuition of the divine essence, we have only a vast number of concepts that, taken together, are a confused sort of imitation of what would have been a true notion of the divine being. When all that we have been able to say about such a subject is put together, the result is a collection of negations and analogies and nothing more.” “Reason here [concerning God] knows very little, yet the little it knows surpasses in dignity and value any other kind of certitude.”

Gilson gives the highest praise to Aquinas’s genius: “It would be hard to imagine something more perfectly and lovingly devised than his demonstrations fashioned from clearly defined ideas, presented in perfectly precise statements, and placed in a carefully balanced order.” And Gilson is also grateful concerning where this genius leads: “If we grant that a philosophy is not to be defined by the elements it borrows but by the spirit that quickens it, we shall see in this doctrine neither Platonism nor Aristotelianism but, above all, Christianity. It intended to express in the language of reason the total destiny of the Christian man; but, while constantly reminding him on earth he must travel paths of exile where there is no light and no horizon, it never ceased to guide his steps toward the height from which can be seen, far off in the mist, the borders of the Promised Land.” N V

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**A Thomistic Tapestry: Essays in Memory of Étienne Gilson** edited by Peter A. Redpath (*Amsterdam and New York: Rodopi, 2003*), xx + 243 pp.

THE PRESENT VOLUME, the first in the series of Gilson Studies, contains eleven essays that in various ways recall and honor the work of Étienne Gilson (1884–1978). Gilson was a philosopher and historian of philosophy who had a tremendous impact on North American Catholic philosophy during the second half of the twentieth century, especially through his many years at the Pontifical Institute of Mediaeval Studies at

the University of Toronto. I had the privilege of hearing Gilson deliver a lecture during my own days as a student of philosophy at Toronto in the late sixties, but I had earlier benefitted from the Gilson's eminence as a philosopher and historian of philosophy through my teachers at St. Louis University, many of whom studied under Gilson during the heyday of the Pontifical Institute, although I myself avoided—much to my present regret—any contact with things medieval while pursuing my degree at Toronto. A volume, such as the present one, honoring Gilson is long overdue and highly valuable for the many ways in which it portrays the impact of Gilson in the last century and indicates his continuing relevance, even for today.

The essays are diverse in their subjects, lengths, and appeal, as is bound to be the case with any collection of essays. They are complemented by brief biographies of the contributors; a group of photographs of Gilson and others; and indices of works and professional appearances, of authors, editors, and translators, and of names and subjects. The volume also contains a foreword by Curtis Hancock, the president of the Gilson Society, and an introduction by Peter Redpath.

Jorge J. E. Gracia's "The Enlightening Gloss: Gilson and the History of Philosophy" describes Gilson's method in the history of philosophy as glossing a text in a way that enlightens. Gracia illustrates this method by the treatment Gilson gave to Abelard's teaching on universals in his *History of Christian Philosophy in the Middle Ages*; contrasts Gilson's method with that of others; and suggests some limitations on his procedure.

In "The Practical Nature of Moral Philosophy," Richard Geraghty discusses a problem about the practical nature of moral philosophy according to St. Thomas. After surveying the views of the Thomistic commentators and of Jacques Maritain, Geraghty presents his own solution and points out how it contributes to an understanding of John Paul II's call for a new evangelization.

Peter Redpath pays tribute in his article, "Philosophy's Non-Systematic Nature," to the great men who taught philosophy at the Pontifical Institute. Among these he singles out Armand Maurer, to whom the volume is quite appropriately dedicated, and he focuses on Maurer's article, "The Unity of a Science: St. Thomas and the Nominalists," which he praises as "a devastating attack on the metaphysical foundations of modern philosophy" (30).

In "The Beauty of Wisdom: A Tribute to Armand A. Maurer," Robert Delfino deals with Maurer's book *About Beauty: A Thomistic Interpretation*, which he describes in some detail and cites as a tribute to Father Maurer, who was a colleague of Gilson at the Pontifical Institute. In his Introduction, Peter Redpath claims that Maurer is one of the most brilliant

exponents of Gilson's historiographical method. Delfino stresses Maurer's identification of beauty with being and of happiness with a life beautifully lived. He also contrasts Maurer's epistemology of beauty with the views of Umberto Eco.

Desmond J. Fitzgerald's essay, "Étienne Gilson and the San Francisco Conference," is a fascinating historical piece on the presence and role of Gilson at the 1945 conference that drafted the United Nations' Charter. In fact Fitzgerald provides some very interesting biographical details about Gilson before and during the war and about his arrival in Toronto after the conference.

