THE STATUS AND FUNCTION OF DIVINE SIMPLENESS IN *SUMMA THEOLOGIAE* Ia, qq. 2-13

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Introduction

IN THE FIRST PART of what follows I hope to do four things: a) to give a brief summary of Aquinas's remarks contained in the third question of the first part of the *Summa Theologiae,* entitled *de Dei simplicitate;* b) to outline two different ways of interpreting what Aquinas is about when making those remarks; c) to assess which interpretation is better from an exegetical standpoint; d) to assess which interpretation is better from a philosophical standpoint. In the second part my aim will be threefold : a) to trace the way Aquinas derives and uses the concept of divine simpleness in questions 2 through 11 ; b) to examine briefly the relationship between this concept and possible cosmological arguments for the existence of God; and c) to evaluate critically some modern treatments of arguments of the cosmological type in the light of this relationship. I shall not be concerned to show that Aquinas's conclusions in question 2 (the Five Ways) are justified by the arguments he adduces; rather, my concern will be to show that an adequate evaluation of his arguments cannot ignore the function of divine simpleness as a key element therein.

I. The Status Of Divinle Simpleness

(1) A Summary of S.T. la, 3

At the beginning of question 3 Aquinas lists eight points of inquiry. The first is whether God is a body, that is, composed

of extended parts. He offers three reasons why he thinks the reply must be negative. Firstly, an unchanging first cause of change, which God is (by *la, 2, 3)* would appear not to be bodily, since experience offers no examples of bodies causing change without themselves changing. Secondly, to be extended in space implies the potentiality of being divisible, but a primary reality is utterly actual, since absolutely speaking, actuality precedes tentiality, and God is the primary reality. Thirdly, since the soul is nobler than inanimate things, and God is the most excellent of beings, God cannot be any less noble than the soul. But the soul in itself is not bodily but that in virtue of which bodies are what they are.

In the next article Aquinas denies that God is composed of matter and form because matter is potential and only exists by participating in some form. In addition, since agents act in virtue of their form, God, as the prime source of activity and being in no way potential, must be considered as being essentially form without composition with matter, Aquinas then asks whether God can be identified with his own essence or nature. Given that matter is the individuating factor in beings composed of matter and form, and that such composition is ruled out in case of God, Aquinas claims that the distinctness of his being must be due to form. Hence God is his own form or nature or essence. In a crucial move in the next article Aquinas identifies God, who is his essence, with his existence, for as an uncaused necessary reality this essence must be self-subsistent. Thus God's nature or essence is necessarily self-instantiating, nor does God participate in existence, but essentially is identical with (the act of) 'existing', Therefore the distinction between essence and existence, between what something is and that it is, does not hold for God.

Having daimed that God is his own existence, Aquinas argues that this existence is prior to genus in general and to the genus of substance specifically. So there is no possibility of distinguishing in God genus and difference, nor can God receive predicates as a substance, since this would imply potentiality. Therefore God is

not composed of substance and accidents. In article 7, Aquinas claims that God is altogether simple. After summing up the previous remarks he makes two general points. Everything composite is subsequent to and dependent on its components, whereas God is the first, uncaused necessary being. Secondly, everything composite is caused, for essentially diverse elements must be caused to unite, but God is uncaused. This entails that in all composite beings there is some element not sharing a common predicate with the whole. In the last point of inquiry, Aquinas denies that God enters into composition with other things. As first cause God is distinct from all subsequent causes and effects. As the primary and immediate source of activity he cannot be a component in other agents. Since God does not partake of anything he cannot participate in the substantial being of other things, but is their being only causatively.

(2) Two interpretations

Whether one thinks Aquinas is correct on these points will depend not only on the view one takes of his reasoning, but also on what one considers the nature of his enterprise to be. The importance of determining this latter question has sometimes been neglected by commentators and critics alike, and so the usefulness and validity of their comments and criticisms are to that extent undermined. In this article I shall employ the terms 'doctrine' and 'grammar' to denote two different ways of understanding the import of Aquinas's treatment of this subject. Broadly speaking, I intend by the word 'doctrine' that approach which sees Aquinas's utterances in this part of the *Summa* as making ontological assertions about the reality called God which Aquinas claims in question 2 can be successfully referred to. By 'grammar' I mean the approach which takes the question on God's simpleness to be about the logical rules which must underpin and govern theological language. That both activities are simultaneously compatible is a possibility that I do not wish to rule out at the outset. And it may turn out that on any interpretation there will still be considerable philosophical difficulties facing the

Thomist position, but I am not primarily interested in that question here.

A treatment of divine simpleness which I think exemplifies the 'doctrine' approach is provided by William E. Mann.[1] He uses the term 'doctrine' and refers to his subject matter as the Doctrine of Divine Simplicity (DDS). This terminology in itself does not tell us how he regards the type of claims Aquinas is making in *S.T. 1a, 3.* His article, however, does appear to treat divine simpleness as a real feature of divine being, crucial and, in a loose sense of the word, definitive of God's existence. His conclusion is that God is just a special, 'rich' property-instance, and that this is what the DDS amounts to. He explains his position in the following way. He notes Aquinas's tendency to assimilate sentences of the forms 'God is F' and 'God is F-ness' to sentences of the form 'God is his F-ness'. God cannot have being through some quality which is not itself identical with himself without violating what later scholastics called his aseity. An uncaused necessary being cannot depend on anything else for its existence. So instead of "God is wisdom" or "God is wise" we should say, "God is his wisdom." And we should avoid saying that "God is wise and just and good and .... " We should say instead, "God's wisdom, justice, goodness, etc., are identical with God." Now phrases like 'God's wisdom' and so on, Mann thinks of as definite descriptions referring to instances of properties. The question then is, how can instances of different properties be identical. Mann thinks that if

1) divine attributes are necessarily co-extensive (i.e. if it were impossible to instantiate being omniscient without also instantiating being omnipotent, and so forth), and if
2) necessarily co-extensive attributes are necessarily identical, then
3) God, if he exists, is an instance of the property of being a Godhead (where the last mentioned property is defined by the set of all its instances).

Now if a property is nothing but the set of its instances, it

[1] William E. Mann, "Divine Simplicity," *Religious Studies* vol. 18, no. 4 (December 1982), pp. 451-471.

follows that necessarily co-extensive properties are necessarily identical. This view of properties rejects the idea that distinct predicate expressions refer *ipso facto* to distinct properties. On this view different predicates may have a single, common referent although connoting different verbal meanings. Some recent philosophers, notably Saul Kripke,[2] have adopted this view of properties. Hence, for example, having a certain temperature is just having a certain mean molecular kinetic energy. Now Aquinas, in a very important passage of the *Summa Theologiae,* rejects the notion that divine predicates are synonymous, while insisting on a unique and common referent for their instantiation. He says,

> Thus the words we use for the perfections we attribute to God, although they signify what is one, are not synonymous, for they signify it from many different points of view . . . That is why he is one thing described in many ways, for our minds learn of him in the many ways he is represented in creatures.[3]

Mann relies on this statement to claim that while the properties predicated (analogously) of God differ in sense, what instantiates them in God is a single referent. Hence, property-instances, the F-ness of x and the G-ness of y, are identical if

1) being Fis necessarily co-extensive with being G, and
2) $x=y$.

Mann concludes that God is an instance of a conjunctive property. To show that a personal being can be thought of as a property-instance, he introduces the notion of a rich property, which is a single, very long, conjunctive property. So Smith might instantiate the property of being fat and lazy and stupid, etc. Each person, then, is an instance of a unique rich property. That there can be only one instantiation of the property of being a Godhead needs argument.[4] There is, then, for Mann no ontological dis-

[2] Saul Kripke, *Naming and Necessity* (Oxford : Basil Blackwell, 1980).

[3] *S. T. la, 13, 4* (Blackfriars edition). Perhaps in this context translating the verb *'significare'* as 'to refer' might illuminate better Aquinas's thought in this connection.

[4] Cf. *S. T. la, 11, 3.*

tinction between God's attributes. He admits, however, that it is still difficult to demonstrate that the divine attribues are *necessarily* co-extensive.[5]

Be this as it may, Mann's account of divine simpleness appears to be a description of the ontologically constitutive structure of divine being. We are being informed about what is the case with God. Mann's concern is with how a reality judged to be simple can really be so. Aquinas's remarks in *S.T. la, 13, 4* (quoted above) are taken and used by Mann to state a thesis about property-instance identity which will hold with respect to God if he exists, not as cautioning us about the force of our language about God. The stress is on the *via eminentiae,* not the *via negationis.* Of course, Mann does not think that definite descriptions of God enable us to *imagine* what God is like, any more than mathematical descriptions referring to sub-atomic particle behavior, curved space-time, ' black holes ' or electro-magnetic fields provide us with veridical images of these realities. We only know how to give such mathematical descriptions from the effects of the realities in question. But such descriptions may be true and informative. We are presented by science with a body of knowledge, in effect, a doctrine of the physical universe.[11] Mann, I think, sees Aquinas's work in an analogous light.

Something of a contrast to this way of thinking is to be found

[5] There is also some difficulty in accepting a set-extensional account of properties. It would seem to follow from such an account that being a centaur and being a prime number between 7 and 11 would be the same property, the property of not being instantiated. Perhaps this odd result could be averted if we allowed literary references to centaurs to provide us with a known set of individuated instances of being a centaur. But this procedure has problems of its own. How are we to count references to unspecified numbers of centaurs, and what about thoughts about centaurs or drawings of centaurs? Are they not on a par with literary centaurs?

[6] It is true that some scientists, especially theoretical physicists, hold a more or less instrumental or operationalist view of their own work. However I think that they should still be taken as presenting us with a ' doctrine ' of the universe, and not simply a 'grammar' for talk about the physical world, because their instrumentalism is connected not so much with the proper rules for scientific discourse, as with a particular view of the kind of extra-linguistic reference that discourse has (namely, its observable and predictable consequences).

in David B. Burrell's book, *Aquinas: God and Action.*[7] According to Burrell, the premise that language and reality are structurally isomorphic underlies all attempts at philosophical analysis. That this is not the case where the reality in question is God, is what Aquinas is trying to establish in *S.T. la, 3,* in Burrell's view. There is no isomorphic relation between language and the reality of God-this is what saying God is simple amounts to. All subject-predicate forms are strictly inappropriate to God. Aquinas wants to show that the nature of God cannot be stated. Hence Burrell entitles his first chapter, "The Grammar of Divinity". He thinks Aquinas wants to set out linguistic rules to the effect that human discourse systematically fails to exhibit the reality of God. For Burrell then, Aquinas is engaged in a reflection on the rules for interpreting discourse concerning the divine, a reflection that enables us to 'characterize' what cannot be described. Questions 3 through 11 stake out what Burrell terms a depth grammar *'in divinis'*. So in his second chapter he poses and replies to the central question :

What then is Aquinas up to in these questions which treat God's simpleness, perfection, limitlessness, unchangeableness and oneness? My contention is that he is engaged in the metalinguistic project of mapping out the grammar appropriate *'in divinis'*. He is proposing the logic proper to discourse about God.[8]

Earlies he makes quite clear what Aquinas is not up to :

All this, remember, is by way of considering not what God is but what he is not. If this be a 'doctrine of God', it is a dreadfully austere one. Taken as a doctrine of God, it spawns the notorious God of' classical theism' not unrelated to Blake's Nobodaddy. But a perceptive reader would think twice before identifying a deliberate consideration of what God is not with a teaching presuming to say what God is. We could expect a doctrine of God to say what God is like, yet Aquinas is clear enough in warning us not to expect that

[7] David B. Burrell, *Aquinas: God and Actfon* (London, Routledge and Kegan Paul, 1979).

[8] Burrell, *Aquinas,* pp. 16, 17.

of him. Nevertheless, commentators and critics have assumed that he is offering us just that-a doctrine of God-in questions 3 through 11.[9]

We are confirmed in our belief that Burrell wishes his remarks to be taken seriously when, after discussing Aquinas's treatment of the arguments against God's being bodily, he claims that a) the arguments do not prove that God is not a body, and b) that God might well have a body, and c) that this is not the point of the inquiry anyway.[10]

The difference of interpretative approach from that of Mann is by now, I hope, quite perceptible. Burrell agrees that question 3 is the absolutely vital one for understanding Aquinas's thought in this part of the *Summa.* Simpleness is not just another attribute along with per{ection, limitlessness and the rest. It is a determinative principle for understanding and accepting all that follows. For Burrell, it is this basic denial of compositeness, whether logical or ontological, formal or material, that opens up the way for Aquinas to 'characterize' God, but without stating or at least intending to state anything factually and positively informative about God's nature. Aquinas's task is to outline a logic that will allow us to articulate the non-articulability of transcendent being. One is easily reminded of Wittgenstein's remark, "Whereof we cannot speak, thereof we must remain silent." But for Aquinas, the 'whereof' exists.

(3) The exegetical question

I now wish to examine the approaches of Mann and Burrell with respect to their merits as pieces of exegesis. In a prologue to question 3 Aquinas says that we cannot know what God is, but only what he is not, and that therefore we cannot consider the way in which God exists but only the ways in which he does not. In *S.T. 1a, 12, 12* Aquinas maintains that reason can know that a simple form is, even though it cannot attain an understanding of what it is. Burrell's interpretation demands that these

[9] Ibid., p. 13. [10] Ibid., p. 20.

statements be given their full weight. But some important clues for solving the exegetical question are contained in question 13 which deals explicitly with theological language. In article 1 of that question Aquinas claims that we can successfully refer to God using abstract or concrete nouns although neither type by itself exhibits God as being simple *and* subsistent. This is due to God's essence being identical with his existence.

Burrell tries to shed some light on this point by a consideration of the distinction between a proposition (merely entertained) and an assertion. Parallel distinctions might include those between a sentence and a statement, a possibility and an actuality, a set of truth-conditions and their fulfilment, and between understanding and judging. Assertions say what reality is, but they do not say that they do, (in Wittgenstein's phrase) they show that they do. How people know that an assertion is being made is not contained in the form of the proposition but derives from a variety of complex circumstances. This is why Aquinas thinks that saying God's essence is to exist does not prove God's existence even if it is true to say this. We do not know merely from the meaning of the proposition itself if we are in a position to assert it. On this point Burrell's agnosticism seems to mirror that of Aquinas. But I think that Burrell almost forgets that Aquinas does, in fact, make the identification of divine essence and divine existence; in other words, Aquinas believes one can get to a position where one can *assert* this identity and thereby state a truth about God. But one does not arrive at this position simply by a consideration of the meaning of the proposition. We need to look more closely at how Aquinas thinks we can attain the stance of assertion vis-a-vis God.

In the next article of question 13 Aquinas claims that our predications do express something of the divine nature, albeit imperfectly. So he says at the end of the article:

> In this life we cannot understand the essence of God as he is in himself; we can, however, understand it as it is represented by the perfections of his creatures.

Aquinas believes that God, as the cause of perfections in creatures, must in some way resemble those created perfections. Thus, God's justice does not merely mean the cause of justice in the world, whatever that might be. Rather, the cause of justice must resemble in some way created justice, and so on. The *'res significata'* and the *'modus significandi'* are causally related, and causes resemble their effects. Where the *' res sigwificata'* is divine, our way of speaking about it will depend on intelligible forms drawn from sensory experience of composite entities (the *'modus significandi').* But Aquinas refuses to accept that there is no resemblance between the First Cause and its effects. In the reply at *S.T. la, 13, 2* he explicitly rejects the idea that predication of God consists merely in saying that God is the cause of the created quality signified by the predicate in question. The thesis about cause-effect resemblance must be included. And in article 6 of the same question Aquinas states :

> We have already shown that words of this sort [words used non-metaphorically] do not only say how God is a cause, they also say what he is.[11]

These claims by Aquinas suggest that Burrell's interpretation of the prologue statement at *S.T. la, 3* that we cannot know God's essence might be excessively agnostic. However, Burrell can claim that in question 3 Aquinas is not dealing with the divine perfections like wisdom and justice but with absence of compositeness in God (for which there is no clear created analogue), and what that implies. What seems clear from question 13, then, is that Aquinas believes that we can in principle make a number of true statements about God, although only a few of these will be literally true. But is Aquinas als? making any ontological assertions about God in the earlier questions, particularly in question 3 ? I think he is.

For Aquinas, being is, absolutely speaking, prior to logic.[12] It is God's simple ontology which makes it true that language can-

[11] *"non solum dicuntur de Deo causaliter, sed etiam essentialiter."*

[12] *S. T. la, 3, 1,* and the *'sed contra'* in *la, 3, 5.*

not represent him to us adequately, but it does not mean the same, any more than the fact that it is raining heavily means the same as the fact that it is inadvisable to go out, although the former fact may make it true that it is inadvisable to go out. There is a logical connection between God's being simple and the inadequacy of our language about him, but in the order of reality divine simpleness precedes this connection in the order of logic. And of course, Aquinas concedes-or rather argues-that we cannot know what it is like for God to be simple, but he is nevertheless convinced that such a God exists. He makes a *judgment* to that effect, not only a preliminary act of understanding which determines whether and how we can talk about the fact. So when he says that God is simple, Aquinas does not mean that language systematically fails to represent God adequately (he does say *this* in question 13). Likewise, when Aquinas says that God is not a body, he is making a factual claim; he is not just saying that it is inappropriate to speak of God as bodily. Indeed, given his obvious acceptance of the legitimacy of metaphorical language, it is clearly not inappropriate on some occasions to speak as if God *is* a body. Moreover, the interpretation of such language precisely as metaphorical depends upon taking the affirmation of divine simpleness (and hence, immateriality) as a metaphysical and literal statement about God.

Two considerations, then, suggest to me that Burrell's exegesis is not quite correct. One is that Aquinas, in question 3, is precisely concerned to make judgments and not simply to understand possibilities, because he is asking what kind of reality he has reasoned to in question 2. Only after he has made some headway on that front does it become clear that special rules concerning discourse *in divinis* are logically called for. If one had not *already* decided that God is and must be simple, it would not make sense to think that a special grammar for God-talk was in order. To highlight this point it is important to notice how Aquinas comes by the notion of divine simpleness in the t·ext. He does not simply start off with a nominal definition to the effect that God, if he exists, must be an absolutely simple reality. Rather, God's

simpleness is discovered precisely in the course of working out the proofs of his existence using the general metaphysical principles of *actus* and *potentia.* This is best illustrated in the First Way, for Aquinas the *via manifestior.* I take that argument to be saying something like this: given Aquinas's understanding of change in general, something has to be *actus purus* if any changes are to occur (which, manifestly, *they* do). But to be *actus purus* is to be in no way composite, to be essentially and absolutely simple. It is in the very process of arriving at the judgment that there is an *actus purus* (albeit swiftly and at the beginning of a massive compendium of theology) that its necessary simpleness becomes apparent. Perhaps Aquinas ought not to call this reality ' God ' so quickly. But as it turns out, this application is not unreasonable, for if it is in the very process and goal of the rational judgments made in question 2 that the discovery is made implicitly that the Prime Mover is simple, the later questions make clear the implication that these judgments refer to an unique, infinite, immaterial, perfect and unchanging reality.

Secondly, Aquinas reserves his treatment of how we can talk about God until question 13. In question 3 he does not say that he is carrying out a critical reflection about discourse to do with God. He is engaged in that task only later, and when he is, he says so explicitly. It is true that question 3 deals with God's being by way of denying those manners of being which he is not. But this is still a metaphysical, not a metalinguistic enterprise.

It appears, then, that Burrell's harshly linguistic concerns are not fully consistent with Aquinas's actual train of thought. Certainly the moment of thought Burrell identifies and emphasizes is there in Aquinas, but I think he has mislocated it. One feels tempted to ask Burrell whether his interpretation of Aquinas along the lines of a grammar *in divinis* also applies to the Five Ways. Are *they* to be construed as necessary ways of thinking, *a la* Kant, but devoid of any real bearing on the objective constitution of reality? On this view ' Prime Mover ', ' First Cause ', ' Necessary Being ' are not definite descriptions picking

out God but Ideas of Reason with a purely ' regulative ' function for our minds. I do not know whether Burrell would accept this line of thinking but I doubt very much if Aquinas would.

(4) The philosophical question

Burrell and Mann are, of course, philosophizing in a very different context from that of Aquinas. Moreover, Mann's avowed purpose is not so much to describe what he thinks Aquinas is doing in *S.T. la, 3,* as to see whether what he is doing makes philosophical sense. But implicit in that is an interpretation of Aquinas's intentions, and I think that his interpretation is probably closer to those intentions than that of Burrell. There remains the question of whether his interpretation is more fruitful in fact from the philosophical point of view.

The vital step in question 3 is the identification of God's essence with his existence. The difficulty for Aquinas is, then, to explain how he still does not know what the essence of God is. For if I know that God is his own existence, how can I still say that I do not know what God is? It looks as though one is claiming to know that *p,* while also claiming not to know what *p* means, and this result appears absurd to many. It is to be noted that statements which identify God's essence with his existence, or indeed, his wisdom with his justice, are different in kind from utterances like ' God exists ' or ' God is wise ', since in these latter cases one is grounding the statement in a consideration of the effects of God's causal activity and in a thesis about causes resembling their effects. But there is no identity of essence and existence in God's effects, and surely only accidental coincidence in some creatures of wisdom and justice. Hence, one is tempted to think that the sentence' God's essence is identical with his existence' is a merely nominal and stipulative definition. But we have seen that Aquinas wants to deal in judgments about reality-he will admit that if God exists, his essence and existence are identical; but he already wants to insist that God does exist in the Five Ways, and concludes on that basis that the identity of God's essence and existence *obtains in reality.* We noted how

the notion of divine simpleness is generated precisely (although it is not fully explicitated) in the reasoning in question 2 that leads to the affirmation of God's existence. But if this procedure is sound, and presumably Aquinas thinks it is, why does he deny himself (in the prologue to question 3) a knowledge of the divine essence?

I think the answer to this problem goes something like this: 'Exists' does not display the manner of relation between the referent of the subject term and the fact of its existence. In this respect, 'exists', if it is properly called a predicate at all (it is surely a grammatical one), differs significantly from other predicates, as numerous philosophers have remarked. For while we may know that something exists, we cannot know what it is to exist (whereas we do know not only that some things are red, but what it is to be red). One might say that we do not and cannot know the 'essence' of existence. If we did, Aquinas seems to be saying, we would know God as he is in himself-we would know what God is. Now in the case of the perfections we attribute to God we know the meaning or sense of the words, but not, Aquinas maintains,[13] the real essence that such words primarily refer to, namely God. Hence we can know that God really is *F, G,* or *H,* but not what it is for God to be *F, G,* or *H.* As Gerard J. Hughes has noted,[14] we cannot spell out or 'unpack' the resemblance that grounds our predications about God in terms of some respect in which the resemblance holds, for we do not know how to speak of that respect as it is instantiated in God, the primary referent of the predication. But this inability

[13] S. *T.1a, 13, 6.*

[14] "Aquinas and the Limits of Agnosticism," in *The Philosophical Assessment of Theology,* ed. G. J. Hughes (Tunbridge Wells, U.K. and Washington, DC: Search Press and Georgetown University Press, 1987), pp. 47-48. I agree with Hughes that we cannot 'spell out' in what respect there is a resemblance, but perhaps we can *refer* to that (though not that respect) in terms of which there is a resemblance, namely *esse* interpreted as *actus* (for Burrell, a quintessentially analogous term). *Esse* is not a *respect* in terms of which the resemblance can be stated, since it is beyond all classification. And we cannot 'spell out' *esse* because we simply do not know what it is, what its 'essence' is. But we can refer to *esse.*

in itself does not invalidate our predications. So far then, Aquinas can make out a case for making judgments which can be true even though the one judging is not in a position to know the real essence referred to in the propositions he or she utters. Analogously, we might allow that while one can know that God's essence is identical with his existence, one cannot know what it is for God's essence to be identical with his existence.

If this is allowed, then a 'doctrine' approach will still be philosophically tenable, for we will be dealing in judgments about the ontological character of some reality, and not simply making rules about the meaning of the term 'God'. We will be judging the *that,* but not the *what* of God's *esse.* Still, the analogy is not without difficulties, for to deal in unknowns like divine wisdom on the basis of an inference from the experience of its imperfect earthly analogue is one thing, but to identify unknowns like God's essence and existence without benefit of an experientially grounded analogue of such identity is another. It is true that Aquinas works out his notion of divine simpleness, and therefore the identity of God's essence with his existence, in the process of reasoning from judgments of empirical fact to a metaphysical ground of those facts. And if that is so, the essence-existence identity in God may well be legitimate *in Aquinas's own terms.* But in Aquinas the terms are those of act-potency metaphysics; it is *that* metaphysics, not the experientially grounded judgments of change or causation as such, which generates the existential affirmation of *actus purus,* and so generates the judgment that the divinity is simple. What is important to recognize here is that Aquinas's basic metaphysical assumptions play a role that is constitutive of the understanding he has of the starting points (such as the general fact of change) of his arguments for the existence of God as *actus purus;* and in that role they are not neutral with respect to the question of God's simpleness. Thus there comes a point when one's metaphysics is applied to reality in such an indeterminate and wide-ranging way that it starts to function as a 'grammatical' key for interpreting all subsequent discourse about reality. And the metaphysics of act and potency applied

to the extremely general phenomenon of change with a view to formulating a way of successfully referring to God is an exercise at the limits of philosophical generality. In such a case the contribution of one's basic metaphysical presuppositions to a primary characterization of the question to be decided is so determinative of the conclusion that one can hardly speak of an
neutral truth. This in itself does not necessarily result in an illusion, any more than grammar in the ordinary sense prevents us from making true statements in a language. But not to recognize the logical import of one's metaphysical assumptions at the beginning of an enterprise such as proving the existence of God could lead one into an overly facile acceptance of 'facts about God'. I think Burrell overestimates Aquinas's awareness of this point.

The general metaphysical notions that Aquinas was working with have of course been subject to a number of stiff treatments as well as neglect in the subsequent history of philosophy. It would be absurd to expect Aquinas to anticipate all relevant philosophical developments after his own period. But Burrell's interpretation along the lines of 'grammar *in divinis*' enables Aquinas's position to own up to the logical effects of its underlying metaphysical presuppositions. This need not mean that logic is to substitute for metaphysics, nor that we can never do more than formulate metalinguistic rules for how to talk about reality, while bracketing the ontological significance of talk about reality as such. But it helps to distinguish these two activities, as Burrell's approach does. To that extent it helps Aquinas's position to locate itself in terms of modern philosophy in a way that provides a bulwark against the more naive sorts of challenge on offer. A logically self-aware Aquinas is a more formidable opponent to his modern critics, even if at the expense of a reduction in metaphysical self-confidence (which is not to be confused with the elimination or abandonment of metaphysics). But to pretend that historically Aquinas was fully aware of the precise point where metaphysics and 'grammar' cross over is to be unnecessarily generous as well as anachronistic. If my reasoning on

this point is correct, then Aquinas can only benefit from Burrell's treatment in today's philosophical climate. If it is not, then both Aquinas as a philosopher and Burrell as an exegete deserve more credit than I suggest here.

II. The Function Of Divine Simpleness

(1) Its function in the text

We have earlier contrasted the way in which Aquinas derives the notion of divine simpleness with a merely stipulative definition. In the latter approach, one would simply start off by defining any uncaused necessary reality as being absolutely noncomposite since one wants to rule out any kind of dependence on components. If anything is an ontologically independent reality, it will be simple. One would then employ a cosmological argument to try to demonstrate the existence of the independent reality. But Aquinas does not stipulate simpleness as a characteristic of such a reality straightway. Instead he arrives at the judgment about divine simpleness as a consequence of his arguments in question 2; for given the validity of Aquinas's general metaphysical principles as these are applied to the occurrence of change, or causation, or contingent beings, it is only if a reality which is in no way potential and therefore implicitly simple exists, that these occurrences can be explained.

When we surveyed Aquinas's remarks in question 3 we saw that it is the denial of potentiality that commonly leads Aquinas to deny bodiliness, composition of form and matter, or of essence and existence, substance and accidents, or genus and difference with respect to God.[15] It is instructive to note that whether God is composed of *actus* and *potenitia* is not given a separate article. That God is not so composed is already assumed to have been shown in question 2.

It is God as *actus purus* and therefore absolutely simple that implies his perfection in question 4 :

[15] This is especially true in the second reply in article 1, the first reply in article 2, the second reply in article 4, the first reply in article 6, the fourth reply in article 7, and the third reply in article 8.

Thus, the first origin of all activity will be the most actual, and therefore the most perfect, of all things. . . . The most perfect thing of all is to exist, for everything else is potential compared to existence. Nothing achieves actuality except it exist, and the act of existing is therefore the ultimate actuality of everything, and even of every form.[16]

In question 5 Aquinas identifies, at a fundamental level, existing with being good, even though the expressions have different senses. Again the crucial point concerns the ontological primacy of actuality over against potentiality. Article 1 brings this out by relating goodness to desirability, desirability to perfection, and perfection to actuality, and the same point is rdterated at the beginning of the reply in article 3. With these and earlier considerations in mind, it is clear that God must be good, as Aquinas goes on to state in question 6. The absence of genus-difference composition in God is used to show that God is supremely good in article 2, and the absence of substance-accidents composition is used to show that God is good by nature in article 3. In question 7 the absence of matter-form composition is employed to argue for God's limitlessness, and the absence of essence-existence composition is used to claim that other realities cannot be limitless in the same way. God, being *ipsum esse subsistens,* is as such uniquely limitless. In question 8, article 4, God's omnipresence is specially characterized because of its wholeness; there is no question of part of God being present in one place but not in others. In question 9 the denial of potentiality in God entails his immutability. Aquinas says explicitly:

Things in change are therefore always composite [but since God is] altogether simple.... he cannot ichange.[17]

And since there always exists potentiality in creatures, God alone is altogether unchangeable, not being composed of substance and accidents (and therefore able to lose or acquire new qualities), nor of essence and existence (and therefore able to come to be or

1s S. *T. la, 4, 1.*
17 S. *T. la, 9, 1.*

cease to be). And this absolute unchangeability entails God's timelessness given the analysis Aquinas offers of time in terms of change. Finally in question 11, article 3, Aquinas appeals to God's simpleness to show that there cannot be more than one God. If God's nature is identical with his existence then "to be God is to be this God ".[18] And God is supremely one because he is not divided in any way but is absolutely simple.[19]

The denial of compositeness in God is, then, a crucial feature running through Aquinas's reasoning in questions 4 through 11. Of course, Aquinas does employ other arguments from time to time to back up his conclusions in these questions, and he tackles secondary questions in various articles. Nonetheless, simpleness is the ontological condition and primary reason for asserting that the reality whose existence is affirmed in question 2 is perfect, good, limitless, immutable, timeless, and one. In this light, to call that reality ' God ' is not unreasonable. As such, simpleness is not merely an attribute (albeit drawn in negative terms) among others. The relationship between question 3 and the rest is not coincidental but determinative. This point is sometimes missed by commentators. The negative attributes discussed in these questions are really ways of elaborating what is involved in being *'omnino simplex'*. In a sense, we are not really being told anything more than we were told in questions 2 and 3, or even question 2 taken alone. In this respect, Burrell does deliver a valuable insight in speaking of a logic proper to discourse about God. Logically, a reality that was not absolutely simple would not be the other things either. But Aquinas's aim is not just to show this, but also to give reasons for believing that it really is God whose existence he has shown in question 2. We are still being presented with a series of ontological judgments in these questions because otherwise we might think that the question of God's existence had not really been settled in question 2. We might realize what negative attributes must be true of *actus purus,* and so fail to recognize its divine character.

18 S. *T. la, 11, 3.*
19 S. *T. la, 11, 4.*

(2) Divine simpleness and cosmological arguments

It is with this thought in mind that I turn now to the relationship of divine simpleness to Aquinas's 'proofs' of the existence of God and similarly constructed arguments. It is often claimed that even if the Five Ways are valid, they do not prove the existence of God, but at best only the existence of some reality that may or may not be identical with the referent of the term ' God' as it is used by religious believers. Sometimes even the possibility of this identity is denied, not infrequently by religious believers themselves. But as we have seen, if the Five Ways prove the existence of an absolutely simple reality which in virtue of that absolute simpleness is immaterial, perfect, good, infinite, immutable, timeless, and one, it does not seem unreasonable to give the name 'God' to that reality. The fact that a host of other, metaphorical predications may be invoked by religious believers to talk of the same reality, and that these predications may be more meaningful religiously than the (negative) predications discussed in questions 3 through 11 does not necessarily imply that the God referred to in those questions and under those referring descriptions (' the God of classical theism ') will not turn out to be one and the same as the God referred to by the more religiously evocative language of Scripture (' the God of Christian faith'), A social security number may successfully pick out the human being who is my sister, even if I do not normally refer to or think of her as the person so picked out.

As the text stands, however, the objection is plausible, Aquinas introduces the name ' God ' before he spells out the simpleness of the reality in question, and all that that means, But that early introduction of the name should not deflect us from considering soberly whether the name should not indeed be applied after alL If Aquinas has gotten things a little back to front, that should not stop us from asking whether they are the right things. Moreover, the notion of simpleness is, I contend, implicitly present in the First Way. For it is there that the denial of potentiality in the Prime Mover is first charted. Given *actus purus,* simpleness and the other divine attributes seem to follow. If Aquinas had

started with a nominal definition of ' God ' as conceptually entailing the notion of absolute simpleness, and had then proceeded to instantiate that concept by a cosmological argument, things might have been clearer. But there is something forceful and attractive in generating the judgment of absolute simpleness in the course of the argument itself. For if the argument works, it works as a unity. And one avoids the criticism of already starting from a concept of God, a criticism often leveled against *a prioristic* arguments for his existence. Aquinas's argument instead is genuinely from empirical fact. Of course, *some* concepts are there from the start, as they must be in any argument. Burrell's point about' grammar' is a fair one in this connection. But the crucial concepts are general and metaphysical in this part of Aquinas's enterprise, not specific and religious. They involve the analysis of change in terms of act and potency. If these metaphysical principles conjoined with the empirical fact of change generate the conclusion that there exists a reality totally without potentiality and, therefore, without composition of any kind, and this fits well with the claims of theistic believers, to talk of smuggling God into the argument seems out of place. Any other argument exhibited in a deductive form will be open to an analogous charge, but it is surely a trivial one. To say otherwise is to rule out *a priori* the possibility of a deductive proof of God's existence. The fact that Aquinas does not make his every philosophical presupposition explicit in the text is not damning of his arguments, even if as we saw earlier, it would have been better for Aquinas to have been aware of the logical effects of those presuppositions.

If one were to reconstruct what is going on in this part of the *Summa,* one would see that the notion of simpleness plays an indispensable role in the endeavour as a whole. Cosmological arguments which take their inspiration from Aquinas would, one suspects, do well to highlight this function of simpleness. This is not the place to do a full-scale analysis and evaluation of such arguments. But it does seem to me that a crucial step is going to have to involve the notion of simpleness as a necessary char-

acteristic of whatever is proved to exist as the ontological ground of change, causality, dependent beings, etc. Since it seems plausible on inspection to suppose that the universe and any particular objects it contains are all composite, then the conclusion of such an argument would appear reasonably to refer to what is transcendent.

(3) Some modern critical treatments of cosmological arguments

In my view most modern critics of Aquinas's Five Ways and similar arguments tend to neglect the vital role that simpleness plays therein. Their usual strategy is to concede provisionally that the cosmological arguments under review might yield a necessary reality, one which is factually incapable of not existing and upon which all other things depend for their existence. But they maintain that there is no reason to identify this reality with God.

