THE USE OF SCRIPTURE AND THE RENEWAL OF MORAL THEOLOGY: THE *CATECHISM* AND *VERITATIS SPLENDOR* [1]

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THE SECOND Vatican Council ratified the biblical re- ●ewal that had prepared it. It truly gave Scripture back o the Catholic people and recommended it as " the very soul of sacred theology." [2] The Council invited theologians to show the inner coherence of the mysteries of salvation proposed by the Scriptures. They were exhorted to make use of the teaching of the Fathers and to engage in speculative reflection, with St. Thomas as a guide, in order to search for the solutions to human problems in a manner suitable to contemporary man. In particular, the Council affirmed :

> Special care should be given to the perfecting of moral theology. Its scientific presentation should draw more fully on the teaching of holy Scripture and should throw light upon the exalted vocation of the faithful in Christ and their obligation to bring forth fruit in charity for the life of the world.[3]

The document on the formation of future priests published on February 22, 1976 by the Congregation for Catholic Education

[1] This paper was presented at the Theological Consultation of American Bishops at the Pontifical North American College in Rome, September 12, 1994. The English translation was prepared by Sister Mary Thomas Noble, O.P.

[2] *Dei Verbum* 24; English translation by Liam Walsh,O.P., *Vatican Council II,* ed. Austin Flannery, O.P., revised edition, (Collegeville, Minn.: The Liturgical Press, 1992), 764. See *0Ptatam totius* 16.

[3] *Optatam totius* 16; English translation by B. Hayes, S.M., S. Fagan, S.M., and Austin Flannery, O.P., *Vatican Council II,* 720.

makes the directives in this conciliar text beautifully explicit and helps us to perceive its main lines. Notably, it states :

> In the past, moral theology exhibited at times a certain narrowness of vision and some lacunas. This was due in large part to a kind of legalism, to an individualistic orientation, and to a separation from the sources of Revelation. To counter all this, ... it is necessary to clarify the method by which moral theology ought to be developed in close contact with Holy Scripture (n. 96).

The *Catechism of the Catholic Church* and the encyclical *Veritatis Splendor* have each in its own way effected the reestablishment of the bonds between Scripture and moral theology. I propose to touch upon the principal points of this scriptural renewal in the teaching of moral theology.

In order to get an idea of the novelty of these recent developments, a comparison will help. We shall look at the presentation of Catholic moral teaching given in the manuals which have served as textbooks in seminaries and which have oriented preaching and moral catechesis over the last four centuries, following the Council of Trent. These manuals developed and transmitted a certain systematization of moral theology based on categories which have become classic. Even those who criticize the manuals, proportionalists and consequentialists, for example, still use these categories. The moral theory of the manuals constitutes a common cultural base, one whose concepts and categories (for the most part connected with certain currents in modern philosophy such as Kantian ethics) have exercised a determining role in the relationship between the teaching of Christian ethics and Scripture.

In our effort to delineate the principal elements of scriptural renewal proposed to us by the *Catechism* and the Encyclical, we shall examine six points: firstly, the use of Scripture; next, the great moral texts it offers us, the Decalogue, the Sermon on the Mount, apostolic catechesis, and the treatment of cases of conscience; finally, we shall respond to the difficulty created by new ethical problems and by recent cultural changes.

I. SCRIPTURAL QUOTATIONS

We need only run through the moral section of the *Catechism* to see that Biblical citations are there far more numerous than in the manuals of former times. These citations appear even in the section titles, such as " Life in Christ" and " Life in the Spirit," taken from Saint Paul in order to describe the moral life. The table of contents of the Encyclical is likewise sprinkled with Biblical citations.

Looking more closely, we see that the quotations are not simple illustrations or proof texts, but constitute the primary source of the doctrine being proposed. Such is the case with the beatitudes, placed at the beginning of the moral section of the *Catechism.'* It is also the case with the story of the rich young man who poses the fundamental moral question : " What good must I do to have eternal life? " [5]-the question which traces for us the entire framework of the Encyclical.

This renewal of contact with the Gospel leads to a profound modification of the conception of moral theology. Christian moral teaching cannot be reduced to the observance of a code of obligations and prohibitions. It consists principally, as the Encyclical says, in "holding fast to the very person of Jesus." [8] And so for every believer, "following Christ is the essential and primordial foundation of Christian morality." [7]

The Question of Obligation and the Question of Happiness

In order to .reestablish a solid bond between moral theology and the Gospel, it is not enough to multiply quotations from Scripture. We are facing a basic problem which I shall try to reduce to its bare essentials: it is a matter of knowing what is the first and characteristic question for moral theology.

We have here a choice between two questions which embody two concepts of moral theology. I shall mention first the one

"'*Catechism of the Catholic Church,* (Washington, D.C.: United States Catholic Conference, 1994), n. 1716-1729, pp. 426-30.

5 *Veritatis Splendor,* (Vatican City: Libreria Editrice Vaticana, 1993), n. 6ff.

11 *Veritatis Splendor,* n. 19.

1 *Veritatis Splendor,* n. 19.

which is still the most widespread. Since the end of the Middle Ages, moral theology has focused on the idea of obligation imposed by law, to such an extent that moral teaching has become the domain of obligations, commands, prohibitions. The first moral question has therefore become: What is obligatory? What is allowed or forbidden? In consequence, moral theology has been divided according to the ten commandments, understood as the expression of the obligations and prohibitions imposed by the law of God. It has been cut off from all that goes beyond obligation and from all that concerns the free search for perfection. These have been relegated to another science, to the domain of asceticism and mysticism, or of spirituality, or perhaps of *parenesis* (exhortation), as the exegetes call it.

As far as the relationship between Scripture and moral theology is concerned, the result of all this is direct and logical: Since they began with the question of obligation, moral theologians were only interested henceforth in scriptural texts which established obligations or formulated commands, that is to say the Decalogue, seen as a legislative code, and passages of the New Testament which could be related to this, such as the teaching on the indissolubility of marriage in Mt. 19:9. Moral theologians were no longer interested in sapiential and exhortatory texts. They did not realize that they were overlooking the principal texts of the apostolic moral teaching. Thus the contact between Catholic moral teaching and Scripture narrowed by focusing on the Decalogue, which was identified, moreover, with natural law.

To aid us in reestablishing the connection between Catholic moral teaching and Scripture, the theological tradition fortunately offers us another model, one that comes to us from the Fathers of the Church. The approach of the Fathers to moral teaching began with the question which Saint Augustine expressed in these terms, "What is the happy life?" and which Saint Thomas later posed at the beginning of the moral section of the *Summa,* asking, "What is true happiness?" In this way, they were rephrasing the question of the rich young man to Jesus: "What good must I do to gain eternal life?" That is also the question of salvation, according to another biblical formulation.

With the moral question formulated in this way-" What is the true good, the true happiness ?"-the horizon of moral theology is opened up broadly, beyond legal obligations, and the scriptural texts evoked in response flow abundantly, beginning with the Gospel beatitudes, which are like a summary of God's promises to his people. The beatitudes bring us Christ's answer to the question of happiness-a question which, according to Saint Thomas' s commentary on Matthew, philosophers of all schools tried in vain to resolve.

It is indeed in this direction that the *Catechism* orients us, together with the Encyclical which followed it, when it introduces at the beginning of fundamental moral teaching-before the study of liberty, human acts, conscience, and law-a chapter on " Our Vocation to Beatitude " with its triple division: the beatitudes, the desire for happiness, and Christian beatitude. Since the appearance of the first manuals in the seventeenth century, the treatment of beatitude had been separated from fundamental moral theology without a word being said. So complete was the separation that one could discuss the entire field of moral theology without mentioning the question of happiness or thus of the beatitudes. This is borne out by the thematic indexes of these treatises on moral theology.

What is at stake is of prime importance for us. If we approach the Bible from the perspective of the question of happiness, the entire body of Scripture will give us answers, by showing us the ways which lead to the promised happiness and by furnishing us with examples to support us in our pursuit of it. We then rediscover this Patristic idea: the entire Bible possesses a moral meaning centered upon the application of the teaching and the life of Christ to our own conduct.

II. THE REINTERPRETATION OF THE DECALOGUE

Having rediscovered the path to scriptural renewal in ethics, thanks to the question of true happiness, we can now approach the principal moral texts offered *to* us by Scripture.

The first text to look at is the Decalogue. Throughout Christian tradition, the Decalogue has provided the basic foundation

for moral teaching, but the interpretation given it varies according to the place attributed to it in the theological systematization. For Saint Thomas, for example, the Decalogue is at the service of the virtues, beginning with the theological virtues which form the heart of the New Law. In the study of each virtue, he examines the corresponding commandment of the Decalogue, as determining that without which no virtue is possible. In the modern manuals, the structure of moral theology is formed by the ten commandments, seen as the expression of moral obligations, while the virtues are practically speaking dropped from fundamental moral theology in favor of the study of sins. They serve merely as points of reference for classifying obligations and sins.

The *Catechism* proposes to us a broadening of the concept of moral law and its domain. It directs the natural law and the Decalogue to the New Law as to their fulfillment. Thus it places the Decalogue within the framework of the Covenant and makes of it a preparation for the Gospel, at the service of love of God and neighbor.

The Encyclical, in its turn, adopts this viewpoint and adds a clarification which is of great importance for the interpretation of the Decalogue. The Decalogue is not simply a list of commandments demanding obedience under pain of sin and punishment; it is a gift of God's Goodness, a manifestation of his Wisdom and Holiness. And here is the decisive point: more than legal obedience, the Decalogue requires of us a response of love,[8] a love that will take on the twofold form of love of God above all and love of neighbor; these in turn are refracted into the precepts of the first and second tables.

I should like to draw your attention to the importance of this last point. In placing the response of love as the basis of the observance of the Decalogue, the Encyclical is making a fundamental change, a change that a quotation from Saint Augustine introduced a little further on expresses quite well: "Does love bring about the keeping of the commandments, or does the keeping of the commandments bring about love?"[9] In other words,

s *Veritatis Splendor,* n. 10.

9Augustine, *In lohannis Evangelium Tractatus,* 82, 3: *CCL* 36, 533; *Veritatis Splendor,* n. 22.

which is first and fundamental? Is it obedience to the imperative which a commandment formulates, or is it love, which is the object of the commandment? By thinking of morality as the domain of obligations, and particularly by reducing the treatment of charity to a listing of the duties it imposes and the sins contrary to it, Catholic teaching in recent centuries had given priority to commands in moral theology. The Encyclical invites us to a conversion : to give love primacy over command, and to return legal observance to its role as the servant of charity. This is indeed Saint Augustine's answer to his question: "But who can doubt that love comes first? For the one who does not love has no reason for keeping the commandments." [10] In moral theology, the point is not to observe the commandments of the Decalogue materially, to obey them so as to fulfill one's obligations or through a sense of duty; the point is to observe them out of love, with the heart. This is precisely the work of the Holy Spirit when he infuses charity in our hearts, and when he forms the New Law within us as an interior law.

It is the very crux of moral theology that is being modified here. The Decalogue is being reestablished on the foundation of charity and put in direct contact once more with the New Law. It presides like a tutor over the first stage of the formation of charity, a formation whose further growth will develop under the aegis of the Gospel Law. This change of perspective has direct and profound consequences for the relationship between moral theology and Scripture, if it is true, as Saint Augustine thinks, that love of God and of neighbor constitutes the principal criterion for interpreting all of sacred history; for charity is the soul and the end of Scripture. [11]

III. THE SERMON ON THE MOUNT AND THE NEW LAW

A major innovation in the *Catechism* and in the Encyclical is that the New Law and the Sermon on the Mount have been re-

10 Ibid.

11 *De Doctrina christiana,* bk. I, ch. xxv, *39.*

introduced into the domain of Christian moral teaching. As the Decalogue stood to the Old Law, so the Sermon on the Mount stands to the New, as its specific text. This is a return to the tradition of the Fathers which led to Saint Thomas. It is also an essential point for the return to the Gospel.

The Sermon of the Lord is indeed a major part of apostolic catechesis. The evangelist Matthew made of it the summary of Jesus' teaching on justice, that is to say, on the moral life. It has rightly been called the charter of the Christian life. For this reason, it became a principal source of preaching and moral theology among the Fathers, Greek as well as Latin, up to the thirteenth century.

The discreet rejection of the Sermon from moral theology in the modern era is easily explained, since the doctrine it proposes cannot be integrated into a systematization of moral theology based on obligations. It is impossible to reduce it to strict commands.

As Henri Bergson pointed out, moral systems of obligation or command are by _nature static; they fix limits and determine minimal requirements. On the other hand the teaching of the Sermon is fundamentally dynamic; it is animated by a continuous tendency toward exceeding and surpassing, a tendency toward the progress and perfection of love in imitation of the Father's goodness. While taking up again the precepts of the Decalogue, the Sermon radicalizes and maximalizes them by placing itself at the level of the heart, or of interior acts, in Saint Thomas's terms, ordering these precepts to the perfection of charity. We are dealing here with two different kinds of moral teaching. Obligations do indeed remain a necessary basis in Christian moral teaching, but they can only fulfill their role and acquire evangelical value by being ordered, as servants, to the increase of charity, whose ways the Sermon on the Mount traces out for us.

The reintegration of the Sermon of the Lord in moral teaching will not be easy, however, because it requires a modification in the moral categories we have inherited from our education. A

sign of this difficulty can be seen in the subject indexes of the *Catechism:* No index, not even that in the recent English edition, mentions the Sermon, even though it is explicitly treated in the body of the text.[12] Still, in the Index of Citations from Sacred Scripture there are 139 citations from chapters 5-7 of Matthew.

Clearly, in order to gather together the teachings of the Lord on the Mount and to take account of them, we need a moral theology which begins with the question of beatitude and develops by following the virtues grouped around charity, even as the structure of the Sermon itself indicates. It first teaches us the blessings of the Kingdom and then describes the attitudes of heart and the conduct that lead to them-in other words, the virtues which prepare the blessings of the Kingdom and which will be more explicitly indicated in the catechesis of the epistles.

In accord with the Sermon, the *Catechism* and Encyclical take up again the teaching on the New Law, defined by Saint Thomas as consisting essentially in an interior law formed by the grace of the Holy Spirit, received through faith in Christ, and operating through charity. This teaching includes as secondary elements the text of the Sermon, as the moral center of Scripture, and the sacraments, as the instruments which communicate the grace of the Spirit. Thus the Holy Spirit once more enjoys a preponderant role in Christian moral teaching. His indispensable action is exercised notably through the gifts, which Saint Thomas links closely to the virtues.

IV. APOSTOLIC CATECHESIS

The Sermon is not the only source of New Testament moral teaching. It is not an isolated text; it appears as summary and completion of Biblical sapiential doctrine, and should be seen in relation to the other texts of apostolic catechesis, of which it is a principal component, representing the direct authority of the Lord.

The *Catechism,* even more clearly than the Encyclical, indicates and recommends to us the principal texts of apostolic moral

iz *Catechism of the Catholic Church,* n. 1965-1970,pp. 477-78.

chesis: Romans 12-15, I Corinthians 12-13, Colossians 3-4, Ephesians 4-5, and so forth.[13] We can easily perceive here the work of the apostles and the first Christian communities, impelled as they were by the desire to obtain, for their preaching, catechesis, and meditation, summaries of moral teaching in a formulation which would lend itself to being passed on and learned by heart.

We encounter here, however, an exegetical obstacle based on commonly accepted moral categories. Exegetes (and certain translations, such as the Jerusalem Bible) place the texts we have cited under the heading of *"parenesis." Parenesis* designates an exhortation that is distinct from moral teaching, which ordinarily takes the form of an imperative. In this view, because they do not present imperatives, such texts thus belong to the field of spiritual exhortation and do not belong to moral teaching properly so called. This is effectively the opinion of " proportionalist " writers, who consequently remove these texts from their ethical system. Therefore it seems that the New Testament has little to teach us about morality. One could thus construct the science of morality without in fact any need to consult Scripture, by basing it solely on rational arguments and norms. These moral theologians proceed on the assumption that the first Christian generation had been little interested in moral teaching and had only a confused idea of it; rather, the early Christians had been content to add some spiritual exhortations to the Decalogue. This interpretation is based on a rigid application of the separation between morality and spirituality.

This rather surprising conclusion is the sign of what we might call an incompatibility of systems in the conception of moral theology. When these moral theologians question the New Testament from the viewpoint of their own system, focused on obligations and imperative norms, they obtain only a disappointing response. The end result of their research is not far from zero.

In fact, the teaching of the authors of the New Testament is linked to a moral system, to a presentation and organization of

[13] *Catechism of the Catholic Church,* n. 1971, p. 479.

moral teaching which responds to the question of happiness and salvation and which is based upon the teaching of the virtues, beginning with faith in Christ and charity. And so their manner of presentation differs from the imperative mode. It is properly called "*paraclesis,*" apostolic and fraternal exhortation.

This is obviously a decisive question with regard to the subject we are discussing: the use of Scripture in moral theology. If we remain bound to a moral teaching of pure obligation and imperatives, the situation will continue to be one of frustration, and constant difficulties will arise over interpretation. We are at an impasse; we need to extricate ourselves by revising our categories and by adopting those used by the sacred writers when they are teaching about morality.

Paraclesis

In order to resolve the problem thus posed by the apostolic form of catechesis, we first need to clarify our terms. In order to designate the apostolic texts of which we have been speaking, exegetical usage has employed the term "*parenesis.*" In my opinion, this term is inadequate; it does not belong to the moral vocabulary of the New Testament (the verb *parainein* appears only twice, in the account of the storm in Acts 27: 9, 22). It seems to me the term "*paraclesis,*" meaning urgent exhortation, would be preferable.[14]

Paraclesis becomes practically a technical term for Paul, who usually uses it to introduce his moral teaching, as in the Letter to the Romans 12:1: "I appeal to you therefore, brethren, by the mercies of God ..."[15] as well as in the other passages mentioned above. In either the substantive or verbal form the word occurs thirty-eight times in the writings of Paul and more than a hundred times in the New Testament. *Paraclesis* is the teaching mode that is appropriate for the apostle when he is transmitting the Lord's teaching to disciples who have become his brothers,

[14] See Heinrich Schlier, *Die Zeit der Kirche: Exegetisrhe Aufsiitze und Vortriige* (Freiburg: Herder, 1956), 74-89.

[15] All Biblical quotations are taken from the Revised Standard Version.

and whom he addresses with fatherly affection. He no longer issues orders or commands as he would to servants, for they have opened their hearts to love, to *agape;* he exhorts them by word and example, as brothers and sisters in Christ. *Paraclesis* is perfectly suited to the regime of the New Law, to a morality of charity and of the virtues, one that calls for each person's initiative. *Paraclesis* can therefore be considered as the specific form of moral teaching in apostolic catechesis. In this perspective, it presents itself to us as a principal source of Christian moral theology.

Upon a close examination, for which we do not have space here, we realize that these texts of apostolic catechesis, in the same way as the Lord's Sermon, often constitute small syntheses of moral teaching, syntheses that are well organized and formed out of bits or pieces that have been carefully worked over (even on a literary level) in the light of the tradition (primarily oral) and above all in the light of practice. These presentations teach us to follow the logic of the Holy Spirit, rather different from Cartesian or Kantian logic, or even scholastic logic. As in the Gospel, the center of moral teaching in these texts is the intelligent and loving heart. We have here real treasures to be rediscovered; they are part of our heritage. If moral theologians have neglected them too much, we have to note that the liturgy has fortunately continued to repeat them to us through the centuries.

V. DISCERNMENT IN CASES OF CONSCIENCE

With the help of the *Catechism* and the Encyclical, we have shown how Catholic moral theology can renew itself by contact with the principal scriptural sources of moral teaching. I should like at this point to complete this general overview by examining how the sacred authors treat the concrete cases proposed to them, cases of conscience as we call them. Saint Paul, among others, provides us with models in the series of cases that he resolves in I Corinthians. Yet, what is his method, what are his criteria?

The method is constant. We could characterize it as a compenetration of criteria of two orders. First of all, there are the

criteria belonging *to* the order of reason, such as can be found in the thought of the philosophers and rabbis. In the case of fornication, for example: " Every other sin which a man commits is outside the body; but the immoral man sins against his own body" (I Cor. 6:18). At the same time, criteria based on faith come into play: our relationship to Christ, to the Spirit, and the bond of charity: " Do you not know that your body is a temple of the Holy Spirit?" (I Cor. 6:19). We can thus perceive in Saint Paul's work of discernment an intimate link between the understanding of the human and the understanding of Christ. Each penetrates and reinforces the other, but the Christian criteria become predominant, particularly through the work of charity which unites believers as brothers, as members of the same body by the impulse of the Spirit. It is, moreover, within this framework of the Church seen as the body of Christ that Paul places his moral teaching in his epistle to the Romans, as well as in that to the Ephesians.

In brief, we already find in Paul what later theology will develop-a close union between the moral virtues: sobriety, justice, chastity, gentleness, discernment, etc., and the theological virtues which provide the higher and decisive criteria. Charity in particular penetrates so deeply into the other virtues that they become aspects or forms of *agape.* "Love is patient and kind.... Love bears all things, believes all things, hopes all things, endures all things" (I Cor. 13: 4-7).

Saint Paul does not furnish his correspondents with ready-made solutions, to be applied without variation. He proposes to them models for solutions of cases of conscience; he gives them the basic principles and conclusions; he teaches them how *to* judge according to right reason and the Gospel, so that they will be able to discern for themselves when other situations arise. In this way, he educates their Christian conscience.

In the cases examined, we notice that the apostle is not content to determine what is permitted and what forbidden. His reflection is always directed to the formation of charity in the hearts of the faithful and in the ecclesial community, so that they may

acquire wisdom in docility to the Spirit. In this concrete teaching, he aims primarily at progress in charity and in every virtue.

Nevertheless, in this nuanced teaching, as in the case of eating food offered to idols where he wishes to take into account the conscience of the weak, Saint Paul shows himself intractable in regard to negative precepts and the vices involved : " Do you not know that the unrighteous will not inherit the kingdom of God? ... neither the immoral, nor idolaters, nor adulterers, nor sexual perverts, nor thieves, nor the greedy, nor drunkards, nor revilers, nor robbers will inherit the Kingdom of God" (I Cor. 6.9-10). These vices corrupt *agape.* One must choose. On this level, no compromise, no accommodation is possible.

It is clear that moral judgment takes place first at the level of the heart, in the conscience, where virtues and vices are formed beneath God's gaze and where actions are engendered. Paul is categorical in his reprobation of vices. But the consideration of sins is not predominant for him, as it will be in casuistry. It is the work of grace through charity which is uppermost in his thought. His catechesis is wholly oriented toward salvation in Jesus and sanctification in the Spirit through the practice of the Gospel virtues : " You were washed, you were sanctified, you were justi" fied in the name of the Lord Jesus Christ and in the Spirit of our God" (ICor.6:11).

The study of the cases of conscience is truly a model for us, showing the range of criteria to be used, with their ordering and inter-connection, as well as showing how faith, hope, and charity should guide a Christian's concrete behavior.

VI. NEW ETHICAL PROBLEMS AND CULTURAL CHANGES

We now need to respond to two difficulties frequently presented in regard to the application of Scripture to concrete moral jl1dgment. The advances of science and technology have created new ethical problems. How can Scripture give us norms and prescribe to us a line of conduct in the case of problems which were not imagined in former times, such as those posed by bio-

ethics? Or again : the Biblical authors and the first Christians lived in a cultural context far different from ours, which has been transformed with the advent of " modernity " and the progress of the sciences. It seems that the solutions worked out in their time cannot apply such as they are in our time. How can there be a continuity between Biblical culture and our own, as far as moral norms and their application are concerned ? This difficulty calls into question not only the recourse to Scripture for the solution of concrete cases, but also the universal and permanent character of moral laws. Here we are at the heart of the current debate raised by "proportionalism."

To respond to these questions, we should distinguish three levels in human action, levels that are contained and united in action in the concrete.

1) We can consider the human act at the level of the external act, as Saint Thomas put it. Later moral theologians would rigidify matters by speaking of a physical level, and the " proportionalists " of a pre-moral or ontic level. At this material level, it is clear that the progress of the sciences and technological inventions have produced changes which have modified conditions of life and mentalities, creating a certain " scientific " or " technological " culture. These are material and cultural facts that we need to take into consideration in assessing the circumstances of action.

The danger exists, however, of in effect reducing moral judgment to this level, and of conceiving it according to the model of a technical calct,tlation of profit and loss in view of a desired goal. We would be basing our judgment on a comparison of the good and evil consequences of the action, which the Germans call a *Giiterabwagung,* a weighing out of goods. In this view, the moral teaching of Scripture would be considered as one cultural datum among others, more or less applicable to our times. In this way, if we take the example of a judgment about abortion, the unborn child will be assessed first of all as a datum in the biological order that will be weighed against the interests of the mother in the physical, psychological, or social order. If we are

not careful, in this way of looking at things we will end up using money as the measure, because money lends itself best to the calculation of profit and loss. This method by way of comparison of consequences could lead to a revision of the norms themselves, if general conditions were modified to an important degree, as in the case of the establishment of freedom of abortion by civil legislation.

2) Such a view of human action is partial. Although it suits our technological mentality, it should not be allowed to hide from us the properly moral dimension of the human act: it is the work of the human person and qualifies him in his personality. Human action is directly moral at the level of the interior act. If we rise to this place, which touches us in our state as persons, the perspective changes profoundly. The moral plane is constituted by the qualities of the human person at the level of reason, will, and heart, where he has mastery over his actions. That is the domain of the virtues, the virtues which make both the act and the one who does it good.

At this higher level which is concerned with the human person as human, the changes noted on the material level are reduced. The virtues preached by Saint Paul, such as self-control, patience, truthfulness, purity, as well as the virtues taught by the philosophers, Plato, Aristotle, and Cicero, which have become our cardinal virtues-all these qualities of mind and heart with their contrary vices remain relevant for us, whatever the changes which have occurred over the centuries. These qualities enable us precisely to meas11re the profundity of such changes, notably by means of prudential judgment. These moral perfections witness to the permanence of the human vocation in the multiplicity of peoples and civilizations. It is with regard to them that the greatness or corruption of a culture can be judged; they stand at the very source of civilization. It is on this same common human base that we can establish the universality of human rights, as well as obligations.

At this level, the view on abortion which we took as an example is also modified: Here the unborn child appears as a

human person as much as his mother. He has the seeds of virtue already within him and is morally a subject possessing rights. If justice is the will to render to everyone his due, it will, by combining with her natural affection, inspire in the mother the will to bring the child to his birth and to his full human formation, to the point of the active enjoyment of his rights. This will for justice will then be an integral part of her maternal love.

3) If we wish to return fully to the Scriptures, we must rise still higher, to the level of our relationship with God, to which faith in Christ and charity give us entrance. Here the initiative belongs to the Word of God, resonating in the hearts of believers and using Scripture as his instrument. According to the definition of the New Law, we are the recipients of an interior Word given by the grace of the Holy Spirit, received through faith in Christ and operating through charity. Together with the sacraments, the text of Scripture is the instrument used by grace in order to speak to us and enlighten us.

Exegetes, in my humble opinion as a moral theologian, have fixed our attention a bit too much on human factors and on the cultural context which conditioned the sacred authors in their work of composition. We run the risk of forgetting that when we read Scripture, through these historic data we are placed before a Word that has mastery over time and that creates history, the history of a people that listens to it and of each believer personally, beginning with the most lowly. The Word leads them to an encounter with the living God. Certainly we should carefully take into account the historical and human envelope of Scripture, but this should not prevent us from seeing that in its substance it is formed by a Word that surpasses words, ideas, categories, and sentiments. When God wishes to speak to a man, who can hinder him, what reasonings of exegete or theologian?

We perceive here the higher source of theology and Christian moral teaching. As the account of Pentecost shows, this Word transcends differences of languages and cultures and, with the perspicacity of wisdom, lights up the depths and details of human action in order to work its discernment in the human heart. With

regard to the problem of abortion, for example, the light of the Spirit shows us, in the littleness and weakness of the child hidden in its mother's womb, the work and the image of God, the very figure of Christ identifying himself with the least of the little ones.

Where shall we find the criteria of judgment about this interior Word? Quite simply, we shall find them in the conformity to the writings of the evangelists and apostles.

I should like to add two important clarifications. First of all, the Gospel has been entrusted to the Church and should therefore be read and interpreted in accordance with her teaching, within the framework of liturgical prayer, as well as in personal prayer and meditation. Secondly, all this is useless unless the Word is put into practice; this alone wins us the experience of the realities of the life of faith with spiritual wisdom. It is by practice that a judgment of connaturality is formed within us, a judgment which is the characteristic of the virtuous man and which bears fruit in prudential judgment.

We have distinguished three levels in the complexity of the human act : the material level of the external act; the directly moral level of the interior act; and the level relating us to God, which we may call theological. In a concrete action, however, which is always personal, these three levels converge and compenetrate each other, beginning from the dynamic interiority which conceives our acts and which is our very selves, in our freedom received from God. The theological dimension raises us above the level .of the moral life by inviting us to imitate the perfection of the "heavenly Father"; yet it also inclines us toward what is most concrete, toward helping our brother in need, toward forgiveness, and toward love even of our enemy.

The reproach we might offer to " consequentialism " is that it has narrowed moral theory by reducing judgment to a pre-moral level, to a kind of technical calculation of consequences in view of an end, and by limiting the moral plane to an option between good and bad intention. At the same time, this system has practically severed the bonds between moral theology and Scripture

with its distinction between the transcendental and categorical levels. Morality or ethics being confined to the categorical level, the system was permitted to be developed with the aid of reason alone, having no further need of Scripture.

Such rational, if not rationalistic, truncations impoverish moral theology and are contrary to the perspective and language of Scripture, which proceed directly from concrete experience in all its richness, considered in terms of the heart, where man stands before God and before his neighbor. The preaching of Jesus to which the Sermon on the Mount bears witness, with its parables and examples drawn from everyday life, is characteristic in this connection, and is at the opposite pole from abstract divisions and theories.

Scripture unites all the dimensions of the human act in the experience in which wisdom is formed: experience first of the Word of God who is the source of Scripture; experience then of personal action in docility to this Word; experience too of the ecclesial communion in which charity and the accompanying virtues place us; experience, finally, of the world as the work of God, wrought through his creative Word who governs it. Such is the loving Word revealed in Jesus Christ, which unites moral teaching intimately with Scripture and presides over their relationship. The Word, received in the faith which justifies, engenders Christian morality through the grace of the Spirit, who sanctifies us in charity.