In "Maritain's Reply to Gilson's Rejection of Critical Realism," Raymond Dennehy examines Jacques Maritain's critical realism and Gilson's criticism of any such form of realism. He ultimately suggests that there may be little actual difference between the two views. The last three sections of the article trace Maritain's philosophical development with regard to the possibility of objective knowledge, his defense of conceptual knowledge, and his battle against the so-called irrationalists. In conclusion, Dennehy suggests that the epistemological battles that Maritain waged may very well explain his disagreement with Gilson over whether realism needed the defense of a critique.

The eighth article by Francesca Murphy, "Gilson and Maritain: Battle over the Beautiful," recounts the differences between Maritain and Gilson on the topics of art and the beautiful from the early twentieth century and their reactions to Bergson and modernism on to their major works on aesthetics toward the middle of the century. Murphy ties these differences, which at times led to a bitter conflict between the two great Thomists of the last century, to other differences in their philosophical and religious lives and at times to simple misunderstandings.

By far the longest essay is Richard Fafara's "Gilson and Gouhier: Approaches to Malebranche," which explores and contrasts the approaches of Gilson and Henri Gouhier to the study of the great occasionalist of the seventeenth century. Gouhier, like Gilson, was one of the great historians of philosophy in the last century and a man who, though a student and friend of Gilson, differed from him on the way to study the history of philosophy. The article presents the views of the two on Christian philosophy and on the philosophy in the history of philosophy, especially with respect to Père Malebranche's views. The work of Gilson and Gouhier marks "a fascinating chapter in French intellectual history" (148), and, as Fafara notes, the study of one leads to and complements that of the other.

James Maroosis's article, "Poinset, Pierce, and Pegis: Knowing as a Way of Being," takes its start from a seminar on intentionality that Anton Pegis

taught at the University of Toronto, which led the author to discover the similarity between the views of Pierce and John of St. Thomas on intentionality and semiotics.

In the final essay in the volume, "Possessed of Both a Reason and a Revelation," James V. Schall turns to Gilson's *Reason and Revelation in the Middle Ages* and to his *The Unity of Philosophical Experience*. He points out the relevance, especially today after the attack of September 11th, of the Averroistic separation of reason and revelation, which he suggests still plays an important role in Islamic thought, as opposed to the views of St. Thomas, who saw reason and faith, not as opposed, but complementary.

All told, the essays make up a splendid tribute to Étienne Gilson and to Armand Maurer and, indeed, to the entire faculty of the Pontifical Institute, whose members contributed greatly to the character of North American Catholic philosophy in the second half of the last century. The first volume in the Gilson Series makes an excellent beginning, and since Gilson's legacy is too rich for a single volume to exhaust, we can look forward to future volumes in the series, which will retrieve for readers of the twenty-first century other facets of Gilson's thought. N V

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**Boethius** by John Marenbon (*Oxford: Oxford University Press, 2003*), 272 pp.

JOHN MARENBON'S fine introduction to Boethius provides a brief overview of most of Boethius's extant works and goes a long way toward orienting the novice to many of the current trends in Boethius scholarship. In addition to the well-known *Consolation of Philosophy*, Boethius's corpus, as we have it, includes commentaries on Porphyry's introduction to Aristotle's logical works (*Isagoge*), on Aristotle's *Categories* and *On Interpretation*, and on Cicero's *Topics*; treatises on discovering definitions (*De Divisione liber*) and on hypothetical and categorical syllogisms; books on music and arithmetic (a free translation of an earlier neo-Platonic work); and five theological treatises (a brief catechetical summary of salvation history titled *On the Catholic Faith*; a defense of Chalcedon; two works on the Trinity; and the *De hebdomadibus*, in which he explains how things are good in themselves because they are derived from God). Marenbon's book focuses on some of the more important arguments in the logical works, treatises, and tractates. Of particular interest are his subtle handling of Boethius's commentary on Porphyry's three most difficult questions concerning genera and species, and the central role Marenbon grants to



*On the Catholic Faith* in the theological tractates. Only in the past century has this text been accepted by the scholarly community as genuinely Boethian, and its importance for Boethius's theological method has not been measured. The largest and most argumentative portion of the book concerns the *Consolation*.

*Boethius* includes a short biographical chapter, two chapters on the logical works, one on the theological tractates, three on the *Consolation*, and a concluding chapter on Boethius's influence in the Middle Ages.

Each chapter includes a description of the works and some interpretive paragraphs that locate Boethius within his neo-Platonic context while acknowledging the unique contributions of the Latin master. A drawback of Marenbon's early chapters is that he treats each category of writing in isolation and does not attempt to incorporate Boethius's various writings into a unified vision. This tendency to treat texts and arguments discretely is turned into a thesis in the final chapters in which Marenbon, who does not think the *Consolation* does console, argues that Boethius presented Lady Philosophy as an inconsistent character for the sake of exposing the limits of philosophy in dealing with the problem of suffering. Lest it appear that the thesis determines the analysis, several further issues ought to be addressed: the unity of Boethius's thought, the integrity of Lady Philosophy's arguments, and the role of the poetry in the genre of *Consolation*.