In John Hick's *Arguments for the Existence of God* [20] he analyzes cosmological arguments in terms of a search for explanatory ultimacy. While he points to the mental rather than the material realm as the realm to which people may naturally be led in their search for this ultimacy, he concludes that there is no decisive reason for positing God rather than the material universe as this explanatory ultimate:

> Now as *de facto* ultimates, God and the physical universe enjoy equal status.[21] . . . There is no adequate reason to do other than accept the universe as simply an ultimate inexplicable datum. For whilst the cosmologicalargument presents us with the options: universe as brute fact or as divine creation, it does not provide any ground for preferring one to the other.[22]

Considering that Hick tries in this book to give an account of Aquinas's views on this subject, it seems a serious error to omit all mention of the grounds that Aquinas certainly advances for preferring the theistic alternative, namely, the complete absence

[20] John Hick, *Arguments for the E:ristence of God* (London: Macmillan, 1970).

[21] Hick, *Arguments,* p. 48.

[22] Ibid., p. 51.

of compositeness in God, and the irreducibly composite character of the physical universe. For Aquinas, the universe just does not have what it takes to be the requisite explanatory ultimate-absolute simpleness. Aquinas might be wrong about his reasons for holding this view, but at least they should be given a hearing.

In J. L. Mackie's book, *The Miracle of Theism,*[23] he allows that a plausible argument can be constructed in which a relation of dependence leads us to posit a reality whose existence depends on nothing else. But he counters the theist thus :

> We have no reason for accepting this implicit assumption [that the reality which ends the regress is God]. Why, for example, might there not be a permanent stock of matter whose essence does not involve existence but which did not derive its existence from anything else?[24]

Now Aquinas did not mean by 'matter' the same as Mackie. In Aquinas's terms, matter is purely potential as such, and this means that uninformed matter would not be anything actual at all. If Aquinas had understood the modern notion of matter, he may have allowed it actuality, but he would have applied to this alternative to God as to any other an analysis that would have revealed it as metaphysically composed of act and potency, and therefore as incapable of halting the regress of dependence. On the one hand, then, the purely potential cannot be ultimate in the order of reality, and on the other, non-dependence implies non-compositeness. Aquinas has his reasons, therefore, for preferring God to matter, and they derive from a metaphysics of act and potency which shows the need for an ontologically simple reality to ground all composite realities. But Mackie has failed to address himself to the function of divine simpleness in Aquinas's argument.

In a more recent article,[25] Martin Lee wonders why the world needs to be thought of as contingent. He argues :

[23] J. L. Mackie, *The Miracle of Theism* (Oxford University Press, 1982).

[24] Mackie, *Miracle,* p. 91.

[25] Martin Lee, "Something Rather Than Nothing," *Heythrop Journal,* vol. XXVII, no. 2 (April, 1986), pp. 141-154.

Any theory of the universe that posits some fundamental stuff or other (for example, energy) will support the . . . claim that the world is not contingent.[26] --- There is still no reason to pass from the undoubted dependence of the individual objects of the universe to the conclusion that the world is itself dependent.[27]

In these quotations 'contingent' differs from 'dependent' in that it means being capable of coming into and going out of existence, whereas something can be dependent for its existence on something else without being contingent in this sense. Lee advances the conclusion that 'We should rest with the view that the world has a necessity through itself'.[28] He does not consider the crucial belief of Aquinas that only an absolutely simple reality can have this *per se* necessity or 'aseity'. For Aquinas anything composite depends on its components. If it seems reasonable to suppose that the world as a whole, its basic stock of 'energy,' and its individual objects are composite realities, they cannot on Aquinas's account provide the *per se* necessity Lee thinks they can. To neglect this aspect of the thought of such an important and influential proponent of cosmological arguments as Aquinas is inevitably to devalue criticism aimed in his direction.

One modern proponent of the cosmological argument is Richard Swinburne.[29] His basic argument differs from that of Aquinas in being inductive. Swinburne does talk of simplicity as having an important role in his argument, but he is not really dealing with the simpleness of divine being. He notes that Leibniz claimed that the universe is not metaphysically necessary and therefore that its existence needs explanation. He continues:

He [Leibniz] may be right, but I cannot see how you can argue for this claim except in terms of the relatively greater simplicity and explanatory power of a potential explanans [such as God].[30]

[26] Lee "Something," p. 149.

[27] Ibid., p. 150.

[28] Ibid., p. 151.

[29] Richard Swinburne, *The Existence of God* (Oxford: Clarendon Press, 1979).

[30] Swinburne, *God,* p. 126.

The simplicity Swinburne seems to have in mind here is primarily that of theism as an explanatory hypothesis over against the relatively complex hypothesis of an otherwise unexplained and complicated physical universe existing as a brute fact. He does, it is true, maintain that the universe has a vast complexity as compared with God's existence.[31] Occasionally he seems to shift from talking about the relative simplicity of God's existence as an explanatory hypothesis to appealing to the ontological simpleness of God as that which makes the theistic hypothesis the simpler of the two. But in general his interests are in epistemological considerations and analogies with what he calls personal explanations, not in a rigorous denial of compositeness in God. For example, he is much less cautious than Aquinas in describing God in personal terms, and he assumes too easily, I suspect, that if God is ontologically less complex than a complicated physical universe, then the concept of God is a simpler one from the point of view of probability theory than the concept of a complex universe existing as a brute fact. The implication appears to be that the concept of God is somehow easier for the understanding to grasp (on an analogy between God and a finite mind) than the concept of a complex universe, and that therefore it provides us with a simpler hypothesis. I think we have seen enough to realize that this implication is of doubtful validity. What makes the concept of God so difficult is precisely bound up with the idea that God is absolutely simple. The initial probability of this concept being instantiated in reality must appear rather low both in terms of empirical observation, and in terms of our subjective understanding of what it might be like to be absolutely simple. As Aquinas is at pains to point out, we cannot properly understand or describe the divine reality because language is systematically inadequate for speaking of what is absolutely simple. Nevertheless, Aquinas also tells us, we are right to take a simple reality over a composite one as the preferable ultimate explanans, but for reasons that have more to do with metaphysics than probability theory.

It may be objected that none of the foregoing rebuts the argu-

[31] Ibid., p. 130.

ments of those such as Hick, Mackie, and Lee, who regard cosmological arguments as doomed to failure. But I have not been arguing that their conclusions are, in the end, false. I have simply been concerned to show that to fail to present a vital and rich feature of Aquinas's position on such arguments is to criticize in a seriously inadequate and misleading way. I have little doubt that rejoinders to the full mode of argument would not be slow in being proferred, and I make no claim here that these rejoinders would inevitably fail. Defenders of cosmological arguments may also refine and develop the way in which divine simpleness can function in such arguments in ways that go beyond what was achieved by Aquinas. What is at stake is not only the validity of the steps in such maneuvers, but the value, consistency, explanatory power, and persuasiveness of the underlying metaphysics, especially the metaphysics of *actus* and *potentia.* It is true of course that this kind of metaphysics has been attacked independently of the case for theism. And it is true that Anthony Kenny does criticize facets of Aquinas's metaphysics in his analysis of the Five Ways.[32] Partly because Kenny's criticisms seem to me to be based on misunderstandings, and partly because other modern critics have neglected the role that simpleness has in Aquinas's arguments, I would maintain that a more profound and systematic study of cosmological arguments that includes the role of simpleness is called for by those at home with both Thomistic and modern analytical philosophy of religion. The importance of the question of the existence of God, and the value of understanding correctly Aquinas's contribution to that question, require and merit nothing less.

H Anthony Kenny, *The Five Ways* (London: Routledge and Kegan Paul, 1%9).

BASIC GOODS AND THE HUMAN GOOD IN RECENT CATHOLIC MORAL THEOLOGY

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ONE OF THE MOST striking features of Catholic moral theology since Vatican II has been the reluctance of so many moral theologians, on all sides of the controversies which have characterized that discipline, to offer a substantive account of goodness and the human good as a basis for understanding the moral life. There has been an extensive discussion of human *goods* (plural) and their relation to moral obligation, but no one, to my knowledge, has attempted to ground that discussion systematically in a substantive account of what it means to live a good human life which would precede and justify the identification of some goods as true or basic human goods. To the contrary, a number of the most influential moral theologians, led by Germain Grisez and John Finnis, insist that our knowledge of moral obligation *cannot* be based on any such general metaphysical or anthropological theory. Instead, they hold that morality is grounded in our recognition of certain basic goods, which are self-evident to us.

My purpose in this essay is to examine the claim that some basic goods are self-evidently such to us. I will argue that Grisez and Finnis have not made a convincing case that there are self-evident basic goods. Moreover, I will argue that, to the extent that defenders of proportionalism do not challenge the Grisez-Finnis account of basic goods, their alternative theories of morality are vitiated as well. I will conclude that the current debate in Catholic moral theology concerning the foundations of moral obligation might more fruitfully be cast as a debate over rival ac-

counts of the human good, than as a debate over the moral significance of particular goods.

The Grisez/Finnis account of basic goods

In order to understand the point of the account of self-evident basic goods developed by Grisez and Finnis, it will be necessary to see how this account functions in the context of their overall theory of morality.[1] This theory of morality begins with a general account of practical reason, which is then narrowed down into a theory of moral action, interpreted as action that is rational in the fullest possible sense. That is, this theory begins with the observation that all rational agents act in order to obtain or to preserve something that seems to be good, at least to that agent. But even the most rational agent can be mistaken as to whether this concrete desideratum is *truly* good, and in such a case the action is likely to be self-frustrating or even harmful to the agent (to say nothing of its consequences for others). Hence, the exigencies of practical reason itself, prior to the introduction of any properly moral consideration, force us to ask whether the seeming goods for which we act are true goods. And how are we to distinguish between true and seeming goods? Grisez and Finnis reply that the (true) good in its most general sense must be understood as that which is desirable, not only for this or that individual or in these special circumstances, but desirable *per se,* for every individual and in all situations.

So far, this line of analysis will be familiar to anyone acquainted with scholastic philosophy. But at the next stage of the argu-

[1] In my summary of the theory of morality put forth by Grisez and Finnis, I have relied primarily on the following works: John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980); Germain Grisez, *The Way of the Lord Jesus, Volume One: Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983); and Germain Grisez, Joseph Boyle, and John Finnis, "Practical Principles, Moral Truth, and Ultimate Ends," *The American Journal of Jurisprudence,* 32 (1987), 99-151. The latter essay presents a summary of their theory including a detailed commentary on the earlier works through which it was developed, as well as responses to critics, and may be said to be the definitive statement of the Grisez/Finnis theory of morality up to now.

ment, the originality of the Grisez/Finnis theory of morality becomes clear. How do we know what counts as a *true* human good, that is, how do we determine which among the possible objects of human desire (if any!) is intrinsically desirable for any rational agent? Grisez and Finnis respond that the true human goods are such to us. Our knowledge of them is not derived from our knowledge of the natural world, nor does it depend on a particular philosophical/theological framework. This answer is not meant to imply that this knowledge is innate, in the sense that it would be present to us apart from any sort of experience whatever; the babe in the cradle does not grasp the self-evidence of these goods. However, once we have some experience of the basic goods, have felt their attractive power, so to speak, then it becomes evident to us that these goods are desirable in and of themselves :

> [The basic human goods] are not inferred from facts. They are not inferred from metaphysical propositions about human nature, or about the nature of good and evil, or about ' the function of a human being', nor are they inferred from a teleological conception of nature, or any other conception of nature. They are not inferred or derived from anything. They are underived (though not innate). Principles of right and wrong, too, are derived from these first, premoral principles of practical reasonableness, and not from any facts, whether metaphysical or otherwise.[2]

Specifically, there are seven basic human goods, of which the first three are substantive (they exist prior to our choices) and the rest are reflexive (they depend on our choices) : human life (including health and procreation), knowledge and aesthetic appreciation, skilled performances of all kinds, self-integration, authenticity /practical reasonableness, justice and friendship, and religion/holiness. [3]

The first principle of practical reasoning (FPPR), "Good is

2 Finnis, *Natural Law,* 33-34.

a The list of basic goods is taken from Grisez, *Way,* 124, and Grisez, Boyle and Finnis, "Practical .. .," 107-108. Finnis's earlier list is somewhat different, but not, in my opinion, fundamentally so; see Finnis, *Natural Law,* 86-90.

to be done and evil is to be avoided," is similarly self-evident to anyone who has experienced any sort of desire.[4] Moreover, it is prior to any other deliverances of practical reasoning, since it is the foundation for them all. Indeed, an item of behavior that did not stem out of the FPPR would not count as a human action at all. That is, a putative action must be intelligible in terms of the agent's intentions in order to count as a true action; we must be able to describe it in such a way as to indicate what good the agent hopes to secure or preserve by behaving as she does. Of course, Grisez and Finnis are not claiming that our knowledge of the FPPR depends on the mastery of a philosophical theory of action (which could hardly be self-evident) ; their point is rather that what we mean by calling an item of behavior an action is that it is consciously directed towards some good. Moreover, it is clear that this notion of action is closely connected to the claim that there are seven fundamental human goods. These are such precisely because they provide an intelligible reason for action for any rational agent; whenever we ask, " Why are you doing that ? " the answer, "To obtain knowledge" (or one of the other six basic goods), is always sufficient to render the action intelligible. Correlatively, all actions intend one or more of the basic goods in some way; whatever good the agent intends in a specific case will always be found on examination to be a means to, or an aspect of, some basic good(s). That is, any action that is truly such will always be aimed, directly or indirectly, at obtaining or holding onto one or more of the basic goods.

Hence-and this is critically important for Grisez and Finnis-practical reason is different in kind from speculative reason, and practical/moral truths are different in kind from speculative truths. Practical reason proceeds from starting points that are wholly independent of speculative knowledge and reasoning, and its truths correspond to what ought to be (in a sense of " ought " that is not necessarily moral), rather than to what is. Grisez and Finnis insist on this point, because they accept the familiar argument that no moral (or more generally, practical) conclusions

[4] Grisez, *Way,* 178.

can be drawn from purely factual premises alone. This is taken to be a deliverance of elementary logic, which teaches us that nothing can appear in the conclusion of an argument that is not somehow implicit in its premises; specifically, statements about the way things *are* cannot yield any conclusions about the way things *ought to be.*[5] To this general point, they add the more specific argument that morality is not concerned with human life and nature as they exist here and now, since after all, what already exists cannot be brought about by any action. Morality concerns what we will bring about in the future, and the future of human life is open-ended; we cannot say either what it *will* be, or what it *should* be, on the basis of what we know it to be now. Of course, once practical reason turns to the task of discerning how to bring about what is to be, it necessarily takes factual truths into account, since these set the means and limits of our action. But factual truths never play more than this secondary role in practical reasoning, just as truths about the way things should be do not determine the way things are, except insofar as existing conditions reflect our previous attempts to act rationally and morally.

If the FPPR expresses what is essential to human action as such, then how is it possible to move from this principle to specifically moral reasoning? Once again, Grisez and Finnis appeal to a scholastic dictum, interpreted however in a distinctive way: a moral action is rational in the fullest sense, whereas an immoral action is irrational in some respects, although it retains sufficient rationality still to count as an action. And what does it mean for an action to be irrational/immoral in this way? As we would expect, this question must be answered in terms of the account of basic goods outlined above. We have already observed that a putative action is truly such only if it is aimed (directly or indirectly) at securing one (or more) of the seven basic human goods. But because each of these basic goods is immediately self-

6 This general contention has been challenged by logicians and moral philosophers; for example, see Alasdair Macintyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1984), 56-58.

evident, they are incommensurable and stand in no intrinsic order to one another. Hence, an action that aims at one basic good while arbitrarily slighting others is irrational to the extent that it turns from a basic good without adequate reason, even though it retains sufficient rational intelligibility to count as an action. Admittedly, we cannot aim at all the basic goods all the time; but we can act in such a way as to remain open to those basic goods that we do not actively pursue in a given action. Only in this way will our action be fully rational, that is to say, morally good. Hence, the first principle of morality (FPM) is, "In voluntarily acting for human goods and avoiding what is opposed to them, one ought to choose and otherwise will those and only those possibilities whose willing is compatible with a will towards integral human fulfillment."[6]

At this point, it would seem that a new component has been added to the Grisez/Finnis theory of morality. It would be natural to assume that the " integral human fulfillment" to which the FPM refers is some determinate ideal of human existence, supervening over the attainment of the basic goods and placing them in some sort of order. But Grisez in particular is very careful to ensure that we do not understand integral human fulfillment in this way.[7] Any such determinate ideal of human life would be static and limiting, in his view, since the future condition of the human person cannot possibly be predicted. Hence, this concept of integral human fulfillment, as far as it goes, is wholly dependent on the account of the basic human goods. That is, integral human fulfillment is nothing other than the complete enjoyment of all the basic human goods; what that would look like in practice cannot be determined, since the basic goods are open-ended and transcend their specific instantiations. Clearly, we will never achieve integral human fulfillment by our own efforts, but a truly moral will is one that is directed towards it nonetheless, as a rational ideal.

s Grisez, *Way,* 184.

[7] Grisez, *Way,* 222-224; compare Grisez, Boyle and Finnis, " Practical. . . ," 117-119.

The FPM is further explicated by means of what Grisez refers to as eight modes of responsibility, which are simply specifications of the FPM : " Each mode of responsibility simply excludes a particular way in which a person can limit himself or herself to a quite partial and inadequate fulfillment." [8] To quote Grisez's helpful summary of the modes:

1. *One should not be de·terred by felt inertia from acting for intelligible goods.* This happens when one refrains from doing something worthwhile out of laziness, conquerable depression, or the like ...

2. *One should not be pressed by enthusiasm or impatience to act individualistically for intelligible goods.* This happens when one acts by oneself, although knowing that by cooperation with others the good would be more perfectly attained insofar as others could share in it ...

3. *One should not choose to satisfy an emotional desire except as part of one's pursuit and/ or attainment of an intelligible good other than the satisfaction of the de·sire itself.* Violations occur when people act for no good reason, on account of impulse, craving, routine, or the continued lure of goals which no longer make sense ...

4. *One should not choose to act out of an emotional aversion except as part of one's avoidance of some• intelligible evil other than the inner tension experienced in enduring that aversion.* This happens when one is deterred from reasonable action by feelings of repugnance, fear of pain, anxiety, and so forth ...

5. *One should not, in response to different feelings toward different persons, willingly proceed with a preference for anyone unless the preference is required by intelligible goods themselves* ... This mode is violated when one's treatment of others is marked by partiality toward some (including partiality towards oneself) ...

6. *One should not choose on the basis of emotions which bear upon empirical aspects of intelligible goods (or bads) in a way which interferes with a niore perfect sharing in the good or avoidance of the bad.* This happens when people act for the conscious experience of a good rather than the reality . . .

7. *One should not be moved by hostility to freely accept or choose the destruction, danwge,* arr *inipeding of any intelligible good.* Violations occur when negative feelings cause people to act destructively (including self-destructively) ...

s Grisez, *FVay,* 191.

R *One should not be move:d by a stronger desire for one instance of an intelligible good to act for it by choosing to destroy, damage, or impede some other instance of an intelligible good.* This happens when one deliberately acts to bring about something bad, either for the sake of a good or to prevent something else bad ...[9]

Because each of the modes of responsibility is a specification of one fundamental principle, they are equally self-evident and equally important. However, as Russell Rittinger observes, the seventh and eighth modes most dearly indicate the distinctiveness of the Grisez/Finnis theory.[10] Although Grisez and Finnis later refine the way in which they express it, the general idea conveyed by these prohibitions is summed up in their early statements that we are never morally justified in acting against a basic good.[11] Hence, these theorists reaffirm the traditional view that there are some acts that can never be morally justified, but are intrinsically morally evil-namely, they add, those actions that involve direct attacks on some basic good, for example, direct homicide, deliberate contraception, lying, or adultery.

So far, the analysis of morality offered by Grisez and Finnis would seem to be unassailable. The claim that there are certain basic goods which are self-evidently such appears at first reading to be persuasive, and the conclusions for morality that they draw from this insight would seem to follow inevitably from their account of the basic goods. After all, who could justify a choice that is directed against a basic good? But on closer examination serious problems with this analysis of moral obligation begin to emerge.

What are the basic goods!

Recall what we have been told so far : There are certain basic, equally irreducible human goods, which always provide a reason for action, and against which a rational person will never act directly; moreover, all this is self-evidently true. We should not

e Grim:, *Way,* 225-226.

10 Russell Rittinger, *A Critique of the New Natural Law Theory* (Notre Dame: The University of Notre Dame Press, 1987), 59.

11 See Grisez, 227, footnote *Z,* for a later comment on these statements.

expect to be given much of an argument for self-evident truths, and initially, at least, we do not get one. What we get are dialectical considerations that are meant to help us to uncover what we already know implicitly; for example, "... any sane person is capable of seeing that life, knowledge, fellowship, offspring, and a few other such basic aspects of human existence are, as such, good, i.e worth having, leaving to one side all particular predicaments and implications, all assessment of relative importance, all moral demands, and in short, all questions of whether and how one is to devote oneself to these goods." [12]

In other words, the process of reflection that we are being invited to undertake would go somewhat as follows : Consider any action that you like, say for example your action in reading this article. Now suppose you are asked why you are doing that. Whatever the details of your answer, it will almost certainly amount *to* this, that you suspect that the author may have something enlightening to say. In other words, your action is ultimately directed towards the good of knowledge. Admittedly, you may not be acting in a given case in order to secure the good that might at first be supposed to motivate your action. Suppose, to continue with the preceding example, that you are certain that this author is a fool who can have nothing helpful to say, but you are an editor, and it is unfortunately part of your job to read this dreadful essay. Even then, it is argued, your reason for acting would reduce to one of the basic goods. In this case, you would be acting, ultimately, for the good of life, since you must do your job in order to earn the salary that you need in order to live. In short, the argument concludes, if we reflect upon the sorts of reasons that persons give for their actions, we will be led ineluctably to acknowledge the self-evident moral force of the basic goods towards which those reasons point.

This line of analysis is plausible because it presupposes the fact, which I think no one would deny, that there are certain states of affairs that almost everyone would agree upon as being *prima*

[12] Finnts, *Natural Law,* 30; compare Grisez, Boyle and Finnis, " Practical ... " 113.

facie desirable. That is, almost everyone would agree that, all other things being equal, it is better to be alive than dead, knowledgeable rather than ignorant, and so on. If Grisez and Finnis simply concluded from this fact that there are certain broad classes of generally acknowledged goods, which are of significance for moral reflection, then their analysis would be unassailable. But of course they go well beyond this fundamental observation to assert that seven of these generally acknowledged goods are in fact self-evidently basic, irreducible, and desirable in all circumstances. Furthermore, they take it to be self-evident that it is always irrational, and therefore immoral, to act in such a way as to destroy or directly impede an instance of one of these goods. And it is at these points that their analysis falters.

In the first place, neither of these claims follows from the general observations about the sorts of reasons that are offered as explanations for actions, on which Grisez and Finnis could claim to have identified at least a wide area of agreement. Even if we grant that most human actions can be explained in terms of the agent's efforts to attain or preserve some one of a few generally acknowledged goods, it does not follow that every action *must* be explained in terms of these goods in order to be intelligible or rational. Much less does it follow that these goods are basic goods in the Grisez/Finnis sense, that is, distinct and mutually underived. Furthermore, even if we did grant that there are seven and only seven basic, underived goods towards which all rational action is necessarily aimed (directly or indirectly), it still would not follow that it is necessarily irrational to act in such a way as to damage or impede an instance of one of these goods, ·even if that were the only way in which it would be possible to avert the destruction of another instance of a basic good.

But of course, Grisez and Finnis do not intend to offer arguments for these claims. To do so would be self-defeating, since in their view these claims are self-evident and therefore neither need nor admit of arguments in their defense. But as a matter of fact, these claims simply are not self-evident, at least not in the sense that there is some obvious absurdity or self-contradiction

involved in their denial. Of course, Grisez and Finnis could respond by claiming that anyone who does not grasp the reality and moral force of the basic goods is either not sufficiently reflective, or not too bright, or else morally corrupt. But such a move is bound to be unsatisfactory, at least to anyone who is not already convinced by the account of morality developed by Grisez and Finnis, if only because this sort of argument could be used to justify any moral claim that strikes anyone with sufficient force to seem to her or him to be self-evidently compelling. It may well be self-evident to someone (as it seems to have been to G. E. Moore) that love and beauty are the only intrinsically desirable aims for action, and therefore, one is morally obliged to promote these aims as far as possible.[13] It might even be said that anyone who does not grasp the moral force of love and beauty is hopelessly dull or corrupt, and therefore unqualified to participate in moral discourse at all. But neither Grisez and Finnis, nor a good many others, would agree with these assertions, and there is no reason why they should, at least not without arguments of some kind. The same may be said about Grisez's and Finnis's own system, and for this reason it is not surprising that they do resort to arguments at some points in their analysis, as we will observe later on.

At any rate, there is a more fundamental difficulty with the move that Grisez and Finnis make, from a consideration of generally agreed upon desiderata, to a list of basic goods. That is, it is not clear just what these basic goods are supposed to be, or to put it another way, what their ontological/logical status is. Grisez and Finnis tend to speak as if they have an independent existence, distinct from the individuals and states of affairs to which they are somehow tethered, in virtue of which they command our respect and demand our protection.[14] That is why they tend to

[13] G. E. Moore, *Principia Ethica* (Cambridge: Cambridge University Press, 1903), 183-224.

[14] This hypostatization of the basic goods is evident throughout the writings of Grisez and Finnis and their collaborators. For example, see Grisez, *Way,* 122: "Basic human goods are thus greater than the particular things people

speak in terms of attacking an instance of the basic good of life, for example, rather than in terms of harming someone by killing him, and that is also why they adopt the fantastic position that there is no essential difference between the anti-life will of a murderer (who attacks life by killing someone) and that of a couple who use contraceptives (thereby attacking life by preventing conception).[15] It may well be the case that there is some independent reality that undergirds our use of universals like "life"-independent, that is, of the fact that we happen to group a number of disparate particular states of affairs together under this name. But one need not be a nominalist in order to question whether it makes sense to speak of hypostatized basic goods as Finnis and Grisez seem to do. I know of no theory of universals according to which it makes sense to speak of universals, or the realities that undergird these universals, as being themselves potential objects of actions, in terms of which, therefore, we could make sense of the language of attacking basic goods.

It might be objected that what Grisez and Finnis say is that we can never act in such a way as to destroy *an instance* of a basic good, and this does not imply that the basic goods themselves are potential objects of action. But in that case it is difficult to see the point of the language of basic goods. It may be that the claim that we ought never to destroy or impede an instance of a basic good is nothing more than a short-hand way of saying that we must never act in ways that are harmful and destructive. If that

do to participate in them." A second example: "It is true that contraception does no injustice to the possible person whose life it prevents. But it does not follow that contraception is morally acceptable. For homicide is wrong *not only* because it involves an injustice, *but also because it carries out a nonrationally grounded, contralife will*-a will that the one killed not be.... Thus, even if contraception does no injustice to anyone, it is wrong because it necessarily involves a nonrationally grounded, contralife *will-the same sort of will* which also is essential to the wrongness of deliberate suicide and homocide in general." Germain Grisez, Joseph Boyle, John Finnis and William E. May, "'Every Marital Act Ought to Be Open to New Life:' Towards a Clearer Understanding," *The Thomist* 52.3: 365-426, at 385. (Italics mine). Rittinger also remarks on the tendency in Grisez et al to hypostatize the basic goods at 72 and 77.

[15] Again, see "'Every Marital Act ..." 385.

is so, then Grisez and Finnis open themselves up to the argument that an act of, for example, killing, need not be harmful or destructive in any obvious way, or else it may be the only way to avert still more grievous harms. Clearly, they have cast their moral analysis in terms of norms of respect for basic goods rather than in terms of prohibitions of harmful actions precisely in order to block these sorts of arguments. But without some account of what the basic goods are, it is difficult to escape the suspicion that the appeal to basic goods is finally nothing other than a device by which to block consequentialist arguments without actually answering them.

Parenthetically, it should be noted that the principle that one is never morally justified in attacking an instance of a basic good can give rise to wildly improbable conclusions, particularly when it is applied to actions that we would not already be inclined to judge as morally problematic on other grounds. For example, consider the following case: During the Superbowl, the police in Dallas are told that a bomb has been planted in the stadium, and it will go off at half-time. Imagine further that the police have every reason to believe that this is no hoax; there really is a bomb, a big bomb, and if it goes off there will be a tremendous loss of life. Can the police stop the game and evacuate the stadium? If we apply the logic of the Grisez/Finnis analysis of morality, they cannot. The football game in progress is an instantiation of the basic good of a skilled performance, and as such, it cannot be destroyed or impeded, even to avert a threat to the basic good of life. I am not saying that Grisez and Finnis would draw this conclusion, but given their insistence that no instance of a basic good can be sacrificed, even to preserve another instance of a basic good, it is difficult to see how they could avoid it.

So far we have examined some difficulties in Grisez's and Finnis's claim that there are basic, irreducible goods. But perhaps a plausible case can be made for a weaker version of this claim than the one they offer: Even granting that "knowledge," "life," and the like name abstractions of uncertain ontological status, it might still be said that to describe a course of action in

such a way as to show that it would produce or preserve one of these goods is to indicate why, all other things being equal, any rational agent would have a rationally compelling motive to act in the way indicated. It might be argued in this way that there is a limited but definite sense in which the basic goods are always perceived as being desirable, without implying anything about just what it is that we desire when we desire one of the basic goods. But even this weaker claim is not self-evident.

Consider two counter-examples. First, suppose that you are the last person in a very long line at the check-out counter in the grocery store. You have plenty of time and nothing to do. Your eye catches a headline on the cover of the *National Enquirer: "Shocking new evidence indicates that Princess Di is having an affair with Michael Jackson!,,* Assuming that you didn't know that, wouldn't mind the minuscule expenditure of effort necessary to pick up the paper and read about it, and (admittedly an unlikely hypothesis) have good reason to trust the reliability of the *National Enquirer,* does it follow that you have a rationally compelling motive to act in order to obtain this bit of knowledge? No; you may just not care to learn anything about the personal life of the Princess of Wales. And assuming that you are not personally involved with the royal family yourself, there is nothing patently irrational in such an attitude.

Secondly, suppose that you have a terminal disease that will end in a prolonged (but painless) coma. Your doctor asks whether you want to be kept alive artificially during this period, and you say no. Again, there is nothing obviously irrational in that response. Even assuming that you have no countervailing reasons to wish to be allowed to die (you not be experiencing pain or anything else, and supposing further that you have outlived all your relatives and close friends-there is no one left who would suffer from your comatose state), the simple fact that you would be alive in a coma does not give you a rationally compelling reason to ask to be sustained indefinitely in that state.

There is yet another difficulty to be considered. As Ronald McKinney points out, there seems to be no compelling reason to

hold that the seven basic goods proposed by Grisez and Finnis comprise the only possible objects for rational action.[16] Indeed, these goods are described in such vague terms that most of what we desire can be fitted under the heading of one or another of them; but at least one obvious candidate for what is *per se* desirable is left off the list, namely, physical pleasure. Grisez's argument for this exclusion is that pleasure cannot be an *intelligible* good, and therefore cannot be an object of practical reason.[17] But he equivocates. If by " intelligible good " he means something that has a necessary intellectual component, like knowledge, then neither is human life, taken by itself, an intelligible good; on the other hand, if he means something that can be the object of thought and planning, then certainly physical pleasure can be an intelligible good (just as much as life itself can be). It begins to seem that underlying Grisez's argument at this point is a hunch that pleasure is just not worthy to be a basic human good, that poetry must somehow be better than pushpin if the human race is to maintain its dignity.

Moreover, it is not at all self-evident that the basic goods are truly basic in all their instantiations, and never function as instrumental goods. Indeed, it would seem to be just as plausible to describe life itself as an instrumental good, as opposed to a basic good. After all, life is no blessing, and can be a burden, as we say, when an individual is not capable of enjoying those things which seem to many to be the goods that make life worthwhile. Admittedly, Grisez has a special argument for the basic status of the good of human life: If we deny that human life is a basic (as opposed to an instrumental) good, then we are denying the embodied character of the human person and falling into a false dualism.[18] But as Rittinger observes, that is a very odd move indeed for someone who claims that life is a self-evident basic

[15] Ronald H. McKinney, S. J., " The Quest for an Adequate Proportionalist Theory of Value," *The Thomist* 53.l: 56-73, at 61-68.

[11] Grisez, *Way,* 119-121.

[18] Grisez, *Way,* 137-138.

good, that is, that it can be perceived as such without benefit of any specific philosophical presuppositions.[19]

It begins to look very much as if the list of supposed self-evident basic goods proposed by Grisez and Finnis presupposes an account of the good for the human person, which remains implicit but which serves nevertheless to indicate which seeming basic goods are in fact such. Furthermore, I suggest that the list of basic goods that Grisez and Finnis propose has seemed generally plausible because most of their readers will have been formed in the same tradition of thought as Grisez and Finnis themselves, a tradition heavily (and somewhat inconsistently) influenced by Aquinas and Kant.[20] That is, Grisez and Finnis and most of their readers will share the same general notion of the human good, which will give a high priority to the values of life and sociability (thanks to Aquinas), a sort of rationality that is opposed to the sensual and emotional (thanks to Kant), and above all, a pluralism of values and the freedom to fashion one's own notion of the good life out of those values (again, thanks to Kant, as read through classical liberalism). Moving within this intellectual tradition, the list of goods provided by Grisez and Finnis is indeed plausible (although it is not so clear that the same could be said about the eight modes of responsibility that they identify). Their mistake in their assumption that this list of goods would be self-evident to any rational agent, and not only to those who share their implicit notion of the human good.

Goods and the good in proportionalism

It may seem that the preceding arguments provide an implicit brief for some version of proportionalism. But if these arguments are correct, what they suggest instead is that the proportionalists

[19] Rittinger, *Critique,* 44, 63.

[20] I have argued elsewhere that Aquinas's own use of the language of goods depends on a comprehensive account of the natural, as well as the supernatural human good, by which particular goods are identified and placed in ordered relationships to one another, in my *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (Louisville: Westminster/John Knox Press, 1990)' 82-91.

have not offered a sufficiently radical challenge to the Grisez/ Finnis theory of morality. To the extent that the proportionalists have failed to offer an alternative account of the human good in which to ground their account of goods, their account of morality is likewise vitiated.

In order to see whether this claim is justified, it will be helpful to begin by examining certain remarks on proportionalism offered by Richard McCormick, not only because of the influence of his work, but above all because he has indicated his agreement with the account of basic goods developed by Finnis and Grisez.[21] He parts company with them, however, at the point at which they turn from their account of the basic goods to explain how the basic goods serve as the basis for moral obligation. As he observes,

> The crucial question one must raise with both Grisez and Finnis is: What is to count for turning against a basic good, and why? At this point I find them both unsatisfactory. Finnis argues that whenever one positively suppresses a possible good, he directly chooses against it. And since one may never do this, he argues, there are certain actions that are immoral regardless of the foreseeable consequences. This is a sophisticated form of an older structuralism. A careful study of Christian moral tradition will suggest that an action must be regarded as "turning directly against a basic good" only after the relation of the choice to all values has been weighed carefully.[22]

In a later work, McCormick proposes what amounts to an alternative first principle of morality (FPM), which, like the Grisez/Finnis version, is proposed as self-evidently true: "Now in situations of this kind [conflict situations], the rule of Christian reason, if we are governed by the *ordo bonorum,* is to choose

21. Richard A. McCormick, "Notes on Moral Theology: April-September 1972," reprinted in *Notes on Moral Theology: 1965-1980* (Lanham, MD: University Press of America, 1981), 423-472, at 451-454; also see Richard A. McCormick, S.J., "Proxy Consent in the Experimentation Situation," in James Johnson and David Smith, eds., *Love and Society: Essays in the Ethics of Paul Ramsey* (Missoula, Montana: Scholars Press, 1974), 209-228, at 217-218.