THE PROBLEM OF THING AND OBJECT IN MARITAIN

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IN THE essay, "Critical Realism," Jacques Maritain said, "The problem of thing and object is the crux of the problem of realism." [1] Since then, the distinction between thing and object has received little attention, except for some helpful discussions by Yves Simon. Either Maritain and Simon were very mistaken, or we have been missing something very important. This study will attempt to explain the importance of the thing/object distinction by showing how it applies to a wide range of questions about human knowledge, from the nature of metaphysics to the problem of conceptual relativity in the philosophy of science and hermeneutics.

Skeptics and idealists grant that our awareness has objects. Skeptics question whether we can make extramentally existing things objects of awareness as they are. Idealists deny that things have an existence other than being objects of awareness.[2] Maritain considered the presuppositions of calling something an " object " of awareness: what are we doing when we call something an object of awareness and what conditions are necessary for knowing that something is such an object. He found that the conditions necessary for knowing that something is an object of awareness provide the basis for refutations of skepticism and

[1] Jacques Maritain, *The Degrees of Knowledge,* trans. Gerald B. Phelan (New York: Scribners, 1959) 107 (translation corrected). Hereafter, I refer to this work as DK, followed by a page number.

[2] Maritain uses " idealism " for both ways of denying that we directly attain extramental existents, that is, for any position holding that we must begin from awareness of our mental states.

idealism. But his analysis also gives us a tool, the distinction between things as things and things as objects, capable of illuminating many other epistemological problems.

I will begin by explaining the thing/object distinction and how it enables us to refute idealism. Then, I will apply the distinction to problems concerning the knowledge of being in metaphysics. Next, I will show how the distinction reveals, for the first time, the nature of that "conformity" between the mind and things which we call truth. Finally, I will apply the distinction to the problems of skepticism and conceptual relativity.

I

How do the conditions required for knowing that something is an object enable us to defend realism? We can ask epistemological questions because we are reflexively aware of our own awareness. The reality we call "awareness" is a way of relating to terms that we call its "objects." "Object" is a relational term here; to call something an "object" of awareness is to describe it as a term of a knowledge relation (where "knowledge" means cognition in general, not just knowledge of truth). "We must distinguish," Maritain says, "between the thing as thing-as existing or able to exist for itself-and the thing as object-when it is set before the faculty of knowing and made present to it" (DK, 91). "The object is the *correlative* of a knowing subject ... which precisely *takes the name 'object'* from the fact that it is presented to the mind" (DK, 93; my emphasis). When we describe something as known, conceived, imagined, heard, referred to, expressed, meant, thought about, remembered, etc., we are describing it as an object, in Maritain's sense. The subject-object polarity is a fundamental fact that reflexive self-awareness reveals to us: A state of awareness has an object that is distinct from itself at least to the extent that the term of any relation is distinct from the relation, and just as we can describe awareness as a relation to something, we can describe that something as a term of a relation of awareness, an object.

But we cannot describe objects solely as objects; for whatever we are first aware of, we must be aware of other than as an ob-

ject. To be an object is to be a term of a knowledge relation; consequently, to be aware that X is an object is to have a knowledge relation whose term is the existence of a knowledge relation to X. But what are we aware of by the latter relation? The fact that X is an object? If so, the term of the latter relation is the existence of a knowledge relation to X. There must be a knowledge relation, whose term is the existence of a knowledge relation, whose term is the existence of a knowledge relation to X, and so on. Unless the first term of a knowledge relation is known as something other than the term of a knowledge relation, as something more than an "object," we are in an infinite regress.[3]

To take some concrete examples, what we see is not that something is seen but that something is red or round or moving; what we imagine, in the first instance, is not that something is imagined but that it is tall or swift or soft. " Seen " and " imagined " are descriptions of something as an object of awareness. When we are aware (1) by sight that something is moving, we are also aware (2) that something is an object of sight. But what we see

[3] It makes no difference that every awareness includes an implicit awareness of itself that does not require a distinct, reflexive act. X is an "object" because it is the term of a knowledge relation, A. To know that X is an object we must have a knowledge relation, B, whose term is knowledge relation A. Since A and B have distinct terms, A and B are distinct relations, distinct awareness-ofs, even if they result from the same act. Also, the bipolarity of consciousness has a causal structure. The implicit awareness of one term of the relation, the subject pole, depends on the explicit awareness of the other term. The " what " of which we are aware in knowing the existence of the subject pole is "a knower," that is, we are aware of the subject pole's existence only insofar as it is something with a relation of awareness of the object pole; we are aware of ourselves precisely as something aware of objects. But we could not be aware of the object pole, and therefore of the subject pole, if we were not first aware of more about the object pole than that it is the object pole. (The argument in the text could be expressed as the circularity of knowing subject Y only as a knower of X, when what we first know about X is that it is known by Y.) It is possible that the term of a relation is only conceptually distinct from the relation, when the relation itself is only conceptual. But the relation, awareness-of, really exists. Even if the existence of the object were the same as its being known, *that which* exists when the object exists would be other than its being known.

in awareness (1) cannot be that something is seen; otherwise, there would be nothing for awareness (2) to be aware of.

The refutations of idealism and skepticism will show that our awareness of objects as more than "objects" is awareness of them as extramental " things " ; for they will show that we know objects to be actual or possible existents, where " to exist " is other than to be known. The refutations derive from Maritain, but his arguments are often so compressed that we can easily miss their significance.

We can see how the argument so far presented derives from Maritain by looking at his explanation of the assertion that the problem of thing and object is the crux of the problem of realism. Immediately after making that statement, he criticizes those who call it " 'naive realism ' . . . to start with an act of knowledge about things rather than an act of knowledge about knowledge " (DK, 107). To hold that we do not know objects of knowledge first as other than "objects" is to start with an act of knowledge about knowledge; for something " precisely takes the name ' object ' from the fact that it is presented to the mind" (DK, 93), that it is " set before the faculty of knowing" (DK, 91). And to start with knowledge about knowledge is to "fain start with what comes second" (DK, 108). To claim that we are not aware of objects as other than objects is to start with what we know to come second in awareness, because we know that awareness is a relation to a term other than awareness, a term that we are, therefore, first aware of otherwise than as a " term of a relation of awareness."

Maritain's next statement may appear to beg the question: " One cannot think about a ' thought thing ' until after one has thought about a ' thinkable thing '-a thing ' good for existing ' " (DK, 108). To call something a *"thought* thing" is to describe it as an object; for " thought thing " describes something as term of a knowledge relation. To call something a "thinkable thing" is to describe it as potentially the term of a knowledge relation. But why must a " thinkable thing " be a thing " good for existing " ? Because, for something to be potentially the term of a

knowledge relation, it must actually be something more than the term of a knowledge relation. If it were not something more than the term of a knowledge relation, more than an object, it could not be the term of a knowledge relation even potentially, since the term of the first knowledge relation would be a previous knowledge relation. Maritain continues, " The *cogitatum* (a description of something as an object) of the first *cogito* is not *cogitatum* (that something is an object) but *ens."* We do not first think the fact that something is thought; what we first think about something must be other than the fact that we are thinking about it; otherwise, the first *cogito* could have nothing for its *cogitatum* and so could not exist. For, as Maritain immediately adds," We do not eat what has been eaten; we eat bread" (DK, 108).

Like thinking, eating is a relation to a term; we eat something. And for the relation of thinking to have as its first term the fact that something is thought would be like eating, not bread, which has carbohydrates, vitamins, and protein, but something that only had the quality of being " the eaten." But if that were its only quality, or just its most fundamental quality, there would be nothing to be eaten, even potentially. Like any relation, the relation of eating has a term. If that term has no reality other than what we express by describing it as term of the relation, as " the eaten," that term would not exist, and so the relation of eating would not exist. The infinite regress argument above shows this for knowledge, and so does another argument.

When A eats 'B, we can describe B as " eaten by A," because of a relation belonging to A, not B; the description " eaten " does not directly express any characteristic belonging to B. Therefore, B will have no characteristics, and so be nothing, unless the description " eaten " indirectly attributes characteristics to B by implying that the term of the relation of eating has characteristics in itself that are nonidentical with what we directly express by "eaten by A." Likewise, when A thinks B, if that which is thought were nothing more than " that which is thought," there would be nothing thought, even potentially. The description of

something as "that which is thought" (that is, as an object) must imply that the term of a knowledge relation possesses, in itself, characteristics other than being the term of a knowledge relation. Objects of awareness must be more than "objects of awareness." We do not eat the eaten; we eat bread.

This way of developing Maritain's argument refutes idealism. Berkeley, for example, does not deny that things "really" exist, as opposed to being merely conceived or imagined; he holds that, if and when an object of awareness really exists, its existence is identical with being an object of perception. But if the existence of anything is identical with what is directly expressed by "being an object of awareness," the thing is, in itself, nothing. Something is describable as "an object of awareness" because of a relation belonging to the knower, A, not the known, B; that description does not directly express anything belonging to B. Since nothing has yet been said about B in itself, if the existence of B is what we have directly expressed, B is nothing. "Being an object of awareness" can, however, indirectly attribute something to the known in the sense of implying that something nonidentical with being an object of awareness belongs to it, and when the object is a real existent, what must belong to it is an existence nonidentical with being an object of awareness-an entitative existence.

Maritain notes, however, that the word "object," in modern language, "has received a very different meaning inasmuch as the opposition of *objective* to *subjective* has finally made the values proper· to 'thing' or the 'real' pass on to the object" (DK, 91, n. 1). To express realism, we say there are "objective facts"; we speak of what comes from the side of the "object" of knowledge rather than from the subject, and so on. Why do we find it natural, when asserting that things are what I have called "more than objects," to describe them as "objects"? An "object" is a term of a knowledge relation and so is the correlative opposite of the subject of the relation. Hence, in epistemology, where we are describing the known from the perspective of the knower, it is proper to *distin:guish* the known from the subject of

knowledge by calling the known an "object." And while we are thus distinguishing the known from what we call the subject, we are aware that the known is independent of the subject; for in reflecting on the bipolarity of consciousness, we recognize instinctively that our awareness of the object pole is awareness of more than the subject's relation to the object or the object's relation to it. Therefore, we feel we are expressing the independence of the known when we use "object" to distinguish the known from the knower.

Maritain identifies the thing/object distinction with the Scholastic doctrine that by knowing the partial aspects of things that directly terminate our knowledge relations (formal objects), we also know the things (material objects) of which formal objects are aspects (DK, 91, n. 1; 93). The preceding arguments do not rely on that doctrine, because, in fact, Maritain's analysis starts at a point logically prior to it, what it means to know that something is an "object" (whether formal or material).[4] He then argues to the conclusion that formal and material objects are "grasped at a single stroke and indivisibly by the very same perceptions" (DK, 93). (I refer to some of those arguments in section IV, where I begin the reply to skepticism.)

[4] Simon showed why the thing/object distinction always strictly coincides with a material object/formal object distinction. In John Poinsot, *The Material Logic of John of St. Thomas,* trans. Yves R. Simon, John J. Glanville, and G. Donald Hollenhorst (Chicago: University of Chicago Press, 1955) 623, n.44, he first states what it is to be an object (of any kind). Then he notes that in human knowledge, a thing is never made object by means of the whole of itself; some aspect or aspects of it become our object (formal object), and the thing itself is made object (material object) by means of that aspect. The fact that things become objects only by means of certain aspects may seem to compromise thing/object identity. But even at its lowest level, awareness does not stop at the immediate aspect attained. By our awareness of color, for example, we are also aware of extension, shape, motion, rest, and number. The formal object is always known as an aspect of a whole made present because of causal relations between it and the formal object. But if that were not the case, our objects would still be identical with things that are more than "objects"; in fact, we would know extramental things exhaustively, there being nothing in them beyond what directly terminates our knowledge relations.

II

Before pursuing the thing/object distinction further, I want to show its importance for questions other than the problem of realism. To that end, I turn to some long-standing disputes about metaphysical knowledge that an understanding of the thing/object distinction could have prevented.

According to Etienne Gilson, metaphysics "is emphatically not an abstract science of possible being."[5] The important words here are "abstract" as said of science and "possible" as said of being. An object of concept is known as a possible being, since concepts, unlike judgments, do not tell us that anything actually exists. But what could a philosopher mean by saying, as Maritain did, that metaphysics deals with possible being? Twice in "Critical Realism," Maritain gives the following reason for saying that the intellect knows possible being: It knows necessary truths about being.[6] If a statement is necessarily true, its opposite is *im-possible.* Necessary truths express conditions for the possibility of existence, conditions without which it would not be possible for being or some mode of being to exist. A necessary truth (such as "Every animal is mortal") holds for every possible instance of something (the only animals that could ever exist are mortal animals). Where existence is contingent, necessary truths

[5] Etienne Gilson, *The Elements of Christian Philosophy* (New York: New American Library of World Literature, 1963) 255. In *Thomist Realism and the Critique of Knowledge,* trans. Mark A. Wauck (San Francisco: Ignatius Press, 1986), 51,. n. 32, Gilson implied that his disagreement with Maritain about the nature of "critical realism" was essentially verbal. But unlike Gilson, Maritain saw that the self-evidence of realism (ibid., 52, n. 32) entails our being able to show, by *reductio ad absurdum,* that idealism is contradictory.

[6] "By the very fact that it (intelligible being) is possible, that being is seen by the intellect as involving eternal necessities (i.e., rigorous demands that transcend time), it becomes the object of the intellect's first purely intellectual certitude (the principle of identity)" (DK, 77). "When we speak of extramental existence, we are thinking . . . primarily of simply possible existence because our intellect ... does not only judge of that which exists but also of a thing that can or cannot exist and of the *de jure* necessities contained in those essences" (DK, 92).

do not inform us that anything actually exists. We know that " God exists " is necessarily true by reasoning from necessary truths that do not by themselves inform us that anything actually exists and from contingent truths that do so inform us.

When Maritain speaks of the intellect's knowing being, that which exists, as possible, therefore, the "possibility" he is talking about is a feature pertaining to our objects *as objects;* for existence becomes associated with concepts and statements only by being an object of human knowledge. Existence is not associated with concepts and statements in itself, that is, insofar as it is an act exercised by *things;* it is associated with them only as the term of knowledge relations. Possibility thus understood belongs to existence as an object known by metaphysics. But existence does not become an object of metaphysics by our knowing what belongs to existence as an object; existence becomes an object of metaphysics by our knowing what belongs to existence as exercised by things. The alternative is an infinite regress of knowing objects to be objects of previous knowledge relations. When existence becomes an object of metaphysics, we know existence to be the act that definitively makes things more than what is expressed by "object "; so possibility is not part of what we must know about existence to be able to recognize that it is " known." That is, possibility is not part of what we know about existence when existence acquires the characteristic of being " known as possible." Possibility is not a property belonging to the term of the knowledge relation in itself; it is a logical property coincidental to the term known but not to the kind of knowledge by which it is known, a secondarily known logical property that accrues to but does not enter into what is first known.

Attributing possibility to being illustrates the following crucial fact about making things objects. When we know extramental being, new predicates (like "known" and "object of knowledge") become attributable to what we know that neither describe it in itself nor are part of what we directly know about it, but describe it as term of knowledge relations that are secondarily known. And the secondary predicates true of really exist-

ing things as a result of our knowing them include predicates that are *contrary* to the primary predicates known about things as really existing. For example, in real existence, the natures of things are individual, while as objects of our concepts, they are predicable of more than one individual, that is, are universal.

This contrariety between predicates attributable to objects of knowledge as objects and predicates attributable to objects as things is involved in many of philosophy's problems about knowledge, but contrariety alone does not generate those problems. The fact that these contrary predicates must be attributed to the same subject, once as object and once as thing, is what makes epistemological confusion possible; unless we attribute contrary predicates to the same subject, there is no appearance of contradiction. For example, that which must be called "universal" as a result of being an object of concept is only logically distinct from what must be called "individual" in its real existence, since universality is a logical rela:tion, a relation characterizing objects as objects. And among the contrary predicates attributable to objects as objects and as things, respectively, are "possible," said of real existence as an object of knowledge, and "actual," said of what is known by that knowledge : real existence as something belonging to things.

Consequently, no truth about existence as exercised by things can constitute, by itself, evidence that metaphysics does not know existence as possible. Take any metaphysical statement emphasizing the supremely actual character of existence, for example, " Existence is the act of all other acts and is itself in potency to no kind of act." In that statement, existence is known as possible. For that statement is not a contingent truth about existence, like the truth that, today, existence is not the act of any dinosaur's essence. That statement is true of any existence that ever has been or ever will actually be exercised, because it is true of every possible instance of existence. When known to be supremely actual, existence acquires the coincidental, logical property of being known by a statement whose opposite is *im-possible.* The actuality asserted by that statement belongs to existence as exercised

by things; the possibility attributed to existence belongs to it as something made an object of knowledge in a statement of that kind.

Gilson's denial that metaphysics is an abstract science illustrates the same point. As he says, " Reality is concrete." [7] But does this fact prevent our describing as abstract, not reality in itself, the reality that metaphysics knows, but the knowledge relation by which it is known and reality as term of that relation? That would be like saying that we cannot see square shapes through round lenses. What Aquinas said about universality and individuality, in relation to natures considered absolutely, we can say about abstractness and concreteness. Just as Gilson thought that existence's concreteness precluded the science of the existent as such from being abstract, others have reasoned that whatever is individual in its real existence cannot be known through universal concepts. Aquinas recognized that universality is a logical property characterizing a term of a knowledge relation accidentally and as a result of the knowledge relation; universality does not enter into the nature predicated of individuals, because it does not enter into what the nature is known to be when the nature acquires universality as term of a knowledge relation. Likewise, we should recognize that " abstract " names a logical property not entering into what we know by the knowledge relation from which the description " abstract " derives.

For example, in the statement, " Reality is concrete," " concrete" expresses an abstract object; for this object is known in a way that does not include whatever is unique to Sue or Tom's concreteness, just as " human," as said of Sue and Tom, does not express whatever individuates Sue or Tom's humanity. There is no more paradox in "concrete" expressing an abstract object than there is in " individual " being a universal term. We can use the term "individual " to assert, for instance, that Sue, Tom, and everyone are individuals. When individuality is an object of concept, it acquires universality, because we can attribute it to

[7] *The Elements of Christian Philosophy,* 252.

more than one individual. Likewise, the distinction between what belongs to concreteness absolutely considered, on the one hand, and what belongs to it in its state as an object of concept or as the concreteness of this existent, on the other, allows us to attribute abstraction to concreteness, not in itself or as part of what we prereflexively know about it, but as a logical property concreteness acquires in order to be so known.[8] Although abstraction is the opposite of concreteness, for something to be known, through concepts, as concrete, concreteness must terminate a knowledge relation in a manner characterized by abstraction. But abstraction does not enter into what we know by the knowledge relation that endows concreteness with the logical property describable as "abstraction from (noninclusion of) what is unique to each instance of the concrete." Similarly, what we know to be individual in real existence acquires universality as the term of the kind of awareness by which we know that it must be individual in real existence.

Gilson feared that abstraction could deform reality.[9] In fact, any deformation comes, not from abstraction itself, but from our failure to distinguish the abstraction that pertains to an object of knowledge as an object from what we know about the object as a thing. Once again, "The problem of thing and object is the crux of the problem."

Joseph Owens holds that a nature absolutely considered "cannot be represented distinctively as such in the mind,"[10] because natures can be known only in relation to their existence, which is either individual or universal. And when a nature is known absolutely, it receives cognitional (that is, intentional) existence in

[8] "Concreteness" expresses the same characteristic as "concrete," the only difference being that, in another sense of "abstract," "concreteness" signifies in a logically abstract way relative to "concrete." As "abstract" is used in the text, what both "concreteness" and "concrete" express is abstract relative to individuals; for despite diverse modes of signifying (which pertain to the signified only as object), what they signify is the same.

[9] *The Elements of Christian Philosophy,* 252.

[10] Joseph Owens, *An Interpretation of Existence* (Houston: Center for Thomistic Studies, 1985) 58.

the mind as a universal. But considering a nature absolutely is considering it as that which a possible entitative existent is, both because a nature is nothing more than a capacity for entitative existence and because absolute consideration knows necessary truths about natures. In recognizing that a nature is a capacity for entitative existence, we are relating it to possible entitative existence. But possible existence, in the sense in which I have been speaking of it, is not a third kind of existence. The existence that acquires logical relations like universality and possibility in order to be known is the same entitative existence exercised outside of knowledge by things (just as the nature that acquires universality as object is the same nature that exists individually in things). Such logical relations do not preclude the real identity of these existences; they strictly require that identity, because the distinction they make is, by hypothesis, only logical and because the first terms of logical relations are necessarily more than objects.[11] This real identity within logical diversity is what Aquinas's doctrine of absolute consideration is about, and it is what the thing/object distinction is about.[12]

[11] Hence, the distinction between what pertains to existence as an object of the intellect (logical relations) and what pertains to the same existence as exercised by things not only removes the need for a third mode of existence but requires that there not be one. When we state what belongs to existence as exercised by things, for example, when we say that it is actual or concrete, we are stating what belongs to existence absolutely considered, since that is what existence is, the ultimate act exercised by things. To consider it so, we make existence an object of concept characterized logically by abstraction, universality, and possibility. These logical relations do not prevent us from knowing what pertains to existence as exercised by things. They simply mean that what is unique to the concreteness, individuality, and actuality of Sue's existence or Tom's is not included in existence absolutely considered. And when we say " the concreteness, individuality, and actuality unique to Sue's existence," we make use of abstraction, universality, and possibility to objectify concreteness, individuality, and actuality.

[12] At least four other positions of Aquinas also come under the umbrella of the thing/object distinction: the doctrine that kinds of knowledge are distinguished by features of their objects as objects; the distinction between a word's mode of signifying and that which it signifies; the doctrine of logical distinction and real identity in truth; and the distinction between taking " understanding a thing otherwise than it is " to refer to understanding the thing

Simon criticized the exaggerated realism, like that of Suarez, resulting from the failure

> to distinguish between . . . existence as a thing and existence as an object. This (failure) supposes that the intellect ... receives the thing according to a one-to-one correspondence in which every mode of objective presence has its exact and actual counterpart in ... things. This is at once a realism and a confident sort of rationalism which in effect models the ontological upon the logical, ... upon the rational and dialectical mode of the human intellect.[13]

This fallacy would affect any attempt to account for our knowledge of possible existence by making possible existence something other than entitative existence, and the same fallacy would affect any argument denying that we know entitative existence as possible on the grounds that possible existence would have to be something other than entitative existence. When we know entitative existence! entitative existence itself exists intentionally in awareness, for being a term of a knowledge relation is what it means to exist intentionally.

The insight that universality and individuality do not belong to a nature absolutely considered concerns objects of concepts. And some claim that the role of judgment, as opposed to conception, in our knowledge of the object of metaphysics invalidates the theory that metaphysics differs from other sciences by its mode of abstraction from matter.[14] But in the context of distinguishing the sciences by modes of abstraction, " abstraction " does not refer *to* an " operation "[15] to which judgment could be contrasted.

to be other than it is or to refer to the difference between what belongs to the intellect in the understanding of a thing and what belongs to the thing understood.

[13] *The Material Logic of John of St. Thomas,* 624, n. 52.

[14] See Gerald A. McCool, S.J., *Nineteenth-Century Scholasticism: The Search for a Unitary Method* (New York: Fordham University Press, 1989) 254-255; *From Unity to Pluralism: The Internal Evolutio-n of Thomism* (New York: Fordham University Press, 1989) 155-156. For a comprehensive critique of this view, see Edward Simmons, "The Thomistic Doctrine of the Three Degrees of Formal Abstraction," *The Thomist* XXII (1959) *37-67.*

[15] See McCool, *Nineteenth-Century Scholasticism,* 254; Etienne Gilson, *Being and Some Philosophers* (Toronto: Pontifical Institute of Mediaeval Studies, 1949) 203. And "abstraction" as used up to this point does not mean an operation, but the fact that an object does not include individual conditions.

It refers to a property pertaining to the objects of science as objects, a point Poinsot, the most proximate Scholastic source for the theory of modes of abstraction, made in texts to which Simon called attention :[16]

> Here (in distinguishing the sciences) abstraction does not designate the act of the intellect which disengages something from something else, but the abstractability of the object or its immateriality.[17] " Abstraction " does not designate, in the present connection, the act by which the intellect performs an abstraction . . . " Abstraction " signifies objective abstractability ... a foundation in the object for bringing it to diverse stages of immateriality and presentation.[18]

Sciences are distinguished by characteristics of their objects as objects, specifically, by whether their objects' features require the causality of matter. Scientific objects can have features that do not include (that abstract from) the individuating effects of matter, the active and passive properties that require matter, or any property that requires matter. The diverse immateriality of these objects depends on something true of them as things, their relation to the causality of matter. But that characteristic of things as things enters the distinction of the sciences only as the foundation for diverse immateriality in scientific objects; for immateriality is essential to the objects of the intellect as such. So, again, the fact that objects are identical with things, that their distinction is not a separation, can cause confusion (" being a foundation for diversity in objects " is a characteristic pertaining to things as objects, not as things). But for the problem based on the role of judgment in our knowledge of metaphysics' object, the important point is that " abstraction " refers to a feature of objects of knowledge as objects, whatever the acts by which we make them objects may be.

The importance of the thing/object distinction to these long-standing disputes should be sufficient to justify its further study.

16 *The Material Logic of John of St. Thomas,* 629.

17 Ibid., 554.

18 Ibid., *557* (translators' interpretive insertions deleted).

For that, I now turn to the issues of truth, knowledge of truth, and conceptual relativity.[19]

III

Maritain introduces the thing/object distinction in the context of an analysis of truth and what it means to know the truth. For Maritain, the nature of truth is the first question epistemology must answer. He holds that the function of epistemology is to evaluate, to state what goal awareness achieves in its various phases. The principal goal of the intellect is awareness of truth; conception and reasoning are stages on the way to the knowledge that statements are true. Other epistemological questions presuppose that the nature of truth is given; for example, to ask whether consciousness attains the external world is to ask whether it is true that consciousness attains the external world. Epistemological evaluation is just an extension of what we do in any act of judging truth. Our everyday evaluations of statements as true involve an implicit reflection of the mind on itself; otherwise, we would not be aware of the existence of "statements." Epistemology makes what we do in those everyday evaluations explicit; we need epistemology because the implicit understanding of what truth is gives rise to problems that philosophy cannot avoid.

We understand truth as some sort of "conformity " between the mind and things, but what is this conformity, and how is conformity possible, given the vast differences between our concepts and statements, on the one hand, and the realities they claim to express, on the other? In *Reflexions sur l'intelligence,* Maritain tried to solve the problems to which the idea of truth gives rise as others had before him, by a distinction between what is from the mind and what is from things.[20] But in " Critical Realism," he

[19] Having dealt with these topics at length in John C. Cahalan, *Causal Realism: An Essay on Philosophical Method and the Foundations of Knowledge* (Lanham, Maryland: University Press of America, 1985), I will be brief here.

[20] Jacques Maritain, *Reflexions sur /'intelligence et sur sa vie propre,* 2nd ed. (Paris: Nouvelle Librairie Nationale, 1926), 17.

adds something no one else had said, that we know truth, not by directly judging the relation of our thoughts to things, but by judging the relation of the *objects* of our thoughts to things.[21] The relation expressed by " This is a cat " or " This is cold " is a relation between what the thing objectified by (meant by) " This" is and the ways of being a thing (the " essences " or "natures") meant by "cat" or "cold "-not between either the thing meant by " This " or the way of being a thing meant by " cat " or " cold " and the psychological states by which we objectify them. When we judge "This is cold," we do not compare a psychological concept to an individual present in sensation; we compare the object of which we are made aware by means of a psychological concept, namely, what it is to be a thing of a certain kind, to what an object of which we are made aware by means of sensation is. These objects are identical with possible and actual things, respectively, and although they are diverse as objects, they can be identical as things.

There can be identity between what one thing is and multiple objects of concept. Concepts objectify whole things by means of some of their features; the meaning of " cat " or " cold " is not a partial aspect of things, such as temperature, but what it is to be a thing having a certain aspect or aspects. And " A cat is cold," is true when the natures objectified by " cat " and " cold " are identical, as far as each one goes, with what the same thing is. There is " conformity " between thought and thing because there is identity between diverse objects of thought and the same thing. As Simon says :

[21] "To see in judgment ... a comparison between the mental word and the object thought about, and an affirmation of the mental word's conformity with the object, would be to involve oneself in the Cartesian path of thought in spite of oneself. On the contrary, the thing is declared to be what the *object* (the predicate) attained in the mental word is" (DK, *97,* n. 2). The first sentence uses "object " in the modern sense in which it is synonymous with " thing," because the failure to distinguish thing and object is what forces us to look for a comparison between ideas and things. (And the examples on the same page show that he calls subjects as well as predicates "objects." But grammatical predicates express what things are, while subjects need only name or point to them.)

Even though truth consists of a relation of conformity between thought and reality, rather than in the identity between the object and the thing, knowing truth certainly involves acknowledging expressly that identity.[22]

When I thus verify the identity of these objects in the transobjective realm, by an operation that is strictly the work of my own mind, I know at the same time that my mind conforms to the real thing.[28]

Nothing but identity between objects and things will do. We cannot directly compare mental states to things because we have no knowledge of things apart from that provided by our mental states. To make the comparison, we would have to get outside of what we know by our mental states. Nor can we compare one mental *state,* a psychological concept, to the *object* of another mental state, sensation. Apart from the fact that concepts make us aware of objects, there is no relation between concepts and sensory objects that could be the basis of a comparison. The same problem would arise if the relation between objects of thought and things were something other than identity; there would be no way to know that our objects were "true" of things. "True" is in quotation marks here because, in fact, there would be no such thing as truth were our objects not identical with the things about which we judge. Are our objects mental constructs that " rules of representation " make true of things? If so, we either do or do not know how the rules relate those constructs to things. Knowing the relation would require knowing what both terms of the relation are; so we would know truth by knowing that some objects are identical with what things are. If we do not know the relation, we do not know truth by knowing the relation of such mental constructs to things.

Maritain's analysis, then, provides us with nothing less than the solution to the most basic problem for the correspondence theory of truth, the problem. made famous by Wittgenstein, of

[22] Yves R. Simon, *An Introduction to Metaphysics of Knowledge,* trans. Vukan Kuic and Richard J. Thompson (New York: Fordham University Press, 1990), 142.

[2a] Ibid., 147-48.

what is the " correspondence " (or " conformity ") between statements and things. The correspondence of statements to things is just the corollary of the identity between the objects of our thoughts and things. When there is identity between diverse objects, A and B, and the same thing, " A is B," the statement objectifying A's being B (as a thing, not as an object), corresponds to things. " Correspondence " cannot refer to anything but the identity of objects of thoughts with things. The purpose of words like "thoughts," " concepts," and " statements" is to name entities that explain our awareness of objects; so the relation of these explanatory entities to things is a function of the relation of objects to things.