In the biographical chapter, Marenbon locates Boethius within the neo-Platonic commentary tradition. The practitioners of this tradition regarded it as their duty, as formulated by Simplicius, to reconcile the texts of Plato and Aristotle at the level of thought and not of mere words. In practice this often meant resolving *aporia* in Aristotle's texts that either were ambiguous in themselves or else seemed to conflict with the teachings of Plato. The resolution preserved the unity of understanding and the integrity of being. Marenbon's tendency to read Boethius's texts in isolation and to settle for apparent contradictions and inconsistencies is in tension with Boethius's project and method of philosophizing. This makes suspicious his claim to have discovered in the *Consolation* deliberate inconsistencies.

One instance of such isolation is Marenbon's interpretation of Boethius's understanding of the status of universals in the logical works and in the *De hebdomadibus*. Marenbon affirms that Boethius read Aristotle's *Categories* as a treatment of things that signify insofar as they signify. What signify are words, so the categories are not the genera of beings. What words signify are conceptions and neither things nor the eternal forms of things. The meanings of words are determined by what the

mind derives from the things under consideration. Thus both authors exploited an understanding of an ordered relationship among words, intellect—things. For Boethius, as for Porphyry, the mediating role of the intellect was what accounted for equivocation and ambiguity, and, at least as far as Boethius was concerned, for the knowledge of contingents. Boethius attributed to Porphyry the insight that a simple proposition is one that can mean only one thing. The task of logic is the elimination of equivocation. Boethius analyzed ambiguity not only in conceptual terms but also as existential impositions. That is, the *Categories* show us that *est* is predicated analogically. When we say “He is a man,” “He is a brown,” and “He is a father,” the senses of “is” are distinct. Each of the predicates is posited as inhering in a distinct manner. Further, all are distinct from the necessity posited in “He is God.” Since, no common conception is implied, thus there is no genus for these *est*’s. As Marenbon notes, Boethius rejected, or at least, never had recourse to the neo-Platonic conception of three distinct universals: as separated, as immanent and as abstracted. Boethius could not have made serious use of this schema because he rejected a concept of being that could range over an ordered series. Being conceived as necessary (self-subsistent), as substantial (relatively self-subsistent), and as accidental (dependent) would be such an ordered series.

It is in order to eliminate ambiguity that Boethius took up the discussion of the necessity, contingency, and time-quality of predications in Book 9 of the commentary on Aristotle’s *On Interpretation*. Among the arguments we find in that section is that some predicates refer to contingent beings and some to eternal and necessary beings. As Marenbon rightly emphasizes on pages 39 to 40, for Boethius predications of contingent realities are true only if they contain a sense of the contingency of things. True predications are, of course, expressions of knowledge. Boethius’s realism, therefore, is founded not on the results of abstraction as Marenbon argues (30–31) but on the mode in which the concepts abstracted are posited in reality. If we take this principle into account, then it is perhaps easier to see that in the *De hebdomadibus*, Boethius was not articulating a difference between a thing and an immanent universal (Marenbon, 89), but rather between a thing and its act of being on the basis of which one posits contingent or necessary existence. An immanent universal is a particular, substantial form, and was already an element in Boethius’s logical works. An act of existence is a *forma essendi*, “form of being,” which can only be form in an analogous sense. Boethius consistently held that *ens*, “being,” is not a genus and cannot be a true form. Therefore, all things are good in being derived from or

having as one of their principles an act of existence that is dependent on God and not on themselves. To be so dependent is not a predicate like substance and is not made explicit in the *Categories*.

What is the integrity of Lady Philosophy's arguments? Marenbon's three chapters on the *Consolation* are ordered to his thesis that Boethius deliberately introduced incoherencies into Lady Philosophy's arguments in order to exploit the gap between philosophy and theology. He is inclined to treat as six distinct and conflicting arguments the discussions of happiness in terms of a complex view (II–III.8) and in terms of a monolithic view (III.9–12); the treatment of Providence in terms of final causality (IV.1–4) and in terms of the efficient causality of the divine Craftsman (IV.5–6); and the resolution of the problem of Providence conceived as "causal determinacy" (V.1–2) and as prescience (V.3–6), both of which seem to destroy free will. The commentator affirms that the two arguments in Book III are "at odds," and that in Book IV Boethius "suddenly changes direction" (117). In fact, the picture of God as divine planner who prepares a response ahead of time to human vice and virtue is "in stark contrast to that presented by III.9–IV.4" (119). I will argue that there is more unity to the text that Marenbon is willing to discover or to grant.