22 McCormick, *Notes,* 453.

the lesser evil. This general statement is, it would seem, beyond debate; for the only alternative is that in conflict situations we should choose the greater evil, which is patently absurd. This means that all concrete rules and distinctions are subsidiary to this and hence valid to the extent that they actually convey to us what is factually the lesser evil." [23] We might reformulate this version of the FPM to read: "Always act in such a way as to bring about the greatest possible balance of premoral goods over premoral evils, given that you can do so without directly bringing about moral evil." I believe it is safe to say that nearly every other proportionalist would accept this first principle of morality as well.[24] The negative corollary of this principle may be stated as, " Never act in such a way as to bring about a premoral evil, *unless* your action will also bring about (or preserve) proportionately greater premoral goods."

As the preceding section indicates, I agree that McCormick is quite right in his observation that Grisez and Finnis do not give a satisfactory account of what it is to act in such a way as to attack or impede an instance of a basic good. But it is not clear that the alternative analysis developed by him and other proportionalist moral theologians is more successful. How do we determine, in any given situation, what counts as the greater good or the lesser evil? Clearly, the cogency of proportionalism as a

[23] Richard A. McCormick, S.J., "Ambiguity in Moral Choice," in Richard A. McCormick and Paul Ramsey, eds., *Doing Evil to Achieve Good: Moral Choices in Conflict Situations* (Chicago: Loyola University Press, 1978), 7-53, at 38.

[24] See, for example, the characterization of proportionalism offered by Edward V. Vacek, S.J., "Proportionalism: One View of the Debate," *Theological Studies* 46 (1985), 287-314, at 289 and Bernard Hoose, *Proportionalism: The American Debate and Its European Roots* (Washington, D.C.: Georgetown University Press, 1987), 77-91. The qualification is necessary because the revisionists generally insist that we are never justified in directly bringing about a *moral* evil, even to avert a seemingly greater premoral evil. But this is a narrow, although not unimportant qualification, since " moral evil " is understood to consist in a bad will, and nothing else; practically, this qualification amounts to a prohibition against direct scandal and formal cooperation in evil.

moral theory depends on the adequacy of the answer that is given to this question.

In many cases, it is relatively easy to give a plausible answer : it is better to save one life than to lose two lives, it is better to feed a hundred children than sixty, to support both one's parents as opposed to allowing one's father to starve while maintaining mama in luxury. What characterizes cases like these is that they present us with alternatives in which we must choose between greater and lesser instantiations of what appear to be essentially the same goods; indeed, these sorts of cases leave us wondering if anything is left for moral reflection to do.[25] But most of the situations that we face are not like this. Rather, they demand that we adjudicate among widely different *kinds* of goods, which cannot readily be compared in the way that a proportionalist analysis demands. Is it better to destroy the life of a child conceived through rape, or to force the to endure the mental suffering and social shame of bearing the child of a rapist? If we must cut the federal budget, which should we sacrifice first-support for the fine arts, or support for prenatal care programs? In cases of this sort, it is difficult to see what it might mean to choose the greater good-so difficult that we begin to wonder whether we can give any sense to " greater " and " lesser " in this context at all.

This objection to proportionalism is very familiar, and proportionalists themselves generally admit that no one has yet provided a fully satisfactory answer to it; although a number of suggestions for a rule or rules of commensuration of goods have been offered, none has obtained general acceptance by proportionalists themselves, and all would seem to be open to serious criticism.[211] Until an adequate set of standards for commensuration can be provided, proportionalism must be considered as a pro-

25 Grisez develops this objection against proportionalism at greater length; see Grisez, *Way,* 152.

2s A number of different meanings given to " proportionate reason " have been summarized and critiqued by Brian V. Johnstone, C.S.S.R., in "The Meaning of Proportionate Reason in Contemporary Moral Theology," *The Thomist* 49.2.

gram for developing a theory of morality, rather than as a theory of morality. What are the prospects for developing such a set of standards?

It would seem that if the proportionalists are to develop a persuasive account of a rule or rules by which goods may be commensurated, then they must take one of two routes.[27] Either they must show that the seemingly diverse human goods are all really derived in some way from one fundamental human good, which provides a standard for commensuration; or they must argue that human goods stand in some intrinsic ordering among themselves, in such a way that, faced with a choice between disparate kinds of goods, we can discern which is intrinsically more desirable. The former line of approach leads straight to utilitarianism, with. all its well-rehearsed difficulties, and the proportionalists have wisely avoided it.[28] But on the other hand it is difficult to see how we might argue that discrete goods are ordered, without some account of the human good *simpliciter,* which would provide some criteria by which to identify particular basic goods and to place them in some order to one another. But the proportionalists generally have been no more willing to provide such an account than have Grisez and Finnis and their collaborators.

Furthermore, to the extent that the proportionalists share with Grisez and Finnis the assumption that there are self-evident basic goods, which serve as the starting-point for moral discernment, their work suffers from a still more serious difficulty. We have already seen that proportionalists have not yet been able to offer a satisfactory account of the way in which we are to assess the relative balance of goods and evils that would be produced by the

[27] McKinney takes a third approach, advocating a balancing of values, so that values that have been neglected thus far are brought forward ("Quest," 68-73). But his version of proportionalism is vulnerable to the criticism, detailed below, that it calls for an impossible adjudication among an indefinitely large number of values (see especially 69-71).

[28] On the differences between proportionalism and utilitarianism, see Lisa Sowle Cahill, " Teleology, Utilitarianism, and Christian Ethics," *Theological Studies* 42 (1981), 601-629.

different courses of action open to us. But no matter how we understand that process, it is clear that no such assessment would be possible in a given situation, unless that situation presents us with a finite set of goods to be assessed. Of course, the proportionalists recognize that many of the situations that we face are so complex that no one could offer anything more than an approximate assessment of the different goods and evils that different courses of action would produce. But in order for even an approximate assessment to be possible, there must be some one, definite set of projected goods and evils to be assessed. If it would be impossible in principle for a perfect assessor perfectly to weigh the goods and evils involved in different courses of action, then it is not possible for us imperfect assessors to come up with even an imperfect assessment.

And that is indeed the case, so long as we cannot appeal to any normative standpoint by which to determine which, out of all the logically possible candidates, are the true goods (and evils) in a given set of projected courses of action. Without some such normative standpoint, there are indefinitely many possible accounts of what the goods are in any state of affairs, as many as there are possible evaluators of that state of affairs. Moreover, these accounts are not only indefinitely varied, they may well also be at odds. For example, consider a debate between an ordinary Sierra Club type conservationist and an exponent of a radical ecological mysticism over the pi;oposed uses of a tract of forest land in Yellowstone Park. The ecological mystic believes that the earth itself is a living creature, whose interests must be considered, whereas the conservationist only considers human interests. An argument between these two is not likely to get very far ; not only are they going to assess the relative goods and evils in the proposed actions differently, they are going to see *different* goods and evils. For example, the ecological mystic may see a change in the ecosystem of this tract of land as being an inherent evil, regardless of its impact on human persons, whereas the conservationist would not. Conversely, the conservationist might consider the economic benefits to farmers who might work the land as being inherently good, whereas the ecological mystic would not.

It is more difficult to identify the presuppositions of propor"-tionalism than it is to identify the presuppositions underlying the work of Grisez and Finnis and their followers, because the former, unlike the latter, represents the work of scores of scholars who have not collaborated closely and who disagree with one another on many points. Nonetheless, I believe that a careful examination of their writings would reveal that most of the proportionalists, like Grisez and Finnis, presuppose an account of the human good which determines their accounts of the discrete goods. Indeed, although I cannot defend this judgment here, I suspect that the notion of the human good presupposed by most proportionalists would be very similar to that presupposed by Grisez and Finnis, although it would probably reflect the influence of Kant a little less, and the influence of American pragmatism a little more, than would the latter account.[29]

H the line of analysis developed in this article i.s correct, then it suggests an explanation for the interminableness of the debate between Grisez and Finnis and their supporters on the one hand, and the proportionalists on the other: At the present time, the terms of this debate do not allow for its resolution.[30] That is, the notion of basic human goods shared by both sides in this debate does not have sufficient content, taken by itself, to allow for a rational resolution of the central question in this debate, namely, "How are we to move from an account of the basic goods, to an account of moral obligations based on those goods?" To put the matter more sharply, there are no such things as self-evident basic goods, and therefore, attempts to decide what it means to act against them, to determine whether they are incommensurable, and so forth, are not going to be very successful. However, if this debate were approached explicitly as a debate over rival (yet similar) accounts of the human good, it would be possible to move it to its proper arena, that is, philosophical and theological anthropology, rather than leaving it on the necessarily murky bat-

29 Compare Vacek, *"Proportionalism,"* 306-309.

so I argue for this claim in more detail in my book, *The Recovery of Virtue,* 16-21.

tlefield of competing " self-evident " truths, detached from rival strands of a shared philosophical/theological tradition. Of course, there would be formidable theoretical difficulties involved in any effort to defend a conception of an integral good that cannot be reduced to discrete goods. But, as I have argued elsewhere, Aquinas provides us with at least one example of a successful account of the integral human good, and if his theory has been rendered untenable by subsequent philosophical and theological developments, it at least provides us with a model for developing a more adequate account, given our own intellectual context.[31] At any rate, an effort to reformulate debates within Catholic moral theology as debates over the nature of the human good would at least clarify these debates and the resultant conversation might even lead to a more convincing theory of the human good than either side has yet offered.[32]

[31] This is the overall argument of *The Recovery of Virtue.*

[32] I am indebted to Patrick Henry, Justus George Lawler, and Raymond Pedrizetti for their comments on an earlier draft of this essay. In addition, I delivered a version of this essay as a lecture at the Institute for Ecumenical and Cultural Research at Collegeville, Minnesota, in the fall of 1988, and many helpful comments and suggestions were offered by those present.

A CONTRADICTION IN SAINT THOMAS'S TEACHING ON CREATION

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0 THOSE FAMILIAR with Saint Thomas's writings is generally known that the Angelic Doctor changed his position on a number of philosophical issues during the course of his relatively short professional career. For instance, there is his opinion concerning the instrumental role of higher creatures in the creation of the universe-something he allowed as possible in his *Commentary on the Sentences* but later rejected in his Disputed Question *On the Power of God* and in the *Summa Theologiae.* Another example is Thomas's view on the possibility of an actual infinite multitude, an opinion he accepted in the early Disputed Question *On Truth* but argued against in the *Summa Theologiae.*[1]

However, to change one's mind on a particular issue is not to contradict oneself, since to do that is to say or hold, in the same time frame, *p* while also saying or holding *not p.* However, in his Treatise on Creation in the *Summa Theologiae,* Saint Thomas does, at least once, contradict himself in what he has to say on the question of the demonstrability of the world's temporal beginning, a contradiction which, to my knowledge, has never previous-

[1] On the question whether higher creatures can be instrumental causes in the creation of lower creatures see *In Sent. IV,* d. 5, q. 5, a. 3; *De potentia Dei,* q. 3, a. le and *Summa Theologiae,* I, q, 45, a. Sc. On the issue of an actual infinite multitude see D. Q. *De veritate,* q. 2, a. 9 and *Summa Theologiae,* 1, q. 7, a. 5. However, in the *De aeternitate mundi-a* work possibly written after Saint Thomas completed the first part of his Summa-Aquinas asserts, towards the end of this work, that no demonstration has as yet been forthcoming that God cannot produce a multitude that is actually infinite.

ly been noted. In what follows I intend to expose this contradiction and to see whether there is any possible way for him to escape it.

I

In article 1 of Question 46 of the *Prima pars,* Aquinas argues that it cannot be demonstrated that the world of creatures always existed, given that the actual existence of creatures depends upon the causal will of God *and* the only thing which God wills necessarily is Himself.[2] Consequently, whether or not the world exists, or is created eternally or with a temporal beginning, are matters entirely up to God's free will.[3] In the following article he argues that neither can the world's *temporal beginning* be demonstrated but that this is something known only by faith.[4] It cannot be demonstrated from the world itself since demonstration proceeds by way of knowledge of the universal essences of things and universals abstract from the *hie et nunc,* or from the question of temporal origin.[5] Nor can it be proved from the world's efficient cause-the divine will-seeing that God's will cannot be investigated by reason except as regards those things which God wills necessarily (and what He wills about creatures is not among

[2] " Dicendum nihil praeter Deum ab aeterno fuisse. Et hoc ponere non est impossibile. Ostensum est enim supra quad voluntas Dei est causa rerum. Sic ergo necesse est esse sicut necesse est Deum velle ilia, cum necessitatis effectus ex necessitate causae dependeat, ut dicitur in *Meta.* Ostensum est autem supra quod, absolute loquendo, non est necesse Deum velle aliquid nisi seipsum." *ST* I, q. 46, a. le. Latin quotations from Saint Thomas appearing in the footnotes are from the Leonine edition.

[3] " Non est ergo necessarium Deum velle quod mundus fuerit semper. Sed eatenus mundus est quatenus Deus vult illum esse, cum esse mundi ex voluntate dependeat, sicut ex sua causa. Non est igitur necessarium mundum semper esse: Unde nee demonstrative probari potest." *Ibid.*

[4] " Dicendum quod mundum non semper fuisse sola fidei tenetur, et demonsrtative probari non potest; sicut et supra de mysterio Trinitatis dictum est." *Ibid.,* a. 2c.

[5] "Et hujus ratio est, quia novitas mundi non potest demonstrationem recipere ex parte ipsius mundi. Demonstrationis enim principium est *quad quid est.* Unumquodque autern secundum rationem suae speciei abstrahit ab hie et nunc; propter quod dicitur quod *universalia sunt ubique et semper.* Unde demonstrari non potest quod homo, aut caelum, aut lapis non semper fuit." *Ibid.*

these).[8] Saint Thomas's teaching here appears to be relatively clear and uncomplicated: one cannot demonstrate either the world's eternity *or* its temporal beginning.

Moreover, Aquinas also thought this teaching necessary in the interest of the faith. Evidently, to maintain that the world's eternity can be demonstrated (as certain philosophers had) is to contradict Sacred Scripture, while to argue (as any number of Christian and Arabic philosophers have) that reason can prove the world's temporal beginning is *misguided-because* mistaken-and therefore a possible source of derision to the faith.[7] The latter position is mistaken because it is quite conceivable, prescinding from what we know from Revelation, that the world and motion are eternal.[8] Furthermore, the usual arguments brought forth to prove the world's beginning, perhaps with one exception, easily admit of refutation.[9] Consequently, if one were,

[6] "Similiter etiam neque ex parte causae agentis, quae agit per voluntatem. Voluntas enim Dei investigari non potest, nisi circa ea quae absolute necesse est Deum velle; talia autem non sunt quae circa creaturas vult, ut dicitur est." *Ibid.*

[7] "Potest autem voluntas divina homini manifestari per revelationem, cui fides innititur. Unde mundum incoepisse est credibile, non autem demonstrabile vel scibile. Et hoc utile est ut consideretur, ne forte aliquis quod fidei est demonstrare praesumens rationes non necessarias inducat, quae praebeant materiam irridendi infidelibus, estimantibus nos propter hujusmodi rationes credere quae fidei sunt." *Ibid.*

[8] Aquinas's replies to the objections of this article proceed on the assumption that there is nothing inconceivable about an eternal world. However, as he says in his reply to the fifth objection, "etsi mundus semper fuisset, non tamen parificaretur Deo in aeternitate, ut dicit Boetius, in fine *de Consol.,* quia esse divinum est esse totum simul absque successione; non autem sic est de mundo." *Ibid., ad* 5.

[9] This position, viz., that the world is possibly eternal, is argued strenuously in his *De aeternitate mundi.* If we may quote here from this text: "The same situation emerges if we carefully consider the position of those who held that the world had always existed; for in spite of this they teach that it was made by God, and perceived no logical contradiction in this doctrine. Therefore, they who descry such inconsistency with their hawk-like vision are the only rational beings, and wisdom was born with them." (In this last sentence we notice a sarcasm somewhat rare for Aquinas, indicating, perhaps, the degree of temper this issue provoked.) The English translation is that of Cyril Vollert, S.J., and is found in *St. Thomas Aquinas, Siger of Brabant, St. Bonaventure: On the Eternity of the World* (Milwaukee: Marquette University Press, 1964), p. 24.

with such arguments, to support this religious belief it would leave it open to ridicule. Clearly, then, for Saint Thomas (or so it would seem) the world's beginning is wholly a matter of faith and cannot be demonstrated by reason.

However, concerning this last point, there is textual evidence to suggest (indeed even more than suggest) that Saint Thomas was not as dead set against the position that the world's (and with it time's) beginning cannot be known by reason as his general argument in article 2 of this question would have us believe. (We are here touching upon what I discern to be a genuine contradiction in his thought.) Indeed, as we shall very soon see, what he has to say in two replies of article 1 would seem to indicate that he did, at least implicitly, maintain this view, even though he would also want to hold irrevocably to the position that an eternal world, or, more precisely, an eternal *spiritual* world, is not an impossibility. Moreover, given the benefit of today's science, he would, I think, be willing to concede that unaided reason can know that this universe of ours did have a temporal origin -whether by creation or not is another matter-and that it is therefore not eternal and so must have a cause.[10] Again, his view that demonstration proceeds by way of a knowledge of the universal essences of things (be they physical, mathematical or metaphysical in nature) would strike us today as decidedly too narrow. (Indeed Aquinas himself may have rejected this view in the case of a demonstration *quia,* e.g., a lunar eclipse will occur, even though he might reply that this type of demonstration does not establish that lunar eclipses had a *beginning* and that there can be no such demonstration.) As is well-known, it can be demonstrated-and with a reasonable degree of accuracy-by archaeological finds and by carbon dating how long particular material substances or their types have been in existence in our universe. Finally, in one of his replies in article 2 of this question Aquinas seems willing to allow, given his position in this work that an *actual* infinite multitude is impossible, that *man,* if *not* the world,

[10] For a good discussion of this point see *ibid.,* the translator's Introduction, particularly pages 2 and 3.

can be demonstrated to have had a temporal beginning-a demonstration he had seemingly ruled out in the body of this article where he restricts demonstration to universals and says it does not settle questions of temporal origin.[11]

II

But to come to the contradictions (I indicated possibly more than one) to which I alluded at the outset of my discussion: they occur between things he says in articles 1 and 2 of Question 46. In the body of article 1, which I have in part already summarized, he maintains that only God can be eternal (actually what he intends to say here is that only God is *necessarily* eternal) seeing that the only thing which God wills necessarily is Himself.[12] this truth about the divine will he can then go on to argue that whether creatures exist at all or exist eternally or with a temporal beginning depends upon a free decision on God's part. Although he does not consider, in the body of the article, the question of why God decides to create the world (along with time) with a beginning (rather than willing that it be without a beginning), he does put forth a reason for this divine decision in his replies to objections 6 and 9. In both replies he points out that God must be considered as giving time to His effect (the universe) as much as and when He willed and according *to* what was fitting to manifest His power; for (as he maintains in both these texts) "the world leads more evidently to a knowledge of the divine creating power if it was not always than if it always was (for everything which was not always manifestly has a cause, whereas this is not so manifest of what always was.)"[13]

[11] See *ST* I, q. 46, a. 2c. also see *ibid., ad* 8.

[12] The Leonine reading is "nihil praeter eum ab aeterno fuisse ". The Piana edition has a variant reading where the word "potest " is inserted for the perfect infinite "fuisse ". Aquinas could have meant by the word "eternal" here the Boethian sense of eternal. Otherwise understood the statement must be interpreted to read in part, " can be necessarily eternally ".

[13] " Sed in agente universa!i, quod producit rem et tempus, non est considerare quod agat nunc et non prius secundum imaginationem temporis post tempus, quasi tempus praesupponatur ejus actione; sed considerandum est, quod

But if Aquinas thought this to be so, viz., that the reason why God created the world with a temporal beginning was in order that its author's existence be more manifest to us, then is it not logical to assume that he must have also thought it to be true that the world's beginning is something that God intends us to know by *reason?* Yet, as we know, in the very next article he argues that the world's beginning is entirely a matter of faith l Furthermore, he also asserts in this article that the wiU of God cannot be investigated by human reason except in regard to things that God wills necessarily, and what He wills about creatures is not one of them, apparently not even why He created the world with a temporal beginning (viz., *"ut manifestius declaret suum auctorem* ") l

In his discussion in these articles, then, we apparently find *two* contradictions in Saint Thomas's expressed thought. One-perhaps less significant so far as his general philosophical position here is concerned-occurs when (in the replies I have noted) he provides us with a reason why God created the world with a beginning, but then, in the body of the very next article, goes on to inform us that-concerning things which God does not will necessarily (e.g., the world, be it *with* or *without* a temporal beginning)-the divine will cannot be investigated by reason. (However, as I will argue momentarily, there is no real contradiction here.) The other contradiction, which would seem to be the more serious one, consists in his holding in article 1 (in his replies to objections 6 and 9) that the temporal origin of the world leads more evidently to the divine creating power (and thus, presumably, is something that can be known to us from reason)

dedit effectui suo tempus quantum voluit, et secundum quad conveniens fuit ad suam patentiam demonstrandum. Manifestius enim mundus ducit in cognitionem divinae potentiae creantis si rnundus non semper fuit quam si semper fuisset ; omne enim quod non semper fuit manifestum est habere causam, sed non ita manifestum est de eo quod semper fuit." *Ibid.,* a. 1, *ad* 6. And in reply to objection 9 we read: "Licet igitur Deum ab aeterno fuerit sufficiens causa mundi, non tamen oportet quod ponatur mundum ab eo productus nisi secundum quad est in praedefinitiane suae voluntatis, ut scilicet habeat esse post non esse ut manifestius declaret suum Auctorem." *Ibid., ad* 9.

than if the world had always existed, and then arguing in the next article that the world's beginning is wholly a matter of faith.

Concerning the first argued contradiction, I think it can be shown to be only an *apparent* one, based upon a misunderstanding of Aquinas's position about what we can know concerning the divine will as it relates to creatures.[14] Certainly he would insist that we can know why God creates (viz., to communicate a share in His goodness to creatures so that they can thereby render Him glory) and why He creates a multitude of creatures including both spiritual and material ones (viz., so that the universe be complete and not wanting in any possible grade of creature, in order thereby to reflect more perfectly the wisdom and goodness of its creator).[15] However, what he argues in the body of article 2 is that one cannot demonstrate, from any investigation of the divine will, the world's (and time's) beginning since that depends on the simple will of God, which need not have willed the world's existence or willed it to have a temporal beginning. Yet given that the world *did* have a beginning (and this, supposedly, we are to accept on faith), one can then argue for the fittingness of God's creating it so. (This point will become clearer from a passage we will very soon quote from the *Summa Contra Gentiles.)*

But when it comes to the second contradiction I have imputed to Saint Thomas's teaching in Question 46, it seems to be quite incorrigible. It should be noted that Aquinas, not only in the *Summa Theologiae* but elsewhere in his writings, argues the fittingness of God's creating the world (and time) with a beginning in such a way as to imply that it is something which can be known to reason apart from faith. Thus, in the *Summa Contra Gentiles,* we find this passage (very revealing from the standpoint of our argument) :

[14] This apparent contradiction stems from taking in an unqualified or absolute sense what Aquinas says here about human reason investigating the divine will as that will relates to creatures.

[15] See *ST I,* q. 19, a. 5, *ad* 3; *ibid.,* q. 47, a le. Also see *Smnma Contra Gentiles,* III-I, ch. 72 (3) and *ibid.,* III-II, ch. *97* (13).

A more effective procedure can be adopted in this matter if we start with the purpose of the divine will, as was suggested above. The end of the divine will in the production of things is the goodness of God as manifested in His effects. But the divine power and goodness are best made known by the fact that things other than God have not existed forever. The very fact that such things have not always existed shows clearly that they have their existence from Him. It also shows that God does not act by necessity of His nature and that His power of acting is infinite. To manifest the divine goodness, therefore, it was supremely fitting that God should assign to created things a beginning of their duration.[16]

Now, as we have seen, in Question 46 in the body of article 2 he argues that the temporal beginning of the world is strictly a matter of faith. But, then, how else-except presumably by faith -can we know that the world had a beginning so that we can be led thereby to know clearly that things " have their existence from Him " (and that He does not act by necessity of nature and that His power of acting is infinite) ? Yet for us to come to a knowledge that God is the world's author *from Revelatiow,* from the fact of its being revealed that the world had a beginning, is clearly a circular procedure and/or, at the very least, a redundant one (indeed we can already accept from Revelation that God exists, that he is the author of all, that His power is infinite, etc.). No, it would seem that what Saint Thomas actually wants us to accept in these various passages we have cited is the view that we can more easily or readily come to a knowledge of the world's author if the world has not always existed than if it always had ("since everything which was not always manifestly has a cause, whereas this is not so manifest of what always was "), and thus

[16] " Potest autem efficacius procede ad hoc ostendum ex fine divinae voluntatis, ut supra tactum est. Finis enim divinae voluntatis in rerum productione est eius bonitas inquantum per causata manifestatatur. Potissime autem manifestatur divina virtus et bonitas per hoc quod res aliae praeter ipsum non semper fuerunt. Ex hoc enim ostenditur manifeste quod res aliae praeter ipsum ab ipso esse habent, quia non semper fuerunt. Ostendit etiam quod non agit per necessitatem naturae ; et quod virtus sua est infinita in agendo. Hoc igitur convenientissimum fuit divinae bonitati, ut rebus creatis principium durationis daret." *Ibid.,* II, ch. 38. See also *ibid.,* Ch. 35 (8). For a similar statement see *De potentia Dei,* q. 3, a. 17, *ad* 8.

the fittingness of its temporal origin. But this implies (does it not?)-unless we wish to attribute a circularity to Aquinas's thought so obvious as to be implausible-that the fact of the world's beginning (or " newness ") is something that can be known by reason from the world itself.

III

In one of the replies in this article (article 2), Saint Thomas seems to suggest that the world's beginning *may* not be entirely a matter of faith and that there may be some plausible reasons that establish it.[11] In his reply to objection 8 he gives some consideration to what he believed, erroneously, to be al-Ghazali's position on the eternity of the world and on the possibility of an accidental actual infinite multitude.[18] He seems willing to concede here, given his earlier rejection in this work that an actual infinite multitude is possible or intelligible, that, if not the *world,* then man at least may have had a temporal origin (otherwise, on the dual assumption of the world's eternity *and* man's existence being necessary to complete the world, there would be an actual infinite multitude of human souls.)[19] However, in other works he

[17] In the *Summa Contra Gentiles,* in Book II, chapter 38 (a chapter from which we have just quoted in the preceding footnote), in discussing certain arguments by which some endeavor to prove that the world is not eternal, Saint Thomas has the following observation : " Since these arguments do not conclude with strict necessity, although they are not entirely devoid of probability, it is enough to touch on them briefly, so that the Catholic faith may not seem to rest on inept reasonings rather than on the unshakable basis of God's teaching." Vollert translation. See Cyril Vollert, S.J., *Eternity,* p. 43.

[18] Actually al-Ghazali rejected both. For this misunderstanding on Saint Thomas's part concerning al-Ghazali's teaching see Majid Fakhry, *A History of Islamic Philosophy* (New York and London: Columbia University Press, 1970), pp. 248-249.

[19] The objection here rests on the argument that if the world is eternal there would now be an infinite number of human souls. In his reply, Aquinas points out that some do not consider this to be an impossibility (" quidam enim non reputant impossibile esse infinitas animas actu, ut patet in *Meta.* Algazelis, dicentis hoc esse infinitum per accidens ") . But he goes on to add that the world could be eternal, or at least some creature, e.g. an angel, if not man (" Unde posset dicere aliquius quod mundus fuit aeternus, vel saltem aliqua ut angelus, non autem homo ") .

allows that this is a difficult question and thinks that it is one that has still not been definitely resolved.[20] Furthermore, the inference that man has a temporal origin would not lead us necessarily to the *world's* temporal beginning. Even so, despite the fact that in his other replies to the objections of this article he has dismissed, as non-probative, arguments purporting to show that the world cannot be eternal, Aquinas does seem willing to acknowledge here that what is basically at issue is not (putting aside what we know from Revelation) whether the material world is possibly eternal but the more general question whether *creatures* (for example, angels) can be created so.[21] And if this is true, then it cannot be demonstrated that *something* created cannot be eternal but that it must have a beginning of its duration (something we do know from *Genesis).* Now this position is not in

[20] In *De aeternitate mundi* he observes, "They also bring in arguments which philosophers have touched upon and then undertake to solve them. One among them is fairly difficult; it concerns the infinite number of souls; if the world has existed forever, the number of souls must now be infinite." Yet he goes on to say: " But this argument is not to the purpose, because God could have made the world without men and souls; or He could have made men at the time He did make them, even though He made all the rest of the world from eternity. Thus the souls surviving their bodies would not be infinite. Besides no demonstration has yet been forthcoming that God cannot produce a multitude that is infinite." As quoted in Cyril Vollert, S.J., *Eternity,* p. 25. If I may briefly comment on this text, Saint Thomas's argument here is quite disappointing in two notable respects. For one, there doesn't seem to be much sense in arguing, against the view that if there is an eternal world there is an actual infinite number of human souls, that God could have created man at some time in the past (say, when He did create him) and not eternally. For then, on the assumption of the world's eternity, there would be an infinite past time preceding the time that man was created and this would seem to render unintelligible why God created man at this particular time--the time He presumably did create man-rather than at some prior time (and so on *ad infinitum).* Secondly, to say that it has not been demonstrated as yet that an actual infinite multitude is impossible (or cannot be made by God) in order to refute the view of those who hold that it *can* be demonstrated that the world is not eternal, is seemingly to employ an *argumentum ad ignorantiam* and really does little to help Saint Thomas, philosophically, in this argument.

[21] " Nos autem intendimus universailter in a!iqua creatura fuerit ab aeterno." *ST,* I, q. 4-0, a. 2, *ad* 8.

itself incompatible with what he has asserted in the preceding article about the world's leading more manifestly to God's existence if it has not always existed than if it were created eternally. Perhaps, then, in the final analysis all that Aquinas wishes to show in this article inquiring whether the world's beginning is an article of faith, is that it cannot be demonstrated that God's creation cannot be eternal and that, therefore, the beginning of creatures *generally is* an article of faith.

Still it must be conceded that nowhere does he himself argue the position that from the world itself we can know, or infer, its temporal origin. Indeed, his usual teaching is just the opposite.[22] Nevertheless, as I believe I have conclusively shown, he implicitly affirms as much in certain texts which I have cited. It would seem, then, that we have here a genuine contradiction in Saint Thomas's expressed thought, one that is readily seen without any need for taking sides philosophically. I personally know of no way, philosophically or hermeneutically, to escape this conclusion but perhaps some reader, more knowledgeable than I, may.

[22] In this connection it may be noted that all the formal arguments for God's existence found in Aquinas's writings proceed on the implicit premise that an eternal world is possible.

TRANSCENDENT MAN IN THE LIMITED CITY: THE POLITICAL PHILOSOPHY OF CHARLES N. R. McCOY

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The history of political philosophy since the time of St. Thomas has been a history of successive failures to relate ethics to politics and of successive attempts to find a substitute for theology, either in politics itself . . . or in economics. . . . Men are today oppressed by false theologies erected into political systems, and those who are not so oppressed are in risk of becoming so oppressed by an intellectual and moral inability to defend themselves. St. Thomas's political science will not give us the answers to problems of hydro-electric development or technological unemployment; but it will give us the answer to the most vital of contemporary problems: how to secure the rational foundations of humane living.

-Charles N. R. McCoy," St. Thomas and Political Science." [1]

I

IN WRITING ABOUT the small but rich corpus in political philosophy by Charles N. R. McCoy, the temptation is almost irresistible to call it, wittily, " The Real McCoy," or, more academically, a theoretic essay on the reasons for our " intellectual and moral inability to defend ourselves." The kind of being we are, no doubt, needs defense, needs an explication that justifies its unique givenness. Charles N. R. McCoy is not generally well-known, though he has a small and (one hopes) growing number of admirers. The very cultural unlikelihood of his central theme,

[1] *On the Intelligibility of Political Philosophy: Essays of Charles N. R. McCoy,* edited by James V. Schall, S.J. and John J. Schrems (Washington: Catholic University of America Press, 1989), p. 38.

which 1s m no sense Hegelian, that there is indeed a coherent philosophical intelligibility-a "structure "-to political philosophy, makes his work both unique, profoundly appealing, and perhaps even prophetic. McCoy was concerned to explain the transcendence of each person, each citizen, beyond the city, indeed beyond this world, without denying his exact political nature and the reasons for its limits. Man was both a political and a philosophical animal to whom more than either politics or philosophy was given. The dignity of the city was essentially revealed in its limits, in what good it could do with its own means while leaving other admitted goods untouched, in what questions it could legitimately bring up because of its experienced life, but still could not answer by itself.

On reading him carefully in one's own pursuit of philosophic wisdom in an age replete with sundry mental and moral confusions, it is tempting to affirm that, at last, in political philosophy here is found a body of reflection which is indeed " the real McCoy." Here is a consistent examination of philosophic principle that accounts for the contours of the whole of the discipline in its most radical origins and clearest limits. McCoy's "reality" does not, to be sure, exist for most of the political science profession itself nor for Christian thinkers in the field of political thought. This situation is unfortunate on both counts.

Political philosophy, for its part, has pursued in modern times the line of its own autonomy in rejecting the great tradition which affirmed the limited place of politics in the order of being, its position as a practical, not speculative science. Theology-itself seeking relevance in lieu of transcendence-has largely imitated this modern turn in political thought. The crisis in theology is, more than anything else, the result of a crisis in political philosophy, its evolution in modernity. Thus in a discipline in which so many of the ultimate human issues are either not confronted at all or are at best confused, in a theological environment which is itself largely infected with the theoretical deviations McCoy chronicled, this benign neglect of his work may turn out to be an advantage. McCoy's independence of these ideological movements, grounded

as it is in the philosophical tradition from which these movements systematically deviated, provides a new and fresh way of coming to terms with the meaning of political philosophy itself.

In a spirit of calmness and quietness indicative of the sort of man he was, it will be the burden of this analysis to suggest that in the work of Charles N. R. McCoy there exists a preparation for and an analysis of the true understanding of the whole of political philosophy, itself an introduction to and intellectual protection for philosophy and ultimately revelation. It is on this intellectual front, moreover, by the very nature of "modernity" itself, that theology in the classic sense of revelation can be defended, indeed positively shown to respond to questions that authentically arise in the experience of political living.[2] Even though politics is the organized " living " and " living well " that Aristotle said it was, we should still make every effort, as Aristotle also emphasized (1177b26-78al), to pursue in particular those higher things, the things existing " for their own sakes," if we would live completely well. To know the truth is the highest act of living well and also, paradoxically, the presupposition for the continued health of any city. Metaphysics and its history, in other words, must not be unknown quantities to the political philosopher.