If there were a direct comparison between thoughts and things, the reflection of the mind on itself in judgment would be explicit, not implicit. We are not explicitly comparing mental entities to things; we are explicitly comparing objects of which we are aware by means of those mental entities, comparing them not as objects, where they are diverse, but as things, where they can be identical because each is known to be more than an "object." As a result of that comparison, we know the relation of mental entities to things.

IV

By what evidence do we know, in particular cases, that diverse objects are identical as things? By the evidence of necessary truths or sense experience, since objects of concept and objects of sensation are, in different ways, known to be identical with really existing things. ObJects of concept are known to be identical with possible real existents; therefore, they enable us to know truths asserting that diverse objects are necessarily identical as things, if and when those objects actually exist. For when we look at the features objects of concept include insofar as they are more than "objects," we find that they include *being,* the capacity for real existence. We can construct beings of reason that do not have a capacity for real existence, but being itself cannot be merely "of reason," since it is included in the prior objects out

of which we construct beings of reason. Maritain cites several facts that provide justification for this claim.[24]

For one thing, we know that the principles of noncontradiction and identity apply to all our objects. And a principle like, "A thing cannot be and not be in the same respect," is a law of existence before being a law of thought (DK, 92, n. 1; 102). It is not that things cannot both be and not be because, if they were, contradictory statements could be true. Contradictory statements cannot be true because, if they were, things could both be and not be. If someone objected that the necessity of this principle derives from a being of reason, the relation of negation, Maritain could reply that the first terms of this relation are objects that are known to be more than" objects"; otherwise, there would be no terms for this relation (DK, 94-95).

Another reason we know that being is included in our primary objects of concept is that, otherwise, these objects could not have the role in statements that they do have. Merely to contemplate the possibility of a statement's being true requires us to consider diverse objects to be identical in their state of being more than objects, the state of existence. By hypothesis, they are distinct as objects, so they can be identical only as actual or possible existents. Therefore, the capacity for existence must be included in that which we objectify by means of concepts.[25]

A further reason we know that being is included in our primary objects is that these objects derive from sensation where they are presented as actually existing. The existence we find in sensation is " the original type to which the notion of actual existence corresponds" (DK, 96). The only other possible source for the

[24] The following arguments are based on DK, 94-99, where Maritain defends the view that the grasp of formal objects is also the grasp of material objects.

[25] DK, 96-99. In *Approches sans entraves* (Paris: Fayard, 1973), 264-284, Maritain offers a theory of "three concepts of existence " that appears to contradict this decisive insight. The later Maritain may have been mistakenly looking to entitative rather than intentional existence for the point of contact between his tradition and Heidegger. See John N. Deely, *The Tradition via· Heidegger* (The Hague; Nijhoff, 1971).

concept of existence is reflection, but reflection presupposes direct acts, the first of which is sensation.

Maritain does not dwell at length on sense knowledge, but his principles enable us to see why the use of inductive reasoning to distinguish between hallucinations and perceptions of real existents does not imply that belief in the existence of physical things is belief in a mere pattern of sensations or an inference to something beyond sensed objects. Inductive reasoning is causal, but the conclusion that an experience is a genuine perception is not the conclusion that something exists beyond what the senses directly attain. The conclusion is that the experience is a direct awareness, by the senses, of being acted on. Action is change as having a relation of emanation from some cause. Awareness of being acted on is an awareness of action *as action,* and so it is a noninferential awareness that a cause of the action really exists, and a noninferential awareness of what the cause is to the extent that what it is includes the causal dispositions of which the action is a communication; for causes communicate their own modes of being. In seeing a color, we are aware of it as a manner in which the environment is acting on our sense faculties and, therefore, as a feature of something in our environment, the causal disposition by which something is acting on the senses in this manner. The manner in which a thing acts on the senses, and so its perceived color, will vary according to the circumstances in which it acts, including the condition of the patient, our sensory apparatus; action is received according to the mode of the receiver. But if our brains were floating in a tank and our sensations artificially generated, our first awareness would still be of the existence of something or other acting on our sense faculties.[26]

[26] See DK, 96, n. 2; 118, n. 1, and Cahalan, *Causal Realism,* 387-417. The identity of the causal disposition and the action on the senses does not imply that our eyes become red (entitatively), when they see red. Color is action on the sense organs objectified *as action;* that is, a color is action seen as related to or *of* the agent, not the patient. Likewise, although the manner in which light acts on the retina is characterized entitatively by shape, to be aware of color as an agent's manner of acting is to be aware of shape as delimiting the area in our visual field from which the action emanates. The argu-

Students of philosophy often reach the point of describing consciousness as a subject-object polarity, only to wonder how to show the relation of the objects of consciousness to what is independent of consciousness. Maritain shows that what we spontaneously call an object is necessarily something that we know all along to be more than an object, and he shows that we can know this as soon as we form the notion of "object." The data of which we are aware when we use the term "object" necessarily justify our calling objects things; the objects of the subject-object polarity are known from the very beginning, before reflection, to be actual or possible existents that we can later call, after reflection, extramental existents. All along, the data we need to affirm realism are there, are directly there, and are demonstrably (by indirect proof) directly there.

V

The real identity between thing and object in truth necessarily implies a logical distinction between them; that which is describable as a thing and that which is describable as an object are the same, but being a thing is not the same as being an object. This primary distinction gives rise to the distinction between features pertaining to things as things and features pertaining to things as objects of knowledge. The latter distinction helps us answer the main argument for skepticism in contemporary philosophy, conceptual relativism's claim that we cannot know things as they are, because what we express in any statement necessarily reflects an interpretation imposed on things by our language and/or our

ments of *Causal Realism,* 245-249, 328-332, can be extended to show that we *know* (and do not just have reasonable belief) that it is *totally* unreasonable to believe hypotheses of the " all our sensations are artificially produced " ilk. We know that the opposite belief is the only possible reasonable belief, where " reasonable " means fulfiling the goal of reason, awareness of what exists. That goal requires cognition-independent evidence, since to be is not to be known (a fact that more precisely explains why simplicity is a valid rule for belief than *Causal Realism's* "principle of simplicity"). And it is a knowably necessary truth that the manner in which things act on the senses is the only possible evidence for the nature of those things.

background theory.[27] I will respond to the form of the objection holding that language imposes an interpretation on things, the reply to either form of the objection being basically the same.

Language is a means for making things objects of knowledge. As such, different languages do impose on things diverse features pertaining to them as objects. To use a simple example for the sake of brevity, one language might employ verbs of action where another language employs adjectives and the copula. However, when we use language to attribute something to things as things, we need not attribute to things what pertains to them as objects. As an object of concept, animal is a genus, but when we attribute being an animal to a dog, we do not attribute being a genus. Similarly, a grammatical construct, like a verb of action, need not attribute anything to things as things that another construct, like an adjective and the copula, does not attribute. Rather, conceptual relativism imposes interpretations of things as things on language.

The relativist may object that we cannot distinguish the features we attribute to things as things from the features that pertain to things as a result of our using language to make them objects. But if the evidence for the truth of different sentences is the same, there is no reason to believe that those sentences differ in what they attribute to things as things. The relativist can reply that the nature of language as an interpretation impeaches the very notion that evidence can determine the truth values of conflicting statements. To count as evidence for or against a statement, experience must be expressed in language. As soon as we express experience in language, it is no longer raw experience (assuming there is such a thing) but interpreted experience.

However, a genuine conflict in that which statements attribute to things requires more than the appearance of conflict. Statements are contradictory if and only if what they assert and deny is the same, and sameness of meaning is ruled out if words from

[27] For a view of this kind in a Maritain critic, see Leslie Dewart, *The Future of Belief* (New York: Herder and Herder, 1966) 77-121. And see DK, 51-52.

different languages (or theories) attribute to things meanings unique to each language (or theory). Where statements are not genuinely contradictory, they can both be true; where they are contradictory, Maritain's principles show how evidence expressed in language can determine which one is true.

We are capaple of knowing necessary truths that constitute non-Kantian regulatory principles for deciding between conflicting claims. For instance, we can know that when a change occurs, an efficient cause must have brought about the change. We can identify the cause through investigation, because it is a necessary truth that similar causes will have similar effects.[28] We may be in doubt, for example, about whether the object of an experience really exists or is only phenomenal. Inductive methods, guided by necessary regulatory principles, can settle the question. If the object exists, it should produce other effects, including actions of which other sense experiences could make us aware, and the object must have been brought into existence by causes that would produce a similar effect in similar circumstances.

The same regulatory principles can establish the correct translation and interpretation of statements in other languages and from other cultures.[29] Translation and interpretation (in this more common sense of "interpretation") are inductive causal analyses. They explain behavior, for example, the making of sounds, as the effect of agents that have certain features: thoughts and the intention to communicate them. Significantly, such analyses can rely on more causal data than do ordinary inductions, namely, on reflexively known conscious states, including desires that are biological, not cultural.

The regulatory principles are non-Kantian because they express, not conditions for the possibility of experience, but condi-

2s See Jacques Maritain, *Bergsonian Philosophy and Thomism,* trans. Mabelle L. and J. Gordon Andison (New York: Philosophical Library, 1955) 128, n. 2.

29 Although Cahalan, *Causal Realism,* does not address hermeneutics explicitly, its demonstration, against Quine, that translation is empirical knowledge (40-44, 245-256) can be developed further to show that these regulatory principles suffice to determine the truth of interpretations.

tions for the possibility of existence, or conditions of possibility, period; for possibility, in the first instance, is the possibility of existence. (Even conditions for the possibility of experience are conditions for the possibility of the existence of experience.) There is no danger that these regulatory principles falsely interpret reality; they are true of whatever exists, since they are necessary truths about existence, its cognates, and immediate derivatives (what exists, what exists through another, etc.). Maritain calls such truths "ontological" (DK, 146-154). If some language (or background theory) were to impose interpretations that made objects nonidentical with things, the statements in which it did so would be false, and the evidence of experience interpreted by means of necessary ontological truths could determine their falsity.

On the other hand, where the evidence for apparently conflicting statements is the same, the differences between the statements pertain only to the order of objects as objects. Consequently, the thing/object distinction, together with ontological necessary truths, allows us to reply to conceptual relativism. There is room for all manner of relativity in what belongs to objects as objects, with no relativity in what we attribute to things as things being implied.

Nor does it matter whether all languages can express ontological truths; it only matters that at least one language can. Einstein accounted for the relativity in measurements of space and time by properly locating it with respect to something absolute, the four-dimensional, space-time interval. To do so, he needed a special language, that of tensor calculus. Similarly, Maritain's special language, ontological language, enables us to locate cognitional relativity on the side of what pertains to objects as objects, while preserving the absoluteness of truth about things as things. Like Maritain, Kant saw that sensation is not a sufficient foundation for knowledge; we also need necessary truths. But where Kant gave us a skeptical Copernican revolution, Maritain makes possible a realist Einsteinian revolution, a revolution that, like Einstein's, does justice to the relative by properly locating it with respect to what is absolute.

Finally, Maritain did not say that the *distinction* between thing and object is the crux of the problem of realism; he said that the *problem* of thing and object is the crux. The thing/object distinction is not a club with which to beat our opponents; nor is it a cure for all our philosophical problems. Instead, it is the source of some of our most recalcitrant problems. The fact that the identity of things and objects must coexist with their distinction (and vice versa) has created obstacles to the understanding of both knowledge and being that most philosophers have found insurmountable. Being is the object of the intellect as such, but as Simon pointed out, the problem of thing and object is peculiar to the human intellect.[30] To succeed in philosophy, we have to be as attentive to truths about being as object of human modes of knowing as we are to truths about being as being.

[30] *An Introduction to Metaphysics of Knowledge,* 143.

IN THE REALM OF THE SENSES: SAINT THOMAS AQUINAS ON SENSORY LOVE, DESIRE, AND DELIGHT

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Introduction

SAINT THOMAS AQUINAS characterizes delight *(delectatio)* as a state in which we are in " union with some good" (I-II, 35, 1).[1] Further on he augments this description of delight : " we are not without the good we love, but are at rest in its possession" (35, 6). Concerning love *(amor)*[2] Aquinas says, "love remains whether the object is present or absent " (28, 1). But Aquinas also says that when we love an ob-

[1] Unless otherwise indicated all references (ordered by number of question and article) refer to the Blackfriars edition of Aquinas's *Summa Theologiae* (New York: McGraw-Hill Book Company) V. 19-21 (in the *Prima Secundae* Questions 22-48), trans. Eric D'Arcy (Questions 22-30, 1967; 31-39, 1975) and John Reid (Questions 40-48, 1965) and V. 11-12 (in the *Prima Pars* Questions 75-89), trans. Timothy Sutter (Questions 75-83, 1970) and Paul T. Durbin (Questions 84-89, 1968).

[2] " There will be as many kinds of love as there are kinds of orexis and wanting" (26, 1). The notion of love (*amor sensitivus)* that is under scrutiny here is an event in the sensory orexis and occurs in the body-soul composite. It is not a case of intellectual or spiritual love (which is an act of the will and occurs in the soul alone). We are not dealing with the following notions of love: *dilectio* (which adds to love the property of election), *caritas* (charity, which is an act of will), or *amicitia* (friendship) which is more than love. (With respect to *amicitia,* unrequited friendship is not possible in principle, but unrequited love is factually real ; hence *amicitia* requires something more than love, viz. reciprocity.) Surely one is capable of experiencing more than one of these sentiments at a moment. One might be attracted on the basis of one's sensory orexis to someone and simultaneously love that person as a friend. Although these are not simultaneously incompatible affections, I will exclusively focus on the notion of *amor sensitivus.*

ject, " we are already in some kind of communion with it. Love therefore involves union" (25, 2). These statements are *prima facie* inconsistent unless Aquinas acknowledges that there are unions in which the object is not possessed. I contend that love is a case of being intentionally directed to a good, but it is not identical to the union which is a result of possessing a good. Although Aquinas describes love as a condition of union, love in fact is a condition of union which is ontologically prior to the union which is exhibited in delight. A consequence of Aquinas's thesis is the ontological possibility of loving something without taking delight in it or desiring it. We cannot, however, take delight in something or desire it unless we love it.

I. MOVEMENT AND REST IN THE DESCRIPTION OF EMOTIONS

The metaphors of motion, rest, approach, and retreat play a significant role in Aquinas's descriptions of the intentionality in various emotional states. As appetitive powers whose principle of operation is in the body-soul composite,[8] Aquinas often describes the emotions through metaphors that suggest a similarity to the movement of physical objects (37, 2). The emotions are instances of orectic movement, and orectic movement is analogous to the movement of the inanimate orexis :

> Now orectic movement is, in the operations of the soul, what physical movement is in the physical world. Compare the physical movements of approach and withdrawal: approach is, of itself, directed towards something in harmony with nature; withdrawal is, of itself, directed towards something discordant with nature: thus a heavy body by its nature draws away from a higher place and towards a lower one (36, 2).

The analogy between motion in the physical world and orectic movement of the soul is a teleological one: just as a light or heavy

[8] Emotions, like perception (e.g. seeing, hearing), are powers whose principle of operation range in the body-soul composite. However, " some of the soul's activities, namely understanding and willing, do not take place in bodily organs. Accordingly, the powers which are the source of these activities have the soul [alone] as their seat" (77, 5).

material body seeks its natural place on the basis of what is harmonious with its nature,[4] orectic movement is a matter of the appetite seeking what is in conformity with its own nature. Whereas the teleological proclivity of non-sentient physical bodies is neither conscious nor intentional (cf. 41, 3), the orexis of elicited appetite is directed by intention: "An appetitive reaction presupposes a cognitive act" (46, 2). Although Aquinas uses the analogy of physical motion to elucidate the notion of orectic movement, "orectic movement is more concerned with intention than performance" (29, 3).[5] The movement of non-sentient physical bodies does not require cognition, but the teleological motivation of elicited appetites is intentionally focused on objects: "That which exerts final causality in the case of orectic movement is the object" (36, 2). In the case of the emotions Aquinas identifies each emotion through its object: "where there is a specific object, there is a specific emotion" (41, 2).[6]

Ralph Barton Perry employs an analogy to describe the relationship between an object of value and its interest which is useful for explaining Aquinas's theory of the intentional focus in emotions:

> Being [an] object of interest means nothing more than being a point defined by the projection of its original bias, as being a target means nothing more than the direction of the marksman's aim.[7]

[4] "Natural love is not confined to the vegetative powers of the soul; it is found in all the faculties of the soul, in all parts of the body, and indeed in all created things ... for everything has a built-in sense of affinity with whatever accords with its nature" (26, 2).

[5] Aquinas states: "there are two sorts of movement to be considered: one, that involved in intending some end, which is a movement of the orexis; the other, that of executing that intention, which is a matter of external activity" (31, 2).

[6] "The nature of an emotion is determined by its object just as these other [artificial or non-sentient] things are characterized by their forms" (43, 1) ... [the] "object determines both the identity and the very nature of an emotion" (46, 6). For a further analysis of intentional objects in Aquinas's account of the emotions see Mark P. Drost's "Intentionality in Aquinas's Theory of the Emotions," *International Philosophical Quarterly* 31 (1991): 449-460.

[7] Ralph Barton Perry, *General Theory of Value* (New York: Longmans, Green and Company, 1926) 52.

By pointing at a material object you refer to it, and you can turn the object you point to into a target simply by aiming at it. Aiming always has a target, but nothing is intrinsically a target. In light of this analogy, consider what Aquinas says about the origin and directedness of orectic movement : " orectic movement is from within: its direction is from soul to object" (35, 7). On Aquinas's view, the emotions are instances of appetitive interest that invest their (intentional) objects with a certain value, viz. being the object of a certain interest. This valuative aspect of an emotion is ontologically dependent on a perceptual or a quasi-perceptual experience.[8] The sensory orexis is an intentional response to an object that is perceived to be a simple or arduous good or evil. An emotion always has an object just as aiming always has a target. An archer can aim at a target (through intention) even though he misses the target (by performance).

Aquinas's analysis of the emotions is more concerned with intention than with performance. The metaphor of movement in the various descriptions of the emotions is meant to express the particular directedness of an emotional state, but not the literal movement or expressiveness of the physical body. For example, Aquinas describes orectic movement as " a kind of flight or withdrawal " or as " a kind of pursuit or approach " (36, 2). These descriptions are to be understood as attitudinal stances that the emotional agent adopts toward the appetible object. In terms of "orectic movement," one can affectively approach an object by desiring it, or one can affectively retreat from an object in virtue of aversion, despite the fact that one has not come closer to or moved farther away from the object in terms of physical distance.

Consider the different sorts of movements Aquinas mentions in a passage about hope :

[8] The emotions *qua* sensory appetites are always associated with a perceptual experience or a quasi-perceptual experience that may be produced by the imagination. Aquinas can explain emotional states that are directed to purely intentional objects in terms of the imagination: "the imagination
for itself an image or a model of something absent or even of something never seen" (85, 2; cf. 81, 3).

One sort of movement of the appetite is aroused by consideration of the agreeable, another sort by a consideration of the disagreeable. Movements differ, also, when what is perceived is present or future, uncomplicated or difficult, possible or impossible. Thus hope is a movement of appetite aroused by the perception of what is agreeable, future, arduous, and possible of attainment. It is the tendency of an appetite towards this sort of object (40, 2).

Hope is an affective approach toward an object that is taken to be a future, arduous good to attain. It obvious that Aquinas does not mean that the agent must physically move toward the object; in fact, the physical description of moving toward (or moving away from) the object does not satisfy the intentional description of the emotional state.

The metaphors of movement and rest pervade Aquinas's treatment of the emotions. Consider the metaphors of motion and rest in contrasting desire to delight (pleasure).[9] If a good

. . . is not yet possessed, it sets up in [the orectic faculty] a motion towards attaining this good which it has come to love. This is desire . . . once [a good] is possessed, [the orectic faculty] finds repose in its possession. This is pleasure (23, 4) ... pleasure is to the emotions what coming to rest is to physical things (31, 8).

These diverse characterizations of the emotions make sense only if they are comprehended as intentional stances of an appetitive agent.

The thesis that the emotions are essentially sorts of desires or aversions and are appropriately described through the metaphor of movement may strike one as plausible, given some of Aquinas's statements. Fo'r example, Aquinas characterizes the affective (concupiscible) emotions in the following way :

Each of the affective emotions whose object is a good is a movement towards that good, viz. love, desire, and pleasure ; and each of them whose object is an evil is a movement away from it, viz. hatred, aversion or disgust, and sadness (23, 2).

[8] As an emotion, delight or pleasure *(delectatio)* should not be confused with the purely spiritual joy known as *gaudium.* Spiritual joy occurs in the soul alone, but emotions are events that have the body-soul composite as their . subject.

Considering the emotions as instances of appetitive reactions, Aquinas says: " Every such reaction is reducible to either pursuit or avoidance" (45, 2). These passages suggest that the emotions are essentially instances of orectic movement.

By analyzing the differences between the irascible and the concupiscible emotions in general, however, and discerning the differences between love, desire, and delight in particular, three significant details in Aquinas's theory of the emotions come to light. First, the emotions are not essentially movements of the sensory orexis which are reducible to desires or aversions. In fact, some emotions are unions with their objects and they are not identifiable at all in terms of movement. This will be the focus of part two. Second, the intentionality of sensory love (*amor sensitivus)* is a necessary condition for any emotional state. I will focus on this latter issue in part three. Third, though Aquinas describes love as a condition of union, love does not require the presence or possession of the beloved as does delight. Love seems to share with delight the properties of being in union with and at rest in its object, but unlike delight, love is not a union which possesses its object. This will be the subject of parts four and five.

II. AFFECTIVE UNION

First, consider those intensified emotions that exhibit movement and are directed towards achieving rest: " the emotions of the spirited orexis *[passiones irascibiles]* find in the emotions of the affective *[passiones concupiscibiles]* both their origin and term" (25, 1). The irascible emotion arises from the concupiscible emotion and seeks to return to it in order to rest. The difference between the irascible and the concupiscible is not simply a difference of emotional intensity, even though as a matter of fact the irascible emotions are more intense than the concupiscible emotions. The essential difference between these emotions is found in their intended objects: whereas the irascible emotions are directed to arduous sensory goods or evils, the concupiscible

emotions have non-arduous sensory goods or evils for their targets. Without considering the difference in their intentional objects, we would lose the essential difference between desire and hope, for example, or between aversion and fear, since these are characterized in terms of movement.

Some emotions are unions with objects. Consider again Aquinas's comments on desire and delight. If a good

> ... is not yet possessed, it sets up in [the orectic faculty] a motion towards attaining this good which it has come to love. This is desire ... once [a good] is possessed, [the orectic faculty] finds repose in its possession. This is pleasure (23, 4).

The relationship between desire and love which is briefly mentioned in this passage is an important one to which I will return in sections four and five. Desire is a case of appetitive movement, but delight (pleasure) is a case of appetitive rest. In emotions that rest in the possession of their objects, the intentional state is not characterized in terms of approach or retreat, and there may be no action generated from the possession of the object. "In pleasure ... we are not without the good we love, but are at rest in its possession " (3S, 6). Pleasure is an affective union with (or possession of) an object that is taken to be present and good.

On the other hand, sorrow is an affective possession of an object that is taken to be present and evil.[10] In some cases of sorrow there is no action generated from the possession of the evil, even though ordinarily there is desire for the situation to be otherwise. (Aberrant states of sorrow may be attended by the feeling of repose which is psychologically similar to the repose found in delight, since delight, like sorrow, is a union with its possessed object.) As much as the metaphor of movement pervades his account of the emotions, some emotional states are not instances of approach or retreat, since they are in fact unions with their objects.

[10] " The objects of pleasure, and of sorrow or pain, are contraries, viz. a present good or evil" (35, 4). What they have in common is possessing something that is present.

III. THE PRIMACY OF LOVE

While love is a necessary condition for orectic movement and affective possession, it is not an instance of orectic movement or affective possession. However, one problem with this thesis is that Aquinas describes love and delight as instances of union. Thus it would seem natural to think of love in the same terms in which we think of delight, viz. as a case of affectively possessing an object. But Aquinas does not think that love implies possession of an object. How is the union that is love different from the union in delight ? What is the difference between the union which implies possession and the union which does not? Again, we may think that the affective possession of an object is the model for affective union in general, and since delight is the most obvious example of possessing an object, it would thereby be thought of as the paradigm of affective union. But an analysis of Aquinas's notion of love will show that there is a condition of union that is ontologically prior to the union that occurs in delight.

According to Aquinas, no emotion is had without love:

> There is none of the other emotions which does not presuppose love of some kind. For every other emotion involves movement towards, or repose in some object. Now all movement or repose arises from a sense of affinity with *[connaturalitate],* or attachment to *[coaptatione],* some object; and it is precisely in this that love consists (27, 4).

Love is a necessary condition for every other emotion, and Aquinas characterizes it in terms of " affinity" (*connaturalitate).* Furthermore, his explanation of affinity is couched in terms of " inclination " rather than movement.

> The primary originating principle of orectic movement is therefore love, which is the very first inclination of the orexis towards the possession of a good (36, 2) .

Love is a *first* inclination (*inclinatio)* ; it is not a movement (*motus).* The notion of priority that is expressed here is ontological priority, since the analysis will show that desire (movement) requires love (*inclinatio),* but not the converse. The dis-

tinction between inclination and movement is also assumed in the following passage where Aquinas distinguishes the feeling of attractiveness from that of orectic movement:

> The first effect produced in the orexis by the object is called *love,* which is simply a feeling of the object's attractiveness; this feeling gives rise to an orectic movement towards the object, viz. *desire;* and finally this comes to rest in joy" (26, 2).

As a feeling of the object's attractiveness, love is inclination, but it is not orectic movement.

Aquinas relies on these metaphors to distinguish the approach that constitutes desire from the proclivity that is love. The sense of attractiveness referred to here is the most fundamental rapport between an appetite and its object. Love is an elemental resonance of suitability between the sensory appetite and the appetible object. It is a fundamental pro-attitude: "love is precisely such a favourable attitude to some good, such a sense of its attractiveness" (25, 2). It is the sensory estimation that an object and the appetite are naturally fitted (*connaturalitatem ad bonum* 25, 1).

IV. THE OBJECT OF LOVE

As significant as the distinction between inclination and movement is, it is not sufficient to differentiate love from the other emotions, since love will be a conditioning factor in any emotion. We need to focus on the intentional objects of emotions. For example, we can further differentiate love from desire by contrast- their objects to the object of pleasure:

> Pleasure is caused only by real union; desire, implies the real absence of the object loved; but love *[am.or]* remains whether the object is present or absent (28, 1).

Delight takes its object to be a simple good that is possessed (hence present), whereas desire intends its object as absent; but love has a wider object. Love is directed to an object taken to be a simple, non-arduous good that is present or absent. It inclines the lover to the object as such: love immures its object so that it is open to the possibility of the object's presence or ab-

sence. Love is directed to a good, but it is not identical to the union which is a result of possessing a good. Furthermore, it is possible to love an object without desiring it, but we cannot desire an object without loving it In this way love transcends the difference between desire and delight. We desire only what is taken to be absent and take delight only in what is present, but we can love an object whether it is present or absent. The intentionality of love visualizes the object as such. In contrast to desire and delight, the object of love is not necessarily approached or possessed, but it may in fact be approached or possessed.

V. UNION IN POSSESSION AND UNION IN INTENTION

Love is a union that does not require the possession of its object whereas delight is a union based on possession and is a case of affective rest. We might think that love is more similar to delight than it is to desire; after all, desire is disruptive and restless whereas delight rests in its possession and is a matter of complacency as love seems to be.

Aquinas distinguishes the union that is pleasure from the union that is love by referring to the elemental union which precedes desire:

> . . . once our affections are engaged, to the extent that we have a sense of affinity with a thing and feel its attractiveness, we are already in some kind of communion with it. Love therefore involves union; that uni.on precedes the impulse of desire (25, 2).

Although this passage does not directly contrast love to delight, we can infer the differences in their unions. The union of love is a state of intentional union (not physical union) between the emotional agent and the intended object. Such a union is the underlying condition of harmony between the appetite and the appetible object. Any emotional state, such as delight or desire, requires this fundamental intentional union as its condition of possibility. The union of lover and beloved (object) is a condition of harmony and it is ontologically prior to the union of de-

light which requires the possession of an object. It is a union that is ontologically prior to the desire for an object.

In fact, desire for an object presupposes our already being in some kind of communion with it. Supporting evidence for this interpretation can be seen in the following passage in which Aquinas claims that there are two ways in which people may be united with the object of their love:

First, they may be united in reality; this is the case when the object loved is present to the lover in actual fact. Second, they may be united only by inclination and feeling; and this [is] orectic union ... Now of these two kinds of union-real, and orectic-love is an *efficient* cause of the first, since it moves one to desire and seek the presence of the object loved as possessing a special affinity with oneself. It is a *formal* cause of orectic union, for love consists precisely in such a union or tie (28, 1).

The significance of this passage lies in contrasting real union (*unione reali)* to orectic union (*unionem affectus)* : the term " union " cannot be co-extensive with " possession ;, (*adepto),* since there are unions that Aquinas cites in which the object is not possessed. On the one hand, being united in reality is a union based on the presence of an object. The paradigm of such union is possessing the object that is appropriate to delight. On the other hand, the union by inclination and feeling (*unionem affectus)* is not based on presence in fact; rather, it is the union that was mentioned previously, viz. the underlying harmony between the appetite and the object. Aquinas calls this union in intention "orectic.union." Such a union does not require the actual material presence of the beloved; it is a union based on a visualization of the object as such. Orectic union is a fundamental pro-attitude that serves as the foundation for any other affectivity. That is why Aquinas characterizes love as an efficient cause of being united in reality.[11] It is another way of asserting the thesis

[11] As the efficient cause of real union, love is a necessary (but not a sufficient) condition of delight. The mere occurrence of love does not guarantee being united (in pleasure) with the beloved object. There is always the possibility that love will not cause delight. The causal relationship between love and delight is not a necessary relationship.

that love (orectic union) is a necessary condition of delight. Moreover, to say that love is the formal cause of orectic union is to identify orectic union and love: the form of love is union.

On Aquinas's view, love is more similar to delight than it is to desire, since it is a state of affective complacency: one can rest in the mere vision of the beloved object. However, love precedes possession; thus the complacency that characterizes love is ontologically prior to the repose that attends delight. On the one hand, love is not logically dependent upon delight or desire; on the other hand, it is a fact that in many cases the affective properties of love and delight will be present together. Where there is love there typically will be delight (or desire). If, however, the lover *(qua lover)* can rest in possessing the beloved in delight, the lover can also be complacent in the mere vision of the beloved. A person may love another person or object without simultaneously delighting in that person or object (which requires presence), but it seems that the beloved must have been present to the lover at least once for this to occur. Delight requires presence, but it is possible to consider the object of delight *in absentia:* one can envision the object of delight simply by thinking or imagining it. That complacent vision of the object betokens love itself.