Marenbon believes that the problem of the relationship between Providence and free will only emerges with the treatment of Providence as causal: "So long as divine government was explained solely in terms of final causality, there was no tension between acknowledging it and maintaining free will" (121). However, this easy concord was not apparent to Proclus who conceived of Providence almost exclusively in terms of final and paradigmatic causality. He found that the free pursuit of a natural end required defense. Boethius himself acknowledged that while there was something true in the Stoic account of non-necessitate yet natural motion of the will toward the good, the Stoics had not really preserved freedom. For Boethius, the natural motion of the will is free, in one sense, because its necessary pursuit of the good is check and governed by reason. Marenbon quotes a characteristic line: ". . . For desire for the good is there naturally within the minds of men, but wayward error leads away to false goods" (105). The complex view of happiness sorts out false and from true goods. This first approximation of the essence of human freedom is articulated in the face of the final causality of the good. All along the line Lady Philosophy had conceived of Providence as causal, even in terms of a divine Charioteer who governs the cosmos by the reigns of love.

An additional element of human freedom is identified in the context of the recognition that the one true good, God, is the same for all. Where

the complex view treats the parts of happiness, the monolithic view treats the whole. The will desires the good determined by reason, yet the will is clearly not satisfied with just any good proffered. Marenbon points out that Lady Philosophy argues that the will is satisfied not with means but only with the end for the sake of which the means are chosen (105–6). This one end moves all things including the will. The will is, in fact, only satisfied with the whole of the good, the one end of all of creation. The moral agent who is not an inveterate liar may still be aware when he or she is “rationalizing.” The will either resists rationalizations or else moves the mind to find them. The difference is not simply in the knowledge of one and the ignorance of another, nor is it in the end itself. The difference is in the moral character of the agent. Boethius seems here to have drawn on St. Augustine’s distinction between will and power. The power to achieve what the will desires is the virtues of the will. Thus, the will is freed by virtue and constrained by vice.

The difference then between Boethius’s presentations of the problem of Providence and free will in Book V is not one of causality. Marenbon considers that Lady Philosophy first distinguished between events caused by Providence—the unfolding of the chain of events within the natural order—and free events subject only to the human will. On this interpretation, all non-human events are causally determined, but human events are free. However, consistent with the treatment of the same problem in the commentaries on *On Interpretation*, Boethius distinguished among necessary, contingent, and free events. All three types are governed in unique ways by the order determined by Providence. Boethius rejected the idea that Providence causes all things discretely after the image of some divine puppet master, yet the divine mind is responsible for the ordered whole within which events occur that are the effects of necessary, contingent, and free causes. Contingent beings are caused, and though there is no necessity to their being, they depend on God for their existence (*esse*). Likewise free will is a quality of a contingent being that moves itself toward its natural end.

What is the function of the poems? The following are some suggestions for further consideration. Marenbon treats the poems as largely decorative. Even when the content of a poem supplies some unique image or idea, it does not advance the argument. It does not appear to me, however, that argumentation is the purpose of the poems. Among the likely sources for Boethius’s *Consolation* are neo-Platonic protreptic, Stoic consolations, and Augustine’s *Confessions*. In the case of the first, authors ascribed a positive role to music and poetry in preparing the heart of disciples for rigorous philosophic discourse. In the case of the second, at

least Cicero wrote that he put his hand to practicing this Greek style of discourse, mingling prose and verse. Augustine repeated many times that his own pride and disordered desire was a cause of his mistaken ideas about God. In his case the most effective poems for healing his soul of its pride were the Psalms. In all of these cases there is a recognition that the intellect does not operate in isolation from competing desires. There are things that cannot be understood, arguments that cannot be grasped until the heart is freed from its attachments to search for the truth. Perhaps, a full estimate of the extent to which the *Consolation* is in fact consoling, will have to await a clearer analysis of poetry and argument, desire and knowledge. Perhaps Boethius had in mind a clear sense of the type of person for whom Lady Philosophy's arguments would be acceptable. The Prisoner is not yet that person at the beginning of the work, but he does become so as he takes over the discourse.

This newest book naturally invites comparison with the Henry Chadwick's comprehensive treatment of the same subject matter, *Boethius: Consolations of Music, Logic, Theology and Philosophy* (1981), also published by Oxford University Press. Marenbon's work should prove to be a helpful supplement to Chadwick's more encyclopedic work for two reasons. First, it will be more accessible to the beginner and even perhaps to inspire interest through his provocative thesis concerning the relationship of philosophy and theology in the *Consolation*. Second, Marenbon includes or at least references a good deal of scholarship written since 1981, and his text is rich with insights from many sources. The final chapter is a helpful reminder of the vast and deep influence Boethius had on the medieval world. The publication of Marenbon's text witnesses to the profound effect Lady Philosophy has had on the framework and terms of perennial debates in the western world concerning philosophy, theology, God, contingency, human freedom, vice, virtue, and the solicitude of Providence. **N V**

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**The Beauty of the Infinite. The Aesthetics of Christian Truth** by David Bentley Hart (*Grand Rapids, MI: Eerdmans, 2003*), 448 pp.