McCoy understood that the deepest aberrations of the civil polity arose not from the vices of the ordinary citizens, which were apt to be real enough, but from the ideas of the philosophers. He sensed that " the rational foundation of humane living " included first of all a proper understanding of that in which this human living consisted. McCoy was ever a follower of Aristotle in this regard, of course (1267a3-17). He knew that knowing the definition of the truth did not necessarily mean that it would be

[2] See James V. Schall, *Reason, Revelation and the Foundations of Political Philosophy* (Baton Rouge: Louisiana State University Press, 1987). See also E. B. F. Midgley, *The Natural Law Tradition and the Theory of International Relations* (London: Elek, 1975); "Concerning the Modernist Subversions of Political Philosophy," *The New Scholasticism* LIII (Spring, 1979), 168-90; " On the ' Substitute Intelligences ' in the Formation of Atheistic Ideology," *Laval theologique et philosophique* 34 (October, 1980), 239-53.

followed. Again and again he insisted on the fact that there was no absolute commensurability of ethics and politics with metaphysics.[3] Good men could be bad thinkers. The most profound of philosophers could be corrupt men. On the other hand, ethics, politics, and metaphysics at the level of being were commensurable with each other and ultimately with revelation. We do not, except accidentally, think incorrectly with impunity.

II

The outlines of McCoy's life are brief. He was a Roman Catholic priest, of the diocese of St. Paul. Academically, he did his undergraduate work at Dartmouth College and, before the priesthood, a doctorate in political science on constitutional law at the University of Chicago. McCoy evidently did not do a political philosophy degree at Chicago because he understood that under Charles Merriam only a certain view of politics would be considered. McCoy later wrote a review of Merriam's *Systematic Politics,* which began-McCoy's book reviews are oftentimes quite amusing-" After many years of shrewd if not exactly serious thinking, Professor Merriam has reached a conclusion that is less obvious to a certain type of intellectual than it is to the man on the street."[4] It is fair to say that the very spirit of McCoy's work is a defense of the man in the street against a " certain type of intellectual," in particular the philosophic ideologue grounded in Western thought who is also a politician.

At Chicago also, McCoy became a lifelong friend of Professor Jerome Kerwin, who directed the famous Walgreen Lectures in the 1950s, which have become so fundamental in subsequent political philosophy.[5] After his ordination, McCoy did a further doctorate in Canada under Charles deKoninck at Laval Univers-

[3] *Intelligibility,* pp. 36, 103, 105, 118, 269.

[4] Charles N. R. McCoy, *The Catholic Historical Review* 33 (January, 1948), 480.

[5] These include, among others, Strauss's *Natural Right and History;* Yves Simon's *The Philosophy of Democratic Government;* Jacques Maritain's *Man and the State;* Eric Voegelin's *The New Science of Politics;* and Hannah Arendt's *The Human Condition.*

ity, where he perfected his already deep studies in St. Thomas. McCoy subsequently taught at St. Thomas College in Minnesota, at St. Louis University, was Chairman of the Politics Department at Catholic University for ten years until 1963, and finally spent his remaining years at the University of Santa Clara until his death in 1984.

During the course of his life, Charles N. R. McCoy wrote but one book, this a formidable one, *The Structure of Political Thought.* [6] In addition, he wrote a number, not large, perhaps twenty, substantial essays in political philosophy, essays which appear in the recently published, *On the Intelligibility of Political Philosophy.* [7] McCoy wrote many incisive book reviews, mainly in the *Catholie Historical Review* and in the *Modern Schoolman,* with several essays in periodicals like the *American Political Science Review,* which appeared with only minor changes in *The Structure of Political Thought.* The two entries on political philosophy in *The New Catholic Encyclopedia* are also written by McCoy.

The complete list of McCoy's writings does not constitute a large corpus, to be sure. [8] Yet, it is an extraordinarily rich and neglected body of clear and incisive thinking on the nature and meaning of political philosophy as such. I say " political philosophy as such" because McCoy was not a cultural relativist and understood that the philosophic enterprise is precisely universal. [9] There is thus not a " Chinese " political philosophy and a " Latin American" political philosophy and a "French" political philosophy. There are political things which may be thought about

[6] Charles N. R. McCoy, *The Structure of Political Thought* (New York: McGraw-Hill, 1963). This book is currently reprinted by the Greenwood Press in Westport, Connecticut. See James V. Schall, " ' Man for Himself ' : On the Ironic Unities of Political Philosophy," *Political Science Reviewer* XV (Fall, 1985), 67-108, for a more detailed appreciation of *The Structure of Political Thought.*

[7] See footnote 1.

[8] The complete list of McCoy's writings are found in *Intelligibility,* pp. 295-300.

[9] *fntelligibility,* p. 158.

by men who may be Chinese, Chilean, or French but all of their thoughts must he understood and resolved in way any human mind must think when it does think. Cultural diversity is not so radical that it obviates the philosophic project itself. Any alternative to this central core of philosophic truth must result either in war or skepticism, neither of which is necessary if there is political philosophy as such, which is the universal claim of philosophy.

McCoy represents, if you will, a road not taken either by mainline political philosophy or by theology. His is an appreciation of the nature and unity of political philosophy that has stood outside the central currents of politics. In many ways this is fortunate, since his work as a result bears a certain authenticity and honorableness of philosophical approach that was not a result of the dying ideologies or their newer forms. The fact remains, however, that McCoy's analysis of the history and nature of political philosophy is the one that most illuminates its essential and ultimate implications. In his acute insight into the direction of thought itself, McCoy was able to understand that political philosophy was not merely a kind of massive hodge-podge of different opinions, none of which were true, but rather a successive taking of positions which necessarily followed, once certain first principles and conclusions were denied or obscured. In this sense, then, there is a kind of quiet excitement in following McCoy's thought as it clearly comes to grips with what are the essential problems of nature and human life. McCoy was, to follow his own thinking on liberalism, truly " liberal " in that he did not take his direction from prevailing conservative opinion or react against it because it was not elite.[10] McCoy's own position thus does not fall properly within the liberal-conservative dichotomy into which so much thought in political philosophy is squeezedo Rather he was one of the few thinkers radical enough to argue the uniqueness of the Aristotelian-Thomist position as valid precisely because of the theories that deviated from its central meaning. In this sense, political philosophy included the understanding

10 *Intelligibility,* Chapter 6.

of what deviated from the human good. McCoy's account of the intelligibility of the deviations from classic first principles together with their connection to them was thus itself an argument for the truth of his position. McCoy was ever conscious of the intelligible connections of philosophic positions.

III

Political philosophy cannot be set apart from philosophy itself. Philosophy is concerned with the knowledge of the whole, of *what is.* No aspect of philosophy, particularly politics, can itself be understood apart from this whole about which philosophy is concerned. Philosophy itself is grounded in the mystery of the existence of something rather than nothing, in the existence of this thing which is not that thing, particularly in the reality of a rational being who, initially, appeared apart from his own making or causality.[11] This mystery of *what is* is what philosophy seeks to elucidate. Political philosophy is necessary both as a part of the whole and as the defense of a civil order in which investigation into the meaning of the whole might be possible. In this sense, political philosophy is necessary for philosophy, which itself recalls the drama about the death of Socrates, the beginning of political philosophy properly so called. Not every civil order allows philosophy. Not every philosophy is about *what is.*

Philosophy, moreover, may have questions it legitimately asks but which it cannot itself fully answer, just as political living may broach questions it cannot itself fathom, those having particularly to do with friendship, punishment, and reward.[12] The discovery of such questions is, in part, what philosophy and living itself are about. It is one of the central functions of political philosophy to allow such questions to be asked, even against a

n See Eric Voegelin, *Conversations with Eric Voegelin,* Edited by R. Eric O'Connor (Montreal: Thomas More Institute Papers 76, 1980), pp. 1-20.

12 See James V. Schall, *The Politics of Heaven and Hell: Christian Themes from Classical, Medieval, and Modern Political Philosophy* (Lanham, MD: University Press of America, 1984); *What is God Liker* (Collegeville, MN: Michael Glazier/Liturgical Press, 1992).

regime deliberately constructed against their possibility. This openness will include, furthermore, the openness to revelation if reason cannot in principle close off its possibility, which in principle it cannot.[13] Any claimed revelation, however, must itself stand the test of contradiction, the test of the structure of the mind itself.[14]

Philosophers, however, may by fiat close such questions off as not valid. That is, even in a free polity, philosophers themselves may refuse to philosophize so that they fail to live their own truth. Thus, if philosophers, for whatever reason, reject the metaphysics of being, they act not on account of philosophy, which, to be authentic, simply must keep the questions open in their accurate statement even if it does not find the answers, or does not find them in the manner the philosophers or citizens might want. Rather any cutting off of philosophical questioning and answering, in practice, is on account of a will which does not want to rest in uncertainty, even the uncertainty of faith. A philosopher, or anyone for that matter, may not wish to remain open to *what is,* in spite of the fact that this is what intellect as such is, the faculty *capax omnium.*

But openness to questioning does not and cannot mean that everything is true. If everything is true, nothing is true. Consequently, pure will cut off from its moorings in mystery can itself claim to become a power to create an alternative world out of its own resources. This claim to autonomy is fundamentally what specifically modern philosophy is about. In this sense, artistic truth is at war with philosophical truth when both operate from the premise of the primacy of will.[15] Since the will as the ultimate

[13] See Leo Strauss, "The Mutual Influence of Theology and Philosophy," *Independent Journal of Philosophy* 3 (1979), 111-18; James V. Schall, "Truth and the Open Society," *Order, Freedom, and the Polity: Critical Essays on the Open Society,* Edited by George W. Carey (Lanham, MD: University Press of America, 1986), pp. 71-90.

[14] See Ralph McInerny, *St. Thomas Aquinas* (Notre Dame: University of Notre Dame Press, 1982), Chapter 5; Josef Pieper, *The Silence of St. Thomas* (Chicago: Gateway, 1957).

[15] See Charles N. R. McCoy, *The Structure of Political Thought* (New York: McGraw-Hill, 1963), pp. 31-36; 159-66.

faculty of doing is itself so central to ethical and political action, it can easily be understood that an alternative world will almost necessarily be chosen when the world *that is* is rejected in its intellectual structure.[16] This is why, I think, the word " structure" appears so prominently in the works of Charles N. R. McCoy.[17] He understood dearly that a will deprived of a truth it did not create but to which it is oriented will naturally seek to construct a different world in such a way that it systematically replaces the natural order with it_s own structured alternative world conceived by its own creative power.[18]

IV

Political philosophy in the modern era is particularly interesting to study because of the manner-itself in need of the intellectually careful accounting which McCoy gave it-in which politics has itself become a substitute for metaphysics, to which mantle, granted the premises of modernity, it can lay a kind of legitimate claim for the position of " first " philosophy. This claim is why McCoy was fond of citing the famous passage from Book 6 of *The Ethics* in which Aristotle had observed that, if man were the highest being, politics would be the highest science (1141a20-22). Both Aristotle and McCoy thus understood that since man was not the highest being politics was intrinsically limited. In this sense, it can be said that the intellectual drive behind the analyses of Charles N. R. McCoy was to demonstrate how this effort to replace God by man as the cause of human " being" was, however misguided, in fact feasible and followed progressively in a structured way from philosopher to philosopher in that side of political theory that ended in what is generally called "modernity," or, to use Strauss's term, "the modern project." [19]

16 *Intelligibility,* p. 109.

17 This word, of course, appeared in the title of McCoy's *The Structure of Political Thought.* See *Intelligibility,* pp. 103-04.

18 *Intelligibility,* p. 157.

19 Leo Strauss, *City and Man* (Chicago: University of Chicago Press, 1964), p. 7.

V

The "queen of the social sciences," Leo Strauss's famous phrase for politics, has been able (because of Hume in McCoy's view) to succeed to the post of modern science itself, which had already claimed to have succeeded metaphysics and eventually theology.[20] However, if politics has laid claim to all the prerogatives of theology and metaphysics, to the practical as as to the theoretical sciences, in the Aristotelian sense of the term, this is no neutral result. Marx's famous dictum that the purpose of philosophy is not to understand the world to change it is per"' fectly logical if the premises on which it is based are valid. It was precisely this validity that McCoy was most interested in examining.[21] McCoy was perfectly aware that the doctrine of the Incarnation and the Aristotelian idea of substance were insistent that all genuine philosophy could have a sensual component, as it were, that political philosophy itself could not ignore the question of what is the meaning of the world and of the fact that human beings are not pure spirits and that this combination of matter and form is not itself an evil.

Leo Strauss taught that we are fortunate if one or two of the greatest minds who ever lived are alive during the time when we are alive. He held further that we needed to trace the divergent and conflicting explanations of reality to the few great minds who originated them. When we will have done this clarification, we will find that the greatest minds do not agree.[22] This impasse, of course, brings up the question of which of the greatest thinkers do we follow? It is the classic position of St. Thomas, following Aristotle, that this impasse does not exist in principle. is to say, the conflicts of the great minds, which are real enough, can be understood and resolved by examining their source and their relation to a philosophical common sense rooted in being, to which the mind is open.

[20] Leo Strauss, *City and Man* (Chicago: University of Chicago Press, 1964), p. I. *Structure,* pp. 224-35; *Intelligibility,* pp. 151-52.

[21] *Structure,* Chapters 9 and 10; *Intelligibility,* Chapters 7 and 8.

[22] Leo Strauss, " What Is Liberal Education ? " *Liberalism: Ancient and Modern* (New York: Basic Books, 1968), pp. 3-8.

VI

The profoundly Thomistic spirit of the works of Charles N. R. McCoy flows, not from any slavish following of St. Thomas, but from a careful analysis of the divergent positions taken in the history of political philosophy in the light of the analysis of Aristotle and St. Thomas. By contrast the practical abandonment of St. Thomas particularly in Catholic circles during McCoy's own time makes the work of McCoy in retrospect even more significant in showing that this abandonment had its own roots in will, not in reason. Reason remained, in the analysis of essential issues in political philosophy, on the side of St. Thomas. It was McCoy's position that if a thing could in fact be understood, whether it be in Locke or in the Stoics, it could be placed clearly in the arena of that intelligibility which philosophy provided to the human mind. It was St. Thomas's guidance that enabled McCoy to account for the reasons why philosophic positions were taken. Particularly important in McCoy are the theory of knowledge and logic, the cause of the distinction of species and individuals, and the legitimate autonomy of political thought but under the guidance of contemplative understandings and ends.

The turmoil in the political order, then, was at its deepest roots not merely an account of " the wickedness of human nature," as Aristotle called it (1163b23), or the "ambition and avarice (that) are the motives of crime " (1171a16-17), notions which became subsumed under the doctrines of the Fall and Original Sin in Christianity. Rather it arose from a systematic endeavor to replace and overturn in an act of human political choice any sign of a " reason " in things placed there by a First Cause or God. The particularly " political " side of this endeavor arose from the insufficiency of pure speculation, though that was necessary to make the idea of a purely " human " world possible in the first place. Indeed, McCoy saw in the very Roman word *humanitas* the beginnings of this movement, a humanity not dependent on anything but itself.[28] Since all of human reality in-

2a *Strncfitre,* pp. 82-87.

eluded more than its rationality, the placing of ideas into the world necessarily involved removing from the institutions of society, property, government, or religion, any sign of dependence or origin in something not human. This removal was the ultimate foundation of revolution in the most dangerous sense of that much abused word, which of itself merely means to come back to its beginning like the revolutions of the planets and stars.

No doubt, the principled relativism or skepticism that grounds so much modern political philosophy, itself subject to acute analysis in *The Structure of Political Thought* and in McCoy's academic essays, cannot be left without an examination of its stated origin and meaning. The history of political philosophy may indeed seem at first sight, as Strauss quipped, like a series of "brilliant errors," but these errors reveal the direction of the mind that made them.[24] Careful attention to such errors is itself part of the discipline of political philosophy, as of philosophy itself. What this means, of course, more fundamentally, is attention to the theories of cognition and willing as themselves contributory to the positions taken in political philosophy.[25] Thus, man is a thinking animal even while he is a social animal, and his social side, rooted as it is in his reason, will not prosper, will not complete his being, if he does not think correctly.

The position that there is a right way to think is itself of course based on the initial refutation of skepticism or relativism, the mind's affirmation of *what is,* its inability to think consciously in contradictions. Democracy in particular has come to be justified precisely on the dogmatic basis that there is no theoretic truth. In this sense democracy itself contained a totalitarian element, as McCoy saw particularly in Rousseau, though it was al-

[24] Strauss, *City and Man,* p. 8.

[25] In this sense, Hannah Arendt's *The Life of the Mind* (New York: Harcourt, 1978), with its volume on *Thinking* and on *Willing,* stands in the central line of political philosophy. Unfortunately, McCoy never dealt with the work of Hannah Arendt, which was an effort to reestablish practical political life. Her work suffered precisely from the problem with revelation that enabled St. Thomas and McCoy to establish the authentic life of the city because of the completion of the contemplative life provided by revelation.

ready implicit in Aristotle's definition that "democracy" was based on a" liberty" which implied no truth (1318b40-19al). [28] Truth, however, is the conformity of the mind with reality, with a reality that exists independently of the human mind which itself bears intelligibility of a sort, though not its own sufficient explanation. Since openness to truth itself denies the claim of skepticism, the political order of any regime, including democracy in any workable sense, had to have a non-relativist basis. Otherwise there was no escape from the claim of modernity to establish by virtue of its own will what was the order of human existence in the polity.

VII

Perhaps the most recurrent theme in the works of Charles N. R. McCoy is the notion that nature is a " substitute " intelligence which requires a first source to explain its own order. This idea in McCoy comes from St. Thomas's Commentary on the Second Book of the *Physics* of Aristotle.[27] The question of the intelligence of nature, its order or lack of one and what this implies, undergirds the whole of the political philosophy of Charles N. R. McCoy. If it is possible, at least speculatively, to remove the cause of the being of things, particularly human being, from nature-a feat which was accomplished (according to McCoy's analysis) largely by Grotius's dictum that the natural law would be the natural law even on the supposition that God did not exist, and by Hume's dictum that the contrary of every matter of fact is possible-then a way is open to substitute human intelligence for divine intelligence as the cause for the distinction of things.[28] If the world is not itself previously ordered by a divine intelligence, and if the order of nature reveals only a kind of imitation or substitute intelligence, then it is the most logical thing in the world to replace all of nature, including human nature, with a

[26] *Structure,* pp. 212-21; *Intelligibility,* Chapters 3 and 5.

[27] *Intelligibility,* pp. 6, 15, 67, 68, 71, 72, 144, 159; *Structure,* pp. 6, 33, 36, 42, 91, 93, 163, 191, 211, 249.

[28] *Structure,* pp. 193, 229.

higher intelligence, namely human intelligence. Human technology and polity can in some sense claim to fashion everything that is man so that, wherever he looks (as Marx hoped) man would only see himself.

Ernst Cassirer, whom McCoy admired greatly and who was Strauss's mentor, supplied at this point the relation of the intelligibility of the intellect and the autonomy of nature which McCoy used to understand how it was possible for political philosophy to elevate itself to the position of first philosophy.[29] The reason why natural things were as they were did not depend on nature itself but on the First Cause. This is why the first principles in ethics are like the principles of mathematics, with regard to human beings, because they are simply given and not subject to the artistic faculties of man.

McCoy was fond in particular of Cassirer's introductory chapter to *An Essay on Man.*[80] In this essay, Cassirer had confronted the question of man's loss of " an intellectual center " in the history of thought.[31] This loss coincided with the denial of a relation of cause to the First Being. The search for an intellectual center ultimately ended up with a concept of collective man in which everyone was brought together under the notion of species-being, under the notion, that is, that nothing but what man made for himself.[82]

It was because of this particular intellectual analysis that McCoy saw the reasons for "myth and magic," to use Cassirer's terms for modern political ideologies, reappearing in the modern era not as primitive concepts, but as the most advanced ones because there was nothing in nature or being to prevent them.[88] The "destruction of metaphysics," which was Heidegger's proposal, enabled McCoy to get behind even Marx and modern liberalism to see a nude or raw nature without any presuppositions

29 *Intelligibility,* Chapter 9.

3o Ernst Cassirer, *An Essay on Man* (Garden City, NY: Doubleday Anchor, 1944).

31 *Intelligibility,* pp. 14, 154, 177-78, 191.

a2 *Intelligibility,* pp. 69, 180.

as *Intelligibility,* p. 72; *Structure,* pp. 250-51.

even to man's formable capacities.[34] McCoy saw that this "poverty of existence " was the logical consequence of the initial removal of the First Being as the cause of *all that is.*

Cassirer was also much interested in the difference between the Stoics and the Christians : the curious fact that the highest virtue for the Stoics was the highest vice for the Christians so that the easy connection of Stoicism and Christianity was not usually intelligently argued.[35] If nature was autonomous because it had no relation to a divine intellect, and if human reason was to be modeled on this sort of autonomy, then it followed that there was really no reason for the particular things that did exist. Anything could in principle be otherwise, including human beings. Particular beings, especially human beings, existed in St. Thomas's analysis because of the First Mover or God. Nature did not as such intend Socrates or Mary except as a means to the end of keeping the species in existence. If the centrality of interest is in Socrates or Mary, not in the species, which in fact never exists as such except in the mind, the questions about the meaning of these particular beings, their friendship with each other or with God, become the basic focus even of politics whose purposes is subordinated to the higher ends of the concrete being of Socrates and Mary.[38]

In other words, if Socrates and Mary have a purpose in themselves, then politics-which concerns their actions in this life, the practical actions-is necessarily limited by the theoretic order in which the higher questions exist. To put it another way, the contemplative life in the Greek sense and eternal life in the Christian sense, since they removed certain ultimate issues from the direct jurisdiction of politics, enabled politics to be itself, that is, *politics,* and not some theoretic substitute for the speculative order.

M *Intelligibility,* Chapter 7.

35 *Structure,* Chapter 3; *Intelligibility,* pp. 126, 168, 172. See James V. Schall, "Post-Aristotelian Philosophy and Political Theory," *Cithara* 3 (November, 1963), 56-79.

ae *Intelligibility,* p. 68.

McCoy held that if it was possible to demonstrate how politics in modernity contrived systematically to replace these higher ends found in metaphysics and revelation, then we could explain the dangers and exaggerations of the politics since Machiavelli, if not since the Stoics and Epicureans. While McCoy did not deny that there have been good aspects to modernity, those largely resultant, he thought, from a residual good sense in the populace and in religion, his primary interest was the explanation of the generic or counter-being that is proposed as an alternative to the final end of man as conceived in the Thomist reconstruction of Aristotle in the light of revelation. The "malleability" which he saw to be the result of Rousseau's critique, with human nature ordained to no end but open to formation primarily by society so that there was no transcendence for each member of the polity, left mankind defenseless against the political agents willing to take up the task of the formation of a new man.[37]

VIII

From the very beginning, as I have pointed out, it is of some importance to recognize the great admiration McCoy had for the philosophers with whom he disagreed-in particular Marx, in whom he saw a first-class mind quite perceptive of the meaning of Western theology and philosophy. McCoy was conscious of the famous sentence from Aristotle, often cited by Aquinas, that a small error in the beginning led to a large error in the end. The studies of Charles McCoy were designed to elucidate these lines of intellectual discourse with great sympathy because he quite understood how it was possible to think erroneously and yet think with a certain basis in truth, which St. Thomas said was the case with all error. VVhether he be treating Marsilius, or Locke, or Hume, or Kant, what is quite striking in McCoy is the almost visible delight he seems to have in defining and clarifying just why it was "reasonable" that tremendous errors were made in the first place. The other side of this "reasonableness" of

[37] *Intelligibility,* pp. 61, 71-72; *Structure,* p. 256.

error, of course, was his awareness that the difficult intellectual " work " required to figure out just why such positions were taken also provided a way to correct them.

No doubt, the figure of Aristotle was central for McCoy's understanding of political philosophy. Perhaps nothing separates him more from both Voegelin and Strauss than his critical stance concerning Plato in relation to Aristotle.[38] In point of fact, the Straussian interpretation of Plato makes him much more an Aristotelian than Aristotle himself ever understood Plato to be. Also, unlike the same Straussians, who see in St. Thomas a valuable figure principally because he preserved Aristotle, McCoy saw the relation of St. Thomas and Aristotle as one of continuity, yet with the addition of specifically revelational propositions which, when thought out, caused philosophy to be better in its own order. The understanding of Aristotle by St. Thomas included an analysis of what Aristotle did mean.[39] In McCoy's view, in this sense, St. Thomas in the end was a better Aristotelian than Aristotle himself, without implying any criticism of Aristotle in this. The presence of revelational questions simply forced St. Thomas to read Aristotle carefully enough to decide what he meant and how his thought might possibly have related to a legitimate interpretation that was at least possible in Aristotle because it was based on being.

The line of argumentation in McCoy proceeds from Plato to Aristotle to the post-Aristotelians, in whom he found, with Marx, the roots of specifically modern political philosophy.[40] McCoy did not spend a good deal of time on the Old Testament except insofar as it is contained in Christian revelation, though clearly the doctrines of Creation, the Fall, and a right order of living are based in it. McCoy then proceeded through St. Augustine and St. Thomas Aquinas, to the medieval constitutional experience and its breakdown beginning with Occam and Marsilius of Padua.

[38] *Intelligibility,* pp. 15, 116; *Structure,* Chapter 1.

[39] The forthcoming book of E. B. F. Midgley on the relation of St. Thomas to Aristotle is to be awaited with great interest. It is a brilliant analysis.

[40] *Intelligibility,* pp. 169-71.

The key figure to begin modernity in political philosophy was, of course, Machiavelli. McCoy's analysis of Machiavelli was originally published in *The American Political Science Review* some fifteen years before Strauss's *Thoughts on Machiavelli,* to which it must be compared.[41] On the issue of the essential meaning of Machiavelli, McCoy and Strauss were in agreement, and both understood that in spite of breaking with the religious and philosophic past, there remained in political philosophy the vated anticipations caused by revelation which began to run through politics without moorings in grace or reason sufficient to tame them.

McCoy's treatment of Machiavelli reappeared (substantially) as a key chapter in *The Structure of Political Thought,* which saw Machiavelli to have been the founder of modern politics because he reversed the relation of prudence and art in political philosophy. As a result, the politician was free, as the prudent man was not, to create his own definition of what man was, for he had only to conform to the purpose of the politician. McCoy saw the beginnings of this " turning point " in political theory, as he called it, already in the post-AristoteHans, so the fact that Marx wrote his dissertation on Epicurus was of momentous import.[42] McCoy recognized that the Stoics in particular had previously reversed the relation of the practical and theoretical orders as they had been understood by Aristotle, so that contemplation was in a sense subordinate to practice, particularly to politics. The understanding of the meaning of this reversal was, in fact, the main meaning of Roman political theory, which placed duty to the society over the task of philosophy.

[41] Charles N. R. McCoy, "The Place of Machiavelli in the History of Political Thought," *The American Political Science Review 37* (1943), 626-41. Leo Strauss, *Thoughts on Machiavelli* (Glencoe, IL.: The Free Press, 1958). See also Jacques Maritain's "The End of Machiavellianism," in *The Social and Political Philosophy of Jacques Maritain,* Edited by Joseph W. Evans and Leo R Ward (Notre Dame: University of Notre Dame Press, 1976).

[42] Charles N. R. McCoy, "The Turning Point in Political Philosophy," *The American Political Science Review* 44 (September, 1950), 678-88; *Structl1re,* Chapter 3.

Thus, the reversal of contemplation and practice, and within practice the reversal of the relation of prudence and art, was the theoretic grounding for a process that would eventually involve freeing the intellect to seek to place into being the sort of being man now configured for himself. This was a human being unalienated in the sense that he recognized no dependence on any order he did not himself create. The analysis of this sort of possibility was in fact the work and significance of Hobbes.[48] " In contemporary social science Hobbes's ambition 'to insinuate and impose upon men ... a vocabulary of ethics, law, and politics entirely neutral in tone ' has been accomplished." [44]

McCoy held that the central theme of any political philosophy that had rejected in principle the classic Aristotelian view of the First Mover and its relation to nature, which only had a substitute intelligence, was to recover its " intellectual center." Basically, this was the line of thought that went from the post-Aristotelians, to Marsilius, Machiavelli, Grotius, Locke, Rousseau, Kant, Feuerbach, Marx, and Heidegger. This attempted recovery on its own premises contrary to classical and Christian thought could only be accomplished intellectually and ultimately also sensually. This meant that in Christian terms, the place of the Incarnation or its substitute remained to be discovered in a new way for a being who was precisely from nature a rational and sensuous animal. The violence of modern revolution, in McCoy's view, arose from this metaphysical root. That is, thought had to pass into action and this action had to confront any order of being rooted in something other than man's autonomy.

IX

I have already mentioned that the primarily Aristotelian treatment of Plato by McCoy placed him in some conflict with the Voegelinian and Straussian schools for which he had in principle much sympathy. Actually, McCoy never mentioned Voegelin but his treatment of Strauss *(Intelligibility,* Chapter 10) deserves

43 *Structure,* pp. 197-203.
44 *Jntelligibility,* p. 163.

some comment.[45] McCoy noted that the " metaphysical squabbles" found in American political science have been especially "bitter and perplexing" over the work of Leo Strauss.[46] The controversy concerns Strauss's famous preference for Plato over Aristotle as the basis of political philosophy. This preference was what grounded Strauss's placing of the philosopher, not the politician or saint, at the highest ranks of human good. McCoy, consistent with his whole work, was attentive to Strauss's
for the philosopher's as the highest vocation. McCoy noted Strauss's explanation for why he did not consider St. Thomas's philosophical reflections to be of value for the philosopher. That is, Strauss held, they must be rejected by the philosopher because they seemed to require a faith Strauss did not himself possess.[47] In McCoy's view, this position was itself taken because of a failure of Strauss to understand that the sobriety of Aristotle was itself based on the realization that nature did possess a kind of substitute intelligence. Strauss wanted to keep the city in speech as the only natural city. The philosopher's dignity depended upon this exalted location of the "perfect moral order."[48]

McCoy approached this Straussian position from an analysis of the good as it existed in speech and in being. He pointed out that the study of good as such, as existing, " does not belong to political science, but to a science concerned with another level of being, to metaphysics and theology."[49] McCoy had recalled that actual human beings do not act according to the sort of pure justice that exists in the city in speech. It was better in fact to be Plato's cousin than his brother. Nature must not be understood as a " standard," that is, as a norm whereby everyone will receive exactly what is due in the city in speech, but as an " authority," which means that nature's reasons are not fully to be found in

45 See James V. Schall, "Reason, Revelation, and Politics: Catholic Reflections on Strauss," *Gregorianum* 62 (1981), # 2, 349-66, # 3, 467-98.

46 */ntelligibility,* p. 132.

47 *Intelligibility,* p. 142.

48 */ntelligibility,* p. 140.

49 */bid.*

the world or in justice but require for their explanation an action of the First Cause to explain their total being. Thus, " inequality " may in fact be in some sense natural, without which the world could not exist.[50] The diversity of individuals and species is not itself an evil. Aristotle recognized that politics had its own status within the structure of being. Politics was not to be absorbed by philosophy, nor make philosophy impossible. The logical good itself, not the ontological analogous good, seemed to McCoy to be Strauss's model for understanding being.

Thus the antagonism between politics and philosophy which Strauss noted was not, in McCoy's view, "uncovered by Strauss."[51] Why?

> In Aristotle's philosophy the ultimate reasons for things are not found subjectified in the things of which the world is composed. This Aristotelian position prepares the way, of course, for the Thomistic view of natural right, which is rooted in Aristotle's natural theology and brought to completion by revealed theology. This is a position and a consequence unacceptable to Strauss.[52]

It is this openness in principle of philosophy to revelation (in a non-contradictory fashion) that grounded the difference between McCoy and Strauss. It is also the root of Strauss's attachment to Plato. The failure to understand the difference between the characteristics of logical and ontological being at the level of the best regime or the failure to grasp that Aristotle's best regime leaves politics intact, with all its imperfections, causes the attraction of the philosophic " madness " of a Plato-" the immoderation of thought that Strauss calls a virtue in Plato: the immoderation of thought that asserts that something is which in reality is not."[53]

Strauss did not, in McCoy's view, treat the various levels of being on their own terms, particularly ontological being, but also the kind of politics that exists in all actual cities, where liberty of

50 *Intelligibility,* p. 139.
51 *Intelligibility,* p. 141.
52 *Intelligibility,* p. 142.
53 *Intelligibility,* p. 147.

choice is fundamental to the beings who compose them.[54] In a famous phrase, McCoy concludes that " Strauss drinks wine with Plato and hemlock with Socrates." [55] By this McCoy meant that the city in speech, which is the only " natural " city for Strauss, for a philosopher, who is fired by that wine which leads to the madness of its existence, will result-in actual cities-in the death of the philosopher because the philosopher does not see that he is himself trying to maintain a divine task. The concessions to moderation which Strauss maintained for actual politics, which in Aristotle have their own justifications from actual nature-no one calls common property" mine "-do not suggest that the location of the city in speech can be anywhere else but in the obscure desires of the philosopher.[56] This calculated obscurity seems to prevent a frank discussion, in the mode of the proper location of the city in speech. That is, it fails to allow that the limits of philosophy are themselves found in that ontological good that causes all good things that are.

X

Another area in which the work of McCoy has been neglected is that of the relation of popular theological-political activism and political philosophy. McCoy in fact confessed some " sympathy " for liberation theology.[57] That sympathy, however, was far different from what might at first sight be expected, as it was rooted in the more general thesis of McCoy that Marx, in a kind of perverted but logical fashion, did recognize that all being had an intelligence to it and that all being belonged together in some whole. Cut off from the avenues of metaphysics, Marx proposed the human intellect as the spiritual power capable of supplying this need. The classic notion of the primacy of the spiritual, however, meant that man participated in the divine being both by

[54] *Intelligibility,* p. 148.
[55] *Intelligibility,* p. 149.
[56] *Intelligibility,* pp. 144-45, 148.
[57] *Intelligibility,* p. 266. See James V. Schall, *Liberation Theology* (San Francisco: Ignatius Press, 1982).

doing and by knowing. [58] For Aristotle, knowing or contemplation was the end of human being, but acting was also an imitation of the divine creative power in making what is not God. Man participated in reality both in knowing and in acting. [59]

McCoy had argued that modern political philosophy up to Marx had not really understood the primacy of the spiritual, that is, of the seeing of all things as originating in a single Being who determined by a non-necessary will the ranks and distinctions of things to which the human mind is open and through which all things returned to their source. McCoy understood that, without an understanding of the right order of this relationship, a substitute order would be desperately sought out. While Marx in particular, then, is correctly understood to be a " materialist " philosopher, nevertheless, his materialism is different in that it reveals a seeking for some intelligence that will rescue both man and nature from being mere atoms in a void.

Marx, no doubt, turned the classic position upside down, but the very fact that he could do so implied that he was concerned that some overall unity of action and contemplation be restored in being.

As I have been attesting, this profound spiritual root of the concept of political common good has been lost in the West in modern times. We have come to the impression that the Classical-Christian tradition has man bereft of a definition that relates him to the larger rhythms of nature and community. The contrary is true. Indeed, the theological principles that we have been examining present us with a kind of contemplation that passes into practice.