Conclusion

Because love is most closely related to delight and desire, it is difficult to explain love without referring to these other emotions and their descriptions, e.g. in terms of possession or approach. In fact, it is rather difficult to analyze love without an analysis that contrasts delight to desire. The paradigm of presence and possession is delight and the paradigm of absence and approach is desire. Love is what desire and delight have in common: a union through intention.

THE SPATIO-TEMPORAL THEORY OF INDIVIDUATION

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I. HISTORICAL OVERVIEW

A. The Influence of Plato

HE SPATIO-TEMPORAL theory of individuation has long history in the philosophical tradition. Its roots go ack to Aristotle's theory of individuation by matter,[1] and ultimately back to Plato. In the *Timaeus,* Plato struggled with the problem of how forms are instantiated in the phenomenal world. Besides " a model form *(paradeigmatos eidos),* intelligible and ever uniformly existent" and "the model's copy (*mimeta paradeigmatos),* subject to becoming and visible," Plato postulated a third thing, a " receptacle " (*hupodochen),* "the nurse of all becoming." [2] It is wholly indeterminate:

> ... while it is always receiving all things, nowhere and in no wise does it assume any shape similar to any of the things that enter into it. For it is laid down by nature as a moulding-stuff for everything, being moved and marked by the entering figures, and because of them it appears different at different times. And the figures that enter and depart are copies of those that are always existent, being stamped from them ... [8]

[1] I recognize that this is a controversial claim. Since I am tracing the spatio-temporal theory of individuation from Aristotle through St. Thomas Aquinas, for the purposes of this paper I will follow St. Thomas's interpretation of Aristotle and accept the view that Aristotle took matter to be the principle of individuation.

[2] Plato, *Timaeus* 49a. The version used is the Loeb edition by R. G. Bury (Cambridge, Mass.: Harvard University Press, 1966).

a *Timaeus* 50b-c.

The receptacle, then, is like formless wax upon which the forms are stamped. It is "apprehensible by a kind of bastard reasoning *(logismo tini notho),* barely an object of belief." [4]

B. Aristotle

It may seem on the surface unusual that the idea of the receptable would later be modified and used to explain individuation. Plato himself was concerned with the universal, the form. The instantiations of the forms in the phenomenal world do not even deserve to be called "this" or "that." [5] With Aristotle, however, the individual gains new importance, since for him forms have their reality only in individuals and individuals are primarily called "substance." If this is the case, then Aristotle has to explain how "humanity" can be the same while "Socrates" and "Callias" are two different individuals. Since form is universal, it cannot individuate, so the source of individuation must be matter-two individuals are different human beings, for example, because they have different lumps of matter.

> . . . and when the whole has been generated, such a form in this flesh and these bones, this is Callias or Socrates, and this is distinct from that which generated it because the matter is distinct *(hulen, hetera gar),* but it is the same in species since the species is indivisible.[6]

This view raises problems. Matter is indeterminate; it is Aristotle's modification of Plato's receptacle. How can anything indeterminate itself determine individual substances? More needed to be done to .bring out the meaning of individuation by matter, and St. Thomas Aquinas developed a more detailed and satisfactory position.

[4] *Timaeus* 52b.

[5] *Timaeus* 49d-50a.

[6] Aristotle, *Metaphyscis* 28 (1034a5-8). The Greek text used is *Metaphysica,* ed. by Werner Jaeger (Oxonii : E Typographaeo Clarendoniano, 1957). The English translation is by Hippocrates G. Apostle (Grinnell, Iowa: Peripatetic Press, 1979).

C. St. Thomas Aquinas

Aquinas, recognizing that prime matter is indeterminate and therefore not something that can individuate, argues that the principle of individuation is "signate" or "designated" matter. *"Materia signata"* is defined as matter as "*sub determinatis dimensionibus consideratur,*" "considered under determinate dimensions." [7] While the exact meaning of this is unclear, it seems to refer to matter under determinate spatial dimensions or coordinates. While the form determines what *sort* of thing an entity is, what determines it to be *this* individual is *this* matter with a particular set of spatial coordinates. Henry Veatch puts Aquinas's view into more modern terms:

> In fact, matter as determined by dimensive quantity guarantees ontologically nothing more nor less than the locatability or perhaps the localizability in space and time of any and all individual substances.... Finally, it is necessary that the individual in thus continuing to exist through time should have maintained what today would be called a certain spatio-temporal continuity, and here it is matter as designated and/or dimensive that is relevant.[8]

Thus, Aquinas modified the view of matter as individuator into what turns out to be a spatio-temporal view of individuation.

II. EVALUATION AND CRITIQUE OF THE SPATIO-TEMPORAL THEORY

A. The Key Issue: Individual Unity

A spatio-temporal theory of individuation, such as that of Aquinas, seems to make a great deal of sense. It does seem that two individuals cannot be in the same place at the same time, cannot have the same spatio-temporal relations *to* other individuals,

[7] St. Thomas Aquinas, *De Ente et Essentia,* ch. 2, para. 4. The Latin text is from Sancti Thomae de Aquino, *Opera Omnia,* Leonine edition, Tomus XLIII (Rome, 1974). For an English translation see Armand Maurer, *On Being and Essence* (Toronto: The Pontifical Institute of Medieval Studies, 1949).

[8] Henry B. Veatch, "Essentialism and the Problem of Individuation," *Proceedings of the American Catholic Philosophical Association* 48 (1974): 69.

and must have different histories or paths in space-time, and that this is enough to insure individuality.

This in itself, however, does not prove that spatio-temporal relations are what individuate. First, numerical diversity is neither a necessary nor sufficient condition for individuality. In order to show that this is the case, I will explore the meaning of " individual " and " individuality."

In our experience we encounter individual entities. I am an individual entity; the oak tree outside my window is an individual entity; my wife is an individual entity. There is at least one feature which distinguishes one individual from another; whatever this feature or features is is the " individuality " of a particular individual.[9] One feature we do notice about the individuals we experience is that each individual is separate from other individuals. It does seem that " separateness " or " distinction " is an adequate way to define " individuality."

Upon further examination, however, we see that this is not the case. Jorge J. E. Gracia points out, first of all, that " there seems to be no logical connection between the concept of individuality and the concept of distinction,"[10] because " universals, such as ' human being ' and ' ape ' are clearly distinct, since they are defined differently, and yet in spite of that they are not individual."[11] Distinction cannot, then, be a sufficient condition for individuality. Gracia further argues that " distinction does not qualify as a necessary condition of individuality, for one can, indeed, think of a universe in which there can be only one individual."[12] This does not even have to be a finite individual limited by space and time; if we assume the existence of the Judeo-Christian God, " before" God created anything and any diversity at all existed, God " was/is" still an individual. Finally, the " basic source " of

[9] Jorge J. E. Gracia, *Individuality: An Essay on the Foundations of Metaphysics* (Albany, N.Y.: State University of New York Press, 1988), 2.

[10] Ibid., 34.

[11] Ibid.

[12] Ibid., 35.

... the problems with the view that regards individuality as distinction [is] that distinction is an extrinsic relation and as such cannot be used in the analysis of something like individuality, which is intrinsic to those things that have it.[18]

Duns Scotus recognized long ago that numerical diversity is not the essential issue :

. . . primo expono quid intelligo per individuationem sive unitatem numeralem sive singularitatem. Non quidem unitatem indeterminatam (qua quidlibet in specie, dicitur esse unum numero), sed unitatem signatam (ut 'hanc ')-ita quad, sicut prius dictum est quad individuum incompossibile est dividi in partes subiectivas et quaeritur ratio illius incompossibilitatis, ita dico quad individuum incompossibile est non esse ' hoc ' signatum hac singularitate, et quaeritur causa non singularitatis in communi sed 'huius' singularitatis in speciali, signatae, scilicet ut est 'haec' determinate.[14]

What Duns Scotus recognized is that unlike a class or a nature, the individual is a unity which cannot be further divided and retain its identity. For example, "humanity" can be divided into individual human beings and still be humanity, but Socrates cannot be divided into other Socrates and retain his identity. An individual seems to have a certain oneness or unity that is repugnant to division; that is, its unity does not *permit* division.

This repugnance to division is called in the philosophical tradition "incommunicability." "To be communicable ... means to be made common or become common to many." [15] Human-

[13] Ibid., 36.

[14] Duns Scotus, *Ordinatio* II dist. 3 pars 1 q. 4. "... first I explain what I understand by individuation or numerical unity or singularity. Not indeed indeterminate unity (by which anything in a species is said to be one in number), but rather signate unity (as a "this), so that, just as it was said above that an individual is incompossible to be divided into subjective parts, and the reason for that incompossibility is asked, so [too] I say that an individual is incompossible with not being a designated "this " by this singularity, and the cause is asked, not of singularity in general but of this designated singularity in particular, namely, as it is determinately 'this '." The Latin text of the *Ordinatio* is from Duns Scotus, *Opera Omnia,* ed. by P. Carol Balic (Civitas Vaticanis: Typis Polyglottis Vaticanis, 1950-). The English translation is by Paul Vincent Spade, in *Six Questions on Individuation* (Department of Philosophy, Indiana University, 1986).

[15] Gracia, *Individuality,* 45.

ness, for example, can be communicated to individual human beings, such as Peter or Paul. However, the "thisness" of Peter cannot be communicated to any other human being; otherwise, we would all be Peter. "Peter," unlike "humanness," cannot be divided into parts and retain his identity. So an individual is an entity that is incommunicable to other entities; it cannot be divided into parts and retain its identity.[16] It thus is "an essentially undivided and indivisible unity."[17]

Defining the individual as "an incommunicable unity" is a much better choice than defining an individual in terms of numerical distinction. Gracia argues that this definition fits as both a necessary and sufficient condition for individuality. He says,

> It [incommunicability, which Gracia calls "noninstantiability"] is ontological and independent both of the specific kind of thing the individual is as well as of the kind of universe to which the individual belongs. Whether the universe in which the individual is found has one or more individuals in it is immaterial if noninstantiability is considered to be fundamental to the individual, since noninstantiability, unlike distinction, is not an extrinsic relation. Similarly, noninstantiability seems independent of duration and change, as well as of the specific kind of individual involved, whether material or spiritual.[18]

Given that the individual is an incommunicable unity, the extension of "individual" is all entities which are incommunicable unities. A tree is an individual. So too is a particular human being; even a particular rock is individual, given this definition.

[16] On this point see Josiah Royce, "Individual," in James Mark Baldwin, ed., *Dictionary of Philosophy and Psychology,* vol. 1 (Gloucester, Mass.: Peter Smith, 1957 reprint of 1901 Macmillan ed, 534.

[17] Johannes B. Lotz, "The Individual," in Walter Brugger, ed., *Philosophical Dictionary* (Spokane, Wash.: Gonzaga University Press, 1972), 195-96. Gracia makes an important distinction between absolute and relative indivisibility (in *Individuality,* p. 246, n. 7). Obviously there is a sense in which an individual can be divided; I can (unfortunately) be cut into parts. Thus, I am not absolutely indivisible. However, individuals are relatively indivisible: "Socrates is an individual even though he is divisible [in the sense given above], since the parts into which Socrates could be divided would not be of the same specific kind as Socrates; that is, they would not be human beings" (ibid.).

[18] Gracia, *Individuality,* 46.

"Humanity," "redness," and "the class of chess-players" are not individuals, for they can be communicated to more than one entity.

Since we have defined " individual " as that entity which cannot be divided into parts and remain the same entity, the key " distinguishing feature " or " individuality " of Peter as opposed to Paul is ultimately Peter's incommunicability, his individual unity. To account for individuality metaphysically must ultimately be to account for incommunicability or individual unity.

B. The Fatal Flaw of the Spatio-Temporal Theory

There is a key difficulty, discussed by both Duns Scotus and Francisco Suarez, with spatio-temporal theories of individuation (and any theory of individuation which does not regard individuality as primitive) .[19] Basically, it amounts to the claim that these theories put the cart before the horse : that spatio-temporal relations presuppose individuals and not vice-versa. To put the difficulty in Aristotelian terminology, spatio-temporal relations are accidental and cannot individuate a substance; they cannot account for the incommunicable substantial unity which defines the individuality of a substance. Individuality is a more primitive feature than spatio-temporal location or relations. It is a feature which is presupposed in any relations into which the indi-

[19] Scotus argued against the view that prime matter is the principle of individuation, and against the view that quantity is the principle of individuation. See *Ordinatio.* II dist. 3 pars 1, q. 3 and 4. He argues that quantity and matter are accidents that cannot individuate a substance, since the final unity and perfection of a substance demands a substantial explanation for that unity. Suarez uses similar arguments in *il!etaphysical Disputations V,* sect. 2 and 3. (For a translation of Suarez's work see *Suarez on Individuation: Metaphysical Disputation V: Jn.dividual Unity and its Principle.* Trans. from the Latin with Introduction, Notes, Glossary, and Bibliography by]orge]. E. Gracia [Milwaukee: Marquette University Press, 1982]). Edward Allaire makes similar arguments from an Anglo-American perspective. Allaire's arguments against the spatio-temporal theory of individuation are found in " Bare Particulars " and " Another Look at Bare Particulars," in Michael L. Loux, *Universals and Particulars: Readings in Ontology* (Garden City, N.Y.: Anchor Books, 1970), 235-44, 250-57.

vidual enters. Spatio-temporal relations or quantified matter already *presuppose* individuality.

Why is this the case? The contrary view has considerable plausibility. It might seem, for instance, that a spatio-temporal framework must already be present prior to individuals. As Kant says concerning space,

> . . . in order that certain sensations be referred to something outside me (that is, to something in another region of space from that in which I find myself), and similarly in order that I may be able to represent them as outside and alongside one another, and accordingly as not only different but as in different places, the representation of space must be presupposed.[20]

Both space and time seem to be necessary postulates to account for any experience of objects in the phenomenal world. If this is so, it seems that the individuality of substances cannot be prior to space and time.

Several points must be clarified here, however. It is true that spatio-temporal relation is one of the ways we discern that one individual is different from another. The most this would show, however, is that a spatio-temporal framework is an *epistemological* necessity for our experience of individuals. In other words, space-time may well be phenomenally prior to individuals in the sense that in order, for example, to distinguish two ball bearings of identical qualities from one another we need to refer to spatio-temporal relations. It does not follow from this, however, that spatio-temporal location is metaphysically the cause of individuation. My concern is with what is *metaphysically* prior, not with what is temporally prior or with what is epistemically prior. The order of knowing should not be confused with the order of being.

Second, as the preceding discussion has shown, the issue here is not the numerical diversity of substances, but the inability of the individual substances to be divided into parts and remain the same kind of entity; in other words, their incommunicability.

20 Immanuel Kant, *Critique of Pure Reason,* translated by Norman Kemp Smith (New York: St. Martin's Press, 1965 reprint of 1929 Macmillan edition), 68.

Numerical diversity may be one of the results of incommunicability, but is not the central issue in the problem of individuation.[21] Even if diverse spatio-temporal locations or histories or relations cause numerical diversity, it does not follow that they cause incommunicability.

Third, I do not deny that both space-time and form play a necessary role in the constitution of the individual material substance. Obviously if we are trying to explain the constitution of an individual material substance, we need form as well as matter, and the composite must have spatio-temporal coordinates and a spatio-temporal history. The issue is what accounts for the *individuality* of the matter-form composite, i.e., what renders it incommunicable.

With these issues clarified, I argue that individuality itself must be metaphysically prior to a spatio-temporal framework; space-time itself could not " exist " without individuals. Suppose that there are no individuals. Does it make sense to speak of space-time " existing? " If we try to use the vocabulary we associate with space-time, we are in a quandary. First, let us try to use the word " relations." How could one even conceive of relations in a world without individuals? Relations are always relations-of-x, but if there are no x's, there are no relations.

The same follows for the phrase " spatio-temporal history." If there were even one individual, it would make sense to refer to the spatio-temporal history or path *of that individual.* But if no individuals exist, then there could be no spatio-temporal history. A spatio-temporal history is *of an .r,* where x is an individual entity. The notion of space-time seems vacuous without individuals; if it makes sense at all, it seems akin to Aristotle's prime matter, which is wholly indeterminate pure potentiality. If this is so, it seems strange to suppose that what is indeterminate and potential can somehow act as the principle of individuation.

If space-time individuates, this is not done in general. It must be *this particular* spatio-temporal history or *these particular*

[21] Gracia, from a Suarezian perspective, emphasizes this throughout his book *Individuality.*

spatio-temporal relations. But these particulars presuppose the individual. One can always ask, " What makes *this* spatio-temporal history *this* spatio-temporal history? " [22] Something must individuate space-time which is not space-time itself. Since a *particular* spatio-temporal history or location presupposes an individual, then the principle of individuation must be accounted for by some reality in the individual substance itself.[23]

Finally, the conclusion that individuality is not caused by space-time has some basis in our experience : as Gracia expresses it, "It is I who am here now, and my being here and now seems somewhat dependent on me, and not vice-versa." [24] That is, it seems that there is an " I-ness" which is prior to my position and relations in space-time. While this may not make as much sense if one is talking about a rock, in the case of human beings it seems difficult to describe individuality, particularly as expressed in personality, by a bare spatio-temporal theory of individuation. The spatio-temporal theory of individuation, therefore, fails as an adequate account of individuation.

[22] This was rceognized by Scotus, *Ordinatio* II, d. 3, pars 1, q. 4.

[23] Whitehead makes a similar point, although he affirms a very different ontology. Since "actual entities are the only *reasons"* (Alfred North Whitehead, *Process and Reality: An Essay in Cosmology,* Corrected Edition, ed. by David Ray Griffin and Donald W. Sherburne [New York: The Free Press, 1978], 24), space and time must be explained by actual entities and not vice versa. It is enduring and spread out actualities which ground the possibility of temporal and spatial relations.

[24] Gracia, *Individuality,* 151.

THE SPECIES AND UNITY OF THE MORAL ACT

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IN AN ARTICLE written by Gerard Casey in the *New Scholasticism,*[1] the problem of a lack of unity among the constituents of the moral act in St. Thomas's action theory is posed. The question he asks is a valid one: where does the moral act receive its unity? I believe St. Thomas answers that question, but before we take a look at his answer, it is necessary first to discuss what the constituents of the moral act are. This in itself is not without its complications, for what the constituents of the moral act are for Aquinas is likewise open to debate. In order to answer Casey's question, the article will take the following form: first, we will consider what the constituents of the moral act are; then, we shall try to answer Casey's question: "Where does the moral act receive its unity? "

I. *The Constituen:ts of the Moral Act*

One of the difficulties with Aquinas's treatment of the species of the moral act is that of understanding precisely what he means by the object of the moral act. Later on we shall see that Aquinas uses the term "object" in a variety of ways referring to a number of different things. However, one of the ways he uses the term "object" is in reference to the end. Therefore, it will be necessary to point out how Aquinas uses this term in reference to the will so that, in considering the object of the moral act, a proper distinction can be made between the end and the object of the moral act in the strict sense.

[1] See Gerard Casey, "A Problem of Unity in St. Thomas's Account of Human Action," *New Scholasticism,* 61, no. 2 (1987) : 146-161.

Aquinas refers many times to the end as the object of the will. However, the main idea he has in mind is in reference to his theory of powers and their objects. For Aquinas, every human power has its proper object,[2] and since the will is a power or faculty of man, it has its proper object. Often, Aquinas simply refers to the end as the object of the will: "the good and the end is the proper object of the will." [3] Other times, however, Aquinas refers to the end as that which is under the *ratio boni.*

Those which know the end are always ordered toward the good as to an end: for the will, which is the appetite of the end already known, does not tend toward something except under the aspect of the good *(ratio boni),* which is its object.[4]

What Aquinas is saying here is that the intellect apprehends some being and presents it to the will under a certain aspect or concept of the good. Now since the proper object of the will, which is an appetitive power, is the good, then the particular thing must be " seen " in a certain way so that the will will tend toward it. Aquinas is pointing out that, materially, the object for the intellect and the object of the will do not differ. For instance, a piece of candy may be the object of the intellect but it may also be the object of the will once it has been apprehended by the intellect and presented to the will as desirable or under the aspect of the good.

However, the *ratio boni* is more than just a way in which the intellect presents the will with its object. The good by nature has a universal or formal character about it. Because the intellect and will are immaterial powers for Aquinas, the objects of the these respective powers must be universals, forms or essences. The will is presented with a form of the particular thing apprehended and this form is none other than the end.

[2] See S.*T.* I, *77,* 3.

[3] *S.C.G.* III, 1. See also *Sent.,* II, 40, 1, 1; *Sent.* IV, 16, 3, 2; *S.T.* I, 1, 4, ad 3; *S.T.* I-II, 11, 1, and 19, 2, ad 1; *De Ver.,* 22, 13; *De Malo,* 6, un.

[4] *S.C.G.* III, 16. See also *S.C.G.* III, 3; *De Malo* 6, un., ad 6 and *S.T.* I-II, 9, 2.

But it is considered that since every inclination follows upon some form, the natural appetite follows upon a form existing in nature; the sensitive appetite, however, or even the intellective or rational appetite, which is called the will, follows upon an apprehended form. Therefore, just as that in which the natural appetite tends is the good existing in the thing, so that in which the animal appetite or the voluntary tends is the apprehended good. Therefore, just because the will tends toward some thing, it is not required that it is the good existing in a true thing, but that it is apprehended under the aspect of the good (*ratione bani)* and because of this, the Philosopher says that 'the end is the good or the apparent good.'[5]

For a rational creature, it is possible that what the will tends toward is not a real good. Here the aspect of good or *ratio boni* plays a very important role. It may be possible that the intellect apprehends the bad action under some aspect of the good, and hence tends toward it. This is how evil actions are possible, for if every appetite (and especially the intellective appetite, viz., the will) followed upon only real goods, then it would be impossible to have evil actions. Therefore, Aquinas pointed out that there may not be an adequation between the good really existing in the thing and that which is presented by the intellect under the aspect of the good.

There are three places where Aquinas directs his attention to the question of whether the end itself gives a species to the moral act. In the very first question of the *Prima Secundae* we find Aquinas treating the end as a specification of the moral act.

A definition manifests the concept of a species. And in both ways, the human a:ct, either considered by way of action or considered by way of passion, receives its species from the end. For in both ways they are able to be considered human acts, because man moves himself and is moved by himself. Moreover, it was said above that acts are called human insofar as they proceed from a deliberated will; moreover, the object of the will is the good and the end; and therefore, it is manifest that the principle of human actions, insofar as they are human, is the end; and similarly it is their terminus. For that to which the human act is terminated, is that which the will intends as an end.[0]

S.C.G. III, 8, 1.
[11] *S.T.* I-II, 1, 3.

Every action begins and ends in a certain way. The beginning is the principle of motion, i.e., that which causes the motion to begin. Hence, as we saw above, upon the apprehension of some form or end, the will is moved toward that end and specified by that end. An example may make this clearer. If a person wishes to eat, his action is specified by the fact that food is his end. Or in other words, if the food were not the end of his action, then his action would not tend toward obtaining the food but to some other end. The actions he takes in getting the food will be specified or directed toward his end. Hence, for Aquinas, the species of the moral act receives its species from the end as the final cause of the action, for it is that to which his action tends.

In q. 18, a. 6 of the *Prima Secundae,* we see that Aquinas is dealing with the question of whether a moral act is good or bad from its end.

> In a voluntary act is found a two-fold act, viz., the interior act of the will and the exterior act. And both of these acts have their objects. The end is properly the object of the interior voluntary act; that, moreover, about which the exterior act is, is its object. Therefore, just as the exterior act receives a species from that about which it is, so the interior act of the will receives its species from the end as from its proper object.[7]

Aquinas makes a distinction between the interior act of the will and the exterior act to be performed. Moreover, each act has its respective object which gives it its particular character or species.

> That, moreover, which is on the part of the will is related formally to that which is on the part of the exterior act; because the will uses the members to act as instruments ; nor do the exterior acts have the aspect of morality, except insofar as they are voluntary. And therefore, the species of the moral act is formally considered according to the end; materially considered according to the object of the exterior act. Hence, the philosopher says that " he who steals in order to commit adultery is essentially speaking more an adulterer than a thief."[8]

[7] *S.T.* I-II, 18, 6.

[8] Ibid.

Aquinas is noting the formal causal character of the end with respect to the species of the moral act. In fact, for Aquinas, an exterior act is not a moral act unless it possesses a voluntary or formal character. This essentially means that without an end, an act is not moral.

Aquinas has a clear idea of what is meant when the end is said to be the *form* of the moral act. Clearly, the term *form* is used analogically. Aquinas uses it to indicate that the species of the moral act has an analogical similarity to a natural being. Hence, when Aquinas says that the end to the moral act is like the form to matter, he is saying that the end acts as the form does with respect to a natural thing. Aquinas in one place[9] uses the analogy of generating a form with respect to the end's causal influence on the act. However, he has in mind something more than that.

As we saw above, the intellect presents to the will its object, which is a universal form or essence under the aspect of the good. This is why Saint Thomas says that the end is more universal than the object of the moral act.[10] What the object of the moral act is, i.e., what the matter of the moral act is, we shall see shortly. However, we can see that this matter-to-form relationship has its effect with respect to the moral decision process. The end concerns those acts of the will which precede and include the act of intention.[11] Once the end is intended, the subsequent acts of the decision making process (which concern the means) are formed or ordered to the end.[12]

The notion of the end, then, is in some way *in* those which are to the end or the means.[13] Just as the cause is in the caused, so,

[9] See *S.T.* I-II, 1, 3.

[10] Ibid.

[11] See *S.T.* I-II, 18, *7 (finis corpus).* Aquinas uses the analogy of form to matter many times. Se also *Comm. Ethic.* 1, 9 (107); *S.T.* I-II, 1, 3; 9, 1; 13, 1; 18, 4; 18, 6; 20, 1, ad 3; *72,* 3; 72, 6; 73, 3 ad 1; *S.T.* II-II, 110, 1; *De Malo* 2, 2; *Sent.* II, 40, 1, 1.

[12] See *S.T.* I-II, 11-17 for Aquinas's consideration of the decision making process.

[18] *S.T.* I-II, 8, 2. It is difficult to enter into the notion of how the end is the form of the species of the moral act when the matter, i.e., the means or object, has not been discussed. However, later on we shall see what the object of the moral act is and also how it is considered the matter of the act.

too, the end 1s in the means. Aquinas clarifies himself when he says

> everything which is compared to another as the reason for it *[ratio],* is related to it as form to matter ; hence from the two comes one as from matter and form.[14]

Again, the end plays a somewhat formal role in that what is in the means or object [15] of the moral act somehow takes on the (formal) character of the end by virtue of its relationship to it. This is very important with respect to the species of the moral act, because the end will determine or modify the species of the moral act precisely because of this formal character.

The Object of the Moral Act

Undoubtedly, the most difficult moral determinant to pin down in Aquinas's treatment of the species of the moral act is the object. We saw how the end is sometimes referred to as the object of the will. However, Aquinas uses "object" in ways other than in reference to the end. Differing interpretations of Aquinas's texts have lead to two traditions with respect to the object of the moral act. These two traditions are clearly divided into those who say the object of the moral act is an object, i.e., the exterior thing about which the exterior action concerns itself,[16] and those who say it is the exterior act itself.[11]

At that time, a more thorough understanding of the end as the form will be possible.

[H] *De Malo* 2, 2, .ad 11.

[15] It may seem confusing when the terms, *means, those which are to the end,* and *object* are used interchangeably. I will pick up the notion of the object being the means later and for now will assume their interchangeability. Aquinas does note that the goodness of the end flows over into the means, as I am quoting here, as well as into the object, as can be seen in questions nineteen and twenty of the *Prima Secundae.*

[16] Among those who hold this position are Osterle, *Ethics* (Englewood Cliffs, New Jersey, 1958), p. 103; Cronin, *Science of Ethics* (New York, 1909), p. 95; and Garrigou-Lagrange, *De Bonitate et Malitiae Actuum Humanorum* (Rome, 1951), p. 320.

[1 1] Among those who hold this position are Davis, *Moral and Pastoral Theology* (New York, 1943), p. SS; and Coppens, *A Brief Text-book of Moral Philosophy* (New York, 1924), p. 33.

To resolve this difficulty let us turn to question eighteen of the *Prima Secundae,* where St. Thomas is treating the notion of object as it is used in constituting the species of the moral act. In this respect, "object" is being used differently than in reference to an end. Therefore, we must see what Aquinas means by "object" in question eighteen and elsewhere. St. Thomas uses the term "object" to refer to a thing which determines the moral character of the external action. However, because the usage of the term "object" in question eighteen of the *Prima Secundae* is not entirely clear, let us turn to an example of how Aquinas uses the term "object" to mean the exterior thing. In Aquinas's treatment of lying, he refers to the constituents of the moral act in order to sort out where the evil in lying resides:

> Moral acts are sorted into species from two things, viz., from the object and from the end: for the end is the object of the will, which is the first mover in moral actions.
> Moreover, a power has its object from the motion of the will, which is the proximate object of the act of the will, and is related in the act of the will to the end, as matter to form, as is clear from what was said above. It was said, moreover, that the virtue of truthfulness (and consequently its opposite vice) consists in a manifestation, which is through some sign.... The proper object, moreover, of the manifestation or the enunciation is the true or the false.[18]

In this text, Aquinas is pointing out that manifesting or enunciating something is related to the virtue of truthfulness and also its opposite vice. What is important to note is that the object in this text refers to the exterior act of enunciating or manifesting. This object is either the true or the false. Hence, it is seen that Aquinas uses the term "object" to refer to the exterior thing about which the action concerns itself.

In question eighteen, article two of the *Prima Secundae,* St. Thomas begins the question with an objection which notes that exterior things which are objects cannot determine a moral act to be bad because they are, in essence, good and it is only the use of good things for a bad end which constitutes sin. However, Aquinas replies by saying that

18 *S.T.* II-II 110, 1.

although exterior things are in themselves good, nevertheless, they do not always have the due proportion to this or that action and therefore, insofar as they are considered as objects of such action, they do not have the aspect of the good.[19]

In this text, St. Thomas is pointing out that objects of exterior acts do modify the acts because they are proportionate or not proportionate to that act. For Aquinas, although in this case the object is not the act itself, and in moral action we want to know whether an action is intrinsically good or bad, objects do constitute species of action by their proportion to that action. For instance, in an act of fornication, the object, which is another person, is not proportioned to the conjugal act.