DESPITE THE RELATIVE youth of its author, *The Beauty of the Infinite* merits consideration as one of the most ambitious and theologically insightful contributions to the field in the past decade. David Hart's fluid prose, sweeping grasp of theology and continental philosophy, and creativity enables him to ferry the reader from eastern patristic theology

to French postmodernism, from Greek Attic tragedy to Nietzsche and Heidegger. His work deserves a careful reading by all serious students of theology, especially those interested in how theology should relate and respond to questions raised by postmodern thinkers.

Hart begins the book asking whether a peaceful Christian rhetoric is still possible. The Christian worldview narrates a creation *ex nihilo* poured out as gift, a grace never owed but given freely, the peaceful witness of Jesus, a sacrifice on Golgotha that ends all sacrifice, and an eschatology that seeks to reconcile all of creation. This question is so essential for Hart because he sees rhetoric not as an optional addendum to a prior Christian metaphysics, but instead as part of the very essence of Christianity. The Christian evangel *is* rhetoric.

Hart outlines how postmodern (neo-Nietzschean) philosophy challenges the foundation of Christian rhetoric. He writes, "A certain current within contemporary philosophy, however, asserts that violence is—simply enough—inescapable." Through Nietzsche there has arisen "a profound prejudice . . . to the effect that every discourse is reducible to a strategy of power, and every rhetorical transaction to an instance of an original violence. From this vantage a rhetoric of peace is, by definition, duplicity" (2). Although largely critical of the violent underpinning of dialectic, Hart poses a choice between two starkly contrasted narratives: "one that find the grammar of violence [. . .] hidden within the syntax of every rhetoric, and another that claims that within history a way of reconciliation has been opened up that leads beyond, and ultimately overcomes, all violence" (2). *In nuce*, the book recounts the challenge posed by Nietzsche and the response Christianity should offer. For Hart, Christianity's rhetoric cannot abandon the aesthetic because God is beauty, and the beautiful is convertible with the good, the true, and being.

One may ask how original a work has been produced. By combining a return to a theological aesthetics with a massive attack on all variants of agonistic ontology, Hart coalesces the visions of Hans Urs von Balthasar and John Milbank. He admits this debt—really, he is too creative a thinker to be shy about borrowing. While not quite as polemical as Milbank, Hart wields his theological thresher adeptly. His critiques of Derrida, Lyotard, Foucault, and Deleuze are impressive, but the section in the first part worth recounting is the devastating blow dealt to Levinas, whose Catholic admirers are many (even the pope, allegedly). Hart's reading of Levinas is not a cheap gloss on a particular text; instead, he shows a facility with Levinas's *opera*. This facility is important to remember because the force of Hart's critique is so heavy (he describes Levinas's philosophy on page 75 as "the banal tortured into counterfeit profundity,

the obviously false propounded as irresistibly true, other forms of thought caricatured and condemned with a vehemence frequently vicious, and a fulminant tone of mystical authority assumed wherever principled argument proves impossible"). For Hart, Levinas is a Gnostic: The Other never appears; the face is invisible. Because of his ethical (and Kantian) puritanism, the resulting ethic remains "devoid of the affectivity of love or natural benevolence" (81). However benign Levinas's intentions, the results of his ethical project are so perverted—Hart refers to such an ethic as "a grim sickliness so profound that it often appears merely to convert some private melancholy into a resentful malice toward all being" (86)—that the good outlined by Levinas is only a *privatio mali* (83).

Hart's hermeneutical creativity allows him to realign the philosophical constellation: "Even the outrageous juxtaposition of Deleuze and Levinas—absolute antinomian affirmation of the world and infinite ethical flight from it—proves perfectly logical: pagans and Gnostics both assume the iron law of fate to operate here below and violence to be pandemic in the sensible order" (91). In a similar fashion, Hart connects Attic tragedy to the highest achievements of Greek philosophy, unveils Nietzsche's project as imbued with a Cartesian self, and unites Bultmann's theological project with the liberal Protestantism of the nineteenth century that sought to reach the far bank of Lessing's ditch.

Up to now this review has focused on the negative power of Hart's book, but his work extends far beyond a negation of the postmodern project. The second (and by far largest—covering about 260 of the 445 pages) part of the book, a *dogmatica minora*, tells the Christian story by "addressing the creed in four discrete moments: Trinity, creation, salvation, and eschaton" (153). Hart's hero, and the subject the dissertation from which the current work was born, is Gregory of Nyssa. In his section on Trinity, Hart declares that Nyssa's theology centered on the question of how "God is at once transcendent, no being among beings, but also infinitely rich in being's splendors, outstripping creation in his concrete and determinate fullness" (188). In one word, Nyssa's theology refracts the Pauline theme of *epektasis* (Phil 3:13). Following (and surpassing) Ekkehard Mühlenberg, Hart asserts that Nyssa does not understand divine infinity (*aperion*) as another example of the *via negativa*, but as positive infinity, and consequently concludes that Nyssa is the first real Christian thinker of difference.