Alone, among the modern political philosophers, Marx retained-if, indeed, in a profoundly perverted form-this theological element of the Classical-Christian tradition: the primacy of the " spiritual." Marx saw that the Enlightenment had indeed repudiated " the essentiality of God," but that it had not affirmed " the essentiality of man." It left man indeed with a freedom of conscience that must make itself the decisive religious attitude and thus threw religion on the refuse heap of arbitrary private whims. The primacy of the spiritual is retained by Marx's acclaiming the "essentiality of man." Man's

[58] *fntelligibility,* p. 280-81.
[59] *Intelligibility,* p. 270.

religious freedom is, with Marx, achieved by affirming his own "self-origin" and himself as being. Man comes to see that he is all that he knows and that he is the act whereby all things are all things humanly significant, which becomes the totality of significance.[60]

Needless to say, this global position of including all things human within man's own making gives them a curious inner-worldly intelligibility and serves to illuminate them from the presumably dead hand of a nature deprived, as a result of modern philosophy and contrary to Aristotle and St. Thomas, of any even substitute intelligence of its own. The " spirituality" of man is his own spirit, not the divine spirit. The Divine has been closed off from consideration by what Voegelin called Marx's "prohibition of questions " about the adequacy of man's completely self-contained world which, as McCoy recognized, aspired to spiritual solace through intelligible meaning.[61]

McCoy had begun these reflections on liberation theology by commenting on a suggestion which argued that Christianity had no moral notion of citizenship. McCoy with some impatience called this position " incredible and simply absurd." [62] In another review in *The Thomist-of* a book on liberation theology-McCoy explained why the classic accusation that Christianity was not concerned with this world was in fact a false one. McCoy in fact held that the Marxist understanding of this concern with the world was not so dissimilar from the Christian view revealed in the classical writers. Indeed, Christianity may be the origin of the Marxist concern on this same point.

Mr. Petulla [Joseph Petulla, *Christian Political Thi!'ology: A Marxian Guide* (Maryknoll: Orbis, 1972)] seems to feel that religious values of themselves are inadequate to furnish significant interpretation of man's :role in "the construction of the world." The great early theologians are accused of failing " to include provisions for social change in the temporal order" (p. 10). One wonders what

[60] *Intelligibility,* pp. 270-71.

[61] Eric Voegelin, *Science, Po/fries, mid Gnosticism* (Chicago: Gateway, 1968)' p. 57.

[62] *Intelligibility,* p. 267,

Mr. Petulla would make of the text of St. Thomas which reads: "The world was made to be man's dwelling. Therefore it should benefit man. . . . Man has some likeness to the universe; wherefore he is called a little world. Hence man loves the whole world naturally, and consequently desires its good. Therefore, that man's desire be satisfied the universe must needs ... be made better." The renewal of the world after the Last Judgment is made to serve as an inspiration to man to change the world now: St. Thomas insists that politics is concerned not only with " government " of the *status quo* but with creating a perfect society by continually renewing its structures (Chapter XIII, *On the Rule of Princes).* St. Augustine, to whom Mr. Petulla imputes the view that " the history of the earthly city will never improve," called upon men to care for and to distribute earthly goods in imitation of " that most just Disposer of all the adjuncts of temporal peace-the visible light, the breathable air, the potable water, and all the other necessaries of meat, drink, and clothing." [68]

This theme was a familiar one in McCoy's general treatment of St. Augustine. [64]

What McCoy was concerned about in both of these comments on liberation theology was the phenomenon of Christians, not knowing their own tradition in its philosophic depths, in their enthusiasm coming to embrace positions in modernity that substituted implicitly for Christianity itself in their attempt to do what Christianity not only claimed to do but was able to do better in a more complete philosophic understanding and in humane civil practice.

XI

One of the unique theses found in McCoy's papers was his discussion of what he called the " counter-culture " of the late 1960s and early 70s.[65] The Counter-Culture, as McCoy read it, was a reaction to modernity itself and to the intellectual positions that had progressed from the post-Aristotelians, to Marsilius, to

[63] Charles N. R. McCoy, Review in *The Thomist* 27 (July, 1973), 625.

[64] Charles N. R. McCoy, "St. Augustine," *History of Political Philosophy,* Edited by Leo Strauss and Joseph Cropsey (Chicago: Rand McNally, 1963), pp. 151-59

[65] *[ntelligibility,* Chapters 11 and 12.

Machiavelli, Hobbes, Locke, Hume, Rousseau, Kant, Hegel, Marx, and finally Heidegger. This body of modern ideas included both scientific and political theory as part of the same cultural understanding which sought to separate man from nature and replace any order in being with man's own will as the cause of *what is.* Marx's ambition of seeing man everywhere, of seeing that what existed was caused by man's labor, that everyone belonged to everyone because all that existed was a product of man's work, was everywhere dominant in varying forms, not all of which were specifically Marxist.

The Counter-Culture's " sense of life," as McCoy saw it, was an intelligible, even expected, reaction to this direction of modernity precisely, if perhaps blindly, back in the direction of Aristotle. That is, far from there being no mysterious intelligible being in nature, there was in fact some sort of order. Things did not in fact (the practical Aristotle observed) just happen in any old manner. McCoy recalled Aristotle's notion that natural beings had a regularity, an apparent intelligence which was present but was not conscious to itself. Following some brilliant observations of Charles deKoninck about the regathering of matter into intelligence in plant, animal, and human life, with the reordering of all nature to man, McCoy was able to point out that the Counter-Culture was onto some truth that was neglected in modern philosophy.

McCoy did not want to eradicate the order of nature's species to each other. This order revealed an inter-relationship in an ascending order which was the firm root of Aristotle and of the Judaeo-Christian revelation. This elimination of any understanding of the interconnection of things in nature had been effected in modern philosophy but was at least beginning to be rejected by the Counter-Culture in so far as it was not merely a return to the earlier Enlightenment, but a realization that nature displays its own intelligence even though it is not its own cause. The recovery of the full explanation of nature's order does not lie within itself and necessitates a return to metaphysics and revelation. The Counter-Culture did not go in this direction, of course, but

McCoy's analysis of it demonstrated that there were genuine lines of philosophic import that could well have led to a return to more classical traditions.

XII

McCoy's understanding of Burke and conservatism was likewise revealing. Like Strauss, McCoy held that both conservatism and liberalism were two sides of the same coin. They represented the consequences of an understanding of nature cut off from any transcendent ordering principle. McCoy's problem with Burke had to do with Burke's rejection of metaphysical rights for what were real historical rights. Both Aristotle and St. Thomas, of course, understood that all law had to be seen in its circumstances to be fully understood without at the same time allowing the circumstance to obscure the central principle of what was at stake in the law.

The philosophical presuppositions of Burke, in McCoy's view, were precisely those of a nature i'.self cut off from any higher ordering power. This autonomous nature of custom in particular meant that the criterion of what was the right way to act was the long tradition. "Moral truth finds its measure in conformity of the reason with what *is,* and not in conformity of the desires with what is known to be truly good." [66] This conclusion meant that Burke could, because of long custom, approve customs and morals which were in fact wrong by philosophic or revelational analysis. This position was the root of McCoy's problem with Burke.

The fact that the customs of western peoples included practices from revelation prevented them from quickly deviating from the criterion of the right, but no principle in theory prevented this dangerous direction. The modern liberal, of course, generally formed the criterion of his action by reacting against these same customs which were mere repetitious actions with no intrinsic intelligibility [67]

[66] *Structure,* p. 246.
[67] *Structure,* pp. 250-59.

> Finding the principle or reason of the political art in some natural power of " a permanent body composed of transitory parts," Burke placed the ends of human life out of man's self as human. Practical truth for Burke is measured, as indeed it was for Hume and Smith, by conformity with what is-society's standards- not by conformity with what is known to be the true human good. The result was to leave political matters free from the scrutiny of human reason as ordering and directing to an end known to be good and realized through good acts, habits, laws, institutions; and to turn them over to " a power out of themselves." [68]

McCoy did not identify the kind of abstract reasoning that Burke objected to in the Revolution and the Enlightenment with the kind of reasoning in Aristotle and St. Thomas.

Whether Burke needs to be interpreted so harshly is a matter of some debate. Efforts to defend Burke consist in identifying his understanding of nature with that of Aristotle and St. Thomas. However, the essential danger of a relativist conservatism is not at all an imaginary one. McCoy did not reject the importance of custom or tradition but realized that it was necessary for custom itself to be subject to some principle of intelligibility. The " what *is* " of the ethical and political order of beings with the liberty of contrariety in their very metaphysical make-up will naturally include much deformity and disorder. Indeed, it was this disorder that necessitated St. Thomas' s principle of law that it ought not to prohibit all vices or demand all virtues (I-II, 92, 1; 96, 2). The highest ethical life of man was in this sense beyond normal politics and ought to remain so. The principle of toleration, however, did not mean that these less than good actions should be approved in the speculative order. It was this approval that McCoy saw in Burke.

XIII

Charles N. R. McCoy took up the question of natural right and natural law in various contexts. The lines of political philosophy, he insisted, needed to be kept clear and the issues in-

es *Structure,* p. 249.

tellectually defined. To say the least, he disliked fuzziness. He once began a review of a book unfortunately called *American Democracy and Natural Law* with this sentence: "It is difficult to review a book which is utterly wanting in an understanding of the subject with which it purports to deal." [69] Here is how he saw the problem of treating natural law carelessly. It is a passage that reveals some glimpse of the personality that was Charles N. R. McCoy:

> Miss Le Boutillier describes two interpretations of natural law which have come down through history. One of these she takes to be the "traditional" one, and she ascribes it to Plato (not to Aristotle), Cicero, St. Thomas Aquinas, the neo-Kantians, and Jacques Maritain; she calls this one a "metaphysical wonder," a "congery of assumed absolutes." The other interpretation of natural law takes the "natural law" to be a "human construct," won through a long struggle for freedom, "pragmatically designed in the interest of utility." The first interpretation, she says, is like a fog; and it certainly is. The second, she says, is like a fresh breeze, nay more, "a rushing and mighty wind." And it is; it is like a great deal of wind. Through this wind and fog we see David Hume and Oliver Wendell Holmes bringing "to sharpest focus" the natural law doctrine of Aristotle. To see this one's vision *must* be blurred by fog and wind. [70]

Such an understanding of natural law, McCoy felt, was really hopeless. He was clearly exasperated at the lack of philosophical sophistication it revealed.

McCoy himself, however, recognized in natural law, *jus gentium,* and positive law a consistent understanding of political things and which things are due to reason, which to common understanding, and which to freedom. It is of some importance to understand what McCoy meant by natural law, though his understanding is that of St. Thomas.

> For just as human law, as a rule and measure of acts whereby man is induced to act or is restrained from acting, takes its principle from

[69] Charles N. R. McCoy, Review of Cornelia Greer Le Boutillier, *American Democracy and Natural Law* (New York: Columbia University Press, 1950), in *Catholic Historical Review* 37 (July, 1951), 202.

[70] *Ibid.*

human reason which is the rule and measure of human acts, so the rule and measure of all the acts and movements that are to be found in each single created thing has its principle in the Divine reason by which all created things are ruled and measured. Hence this law, which is the exemplar of divine wisdom as directing all actions and movements, is called the " eternal law "; and this same law, as found in the things that are ruled and measured by it, is called the " natural law." [71]

Clearly, this " natural " law does not exist in things by virtue of their own fashioning. This situation also holds for the rational being, who can, nevertheless, understand that there is a reason for the order of his own being and his being intelligent. To act in accordance with natural law, in this sense, is thus merely to do what is reasonable, while recognizing that reason itself is given, not made by the rational animal.

McCoy understood the breakdown of natural law theory into modern autonomous rights theory to be caused initially by the removal of the First Cause as the origin of the being of things. This elimination left the order of nature with no real grounding for its being what it is.

In the dassical and medieval understanding of natural law, law as an *ordinatio rationis ad 'bonum commune* (an ordination of reason to the common good) was taken to be an inclination toward the good conceived as consisting essentially in (a) the efficient and material principles presupposed to some form, (b) the form by which a thing is what it is, and (c) an inclination to action in accordance with the form. Now this whole teleology, resting, as it did, on the concept of law as *ordinatio rationis,* was essentially dependent on the Prime Intellect. Law being something that pertains to the reason and not to nature (unless it be a rational nature) there can be no natural law for nonrational beings except by way of similitude. If then law, as an inclination toward the good, consisted in efficient and material principles for the sake of some form, and form for the sake of action, the elimination of the Prime Intellect upon which the order of things depends leaves the " substitute intelligence" of nature and removes the element of *order to an end as such* from the law of nature. [72]

11 *Intelligibility,* p. 22.
12 *Intelligibility,* p. *76.*

Thus, it is in this reasoning of McCoy that he discovered the lines of intelligibility that followed in modern political philosophy once the Prime Intellect was removed from both nature and human nature. Reasoning about order will end in simple autonomy, in being not goodness, so that the difference between classic natural law and modern natural right, in its deepest sense, is found here in the inability to see that the order of nature itself has an origin and is related to the human intellect as what it has received, not what it has made.

XIV

The political philosophy of Charles N. R. McCoy, in conclusion, is unique and of central importance for three reasons : 1) In it, the whole of reality, reason, nature, and revelation are found in their articulated and consistent relationships. 2) The major positions taken in political philosophy are interrelated, so that the function of the political philosopher is initially to trace out and understand the controverted issue and its relation to a broader philosophical whole. 3) The classical philosophy of Aristotle is the key in understanding the reasons why political philosophy in particular has theoretic consistency.

There is, of course, no necessary relation between the truth of a philosophic discourse and its popularity or fame. McCoy's work stands by itself. What is to be claimed for it, above all, is that it is relevant both to political philosophy and to revelation, both of which have found persistent problems in their self-understanding because of positions taken, in fact, in political philosophy. McCoy has the advantage of having attended to many of these problems as they were working themselves out in the public forum. Moreover, it is important to realize that the small error in the beginning leading to large errors in the end (the principle of both Aristotle and St. Thomas) is the justification of the analysis of a thinker like McCoy, who was attentive to those oftentimes abstruse sounding arguments in ancient texts or in the fine points of logic or metaphysics.

However much we might be appalled by the consequence of Marx or Hobbes or Machiavelli, the fact remains that these thinkers were wrestling with issues that can be traced to arguments in the classics, particularly in Aristotle. Moreover, McCoy found that the elaboration or correction by St. Thomas of this or that point in Aristotle itself proved central to understanding a later turn in political philosophy. Academic work, at its best, is never easy. Yet it is often astonishingly fascinating when it discovers the consistencies and reasons for the enormous philosophical or political mistakes of great thinkers. In examining the work of Charles N. R. McCoy this sense of consistent astonishment and fascination will appear again and again to the diligent reader who takes his guidance through political philosophy seriously. McCoy recovers what was lost and shows why it was lost. In this sense, he is also a thinker who can reorient political philosophy into paths that it deviated from at its own peril. And finally, if it is true that theology itself cannot be fully itself without a true philosophy, the overly politicized theologies of recent decades will find their natural critique in the analyses and structure of the political thought of Charles N. R. McCoy. McCoy points these theologies back to that system of limits yet openness to being that characterized the great thinkers at their best.

McCoy did realize that the history of political philosophy was an intellectual endeavor to understand the dangers of not properly relating ethics to politics. That this failure had consequences of the greatest import may be surprising, but in his detailed treatment McCoy demonstrated how efforts to establish an alternative relationship to the one forged by Aristotle and elaborated by St. Thomas led to a substitute metaphysics which too many have thought must be realized by political power. The purpose of McCoy's work was to indicate how St. Thomas's political philosophy within the context of his whole work could secure the foundations of "humane living".

" Transcendent man in the limited city " means that man is not limited to the city. His very life in the city leads him by necessity to an articulation of being that is open to what is beyond the city.

Man is left free and open to respond to the meaning of a life that, while being more than politics, is nonetheless attuned to a common life and a common good. To do politics it is not ultimately enough to do only politics. On the other hand, politics has its proper dignity and worthiness. However, it can easily be corrupted by philosophers who do not themselves understand the limits of this world. Aristotle was right: the greatest dangers to any polity, as to revelation itself, themselves arise from philosophy.

AN ANALYSIS OF THE USE OF RIGHTS LANGUAGE IN PRE-MODERN CATHOLIC SOCIAL THOUGHT

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CONTEMPORARY CATHOLIC social thought, both in official documents and in commentaries, has focused quite extensively on describing the use, meaning and justification of human rights. Indeed, as one significant contributor has suggested, human rights have become, since the Second Vatican Council, the "central norms of social morality." [1] In all of this concern for the place of rights within Catholic thought, however, very little work has been done to explore the pre-modern roots of this moral category. This essay attempts to address this issue. The essay has three parts. The first section considers characteristics of rights language within the thought of Thomas Aquinas. The second section looks at the use of rights within the intriguing controversy of the late thirteenth century surrounding apostolic poverty. Finally, developments in Catholic rights language found in the work of the Renaissance figures Vitoria and Suarez are studied. The essay narrates the development in the use of rights within the tradition while suggesting certain threads of consistency.

Thomistic Characteristics of the Use, Meaning and Justification of Rights Language

In the social philosophy of Thomas Aquinas (1225-74), the concept "*ius,*" or "right," has an important and nuanced role.

[1] David Hollenbach, "Both Bread and Freedom: The Interconnection of Economic and Political Rights in Recent Catholic Thought," in *Human Rights and the Global Mission of the Church,* ed. Arthur J. Dyck (Boston: Boston Theological Institute, 1985), 31.

Generally, *ius* suggests an objective reality, as when it is used in the concept of *ius naturale,* yet Thomas often uses the word interchangeably with *"lex",* or "law", a word fundamentally referring to the rational expression of such an objective reality.[2] Most significantly from a modern perspective, Thomas also describes this objective reality of *ius* within the context of personal relations. Specific persons have specific rights in accord with their position within society. This section will examine the meaning of the term *ius* in Thomas. It will be shown that Thomas used *ius* primarily in an objective sense, that is, in terms of "that which is right," or " that which is fitting." It will also be suggested that Thomas used *ius* in *something* of a subjective sense as referring to personal moral claims. This latter use was, however, dependent on a prior understanding of "that which is right."

"Right," says Thomas, "is the object of justice." [3] Operating from the principle that if one knows the end or the object of a thing one can know the reality of that thing, Thomas introduces his treatise on justice [4] with a consideration of the reality toward which justice tends-the right. As with the other cardinal virtues, justice seeks to actualize the right or the fitting as it orders a person in relation to some object. The distinguishing characteristic of justice is that the object under consideration is another person. He writes, " Accordingly that which is right in the works of the other virtues, and to which the intention of the virtue tends as to its proper object, depends on its relation to the agent only, whereas the right in a work of justice, besides its relation to the agent, is set up by its relation to others." [5]

Thomas describes justice as a habit flowing from a rightly ordered self which in turn rightly orders one's relations with others. That is, the just person, through "a constant and per-

[2] Thomas Aquinas, *Summa Theologica,* 2a, 2ae, q. 57, art. 1, trans. Fathers of the English Dominican Province, 3 vols. (New York: Benzinger Brothers, 1947). See also Thomas Gilby, *The Political Thought of Thomas Aquinas* (Chicago: The University of Chicago Press, Midway Reprints, 1973), 121.

[3] Aquinas, *Summa Theologica,* 2a, 2ae, q. 57, art. 1.

[4] Ibid., 2a, 2ae, q. 57-122.

[5] Ibid., 2a, 2ae, q. 57, art. 1.

petual will," [6] gives to another that which is due in accord with "some kind of equality" [7] "adjusted to or commensurate with ... [the other] person." [8] Even as Thomas states, "the act of justice in relation to its proper matter and object is indicated in the words, 'Render to each one his right,' " [9] he is speaking of right in an objective sense. The right is the fair, equitable, proper, fitting, and just; [10] and as such it is normative. All relations (including one's "relations" with oneself) are to be rightly ordered so as to reflect that which is right.

Thomas also speaks of *ius* in terms of specific things that are *due* to particular persons. He uses *ius* to describe moral claims, powers and privileges to which a person is legitimately entitled. P. H. Hering cites fourteen such instances.[11] For example, Thomas speaks of the right of ministers to receive tithes,[12] the right of the man in Matthew 13:44 who found a hidden treasure in a field to possess the whole treasure after he bought the field,[13] the right of a baptized person to "approach the Lord's Table," [14] and the right an adopted child has of "succeeding to the adopter's goods." [15] Some specific claims, however, are illegitimate. Thomas states, for example, that a slave "has no right to rebel" [16] against a master, and a "wife has no right to ask" her husband to pay the debt of marriage if he is "rendered incapable of pay-

6 Ibid., 2a, 2ae, q. 58, art. 1.

7 Ibid., 2a, 2ae, q. 57, art. 1.

8 Ibid., 2a, 2ae, q. 57, art. 3.

9 Ibid., 2a, 2ae, q. 58, art. 1.

10 See Elmer Gelinas, "Ius and Lex in Thomas Aquinas," *The American Journal of Jurisprudence* 15 (1970): 154-170.

11 P. H. Hering, "De iure subiective sumpto apud Sanctum Thomam," *Angelicum* 16 (April 1939): 296-298. Hering claims that Thomas's use of such terms as *"licitum est, potestas, facultas, posse"* suggests Thomas did grasp the meaning of subjective right even beyond his explicit use of *ius.*

12 Aquinas, *Summa Theologica,* 2a, 2ae, q. 87, art. 3.

13 Ibid., 2a, 2ae, q. 66, art. 5. See also 2a, 2ae, q. 62, art. 1 for right of dominion.

14 Ibid., 3a, q. 67, art. 2.

15 Ibid., Suppl. q. 57, art. 1.

16 Ibid., 1a, 2ae, q. 58, art. 2.

ing the debt ... through having already paid the debt."[17] These examples suggest that certain persons can (or cannot) make certain claims on others; that is, certain persons have (or do not have) specific rights in relation to other persons.

There is a creative tension in Thomas's thought between objective and personal uses of *ius*. An important example of this, which bears heavily on modern Catholic social thought, is Thomas's discussion of private ownership. After arguing that persons, on account of human reason and will, have "a natural dominion over external things,"[18] Thomas states that it is fitting both for persons to own property-"this is necessary for human life"[19]-and for persons to possess things in common so one "is ready to communicate them to others in their need."[20] The former statement is justified by Thomas on what might be called reasons of social economy, for when persons own property "a more peaceful state is ensured," "human affairs are conducted in a more orderly fashion," and the community is better off because persons "are more responsible for goods when they possess them."[21] Private ownership was understood to be the result of human agreement or human authority negotiating the order of goods over which persons by their very nature have dominion.[22] Quoting Aquinas,

> ... if a particular piece of land be considered absolutely, it contains no reason why it should belong to one man more than to another, but if it be considered in respect of its adaptability to cultivation, and the unmolested use of the land, it has a certain commensuration to be the property of one and not of another man.[23]

[17] Ibid., Suppl. q. 64, art. 1.

[18] Ibid., 2a, 2ae, q. 66, art. 1.

[19] Ibid., 2a, 2ae, q. 66, art. 2.

[20] Ibid. See also la, 2ae, q. 95, art. 5 for "common possession of all things."

[21] Ibid.

[22] Gilby comments in *The Political Thought of Thomas Aquinas,* 155, "Some kind of right to property [for Thomas] resided in the individual not granted by the organized group . . . Its extent, here more here less, was to be settled by social authority."

[23] Aquinas, *Summa Theologica,* 2a, 2ae, q. 57, art. 3.

Thomas justifies private ownership of property by appealing to the nature of the person in relation to creation, to "prudential" reasons (modern sense of the term) of social economy and, more specifically, to the authority of human reason. These justifications hold so much weight that "the theft of a small thing such as a needle or a quill" may be a mortal sin.[24] Thus, it is right (read: fitting or proper) that people privately own things, and subsequently there are conditions warranting personal rights (read: moral claims) to own specific things.

The other fitting relation between persons and property is that possessions ought to be held in common so persons can care for the poor. People own temporal goods and are to use such goods to satisfy personal needs, to provide for the needs of those in their charge and to practice stewardship.[25] Though Thomas cites Basil and Ambrose, he might well have called on a litany of Patristic writers to proclaim the significance of this obligation.[26] The obligation to care for the poor is not a counsel for Thomas, nor is it an option; it is law.[27] The use of one's private possessions is conditional; we must use our goods to help those in need.

The conditional nature of the right to private property is illustrated by Thomas through the following examples. A judge can order that one's property be confiscated.[28] Princes can "exact from their subjects that which is due to them for the safe-guarding of the common good."[29] Victors of a just war may claim the spoils.[30] Finally, and perhaps most interesting, it is lawful for a person "in immediate danger . . . to succor his own need by means of another's property."[31] Rectifying injustice, the common good, and the extreme need of another are all instances

24 Ibid., 2a, 2ae, q. 66, art. 6.

25 Ibid., 2a, 2ae, q. 32, art. 5.

26 See Peter C. Phan, *Message of the Fathers of the Church: Social Thought* (Wilmington, DE: Michael Glazier, Inc., 1984), especially 28-29, 35-41.

27 Aquinas, *Summa Theologica,* 2a, 2ae, q. 32, art. 5.

28 Ibid., 2a, 2ae, q. 66, art. 5.

29 Ibid., 2a, 2ae, q. 66, art. 8.

30 Ibid.

31 Ibid., 2a, 2ae, q. 66, art. 7.

which negate an individual's right of dominion and justify the transferal of that right (and the property) to another. The owner of property can make valid claims and has valid interests to protect against others, but others likewise can make valid claims against the owner.

Legitimate personal claims are located for Thomas within objective social positions. The ultimate justification for these claims rests on the authority of God as evident in the natural ordering of human existence, that is, on Thomas's natural law theology. Though these claims, says Thomas (using *lex* and *ius* interchangeably here), "are of human right,"[32] that is, they are of human law, the justification for such claims does not rest on the particular law of a society any more than it rests on the autonomous authority of the particular individual. The claims cited above are legitimated for Thomas by the fact that they are made by members of society in reference to their position in society. Thus clergy "have a right to the expenses of their ministry,"[33] and those who rightly own property have a "right of dominion" over their possessions.[34]

The claims persons, including the prince, can make are limited by the objective elements of justice. As Frederick Copleston states:

> The right of any creature to direct another, whether it be the right of the father of the family over the members of the family or of the sovereign over his subjects, is founded on reason and must be exercised according to reason: as all power and authority is derived from God and is given for a special purpose, no rational creature is entitled to exercise unlimited, capricious or arbitrary authority over another rational creature.[35]

For Thomas, personal rights could not be understood apart from the objective right. Such claims presupposed an interpretation of

[32] Ibid.

[33] Ibid., 2a, 2ae, q. 87, art. 3.

[34] Ibid., 2a, 2ae, q. 62, art. 1.

[35] Frederick Copleston, *A History of Philosophy,* volume 2, *Mediaeval Philosophy: Augustine to Scotus* (Westminster, MD: The Newman Press, 1962), 42L

" that which is right." Thus the list of rights Hering cites is relative to specific contexts. They are claims describing what is appropriately due to specific persons in specific relationships.

The use of rights language that characterized medieval feudalism (found in various manifestations from the ninth through thirteenth centuries), is, on a formal level, similar to Thomas's use of rights. Feudal rights, grounded on contracted relations between lords and vassals, were publicly recognized claims ordering specific areas of social relations. Charles McIlwain, commenting on feudal societies, says, " Theoretically there was never a period when rights were more insisted upon." [36] Feudal ideology revolved around the concept of the "fief," that is, an object or a claim which by definition moved from person to person and yet bound persons in specific relations. " Everything of value was brought under the conception of the fief, one's land, one's personal status, one's office." [87] The lord and prospective vassal would enter into an agreement concerning a fief wherein the lord maintained a claim on the fief while granting the vassal a conditional interest hinging on the fulfillment of stipulated obligations. Though feudalism has been characterized as a social system based on a strong sense of loyalty among vassals to a lord, it is perhaps better understood as a social system founded on contracted relations. The fief contract dictated a relationship between a lord and a vassal governed by mutually recognized rights and duties that were protected through a court system to which both parties had recourse.[88]

A contemporary critique of the use, meaning and justification of rights in medieval theory and practice would suggest two significant qualitative limitations. First, neither the rights of which

[86] Charles H. Mc!lwain, *The Growth of Political Thought in the West: From the Greeks to the End of the Middle Ages* (New York: The Macmillan Company, 1932), 182.

[87] Ibid., 181.

[38] Ibid., 180-182, 190. See also, R. W. Carlyle and A. J. Carlyle, *A History of Mediaeval Political Theory in the West,* volume 3, *Political Theory From the Tenth Century to the Thirteenth* (New York: Barnes and Noble, Inc., 1928)' 19-74, 179-185.

Thomas speaks nor the rights recognized in feudal society are "human rights." Such rights do not fit Alan Gewirth's description of human rights as " rights all persons equally have, simply because they are human." [39] Second, in both cases, rights are paradigmatically presented as claims which guarantee some *benefit* for the claimant, rather than in terms of *liberties* possessed by persons. The remainder of this section will address these two issues.

(1) Justice Deals Unequally With Unequal Persons

The personal right claims Thomas recognizes are for him " natural " rights and thus " moral " rights in that they are grounded on the universally knowable and binding natural law as evident in the ordering of society. Contemporary discussions of rights language also use the terms " moral " and " natural " as well as a third, " human," to describe rights. Precise differentiation between the three terms is difficult, as many commentators tend to use all of them, or at least two of them, interchangeably. "Human rights," as Gewirth argues above, refers to legitimate claims persons have on account of some understanding of what it means to be human. For example, human rights are warranted on such grounds as human reason, human dignity and human agency. The concept " natural rights " originated in theorizing about the claims persons could make in the "state of nature" by "law of nature." John Locke, the paradigmatic voice of the liberal rights theories, understood rights to be "natural" in this sense.[40] Ronald Dworkin, a contemporary liberal rights theorist, rejects the Lockean notion that " natural rights are supposed to be spectral attributes worn by primitive men like amulets." Dworkin's

[39] Alan Gewirth, *Human Rights: Essays on Justification and Applications* (Chicago: The University of Chicago Press, 1982), 1.

[40] See John Locke, "The Second Treatise of Civil Government: An Essay Concerning the True Origin, Extent, and End of Civil Government," in *Two Treatises of Government,* introduction and notes by Peter Lasslet (New York: New American Library, 1965). Locke's meaning of natural rights is illustrated by his other descriptions of rights. For example, he refers to : " native right," 442; "natural common right," 341; "original right," 397; and "natural right," 307.

understanding of "natural" denotes that such rights "are not the product of any legislation, or convention, or hypothetical contract."[41] Modern Catholic social thought uses "human rights" and "natural rights" as synonyms in that the former are said to rest on something "natural" in the person. This distinction between natural rights and other rights can be used across the board to distinguish human rights, natural rights, and moral rights from positive or legal rights. As Joel Feinberg states,

> A man has a legal right when the official rncognition of his claim (as valid) is called for by the governing rules. This definition, of course, hardly applies to moral rights, but that is not because the genus of which moral rights are a species is something other than claims. A man has a moral right when he has a claim, the recognition of which is called for-not (necessarily) by legal rules-but by moral principles, or the principles of an enlightened conscience.[42]

Human rights and natural rights are, therefore, "moral" rights because the justification of such rights is grounded on a conception of the moral, that is, a moral principle or an objective morality. Moral rights are normative claims which are to order some areas of human relations. Positive rights, or rights granted by society, are to reflect and to guarantee moral rights. A final point can be made here. A "positivist" is one who, while recognizing the validity of rights granted by society, denies the existence of human, natural or moral rights. As Jeremy Bentham so descriptively claimed, positivists hold that such rights are nothing but "nonsense on stilts."[43]

Thomas's personal rights are not moral in Gewirth's sense, nor are they natural in Locke's sense. Thomas does not begin with a Lockean conception of the "state of nature" nor does he have a theory of human rights as understood by moderns. The reason for this is Thomas's world view lacked a notion of universal

[41] Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1978), 176.

[42] Joel Feinberg, *Social Philosophy* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1973), *67.*

[43] Quoted in Dworkin, *Taking Rights Seriously,* 184.

egalitarianism. He thus could not agree with Gewirth's description of human rights as "rights all persons equally have, simply because they are human." Different people, defined especially in terms of their place/position/role in society, have different claims.

Thomas's discussion of justice illustrates this. Justice, writes Thomas, "is distinguished according to various offices, hence . . . we speak of 'military,' or 'magisterial,' or 'priestly' right . . . for the reason that something proper is due to each class of persons in respect of his particular office."[44] Thus the land owner, parent, slave owner, spouse, judge, prince, priest, even the poor have a "place" in society and specific claims therein.[45] Justice then deals "unequally with unequal" persons.[46]

(2) The Primacy of Duty

For Thomas, the objective right necessarily and substantially directs right claims in ways foreign to modern political thought. This is because for Thomas the imperatives entailed in "that which is right" are primarily described in terms of duties rather than rights. Thomas is more concerned with what persons ought to do than with what persons can claim. The moral life is then the life of obligation, to God, to others and to oneself.[47]

Thomas's use of rights language as referring to personal moral claims is secondary to his concern for describing conditions of moral obligation. His use of personal rights is then "passive" in that the fulfillment of these claims is dependent on the actions of others. Passive rights, according to Richard Tuck, are rights "to be given or allowed something by someone else" rather than

[44] Aquinas, *Summa Theologica,* Za, Zae, q. *57,* art. 4.

[45] It is noted that the Magna Carta, signed by King James of England in 1215, guaranteed the rights of English barons against the crown.

[46] Gilby, *The Political Thought of Thomas Aquinas,* 222.

[47] Thomas's discussion of law is focused on obligations. For example, he describes a law as being just in terms of its relation to the common good, not in terms of protecting individuals' rights. See *Summa Theologica,* 2a, 2ae, q. 90, art. 3, 4, and q. 96, art. 4. In his discussion of the Old Law, 2a, 2ae, q. 100, art. 5, Thomas states that we have obligations of "fidelity, reverence, and service" to God, and we are obligated not to harm our neighbor in "thought, word, or deed."

rights "to do something oneself."[48] They are rights to specific benefits rather than rights to act.[49] The latter conception of rights, or "active rights," is not dependent for its fulfillment on the duty of others so much as it is on the agent's ability to act and to choose, that is, on the agent's liberty. Active rights attribute to persons "a kind of 'sovereignty' over their moral world."[50] The Thomistic primacy of duty, along with the lack of a principle of universal egalitarianism, categorically separates Thomas's understanding of rights from modern human rights theories.

These two characteristics are not unrelated. Rights based on social position are "rights *in personam*" in that they are related to the positive duties of specified persons. Such duties necessarily benefit the claimant. This conception of rights contrasts "rights *in rem,*" that is, rights related to the general duties of all persons to refrain from harming others.[51] Rights of liberty that so characterize modern rights theories are rights *in rem.*

In the contemporary use of the term, then, it is a misnomer to speak of a "rights theory" in Thomas Aquinas. For as Tuck suggests, if rights are understood in terms of the positive duties of others, "the language of rights is irrelevant, and to talk of 'human rights' is simply to raise the question of what kinds of duty we are under to other human beings, rather than to provide

48 Tuck, *Natural Rights Theories,* 6.

49 The possible benefits to be claimed by passive rights are many. John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980), 204, for example writes, "there is the advantage of being the recipient of other persons' acts or service or forbearances; the advantage of being legally or morally free to act; the advantage of being able to change one's own or others' legal position, and of being immune from such change (when of a form characteristically disadvantageous to anyone subject to the change) at the hands of others; the advantage of being able to secure any or all of the foregoing advantages by action at law, or at least compensation for wrongful denial of any of them."