Although Aquinas notes that exterior things are objects which specify acts, he does not simply say that only things specify acts. In other words, for Aquinas, the object of a moral act can be an action itself as well. In a question in his commentary on the *Sentences,* Aquinas says

because the exterior act is compared to the will as an object, hence, the exterior act has the goodness of the will, not, however, in that it is exercised, but according as it is intended and willed.[20]

A little further on in the same question he says :

If, however, we speak of the goodness of an act, which the exterior act has in itself, then the exterior act completes the interior act in goodness or badness, as the terminus of motion completes the motion; for it is compared, as was said, to the will as its object.[21]

Here Aquinas is noting that action itself, i.e., the exterior action, is the object of the will. That is to say it relates to the will as constituting the goodness and badness of the will. When we speak of the moral act, then, we are speaking of the will act, and the object which modifies the interior will act is the exterior act.

In the text of the *Sentences* just quoted, we see that the context is the question of whether an exterior act adds anything to the interior act of the will. The same context is found in *De*

10 *S.T.* I-II, 18, 2, ad 1.
20 *Sent.,* II, 40, 1, 3.
21 Ibid.

Malo, where we find Aquinas saying virtually the same thing. He says, " considered in itself, it is compared to the will as an object." [22] In the context of the quote, "it" refers to the exterior act as it is in apprehension as opposed to execution. In apprehension the exterior act is the object presented to the will.

In the response to the first objection in this same *De Malo* text, Aquinas says that " an act has a species from an object; and because of this, sin is denominated by the exterior act in that it is compared to it [i.e., the will] as an object." [23] The passage also points to Aquinas's theory that an act is made what it is by the object about which it is concerned. Hence, the kind or species of will act is determined by its object, viz., the exterior act as apprehended. Moreover, when the object of the moral act is bad, then sin results, not in the exterior act as such, but only insofar as it is the object of the will act. Hence, the response answers the objection Aquinas is dealing with by noting that culpability resides in the interior act, for it is, properly speaking, the moral act. Therefore, we see that Aquinas is using the term "object" not only in the sense of the exterior thing about which the exterior act is concerned, but also in reference to the exterior act.

As we saw above, the object of the exterior act specifies the exterior act. But the exterior act is not a moral act unless it is willed. And when it is willed, the exterior act itself becomes the object of the will. This clarifies a great deal of confusion. The problems that have occurred in understanding what pertains to this term arise from the fact that Aquinas applies the term " object of the moral act" not only to that about which the exterior act is concerned, but also that about which the interior act is concerned. Therefore, when we are talking of specification of a moral act, we must consider how the phrase " moral act " is being used. If one is referring to the specification of the exterior act, the object of the moral act will be the particular thing about which the action is concerned. If, however, one considers the fact

22 *De Malo,* 2, *3.*
2a Ibid., 2, 3, ad 1.

that moral action, properly so called, is the will act, then the object of the moral act is an exterior action.

After Aquinas's treatment of the specification of moral acts in question eighteen and the treatment of the interior act of the will in question nineteen in the *Prima Secundae,* we find an objection and a response to an objection which seems to affirm the distinction I have just made. In the objection to question twenty, article one, the following problem is raised :

> It seems that the good and the bad in the exterior act is prior to the interior act. For the will is good from its object, as was said above. But the exterior act is the object of the interior act of the will; for we are said to will to steal or to will to give alms. Therefore the good and the bad in the exterior act is prior [to the good and bad] in the act of the will.[24]

What must be noted here is that Aquinas's objection sets the exterior act up as the object of the interior act of the will as well as attempts to establish the priority of goodness between the interior and the exterior act. The response to the objection is as follows:

> the exterior act is the object of the will, insofar as it is proposed to the will by reason as a certain good apprehended and ordered by reason. And, thus, good in the act of the will is prior.[25]

Aquinas acknowledges the fact that the exterior act is the object of the will in such a way that the interior or moral act is good specifically from the exterior action, i.e., its object.

Therefore, although the exterior thing specifies the exterior act, that does not mean that it necessarily specifies a moral act. For the exterior act to be a moral act, it must be willed. Now the object of the interior act of the will, as we have seen with respect to sin and moral action, is the proposed exterior action itself. Therefore, one may say that the exterior thing specifies the moral act when it specifies the willed exterior action. But the exterior thing does not specify the moral act as such, viz., the interior act of the will, except insofar as it is seen as part of the

[24] *S.T.* I-II, 20, 1, obj. 1.
[25] Ibid., 20, 1, ad 1.

moral object, i.e., the exterior action.[26] Therefore, the object of the moral act, properly so called, is the exterior action.

To clarify what the object of the moral act is, it will be necessary to discuss Aquinas's theory of the decision making process. The process of decision making begins in the intellect's apprehension of a particular good or end. In each act of the intellect in the decision making process, there is a corresponding act of the will which relates to reason in a particular way. Therefore, prior to the will act of *velle,* there is apprehension of the particular· good. *Velle,* as it is described by Aquinas, is seen to include both those ends which are possible and those which are not possible, which makes *velle* distinct from the act of *intendere* in that the latter is only of that which is possible for man to attain. The difference between *velle* and *intendere* is that *to will* (*velle)* is to desire something in an absolute sense,[27] and by absolute is meant that it is not subject to the boundaries of being attainable. This is why some commentators have translated it as *to wish,*[28] for wishing does not imply either that it is possible or that one is tending toward it. The object of *velle* is not that to which something is ordered, since Aquinas has noted that the object of *velle* is not that to which election is ordered, for that pertains to intention.[29]

The point to draw out here is that there are two acts of the intellect and two acts of the will that have ends as their objects. The first act of the intellect apprehends something as good, pre-

[26] Coppens refers to the object of the moral act and the object of the exterior act this way: "The object of an act is the thing done. In reality, it is not distinct from the act itself; for we cannot act without doing something, and the something done is the object of the act say, of going, eating, praising, etc. The act or object may be viewed as containing further specification-e.g., going to church, praising God, eating meat " (Coppens, p. 31). In other words, the object of the moral act is the exterior action which in turn may receive further specification by another object, such as meat, God, or church as Coppens puts it.

[21] See *De Ver.* 22, 13, ad 12 and 22, 15.

[28] See Bourke, p. 59. In *A Lexicon of St. Thomas Aquinas* (Roy J. Deferrari, Boston, 1986), the term *volo* is given the meaning of wishing.

[29] See *De Ver.* 22, 15.

sents it to the will as good,[30] and the will wills (*velle*) it in an absolute sense. Next the intellect judges the end's attainability [31] and then, if it is attainable, presents the good to the will as attainable, and the will intends to obtain the object or the end. The object of *velle* may or may not become the object of *intendere.* If the object is not attainable, then the object of *velle* never becomes an object of *intendere.* However, the object of *intendere* does not differ from the object of *velle* except insofar as the notion of attainability is added to it. That is to say that if a thing is the object of *intendere,* it was also the object of *velle* except to the extent that reason has added to that object the notion of being attainable.

The next step in the process of decision making is counsel. Counsel is an act of the intellect whereby one considers the various means to the end intended.[32] When counsel is finished, the act of consent takes place with respect to the various means proposed.[33] Then there is a judgment by the intellect with respect to which of the various means consented to should be the one to be used.[34]

The next act of the will in the decision making process is *eligere* or election.

> The proper object of election is that which is to the end, which pertains to the notion of the good, which is the object of the will; for the good is called the end, as honest or pleasurable, and that which is to the end, as the useful.[35]

Here Aquinas refers to those which are for the end as the " object" of election. But the objects of election are exterior actions.[36] This is what divides the act of *intendere* from the act of

[30] See *De Ver.* 22, 12; and *S.T.* I-II, 13, 5, ad 1.

[31] See *S.T.* I-II, 12, 3 and 4.

[32] See *Comm. Ethic.* III, 9 (484 and 487) ; and *S.T.* I-II, 14.

[33] See *S.T.* I-II, 15.

[34] See *S.T.* I-II, 13, 3; election follows judgment. See also *S.T.* I-II, 13, 1, ad 2.

[35] *De Ver.* 22, 15.

[36] See *De Ver.* 22, 15, ad 3; and *S.T.* I-II, 13.

eligere, viz., they have different objects about which their actions are concerned. The object of the act of intention is the end and the object of the act of election is an action or that which is to the end.

The object of counsel, consent, judgment (of those which are to the end which should not be confused with judgment of the end), election, command, and use is the same. The difference is that the object is under a different aspect in each act. For instance in counsel the *ratio* of the object is its conduciveness to the end, whereas the *ratio* of the object with respect to judgment is whether it is the most suitable, the best action or object ordered to the end. Moreover, each object of the act of the will determines the character of the will act. This is precisely why Aquinas says that sin essentially resides in the will. For if the object of intention, i.e., the end, is bad, then the will will be bad for intending it. Moreover, if the will elects a bad means, then, again, the will will be bad from willing it.[37]

A moral act is a will act in which its object is freely chosen. Since election is a voluntary act, election is a moral act. Therefore, when we speak of the object of a moral action, it is proper that we are speaking of the exterior act, for the exterior act is the object of the moral act of election.

When one takes counsel, the various circumstances and objects which figure into the exterior action are taken into account and the final product of them coming together is the object presented to the will for election. This is why Aquinas says that circumstances become a condition or enter into the substance of the act because, through counsel, these various things are put together and considered with respect to the action that will conduce to the end.

[37] I will not enter into the discussion of the influence prudence and conscience share with respect to the decision making process. However, it is important to point out that prudence is with respect to the means, i.e., action, and since conscience is an act of prudence which also concerns itself with action, it is clear that the object of the act of conscience and virtue of prudence is the means or exterior action. See *De Ver.* 17, 1; *Comm. Ethic. I,* 1 (8) and VI 11 (1289); *S.T. II-II,* 51, 3, ad 1; and *Quod. 3,* 12.

Therefore, Aquinas is using the term "object" of the moral act in three ways.[38] This is why the interpretations which hold that the use of the term relates to only one of the usages is inaccurate. However, let us point out that when one is talking, in a strict sense, of the object of the moral act one is talking of the object of the act of election. This follows from the fact that election is properly speaking *the moral act.* By *moral* act is meant a free volitional act, and the only act of the will which is free is that of choice, for man does not have a choice with respect to ends, but only with respect to the means. Hence, the act of election is *the* moral act and its object will be properly called the *object of the moral act.*[39]

Circumstances

Circumstances play a very important role in Thomistic ethics. Although one could not accuse Saint Thomas of situationalism, he does give circumstances a place in determining the species of the moral act. Moreover, since, for Aquinas, circumstances enter into the morality of an act, i.e., its goodness and badness, it will be necessary to consider circumstances as a constituent of moral action. The term *cfrcumstare,* from which the word "circumstance" comes, means "to stand around."

Something is said to stand around things in a place, which is extrinsic to the thing, yet nevertheless touches it, or is next to it according to place. And therefore, whatever conditions are outside the substance of an act, yet touch the human act in some way, are called circumstances. However, that which is outside the substance of the thing, yet perta1ns to that thing, is called its accident. Hence, circumstances of human acts are called their accidents.[40]

as St. Thomas uses "object" in a fourth way as anything that is proposed to the will as an object. However, that which is proposed to the will as an object is always done so according to the three objects delineated in this article.

39 On the fact that for Saint Thomas man is free with respect to the means and not to the end, see *S.T.* I-II, 13, 3. Hence, since a moral act is only an act that is free, the moral act is the act of election. And therefore, the object of *the* moral act is the object of election which is the exterior act or the means.

40 *S.T.* I-II, *7,* 1.

Saint Thomas is pointing out three things. The first is the etymological derivation of the word "circumstance." The second is that circumstances are accidental to the substance of an act.[41] The third point is that only those circumstances which touch the act seem to be of importance.

Aquinas seems to make a distinction between circumstances which remain purely accidental and circumstances which are conditions. In question eighteen of the *Prima Secundae,* it appears that there are two kinds of circumstances; those which are accidental and in no way cause a new species of the moral act, and those which in some way are not accidental but are a condition of the object. But he also makes a distinction between those which remain circumstances and those that do not.[42] It is as if he is saying that conditions of the object are not circumstances. However, Aquinas clarifies his position by noting that:

> that condition of the cause, from which the substance of the act depends, is not called a circumstance, but some adjunct condition; as with respect to the object, it is not called a circumstance of theft that it belongs to another, for this pertains to the substance of theft, but that which is greater or lesser; and similarly it is of those circumstances which are taken on the part of other causes. For the end which gives a species to an act is not a circumstance, but some adjunct end.[43]

Circumstances are not those things which enter into the substance of the act. In Saint Thomas's example of the object of theft, the fact that it belongs to another is not a circumstance, but a substantial part of the act. An example may clarify this distinction. When a thief steals someone's property, the fact that it is someone else's property is not an accident, but part of the very substance of the act. However, if the thief steals something

[41] See also *S.T.* I-II, 18, 3, ad 1. In this passage, Aquinas notes the difference between the essence of the act and its accidents, which is the same type of distinction as that between substance and accidents or circumstances. See note 45 for a discussion on Aquinas's use of the terms "substance" and "species."

[42] *S.T.* I-II, 18, 10, ad 2.

[43] *S.T.* I-II, 7, 3, ad 3.

in a sacred place, then it becomes sacrilege. The location of the other person's property or where the act takes place modifies the species of theft into sacrilegious theft. The fact that the theft occurs in some sacred place does not change the substance of the act of theft, but becomes a new condition of the act.[44] Therefore, the location is a circumstance and a condition touching the act.

If the thief had taken something sacred but not in a sacred place, it still would have been sacrilege but because of a different circumstance. The circumstance is not that it belongs to another, but that the object is sacred. The sacredness of the object does not pertain to the substance of the act of theft, but nevertheless changes the species of the act to sacrilege. The fact that it is sacred is a condition touching the act, but the fact that it is silver or gold does not cause a new species of theft. Moreover, whether it is a chalice or a crucifix does not change the species of theft. For it can be seen that, even though conditions are accidental, they are distinct from those accidents which do not in any way affect the morality of the act.[45] Circumstances are part of the moral act, however, and when there is a defect in the circumstances, then there is a defect in the action. And since a thing is bad from any defect whatsoever, the moral act will be evil if the due circumstances are not present. Therefore, the circumstance can modify the goodness and badness of moral acts.[46]

[44] Aquinas uses this example, in *De Malo, 2, 6,* ad 2.

[45] From the previous discussion, it can be seen that what Aquinas means by *species* is not always the substance of the act. Because accidents can cause a species, it is clear that species and substance are not always synonymous. The distinction is between those constituents that make an act different from another in substance and those constituents that make an act different with respect to good and bad (even though the substance of the act may be good or bad in itself). Sometimes St. Thomas uses species to refer to the goodness or badness of an act because a good act and a bad act are essentially different from one another, not necessarily in substance, but at least with respect to the moral character of the act. Therefore, sometimes Aquinas uses species to refer to the substance of the act and sometimes to the moral goodness of the act.

[46] See *S.T.* I-II, 18, 3. The Pseudo-Dionysian principle is employed by Aquinas, as is evident from the discussion at hand. Moreover, the fact that circumstances do modify the morality of acts is testified to by the Council of

Some circumstances affect the morality of the action but do not change the species of the moral act. These are called aggravating or extenuating circumstances.[47] They are called extenuating or aggravating circumstances because they do not change the species of an act, but add or take away from its goodness.[48] Circumstances, then, are able to modify an act in essentially five ways. The first two ways are when the circumstances change the species of an indifferent act to either good or bad. The third way is when an act is good, but rendered bad from its circumstances. For example, the conjugal act between two married people is good, but when done in public it is bad. In this case, the circumstance of place (i.e., *ubi* or *where)* changes the act to bad. The last two are when the circumstances augment or diminish the goodness or badness of an act. For example, stealing five dollars is not as bad as stealing five hundred. The numeration of the circumstances differs according to which text of Aquinas one uses.[49] However, it may be said Aquinas holds to seven circumstances: who, what, where, when, why, in what way or how, and by what aid. Each of these may enter into an act and modify its species.

II. The Unity of the Moral Act

From what we have seen thus far, there are various objects of the moral act. Moreover, the circumstances are likewise an object of the moral act insofar as they are considered by the acts of deliberation as we saw above. The question that immediately arises is " how or in what way does the moral act possess unity? " The problem of unity seems to be aggravated by the fact that Aquinas says the object of the moral act gives a form to the act.[50]

Trent's adoption of their importance, which is synonymous with Saint Thomas's teaching. See Council of Trent, sess. 14, cap. 5 (Denz. 899/1681).

47 The names for these two types of circumstances were taken from Murray, Jl. 171.

48 See *S.T.* I-II, 18, 11.

49 The two places where Aquinas lists the circumstances differently are *S.T.* I-II, *7,* 3 and *Comm. Ethic.* 3, 3 (415).

;o St. Thomas mentions that the object of the moral act has a certain aspect of form in *S.T.* I-II, 18, 2, ad 2 and this is accentuated in his discussion of a moral act having two species, as we shall shortly see.

This poses the problem of dual forms of a moral act. In question eighteen of the *Prima Secundae,* Aquinas is asking which is contained under the other, i.e., the object under the end or the end under the object. Saint Thomas notes two differing kinds of acts.

> The object of the exterior act is able to be related to the end in two ways; in one way as essentially ordered to it, as to fight well is essentially ordered to victory; another way is accidentally, as to take something belonging to another is accidentally ordered to giving alms.n

Saint Thomas is noting two different kinds of relationships with respect to the object of the moral act and the end, one essential, the other accidental. Aquinas goes on to say that

> when the object is not essentially ordered to the end, the specific difference which is from the object is not essentially determinative of that which is from the end, nor conversely. Therefore, one of those species is not under the other; but then the moral act is as if under two disparate species. Hence, we say that he who has stolen in order to commit adultery commits two evils in one act. If, truly, the object is essentially ordered to the end, one of the said differences is essentially determinative of the other; hence one of those species is contained under the other.[52]

Aquinas is pointing out two different kinds of acts, those in which the object is essentially related and determinative of the end and those in which the object is not determinative or ordered essentially to the end. The " essentially related act " has the end containing the whereas the "accidentally related act" or the act of disparate species does not have one contained under the other.

Gerard Casey, in his article, criticizes Aquinas with respect to his theory of disparate species. His question is simple : If there are two species, how can there be one moral act? [53] In other words, where does the moral act receive its unity? This question

s1 *S.T.* I-II, 18, *7.*

62 Ibid.

ss See Casey, op. cit., p. 159.

may also be extended to the moral act which enjoys essential relatedness, because there still seem to be three objects operative in the moral act, viz., the end (i.e., the object of intention), the object of election (i.e., the exterior act) and the object of the exterior act.

First, let us consider Aquinas's treatment of those acts which enjoy essential relatedness among their parts. We saw earlier that the end was like a form in comparison to the means. Here we begin to see the idea of unity Aquinas had in mind. Much like the physical thing which has an essential unity between matter and form, so too does the moral act enjoy unity between its matter and form when they are essentially related. That is to say, just as the form informs and becomes essentially one with the matter in natural things, so too in some moral acts do the end and the object become essentially one. But the unity it has is more than that.

> Objects, as they are compared to the exterior act, have the aspect of matter *about which;* but as they are compared to the interior act of the will, they have the aspect of end; and from this the acts receive their species.[54]

In this passage, Aquinas is noting that the object of the exterior act is also the object of the interior act with the aspect of the good or end added to it. This unifies the end and the object of the exterior act, but what of the exterior act itself?

> The end, insofar as it is some thing, is an object of the will other than that which is to the end; but insofar as it is the reason for willing that which is to the end, it is one and the same object.[55]

The end, the object of the exterior act, and the object of the moral act enjoy a unity, because they come together in the intellect as one object and are presented to the will as one object. This occurs in the act of election, because only there do all of these parts of the moral act come together to be willed.

[54] *S.T.* I-II, *72,* 3, ad 2.
[55] *S.T.* I-II, 12, 4. ad 2.

Saint Thomas clarifies this notion of unity among the parts in the *Sentences.*

The end and that which is to the end, insofar as it is considered in this way, are not diverse objects, but one object in which the end is as the form if it is the reason for willing a certain thing; but that which is to the end is as the matter, as also light and color are one object.[56]

Saint Thomas employs his matter-form analogy in order to show the unity of the moral act. Aquinas is noting that in one respect the end and the means are one object, and yet in another respect they are two objects. He goes on to note in the subsequent response to the objection that the end and that which is to the end are as one continuous motion. Therefore, the unity of the moral act comes from the fact that the act of intention flows into, if you will, or is carried on in the act of election. The act of election possesses the complete object of the moral act, because there all the circumstances, the end of the agent, the object of the exterior act, and the exterior act itself come together. The end is seen as that to which the action tends and the action is modified by the relevant circumstances. Hence, the unity of moral action resides in the fact that it is conceptualized as having unity, i.e., the end and the means are related. Or in other words, the end is in some way in the means and _the intellect puts them together through counsel and judgment and proposes this one object to the will. Hence, when one talks of the object's unity, one is talking of the intellect's conceptual unity or relatedness of the various objects of the moral act.

Hence, one thing comes from two things as from matter and form. And because of this, color and light are one visible thing, because color is visible because of light. And similarly, since the exterior action has the aspect of sin from an act of the will, the act of the will and the conjoined exterior act are the same sin.[57]

This quote essentially says that the exterior and interior acts are one object because one has its goodness from the other. More-

[56] *Sent.* II, 38, 1, 4, ad 1.
[57] *De Malo* 2, 2, ad 11.

over, these two objects come together to form one moral act. Above we also saw that the end and the object are related like matter and form. The end and the object, then, are related essentially in the sense that, like the natural being, they constitute an essential unity.

This solution to the problem is very easy for the essentially related contituents of the moral act, but does this solve the problem of the disparate species? First, let us consider the fact that with disparate species the act is divided into two species, one from the "form" of the object and the other from the "form" of the end. Therefore, you have two forms coming together into the one act. This goes contrary to the matter-form analogy of substantial beings. However, Aquinas does offer a clarification of this problem.

According to its substance, something is not able to be in two species, of which one is not ordered to the other; but according to that which is added to the thing, something is able to be contained under diverse species; as this fruit according to color is contained under this species, viz., white, and according to odor under the species of sweet-smelling. And similarly, the act which according to its substance is in one species by nature is able to be referred to two species according to supervening moral conditions.[58]

Aquinas is referring to the accidental relatedness or union of conditions of the act and the act itself of which we spoke earlier. Aquinas draws the analogy of the fruit which has two species according to sensation, yet comprises one piece of fruit. Therefore, when one considers the moral act, one is able to have two species, one a condition, the other the substance of the act, which together comprise one moral act. This is clarified in a subsequent question where Aquinas notes the union of circumstances to the moral act.[59] This is precisely the type of unity Saint Thomas has in mind.

The moral unity of the act containing disparate species has an accidental unity which is manifest through the accidents or cir-

os *S.T.* I-II, 18, *7,* ad 1.

69 See *S.T.* 1-11, 18, 10, ad 1 and ad 3.

cumstances it possesses. It is very important to remember that for Saint Thomas the *why* or the end of the agent is a circumstance.[60] The circumstance is a condition and is accidentally related to the substance of the act. Therefore, the act containing disparate species possesses an accidental unity much like a physical thing and its accidents possess an accidental unity.

The intellect, then, brings these two species together, not as possessing a substantial unity, but as one being related to the other accidentally. In other words, the exterior act will, in some accidental way, lead to the end. Consider the man who steals in order to commit adultery. Stealing is not essentially, but accidentally, ordered to the end of committing adultery. Therefore, Aquinas is consistent in noting that the end of the agent is accidentally united to the act and they receive this unity from reason which brings them together in one moral object present to the will for election. Hence, we have seen both the nature of the constituents of the moral act, as well as how the constituents enjoy unity within the species of the moral act.

[60] *Sent.* II, 16, 3, 1, 2, ad 3: The other is the end of the agent ... [which] is called the circumstance of why. See also *Sent.* IV, 16, 33, 1, 2c and *S.T.* I-II, 7, 3, ad 3.

UNDERSTANDING ST. THOMAS ON CHRIST'S IMMEDIATE KNOWLEDGE OF GOD

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HE International Theological Commission's 1985 statement on " The Consciousness of Christ Concerning Himel£ and His Mission " undertakes to state what by faith Christians hold about the knowledge of Jesus. Jesus of Nazareth knew : first, that he was the Son of God, and that he possessed divine and not merely prophetical authority; second, that his mission was to preach the Kingdom and die for the salvation of all; third, that he was founding a Church. Fourth and last, since he was dying for all, he knew the " all" he was dying for in such a way as to enable each Christian to say truly " he died for me " (see Gal. 2 :20). Beyond this the bare statement that Jesus was conscious of his identity and mission, the Commission declines to go, and expressly avoids " theological elaborations calculated to give an account of this datum of faith." [1]

The traditional account of this datum is, of course, the theory of Christ's immediate (or " beatific") knowledge of God, and usually as elaborated by St. Thomas. It is an approach to pre-

[1] " The Consciousness of Christ Concerning Himself and His Mission," in *International Theological Commission: Texts and Documents, 1969-1985,* ed. Michael Sharkey (San Francisco: Ignatius, 1989), 307. Again, the Commission " rules out any *a priori* philosophical terminology " (p. 307). Hence I take the liberty of using " knowledge " where the Commission speaks of " consciousness." The Commission characterizes the cognitional state of affairs it imputes to Christ merely as a "presence" of the knowing-conscious subject to itself in its " heart." I take it that the Commission means to avoid being specific with regard to any distinction between conceptual and non-conceptual modes of knowledge, and that this is the reason it prefers "consciousness" to " knowledge."

cisely this account of St. Thomas's that I would like to outline in the second part of this article.

There are three things especially that seem to stand in the way of approaching St. Thomas's account today. First, there is some difficulty in seeing it precisely as that, an *account* of what the Commission calls the datum of faith. Second, a key distinction upon which St. Thomas's account depends, that between faith and knowledge, tends to be obliterated in contemporary analytic epistemology, where knowledge is described as "justified true belief." This makes it hard to see the difference St. Thomas supposes there is between the cognitive state of Christians, on the one hand, and that of Jesus, on the other. Third, some modern biblical theology discovers Jesus himself as the ·exemplar of Christian faith. Thus, even supposing we have kept the distinction between faith and knowledge, the required application of the distinction becomes impossible.[2] I will be unable to deal at any length with these last two difficulties, but will advert to them briefly within the outline of an approach to St. Thomas's account that I mean to give here.[3]

I. St. Thomas's Position as an Account of the Datum of Faith

The first difficulty, however, is to be addressed at the outset and at some length. It arises from the way in which St. Thomas presents his teaching on the knowledge of Christ in the *Summa*

[2] Another cause of confusion as to what St. Thomas means by Christ's immediate knowledge of God might be said to be the popularity of Karl Rahner's " Dogmatic Reflections on the Knowledge and Self-Consciousness of Christ," *Theological Investigations* V (London: Darton, Longman & Todd, 1966) ; 193-215, where Rahner conflates consciousness and knowledge in a context where they need to be distinguished. This has been nicely sorted out, however, in a study by Raymond Moloney, "The Mind of Christ in Transcendental Theology: Raimer, Lonergan and Crowe," *Heythrop Journal* 25 (1984) : 288-300.

[3] There is also the difficulty for this question of modern exegesis, a difficulty mentioned by the International Theological Commission. But this is a difficulty for the original apprehension of the datum of faith itself rather than for understanding St. Thomas. I address this only obliquely.

theologiae. But also, it is magnified by a common explication and defense of St. Thomas's position by some of his contemporary friends that seems to me to be without foundation in the texts. I will first despatch this erroneous explication, and then address the question of the order of the *Summa.*

The reason St. Thomas affirms Christ's immediate vision of God, we are sometimes told, is that he thinks this follows as a metaphysical necessity from the fact of the hypostatic union.[4] Thus for instance L. Iammarrone.

> In the *Coniníentary on the Sentences* and in other writings, the Angelic Doctor affirms categorically that the beatific vision was due to Christ not only as something fitting, but *as a result of the hypostatic union:* " From the very fact that the soul of Christ *was personally conjoined to God,* the union of fruition was due to it, and was not made due to it through any operation."[5]

Iammarrone notes St. Thomas's argument in the *Summa* that, by reason of the personal subject of the grace of Christ, this grace could not be increased. Such consummate grace implies enjoyment of the beatific vision.[6] Thus, as St. Thomas says in the *Compendium theologiae* " it was necessary that the Word of God incarnate be perfect in grace and in the wisdom of truth."[7] The

[4] Karl Rahner suggests this course in "Dogmatic Reflections," 204-205. However, he claims but to argue broadly from " thomistic axioms." The claim that the knowledge of vision follows from the hypostatic union is at least as old as Matthias Scheeben see Rudolf M. Schmitz, "Christus Comprehensor. Die 'Visio Beatifica Christi Viatoris' bei M. J. Scheeben," *Doctor Communis* 36 (1983) : 347-359. Schmitz does not, however, seem to think that Scheeben is following St. Thomas at this point (p. 354).

[5] Luigi Iammarrone, " La visione beatifica di Cristo Viatore nel pensiero di San Tommaso," *Doctor Communis* 36(1983): 303-304: "Ne! *Commento alle Sentenze* e in altri scritti !'Angelico afferma categoricamente che la visione beatifica a Cristo era dovuta non solo per convenienza, ma *in forza dell'unione ipostatica:* ' Ex hoc ipso quod anima Christi *erat Deo in persona coniuncta,* debebatur ei fruitionis unio et non per operationem aliquam ei facta debita.' " See *In III Sent.,* d. 18, q. 1, a. 4, q. 4, c. The emphases are his.

This whole fascicle of *Doctor Communis* is devoted to Christ's beatific knowledge. Luigi Bogliolo, " Strutture antropologiche e visione beatifica dell'anima di Cristo," makes the same claim as Iammarrone (p. 345).

[6] Ibid., 304. See *Summa Theo/.,* III, q. *7,* a. 12.

[7] C. 213.

necessity of the vision as following metaphysically from the hypostatic union is affirmed again by St. Thomas, according to Iammarrone, where he writes : " Christus *e.:r hoc* quod fuit Deus et homo etiam in sua humanitate habuit aliquid prae caeteris creaturis: ut scilicet statim a principio esset beatus." [8]

And so on. It is not necessary to follow every text Iammarrone adduces. As to the text from the *Sentences,* I think it evident that it affirms exactly and only the *convenientia* that does not satisfy Iammarrone. As to the *Summa,* it is true that St. Thomas thinks the fullness of the grace of Christ, which cannot be increased, implies vision. But it is not true that he dtduces this fullness of grace as a necessary metaphysical consequence of the union. He says indeed that " to the extent something receptive is nearer to the influencing cause, the more it participates in its influence." [9] God is the cause of grace; the union of the soul of Christ to the Word is personal; therefore what? " Et ideo maxime fuit CONVENIENS ut anima ilia reciperet influxum divinae gratiae." [10] As to the argument from the *Compendium,* the necessity in question is a function of Christ's role as the cause of beatitude in us, not of the hypostatic union itself in its metaphysical structure. [11] As to the last quotation in the above paragraph, one has to have a fair amount of imagination to make one poor " hoc " settle any difference there may be between what is true of the soul of Christ by metaphysical necessity and what is true of it according to fitting reasons.