An essential part of Hart's argument comes in his understanding of analogy. Only through an *analogia entis* can Christianity avoid a Gnostic flight from or a nihilistic embrace of the world. The importance of analogy explains why theology must answer postmodern thought—in this

instance Heidegger's critique of onto-theology—because otherwise theologians will borrow too uncritically from these spoiled spoils. Hart takes issue with the most formidable attempt, by Jean-Luc Marion, to divorce the Christian God from being and defends Erich Przywara against Barth's famous critique (although, it must be said, a bit more exposition should have followed given the importance of the debate and the people in it—Hart does not address Barth's *analogia fidei* or Jüngel's interesting plea for a *major similitudo* in reaction to the famous decree of the Fourth Lateran Council that proved so central for Przywara). Here Catholics will owe Hart a special thanks: Many blush in the face of Barth and assume he got the better of his Catholic interlocutor, but Hart, an Eastern Orthodox theologian, offers a compelling explanation of how the *analogia entis* protects theology from Hegelian dialectic: "The rejection of the analogy [of being], far from preserving God's transcendence, actually serves only to objectify God idolatrously as a sublime absence or contradiction: one is left with a duality that inevitably makes of God and creation a dialectical opposition, thus subordinating God to being after all" (242), and turns Barth's famous "invention of the anti-Christ" remark on its head.

The previous sampling of Hart's contribution to theological and philosophical debates leaves the reader with much to ponder. His exposition of classical Christianity through the texts of Bonaventure, Maximus, Augustine, and the Capadocians (among others) should encourage readers to return to the center of the theological tradition. His argument is more fugal than linear; he explains that there is "no systematic or deductive sequence" to his dogmatic treatise. Instead he provides an argument that "proceeds by steps but will also occasionally double back to reassert a theme with a new resonance" (154). The less single-minded reader may occasionally feel that the answer can be anticipated and want to skip ahead, but the abundance of wit, subtlety, and brilliance—his discourse on Bach (282–84), the brilliant summary of analytic philosophy (314), his labeling Henry Ford a Nietzschean deity (435 fn), and so on—reward the reader for keeping a steady hand on the wheel.

There is much else to say about the book. From an ecumenical standpoint, Catholics should be encouraged by Hart's sympathetic reading of both Augustine's treatment of the Trinity and Anselm's theory of atonement, and should not underestimate the significance of this reading considering the author's ecclesial location. Recently the German Lutheran theologian Oswald Bayer called for a "poetic theology." Similar to Bayer, Hart likens God's creation to a work of poetry in language that makes Christianity attractive through a majestic vision and almost hortatory tone. Indeed, perhaps the greatest favor Hart has done academic



theology is to help theologians “see the form” as Balthasar has called for. Although traditional Christian apologetics (e.g., C. S. Lewis) may have seen its day, recent European fundamental theology (Pottmeyer, Metz, and Guido Vergauwen) has called for a “practical apologetics.” Hart’s “aesthetic apologetics” can perhaps open a new flank in this region of theology.

There are a few problems with the book. Although Hart offers many biblical citations, he never buttresses his argument with contributions from recent biblical scholarship. This would have made his critique of Girard on biblical sacrifice more convincing. The philologically challenged—that is, most American readers—will probably find aggravating Hart’s failure to translate French and German secondary literature in the body of the text. His critique of Heidegger is harsh but does not mention the sad state of theology Heidegger faced when he was a young seminarian, and surely helped to convince him to abandon the metaphysics taught in the Catholic seminary he attended.

Despite the obvious comparison to Balthasar’s *Glory of the Lord* or Milbank’s *Theology and Social Theory*, the type of book Hart’s resembles most closely is Jüngel’s *God as Mystery of the World*. This is high praise (although perhaps not for Hart since he is critical of Jüngel at several points). Like Jüngel, Hart takes a serious question seriously, and proceeds in the style of a continental thinker by mining the recent and less recent texts of western theology and philosophy for insights. Jüngel says in the first preface that “Contemporary theologians write too quickly and too much, but think too little.” Hart’s book comes seven years after the completion of his dissertation. While many academics of Hart’s stature are into their second or third book at such a juncture, the theological community can thank Hart for his patience. N.V.

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**Discovering Aquinas: An Introduction to His Life, Work and Influence** by Aidan Nichols, OP (*Grand Rapids, MI: Eerdmans, 2002*), 214 pp.