50 Tuck, *Natural Rights Theories,* 6.

51 See P. J. Fitzgerald, *Salmond on Jurisprudence* (London: Sweet and Waxwell, 1966), especially 217, and 234-235. See also Feinberg, *Social Philosophy,* 59-60.

us with any independent moral insights."[52] To conclude, Thomas's use of personal rights can be described as characteristically passive and set within specific social arrangements.

With broad but distinct strokes, the next section will consider the use of rights language within the Catholic tradition from the medieval period after Thomas through the Renaissance. Though the figures of this period are never cited in contemporary Catholic discussions of rights (many of the narratives refer simply to a "Thomistic Legacy" preceding *Rerum novarum),* it will be shown that lively and significant debates touching on such critical issues as private property, personal liberty and "human" rights occurred within the Catholic tradition after Thomas and before the papacy of Leo XIII.

The Apostolic Poverty Controversy

It is Tuck's thesis that the beginnings of the first true natural rights theory, that is, a theory of active rights justified on claims an individual can make in the state of nature, can be found in the intense ecclesiastical debate concerning apostolic poverty.[53] This intriguing debate,[54] which began in the late thirteenth century and lasted into the middle of the fourteenth century, engaged three prominent groups (not to mention the Holy Roman Emperor and an anti-pope) who sought to define normatively how religious persons ought to live "apostolically" (that is, as the apostles of Jesus lived) in the world. The three groups were: 1) the Franciscans, under the leadership of Bonaventure, Duns Scotus, and William of Ockham; 2) the Dominicans, particularly Meister

[52] Tuck, *Natural Rights Theories,* 1.

[53] Brian Tierney, "Religion and Rights : A Medieval Perspective," *Journal of Law and Religion* 5 (1987) : 166, challenges this position as he argues that the figures of this debate relied on "the matrix of the twelfth century juridicial humanism."

[64] For a more thorough discussion see Gordon Leff, *Heresy in the Later Middle Ages: The Relation of Heterodoxy to Dissent c. 1250-1450,* 2 vols. (Manchester: Manchester University Press, 1967), 1: 51-255; and Frederick Copleston, *A History of Philosophy,* volume 3, *Ockham to Suarez* (Westrninister, MD: The Newman Press, 1953), 111-116.

Eckhart, who relied on the work of Thomas Aquinas; and, 3) the papacy, particularly Pope Nicholas III and Pope John XXIL Nicholas, a former protector of the Franciscan order, issued the bull *E:i:iit* in 1279 justifying the Franciscan ideal of apostolic poverty. The pope declared that consumption of a commodity, as distinct from trading or possessing a commodity, "did not count as the exercise of a property right." "[5] The Franciscans thus had an ecclesiastical warrant for their interpretation of what the apostolic life demanded. Though the order used and held temporal goods, it did so without "possessing" them. In 1329, Pope John XXII, the pope who canonized Thomas Aquinas, issued the bull *Quia vit reprobus* censuring the doctrine of apostolic poverty as heretical. Gorden Leff narrates :

> John finally struck at the root of Franciscan poverty by refusing to separate use in fact from the right of use ; consumption also meant dominion; the usufruct of anything consumed went with the right to consume it: ownership must be with him who exercised the right. What in effect John had done was to reject the non-legal, purely natural status of simple *usus facti,* and with it the distinction between use by necessity and use by right: use of anything, whatever the purpose, carried the right to exercise it.[56]

Tuck, quoting Silvertro Mazzolini da Prierio, a sixteenth century Dominican theologian, distills the controversy to a debate concerning the relation between the concepts " *dominium,"* or property, and " *ius,"* or right. In contemporary terminology, the debate centered on whether rights are best understood as paradigmatically active or passive. Passive rights, as illustrated above, recognize claims based on one's *dominium,* that is, on one's property. On the other hand, a theory of active rights not only justifies *iura* grounded on *dominium* but characteristically maintains that the very meaning of the term " right " implies *dominium.* As H. L. A. Hart states, " Rights are typically conceived of as *possessed* or *owned by* or *belonging to* individuals, and these expressions reflect the conception of moral rules . . . as forming

[55] Tuck, *Natural Ri:ghts Theories,* 20-21.
[56] Leff, *Heresy in the Later Middle Ages,* 165.

a kind of moral property of individuals to which they are as individuals entitled." [57] To have a right means that a person has *dominium* or sovereignty, in Tuck's words, "over one's relevant moral world." [58] Since passive rights "rely exclusively for their operation on their recognition by other people," [59] to have a right in the passive sense does not necessarily imply having *domin'ium* so much as it implies the existence of a network of moral obligations. Recall Thomas' s discussion of property. Thomas grounds the right to own property on a moral vision of a rightly ordered society. The common good justifies and even limits the control persons have over temporal goods. This same moral vision demands that complementing the right to own property is the reciprocal duty of stewardship. The use, meaning and justification of passive rights are bound within a network of moral obligations. As Thomas's discussion of property illustrates, passive rights must be understood in relation to the duties of others as well as to the duties of the right-holder. Rights understood in a passive sense check the notion of individual sovereignty with a vision of a substantive moral order. In the apostolic poverty controversy, William of Ockham represents this latter position of passive rights and Jean Gerson represents the former position advocating rights in the active sense.

William of Ockham wrote *0 pus nonagino Dierum,* described by Tuck as " virtually the last shot from the Franciscan side in the campaign," [60] to refute Pope John XXII's *Quia vir reprobus.* The fourteenth century Franciscan held that all persons have a natural, God-given right to private property anterior to human convention. This right, as Ockham describes it, is clearly connected to and indeed dependent on the duty of self-preservation. Persons have been given the right to own property sq as to guarantee their survival. Moreover, persons cannot renounce the

[57] H. L. A. Hart, "Are There Any Natural Rights?" in *Rights,* ed. David Lyons (Belmont, CA: Wadsworth Publishing Company, 1979), 19 (his emphasis).

[58] Tuck, *Natural Rights Theories,* 3.

[59] Ibid., 5.

[60] Ibid., *ZS.*

right, nor can it be taken away from them, in that such a renunciation or theft would be a serious threat to their well-being. It might be said that for Ockham the right to own property was in a sense "inalienable." However, says Ockham, the Franciscan vow of poverty was justified in that this specific renunciation of the right to own property, to have *dominium* over "possessions," did not conflict with the fundamental duty of self-preservation on the grounds that the well-being of the friars was not threatened.[61] Though the exception to the inalienable-like principle certainly weakens his argument, it is noted that Ockham's justification for the right to own property is characteristically passive. Again, the right is not expressed as an independent moral claim but as an element of a network of moral claims. In this case, the right is based on the prior duty of self-preservation.

Tuck suggests that the first natural rights theory evolved from the anti-poverty position found in the writing of the early fifteenth century mystic Jean Gerson. Quoting Gerson :

There is a natural *dominium* as a gift from God, by which every creature has a *ius* directly from God to take inferior things into its own use for its own preservation. Each has this *ius* as a result of a fair and irrevocable justice, maintained in its original purity, or a natural integrity. In this way Adam had *dominium* over the fowls of the air and the fish in the sea ... To this *dominium* the *dominium* of liberty can also be assimilated, which is an unrestrained *facultas* given by God.[62]

Note especially Gerson's linking of liberty and *dominium.* Liberty is a *ius,* a *facultas* one has sovereignty over. This is a distinctive move. When liberty is classified as a right, a possession much like property, the focus of rights language shifts. An expansion of the very meaning of rights occurs. Liberty rights are active rights, that is, they are rights *to do* things. Gerson's identification of liberty as a right pushes rights language one step

[61] Ibid., 22-24. See also Philotheus Boehner, "Ockham's Political Ideas," in *Collected Articles on Ockham,* ed. Eligious M. Buytaert (St. Bonaventure, NY: Franciscan Institute Publications, 1958).

[62] Jean Gerson, *De Vita Spirituali Animae,* quoted in Tuck, *Natural Rights Theories,* 27.

out of Thomas's natural law understanding of rights on a formal as well as a material level. Liberty rights move beyond the network of moral norms because rights to do things are not necessarily related to positive duties in others. Wesley Hohfeld describes the concept of a liberty right as a "privilege" denoting not only the absence of a positive duty on behalf of others, but also that others have "no-right" correlative to an agent's liberty right.[63] A second and decisive step out of the natural law vision of rights language, which Gerson approaches, divorces rights language from a substantive moral vision. Again looking to Hohfeld, a liberty right denotes not only an absence of duties and rights of others but an absence of duty on behalf of the claimant as well. Liberty rights, active rights, are paradigmatically subjective in that the ground of such rights is the sovereignty of the individual rather than the moral law.

As a fundamental issue in the apostolic poverty controversy was theological, the understanding of God and God's relation to the world was critical. With the advent of the Renaissance and Reformation, these fundamental presuppositions of medieval theology were shaken. The significance of Gerson's development was lost in the sixteenth century and was not to be restated until into the seventeenth century. By the end of the fifteenth century, however, Gerson's followers

> . . . had converted the claim-rights theory of the twelfth century completely into an active right theory, in which to have any kind of right was to be a *dominus,* to have sovereignty over that bit of one's world-such that even a child had sovereignty over its parents when it came to questions of its welfare.[64]

Just as it is difficult to wrestle with the varied meanings of the word "right" or the expression "to have a right," so it is with liberty. Nonetheless, the use, meaning, and justification of

[63] See Wesley N. Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning* (New Haven, CT: Yale University Press, 1964, reprinted Westport, CT: Greenwood Press, 1978), 35-50. This volume, first published in 1919, is a classic jurisprudential analysis of rights language.

[64] Tuck, *Natural Rights Theories,* 28.

liberty, as well as of property, have a significant place in the history of rights language. In pre-modern Catholic social thought, Gerson's correlation of liberty and *dominium* is perhaps more of an exception than the norm, but it does represent an attempt to resolve what has become a tension in the Catholic tradition, that is, reconciling individual liberty with the objective moral order.

Rights and the Origins of International Law

If the historical significance of Gerson and the use of rights language within the apostolic poverty controversy was in its originality, the significance of the use of rights language in the sixteenth century retrieval of Thomas Aquinas lies in its effect on the development of international law. This next section will consider rights language in the thought of Francisco de Vitoria, the Dominican known as " the founder of modern international law," [65] and Francisco Suarez, the renowned Jesuit philosopher of law.

The travels of Columbus, the discovery of the New World, and the Spanish conquest of "undiscovered " lands, created, in the words of A. T. Serra, "a true spatial revolution which rendered insufficient the medieval concept of Christendom." [66] The commonly held borders of morality were destroyed as the C*onquistadores,* defending their Christian faith and expanding the strength of their Spanish homeland, brutally attacked the Native American "barbarians." The violence associated with the Spanish conquest attracted the attention of many in Spain including Francisco de Vitoria. The prominent Dominican defended the Indians and their rights to property and self-governance on what might be called a " human rights " argument. All persons, argued Vitoria, whether barbarian, heretic or Christian, have a common rational

[65] Felix Alluntis, "Francisco de Vitoria," in *Encyclopedia of Philosophy* (New York: Macmillan Publishing Company Inc. & The Free Press, 1967). See also James B. Scott, *The Catholic Conception of International Law* (Washington, DC: Georgetown University Press, 1934), vii.

[66] Antonio Truyol Serra, *The Principles of Political and International Law in the Wark of Francisco De Vitoria* (Madrid: Ediciones Cultura Hispanica, 1946), 17.

faculty, a universal human characteristic, based on the "
sion of the image of God." [67] This faculty enables humans to have *dominium* over their actions and thus *dominium* over temporal goods. Just as it is wrong for the Spanish to unjustly attack, steal from or enslave non-Catholic Europeans, so too, says Vitoria, it is wrong to bring such harm on the Indians. Quoting Vitoria:

Our proposition is also confirmed by the authority of St. Thomas Aquinas *(Prima Secundae,* qu. 1 art. 1 and 2, and *Contra Gentiles,* bk. 3, c. 110), to the effect that only rational creatures have dominion over their acts, the test of a man's being master of his acts being (as St. Thomas says, *Prima Pars,* qu. 82, art. 1, on obj. 3) that he has the power of choice.[68]

Since the Indians have use of reason, illustrated in their orderly social system-marriage, governing authorities, a system of exchange, "a kind of religion," [69] as well as by the fact that "they make no error in matters which are self-evident to others," [70] they have *dominium* over their actions and thus over temporal goods. Natural reason then dictates that the Indians are entitled to the same treatment as the Europeans.

The " spatial revolution " and its subsequent problems of international travel and conquest widened Vitoria's assumptions about the social order. Indeed his significant contribution to modem thought was his understanding of a global positive law that was to govern and order relations between states much as civil law governed persons within a state. He wrote:

And, indeed, there are many things in this connection which issue from the law of nations, which, because it has sufficient derivation from natural law, is clearly capable of conferring rights and creating obligations. And even if we grant that it is not always derived from natural law, yet there exists clearly enough a consensus of the greater part of the whole world, especially in behalf of the common good of all.[71]

[67] Francisco de Vitoria, *De Indis et lure Belli Refl,ectiones,* ed. Ernest Nys, trans. John P. Bate, *The Classics of International Law,* ed. James Scott (Washington, DC: Carnegie Institution of Washington, 1917), 127.

[68] Ibid., 126.

[69] Ibid., 127.

[70] Ibid.

[71] Ibid., 153.

The *totus orbis,* described by A. T. Serra as "the world as a whole, as a moral unity of peoples politically organized under natural law,"[72] was Vitoria's vision. The *ius gentium,* the law of nations, was to reflect and embody this global common good.

Vitoria expanded the frame of reference in which right claims could be made, but he by no means removed such claims from the objective demands of justice and equality. Vitoria's use of rights, like Thomas's, never leaves the service of that which is right. Rights are warranted, according to Vitoria, by the human *dominium,* or faculty to choose; yet this *dominium* is limited. It is to choose the means to attain the natural end of persons. The telos is given, and persons are to act appropriately. Thus rights are grounded on and limited by the objective moral order. If Vitoria's "human rights" argument recognizes rights as personal powers possessed, it does so to promote and to protect justice and equality beyond traditional national borders.

Gerson's use of active rights can be described as more an exception than the rule in Catholic social thought, while Vitoria's use of rights, at least on a formal level, might be described as characteristically Catholic. Two examples from Vitoria's discussion of the just war illustrate this point. At times, says Vitoria, "the justice of the war is doubtful, that is, when there are apparent and probable reasons on both sides."[73] In a case such as this, both "princes are asserting a right."[74] Though this latter statement suggests the princes are asserting powers they possess, it is more accurate to say the princes are asserting substantive claims of justice. The objective sense of right, here a normative justice claim, directs the understanding of rights. This relation between that which is right and rights guides Vitoria's work.

A second illustration of Vitoria's concern for the objective moral order is found in his discussion of what contemporary

[72] Serra, *The Principles of Political and International Law in the Work of Francisco de Vitoria,* 18.

[73] Vitoria, *De Indis et Iure Belli Reflectiones,* 174.

[74] Ibid., 175.

persons would call the "right to conscientious objection." Vitoria states Christians are bound to evaluate the justice of particular wars. This means Christians must examine whether or not a just cause exists. If there is no just cause (" There is a single and only just cause for commencing a war, namely a wrong received." [75]), the killing of the enemy is unjustified, that is, it is murder. Quoting Vitoria:

> But in the case before us the enemy is innocent. Therefore they may not be killed. Again, a prince sins when he commences a war in such a case ... Therefore soldiers are not excused when they fight in bad faith ... Hence flows the corollary that subjects whose conscience is against the justice of a war may not engage in it whether they be right or wrong. This is clear, for 'whatever is not of faith is sin' *(Romans,* ch. 14). [76]

The "right" (not Vitoria's word) to conscientiously object to participation in a war stems from the *dominium* that is characteristic of human nature. Persons must choose the relevant means to attain that which is right. The agent's decision not to participate in a war is a judgment warranted by the agent's primordial duty to do good and avoid evil. For Vitoria, and indeed for pre-modern Catholic thought in general, the individual power possessed stands in reference to that which is objectively right. Rights language here is paradigmatically passive. It would be incorrect to say that Vitoria advocated " liberty " of conscience. One has the duty to follow one's conscience.

Vitoria's use of rights contrasts with the Gersonian sense of *ius.* The active rights theory of Gerson identified rights with *dominium* over the self. A right from this perspective is understood to be one's property and thus could be traded or exchanged as any other property. According to Gerson, one could even exchange one's liberty to the point of selling oneself into slavery. For Vitoria, rights and liberty were under the *dominium* of the objective moral order. Thus he asserts, " liberty cannot rightfully

[75] Ibid., 170.
[76] Ibid., 173.

be traded for all the gold in the world." [77] Tuck accurately suggests that the contrast between Vitoria and Gerson on this point illustrates "perhaps *the* recurrent theme in the history of rights theories," that is, "a theory of rights [active rights] permitted practices which an anti-subjectivist theory [passive rights] prohibited." [78] For Gerson, the right to sell oneself into slavery was the logical extension of equating liberty and *dominium.*

Vitoria expanded Thomas's understanding of *ius* in two ways. First he broadened the objective vision of "that which is right" beyond "the communal setting" to the *totus orbis.* In doing so he defended a set of *in rem* rights, that is general rights all persons have against others. This type of rights is distinct from Thomas's *in personam* rights which by definition correspond to specific duties of determinate persons. Second, his vision of the objective order allowed him to extend the justification of rights beyond those warranted in relation to specific social positions to a more universal concept of rights based on the fact that all persons were created in the image of God. Vitoria espoused a vision of "human rights." A generation after Vitoria's death, another Spanish Thomistic theologian, Francisco Suarez, combined elements of a Gersonian understanding of liberty with Thomistic social philosophy.

Suarez's concern, unlike that of his predecessor, was not focused on resolving concrete problems. Suarez was a philosopher of law who worked with the principles, justification, and categorization of law rather than with its practical application. [79] It is thus fitting that Suarez's most remembered contribution to the rights discussion is his analysis of *ius* :

> [J]ustice is said to be the virtue that renders to every man his own right (*ius suum),* that is to say, the virtue that renders to every man that which belongs to him. Accordingly, this right to claim (*actio),* or moral power, which every man possesses with respect to

77 Vitoria, quoted in Tuck, *Natural Rights Theories,* 49.

78 Tuck, *Natural Rights Theories,* 49 (his emphasis).

79 For a discussion of the relation between Vitoria and Suarez, see Scott, *The Catholic Conception of International Law,* 127-131.

his own property or with respect to a thing which in some way pertains to him, is called, *ius,* and appears to be the true object of justice.[80]

Though the statement "*ius* ... appears to be the true object of justice" is a recital of a characteristically Thomistic theme,[81] John Finnis describes Suarez's definition of *ius* as crossing a " watershed " in comparison to Thomas. Finnis says :

The meaning which for Aquinas was primary is rather vaguely mentioned by Suarez and then drops out of sight; conversely, the meaning which for Suarez is primary does not appear in Aquinas' discussion at all . . . [J]*us* [for Suarez] is essentially something someone *has,* and above all (or at least paradigmatically) a *power* or *liberty.* If you like, it is Aquinas' primary meaning of '*jus*', but transformed by *relating it exclusively to the beneficiary* of the just relationship, above all to his doings and havings.[82]

Evidence of this crossing of a " watershed " can be found in Suarez's Gersonian-like understanding of liberty. As Suarez discusses the " natural law of dominion "[83] he quite easily moves, indicating no categorical difference, from the issue of private ownership of property to personal liberty. " Man," he says, "is lord of his own liberty, it is possible for him to sell or alienate the same."[84] Liberty is in fact "a lawful right ... positively granted by nature "[85] which persons can voluntarily forfeit or which can be legitimately taken away by a higher authority "by way of punishment."[86] Voluntary slavery, even of whole peoples, is justified by nature according to Suarez.[87]

80 Francisco Suarez, *De Legibus ac Deo Legislatore,* in *Selections From Three Works of Francisco Suarez,* 2 vols., trans. Gwladys L. Williams, Ammi Brown and John Waldron with certain revisions by Henry Davis, *The Classics of Internatiunal Law,* ed. James Brown Scott (Oxford: The Clarendon Press, 1944)' 2:31.

81 See Aquinas, *Summa Theologica,* 2a, 2ae, q. 57, art. 1.

82 Finnis, *Natural Law and Natural Rights,* 207 (his emphasis). Earlier in the text, 45, Finnis argues Suarez had other significant differences with Thomas.

83 Suarez, *De Legibus ac Deo Legislatore,* 278.

84 Ibid., 279.

85 Ibid., 280.

86 Ibid., 279.

87 Ibid., 381.

Finnis describes Suarez as being on same side of the " watershed " as Thomas Hobbes in distinction to Thomas. This would mean Suarez's position could logically be pushed to Hobbes's position. Yet for Hobbes the subjective *ius* is independent of *lex* and is indeed independent of any objective context concerning "that which is right." In *Leviathan,* Hobbes states:

> RIGHT, consisteth in liberty to do, or to forbeare; Whereas LAW, determineth, and bindeth to one of t'hem: so that Law and Right, differ as much as Obligation, and Liberty; which in one and the same matter are inconsistent.
>
> And because the condition of Man is a condition of Warre of every one against every one; in which case every one is governed by his own Reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemyes; It followeth, that in such a condition, every man has a Right to every thing, even to one anothers body.[88]

Hobbes states that the authority for law lies in the command of the sovereign. The reason, however, why persons obey the law is to insure they get what they want, dominion, and avoid what they do not want, death.[89] Thus it is a law of nature, says Hobbes, that in order to protect ourselves, we are to " lay down this right to all things." [90]

Finnis, then, seems to overstate the distinction between Thomas and Suarez and the similarity between Suarez and Hobbes.[91] Two points stand out in Finnis's discussion. First, as was stated above, Thomas's understanding of *ius* ought not to be described as exclusively objective. Thomas did recognize a personal meaning of *ius,* though such a use is not evident in his discussion " On Right "-Finnis's only reference to Thomas on *ius.* Second, Suarez's understanding of *ius* might not be easily pushed into the

[88] Thomas Hobbes, *Leviathan,* ed. C. B. Macpherson (New York: Penguin Books, 1968), 189-190.

[89] See Alasdair Macintyre, *A Short History of Ethics* (New York: Macmillan Publishing Company, 1966), 134.

[90] Hobbes, *Leviathan,* 190.

[91] See Ernest Fortin, "The New Rights Theory and the Natural Law," *The Review of Politics* 44 (1982) : 590-612.

radical Hobbesian position which divorces *ius* from a substantive moral order. At least on a formal level, *ius* is the object of justice for Suarez as it is for Thomas. Suarez does use *ius* to protect " the beneficiary of the just relationship " (so too in a sense does Thomas) ; however, such use cannot necessarily be described as a liberty. For example when Suarez writes, " For it is thus that the owner of a thing is said to have a right (*ius*) in that thing, and the labourer is said to have that right to his wages by reason of which he declared worthy of hire,"[92] he is defending "that which is right." The right of *dominium,* whether of property or liberty, must reflect the natural law. The distinction, says Suarez, between the natural law and law concerning *dominium* is,

> . . . the former kind comprehends rules and principles for right conduct which involve necessary truth, and are therefore immutable, since they are based upon the intrinsic rectitude or perversity of their objects; whereas the law concerning dominion is merely the subject-matter of the other preceptive law, and consists (so to speak) of a certain fact, that is, a certain condition of habitual relation of things.[93]

The purpose of this essay is to trace the roots of the use of rights language in contemporary Catholic social thought. It has been shown that the pre-modern tradition uses rights as " personal " claims rather than as " human rights " claims. From Thomas Aquinas to Francisco Suarez, rights language in Catholic thought most often follows the paradigm: The object of justice is right, and rights specify certain conditions of justice based on one's "holdings." That is, with the exception of Gerson and his followers, rights language in this tradition is characteristically passive. The rights recognized as valid claims are warranted and at the same time limited by the moral order. This is not to suggest that a consistent material vision of the moral order existed from Thomas to Suarez. Note for example the varied justification for specific claims, one's temporal holdings, one's position in society, and, according to Vitoria, one's innate humanness. A

92 Suarez, *De Legibus ac Deo Legislatore,* 30.
93 Ibid., 279-280.

consistent thread of the tradition is an understanding that that which is right and right claims are intimately related. Right claims rest on an objective authority. Rights are not independent moral claims simply to do things. The natural law for Thomas justifies specific subjective claims based on one's social position. One's "property," understood in terms of land holdings or office, determines one's rights. With the apostolic poverty controversy, the notion of " property " was expanded so Gerson could refer to one's right as property. Indeed, even liberty became *dominium.* Vitoria, recalling Thomas, expands the Thomistic vision of rights from the " communal setting " to the international arena. Suarez attempts *to* bridge a liberty right within Thomistic natural law.

It is suggested that Vitoria stands out as a paradigmatic figure for Catholic social thought.[94] His unfolding of the use, meaning and justification of rights to international relations, along with his recognition that the Native American " barbarians " were indeed human beings created in the image of God, are two significant developments. Vitoria pioneered what has become an organizing theme in contemporary Catholic social thought, that is, he used rights language, specifically human rights, to defend the powerless in the face of injustice caused by the powerful. Moved by the realization that the conquest ideology of his Spanish homeland was not " right," that is, the natural duties of the Spanish as travelers and traders (not to mention Christians) were ignored, Vitoria proclaimed a fundamental human equality protecting the lives and livelihood of the powerless and exploited Native Americans.

[94] For a contemporary critique of Vitoria's work from the perspective of a liberation theologian, see Gustavo Gutierrez, " The Violence of a System," in *Christian Ethics and Economics: The North-South Conflict,* eds. Dietmar Mieth and Jacques Pohier, *Concilium,* volume 140 (New York: Seabury Press, 1980).

AN ITALIAN VIEW OF THE DEBATE ON VIRTUE

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FATHER GIUSEPPE ABBA, S.B.D., professor of moral philosophy at the Pontifical Salesian University in Rome, has written two volumes of prime importance for the theory of the moral virtues. Although writing in Italian, he has entered into the thick of debate in other languages, especially English. The first, *Lex et Virtus: Studi sull'evoluzione delta dottrina morale di san Tommaso d'Aquino* (Las-Roma, 1983, 293 pp.) is every bit as wide ranging as its title suggests. His thesis is that St. Thomas's moral thought underwent a long and radical evolution that issued in "a new science" in the *Secunda Pars* of the *Summa Theologiae* totally centered in the virtues. His book is neatly divided in two parts: humanity under the regime of law and humanity under the regime of virtue. He argues that the *Scriptum super Sententiis* presents virtue as the capacity to put law into practice in life. Here law has priority because it is conceived as participation in the divine rectitude, and virtue is derivative in as far as it facilitates compliance with God's law, making our response easy, pleasurable and spontaneous by restraining the disorderly influence of passion on our moral response. The *De Veritate,* he maintains, follows the same descending schema. Truth is communicated downwards through the hierarchy of intellectual beings so that the human virtues are seen mainly in terms of how they reflect the divine truth, especially in the moral knowledge involved in free choice or *liberum arbitrium.* The *Summa Contra Gentiles* III classifies morality under the rubric of the law as rational submission to divine government through

Providence. In this vision, our return to God as final end is given focal emphasis before being considered the fruit of our effort.

Abba makes a strong case that in the *Secunda Pars* St. Thomas passes from a conception of morality based in law to one founded in the virtues. Morality assumes deeper significance in its own right because the human person is no longer viewed mainly as a direct reflection of divine truth but truly as *imago Dei* having dominion over his acts in freedom and deliberation. God, the *subjectum of theology,* is known through his effects in creation and the *motus hominis in Deum* provides matter for the speculative discipline of theology as the study of God. Morality unveils the mystery of God through how He works in our free activity drawing us to Himself. St. Thomas thus has very little in common with those contemporary moralists who are wholly taken up with the rightness of actions in normative ethics. Abba maintains that in the *Summa* St. Thomas was the first to afford morality its rightful place as an integral part in his theological synthesis. This involved a reworking of the idea of virtue beginning , with a fresh approach to *habitus* in the *Ia !Jae.* The determination of a habit *ad unum* is necessary because of the way a specifically human form is received in particular matter. This determination means not just a further specification of the matter, but the coming into being of new abilities, a creative enablement . of our nature with original energies so that it can reach its enc(' efficaciously. Virtue now has priority over law, because facility, pleasure and spontaneity are only the effects of this new interior transformation of our nature. Thus the originality of virtue arises not from our mode of acting *firmiter, faciliter, delectabiliter,* but from the new interior capacities by which we can realize our moral selves, naturally and supernaturally. Law is thereafter thought of in relation to its service of virtue as an external command promulgated for the government of a collectivity. It is given precisely so as to educate the collectivity to virtue. In the community governed by God's divine law it is not possible to follow His law without being enlivened by the infused virtues. The eternal law is not exhausted by our understanding of the precepts of divine law

but it embraces God's complete idea of human destiny in all its aspects, i.e. as it regulates the theological and infused moral virtues through grace and the acquired virtues through reason. Now the divine law can be participated in not only through external instruction in the form of precepts, but more importantly as interior *habitus.* Abba proceeds to point out the importance of the distinction between practical reason's grasp of universal moral principles and the *usus rationis in particulari eligibili.* Prudence here enters into our choices as the rational unifier of moral life that conforms practical reason to right appetite. Charity of course is the unifying principle of the moral life at the theological level, where all good acts, however imperfectly, share in beatitude.

In this short essay it is not possible to describe Abba's analysis of St. Thomas's various works and his account of their structure, nor his discussion of Chenu, Guindon, Lafont, Kluxen, Merks and Pesch and their contributions to understanding the *II Pars* in the overall plan of the *Summa.* Reviewers have generally praised Abba for his intuitions while being skeptical of an approach that underplays the continuity and coherence of St. Thomas's intellectual thrust over his whole career.

Before his second book appeared he published an article that should be quite enlightening for English speaking readers : " I *Christian Moral Principles* di G. Grisez e la *Secunda Pars* della *Summa Theologiae",* in *Salesianum* LXVIII (1986) 3, 637-680. His analysis of the guiding principles in Grisez's synthetic thought has probably not been surpassed ; these are the intelligible structure 1) of the human act, 2) of the redemptive action of the Word Incarnate, and 3) of the action of the Christian united to Christ. Grisez's work has been planned on such vast dimensions that the only intellectual corpus with which it warrants comparison is that of St. Thomas. Abba begins by sketching the difference between medieval and modern theology, i.e. the difference between faith in rational dialogue with alternative philosophies of life, and theology as a faith-based discipline radically separated from autonomous reason after the Enlightenment model. Abba repeats the main ideas of *Lex et Virtus,* noting that " virtue " does

not even appear among Grisez's list of " Some Key Words " at the back of his manual. Virtues, for Grisez, are the results of choices that facilitate our prudential activities to integrate the corporeal, intellectual and cultural dimensions into the existential, " that is the capacity for free choices, the choices one makes and whatever exists through choices " (quoted on Abba p. 669). Abba concludes that Grisez has overlooked some of St. Thomas's great insights; for example St. Thomas's insight that the virtues can intervene even before the judgement of conscience, and that they effectively make the knowledge expressed in that judgement practical. In the *Ila Pars* the virtues are real perfections of the existential dispositions that make good choices possible and are thus the key to moral knowledge and not only its consequence. Nevertheless Abba has remained profoundly influenced by Grisez's teaching on such themes as integral human fulfillment, the basic goods and the modes of responsibility.

Abba's second volume *Felicita, vita buona e virtu: Saggio di filosofia morale* (Las-Roma, 1989, 298 pp) is a well crafted and keenly reasoned confrontation between modern theories of virtue and St. Thomas. Perhaps it is most remarkable for its capacity to grasp the issues debated among Anglo-Saxon scholars and to give a synthetic account of the fundamental positions with their ramifications. Such an accurate overview and critical synthesis of such a complicated field is indeed hard to come by. Abba formulates a protracted argument demonstrating that virtue is the necessary mediation for human happiness. The reduction of moral philosophy to normative ethics, whether through Kant or J. S. Mill, has led into a dead-end street with no answer to the question " why be moral ? ". There has been a reconsideration of the theme of happiness or felicity in some recent semantic studies that have opened up new speculative possibilities on this topic. For instance, W. Tatarkiewicz's *Analysis of Happiness* has inspired authors to think again of moral philosophy as a science of practical reason. The human agent must be thought of as being in an "original practical position" (p. 17) of relationship to the wo:rld, God and neighbor in such a way that he seeks maximal

happiness in the goods to be achieved as inherent in his actions. As a philosopher, Abba favors an inclusive rather than a dominant conception of the last end (p. 28). Now it is precisely in relation to such a comprehensive, non-reductive end that we can justify moral duty and distinguish between good and bad conduct. Happiness as last end is naturally and necessarily willed by humans in their free deliberate activities. Now practical reason first becomes the rule of right living not by considering each act as dirrected to goods individually but in their unity as integrated to human fulfillment. Practical reason assumes its governing function over human behavior not by conforming an act to an exterior norm but by recognizing that the basic good intrinsic to an act is an integral feature of happiness. Virtue is necessary to actuate a good will toward the basic goods to be realized in right choices. He holds that this Aristotelian schema underlies St. Thomas's *II Pars* and that it has never really been applied in modern moral theology. Contemplative, loving union with God and the subordination all other goods and ends to Him as our beatitude occurs concretely only in the supernatural order. We only become worthy of God and merit eternal life through the gift of grace. Because of the nature of the divine *eudoki'a* in our regard, virtuous living is necessary for happiness, being an integral part of the divine plan and intention in creation (p. 69). Virtue renders the human subject capable of loving God and neighbor so that happiness becomes a realizable, responsible human choice.

The recent debate between duty and virtue in ethics has called into question the whole modern conception of ethics, as is evident from Macintyre's *After Virtue.* Abbi reviewed the relevant philosophical and theological literature beginning with Anscombe' s 1958 "Modern Moral Philosophy"; he analyzed the critique of duty by Foot and Stocker, the objections to the concentration on right action by Iris Murdoch, Pincoffs, Becker and most forcefully in Hauerwas's narrative theology of community. However, none of these is able (in Aristotle's terms) " to save the appearances " of our moral experience. While Macintyre appeals from duty to the *telos* of a community embodied in its social practices, he provides no justification for his conception of

tradition. Abba did not have access to *Whose Justice? Which Rationality?* where Macintyre expounds his theory of practical reason more fully. Although Macintyre has been criticized for not coming to grips with the pluralism in modern society, Abba easily proves the superiority of St. Thomas's theory. Liberal society reduces virtue to the disposition to follow the rules of social co-existence and tolerance, i.e. to the imperatives of legal justice. But justice deals with the external, objective world, so that it follows that the first person point of view of the acting subject has been lost from ethics. As Anscombe and many others lament, modern ethics is bereft of a moral psychology. Modem ethics are done in the third person by an observer, or *homo faber.* It was Hobbes who turned our attention from agency to consequences. Casuistry in moral theology added the perspective of the confessor as judge of the penitent. Liberty is defined as indifference or the capacity to escape being bound by the law. Acts are judged exteriorly according to their conformity with God's commands. Abb;J. wants to restore St. Thomas's synthetic vision of first person involvement *to* moral theory because it is the only point of view from which the agent can be the author of his own actions. Virtue considers actions not only singly but in the conduct of life as a whole. Conduct thus understood exemplifies the formal idea of happiness and manifests the agent's good will. But if we consider the pure will we finish up with the Stoic idea of the monadic of pure virtue. However the moral agent is by nature complex, so that the moral virtue resides in practical reason, free will and the passions. This variety of virtues in a first person ethic is generally not acknowledged by modern ethics. Aristotelian practical reason discerns the goods worthy of being pursued and realized as an integral share and part of our happiness. Duty and virtue are integrated by prudence through their mutual ordination to integral human fulfillment. The notion of virtue is therefore maximal and inclusive because our choices bear upon and realize human perfection (p. 143).