[8] Iammarrone, ·" La visione," 305; see *Summa Theol.,* III, q. 34, a. 4, ad 3: " From this very fact that Christ was God and man he possessed in his humanity as well something beyond other creatures : namely, that he was at once from the beginning blessed."

[9] *Summa Theol.* III, q. *7,* a. 1: " Quanta enim aliquod receptivum propinquius est causae influenti, tanto magis participat de influentia ipsius."

[10] Ibid. : " And therefore it was in the highest degree fitting that that soul received the influx of divine grace."

[11] Iammarrone, " La visione," 395, seems indeed to be partly aware of this. But he says : " ii nesso necessario cioe metafisico tra l'unione ipostatica e la visione beatifica si manifestava sotto due aspetti," the second of which is the role of Christ in the economy. How is this a manifestation of *metaphysical* necessity?

Moreover, St. Thomas is as clear as he can be that the immediate knowledge of God does not exist in the soul of Christ merely as a result of the union. He asks in Book III of the *Sentences,* d. 14, q. 3, whether the soul of Christ knew the Word through some mediating habit or not. The first objection:

Nothing is required for knowledge except that the knowable be united to the knower. But the Word is not united to the soul of Christ by any mediating habit. Therefore, it does not know the Word through any habit.[12]

And the reply:

It must be said that it is not the same union by which the Word is united to the soul of Christ in person, and by which it is united to it as the seen to what sees, for it is united to the body in person, but it is not seen by the body. And therefore, although there is no medium in that union by which the soul is united to the Word in person, it does not follow that there is required no medium for vision-I do not say a medium in which it is seen, as a mirror or species, but a medium under which it is seen, as light.[13]

The required medium, of course, is the light of glory.[14] Does the light of glory follow as a necessary result of the union? This is nowhere to be read.[15]

St. Thomas does not affirm Christ's immediate vision of God on the basis of some swift metaphysical deduction. Why does he

[12] " Ad cognitionem enim non requiritur aliud nisi ut cognoscibile cognoscenti uniatur. Sed Verbum unitum est animae Christi non mediante aliquo habitu. Ergo Verbum cognovit non per aliquem habitum."

[13] " Dicendum quod non est eadem unio qua unitur Verbum animae Christi in persona, et qua unitur ei ut visibile videnti; quia unitur corpori in persona, non tamen videtur a corpore. Et ideo licet in illa unione qua unitur anima Verbo in persona, non cadat aliquod medium; non tamen oportet quod in visione non cadat aliquod medium-non quidem dico medium sicut in quo videtur, ut speculum vel species; sed sicut sub quo videtur, sicut lumen.

[14] See also *De Ver.,* q. 20, a. 1, c.

[15] I should add that Iammarrone appeals expressly to Rahner's "Dogmatic Reflections," where there is talk of the "actuation " of the soul of Christ in virtue of its union with the Word. See "La visione," 307-308. For a criticism of "actuation " as something distinct from act, the great thesis of M. de la Taille, see B. Lonergan, *De constitutione Christi ontologica et psychologica* 3rd edition (Rome: Gregorian University Press, 1961), # 27.

affirm it? One can get the impression that the main reason St. Thomas imputes an immediate knowledge of God to the human mind of Christ is on the ground of a so-called " principle of perfection." Thus, for instance, E. Gutwenger and L. Walsh argue: because of the dignity of the Person of Christ, it is fitting for the humanity of Jesus to be endowed as perfectly as possible commensurate with the requirements of his mission.[16] And indeed, we find St. Thomas arguing in just this way in *Summa Theol.* III, q. 9, a. 1.

It is seriously misleading to take this as the whole story, however, and for two reasons. First, the more exact reason St. Thomas gives in q. 9, a. 2, for positing an immediate knowledge of God in the humanity of Christ turns on the end of the incarnation. The humanity of Christ is the instrumental cause by which God brings us to the vision of God. But a cause ought to be more potent that the caused; therefore, the soul of Christ enjoyed the immediate knowledge of God. The same argument is repeated in the *Compendium,* chapter 213. This should alert us to the fact that the profound reason for the theorem of Christ's immediate knowledge, like that of the incarnation itself, is economic, and the argument depends on thinking out what it takes in the humanity of Christ if that humanity is to have the desired effect.

But there is a second reason why it is misleading to suppose that what leads St. Thomas to posit an immediate knowledge of God in Christ is some "principle of perfection." This has to do with the order of the *Summa* itself. What is this order? St. Thomas indicates in the Prologue that he will lay things out according to the *ordo disciplinae.* He means by this that he will lay things out beginning with what is last known to us but more intelligible in itself and proceeding to what is first known to us but less in-

[16] Engelbert Gutwenger, "The Problem of Christ's Knowledge," in *Who Is Jesus of Nazareth? Concilium* (English), vol. 11 (New York: Paulist, 1965), 91; Liam Wash, the Introduction to *Summa Theologiae,* vol. 49, *The Grace of Christ* (New York: McGraw-Hill, 1974), pp. xxii-xxiii. Walsh recognizes as well that St. Thomas asserts Christ's immediate knowledge of God on economic grounds.

telligible in itself.[17] That is, he will proceed as much as possible from real causes of being to the effects of these causes, or from the prior theological reason to what is controlled by that reason.[18] And with the question of Christ's immediate knowledge, we have an instance of both. Thus, from the fundamental reason for the incarnation, namely the salvation of humankind, he argues to what the assumed humanity must be like in order for it to do the job it is intended to do.[19] As to causes, it should be noted where the treatment of the grace (qq. 7-8) and knowledge (qq. 9-12) of Christ fall in the *Summa.* It comes after a treatment of the hypostatic union, and after a treatment of the soul of Christ, for these things are causally prior to the properties of that soul. However, it comes before a treatment of the mysteries of the life of Christ-the actual doings and sayings of Christ-for these op-

[11] For example, consider the order of topics in the *Prima pars.* What is closest to us is God's actual ordering and governance of the universe (q. 103ff.). But this is treated last. What is first treated are the principles that enable us to understand that order and governance in its causes: (1) proximately, the parts of the universe, spiritual, material, and composite (qq. 50-102); remotely, the creation of these parts (qq. 44ff.); (3) more remotely, the creator of these parts, God (qq. 2-26). The power (q. 25), will (q. 19), intelligence (q. 14) of the Creator are similarly ordered: what is closest to creating and governing is the power of God; the principles of this are the will and wisdom of God; the final principle of all is simply the divine being (qq. 3-13). I am not trying to determine all of the many questions raised as to the organization of the *Summa,* but I maintain that the ordering principle here picked out is indeed operative in the organization of the *Summa.* See Bernard Lonergan, *Divinarum personarum conceptio analogica* (Rome: Gregorian University, 1959), 20-28; *De constitutione,* # 46.

[1s] For since God is not reduced to causes, the order of topics in the *Summa* is not always according to prior causes, but sometimes according as one truth is the reason of another; see Lonergan, *De constitutione,* # 43-45. So in the preceding note, the divine understanding and will and power are not really distinct from the divine essence; still, what is concluded about those things has its reason in what is said about the divine essence.

[19] Strictly, this too is a matter of causal ordering: final cause as determinative of means. But if we say that God's decision to save mankind is the reason for his decision to endow the humanity of Christ in such and such a way, then we are in the order of reasons, not causes, for the "decisions" of God are distinct neither from one another nor from God, and yet there is still to be discerned an order of reason as comprehended by the divine mind.

erations of Christ are causally dependent on the properties in question.

Thus, to continue this last point, it is no accident that the knowledge of Christ is treated long before the questions on such things as the manner of life (q. 40) and the teaching of Christ (q. 42). The perfections of the soul of Christ are *explanatory* of these things. Correlatively, these things, the things first known to us and most easily known by us, the things recorded in the gospels, are the *data* whose theoretic intelligibility, an intelligibility that gives an account of the data in terms of causally prior factors, has already been outlined in such considerations as are devoted to the grace and knowledge of Christ.

In fact, if one turns to q. 42, on the teaching of Christ, one will look in vain for an expression of the kind of connection I have just indicated. This question takes up various aspects of the manner and circumstances of the teaching of Christ. Still, I point to article 1 of q. 40, on whether Christ should have lived a life of contemplative solitude rather than associating with men.

> I answer that Christ's manner of life had to be in keeping with the end of his incarnation, by reason of which he came into the world. Now he came into the world, first, that he might publish the truth ... Second, he came in order to free men from sin ...

And by this point in the proceedings, we have already had it explained to us how it is that Christ has been rendered capable of publishing the truth : what a man can teach depends causally on what he knows,[20] and prior to considering his teaching, we have indeed considered his knowledge. So also for redemption, we have already considered the grace of Christ.

Still, one would like to see that St. Thomas concludes to the immediate knowledge of God in Christ simply from the *content* of Christ's teaching. And for this, one must forsake the *Summa* and turn to his commentaries on Scripture. Even here, however, things are not plain sailing. Thus, in the *Lectura* on the Gospel of John, there are quite explicit affirmations of Christ's human

[20] *De Ver.,* q. 11, a. 2, c.

knowledge as *comprehensor,* at 4:45 and 6:14, where Thomas explains in what sense Christ is and is not a prophet.[21] In these places, Christ is said to have the prophet's kind of imagination, and so is *viator;* the light of his intellect, however, is beyond any prophetic light and without defect, for he is *comprehensor.* He does not, alas, fill in any argument as to how one can conclude to the existence of this light, this knowledge, in the first place. That is, he does not lay out for us the *via inveniendi,* the path that leads us from the first and easily known data of the gospel to the human knowledge of Jesus as explanatory of those data.[22]

We get a glimpse of how the immediate knowledge of God in the soul of Christ works as an account of the datum of faith only by putting certain scattered things together. The bare assertion of the human knowledge of Christ as *comprehensor* as above is only one of these things. Two more things are needed. First, there is the principle that, as God, Christ is the Truth, but as man, the one who testifies to the truth before men.[23] And second, it is important to see that what St. Thomas concludes from the *teaching* of Jesus in John is commonly and in the first place the more fundamental truth of faith that Christ the Word *is* the Truth, i.e. that he is the consubstantial Son of the Father.

As to the last, commenting on 7:29 (" I know him [the one who sent me] ... because I am from him, and he sent me"), St. Thomas argues as follows. A thing is known according as a similitude of it is in the knower. The perfect knowledge of the Father, however, can be based on no created similitude; such perfect knowledge can be grounded only on the perfect similitude that the Son is, as proceeding from the Father and as of the same essence as the Father. So much Christ tells us, when he

21 *Lectura super Evangelium S. Ioannis,* IV, 6 (# 667); VI, 2 (# 868). Paragraph numbers refer to the Marietti edition of 1952; they are the same for the English translation by J. Weisheipl and F. Larcher, *Commentary on the Gospel of John* (Albany, New York: Magi Books, 1980).

22 See also at 1:14, *Leet.* I, 8 (# 189); 1:18, *Leet.* I, 10 (# 211); 3:11, *Leet.* III, 2 (# 462); 13:31, *Leet.* XIII, 6 (# 1830); and 17:8, *Leet.* XVII, 2 (# 2201).

2a At 3:32, *Leet.* III, 5 (# 533-4), and at 4:45, *Leet.* IV, 6 (# 667).

says he is from him, the one who sent him, "as it were, having the same essence of nature with him by being one in substance with him." [24] The claim of Christ to know what he knows leads to an assertion of his divinity, since such knowledge is proportionate to the divine intellect alone. But of course, it is as a *man* that Christ says to us " I know him" etc., and for this is required a human knowledge: " so also because of this, that the soul of Christ is united to the Word in a singular way, it has a singular and more excellent knowledge of God, beyond that of other creatures." [25]

Sometimes St. Thomas inserts the human knowledge of Christ as the required medium between his divine knowledge and his preaching, as at 17:8, where the two knowledges explain the mediatorship of Christ. [26] Other times, however, he does not, but simply presupposes it. At 17:2S-26, he moves from the divine knowledge of Christ to the transmission of this knowledge through the exterior word of Christ's teaching. [27] At 1S:1S, likewise, he moves from the divine knowledge of Christ to the disciples' sharing of this knowledge: what Christ knows perfectly as the consubstantial Son, the disciples know imperfectly by faith. [28]

I think the foregoing explains what can otherwise disconcert, namely that in the *sed contra* to *Summa Theol.* III, q. 9, a. 2, establishing the fact of the human knowledge of Christ as *comprehensor,* St. Thomas adduces Jn 8:SS, while in the commentary on that passage, St. Thomas argues only to the divine knowledge of Christ-what he knows as the consubstantial Word-and nothing at all is said of his human knowledge.

In any case-and this is the point I wish to establish-the *ordo cognoscendi* is clear. What we know in faith we know because of the preaching of Christ. From that content, we may

24 *Leet.* VII, 3 (# 1065). And see the *Leetura super Evangelium S. Matthaei* XI, 3 (# 965-6).

25 *Leet. super Evang. loanni* VII, 3 (# 1065).

26 *Leet.* XVII, 2 (# 2201).

21 *Leet.* XVII, 6 (#2267, 2269-70).

2B*Leet.* XV, 3 (#2017-18).

conclude to what he knows as man, in his human soul. But since that content either asserts or implies the identity of Christ as the Word of the Father, we conclude at last both to this identity and to the divine knowledge of Christ as God. And in this order of things, the theorem of the man Christ's immediate knowledge of God becomes evident as what it is: an account (part of the account) of the datum of faith, precisely as the datum is handed to our faith from the human preaching of the human Christ. Thus, St. Thomas knows Christ's beatific knowledge because it is required to explain the fact, recorded in the gospels and grasped by faith, of what our Lord knows and tells us. The " principle of perfection " is not the reason St. Thomas knows the beatific knowledge of Christ; it is the theological glue of an argument *ex convenientia,* and in the absence of a metaphysical deduction, that serves as a bridge in the *ordo disciplinae* between a consideration of the soul of Christ and a consideration of the properties of that soul.

In what now follows, I want to show in relatively brief compass and informally what line of questioning can lead us today to an appreciation of St. Thomas's account of the datum of faith that the International Theological Commission spells out. This itinerary is in part contained in Thesis XII of Bernard Lonergan's *De Verbo incarnato.*[29] But I think it is important today to start the itinerary in the Synoptics rather than in John. Because of the common opinion as to the already heavily interpreted and theologized character of John, Lonergan's treatment has lost some of its persuasive character. This character, however, is easily restored.

II. A Contemporary Path to St. Thomas's Position

Suppose we ask the following questions :

Did Jesus know who he was ?
Did Jesus know what he was doing?

[29] *De Verbo incarnato* (Rome: Gregorian University, 1964).

where the answers to the questions :

Who was Jesus?
What did Jesus do?

already known to us as Christians and by faith, are :

He was the Son of God, the Second Person of the Trinity; and

He saved us all from sin by his passion and death and opened for us the gates of heaven.[80]

Did Jesus know about himself what we know about him by faith? If we put it like that, as I shall argue, the answer has certainly to be Yes.

Notice that we are not asking whether Jesus, who is the Logos, the Second Person of the Trinity, knows by the divine nature with which his person is identical who he is and what his mission as incarnate was. The Logos, one in being with the Father (Nicea), is also one in understanding with the Father. And just as the Father knows all things, especially, his own infinite intelligibility (which is the intelligibility of infinite being), and knows this by an infinite act of understanding not distinct from himself, nor from his infinite being, so also does the Logos.[81] The persons of the Trinity are not distinct according to being, understanding, will: they are the same infinite act of being, the same infinite act of understanding, the same infinite act of willing.[82] They are distinct (" only ") according to the opposed relations of Paternity-Filiation (the distinction of Father and Son) and Breathing and .Breathed (Father and Son distinct from Spirit).

Notice also that we are talking about the pre-Paschal Jesus. We are not asking about what he knows through his fully glori-

so There is also a third question that can be added to the first set of questions: Was Jesus conscious of himself, where consciousness, the internal experience of oneself prior to understanding, is something distinct from knowledge, and the self is the divine self that is the Logos ? I am not going to deal with this question. See Lonergan, *De Verba incarnato,* Thesis X.

s1 *Summa Theol.* I, q. 14, aa. 1-4.

a2 *Summa Theol.* I, q. 28, a. 2; q. *39,* aa. 1 & 2.

fied humanity after the resurrection, but what he knew while he lived his life, before he died.

So, we are not asking about the knowledge of Jesus *qua* divine, but about the knowledge of Jesus *qua* human (and indeed, where the humanity of Jesus is not yet fully glorified). That is, we are asking whether the Logos knows the things in question, not only through his divine nature, but through his human nature. Does the human mind of the Logos (of Jesus) know the things in question? Does Jesus know the things in question humanly, through (or in) his human understanding? As I say, the answer to the question must be Yes. Why?

The International Theological Commission answers the questions affirmatively on the basis of an "ecclesiastical-dogmatic" reading of the New Testament, and one that, given the brevity of the statement, is not indifferent to "historical-critical exegesis." [33] I do not have another starting point, except that, within faith's reading of the New Testament, I wish to pull out and dwell on a more particular question embedded therein, namely, the question as to how *we* know who Jesus is and what he did.

How do we know these things? By faith, of course. But faith comes from hearing (Rom. 10:17). Nor does it do to stop with what we hear from the apostles and the inspired writers. For they know the answer to the questions only by faith, too. And whence was their hearing? Who spoke to them? I mean to suggest that we (and the apostles and whatever Christian) know these things only because Jesus himself so talked and so acted as to give it out that he was the Son of God, and was in the business of saving us. These are not the sorts of things we could know unless someone told us them. [34] He, Jesus, communicated these things to us.

[33] "The Consciousness of Christ," 306-7.

[34] I mean to be making here the same point as Brian Davies does in "Why Should We Believe It?" *New Blackfriars* 69 (1988): 365-366. See also Michael Dummett, "Unsafe Premises: A Reply to Nicholas Lash," *New Blackfriars* 68(1987): 562-563; and John Lamont, "The Nature of Revelation," *New Blackfriars* 72(1991): 335-345,

Of course, he did not necessarily communicate these things to us in these terms.[35] But I rely here on the common fundamental theological reading of the New Testament, and especially on the sort of historical work of the " New Quest " exegetes, according to which we can discern in the words and actions of Jesus an at least implicit claim to be divine.[36] And I advert briefly to the most common and most historically defensible way of establishing this, namely Jesus' preaching of the nearness of the Kingdom of God.[37] If it is true that Jesus tells us that the Kingdom of

35 Nor am I claiming that he did. This should go without saying, but some of the responses to Michael Dummett's "A Remarkable Consensus," *New Blackfriars* 68(1987): 424-431, make it evident that it does not. For a list of responses and replies, see *New Blackfriars* 69(1988): 544-545.

36 See e.g. Hans Conzelmann, *Jesus* (Philadelphia: Fortress Press, 1973), 49-50: " In deed and teaching, [Jesus] confronts the amazed people *directly* with God through himself. In his figure one can find traits of the prophet as well as of the rabbi. ... The concepts of prophet and rabbi, however, express only a partial aspect and not exactly the core of the matter. Jesus understands himself as the one who makes the final appeal. His place is unique, since after him nothing more ' comes '-but God himself."

37 See for what follows W. Kasper, *Jesus the Christ* (New York: Paulist, 1976), 100-104; J. Moltmann, *The Crucified God* (New York: Harper and Row, 1974), 121-122; W. Pannenberg, *Jesus-God and Man,* 2nd ed. (Philadelphia: Westminster Press, 1977), 58-60.

For recent exegetical treatment of Jesus' preaching of the Kingdom, see G. R. Beasley-Murray, *Jesus and the Kingdom of God* (Grand Rapids: Eerdmanns, 1986), esp. his Conclusion, with which I think my remarks are congruent.

I mean to suggest here that it is mistaken to look for the New Testament evidence that leads to the assertion of Christ's immediate knowledge of God in the way, say, that Andre Feuillet does in "La science de vision de Jesus et !es Evangiles," *Doctor Communis* 36(1983) : 158-179. Feuillet pretty much reads off the immediate knowledge of Christ traditionally recognized from a few Johannine passages (1 :18; 3 :11-13) as well as Mt. 11 :27. It is not so much that this is wrong as misleading : we may conclude in such a way to what the gospels teach about what Jesus knew, but to conclude to the immediate knowledge of God such as this is traditionally understood requires a theory about what knowledge is. If one is working strictly as an historian, it seems to me, one will conclude only to that datum of faith described by the International Theological Commission. It is like trying to find the *homoousios* in the New Testament. It is there in a way, and not there in another way. If it were there in the way that a historian could find it, Nicea would have been unnecessary.

God is near, and if it is true that he expects his hearers to accept this in faith, and as guaranteed by his preaching it and by his presence-if, that is, he associates himself personally with the object of his teaching, the Kingdom, as the authoritative herald and guarantor of the presence of the Kingdom-then he is making a claim to be an eschatologically significant person. The anticipation of an eschatological event within time, namely his own resurrection, confirms both his claim and his own importance in relation to that claim. And for the purposes of this essay, I shall assume that it is a short step from " eschatologically significant person," or " uniquely eschatologically significant person," to " divine person," divine in the same sense that the God of the Old Testament is divine. What sort of person, after all, could so guarantee the presence of the Kingdom by his own word and presence so as to justify not only faith in that word, but such faith as has him himself for its object, as we see to be the case in the call of the disciples? [88] All this, or something like it, must be granted.

What it is necessary to dwell on for the purposes of this essay, however, is the following: namely, that some such at least implicit claim on the part of Jesus seems to be required for the reasonability of our faith. This can be seen if we put it like this: If *we* can tell on the basis of his words and actions who he was, what he was up to, how could *Jesus* not know? Could we know this if he did not make a claim to be who he is? And if he in no way knows the " implicit claim " he is making, then he is not making any claim.

The situation seems to be this: he talks and acts in such a way that we see he must be divine, and our savior. He does not *say* he is divine. But we see that the intelligibility of his talk and action is such. We " see " this in the way only of reinterpreting what he is claiming in his words and actions, as couched in the categories of the Old Testament and of intertestamental theology, in other, and sometimes non-Scriptural and systematic

[88] For the call of the disciples, see Kasper, 102-103; Moltmann, 54-55.

categories, as when we read the scriptures across Nicaea. Could it be that Jesus gave out this intelligibility of his talk and action unintelligently, as it were, unconsciously? Is it that we are claiming to understand him better than he understood himself? He did not really know who he was, but we know? He did not really know what he was doing, but we do? No; it is more like someone saying X and Y to us, and us responding, " I get it; what you are really saying is Z." It is not that we are inferring something about him he did not know; we are rather changing categories, interpreting what he gave out in his speech and actions in other categories. Where he says " Son of man " (or whatever), we say "divine person."

In other words, he did not communicate these things to us the way a drunk communicates to us he is drunk (he may not know he is drunk, may deny it), or the way a paranoid schizophrenic communicates to us that he is a paranoid schizophrenic *(he* does not think he's crazy). It is not that the words and actions of Jesus are pieces of data, " behavior," of which we seek an intelligibility unknown to Jesus himself. Rather, his words and actions are formally communicative of who he is, what he did. What I mean is that we do not infer Jesus' identity and mission from his words and actions ; we learn them from his words and actions because that is the meaning that informs them, and he is the mean-er of this meant. It is not like deducing that the butler did it from the clues that he unintentionally left behind; it is like knowing the butler did it because he told us he did it.

Again, consider that Jesus' saving of us was a moral act. Moral acts are intelligently done. If his saving us was a moral act, then he did not perform it without knowing what he was doing. Did he save us mechanically? without the engagement of his mind and heart? Did he do things like a robot?

If we think of things in this way, then the answer has to be that he knew the answer to the questions of who he was and what he was doing, else he could not have acted and spoken in such a way that *we* know the answers to these questions. Are we to suppose he thought he was doing something else than saving us,

but that, as the unintended consequence of his action, that is what happened? But then, in an important sense, he did not save us, and his action is not correctly described by saying he did. His saving us becomes like somebody accidently "doing" something. I reach for the sweater on the hook and I knock down the lamp. " I knocked down the lamp." On the other hand, this is not what I intended: I intended to get the sweater-that was my action. But I was clumsy and also knocked down the lamp. This is quite different from knocking down the lamp because I am tired of looking at the ugly thing and *want* to break it. I am blamed for knocking down the lamp differently according to the two situations. And in fact, we might say, if Jesus saved us unintentionally, without really meaning to, unconsciously, then we can blame him for our salvation, but we cannot really thank him the way we do.

Consider, finally, that if God does not save us from sin through Christ insofar as Christ acts consciously, intelligently, like a human being operating at the highest level of human operation, with what is proper to a human being, then why the incarnation? Why the pick the " instrument " of the humanity of Jesus, if it is not really going to be used for what it is? [39]

Now, if it must needs be that we know who Jesus is and because he knew, then the question to ask is:

How did he know? In what manner? with what kind of " knowledge" ?

But we should once more think of ourselves : How do we know who he is and what he did?

According to the foregoing, we know because he told us. That is, we know by what is called faith, where faith is " taking something as so on someone's word that it is so." And indeed, we can say that we know by *divine* faith, where divine faith is " taking something as so on a divine person's word that it is so."

What is it that we are taking as so? That Jesus is divine, and that he saved us. And we are taking this on his word. We take

so See *Smnma Theo/.* III, q. 9, a. 1, c.

this on his word, moreover, precisely as it is the self-authenticating word of God, of Jesus apprehended as God. So, we have what we are taking to be so by divine faith : we believe that Jesus is who he is, that he did what he did.

And we must now ask whether Jesus himself knows what he knows by faith, divine or human, or in some other way. Our language is sometimes confusing at this point. I have just spoken of "knowing by faith," and this is perfectly good usage. Sometimes, however, it is useful to distinguish knowledge and faith, and that is what we shall do in the following: faith is taking something on someone's word: knowledge is a matter of understanding the thing and knowing the truth of it "on one's own," so to speak. It is the difference between knowing the Pythagorean theorem because one has proved it for oneself-understood it, and verified the equation-and taking it on a geometer's word. We will keep faith for the latter, and knowledge for the former.[40]

Thus, to rephrase: Did Jesus have it that he was who he was and did what he was doing by faith, or by knowledge?

The only way to answer this question, I think, is to examine the New Testament. If you read the Gospel of John, the answer is perfectly and abundantly plain: he knew; he did not have the things in question on faith. Rather, faith is what he asks of men-and he asks it on the ground that he knows, and is telling them so in a manner worthy of their credence. For faith on the part of those who hear Jesus means faith in him, and that he is the Son of God .(see Jn 3:15, 16, 18, 36; 6:29 35, 40, 47; 7:38, 39; 8 :24; 11 :25, 26; 13 :19; 14 :10, 11, 12). Jesus knows the Father (see Jn 3 :11; 6 :46; 7 :28, 29; 8 :38, 54, 55; 10 :15).[41]

Some people, of course, do not like to rely on John for such things. But it is to be wondered whether the reality referred to in these Johannine formulations does not also find expression in the Synoptics, in such places as those where it is remarked that

[40] See *Summa Theol.* II-II, q. 1, aa. 4 & 5.

[41] See Lonergan, *De Verbo incarnato,* 386-387; J. Alfaro, *Esistensa Cristiana* (Rome: Gregorian University, 1979), 55-66.

Jesus teaches with authority, not like the scribes. See e.g. Mk 1:22, *27;* 6:2; 9:23, 24. And see of course Mt 11:27. Jesus does not act like one who believes or one who is a prophet in the Synoptics. In the Sermon on the Mount, he does not say, " Thus saith the Lord," but "I say."

What else should we expect? We are the sick; Jesus is the physician. We are sinners; Jesus is sinless and saves us from sin. We are disciples; Jesus is the master. We have all gone astray like sheep; he is the Lamb of God who takes away the sins of the world. Or, we are sheep; but he is the Good Shepherd. We are branches; he is the vine. We are the hungry; he is the Bread of Life. So also: we are the ones who have faith; he is the one who knows. And after all, as Fr. Lonergan remarks, " where all believe and no one knows, no one believes reasonably." [42] Someone must know, or belief is vain.

Of course, there are also all those passages in John where our Lord says that he has "heard" or "received" all that he has from the Father. St. Augustine, when he reads the Gospel of John, says that certain things must be understood of the divinity, and other things of the humanity of Christ. [43] He takes these passages in John as referring to the divinity. That our Lord has " heard " from the Father all that he speaks is a matter of his being from the Father, being the Son, having his whole reality in being generated and spoken by the Father. [44] However, as Fr. Lonergan remarks, one ought not to suppose that the author of the Fourth Gospel applies the distinction between Christ *qua* God and Christ *qua* man, intending in this way to demarcate the subject of his predications, since this distinction is the work of patristic reflection.[45] Therefore, where these predications can be understood both of the Second Person of the Trinity, and of the

[42] *De Verbo incarnato,* 391.

[43] *Homilies 01i the Gospel of John,* XXI, 7; XXXVI, 2; XCIX, 1; CVI, 5; CVII, 5. Section numbers are as in the Oxford translation.

«*Ibid.,* XVIII, 9-10; XX, 8; XXI, 4; XL, 5; XLVII, 14, CVI, 7. So also St. Thomas, e.g. *Leet. super E'l!lang. loannis* III, 5 (# 534).

[43] *De Verba incarnato,* 388.

man Jesus Christ, they ought to be. Therefore, while St. Augustine's interpretation ought to stand, it is incomplete, and we must say also that Christ as a man, and in his properly human knowledge, " hears " and " receives " all he knows from his Father. And since faith also seems to be a hearing and a reception, this should make us think once again whether what Christ holds as true is not rather a matter of faith than knowledge.

So we come to the third difficulty in approaching St. Thomas's position I mentioned at the beginning of this article. For indeed, it seems that it is just this very character of what our Lord holds as *received* that induces some modern interpreters to impute faith to Christ, and to find in him the model of our faith. So, for example, G. Ebeling, in a remarkable passage on Jesus' use of "amen," ordinarily a word of response to something that is heard, concludes to the faith of Christ.[46] Moreover, since trust and fidelity are important elements of New Testament *pistis,H* and since we are to recognize in Christ a trust in and obedience to his Father, there seems all the more reason to discern in Jesus the model of the faith of Christians, and this in spite of the fact that nowhere in the New Testament is faith explicitly imputed to Jesus.[48]

[46] Gerhard Ebeling, "Jesus and Faith," in *Word and Faith* (Philadelphia: Fortress, 1963), 236-238. Thus in part, Jesus' use of " amen " gives expression " to the fact that Jesus understood his statements, and wished to have them understood, as statements made before God, in which God himself is the Guarantor of what is said . . . [as well as] to the fact that Jesus identifies himself entirely with his words, that in the identification with these words he surrenders himself · to the reality of God, and that he lets his existence be grounded on God's making these words true and real. That means, he is so certain of these words that he stakes his whole self on that certainty. And this absolute certainty that puts his whole existence at stake is so much the decisive thing in Jesus' proclamation that he sometimes begins with *amen* as a sort of slogan to mark the tenor of the whole."