IT COULD BE ARGUED that no greater contributor to the work of retrieving the Catholic theological heritage, both new and old, inhabits the English-speaking world than the Dominican Aidan Nichols. His mastery of historical context, both in method and in working knowledge, as well as his formidable theological intellect find a compelling combination in several scholarly “introductions” to theological greats such as Yves Congar, Joseph Ratzinger, and Hans Urs von Balthasar. No less important

to his stature is Nichols's characteristically English capacity to render compelling analogies and explanations that illuminate rather than repeat or obscure key ideas. As a specimen, one need look no further than *The Shape of Catholic Theology*, which stands out as the most lucid primer in theological method to be encountered in contemporary writing.

In the present work, Nichols reveals himself to be just as helpful an interpreter and explainer of Thomas Aquinas as he is of lesser theologians. This is a time period in which both gifted newcomers (Dauphinais and Levering) as well as an undisputed master (J.-P. Torrell) have issued introductions to Thomas's thought. Nichols's volume adds one more strain to the symphony of appreciation for Thomas and the consequent inspired creativity that may ultimately require characterization as the most significant trend in Catholic theology since the *Nouvelle Theologie* of the 1950s.

Always sensitive to historical context, Nichols begins his work by first situating himself as a Thomistic interpreter buoyed by two vital currents in twentieth-century Catholic thought: English sensitivity for Thomas's "powerfully incarnational idiom," and the more "metaphysically and dogmatically meaty" French Dominican approach (viii–ix). This signals Nichols's willingness to rely on other sources, which is one of the great merits of the work. Rather than succumb to either of the twin dangers of total originality or solo virtuosity, Nichols is willing to be aided, even guided, by the insights of other Thomas scholars. He presents their insights *in toto*, and wherever possible, without revision. Yet far from subtracting from the quality of *Discovering Aquinas*, this serves to ground its assertions and makes Nichols's own insights stand out more clearly.

The book is divided into three parts. "Part One: The Man" consists of only one chapter, which traces Thomas's life and career. "Part Two: The Doctrine," the longest section of the work, offers seven chapters focused on the highlights of Thomas's teaching in the key areas of Christian belief. "Part Three: The Aftermath," which forms a diptych with Part One, offers a single chapter summarizing what Nichols calls "the posthumous St. Thomas" (129). Finally, "Part Four: The Tools" is a re-examination of some key areas from Part Two from the perspective of theological method.

Chapter 1, "Thomas in His Time," is Nichols at his very best. He does not tarry on disputed points; rather, he focuses on uncovering how the events of Thomas's life (including his vocation, circumstances, and difficulties) deeply influenced his prodigious literary career and his theological conclusions. Most significant in this chapter is Nichols's compelling argument that Thomas's *exitus-reditus* principle of "theological intelligibility" (6) is the recurring theme of his entire career. In the process, he makes a strong (albeit indirect) rebuttal of Chenu's premise that this "principle of

organization” is primarily a neo-Platonic, rather than biblical, architectonic, although he does not investigate the possibility that the shape of Thomas’s theology may involve other, equally important biblical influences (cf. A. Hayen, *Saint Thomas d’Aquin et la vie de l’église*, 81–85).

As noted above, this chapter has a companion in Chapter 9, “Thomas in History,” in which Nichols manages to summarize the ebb and flow of Thomistic thought since the time of his passing. Most notable in this latter chapter is Nichols’s insight into the last 100 years, with both its “dark days” as well as the “promise of dawn” (139)—“a new Thomistic renaissance” occupied by scholars who have been won by the “intellectual, moral and spiritual coherence” of Thomas’s theology (142). Observing this chapter out of its turn is certainly justified—it could easily stand alone with Chapter 1 as the best available brief introduction to the historical Aquinas and his far-reaching influence on Catholic theology.

“Part Two: The Doctrine” begins with Nichols tackling the issue of the de facto activity of God in revealing himself to humanity (Chapter Two, “Revelation”). Thomas’s focus on revelation as an “intellectual event” is deftly explained in its “analogy” with “variegated natural experience,” and its ability to cover God’s diverse methods of revealing himself (21–23). Most noteworthy here is an explanation of the development of Thomas’s theology of the senses of Scripture and its culmination in a theory of the literal sense that even includes the spiritual sense, an important detail that Nichols derives from M. D. Jordan (32–33, fn. 18) and one that is a helpful *prolegomena* to a fruitful encounter with Thomas’s exegetical corpus.

Chapter 3, “God and Creation,” covers well-charted ground in recent Thomistic research. Yet Nichols offers a less familiar starting point: Thomas’s doctrine of man’s knowledge of God as found in the *Summa contra Gentiles*. The interplay Nichols detects between “anabatic,” natural approaches to God and knowledge given katabatically in revelation lays an informative foundation for considering how natural knowledge of God and creation is made foundational by Thomas to investigating what God has revealed (40). This approach enables Nichols to access the profundity of Thomas’s metaphysics (40–44) and his natural theology (45–57) in a way that does not separate them from one another nor from their all-important context, which is theology.