Abba demonstrates how practices coordinate the exercise of different powers so that by their cooperating together the good

of a whole life becomes a realizable goal. Therefore every intention bears on the integral human good and informs the appropriate practices composing our behavior. An action is the exterior component of a human act whose interior core is the choice that realizes intention through deliberation and freedom (p. 155). A means is not an exterior instrument; rather the end is immanent to its mediation, concretizing, exemplifying and realizing it (p. 157). Virtue focuses on choice that terminates deliberation with an act of free will that harmonizes with our passions and desires. A virtue has stability due to its goal, the end on which intention bears, while it is variable in the action performed and in the choice made (p. 162).

Chapter V of *Felicita, vita buona e virtu* is most important. Here Abba explains what constitutes the good life as eudaimonia, that is a combination of experiential operable goods (which with substantial goods constitute a state of affairs) and of existential operable goods (interior acts of will, practical reason and the passions) (diagram p. 171). It is obvious that Abbi follows Grisez quite faithfully as regards the first principle of morality but insists that the idea of integral human fulfillment must be subordinated to the one ultimate end which for St. Thomas can only be God. Abba corrects Grisez's formula so that it is truly good to think, will and be moved by passion in a way that is open to God's perfection, beatitude (p. 178). Virtue in its maximal and inclusive sense is the ability to realize excellent moral choices that realize the good life. Duty expresses an act's interior demands and should not be confused with obligation which arises from the imposition of an external law. Duty is founded in *bonum honestum* so that practical reason commands us to seek and pursue the basic goods not simply as *fini proprii* of our natural inclinations, but as *fini debiti* ordered to the perfection of the good life. Now in view of this order both practical reason and our rational and sensitive appetites are partly determined and partly indetermined. Reason is open to an infinite variety of arguments and practical decisions. And the operative faculties can cooperate in many ways among themselves. It is be-

cause of this indetermination that we are able to adapt our activity to different situations. Now nature has a spontaneous aptitude for virtue so that our specifically human traits flow from rationality, which is formal in human nature, while our individual characteristics come from individual and bodily nature. Reason reveals the beginnings of virtue in the first principles of practical reason; the will and the passions show a tendency to follow reason as well as the individual promptings, skills and natural that dispose to virtuous living. The virtues are not natural, being either acquired or infused *habitus* generated either by choice or by grace, that grow and can be corrupted. Reason regulates the virtues actively by prudence and passively in the will (justice) and in the passions (fortitude and temperance) (p. 204).

Abba concludes with a discussion of prudence as practical wisdom, a virtue that guides the rest but depends on them to be moved to ends genuinely human and fulfilling. Education hands on the practical wisdom of how to live well from generation to generation and opens up the mind of the seeker to the vision of eternal happiness.

BOOK REVIEWS

The Inference That Makes Science. By ERNAN McMULLIN. The Aquinas Lecture, 1992. Milwaukee: Marquette University Press, 1992. Pp. iv + 112.

In this ambitious lecture Father Ernan McMullin recapitulates and refines a thesis that has guided his thought for the past forty years. In essence the thesis is this: precisely how science is made has eluded the best minds for centuries, and only in the work of Charles Sanders Peirce, suitably emended by McMullin, has the puzzle finally been solved. " Retroduction " is the inference that makes science. Once this is understood, errors on what constitutes scientific method-those of Aristotle, Aquinas, Galileo, Newton, Bacon, Hume, et al.-can be rectified and one can see science for what it truly is: a complex process of theory appraisal that yields, not definitive truth, but well-established results to which assent can be given with at best "practical certainty," whatever *that* might be (pp. 91-96).

Why McMullin should have chosen such a theme for an Aquinas Lecture is a question that defies reasonable answer. Surely one does not have to he so negative about the thought of Aristotle, Aquinas, and Galileo to advance one's ideas about science in the present day. What McMullin could easily have done, and he hints at this in the last two paragraphs of his lecture (pp. 97-98), is show how retroduction is itself simply a relaxed version of the demonstrative regress, the method actually endorsed by Aristotle, Aquinas, and Galileo. Such a retroductive version, fair enough, yields knowledge of a probable cause, the type of knowledge most typical of modern science. McMullin did not have to embark on the dangerous course of trying to prove that proof and certainty are *forever* beyond the grasp of science, or that *never* in the history of science has anyone established a definitive truth. That, in effect, is what McMullin has tried to do, and in the attempt to make the point he fumbles at almost every juncture throughout a very long lecture. To set the record straight more than a review is being re-·quested; perhaps a book, and even that might not suffice for those whose minds are made up.

To understand the import of the lecture one must appreciate that it is hut a brief episode in a debate over demonstration in science that has been going on since McMullin first came to the University of Notre Dame in 1954. I myself have published many hooks and articles that engage the very point of his lecture and provide the contra evidence to

show elements of continuity in scientific method from Aristotle to the present. My last two volumes, in press at the same time as McMullin's Aquinas Lecture, answer in detail the *aporiai* he there raises.[1] I need only refer the interested reader to them for an extended and documented reply to his arguments.

[1] *Galileo's Logic of Discovery and Proof.* The Backgrnund, Content, and Use of His Appropriated Treatises on Aristotle's *Posterior Analytics.* Boston Studies in the Philosophy of Science 137. Dordrecht-Boston-London: Kluwer Academic Publishers, 1992, xxiii + 323 pp.; *Galileo's Logical Treatises.* A Translation, with Notes and Commentary, of His Appropriated Questions on Aristotle's *Posterior Analytics.* Boston Studies in the Philosophy of Science 138. Dordrecht-Boston-London: Kluwer Academic Publishers, 1992, xix + 239 pp.

Some idea of the flavor of our debate, however, can be gained from the following. To support his thesis, McMullin has to maintain that Aristotle's proof that the moon is a sphere (from its having phases) and that Galileo's proofs that there are mountains on the moon, that Jupiter has satellites, and that Venus circles the sun (all based on telescopic observations) are not strictly demonstrative, that is, they do not yield true and certain conclusions. He declines to answer a query I have often tendered whether he *personally* is certain on the basis of pre-spacecraft evidence that the moon is a sphere, that there are mountains on it, that Jupiter has satellites, and so on. Instead he offers the categorical response "that planetary science is *not* an apodictic science, indeed that no natural science is apodictic ..." because hidden assumptions always underlie their "quasi-apodictic claims" (p. 107, n. 88, emphasis his). Doublespeak aside, what that means is McMullin has bought into the simplistic notion that "all facts are theory laden," that science itself is not *episteme* but opinion (*doxa*) -highly confirmed opinion, hut opinion nonetheless. Thus *all* of science is fallible and revisable, including the most fundamental discoveries on which the Scientific Revolution of the seventeenth century was based. Now few scientists, i.n my view, are prepared to accept McMullin's implied assessment that they are not really "knowers," only "retroducers," that question marks cloud their disciplines from day one, and that they must ever be powerless to work their way out of the cloud.

With regard to the Aquinas Lecture Series, one can only ask *cui bono?* To what end has this repudiation of Thomism been crafted? Is it proposed as an up-to-date version of "problems for Thomists"? Hardly. There is an infinitude of ways to deny truth and certitude, and little is distinctive here--most has been said before. As to what *is* distinctive, McMullin's idiosyncratic blending of radical empiricism with idealistic realism needs far more than 112 pages to convince.

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The Foundations of Mysticism. Vol. I of *The Pl'.esence of God: A History of Western Christian Mysticism.* By BERNARD McGINN. New York: Crossroad, 1991. Pp. xxii and 49. Index and bibliography. $39.00 (cloth).

With this work Bernard McGinn delivers the first of a projected four volume History of Western Christian Mysticism. *The Foundations* in· cludes, as one might expect, the Scriptural tradition, Neoplatonic phi· losophy, early Greek Fathers who influenced the Latins, as well as the early "Founders" Ambrose and Augustine. Judged by the quality of its start, this work promises to become a standard history for years to come. The author displays a stunning acquaintance with the sources of a subject that extends over full twenty centuries. Though " spe- ·cialized " in the spirituality of the high and late Middle Ages (he has written substantial studies on Joachim de Fiore and Eckhart), the Chi· cago professor has admirably succeeded in mastering the mass of per· tinent literature of this early period, as the 150 pages of notes and bibliography testify. His ideas are clearly presented, his evaluations of others critical yet generous, his overall judgment impressively balanced. Moreover, he ventures well beyond the usual territory. His work in- -eludes subjects rarely discussed hut often alluded to in the history of .early Christian spirituality: e.g. Gnosticism, which appears here not as a " heresy ", but as a spiritual movement in its own right. The thorough discussion of Philo together with the introductory chapter on 4 · The Jewish Matrix" (somewhat improperly entitled since it deals only with the Hebrew Bible) display an unusual appreciation of the underestimated influence of Jewish mysticism. One would have been happy to read more about Marius Victorinus, hut is grateful to find him present at all.

A historical survey of this scope may easily degenerate into an enumeration of titles and trends, whereby ideas are treated as facts. Professor McGinn has judiciously avoided that. Entire sections of his history are rich monographs about spiritual systems treated for their intrinsic interest rather than as transitory moments of an indifferent history. The sections dealing with Origen, Evagrius, and Ambrose in particular deserve to be read as independent treatises. The long concluding chapter on Augustine also presents a marvelous synthesis, though one primarily written from the point of view of its later impact.

In a study of this nature the definition of its formal object presents .a unique problem. Before the late Middle Ages the concept of a purely private spiritual experience remained largely unknown in Christian

spirituality and until the seventeenth century even the substantive " my,;·ticism ", referring to a separate activity, did not exist. H what we now take to be characteristic were to serve as normative concept, almost all spiritual writers of the :first Christian millennium and a good many after that would he excluded. Moreover, the subjective mystical ex·perience remains inaccessible to the historian. McGinn has wisely confined his subject to the spiritual text in its social and ecclesiastical context. But this choice leads to a further, equally difficult question: What constitutes a *mystical* text? Obviously not all religious or theo·logical writings are mystical. Protestant theologians of the nineteenth century tended to consider a genuine Christian faith incompatible with mysticism, while prominent students of mysticism in this century (such as Underhill, Butler) :remained highly suspicious of speculative theology, including the so-called "mystical" one, But friend and foe of mysticism agree that the mystical, however conceived, cannot simply he identified with the religious. Some scholars, such as von Hiigel, distinguish the mystical from other aspects of religion, but leave its positive content vague and controvertible. Avoiding a precision which the nature of the subject precludes, McGinn nevertheless goes to the heart of the matter in :referring to the mystical as to the dynamic power that drives the religious mind toward the experienced presence of God, without necessarily bringing it to the state of full union.

The author's position appears in the felicitous choice of the general title: *The Presence God.* All religious life aims at entering into the presence of God. But " mystical " religious texts speak of a particular mode of divine presence, not ordinarily attained within common reli·gious observance. " What differentiates it from other forms of religious consciousness is its presentation as both subjectively and objectively more direct, even at times as immediate" (xix). Obviously this does not remove all the problems. The history of the recent controversies about the concept (told in the very informative appendices, pp. 265-91) leaves no doubt about that. The author is aware of ,them and promises to confront them in his final volume. But his caution has not sufficed to exorcise altogether the subjectivist ghost hidden in the reference to experience. Thus, he confidently mentions that Plotinus enjoyed "mystical experiences" (44) and reopens the question " whether or not Origen was really a mystic or only a speculative the·ologian" (130) (though he effectively dispatches it by referring to the *effect* of Origen's writings). At the end of this volume he returns to the controversy concerning Augustine's personal spiritual experience. Obviously the issue will remain with us as long as we have to apply modern concepts to traditional theories. Since these concepts are transferred by means of an ancient terminology (with a quite different

meaning) the semantic ambiguity is likely to continue its confusion for a long time to come. At least McGinn is fully aware of the pitfalls and in principle avoids them, despite an occasional slip in practice.

It seems unbecoming to apply small criticism to a work so imposing by its insight, erudition, and balance. Unfortunately even the most admiring reviewer is expected to search for the imperfections of what appears well-nigh perfect. Comparing the various sections, then, in the light of the author's own high standards, the one on Plato appears weaker. The discussion is limited to a very sketchy analysis of the three *loci classici* in *Symposium, Phaedrus,* and *Republic VI,* and to an argument of what the author calls Plato's " apophaticism " based on a Neoplatonic reading of the *Parmenides.* Such a reading of Plato, via Pseudo-Dionysius, unquestionably influenced all Christian negative theology. But negative theology, though not wholly absent from Plato's definition of the Good, is the very issue that divides Platonism from Neoplatonism. Some would consider the two page discussion of Gregory of Nyssa, the only Cappadocian here presented, disappointingly short. The author justifies this by his "lack of direct influence in the West" (p. 142). But did Gregory not, directly or indirectly, influence the early Cistercians and possibly even Augustine? Can one truly claim that his impact, taken over the whole range of Latin spirituality, was less than that of Macarius, or even Evagrius? Finally, an error in the philosophical vocabulary may create needless confusion. The author indiscriminately uses the terms *transcendent* and *transcendental* (e.g., on pp. 48, 161), while the latter has become the standard term for referring to the apriori conditions for the possibility of a particular phenomenon, a meaning current among several critics mentioned in the appendices. What surpasses ordinary experience is *transcendent.* And there is a minor factual error: the first name of Malevez is Leopold.

One closes this book with a sense of anticipation and of gratitude. Bernard McGinn has enriched the knowledge of our spiritual tradition as no other work in recent memory has done. Only Louis Bouyer's *The Spirituality of the New Testament and the Fathers,* the first volume of a *History of Christian Spirituality,* could withstand a comparison, but that early promise was not fulfilled by the later volumes. *The Presence of God* initiates a synthesis in scope and depth comparable only to the analysis of the *Dictionnaire de spiritualite.* Everything in this first volume fosters the hope that the author will succeed in his gigantic enterprise.

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Christology and Spirituality. By WILLIAM THOMPSON. New York: Crossroad, 1991. Pp. 240. $27.50 (hardcover).

The title of this work would better reflect its content if it were to read *Contemporary Christologies and the French School of Spirituality,* because the author has retrieved the major insights of that school (as well as those of selected other "incarnational mystics") in order to correct what he believes to be the imbalances in many contemporary christologies. Those imbalances, he proposes, are due to an overemphasis on methodology, critical history, and hermeneutics; the corrective supplied by the mystical heritage involves a return to, and a deeper appreciation of, contemplation, doxology, thanksgiving, praise, and ultimately-and *especially-adoration.* When this occurs, theology in general and christology in particular become forms of spirituality. Indeed, if mysticism is defined as " the consciously, deeply, radically, ' accomplished ' living out of Christian spirituality " (5) , which itself he defines as " attunement with the Spirit of Christ " (5) , theology and christology are ultimately called to become forms of mysticism.

Many-if not most-of the themes that Thompson develops are rooted in the French School of spirituality (whose leading light was Cardinal Pierre de Berulle, founder of the French Oratory in the early seventeenth century) : the central focus upon adoration in Christian life, trinitarian christocentrism, a participative or " luminosity " model of truth, the significance of Mary as a christological source, the dynamic between clarity (theological precision) and love (or between " light " and " fire ") , the narrative or " theomeditative " character of theology and christology, the relation between "service" and "servitude," the centrality (and ascetical nature) of Christian experience in theology, the dialectic between theory and practice in general (or contemplation and action in particular) , and the importance of penetrating the " inner meaning " of the " mysteries " of the life of Jesus. These themes-especially the central one of adoration-" reverberate" through the other members of the French School (Madeleine de Saint-Joseph, Jean-Jacques Olier, Charles de Condren, St. John Eudes), as well as through its modern and contemporary representatives (Therese of Lisieux, Friedrich von Hiigel, Hans Urs von Balthasar, Karl Rahner, and John Wesley).

Given their importance in Thompson's treatment, some words about three of these themes in particular are in order: adoration, experience, and practice. The review will conclude with a short discussion of some correctives that the author proposes to contemporary " christologies from below" (correctives again rooted in the French School).

Adoration, Thompson holds, is crucial for the Christian life because only through it can "we move beyond manipulation and narcissistic possessiveness " in our relation to God; only by it can " we transcend the manipulative and the objectifying" (19). In adoration, "the focus shifts from ourselves to the Other " (67) and we apprehend, affirm, and enjoy the giveness of God (103). Following Von Hiigel, to whom Thompson attributes the modern rehabilitation of the concept, the "concrete and real" experience of adoration "intensifies the experience of God's prevenience: the over-againstness of the religious experience, the 'grace' dimension" (103). "Adoration is what happens to love when it reaches sufficient depth" (111) ; it is what happens to contemplation when it reaches its "highest pitch" (136). The saints and mystics are characterized by the adorational experience in a " particularly intensified way;" they are " masters of adoration " (121). Thompson again follows the French School when he stresses that the incarnation may best he understood as the " irruption within history of adoration and service " (50) . Although, as Berulle puts it, "from all eternity there had been a God infinitely adorable," there still "had not been an infinite adorer" before the incarnation (51). The author agrees that" Jesus' entire being as incarnate is adoration" (51), and that Jesus, as the "God adoring God, has revealed the adorable glory of God" (101). Most vitally, the sovereign freedom and transcendence of God vis-a-vis the incarnation-so vital christologically- can ultimately be recognized only by adoration: " where adoration weakens, so does incarnational faith," because the "personalization of God " in the incarnation, inextricably hound up with the supremely beautiful, sovereignly free subject, is compromised (165). Thompson returns again and again to these themes throughout the book, and adoration may well he the key concept in his whole attempt to retrieve the mystical tradition from contemporary christology.

As stated previously, Thompson understands the turn to spirituality to he essentially a turn " to the fullness of Christian experience " (188) . The critical work of reason in christology must always " stay close to the fullness of experience, promoting moments of luminosity and serving such luminosity" (187). In a special way, the "saints learn their theology from their experience" (123). He paraphrases Balthasar in giving a particularly powerful example of this: the mystical experience of the dark night ·Of the soul can light

> ... up for us the death experience and 'tomb' experience of Jesus, about which otherwise we would know very little. . . . Jesus ' descent into hell ' has light indirectly thrown upon it through the dark night experience of the mystim, whose stripping of narcissism and identification with the forgotten and ' damned ' seems to be an ' experiential analogue ' to Jesus, making sense only in the light of Jesus (125-6).

The author stresses that the turn to experience which is part and parcel of the turn to spirituality contains a strong and intrinsic ascetical dimension that must apply to the work of theology as well. This asceticism is " a disciplined manner of staying attuned to the lessons of Christian experience and the Christian narrative "; it is a " testing of experience " which highlights the fact that " experience is a dangerous reality, fraught with 'peril'" (a word related to it through the Latin *periculum)* (11). Asceticism is a disciplined way of proving "the authentic from the inauthentic," in which the perils of experience are minimalized, ;;ind the benefits maximalized. This ascesis is that part of the spirituality of theology which pertains to

> . . . the discipline of sustained theological conversations, the humility of submitting one's labors to the judgment of one's colleagues, [and] the labors of attempting to ' master ' the various theological methodologies (12).

He even refers to this theological ascesis as the " stigmata of the intellect," which indicates "that learning is in the service of ... cruciform love, and not of one's own pet theories" (12).

Chapter 9 is devoted to questions revolving around the relationship between contemplation and action. Thompson uses the term " practice " in the sense usually reserved for " praxis," defining it as " activity that has been reflected upon, learned from, refined " (173) ; it is "humanly and Christianly meaningful doing" (175). In "practice", theory and " activity " coalesce, the former involving a reflection on the latter. Theologies which stress this practical dimension-such as sociopolitical and feminist ones-are characterized by

> . . . a willingness to stay attuned to the lessons of practical experience, a resulting ' discovery' of what isn't ' practical' or ' liberating ', a searching out of the causes for this in past and present, and the proposal of more ' liberating-practical' alternatives on the basis of human and Christian sources, past and present (174).

Theory and activity can only be kept " in fruitful union and communion" by contemplation; it is indeed only in a "contemplative style of theology " that intellectual efforts are kept rooted in the fullness of experience, and so the turn to experience itself signifies " the turn to spirituality, mysticism, and the contemplative in theology and christology" (176). And as contemplation inexorably leads to adoration, so too must practice. The author's strong trinitarian emphasis is also evident in this discussion, when he considers the Father, Son, and Spirit to be the "ground and enabler," respectively, of "Contemplation, Theory, and Practice" (179).

Thompson feels that many modern and contemporary " christologies from below " could benefit from correctives offered from the tradition

of spirituality, especially that of the French School. For instance, the emphasis in " christologies from below " on " explanation " needs to be balanced by the French School's emphasis upon " understanding "; their negative and pessimistic " hermeneutics of suspicion " by trust, optimism, and " affirmation " ; the central concepts of the " Jesus of History" and the "Christ of Faith", by the states of Jesus as "voy· ager " and " comprehensor "; the exclusive emphasis on the Bible, by a greater appreciation of the fathers (and "mothers") of the Church as christological sources; their stress on service, by that of adoration; and finally ,the "fact-fetishism" of most "christologies from below " by a penetration of the interior meaning or depth dimension of the mysteries of Christ (76-8). The chapter on the Virgin Mary as a christological source also clearly implies that modern and contemporary indifference to mariology in " christologies from below " leads to "massive christological inadequacy" (135). For Thompson,

> The Marian dimension now is the soteriological side of christology, its ' for us ' dimension. In terms of grace: grace not only as offer, but as transforming reality. . . . The fact that grace is now effective in history through Mary highlights the historical dimension of Christian revelation, and with that, the ecclesial dimension.... ' Grace '-as offer, as received, as personally unique and intimate-is the ' Marian ' dimension of christology. Or at least an important part of it (154-5).

The author stresses throughout that the proper context for christology is a " trinitarian christocentrism," in which the dynamic between Father, Son, and Spirit is fully recognized in the particular event of incarnation. The trinitarian doctrine may be summarized as follows:

> God as distinctly the Transcendent (=Father) ; God as individuatedly personable (=Son, to whom it thus belongs in sovereign freedom to become incarnate); God as individuatedly participable (=Spirit) (161).

Christological dangers arise when too great an emphasis is placed upon any one of the persons to the detriment of the others:

> Father-christologies tend to become non-trinitarian monotheisms and low christologies without the 'balance' of Son-christologies. They also tend in the direction of deism and christologies that view Jesus as only a kind of model to be imitated without the Spirit-christologies. Son-christologies tend toward a 'Jesus-monism' or fetishism, without the balance of the Father-christologies, which bring out the universality of the divine ground. Without a Spirit-christology, Son-christologies tend to render our own participation in Jesus impossible; he becomes so singular that he is removed from sharing in the human condition. Spirit-christologies, as we can guess, can tend to collapse christology into salvation. They stress our own participation in God, but sometimes at the expense of the uniqueness of Jesus as the disclosure of God's own uniquely personal presence for us (41) .

The " christocentrism " that Thompson speaks of must recognize the absolute definitiveness and uniqueness of the " divinely personalized amorization " that has taken place in the incarnation. From this radical personalization of God necessarily follows the " scandal of particular· ity", which includes Jesus' "maleness (sex and gender)." We should not, he believes, "think that Jesus' humanity (and maleness) is ' insignificant ':"

> A *Logos asarkos* approach to the Incarnation, which tries to detach Jesus' divinity from his particular humanity, in the end depersonalizes God and renders impossible the intimate and personal communion to which we are invited by the Spirit (170).

Thompson himself recognizes that certain modern christologians may well find themselves "repulsed" (and others "thrilled") when confronted with the " elevations and contemplations " of Berulle in par· ticular and the mystical tradition in general (64). Perhaps, he thinks, such theologians

> will find the 'mystical ' interpretation a form of projection, lacking any historical basis in the text. Perhaps, too, not enough of the struggling, growing, perhaps unknowing humanity of it all, and of Jesus as well, might come through for this person. History, if you will, seems smothered in mystical dreaminess. And the concerns of political and liberation theologies? Where is there room for that in this highly individualistic rnading of Jesus? And much more (64).

" Repulsed " is certainly not the word that applies to this reviewer's reaction to the writings of the French School, nor to this book's attempt to reappropriate its insights for contemporary christology. But neither is "thrilled ". Thompson has rendered an important service by pointing out possible contributions of the mystical tradition to ' christologies from below ', a service that should be appreciated by all. It is a service, however, that perhaps labors too heavily under the author's own affection for the French School, and results in what some might consider an equally one-sided " christology from above", shorn of important insights of christological thinking during the past century.

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La Doctrine de la Revelation Divine de Saint Thomas D'Aquin: Actes du Symposium sur la Pensee de Saint Thomas d'Aquin, recueil puhlie sous la direction de LfoN ELDERS, S.V.D. in *Studi Tomistici* 37. Pontificia Academia di S. Tommaso, Lihreria Editrice Vaticana, 1990. Pp. 278. 30,000.00 lire.

This collection of essays by distinguished scholars presents the acts of a conference on the doctrine of Revelation according to Saint Thomas Aquinas. The volume contains twelve papers, four in French, four in English and four in German. The contributors are, in alphabetical order: A. Blanco, G. Cottier, O.P., Ph. Delhaye, L. Elders, S.V.D., L. Hodl, B. McGregor, O.P., J. H. Nicolas, O.P., L. Scheffczyk, R. Schenk, O.P., J. Schumacher, P. Stohr, and J. P. Torrell, O.P. The ground covered by their articles is as broad as the horizon of their authors. Aquinas's doctrine is confronted with problems ranging from the modernist crisis to those currently discussed in missiology.

In theology, when one associates Revelation with Thomism, one is forced to think of Father Garrigou-Lagrange's *De Revelatione,* truly a landmark in the history of modern theology. Reading it, one cannot help hut to he impressed by the mastery and the clarity with which this eminent Dominican theologian of the antimodernist period disputes and refutes the arguments which threatened the Church at the beginning of the twentieth century. Unfortunately, Garrigou-Lagrange's hook has never been translated into modern languages. And yet, in a certain way, volume 37 of *Studi Tomistici* can substitute for it, since it deals with issues closely related to those which Garrigou-Lagrange addressed in his study of Revelation. It also recasts the discussion in the terms in which it is expressed in the theological field today. For this reason, this volume provides a valuable resource for the contemporary student of theology for whom the details of the modernist crisis in the early part of this century have not only faded with time, hut also have become less pressing due to the complexity of the problematic which retains the attention of theologians in the post-Vatican II period.

The focus of this collection of papers is the epistemology of divine Revelation, to the point that this could he its subtitle. Ten of the twelve articles deal with this question. Only Delhaye's paper ventures outside of the field of epistemology to cover the topic of morals, while Horl takes up the ecumenical question.

Scheffczyk's article provides a broad perspective on the evolution and the perenniality of the modernist/antimodernist problematic in theology. He shows that the root of the problem lies in the epistemology of the

Enlightenment, i.e. in idealism, which imposed itself as the philosophy of the anticlerical nineteenth century. In the last part of his paper he demonstrates how Saint Thomas's theology provides the insights necessary to articulate the doctrinal unity which exists between the teaching on Revelation found in Vatican I and that of Vatican II. He draws the reader's attention to the notion of degrees of Revelation whose culminating point is indeed the beatific vision and which is prepared for by a historical unfolding. Schumacher and Stohr also deal with the modernist's characterization of the traditional scholastic doctrine of Revelation as an imparting of propositions. Schumacher reviews the theory of Revelation of several of the modernist theologians. A common characteristic of these theories is an idealist epistemology that reduces the life of the intellect to its immanent part and thus renders impossible God's communication of intelligible truths without violating the laws of Nature. Stohr, on the other hand, investigates current theological theories and shows how Rahner and Schillebeeckx encounter the same difficulty with the intelligible content of Revelation because of their attempts to reconcile the Gospel's claim of effectiveness in changing lives with idealist philosophy.

With respect to the main line of inquiry, Nicolas's paper deals explicitly with epistemology of Revelation. This study of the " epistemological aspects of Revelation " has two parts. In the first, Nicolas provides a commentary on S.Th. la q. 12, a. 12. He presents clearly the Thomistic argument for the knowledge of God from creatures, which he summarizes with a quotation from pseudo-Dionysius found in Saint Thomas's commentary on Boethius's *De Trinitate:* "Deum tanquam ignotum cognoscere." He articulates the interesting paradox between similitude and dissimilitude between God and His creatures, of which he gives a synthetic presentation: "Si L'exemplarite est une propriete de la cause efficiente, la ressemblance est une propriete de l'effet, mais cette ressemblance est imparfaite precisement clans la mesure oil il est plus completement effet" (p. 157). In the second part of his paper, Nicolas treats the use of analogy in *sacra doctrina,* which he terms theological analogy in contrast to metaphysical analogy. He looks at analogy both at the level of concepts and at the level of judgment. First, he shows how human concepts are brought to a further actuality by Revelation, which extends their usage to an " analogicity " unforeseeable outside of the event of Revelation. In his treatment of analogy at the level of judgment, Nicolas ·expands on a view presented earlier, that is, the understanding of the three *modi* of theological predication as rules of predication. For Nicolas, the rules of negation and eminence are the necessary correctives to the use of causality in divine predication. He concludes by showing how this applies to the understanding of Trinitarian Revelation and theology.

Elders and Torrell grace this collection of essays with their excellent studies of two indispensable elements of the Thomistic theology of Revelation: Scripture--on one hand-as a medium of Revelation, and prophecy-on the other hand-which makes it possible for God to reveal what is not evident for the human intellect and for men to realize that Scripture indeed contains an intelligible content and not only the recording of and the call to enter into an experiential encounter with God's self-Revelation. Elders's paper develops along the lines of the mutual relationship of Revelation and Sacred Scripture. In the beginning, he clearly states the crucial role of Saint Thomas's realist epistemology as the foundation of his theology of Sacred Scripture. The second and larger part of this study addresses the fascinating question of the multiplicity of the senses of Scripture. Fr. Elders presents Saint Thomas's argument as found in *Quodl.* VII, q. 6, which he offers as an ingenious answer to the question of what precisely is revealed in Scripture. He invites the reader to measure the contemporary attitude towards the Bible with the one that was common for most of the life of the Church. As Elders puts it with a quotation from de Lubac: " They felt that the literal sense of the text was not the only reason why the Bible had been given to them " (de Lubac, *Exegese medievale,* I, 484, p. 140). Elders also insists on the ecclesial dimension of Scripture, which alone permits the theologian to discover revealed meanings in texts whose content is an inspired account of historical events (p. 151).

Torrell's paper presents a very enlightening commentary on the treatise on prophecy found at the end of the *Secunda Pars* of the *Summa Theologiae.* He shows how strongly rooted in Scripture Saint Thomas's theology is with respect to the structure of the treatise as well as to the material brought forward to explain the conclusions he reaches, which have great relevance for the contemporary debate concerning biblical sources. The most interesting part of his article is the comparison of prophetic knowledge with natural knowledge (pp. 181-85). In this section of his paper, Torrell carefully follows the details of Saint Thomas's analysis in */la /Jae* q. 173, a. 2. Prophecy remains human in its mode of knowing. Since human knowledge is realized by the illumination of the intelligible species by the agent intellect, God's intervention in either element does not destroy what constitutes the specificity of human knowledge, i.e., the abstraction of the intelligible from the sensible. However, as Torrell says it: "Ce qui est vraiment constitutif de charisme prophetique, c'est la lumiere parce qu'elle permet le jugement: *formale in cognitione prophetica est lumen divinum* " (q. 171 a. 3 ad 3, p. 183). Torrell reproaches Aquinas for not being a faithful enough follower of Aristotle in his acceptance of a divine intervention in imagination independently of the input of the senses. He thus writes;

" De la sorte, !'immanence de la connaissance selon Aristote se trouve serieusement compromise " (p. 186) . One could wonder if this reluc· tance to admit an intervention of God in the creation of a new phantasm does not originate in some kind of concession to the virulent criticisms which the modernists leveled against the traditional theology of Revelation in the Church rather than in the account the prophets have left us of the irruption of prophecy in their lives.

Cottier's paper turns to the other side of the epistemological question, that is, to the contribution of the human intellect in the reception of Revelation. In treating the grounds for the credibility of Revelation, the author follows closely the thought of Aquinas in the *Summa Contra Gentiles,* where Saint Thomas articulates the credibility of the doctrine of faith, not by proving it, but rather by showing that the reasons brought forward to object to its rationality are Hawed. Cottier's main point is that there cannot be a real dialogue between faith and reason if reason is understood in terms of positivistic rationalism. He reminds us of Aquinas's emphasis on the too often forgotten quest for wisdom, a prerequisite for the human reason to be open to the possibility of faith. For this he explains that : "La *ratio* dont nous parlons tout au long de cet article est la raison metaphysique " (p. 221) . He also points out how important signs are for Aquinas because: " Ils ont pour but de confirmer ce que la connaissance naturelle ne peut directement saisir" (p. 222). To be accepted for what they are, signs require to be considered with an unwavering intellectual rectitude. In this domain one should note that: "depuis le temps de la Reforme l'Eglise est contestee pour ainsi dire *a priori,* meme de la part des chretiens; le regard porte sur elle est sans bienveillance et partiel " (p. 223) .

The question of whether there is an intelligible content in Revelation extends to Christology. Blanco addresses it in the form of a study of Saint Thomas's commentary on John 14, 6: "Ego sum Via et Veritas et Vita." It is because he is the Word that Christ is the Truth and the Life and because of his Incarnation that he is the Way. Christ is the summit of Revelation precisely because he is the Word of God. Saint Thomas's philosophy of knowledge and his understanding of the role of words in the communication of truth enable him to articulate a theology of Revelation that makes room for the disclosure of the divine mystery and the communication of knowledge: "Homo potest conceptum suum alteri homini revelare. Hoc autem est eum loqui " (Quoted p. 35) . Blanco insists that the word is a sign of what is in the soul and that this is why it enables interpersonal communication to take place. He spends much time dealing with Schillebeeckx's position on faith considered as hermeneutics of historical events. According to this view, the content of Revelation comes from human activity. Fol· lowing Aquinas's treatment of faith, Blanco finds a role for sense ex·

perience in the prompting of man to believe. " In order to believe in God who reveals himself, man accepts His word as the beginning of his own thought, as the source of knowledge, since he holds as true what this word communicates to him. In this way he will participate in the knowledge of which this word is an expression; he receives in his mind the divine Truth " (p. 45) . Blanco is aware of the need to balance this view with a sense of dialogue to which contemporary theology is sensitive. He points out that in the gift of prophecy God's use of the elements of the " mental world " of the prophet constitutes a form of dialogue.

Schenk's study of Saint Thomas's understanding of the traditional axiom " omnis Christi actio nostra est instructio " points out the need of a transformation of man's interior world to see in Christ a true and faithful revealer of God. He intends two things in doing so: first, to bring hack into Christology the study of the deeds of Christ and, second, to restate the necessity of theological faith in order to carry out that study. In detailing the different ways in which Saint Thomas has understood and utilized this saying, Schenk shows the need to discern the hearing of the hypostatic union on our understanding of the deeds of Christ. Some actions show his divinity, some the truth of his humanity. In moving the scope of his study to the resurrection of Christ, Schenk follows Aquinas on the question of the insufficiency of these signs and the need for the gift of faith. This is a controversial point, especially in Protestant theology. For this reason, the author goes on to examine the theology of the cross as he finds it in Aquinas in order to show that only an explicit faith in the divinity of Christ allows the Christian to penetrate the fullness of what is revealed by the cross: " This dimension of the cross, salvific by means of the humanity hut *non nisi ex virtute divinitatis,* reflects a dimension of the whole earthly ministry. The theocentricity corresponds on the epistemological level to the non-manifest character of the claim posed by Jesus' deeds and doctrine " (p. 130) .