[47] Alfaro, *Esistenza Cristiana,* 2-24.

[48] This is commonly recognized, even by those who wish to impute faith to Jesus. See Jacques Guillet, *La Foi de Jesus-Christ* (Paris: Desclee, 1980), 15. Guillet rounds up all the passages that seem to impute faith to Jesus. For what to my mind are the most important, where we have the Pauline *pistis Christou,* seep. 17: "Christ" designates the person of Jesus not as the object

Neither of these arguments, however, is coercive. Knowledge does not seem necessarily to preclude trust in and obedience to God.[49] Thus, the trust and obedience of Christ does not mean that, in the required sense of " taking something that one does not see to be the case on the word of another," he is in our position of believing, and not in the position of one who knows.[50] So also with the character of what our Lord holds as true as something received. This is to be admitted: what is granted to the human mind of Christ concerning his identity and his work can be just that, something granted. This does not mean that what is granted is not granted in its evidentness. Further, then, as to the very receptivity or passivity of faith, Christ can still be recognized as the model of faith, notwithstanding that he knows: for perhaps it is the case that what he knows as a creature depends on a greater receptiveness, a greater passivity before the always greater God, than does our faith.[51]

of faith, nor as exercising faith, but as evoking and inaugurating faith. See also G. E. Howard, " Notes and Observations on the ' Faith of Christ '," *Harvard Theological Review* 60 (1967) : 459-465, for whom this *pistis Christou* is the faithfulness of Christ.

[49] For Lonergan's solution to this problem, see *De Verbo incarnato,* Thesis 15, the sixth part of the argument: since Christ's knowledge of God extends only to the actual economy of salvation, but does not encompass the whole of what it is possible for the divine wisdom to order and the divine power to effect, Christ can be truly obedient to his Father with that kind of obedience that does not see why the command is the best command in the circumstances. See *Summa theol.* III, q. 10, a. 1.

[50] For a resolution of matters along these lines, see L. Malevez, "Le Christ et la foi," in *Pour: lme theologie de la foi* (Paris: Desclee, 1969), 159-216, esp. 170-171, 175-177. However, Malevez thinks that the freedom and trust of Jesus require a real not-knowing on the level of objectivated knowledge, notwithstanding a real "vision " of something at least of his role in the economy of salvation which is unthematic and, as with Rabner, an immediate ontological effect of the hypostatic union. The faith-trust of Jesus is his existentielle ratification of the ontic abandonment of the human nature of Christ, which lacks a created act of existence.

[51] I would make two remarks here. First, for St. Thomas, there is an important sense in which God is the only teacher. So in the *Lectura super Tivangeliimi S. Matthaei,* XXIII, 1 (# 1848): "It must be said that he is properly called teacher who has his teaching from himself, not he who spreads

If we stop where we are, then we stop just about where the statement of the International Theological Commission leaves us. Indeed, we have gone one small step beyond the statement, by distinguishing knowledge from faith in the section just preceding, for the Commission leaves it quite open as to how to characterize the " consciousness " of Christ. Still, it is really only our next question that moves us into the " theological elaboration " that the Commission resolutely eschews. The further question is as follows. If Jesus has the things he does by knowledge, and not by faith, how shall we think of this knowing of his? It is at this point that the nature of the objects known as well as the nature of knowing itself become crucial.

Let us take up that last point first, and face the second difficulty in appreciating St. Thomas's position that I postponed meeting. If we think of knowledge as " justified (evident, warranted) true belief," then we are pretty much thinking of knowledge as the justified holding of a proposition as true.[52] If we do this, as with A. Plantinga and other proponents of so-called

a teaching received from someone else to others. And thus there is only one teacher, namely God, who properly has a teaching; but ministerially, there are many teachers." Thus, even Christ, knowing God in his humanity, is a teacher only ministerially, and teaches only what he receives in his human mind from the vision of God vouchsafed him. Second, the light of glory, for which see below, is a perfection of the possible intellect, as St. Thomas says in *De Ver.,* q. 20, a. 2, ad 5. Now of course, every act of understanding is a perfection of the possible intellect, and understanding is a *pati,* as Fr. Lonergan never tired of pointing out. But for those sciences proportioned to the human intellect, the sciences of material things, these things are in a way made intelligible for us by· the light of the agent intellect-that is, by our active and strenuous inquiry. No matter that we are receiving the intelligibilities of things that are intelligible only as similitudes of God, human science thus has the character of something achieved, accomplished, *made* by us. But if what our Lord holds as true has none of this character of the acquired, achieved, made, this does not mean that it ceases to be *scientia-according* as knowledge here means understanding the thing in itself in its own intelligibility-and is rather to be described as faith.

[52] For an introduction to the early stage of the contemporary analysis of knowledge as justified true belief, see *Knowing: Essays in the Analysis of Knowledge,* 2nd ed., ed. Michael D. Roth and Leon Galis (New York: University Press of America, 1984).

" Reformed Epistemology," then there will be no good reason to distinguish faith and knowledge as we did in the previous section.[53] If I am justified in taking the word of my geometer friend that Pythagoras was right, then we shall have to count both the geometer and me as knowers. And we shall likewise be unable to distinguish Jesus as a knower from his disciples as believers.

If we are going to be able to distinguish, we shall have to continue to think of knowing as understanding the object known. And we shall have to try to think what this knowledge, as understanding, *is,* which is by no means an easy thing to do. Aristotle tried to do this, when he said that knowledge is the identity in act of knower and known.[54] To know something is to *be* that

[53] See Alvin Plantinga, *The Twin Pillars of Christian Scholarship* (Grand Rapids: Calvin College and Seminary), 41-56. Plantinga knows the distinction between faith and knowledge such as I have outlined it above, but thinks it vicious, since granting it means that very little of what we hold as true is knowledge (58-60). The implication that very little of what we hold as true is to be counted as knowledge pure and unalloyed with faith (human or divine) is to be granted. I cannot see that this consequence vitiates the distinction. And I grant, of course, that there is a sense of "knowledge" according to which we know what we reasonably and responsibly believe. This is the sense of St. Thomas's *cognitio* as distinct from *scientia* in, for example, *Summa Theol.* I, q. 12, a. 13, ad 3: "fides cognitio quaedam est, inquantum intellectus determinatur per fidem ad aliquod cognoscibile. Sed haec determinatio ad unum non procedit ex visione credentis . . . et sic . . . deficit a ratione cognitionis quae est in scientia."

[54] *De anima,* 430a3-5. What is the path from "justified true belief," the third definition of knowledge in the *Theaetetus* (201C-D), to "identity in act of knower and known" ? I conceive it to be as follows. First, the third definition of the *Theaetetus,* where the "justification" or "account" of the thing known is said to be its difference from all else (208C), is rejected because Socrates introduces a learning paradox with regard to knowledge, where the object is a sensible, material individual (209A-210A). The conclusion ought to be that such things are not the object of knowledge. Congruently, Aristotle's definition is for "objects which involve no matter." Second, something prior to belief, propositionally expressed, is to be recognized. This is suggested by *Theaetetus* 191C-D, where the mind is compared to a block of wax on which ideas are imprinted, and which becomes Aristotle's writing tablet (430al-2), the mind which is potentially all things. To become something, however, to think the definition of something, is to think its constitutive essence (430b27-28) ; but essence is especially form, which it is the point of *Metaphysics* Z to sort out in its two careers: introduced into matter,

something. It is not to be it as it is under all the conditions of its own existence. But it is to be it " formally": it is to be the thing by giving existence to its " idea," to its intelligibility, in oneself. Predicates of propositions report this intelligibility as lived by the knower, but they are posterior to it. Moreover, it is to be wondered whether, if what we know depends on our being able to report it in propositions, there are some things that cannot be known.

Indeed, the question of the kind of thing we are supposing our Lord to know is just as crucial as what we think knowing is.

For how is it with the things we are saying Jesus knew? It would seem that their nature is strictly supernatural, where the nature that these things are said to surpass is not only human nature but any created nature whatsoever. The things known, in other words, are things naturally proportioned to the divine mind alone.

For just think of what these things are: Jesus knows who he is! And he is the Son of God! And we can rephrase this by saying that for all intents and purposes Jesus knows the mystery of the Trinity-mind, he knows it, he does not simply believe, as we do, that God is Triune. Here, with our belief that God is Triune, the propositions in which we express this belief do duty for the Idea of the thing, for the perfect identity in act with the intelligibility of the Triune God.[55] And our holding these propo-

it is the substantial principle of the individual material substance; introduced into mind, it is the principle of knowledge.

The point of this note is twofold: criticism of the contemporary career of "justified true belief" is not criticism of Plato; I think it might be argued that Plato and Aristotle are far closer on what knowledge is than Fr. Lonergan sometimes suggests.

[55] For the proposition as a substitute for intuition or idea, see Joseph Marechal, *A Marechal Reader,* ed. Joseph Donceel (New York: Herder and Herder, 1970), 156ff. The implicit affirmation of being as real and intelligible implied in every judgment is the substitute for the intuition of being that is the end of our intellectual dynamism. This is most evident, however, where the affirmation is of some analogically understood predicate of God, for there the particular judgment has itself to do expressly, and not just implicitly, with ahsolutely intelligible Being.

s1t1ons as true is justified, if we think that a divine person has given us to hold them as true. That he has told us is sufficient justification for our holding them. However, we are at the point where we want to say that Jesus did not hold them by faith, as we do, but knew of what he was speaking.

To know such a thing as the Triune God-meaning, to understand it completely and properly and adequately-where knowing is being one in act with the object known, would seem to require an infinite act of understanding, proportioned to the infinite reality of the object understood. And so there seems to be a hitch in attributing knowledge of such a thing to Christ, for our minds, all created minds, including the human mind of Christ, are finite. Human minds are first of all only potentially identical in act with what they know. They become actually one with what they know only according as they receive some representation of the object known (St. Thomas' s " similitude " or " species "). By definition, however, there can be no finite representation that properly represents something infinitely intelligible.[56] And therefore, there is no naturally infinite act of understanding that a finite mind can enjoy.

Of if you want, think of the basic and original content of]esus' preaching : " the Kingdom of God is at hand." If he asks us to believe this, but himself *knows* it, how could he know such a thing except knowing what is in the divine mind and wisdom for the salvation of men? How can someone know this unless for all intents and purposes he knows in just the way the divine mind does ? How could he *know* this decision (and not just believe it or have information about it) unless he sees it in the ordering wisdom of God?

"In just the way the divine mind does." How can a *human* mind (remember, our question is of Jesus' human knowledge) know " in just the way the divine mind does " ? If it cannot, then there is nothing more to be said here, and there must be some mistake in our preceding considerations.

[5G] *Smmna Theo/.* I, q. 12, a. 2.

Now it is just here that we arrive at very subtle point in St. Thomas's account of the human knowledge of Christ. How can a human mind know in the way the divine mind does? St. Thomas does not think we really know the answer to this question. To *know* this we should have already to be knowing in the divine way, and as long as we are in this life, we are not doing that. We are walking by faith, not by sight. We have the promise of eternal life, and suppose that it consists in knowing both the Father and Jesus Christ whom he has sent (Jn 17:3). But we do not understand any of this yet in a full and adequate way. The idea that we, and our Lord, can know God in God's way of knowing himself is just as much an object of faith as is what our Lord tells us, such things as we collect in the creed and to which we give such names as "the doctrine of the Trinity."

"Knowing God in God's way," the end state of our knowledge as Christians, a state St. Thomas imputes to Christ in his earthly life, is what is called " the beatific vision." By this is meant an immediate knowledge of God as he is in himself, the finite mind's sharing in the infinite act of understanding the infinite intelligibility that God is. But that such a thing could happen is not known except to faith, and the idea of it is therefore just as much a sort of limit or " analogical " idea-indeed an " anagogical " idea-as is the idea we have of God, or of the Trinity, or of the Incarnation. All St. Thomas really has to say about it is this, that if no created similitude of God could really give us knowledge of him as he knows himself to be, then this knowledge does not happen by way of a created similitude; rather, the divine being itself is what is immediately present to the created mind.[57]

The idea of such a state of affairs is an odd one. We can talk about the " light of glory" modifying our mind if we wish, but to mention it is nothing more than to say that we trust God so to arrange things that, whatever it takes to get a finite mind ready to be immediately present to God, he manages to do. On the other hand, there does not seem to be anything expressly con-

57 Ibid.

tradictory about the state of affairs in question.[58] And to suppose that such a state of affairs exists, and exists for the earthly Jesus, solves the problem of how he can know the things he tells us. Or rather, it simply expresses the datum of faith in a context where some thought has been given to the nature of knowledge.

If the immediate presence of God to the human mind of Christ is the only condition under which he could know such things as he told us in his life, then it follows that he enjoyed this same immediate knowledge of God as we hope to enjoy in heaven. That is the whole point of talking about his "beatific knowledge" of God while he was on earth.

Certain difficult questions immediately suggest themselves, however. When we talk about the immediate knowledge of God, we are talking about something that is non-propositional, non-conceptual, and, in that respect, ineffable. For we can say-speak-only that for which we have ideas. And yet we are supposing that our Lord delivers this knowledge to us, insofar as it can be delivered to us, in human terms: he speaks what is unspeakable. How, then, are we to think the relation between these two kinds of knowledge?

Before we take up the last question, let us check the argument to this point. It is because of what Jesus the man communicates to us, and communicates to us authoritatively, that we are led to say that he knows these things. The things turn out to be things that cannot be known by a human mind except that mind "see God"-that is, share in the infinite act of understanding by which God himself in his divine nature understands and knows all things. But then, it turns out that knowing things in this way is to know them non-conceptually, ineffably. So, the question arises, even if, as a man, he did know the things in question by sharing in the understanding of the divine mind, what good would it do? How could this ineffable knowledge get put into speech, so as to be communicated to us?

It is important here to stress the ineffability of what our Lord might know in his human mind by that mind's sharing in the

[58] For the defense of this, see esp. *the Summa Contra Gentiles,* III, c. 51.

understanding of the divine mind. For a man to understand something effably-speakably-is to have conceptual knowledge of it. Our concepts, properly, are suited to dealing with the sensible things of this world. By them, we distinguish one thing from another, relate one thing to another. Because they are expressions of the intelligibilities of sensible things, they can themselves have expression in sensible words. But God's understanding of himself is an understanding of an infinite intelligibility, one that is not suitably expressed in concepts that are fitted, first of all, to the expression of finite things that are what they are, and are in this way expressible, only by *not* being other things. God is not what he is by not being other things-he would be what he is and as he is even if all the other things that are were not. Again, the intelligibility of God is not the intelligibility of a sensible thing. [59]

Of course, in one way, there is no problem. It is not as if our Lord tries to communicate to us what God is in himself. His giving out to us who he is, and his giving out to us that the Kingdom is present (with all that means), is not a giving out of the essence of God. It is a giving out of certain facts about God concerning his Tri-Personal life and concerning the plan of salvation, such facts as cannot be known, fully understood, unless one sees God. But simply to affirm that God is Triune (which we imperfectly understand but nonetheless affirm in imperfectly understanding but yet affirming who Jesus is, the Son of the Father, united with him in one Spirit) is not to understand what God is. Simply to affirm that the Kingdom is at hand is not to understand what God is either. Nor is it to see the infinite wisdom of the plan of God of which the presence of the Kingdom at Jesus' time, in Jesus, is a principal part. It is (" merely") to affirm that our destiny is intimacy with God; it is to affirm that God forgives the sin that would otherwise impede us from reaching our des-

[50] Lonergan, *De Verba incarnato,* 334. For God as not what he is by not being other things, see Robert Sokolowski, *The God of Faith and Reason* (Notre Dame, Ind.: University of Notre Dame Press, 1982), the first four chapters.

tiny; it is to affirm that we share in this intimacy even now according as we repent and believe in the Gospel. And, we may say, an analogical understanding of God and his decision and action is sufficient understanding for our ability to affirm these things.

So, it is not as if what our Lord communicates to us is, *per impossibile,* the Idea of God.[60] Still, there is a problem. If our Lord knows all these things as a man in an act of understanding God (and the decisions and actions of God-the decisions and actions of the three Persons), and if this understanding as such is strictly inexpressible in human concepts and language, then how does what our Lord understands by sharing in the understanding of God get into expressible, analogical form, so as to be communicated to us?

And there are other questions to be asked, as well. If our Lord knows all things already in seeing God, does this not count against his " being like us in all things but sin " ? For then how does he know things the way we do, and how could he learn anything? That is a second question: And third, since this knowledge is supposed to make one perfectly happy, how could he suffer anything?

I start with the third question because I think it is the easiest. One of the reasons for speaking about our Lord's human knowledge of God as immediate and not beatific is precisely to avoid the imputation that, as perfectly happy, he could not suffer anything. Still, the problem is not to be got rid of by a terminological device. The immediate knowledge of God is, one supposes, something that, as a super-perfection of our humanity, and of our intellectual desire, makes us happy.

However, it seems to me that the posing of the question in the abstract-How can one be happy and sad at the same time?-has the unfortunate consequence of deflecting attention from our own sometimes quite complicated experience. Are we not in fact sometimes happy and sad at the same time? Am I not both happy and sad at the same time to send my friend off to Europe? I am

so See *Summa Theol.,* I, q. 12, a. 11.

happy in the prospect of his education and enjoyment; I am sad to think I cannot share the common life of friends with him for the next months. It would be very mistaken to think happiness and sadness here are an alternation of acts; no, it is the abiding presence at the same time of two affective states. And lovers, after all, sometimes claim to experience at the same time what in the abstract can only be described at contradictory affective states. Furthermore, it is sometimes the very presence of our happiness in the possession of some good that increases our sorrowfulness over some evil. I think this is well within our ordinary experience.

Thus, is it really so strange to hold that our Lord's identification with the experience of our alienation from God as sinners, which is partially, at least, what it means to say he loves us while we are still enemies of God (Rom 5:8), and which it is the concern of many moderns to impute to him, should co-exist with his beatifying immediate knowledge of God? It is rather because of the abiding love of Christ for his Father, a love the human perfection of which is radically a function of his immediate knowledge of the Father, that all the more he can be sorrowful unto death at the sin because of which he dies, at sinners for whom he dies, and at the consequences of sin, even the most interior, that he bears in identifying himself in love with sinners.[61]

As to the second question. How can Jesus learn anything if he enjoys the immediate knowledge of God, in whom the intelligibility of .all created things is already contained? The answer would seem *to* be that he cannot, if learning means discovering an intelligibility that is not already possessed in the mind. However, it is to be questioned whether " perfect in manhood" necessarily implies sharing in the imperfect states and processes that lead to what a supernaturally perfected humanity consists in, one of which is the knowing in not-knowing of ordinary learning.

But this does not mean that no learning whatsoever is to be attributed *to* our Lord. That our Lord knows God immediately,

a1 Lonergan, *De Verbo incarnato,* 340.

remember, does not mean that he can say what he knows. And yet, the point of the incarnation is precisely that: to say to us what he knows. If he cannot learn what to say, he must still learn how to say it. This kind of learning, moreover, is not something wholly outside our experience, as anyone who has tried to explain something in a foreign language well knows.[62]

But then, we are returned to our first question: how to think more exactly the relation between the immediate and ineffable knowledge of our Lord and that knowledge by which he can say to us, analogically, what he knows. It is this problem which especially concerned Bernard Lonergan, for on its solution depends our ability to conceive the human subjectivity of Christ as something ordered and unified, rather than as a collection of unrelated knowledges (and volitions), beatific and acquired.[63]

His solution depends on a prior identification of the principle of unity in ordinary human subjectivity, and on a prior identification of the principle of unity in Christian subjectivity. What are these principles? For created human subjectivity, this principle is the " light of the agent intellect." For Christian subjectivity, this principle is the "light of faith." As the light of the agent intellect is a created participation in the First Light, God, so the light of faith is an increased, but supernatural, participation therein. The limit of such increased supernatural participation is, of course, the " light of glory," that renders the mind able to see God.

> Therefore, what. the natural light of the intellect and the light of the intellect and the light of faith do in us, that is what the immediate knowledge of God did in Christ the man. What is ineffable in us, the expression of which is our life, is that light in which all knowledge is originally impressed on us, by which we naturally desire to have an essential knowledge of being, and therefore of God.[64]

This requires some comment, for we will understand the analogy only according as we understand what the light of the agent in-

[62] Ibid., 342-344.

[63] Ibid., 405ff. Here, if anywhere, I think, Lonergan might be said to go beyond anything St. Thomas says.

[64] Ibid., 406.

tellect is. What is it? It is the native and consciously operative intellectual desire in virtue of which we ask discrete questions as *to* the intelligibility of this or that thing, as to the truth of this or that judgment. In Lonergan's formulation, it is the intention of being as intending,[65] where being is what is known by understanding and judgment, where to speak of the intention of being as intending indicates the tension that the human mind is, its stretch from desire that is originally empty to a fullness of possession that would understand the whole of the real, the way stations on the way *to* which are our understandings of now this, now that, now the other being or limited region of the real. He indicates in the text just quoted that this light is " ineffable." Why? What is effable, speakable, are the discrete realities that we sense and understand and affirm in virtue of the light. But the " light " itself is our intention of the complete intelligibility of all that is. As intention, the light is prior to expression, which is accomplished in concept and language. Further, just as in this life we lack the ability to express the object of this intention completely and adequately, so, with regard to the very intending itself, we are reduced to speaking about it analogically. " All knowledge is originally impressed on us " by this light : for it is the principle of our knowing whatever it is we do come to know. Lonergan continues :

> But what was ineffable in Christ the man, the expression of which was the human life of Christ, was the divine Word itself, immediately known. Therefore, where we operate by moving from the intention of the end. unto the end to be attained, Christ the man, from the end that was possessed, seen, and loved, shared out goodness; which sharing out, indeed, was in the first place his human and historical life itself, and in the second place included all those things that Christ did through his life.[66]

Thus the basic analogy Lonergan offers: as in our lives the principle of their unity according as they are truly human, that is, intelligently lived lives, is the light of the agent intellect, as in

as *De Constitutione Christi,* # 3.

66 *De Verbo incarnato,* 406.

a Christian life the principle of its unity, insofar as it truly is and becomes ever more truly Christian, is the light of faith, so in Christ the unity of his life is the ineffable and immediate knowledge of God, which seeks, not to know, but to find expression (for our sake) in the words and deeds of a complete human life.

Of course, the basic analogy is only that, a *fundamentum.* One will understand more exactly and concretely (but still imperfectly) what the relation is between Christ's knowledge of God and his action and preaching according as one has some understanding of the relation in us between the light of the agent intellect and the innumerable discrete acts of inquiry and verification that are the instruments of the fulfillment of our intellectual desire.

Still, you will ask how Christ the man proceeded from the ineffable knowledge. But in the first place, one must ask how the scientist proceeds to understanding, how the philosopher proceeds to truth, how the saint proceeds to a holy life; for he who seeks understanding does not yet understand, he who seeks the truth does not yet possess it, he who still has to achieve a holy life is not yet a saint; all of whom, however, already know in a certain way what they desire and so can recognize it when they attain to it. To which men Christ was in a certain way similar; and in a certain way not. For he was not like them insofar as, having already gained the end, he immediately knew God; but he was like them insofar as all his human powers and capacities-as it were, a vacuum to be filled-strove to that point such that they might render effable what was possessed in an ineffable way within the same consciousness.[67]

It is time to conclude. Why is St. Thomas's account of the datum of faith ·important? Evidently, the International Theological Commission is concerned simply to affirm the datum of faith: Jesus knew who he was and what he was doing. Why, beyond that, is it important to attribute to Christ in his humanity an immediate knowledge of God? One answer is simply to advert to the relative necessity of systematic theology, of faith seeking understanding, a necessity relative only to those who ask about the conditions of the possibility of what faith grasps. Not all believers ask systematic questions. On the other hand, the

er Ibid., 407.

Roman magisterium is not known for entering into questions of systematic theology just for the intellectual fun of it. And it has entered into this question.[68] What is the religious import of St. Thomas' s account?

I think it possible to approach this import if one asks what it means to call Christ " Teacher." "You have one Teacher, the Christ" (Mt 23 :10).

Socrates, our other teacher, claimed to know only that he did not know. He taught by asking but not answering questions, the cumulative import of which practice was simply to commend to us the philosophic-but basically human-task of commending ourselves in wonder to the mystery of being, and to the mystery of ourselves as both open to but never perfectly possessed of being.

Is our Lord like Socrates? Is that the way in which he is a teacher? What is the same about them is that they are both men. But what is different about them is to be found in comparing the *daimon* of Socrates to a Father who is, not hoped or wished for, not hypothesized nor intended across some absence, but known.[69]

[68] E.g. DS 3433-35 *(Lamentabili,* 1907) ; DS 3646-47 (Decree of the Holy Office, 1918); DS 3812 *(Mystici Corporis).*

[69] The great comparison between Christ and Socrates as teachers, of course, is in Kierkegaard's *Philosophical Fragments,* where the contrast is between remembering what we already in some way know and hearing something new that we have never known.

YVES SIMON'S APPROACH TO NATURAL LAW

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VES SIMON'S recently reissued work, *The Tradition f Natural Law,* originating from the author's lectures of 958 at the University of Chicago, represents an uncommonly intelligent approach to a philosophically complicated subject. Rather than immediately moving to defend the much-challenged notion of natural law, or to outline a positive account of the latter, he considers the recurrent questions that render natural law theory a permanent feature of the speculative landscape. After all, in one sense anyone who is convinced that there is a morally normative natural order-that some things " by nature " are unjust-is a "natural lawyer." The same phenomenon that nourishes sceptical impulses-diversity in customs and moral convictions-renders ineluctable the asking of the question whether any of the competing customs or moral tenets is ratified by the evidence of nature. As Simon puts it:

> There would be no eternal return of natural law without an everlasting opposition to natural law. Again, this opposition thrives on the contrast between the notion of actions that are right or wrong by nature, and the lack of uniformity which we observe in actual judgments.[1]

Yet as Simon later observes:

> There is a rumor that modern ethnology has demonstrated the absence of uniformity among peoples in matters of so-called natural law. That is rather naive. This lack of uniformity was well known long, long before what is called modern science came to exist. In

[1] Yves Simon, *The Tradition of Natural Law* (hereinafter cited as *TNL)* ed. Vukan Kuic (New York: Fordam University, 1992), 4.

fact, modern ethnologists would be rather more critical and skeptical about stories of strange customs than men of antiquity or of the Renaissance.[2]

Simon recognizes that the opposition to natural law theory that is predicated on the notion that natural law implies the absence of divergent moral convictions is "as old as the theory." [3] Such objection is a mere prefatory hurdle marking one's entry into contemplation of the densely interwoven fabric of natural law. The subject of natural law is, Simon insists,

> difficult because it is engaged in an overwhelming diversity of doctrinal contexts and of historical accidents. It is doubtful that this double diversity, doctrinal and historical, can so be mastered as to make possible a completely orderly exposition of the subject of natural law.[4]

As Dr. Russell Rittinger points out in his introduction to the volume, Simon is aware that there is not merely one " tradition" of natural law, but several.[5] The contrast between convention and nature is susceptible of quite diverse formulations, and these are in large part dependent upon social and institutional factors. Nonetheless, in Simon's focus upon the doctrinal and historical problematic of natural law theory, he achieves the difficult feat of elucidating root speculative questions. Indeed, it is a major strength of Simon's treatment that he is wary of the ideological use of natural law theory. As he puts it:

> an ideology is a system of propositions which, though undistinguishable so far as. expression goes from statements about facts and essences, actually refer not so much to any real state of affairs as to the *aspirations* of a *society* at a certain *time* in its evolution. These are the three components which, taken together, distinguish ideology from philosophy. The notion of truth which an ideology embodies is utilitarian, sociological, and evolutionistic. When what is actually an expression of aspirations assumes the form of statements about

[2] *TNL,* 5.
[3] *TNL,* 5.
[4] *TNL,* 5.
[5] Russell Hittinger's Introduction to *The Tradition of Natural Law,* xix.

things, when these aspirations are those of a definite group, and when that group expresses its timely aspirations in the language of everlasting truth-then, without a doubt, it is an ideology that we are dealing with.[6]

By contrast, " the law of philosophy is altogether one of objectivity." [7] Whereas objects of aspiration are not purely speculative objects of contemplation, but are also ends, "the object of cognition alone is a *pure object."* [8] The object of ideology is an object of desire, while the object of philosophy is a pure object of cognition. At a time when skepticism and immoralism enjoy wide currency, there may be felt a "need for an ideology of natural law." [9] However comprehensible this need is, it is bound to exercise distortive philosophic effects. One of the chief of these is the tendency to suppose that natural law can decide " with the universality proper to essences, incomparably more issues than it is actually able to decide." [10] Indeed, Simon notes the tendency of certain teachers to treat as matters of natural law issues that demand "treatment in terms of prudence." [11] Simon contends that such exaggerated claims in behalf of natural law will tend to engender " disappointment and skepticism " as well as that contempt naturally felt for sophistry. [12]

Simon's point is not at all that the content of ideology is necessarily opposed to philosophic truth. Rather it is that philosophic truth is not defined simply by our contingent social aspirations. Hence the confusion of social aspiration and consensus with that speculative detachment requisite to philosophic inquiry will tend to be at the expense of the latter. A natural law theory that is pressed into service to carry the burdens of acculturation cannot supplant the primary evidence it is devised to explain. Although

[6] *TNL,* 16-17.
[7] *TNL,* 21.
[8] *TNL,* 21.
[9] *TNL,* 23.
[10] *TNL,* 23.
[11] *TNL,23.*
[12] *TNL,* 23-24.

the proliferation of skeptical philosophies renders plausible the use of the language of natural law to reflect social aspiration, the philosopher is liable thereby to be diverted from his speculative inquiry-which is not exclusively hinged to the aspirational contours of any given society or epoch.