Chapter 4, “The Trinity,” finds Nichols once again exercising his greatest strength—historical analysis. Tracing the progress of both eastern and western theologies of the Trinity before Thomas, he uses the sticking points of the Greek approach as a helpful contrast to their resolution, found potentially in Augustine and actually in the “strongly personalist

cast” of Thomas’s approach (67). The insights of this chapter are powerfully completed in Chapter 5, where Nichols explores Thomas’s insights into the Trinitarian structure of God’s creative activity and the pinnacle of that creation, the “*imago Trinitatis*,” man—whose imagehood is completed by a growing similitude to Christ through grace.

Chapter 6, which concerns Thomas’s famous angelology, says as much about Thomas’s teaching by the place Nichols gives the chapter as the same does in its contents. By serving as an interlude between the chapters on God and his creative work on the one hand, and those to come on his salvific work on the other, this pivotal interlude draws the reader’s attention to the open roof on Thomas’s theology, revealing it as one hospitable to vast realms of God’s creativity largely inaccessible to human knowing. It also offers an fitting segue into Thomas’s theology of sin and redemption in the fall of the angels, a tragic foreshadowing of the fall of man and a central illustration of the pivotal principle of creaturely reality as Thomas sees it—that “self-existence in joy is only possible through divine grace and that deformity that comes from the theological virtues” (90).

Chapters 7 and 8 trace the *reditus creaturae rationalis in Deum* in the order that its components are considered in the *Summa*, first in regard to its actualization through the power of grace and the fructification of grace in virtues both natural and theological (Chapter 7), and then in the cause (Christ), the total dynamic (Church), and the instrumental causes (sacraments) of this *reditus* (Chapter 8). Nichols sounds off on some areas of dispute—the relationship of nature to grace; the critique of Thomas’s moral teleology offered by the Grisez school (to which he makes a justified and enlightening response vis-à-vis Benedict Ashley)—and bypasses others. While in these two chapters he is at his most summary and least original in treatment, he continues to exercise his aptitude for lucid summary and expression, offering a great deal of intellectual traction to the beginner.

Moving ahead to Part Four, Nichols returns to familiar Thomistic terrain from a new and complementary perspective—that of theological methodology. Indeed, these two chapters can be understood as an extended response to the question, “What, if any, continuing value does Aquinas’s approach to theology have for those who endeavor to advance the process of theological speculation?” In Chapter 10, “Thomas and the Practice of Philosophy,” Nichols attempts to justify his claim that “Catholic appeal to a *philosophia perennis* can hardly bypass Thomas, its classic exponent *par excellence*” (148); this he does by sounding off on some of Thomas’s major philosophical insights in metaphysics and anthropology. While largely successful, the brevity of the chapter sets the

author (and reader) at a breathless pace that rushes past much of the depth and potential of the subject matter. In fact, Nichols attempts to catalog Thomas's philosophy in one chapter, a feat he can only manage to accomplish in seven chapters for Thomas's theology!

Chapter 11, "Thomas and the Idea of Theology," approaches a much more manageable subject in a much more penetrating way. Nichols does a commendable job of coupling his observation of Thomas's scarce references to his method with an illuminating observation of Thomas's actual practice. This largely consists of reflection on the first question of the *Summa*. However, the bookends of the chapter are easily the most fascinating and insightful, for it is in them that we encounter facets of Thomas's approach that are both least like mainstream theological speculation and also most relevant to it. The first, a section on the modes of theological discourse as found in the prologue of the *Scriptum super Sententiis* (168–70), reveals (through Nichols's analysis of one such mode, "argumentative discourse") the ease by which Thomas passes from the Bible to the "wider context" of "divine revelation as passed on in the Church" (169). The second, a section on "Thomas as mystical theologian" (176–77), reveals how effortlessly Thomas's discourse travels between the two poles of theological speculation and mystical intuition, the latter "an existential and mystical depth to theology" in which God draws the rational appetite "into an apprehension of the Trinity" (177).

As noted earlier, *Discovering Aquinas* is one new entry in an ever-growing list of introductory works to St. Thomas Aquinas, each with its own merits and limitations. Yet what makes Nichols's work unique is that it does not simply introduce the reader to Aquinas, but to the whole world of Thomistic scholarship, its recent lights, and its historical pitfalls, its conversations and the dialogue partners who have contributed most recently to those conversations. Thomas surrounded himself with a great cloud of theological guides, both biblical and extra-biblical, in his own pursuit of theological insight. In a similar way, Nichols does the beginner an inestimable favor by providing readers with guides to Thomas, and to this *bonum* he adds another: his own service as an important guide to the topography of contemporary Thomistic scholarship. N.V

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