Finally, McGregor's paper takes the issue of content in Revelation to the field of missiology and addresses with warmth and courage the ultimate consequences of the modernist crisis. The doctrine of a content-free Revelation has as its complement the assumption of a possible revelation in non-Christian religions. In response, McGregor presents forcefully Aquinas's teaching of the need for an explicit faith in the Trinity and the Incarnation in order to he saved.

Both for its overall scope and for the detail with which it treats the critical issues in the theology of Revelation raised over the last hundred years, this 37th volume of *Studi Tomistici* is a valuable asset in the study of fundamental ·theology. However, one could have hoped that

the years passed since Father Garrigou-Lagrange last published his *De Revelatione* would have allowed Thomistic scholars to retrieve and de· velop Aquinas's theological insights in their fullness. The danger of apologetics is that it can lead one to develop a teaching only along the lines set by those challenging the traditional teaching of the Church. In this particular instance, the Catholic apologists of the antimodernist period were led to overstress the epistemological dimension of the theology of Revelation, leaving unstated that for Saint Thomas the primary term of analysis in this question is the knowledge of God. The need of Revelation for Saint Thomas stems from the call to man to share in the beatific vision. A paper on the relation of finality between faith and the beatific vision would have underlined the originality and true significance of the Thomistic tradition in theology.

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The Eternity of the World in the Thought of Thomas Aquinas and his Contemporaries. Edited by J. B. M. WISSINK. *Studien und Texte zur Geistesgeschichte des Mittelalters,* edited by A. ZIMMERMAN, vol. 27. Leiden: E. J. Brill, 1990. Pp. viii+ 100. $28.75 (paper).

This volume contains six short studies by five different scholars from the Netherlands on a topic accurately indicated by its title. These studies are a product of a symposium held by the Thomas Aquinas Workgroup, a scholarly association dedicated to investigating the thesis " that Aquinas first of all has to be understood as a theologian " and to " a rediscovery of the original Aquinas and his authentic thought" (p. vii). The topic chosen for these studies is a suitable one for the aims of the Workgroup, for it is one that requires a clear dis· tinction to be made between the realms of philosophy and theology, and it is one that has generated much interest and dispute-in the Middle Ages no less than today. This small collection of studies makes a con· tribution to scholarship, although there are weaknesses in some of the studies, as I shall note.

F. J. A. de Grijs (pp. 1-8) argues that Thomas's purpose in writing the *De aeternitate mundi* was theological rather than philosophical in that Thomas provides a meditation on the meaning of eternity. This meditation, so de Grijs argues, is not only about the temporal eternity of the world but is even more about God's eternity. It shows us how

little we grasp of God's duration, or how we do not understand it rather than how we do understand it. J. A. Aertsen (pp. 9-19) ·responds to de Grijs by arguing that the work has a philosophical character. First, Aertsen explains, the fact that Thomas begins the *De aeternitate mundi* with the supposition on faith that the world had a temporal beginning in the past does not of itself (as de Grijs had thought) mean that the work is theological. Rather, it simply means that all believers agree that *in fact* the world had a temporal beginning, but the question at issue remains a philosophical one: could the world *possibly* have existed eternally in the past? Second, Aertsen points out that the reasoning in the *De aeternitate mundi* is much like that of Thomas's Disputed Question *De potentia Dei,* q. 3, a. 14, which has an explicitly philosophical character. Third, Thomas has already made it clear in his Commentary on the *Sentences,* bk. 2, d. 1, q. 1, a. 2, that the doctrine of creation, excluding the part of the doctrine that the world had a temporal beginning, is philosophically knowable in principle and known to philosophers in fact. Since the fact of creation is philosophically knowable and can he demonstrated without prejudice to the question of eternity, it cannot he said that an eternal past existence is incompatible with creation. Hence, the question of the compatibility of being eternal and being created-the very question for the *De aeternitate mundi-is* regarded by Thomas as philosophical rather than as theological.

Aertsen's criticisms of de Grijs are sound, yet de Grijs's central point can he saved. De Grijs has been attempting to support a claim made earlier by the late James Weisheipl, O.P., who had argued that the *De aeternitate mundi* was· a fundamentally theological work. Weisheipl's point, however, was not that the arguments in the work were theological in character hut that the *target* of the work was theologians, especially those who followed Bonaventure in seeing an incompatibility between being created and being temporally eternal in the past. Theological arguments, according to Thomas, must he based upon revealed authority, but the arguments in the *De aeternitate mundi* are not based on such authority, and hence cannot he considered to he theological. Nevertheless, the arguments can have a theological purpose insofar as they remove a philosophical confusion in order to help theologians better understand creation.

P. van Veldhuijsen (pp. 20-38) provides a generally sound inter· pretation when he compares the doctrines of Bonaventure and Thomas on the possibility of an eternally created world. He is to be commended for seeing that the principal dispute between Bonaventure and Thomas is over the problem of whether something created out of nothing could also have existed eternally in the past, and that the dispute is not, as many scholars have thought, over the question of whether a past eternal temporal duration is possible or not. Yet van Veldhuijsen

is open to criticism in claiming that Bonaventure regards the creation, and hence the temporal beginning, of the world as demonstrable. When Bonaventure treats the question of creation out of nothing formally he makes no claims for philosophy on the doctrine. Rather, he says that philosophers have in fact failed to understand creation out of nothing and that reason does not disagree with the faith. Note: he does not claim that reason *proves* the doctrine of faith, but only that reason is not in disagreement with faith-and he shows this by refuting the arguments *in opponendo* which pretend to disagree with the faith.

M. F. J.M. Hoenen (pp. 39-68) shows how Thomas's doctrine on the eternity of the world was reported by William de la Mare in his *Correctorium Fratris Thomae* and also in five of the responses to William, which are known as the *Correctoria corruptorii.* Hoenen brings to light which of the works of Thomas were involved in the dispute between William and his responders, how Thomas was quoted or reported on both sides, and what particular problems were argued about. It is interesting to note, for example, that Thomas's Aristotelian commentaries and his *De aeternitate mundi* were almost completely absent from this debate. Hoenen thinks that the omission of these works is decisive in showing that these works must not have been available to the debaters, for otherwise they surely would have been used in the debate. As Hoenen is attempting to show how Thomas was known to the debaters, it is unfortunate that he does not give a general assessment of how well Thomas was interpreted by them, although he does give some instances of how Thomas was misrepresented.

In a second contribution, P. van Veldhuijsen (pp. 69-81) gives a report of Richard of Middleton's criticisms of Thomas Aquinas on the topic of this volume. We are promised that Richard has an " original criticism " of Thomas and that Richard " gives an interpretation of Thomas on eternal creation and conservation that is essential for a clear understanding of Thomas's position." In fact, however, the position of Richard contains little that has not already been found in Bonaventure. Like Bonaventure, Richard sees the fundamental problem in the Thomistic position to be that creation is regarded as a *mutatio* or a *facere* such that the created thing, precisely in order to be created, must have being temporally after non-being. Since Richard cannot accept the central Thomistic point that creation out of nothing is indifferent to temporal beginning or eternal duration, it is hard to see how Richard's doctrine is essential for a clear understanding of Thomas.

Finally, J. M. M. H. Thijssen (pp. 82-100) examines the response of Henry of Harclay (d. 1317) to Thomas Aquinas on eternity and infinity. Thijssen introduces his study with the general claim that the analysis of the infinite is "in itself a mathematical subject" (p. 83). Now it is true that Henry treats the problem as a mathematical prob-

lem, but Thomas follows Aristotle in seeing the problem of the infinite primarily as a problem in natural philosophy and only secondarily as a problem in mathematics. The natural philosopher realizes that the infinite is a kind of potential reality, of which more can always be taken, but never something actually infinite. The mathematician, however, who has abstracted from signate and common matter, might be tempted, as Henry was, to think of mathematical infinities as actual infinities. Henry, thinking about sets of numbers, is involved in the business of comparing smaller and larger infinite sets. For Henry such sets are actually infinite. But Thomas, thinking of past time as a natural philosopher would, argues that the reality of past time is a reality of *successive* events. That is, the events of the past are now not actual, and so it makes no sense to speak of the past as an actual infinity. Henry, as it turns out, reaches roughly the same conclusion as Thomas-that the world could have existed eternally in the past-but for very different reasons. Henry argues that mathematical infinities can be traversed; Thomas argues that past time is no longer actual and hence can not be thought to be an actual infinity, even if the world were eternal. Thijssen's study, though helpful, does not bring out this basic difference of method between Thomas and Henry.

Thijssen concludes his study with a brief explanation that Thomas of Wilton (fl. 1314-1320) shows a dependence upon Henry in presenting his own arguments on the eternity of the world, and that William of Alnwick (d. 1333) is dependent upon both Henry and Thomas. This intellectual relationship has been shown in much greater detail by Richard Dales in his fine book, *Medieval Discussions of the Eternity of the World,* which has appeared too recently, unfortunately, to have been available to Thijssen.

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Being and Goodness: The Concept of the Good in Metaphysics and Philosophical Theology. Edited by SCOTT MACDONALD. Ithaca, NY: Cornell University Press, 1991. Pp. 328. $43.95 cloth, $14.95 paper.

The quality of these (mostly) new essays and the modest price make *Being and Goodness* recommendable, almost as two anthologies in one. This ambitious collection has a split personality: careful interpretations of medieval texts (in part I) are yoked to intriguing contributions to contemporary discussions in metaethics and philosophical theology (in part II).

Four essays by Eleonore Stump, Norman Kretzman, or both, appear to he the heart and inspiration of this anthology. Their contributions are about 40% of the length of the volume; and their collaborative essay, "Being and Goodness" (the only reprinted essay included), provides both the collection's title and its theme, which is to enrich contemporary debate in philosophical theology and virtue ethics by :mining the resources of the ancient and medieval tradition that "the terms '*being*' *and 'goodness' are the same in reference, differing only in sense"* 99).

Other contributors (Scott MacDonald, Jan A. Aertsen, Ralph McInerny, Mark D. Jordan, and Jorge J. E. Gracia analyze medieval texts in the tradition from Augustine to Suarez; William E. Mann and Thomas V. Morris contribute essays in philosophical theology) do not integrate historical analysis and original speculation. The editor frames this collection with a fine introductory survey of the being/ goodness tradition from Plato through the Middle Ages, a considerable (13 page) bibliography, and a new translation of Boethi.us's *De hebdomadibus,* which was an influential text in the tradition.

There are two distinct ways of conceiving the necessary connection between being and goodness. The "participation approach," which sees being as metaphysically and causally dependent upon goodness, tends to a theological and relational account of goodness: creatures are good only because they are created by God, who is goodness in itself. The "nature approach," on the other hand, derives from Aristotle and tends to neither a theological nor a relational account of goodness. It identifies the good with the end, or *telos* of a being: an existing thing is good when it fully actualizes its intrinsic nature. The tension hetween these approaches can lead to confusion or to fruitful synthesis. For example, Albert the Great took up contradictory accounts of goodness in part hecause he failed to distinguish the two senses of "end" {as intention and as nature) characteristic of the pm:ticipation and

nature approaches, according to MacDonald's "The Metaphysics of Goodness and the Doctrine of the Transcendentals." On the other hand, Aquinas successfully combined approaches in his exploration of the tension between the views that ' good ' is a common name applicable to all beings (Aristotelian) and that only God is 'good' (Platonic), argues Jan A. Aer·tsen in "Good as Transcendental and the Transcendence of the Good."

Stump and Kretzmann begin " Being and Goodness " with a lucid summary and defense of Aquinas's metaethics as a worthy contender for " the metaethical foundation that recent virtue-centered morality has been criticized for lacking" (p. 98). Aquinas's view that goodness is a property which supervenes upon a natural property, the actualization of the individual's " substantial form," follows the nature approach. Their derivation of Aquinas's normative ethical rules from this metaethics responds to critics who claim virtue-theoretical approaches do not illumine the role of deontological rules in morality. They explore implications for theories of religious ethics (the divine-command theory is avoided) and certain solutions to the problem of evil; these explorations are relatively undeveloped, but intriguing.

Stump builds on this collaborative essay in her "Aquinas on Faith and Goodness" when she argues that Aquinas's being/ goodness metaethics explains why God would want humans to accept propositions about God on faith rather than knowledge, why having faith is meritorious, and why epistemological weighing of evidence plays only a minor part in adult religious conversions. Stump's conclusions are based on her thesis that when one assents to the proposition " God exists" on faith, one is "metaphysically justified" in this belief because one hungers for perfect goodness, perfect goodness entails perfect being, and perfect being must exist in the actual world. That is, the being/ goodness identity logically ensures that what one hungers for (perfect goodness) exists. (One is not "epistemically justified," however, in believing one is justified in believing God exists.) She promises that similar arguments will show we are metaphysically justified in accepting the other "propositions of faith," Christian claims which are appropriately accepted on faith (p. 199). Yet this promise is implausible. If Stump were correct, all propositions of faith would be necessarily true because the only reason one is metaphysically justified in believing God exists is that the object of one's hunger necessarily exists, which is to say " God exists " is necessarily true. Yet surely some religiously important propositions about the acts of God are contingently true.

Norman Kretzmann in two essays discusses whether God is significantly free in choosing (1) *whether* to create and (2) *what* to create. Kretzmann claims that God necessarily (though "willingly") creates,

God necessarily creates persons with free will, hut God otherwise exer· cises free will in selecting which creatures to create. Kretzmann argues (contra Aquinas) that from Aquinas's being/goodness metaethics and the " Dionysian Principle" (" Goodness is by its very nature diffusive of itself and [thereby] of being") it follows that God necessarily creates because creativity is an aspect of God's nature. Kretzmann sug· gests this diffusion of God's goodness in creation essentially involves "representation" of God's goodness to an audience, to an interpreter who responds to God in personal relationship. Yet these claims are not sufficient to establish Kretzmann's necessitarian views. Perhaps, as Peter Geach has argued, God's self-diffusive love is sufficiently expressed and received by the divine persons within the Trinitarian Godhead, leaving God undetermined whether to create at all. Here K:retzmann shifts his ground: he grants these " divine persons " respond to God's love, hut notes they are not capable "of rejecting as well as of participating in God's love" (p. 246). Kretzmann's supposition is that (created, but not divine?) personhood entails libertarian freedom.

To the Leibnizian conundrum that God must create the best possible world, Kretzmann defends Aquinas's solution that possible worlds are comparable in value, but no possible world could be better than every other possible world. William E. Hann, in "The Best of All Possible Worlds " defends an alternative solution: that possible worlds are grouped in clusters by similarity, and that they are comparable within those dusters, hut between the clusters possible worlds are incommensurable. Mann defends this hypothesis with the proposal that some life-plans are neither better, worse, nor equal to others. Possible worlds go into incommensurable dusters because agents can choose from such alternative life-plans. Both Kretzmann and Mann make important contributions to the possible worlds debate.

The being/ goodness tradition is congenial to " perfect being theology " which derives the actual existence and other properties of God from a central assumption that God is the greatest possible being. fo "Metaphysical Dependence, Independence, and Perfection " Thomas V. Morris derives that central assumption of perfect-being theology from metaphysical claims which are attractive to any traditional theist, including theists who espouse a creation-theology (deriving the actual existence and other properties of God from the idea that God is the creator of everything which does or might exist) . He also argues (contra Mann) that perfect-being theology does nol: imply, by way of considerations of divine independence, the doctrine of divine simplicity (including spatial-, 'temporal-, or property -simplicity) .

Being and Goodness rewards with stimulating speculation in virtue-thooretic :m.etaethics and philosophical theology, and with responses to

a number of common criticisms of the being/ goodness tradition. Except by Stump's and Kretzmann's essays, I am not encouraged to explore the medieval resources in the tradition, but I expect more encouragement will be forthcoming from the authors in this anthology.

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Being and Knowing: Reflections of a Thomist. By FREDERICK D. WILHELMSEN. Albany, N.Y.: Preserving Christian Publications, 1991. Pp. 282. $25.00 (cloth) ; $12.00 (paper).

In this book Dr. Frederick D. Wilhelmsen has gathered many opuscula, most of them articles previously published in journals such as *The Thomist.* They are not, however, a random assortment of short works, herded together under a somewhat arbitrary rubric, as such collections are notoriously apt to be. They all fit happily under the heading, " Being and Knowing," and are arranged in an order that shows careful thought: the first chapter deals with the character of metaphysics, following chapters deal with the metaphysics of *esse,* then further chapters carry the principles already enunciated into various special fields (such as computers, the modern self, and communication), with two final chapters that take the reader into the borderland of philosophy and faith.

Wilhelmsen is well known as a vigorous exponent of what is called "existential Thomism." Although acknowledging the influence of Etienne Gilson, Wilhelmsen develops his thought in a way that is his own; he does not deserve to be hailed or dismissed on the basis of a handy tag. Certainly, for him, the doctrine of Thomas on *esse* is at the center, and radiates its light upon the whole of philosophy (not to say theology) . But not only does Wilhelmsen expound this doctrine with special clarity and trenchancy; he shows its illuminative power in many fields of special contemporary interest, not least in radical critique of modernity-of the Cartesian ego and of the demiurgic attitude towards the world.

Polemic purposes, both with respect to the whole modern demarche in philosophy and with respect to Thomisms of other stripes, are often present, sometimes explicit, sometimes implicit. He obviously stands in opposition to the deep assumptions underlying the Cartesian revolution and exercising sway over later thought. :J3ut he also finds much to

fault in would-be Thomists who do not sufficiently subordinate *essentia* to *esse* or who adopt a transcendental approach. Chapters VIII and IX exemplify the former confrontation with regard to the modern ego and its self-consciousness. Chapter IV casts a disapproving eye upon the primacy of the question as this is upheld by some eminent transcendental Thomists.

An especially fine piece of work, in this reviewer's opinion, is Wilhelmsen's study in Chapter VI of the relation of creation. The author thinks along with St. Thomas in developing the paradox of two-way priority as between the creature as substance and its relation to the God who creates it. The result is a combination of sharpness in distinguishing and depth in penetrating the ingredients of the solution: *esse,* divine and creaturely; *esse* and *essentia;* substance and accident; relation, real and mental-a masterly exposition of notions at the core of Thomistic metaphysics.

I would mention also, particularly for its provocative contrasting of the iconic with the ironic, Chapter X, " The Philosophy of Communication." Wilhelmsen shows that he is wide awake to the current cultural scene and familiar with those who represent it and shape it. Here and elsewhere we find the " creativity " which he sees, in Chapter One, as belonging to metaphysics.

Being and Knowing is a work that belongs on the shelves of all persons interested in Thomas and Thomism, in metaphysics, and in the philosophic ailments of our time and their cure., (One should also, at least parenthetically, congratulate the publishers, Preserving Christian Publications, for their effort to make more accessible such studies as those assembled in this volume. And perhaps one could be forgiven if one noted that such publications as this provide a much healthier stimulation than the pills which share ·the publisher's acronym.)

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Humanae Vitae: A Generation Later. By JANET SMITH. Washington, D.C.: The Catholic University of America Press, 1991. Pp. xvi + 425. $42.95 hardcover; $17.95 paper.

This is an ambitious and important study. I will first offer an overview of the volume to indicate its scope and note some of its major features. I will then respond briefly to some of the major criticisms Smith makes of the argument against contraception advanced by Germain Grisez, Joseph Boyle, John Finnis, and myself.

The work contains 8 chapters and 4 appendices. Chapters 3 and 4, as Smith says, "provide an analysis of *Humanae Vitae* itself and thus constitute the heart of the hook" (p. xi). Since this is so I will first summarize briefly Chapters 1, 2, 5, 6, 7, and 8 and then center attention on the two central chapters and the four appendices.

Chapters 1 and 2 provide the context for *Humanae Vitae.* The first chapter is devoted largely to an account of the so-called " Minority " and "Majority" documents of the Papal Commission for the Study of Problems of the Family, Population, and Birth Rate, while the second seeks to summarize Catholic teaching on Christian marriage prior to the encyclical. This summary draws principally from Pius XI's *Casti Connubii* and from nn. 47-52 of Vatican II's *Gaudium et Spes.* Smith takes up in some detail the issue of the" primacy" of procreation, concluding that *Gaudium et Spes* " seems to sidestep " this issue which, in her judgment, is irrelevant to the question of contraception. She thinks that this central document of Vatican II sent " mixed signals " on the question of contraception, although she believes that several passages " can very plausibly he read to support the position that contraception is portrayed as a violation not only of the procreative good of marriage hut also of the values of conjugal love" (p. 66).

Chapter 5 deals with a wide range of theological issues: the biblical foundations for the teaching found in *Humanae Vitae,* the relevance of the concept of *munus* for this teaching, the possibility of acting " in good conscience " in a way contrary to its teaching, and the infallibility of the teaching. Of special value is the extended discussion of the concept expressed by the Latin term *munus.* Smith examines the rich meaning of this term in several magisterial documents, including *Gaudium et Spes* as well as *Humanae Vitae.* While a *munus* implies duties, it is essentially a noble, honor-bringing "gift" or "reward," signifying a vocation and sublime honor. Paul VI, in developing the integral vision of marriage in his encyclical, uses this concept to show that God, in giving to spouses the *munus* of handing on new life, has conferred on them the honor of sharing with him in the work of bring-

ing new life into the world. Smith shows beautifully how the rich theological meaning of this term helps " illuminate and enrich " the teaching of the encyclical.

Chapters 6 and 7 investigate the arguments presented by dissenting theologians after *Humanae Vitae* to justify their repudiation of its teaching. In Chapter 6 Smith considers the views of Charles Curran and Bernard Haering, while in Chapter 7 she examines the proportionalist approach to moral issues developed by Joseph Fuchs, Richard McCormick and others. She provides intelligent criticism both of Curran and Haering and of proportionalist thought, focusing on the repudiation of specific moral absolutes.

In Chapter 8 Smith provides a very helpful summary of Pope John Paul II's understanding of the human person, human sexuality and marriage. In particular, she takes up his notion that in marriage and in the act proper rto it man and woman make a " gift " of themselves to one another. Simultaneously to choose to give themselves to each other in the marital act and to contracept is then seen to involve an inner contradiction, a falsification of the " language of the body " (pp. 230-258). Smith also takes up some of the major criticisms levelled against John Paul II's thought, in particular Lisa Sowle Cahill's, which charges him with an overromantic view of love and a failure to recognize that the personalist values he champions necessarily entail the conclusion that contraception is required if a woman is rto be considered a person fully equal to a man (pp. 258-259). Smith offers a trenchant rebuttal to Cahill's claims.

Chapters 3 and 4, as noted earlier, "constitute the heart of the book." Chapter 3 seeks to uncover the concept of natural law found in the encyclical and to show how Paul VI deals with arguments advanced to justify contraception, especially the argument based on the " totality " of marriage and of conjugal acts within marriage. Smith believes that the understanding of natural law at the heart of the encyclical is that of St. Thomas, to whose teaching Paul VI refers in a key footnote in n. 10 of his letter. According to Smith it is crucially important to recognize that " claims that organs have natural functions that deserve to be respected and that respecting these functions amounts to respecting an order established by God are central to the teaching of *Humanae Vitae"* (p. 75).

She centers attention on a key passage in n. 11 of the encyclical, where Paul VI says that according to the Church's understanding of natural law "it is necessary that each conjugal act *[matrimonii usus]* remain ordained in itself *[per se destinatus]* to the procreating of human life" (p. 78). After analyzing this passage and comparing her translation of the Latin text with other translations, many made from the Italian, she concludes that it means that " couples must not tamper

with the natural ordination of their marital acts" (p. 82). She thinks that it "is going too far to say that it is intrinsically wrong to tamper with these organs simply because such tampering is a violation of their nature. Thus, an argument from natural ordination of organs is not the whole of the argument against contraception. And still again, what needs to be stressed is that it is not just the purpose or the nature of the generative organs that is violated through contraception; rather, it is the purpose of the conjugal act that is violated" (pp. 84-85).

Smith, in short, considers inadequate the so-called "physiological" or "perverted faculty" argument, although she thinks that this "is part of any [valid] argument that contraception is intrinsically wrong" (p. 88). She believes that contraception is morally wrong because it violates the purpose of the conjugal act, not of sexual organs as such, and holds that this is the position found in *Humanae Vitae.*

In Chapter 4 Smith sets forth four major arguments against contraception advanced by authors who defend the teaching of *Humanae Vitae.* In the previous chapter she had considered two alleged arguments and had found them wanting. One is the "physiological" argument to which reference has already been made (called "Version B" by Smith). The other is the argument that contraception is immoral because it is artificial ("Version A"), an argument which, as she rightly notes, is not seriously proposed by anyone (pp. 86-87).

The four arguments discussed in Chapter 4 are the following: (1) "Version C," or the "intrinsic worth of human life" argument, (2) "Version D," or the "special act of creation" argument, (3) "Version E," or the "contraception is contralife" argument, and (4) "Version F," or the "violation of the unitive meaning of the conjugal act" argument. Version C holds that contraception is immoral because it impedes the procreative power of actions ordained by their nature to the generation of *human* life. Its claim is that "human life is such a great good that not only should life itself be respected but so too should the actions that lead to the coming to be of human life" (p. 101). According to this argument contraception is unnatural and immoral "because it does not acknowledge the great good that life is to Man" (pp. 101-102). Among the proponents of this argument is Carlo Caffarra.

"Version D" holds that contraception is immoral because it "impedes the procreative power of actions that are ordained by their nature to assist God in performing His creative act, which brings forth a new human life" (p. 103). This argument is rooted in n. 13 of *Humanae Vitae,* where Pope Paul VI states that anyone using God's gift of conjugal love and jeopardizing, even if partially, its significance and purpose, is defying the plan and holy will of God (p. 102). This is another argument advanced by Caffarra.

"Version E" is the "contraception is contralife" argument advanced

hy Grisez, Boyle, Finnis, and myself. Smith believes that this argument marks a radical departure from rthe natural law tradition insofar as it does not regard the natural orientation of organs and acts as morally determinative. Rather it holds that contraception is immoral because it entails a contralife will and that it is always immoral to have a con· tralife will (pp. 105-106). Smith devotes Appendix IV to an extended critique of this argument.

" Version F," the " violation of the unitive meaning of the conjugal act" argument, holds that contraception is immoral because it falsifies the marital act. Contraception is, in essence, a lie (pp. 107-117). A leading proponent of this argument is Pope John Paul H (whose thought, as we have seen, is examined at length in Chapter 8); others include Cormac Burke, Paul Quay, Mary Joyce, and John Kippley.

Smith believes that Versions C, D, and F are sound arguments and are rooted in the thought of *Humanae Vitae.* She thinks that Version E is "essentially true hut inadequate" (p. 99) and marks a departure from "traditional natural law theory" (p. 105).

Four Appendices are included. The first provides a fresh translation of *Humanae Vitae* from the Latin. The second is a "commentary" on the encyclical, whose " primary purpose " is to " provide a brief summary of the material [chiefly from previous magisterial documents] cited in the footnotes of *Humanae Vitae"* (p. 296). In my opinion this second appendix provides a much needed service for readers of the encyclicaL Appendix III, quite brief, is concerned with the *modi* that Pope Paul VI had inserted into the text of *Gaudium et Spes.*

Appendix IV is a " critique of the work of Germain Grisez, Joseph Boyle, John Finnis, and William E. May" (p. 340). The first part of this appendix (pp. 341-352) deals with Grisez's 1964 volume *Contra· ception and the Natural Law,* while the second part (pp. 352-370) takes up these authors' 1988 essay, " ' Every Marital Act Ought to Be Open to New Life': Toward a Clearer Understanding" (originally published in *The Thomist* 52 [1988] 365-426). Smith believes that these authors (since I am among them I will henceforth use the first person plural to refer to the authors and their work) do not "employ the traditional arguments of the Church" (p. 353). Moreover, she believes, we do not properly understand what contraception is. According to us it is *not* a sexual act, whereas Smith believes that it " is a perverted sexual act, i.e., a sexual act deprived of its proper *telos"* (p. 361). But her major objection to our approach is that it shifts attention from the *objective act* of contraception to the *subjective intentions* of the agents. Accord· ing to Smith, " Thomistic tradition holds that the external act can be evil, without reference to the will, insofar as it violates right reason " (p. 356), For Aquinas and the Catholic tradition, she argues, the will

becomes had because it wills an act had in itself, whereas for us the act becomes had because it is chosen with a bad will (pp. 357-358).

I will begin here by noting an anomaly in Smith's presentation of " Version C," the " intrinsic worth of human life " argument, in order to show that the " contraception is contralife " argument we develop is far from being, as Smith thinks, a departure from the Catholic tradition, but is rather rooted in that tradition. I will then reply to some of her major criticisms of our version of this argument.

According to Smith, " Version C " holds that contraception is immoral because it impedes the procreative power of actions that are ordained by their nature to the generation of human life (p. 101). Carlo Caffarra is identified as a proponent of this argument (and he is), and in n. 6, on p. 386, Smith cites an illuminating passage from Caffarra which, she thinks, illustrates Version C. It will help to cite the passage here:

> in the corpus of law which was in force until 1917, the Church used a very strong expression with regard to whoever-married or not-had recourse to contraception: " *tamquam homicida habeatur* " [let him be considered one guilty of homicide]. The equivalence, or better, the analogy that canon law established for centuries between homicide and contraception, no longer surprises us *if we do not look exclusively at the behaviour in the two cases, but rather at the intention or movement of the will that has recourse to contraception.* Ultimately, in fact, the decision is rationalized and motivated by the judgment: *"it is not good that a new human person should exist* " . . . The anti-love inherent in contraception is identically antilife, since there is always implicit in it the refusal of the goodness of being, the refusal to exclaim: " How beautiful, how good it is that you should exist" (Carlo Caffarra, *"Humanae Vitae:* Venti Anni Dopo," in *Humanae Vitae: 20 Anni Dopo* [Milan: Edizioni Ares, 1988], pp. 183-195, at 192; emphasis added).

I cite this text, emphasizing portions, to show that the argument Caffarra gives in this passage is *not* Smith's Version C, insofar as here he says nothing about impeding the procreative power of actions ordained by their nature to new life, which, according to Smith, is the characteristic feature of Version C. Rather, Caffarra centers attention on the intention or movement of the will of contraceptors. Theirs is a contralife intention. Thus, it seems to me, Caffarra's argument in this passage illustrates what Smith calls " Version E," the " contraception is contralife " argument. What is anomalous about the matter is that Smith praises Version C as a sound argument-and cites this passage to illustrate it-but rejects Version E as " inadequate " and a marked departure from the Catholic tradition. Yet Caffarra's argument in this passage clearly locates the immorality of contraception in the contralife will of those who contracept.

Smith's claim that this argument departs from the tradition is simply

erroneous. The development we give to this argument is new, hut ours is an effort to provide a fresh formulation of a major reason why the Catholic tradition has always rejected contraception. We begin our version hy reminding readers of the very canon to which Caffarra refers, the *Si aliquis,* which summarized the teaching of the Fathers of the Church and was included in the Church's universal law from the thirteenth century to 1917.

Moreover, the *Roman Catechism,* popularly known as the *Catechism of the Council of Trent,* in treating the sacrament of matrimony, incorporated this tradition, saying: "Fit ut illorum sit scelus gravissimum qui, Matrimonio iuncti, medicamentis vel conceptum impediunt, vel partum ahigunt, haec enim homicidarum impia conspiratio existimanda est" (Part II, ch. 7, n. 13). Ironically, Smith, in her commentary on *Humanae Vitae,* n. 12, notes that Paul VI refers to this passage, and she cites it in the translation given hy Robert Bradley, S.J., and Eugene Keyane. Yet she fails to note its significance for the " contraception is contralife " argument, which she insists departs from the Catholic tradition.

Smith believes that we err hy shifting attention from the *objective act* of contraception to the *subjective intention* of the agents. According to her, we fail to recognize that the external *act* of contraception is evil because it violates right reason (cf. p. 356), not because the *intent* with which it is done is evil. Our approach, in other words, is subjectivistic.

Smith, unfortunately, has seriously misconstrued our argument. After introducing the subject, our first concern was to identify *what* the human act of contraception is, insofar as moral judgment hears upon *human acts,* and we identified it as an act chosen precisely to impede the beginning of new human life, i.e., as an act embodying a contralife choice or will (see "'Every Marital Act .. .," 369-371). Only *after* identifying what contraception is did we then state our thesis, namely, " that the contralife will that contraception involves also is *morally evil"* (ibid., 374), and we then devoted a major part of our article to demonstrating at length that an act embodying a contralife will must always he judged morally evil precisely because that kind of human act cannot conform to reason, i.e., to precepts of natural law (ibid., 374-384) . Smith simply passes over this critically important section of our essay. [A similar misconstrual of our argument has been made hy Robert Connor in two essays, both entitled " Contraception and the Contralife Will," in *Linacre Quarterly* 57.4 (Nov. 1990) 73.93 and *Gregorianum* 72/4 (1991) 705-724.]

In .the section of our essay in which we identify the act of contraception we center attention on the *intention* of those who contracept, in particular the *choice* that they make, precisely because contraception

is a *human act,* and as such voluntary and willed. As St. Thomas repeatedly states, " moral acts receive their species from what is intended, not from what is outside the scope of one's intention " ("morales autem actus recipiunt speciem secundum id quod intenditur, non autem ab eo quod est praeter intentionem ": *Summa Theologiae,* 2-2, 64, 7; cf. 2-2, 39, 1). We focus on the inner act of *electio* or choice insofar as the specifying object of this inner act of choice is the *human act* in question, namely, the act of contraception: "electio semper est humanorum actuum" *(Summa Theologiae,* 1-2, 13, 4). In short, acts are morally significant and are morally assessed in terms of their kind or intrinsic character just insofar as they are willed and are expressions of the agent's free, self-determining choice. And, we argue, in contracepting one's choice is precisely to impede the beginning of a new life. One's choice is thus contralife.

Smith calls attention to an example we use to show that contraception is *not* a sexual act, namely, that of a dictator who has a fertility-reducing agent added to the water supply. We hold that the dictator is the one who contracepts, not the people who drink the water and subsequently engage in intercourse, insofar as the object of the dictator's free, self-determining choice is precisely to impede the beginning of new human life. This is what he *does.* Smith says that the dictator is not a contraceptor, although, paradoxically, she thinks him guilty of the sin of contraception (even though he does not contracept !), whereas the people who drink the water and then engage in intercourse are contraceptors but guiltlessly so. But surely the dictator is doing something that meets Pope Paul VI's definition of contraception in n. 14 of *Humanae Vitae:* he is doing something prior to intercourse, intending what he does as a means of impeding procreation.

Smith's work is a worthwhile and helpful study, one I will surely use in a course devoted to the philosophical and theological foundations of the encyclical and its teaching. Her translation from the Latin and her commentary, in which she painstakingly examines the references given in the footnotes of *Humanae Vitae,* are especially valuable. In addition, her rich analysis of the concept of *munus,* so central to the thought of the encyclical, and her discussion of many other matters, in particular the thought of Pope John Paul II, are greatly helpful to anyone interested in the truth. Her book needs to be read and studied carefully and merits a wide audience. I hope that in future editions she omits Appendix IV and recognizes that the argument against contraception because of its contralife character is rooted in the Catholic tradition and is far from being a novelty.

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