Simon delivered himself of these points during the high-tide of "American exceptionalism": a time when a Thomist as renowned as Jacques Maritain could plausibly suggest the development of a " secular ideology " that could cement the moral consensus of democratic societies apart from the express formative influence of the Church (i.e., apart from the Church's influence upon the whole society, not merely the Catholic constituency) .[13] Maritain's reflections highlight the manner in which men and women of good will but opposed philosophic tendencies may-for diverse reasons-nonetheless agree upon the same practical agenda. Whereas this point was developed by Maritain with the optimistic expectation that such cooperation would preserve the natural law insights of the American founding [14] through a cultural milieu too fragmented to allow of any deep philosophic consensus, Simon appears to have recognized this same point with a certain foreboding for the integrity and liberty of philosophic discourse. Without making heady necessitarian claims about the devolution of American society, the recent era of socio-political conformism and "political correctness" suggests that Simon's

[13] See Jacques Maritain, *Man and the State* (Chicago: University of Chicago: Press, 1951), especially chapters 4 & 5. The titles of each of the initial sections of these .two chapters are illustrative. The first section heading in Chapter 4 is as follows: " Men Mutually Opposed in Their Theoretical Conceptions Can Come to a Merely Practical Agreement Regarding a List of Human Rights." The section heading at the start of Chapter 5 is ' The Democratic Secular Faith."

[14] See *Man and the State,* note 12 of Chapter IV, p. 95, where he refers to the Founders, arguing that they "were men of government rather than metaphysicians and that they used the concept [of natural law] for practical rather than philosophical purpose, in a more or less vague, even in a ' utilitarianist ' sense " but that such concern for " implementing the ends of human life " should not be labeled utilitarian.

was in context the more prudent assessment. Those whose reasons for sharing the same practical agenda vary too gravely are likely to find their ideological cohabitation to be quite temporary. This is indeed precisely what has come to pass-which does not, of course, lessen the need for cooperation across philosophic divides in behalf of certain manifest goods.

Another great strength of Simon's treatment of natural law derives from its Thomistic stress upon the primacy of the speculative. That is to say, Simon is well aware that "every practical doctrine presupposes some theoretical positions." [15] In particular, Simon is aware that natural law theory will presuppose some account of the vexed question of the nature of universals, if for no better reason than that it must imply some view of the universality of human nature. "Let us confess that it is meaningless to argue seriously about natural law without ever having raised the question of the universals." [16] Additionally, Simon does not dichotomize the practical and speculative intellects, doubtless aware of the words of Aquinas:

> The object of the practical intellect is good directed to operation, and under the aspect of truth. For the practical intellect knows truth, just as the speculative, but it directs the known truth to operation.[17]

Practical reasoning sets out from knowledge of some end, which serves as the principle of one's practical reasoning. As Simon emphasizes elsewhere (in speaking of our knowledge of natural ends *via inclinationis)* the way in which we *come to know* certain objects. to begin with is frequently through inclination rather than simple cognition alone.[18] A fuller judgment by way of cognition will frequently follow inclination.

[15] *TNL,* 5.

[16] *TNL,* 7.

[17] *Summa Theologiae* (hereinafter cited in the Leonine edition as Leonine *S-T),* Q. *79,* a. 11, ad 2: "ita obiectum intellectus practici est bonum ordinabile ad opus, sub ratione veri. Intellectus enim practicus veritatem cognoscit sicut speculativus sed veritatem cognitam ordinat ad opus."

[18] For Simon's discussion of this whole point, see *TNL,* 125-136, and 160-161.

Aware that for St. Thomas the motion of the will is none other than an *inclinatio sequens formam intellectam,*[19] Simon is distinguishing between a cognitive grasp reaching " up to immediate axioms on the one hand and direct experiences on the other hand," and a nonscientific knowledge by way of inclination.[20] It is not that knowledge by way of inclination is unspecified by the intellect (else he would not speak of two modes in the determination of judgment), but rather that knowledge *via inclinationis* is knowledge of an object that is actually appetible (or the contrary in cases of natural repugnance). Obviously one may know an object, and be aware of it in a special degree owing to one's inclination toward it, without thereby cognizing its relations to other goods or delimiting its place in the good life. It is this last ethically synthetic knowledge that I take Simon to intend when he speaks of knowledge by way of cognition.

But no matter how it is that we are made aware of an end, some knowledge of the end is presupposed by action toward it, and such knowledge is either adequated to the objective nature of the end or it is not. Hence knowledge of an end by way of inclination is at root speculative even while it becomes practical when and as it is ordered toward operation. Simon's account implies that "speculative " knowledge is not necessarily theoretic. In a sense, all practical knowing implies knowledge of the end and hence adequation to it, proceeding from a speculative root even while following a trajectory toward the incommunicable singular and circumstantial. St. Thomas held that it is accidental to that which is intellectively apprehended to be further ordered *to* operation, and that this " further ordering " to operation is what distinguishes practical knowledge from purely speculative knowledge.[21] Simon's emphasis upon knowledge *via* inclination in the context of the intimate interrelation of speculative and practical

[19] Cf. Leonine *Summa Contra Gentiles* (hereinafter cited as Leonine SCG), Book III, Chapter 26: " Matus voluntatis est inclinatio sequens formam inteJlectam."

[20] *TNL,* 127.

[21] *Summa Theologiae,* I, Q. 79, a. 11.

knowledge is a masterful development of this aspect of Aquinas's teaching.[22]

One fruit of this awareness of the speculative root of all practical reasoning is Simon's realization of the profound theistic dynamism within natural law theory. As Simon explains while describing the problem posed by the nature of moral obligation:

> The depth of this difficulty is clearly seen when we once again point out that natural law, in the very meaning of that expression, exists ontologically before it exists rationally in our minds; it is embodied in things before it is thought out, thought through, understood, intelligently grasped. Plainly, it is *because* natural law is first embodied in things that we declare such and such an action to be right, and such and such an action to be wrong, under circumstances which may have to be defined with great attention and particularity. And here we find ourselves face to face with the real problem of obligation. It is clear what happens if we stop here. If we stop here, the last word does not belong to the reason, the last word does not belong to that which is intelligent. The last word belongs to things. That is the real problem of obligation.[23]

Simon argues that only if there is an intellect that is "directing by nature,"[24] in which "to be," "to act" and "to think" are one-an absolutely First Cause-will moral obligation be finally intelligible rather than a mere bowing to an ontological surd.[25] Another way to put this is that only if the ordering of human nature is an intelligent disposing by the Governor of the commonwealth of nature can this ordering be intrinsically designated as law."[26]

22 It is one that calls, however, for great precision, lest it be suggested that inclination is not always preceded by prior knowledge. What is at stake is the difference between knowing one's own appetite for or possession of a good versus merely knowing the good. In the second case, we know something further about ourselves in relation to the end, the thematization of which provides actually appetible ends as *principles* in the ethical life.

23 *TNL,* 137.

24 *TNL,* 145.

25 *TNL,* 145.

26 For a rigorous and pathbreaking analysis of the analogical attribution of the term "law," see Russell Hittinger's paper "Natural Law as Law" (1994 Natural Law Lecture, University of Notre Dame Law School), forthcoming

It might be thought that, since our knowledge of much of the content of the natural law precedes our knowledge of the existence of God, therefore the knowledge of natural law is conceptually independent of the knowledge of the existence of the First Cause.[27] Certainly Simon would not wish to deny that there is valid knowledge of much of the content of natural law prior to knowledge of any proof for the existence of God. Yet " from this logical priority in the order of discovery it does not follow that the understanding of natural law can be logically preserved in case of failure to recognize in God the ultimate foundation of all laws." [28]

Indeed, impairment in the knowledge of the natural law is "logically inevitable" [29] when knowledge of the existence of God is "blocked." [30] As suggested earlier, perhaps this is because it is one thing to know some part of the content of the natural law,

in the *American Journal of Jurisprudence.* Rittinger argues that though nature is an " internal " principle, the ordering or law of nature *is-qua* law-nonetheless not an intrinsic but rather an extrinsic principle (a point made expressly by Aquinas in his prologue to the Treatise on Law in the *Summa Theologiae,* I-II). According to Hittinger's analysis, whether nature is truly lawful cannot be settled merely by appealing to the fact that as one source of positive law natural moral order is extrinsically denominated as lawful, i.e., it is not the extrinsic analogy of attribution between medicine and health, but knowledge of the nature of medicine, that tells us that medicine is not in the strict sense "healthy." Similarly we must know the answer to a (theological) question about nature-whether natural order is legislated, whether there is a legislator of nature-before we conclude that in the strict sense natural moral order cannot be law. That Simon supposes "law" to be intrinsically predicated of natural moral order, and not merely by extrinsic analogy of attribution as one " source" of positive law, is sufficiently indicated by his comment that the study of natural law " involves the difficult theoretical problem of order in a set of analogates connected by proper proportionality" *(TNL,* 160). See also *TNL,* 129: " But law is a premise; it is a work of the reason having the character of premise. And among laws, the natural laws have more the character of premises than positive laws; they are prior premises."

[21] This, indeed, seems to be what is intended by John Finnis in his comment from *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980), 49: " the fact that natural law can be understood, assented to, applied, and reflectively analysed without adverting to the question of the existence of God ... "

[28] *TNL,* 62.

[29] *TNL,* 63.

aorNL, 63.

and another to know it *qua* law. In any event, the philosophic linkage between natural law theory and theism impels some theorists--e.g., those associated with postulatory atheistic existentialism-to negate the natural law.[81] If the virtue of natural religion presupposes some natural knowledge of its object then it is not only the *status* of natural law *qua* law but also (to some degree) the *content* of natural law that will require advertence to the existence of God. Simon's address of the relation between natural law theory and theism is remarkable in its synthetic grasp of the speculative and practical dimensions of natural law theory. His assimilation of the proof for the existence of God proceeding from moral obligation to the pattern of the proofs from contingency, motion, causality, et al., is a *tour de force.*

A second benefit of Simon's understanding of the interrelation of the practical and speculative elements in natural law theory resides in his refusal to dichotomize physical and moral order. The threefold Thomistic classification of inclinations into those universal to all beings, those universal to animals, and those universal to rational nature for Simon " insures the community between the nature law of the moral world and the natural law of the physical world," [82] despite their marked contrast in certain respects. The value of the doctrine of analogy to natural law theory is, from this perspective, pronounced. According to Simon, it is not the work of natural law theory but rather is "the most constant tendency of Kant and the Kantian tradition to strengthen, bring forth, overdo, render overwhelming, if not theoretically exclusive, the contrast between the universe of nature and the universe of morality." [88]

Simon's stress upon "the notion of *order* which is needed to understand in what sense an end is ultimate." [34] points to yet a third benefit of his sense of the relation of the speculative and the practical. In *The Tradition of Natural Law* Simon exhibits a

31 *TNL,* 63.
82 *TNL,* 124.
as *TNL,* 124-125.
34 *TNL,* 101.

thorough awareness of " the great metaphysical and ethical truth that all good of a lower order falls short of any good of a higher order."[85] Whereas the ethical incommensurability of goods is the stock and trade of many contemporary legal and ethical theorists,[86] Simon, like Aquinas before him, unabashedly holds that "the common good indeed enjoys primacy over the private good of the individual, when both are of the same order."[87] This insistence upon the superordination of the common good-suggesting a teleologically commensurated hierarchy of ends-clearly marks the character of Simon's vision of natural law. Simon's natural law teaching, cognate with that of Aquinas, does not allow for the epistemic separation of axiological order from the order of natural teleology. While one may logically ab-

85 *TNL,* 102.

86 Cf. Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), especially Chapter 13; or John Finnis, *Natitral Law and Natural Right* (Oxford : Clarendon Press, 1980). The latter author considers commensuration of goods to be " logically impossible " *(Natitral Law and Natural Rights,* 116).

87 *TNL,* 107. This is identically the point of Aquinas. Cf. *Summa Theologiae,* II-II, Q. 152, a. 4, ad 3: "The common good takes precedence of the private good, if it be of the same genus." In the Leonine edition of the *Summa Theologiae:* "AD TERTIUM DICENDUM quod bonum commune potius est bono privato si sit ejusdem generis." Lest there be any confusion about this question of the ordering of goods, one might note Aquinas's reasoning regarding capital punishment in *S-T,* II-II, Q. 25, a. 6, ad 2: "It is for this reason that both Divine and human laws command such sinners to be put to death, because there is greater likelihood of their harming others than of their mending their ways. Nevertheless the judge puts this into effect, not out of hatred for the sinners, but out of the love of charity, by reason of which he prefers the public good to the life of the individual. Moreover the death inflicted by the judge profits the sinner, if he be converted, unto the expiation of his crime; and, if he be not converted, it profits so as put an end to the sin, because the sinner is thus deprived of the power to sin any more."-Leonine *S-T:* "Et ideo hujusmodi peccantes, de quibus magis praesumitur nocumentum aliorum quam eorum emendatio, secundum legem divinam et humanam praecipiuntur occidi. Et tamen hoc facit iudex non ex odio eorum, sed ex caritatis amore, quo bonum publicum praefertur vitae singularis personae. Et tamen mors per iudicem inflicta peccatori prodest, sive convertatur, ad culpae expiationem; sive vero non convertatur, ad culpae terminationem, quia per hoc tollitur ei potestas amplius peccandi."

stract from the order of nature, the character of such abstraction cannot rightly supplant this order, much less prove its absence.

The Tradition of Natural Law subtly and insightfully engages the root issues that precede, imply, and accompany natural law theory. Indeed, perhaps the greatest virtue of the book is its constant recognition that "the difficulties proper to philosophy are inescapably present in any discussion involving natural law."[38] Hence it follows that "whenever there is a good reason to avoid these difficulties, there will also be a good reason to leave natural law out of the picture."[39] Simon's work does not leave these difficulties "out of the picture." It will richly reward political and legal theorists, metaphysicians, moral philosophers, and straight-out natural law theorists. His explanation of the dilemma of positivist jurisprudence--that it gains success in facilitating consensus only at the cost of the explanatory power and intelligibility sought by the jurist[40]--is itself a masterpiece of lucidity that more than rewards careful scrutiny. This is a remarkably fine and philosophically penetrating treatment of one of the densest of philosophic subjects. I know of no other work that so well condenses and introduces the philosophical *itinerarium mentis* of natural law theory.

[38] *TNL,* 63.
[39] *TNL,* 63.
[40] CF. *TNL,* 65-66.

BOOK REVIEWS

The Eucharistic Mystery: Revitalizing the Tradition. By DAVID N. POWER, O.M.I. New York: Crossroad, 1992. Pp. xiii + 370.

Historical enquiry in the field of theology can he done with any number of interests in mind. What David Power offers in this hook is a way of doing it in the interests of systematic theology. He takes it that the contemporary theologian is in necessary conversation with the tradition of faith. The theologians of today are asking their own questions, which, when they are intellectually alert, will take account of questions raised by what is increasingly called "postmodernity." The theologian is putting these questions to a series of records that are themselves the response of a particular generation of believers, in a particular place, to its own questions. The records to he examined are not just the written texts that tell how people thought; they are also the multitudinous indications of how they acted and of the human situations in which they acted and thought. The tradition that is examined by theology is one of practice as much as, and in intimate association with, theory. There is an art, and even a philosophy, in reading such a tradition today. One has to he able to respect the historical in its historicity and yet let the historical he prophetic in response to today's concerns. Without committing himself to or seeking to establish any particular theory of interpretation, Power draws on contemporary studies in hermeneutics to suggest how a reading of the tradition of faith should he done today regarding the Eucharist. The contemporary standpoint that he adopts is one of particular sensitivity to the cultural crisis that is associated with "postmodernity." He formulates the contemporary task of a hermeneutical theology on p. 13 as one of asking "... how is it possible to engage in a conversation with the past amid the ruins of a culture and a civilization."

Having stated his intentions in a first chapter, Power spends the next two chapters on the Eucharist in the New Testament: the dominant concern in the first of these is with what the texts say; in the other it is with what might emerge from a contemporary re-reading of them. Then come four chapters on the Patristic period, before and after Nicaea. One appreciates particularly how the interplay of eucharistic practice, prayer, and theology is handled. At the heart of the four chapters on the Eucharist in the later Middle Ages is a detailed study

of the theology of the Eucharist in St. Thomas Aquinas. This theology of Thomas also has a major place in the final group of four chapters, which has the title, "Revitalizing the Eucharistic Tradition Today." On page 238, there is a helpful list of six factors in Thomas's thought that have been found of particular interest and importance in contemporary theology of the Eucharist.

General hermeneutical theory requires that the writings of a theologian like Thomas on the Eucharist be set within the social and religious world of his day. Power gives two chapters to analysing the social role and practice of the Eucharist in that mediaeval world. Without being doctrinaire about it he does make a good case for the value of such analysis for uncovering the point of what a mediaeval theologian like Thomas might be saying, and not saying, to a contemporary theologian of the Eucharist. The study of the text of Thomas in chapter 10 is no less thorough and objective for its sensitivity to what a contemporary theologian of the Eucharist might usefully hear in it. One appreciates particularly the explanation of how there is at least as much of negation as of affirmation in the theory of transubstantiation (pp. 222-225), and the refined analysis of how Thomas sees the Eucharist to be sacrifice without really separating sacrifice from communion (pp. 226-230). One would question, however, his use of the term "substantial change " as a euphemism for " transubstantiation " in a contemporary reading of Thomas. The term already has a technical meaning in Thomistic Philosophy, which might be attributed to the changing of water into wine, but not to the conversion that Thomas postulates in the Eucharist. For the deepest theological reasons, one must maintain at all costs that what happens in the Eucharist is a unique action of God-mystery in the most proper sense-which is why Thomas wants to give it a name that belongs nowhere else. One needs to talk at least of "total substantial change," as Power does on p. 222.

The discussion on signification and causality in Thomas's theology of the Eucharist is thorough and revealing. It is a crucial theme in the contemporary debate about the kind of symbolic activity that occurs in sacraments. One wonders why in considering the expression *significando causant* (p. 234) the text of *De Veritate* 27, 4 ad 13 was not dealt with. Perhaps it would have helped, too, to have discussed how Thomas uses the category *res et sacramentum* in dealing with the Eucharist, and why he says *sacramentum perficitur* in the consecration of the matter of the sacrament. It would seem that for Thomas the very making of the sign in the Eucharist, in view of but not coextensive with the actual *usus sacramenti,* puts the christological and ecclesiological levels of causality in objective place and already draws some

response from the community of faith that is necessarily engaged by the celebration. Power exploits well the importance that Thomas gives to the *votum eucharistiae* in his analysis of the sacramental life of the Christian (p. 223-224) . One could further develop this theme of the *votum sacramenti,* by relating it to the sacramental character: through Baptism and Confirmation the believer is permanently related to the *res et sacramentum* of the Eucharist, and this sign-bond becomes active in the causing of grace, which manifests how all grace is ultimately eucharistic. In his appeal to Thomas's general theory of sacraments, Power has some very perceptive things to say about how efficacy and exemplarity interact in the causality of sacraments. Perhaps one could follow this up and get to the real heart of the relationship between sign and cause by going right back in the *Summa* to Thomas's analyses of how three lines of causality, final, exemplar-formal, and efficient, are always present together in God's action with creatures. The formal determination of human actions under the grace of God (communicated in revelation) makes these actions be an imitation of divine exemplars and their end be a communication in divine goodness. For humans, such imitation of divine exemplars and intention to share in divine goodness is an activity of sign-making on the properly theological level. This sign-making is individualized on the christological and ecclesiological levels by being the imitation of Christ and the performance of the authorized rituals of the Church. It is in such human sign-making that the efficient causality of sacraments is given by God.

This is a hook which will encourage many a systematic theologian-and particularly those who take the thought of St. Thomas seriously-to persevere in, and even to enjoy, the toils of historical theology, without dampening their speculative flair and their critical curiosity about today's questions. It will give teachers a way of convincing students that there is a future in looking at the past. It will give those who want to do a contemporary theology of the Eucharist much information (including a well-selected bibliography of books in English) and many useful orientations about how to be at once well-versed in the tradition and forward-looking.

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The Church: The Universal Sacrament of Salvation. By JOHANN AUER. Translated from the German by Michael Waldstein. Washington, D.C.: The Catholic University of America Press, 1993. Pp. 541. $24.95 (paper).

The Church, Community of Salvation: An Ecumenical Ecclesiology. By GEORGE H. TAVARD. Collegeville, Minnesota: The Liturgical Press, 1992. Pp. 264. $18.95 (paper).

These two works represent two recent and very different attempts by contemporary Catholic ecclesiologists to present a comprehensive or systematic theology of the church. I shall deal with the specifics of each work separately.

Johann Auer (1910-1989) was professor of dogmatics and the history of dogma at the University of Bonn when in 1983 he first published his *Die Kirche: Das allgemeine Heilssakrament.* This present work is an English translation of that German text which was Volume VIII in a comprehensive, nine-part, dogmatic survey, with volumes addressing the traditional dogmatic themes: God, Creation, Christ, Grace, Eucharist, Sacraments, Church and Eschatology. Joseph Ratzinger was co-editor with Auer of the original series. And while Auer authored the first eight volumes, Ratzinger authored the final volume on eschatology.

We have seen this kind of dogmatic survey in English before in the comparable six-volume work of Michael Schmaus called *Dogma* (1968). As with Schmaus's work, this dogmatic survey is intended as a series of textbooks for theology students and thus its method is to survey each dogmatic theme focusing upon three elements, the biblical foundation for the theme, the historical development of this theme, and finally its systematic inner coherence or integral rational development. In this volume, Auer accomplishes all three tasks in exemplary fashion and with a depth of treatment Schmaus never aimed at approaching.

Auer's *The Church* is divided into eighteen chapters organized into four thematic sections bearing the titles, " Pathways towards the Proper Understanding of the Church," " Pathways towards a Theological Concept of the Church taken from Biblical Images," "Manifestations of the Church's Being, Life and Activity in the Light of its Sacramental Structure," and "The Church's Tasks and Its Ways to Self-Realization in the World." Under these titles are treated all the traditional themes expected of a comprehensive ecclesiology: the origin and authority of the church, its mission and ministries, biblical images, organizational

models and dogmatic marks of the church, ecumenism, the place of the Blessed Virgin Mary among the People of God, relations between church and state.

Auer's consideration of each of these themes is marked by his thorough knowledge of the sources and his skillful handling of these materials. Even so, Auer's work is hardly beyond criticism. For example, arguably the heart of the book is the author's 213-page treatment of the history and theology of the ministries which comprises Part III, "Manifestations of the Church's Being, Life and Activity.... " I want to call this section masterful because of the vastness of the enterprise (the development of the ministries over almost two thousand years) and the wealth of careful distinctions Auer brings to his treatment of so much material. To choose among the riches here one might single out Auer's treatment of the two principles of democracy and hierarchy and the numerous collegial forms for participative governance and administration that have been created or once existed in the church and have been revived since Vatican II (pp. 157-173). This is a stimulating but balanced discussion, blending historical material with more immediate and urgent concerns. But there are also some serious weaknesses in the larger section. For example, while extended attention is given to the offices of bishop and pope (almost a hundred pages on the papal office alone), comparatively little attention is given to the role of presbyters (four pages) and the laity. As for the latter, though Auer considers "The Question of the Secular Office of the Laity," he never addresses the question of the religious office of the laity, that is, their ministry in the church and not just to the world. He broaches this theme in his section on "Vocations or Charisms, Ministries and Offices or Commissionings" (pp. 179-194), but all too quickly he concludes this section with a reference to the secular character of lay spirituality, the laity's orientation toward the world. In these limitations, Auer's book probably reflects the state of scholarship and theological speculation as of the late 1970s, limitations not entirely remedied by the addition in this English language edition of an updated "Select Bibliography."

The real strength or value of Auer's *The Church,* however, is its distinctive or peculiar perspective. This perspective is expressed in the book's subtitle, "The Universal Sacrament of Salvation." This sacramental view of the church is an ancient, patristic theme revived in nineteenth-century German Romantic theology, especially that of the Catholic Tiibingen school. In the twentieth century, Rahner and de Lubac have been its foremost exponents. Through them and others it found its way into the documents of the Second Vatican Council, for example, the dogmatic constitution on the church, *Lumen gentium,*

articles 1 and 48. This way of thinking sees the church as the effective sign and symbol of salvation and insists the church functions as a challenging invitation both to its members and to the world to conversion and commitment in a community whose structural elements-liturgy, preaching, sacraments, offices, and ministries-make for a personal and transforming contact with God. That is, the church is the prophetic condition and embodiment of humankind's restored relationship to God, a visible communion and instrument of salvation, not just a blessed fellowship. Arguably, these themes, with their emphasis upon the genuine sacramentality and not just sociology of the church's structures, make for a salutary correction to some all-too-horizontal notions of the church as community current today, especially in American theology.

Along with an index of names as well as subjects, Auer's book has been given a gracefully idiomatic English translation. Judicious editorial care is apparent from the addition of references to current English translations of works cited in the original German footnotes. And, as I have already noted, a " Select Bibliography" of works in English helps to bring us more up to date as regards significant thought and research since the appearance of Auer's German original.

And so despite the two lacunae mentioned above, I can still recommend Auer's *The Church* as a superlative basic, introductory text, even if this text will require some supplements with regard to its shortcomings.

George Henri Tavard is a member of the Augustinians of the Assumption, more commonly known as the Assumptionists, a congregation founded in 1845 in the south of France (in the United States they established Assumption College in Worcester, Massachusetts). Emmanuel d'Alzon, founder of the Assumptionists, was a staunch ultramontane, strongly influenced by the conservative philosophers de Bonald, de Lammenais, and de Maistre. However, d'Alzon was also much interested in Christian unity and made this one of the aims of his order. I say all this because it explains perhaps some of the distinguishing characteristics of Tavard's *The Church, Community of Salvation,* and especially since Tavard, as he indicates in his introduction (p. 13), is well aware of d'Alzon's thought and how his own takes a self-conscious direction away from it.

This book is divided into an introduction and fourteen chapters organized into four major sections bearing the titles, "Vision," "Tradition," "Structures," and "Dialogues." At the conclusion of each chapter there is a short bibliography " for further reading," and there is a topical index at the end. But far more revealing as to this book's contents is its subtitle: "An Ecumenical Ecclesiology." And one should

not underestimate the breadth of Tavard's ecumenism. The author can quote from the Book of Discipline of the United Methodist Church, the (Anglican/Episcopalian) Chicago-Lambeth Quadrilaterals of 1868 and 1888, the (Lutheran) Augsburg Confession, the (Calvinist) Second Helvetic Confession, the Russian Orthodox theologian Sergius Bulgakoff as well as from the magisterial statements of Catholic Christianity (up to the latest encyclical of John Paul II). Moreover, the Rig Veda of Hinduism and the teachings of the Buddha several times find pertinent references in this book. These broadly ecumenical sources are the result of the author's longtime interest in ecumenism; indeed, he taught at a Methodist theological school in Ohio for several years. But as rich and extensive as these sources are, in the end I think a reader can still legitimately ask whether this is truly ecumenism or just rampant eclecticism.

For example, in the chapter entitled " Monasticity " Tavard tries valiantly to find some place for " Monasticity ... as a basic dimension of the Christian Church " (p. 115). Tavard is convinced that the asceticism and idealism of monasticism are the expression of a strong note of eschatological expectation which should find significant expression in the church. Tavard's broadly ecumenical approach, however, makes for a tortuous, even confusing treatment of this theme. On the one hand Tavard's comprehensive method allows him to enlist the witness of such non-Christian monastic forms as the Essenes of Qumran and the monks of Theravada Buddhism, but these witnesses are cancelled by other sources required of Tavard's broadly ecumenical focus, namely, traditional Protestant antipathy toward monasticism, the current consciousness of the Western Church with its predominantly world-affirming outlook, and the criticism provided by contemporary feminist thought (see the section entitled, "Anti-feminism," pp. 124-125). At one point this leads Tavard to the obviously painful confession: " One may even wonder if the development of the monastic institution was not, in a sense, a mistake" (p. 130). And at another point Tavard is reduced to tracing such feeble vestiges of monasticism in the Protestant tradition as the Shakers who are now close to extinction. Augustine as well as d'Alzon might weep at such desperate maneuvers. For in the end the reader cannot help but wonder: perhaps Tavard's ecumenical approach left him wrestling with too many strong antitheses (monastic/anti-monastic) and relying too much upon casual analogies (upon closer examination is there not more disparity than continuity between industrious Shakers and contemplative Buddhist monks?) . Does it not seem more appropriate to argue: if a case is to be made for the monasticity of the Church, it is only reasonable that we give more weight to the long historical experience of Catholic and Orthodox Christianity?

But Tavard's commitment to such a broadly ecumenical perspective will not allow him this option.

Another problem posed by Tavard's method is his uncompromising focus upon modernity, what he calls, variously, "the experience of being the Church" (pp. IO and 192), "awareness of being the Church" (pp. 12 and 192, 226), "continuing existential experience" (p. 146) and "the pilgrimage of the present life" (p. 152). Tavard prepared us for this, his uncompromising focus upon present experience, when in his introduction he registered the following careful disclaimer: "I expect to do justice to the Scriptures and to history. Yet this is not a hook of biblical or historical research. It is a systematic organization of the essential Christian beliefs about what the Church has been, is, and ought to be. It is focused on the awareness of being the church ... " (p. 12).

But, despite Tavard's disclaimer, whether the reader can accept Tavard's theology will depend in no small measure upon the reader's conviction as to whether Tavard's theology has indeed done justice to the Scriptures and to history. This reader is skeptical. For example, after reading this book I came away with the sense that Tavard's considerable historical. erudition made for a powerful tool whereby he could attenuate the lessons of the past, deny the claims of history, and focus all-too-exclusively upon certain demands of the present. By this I mean that all-too-often Tavard was able to recall an historical precedent no matter how singular or anomalous that could seem not only to challenge a later theological axiom or now traditional ecclesial practice hut he used as a hermeneutical or constructive principle for a radically new theological trajectory. In this regard, see Tavard's employment of the historical observation: " There were instances in the later Middle Ages when the Bishop of Rome authorized a number of Cistercian and Benedictine abbots to ordain their monks" (p. 141). Is there not some irony here in the way Tavard, who insists he is primarily a systematic theologian, can yet seize upon an aberrant historical incident and endow it with momentous theological significance? In this sense Tavard, no doubt, sees himself in intimate dialogue with history; hut there should also be no doubt as to who Tavard feels is the major partner in this dialogue, indeed its ultimate arbiter. History may he the prime resource for Tavard's dialogue but it is "modernity," the present, the now, that is the determining element. This radically subjective focus means that for Tavard, "neither the New Testament nor the Trinitarian principles as such or even the conciliar passages that I have quoted determine the locus of the church" (p. 32); rather much more weight is placed upon the subjective or current experience of the believer.

This perspective is most evident in the last two chapters of his book, chapter 13, "An Ongoing Pentecost" and Chapter 14, "Tomorrow's Church." In these chapters he makes it clear that the character of the Church is not determined by documents or experiences in the past but by our contemporary " consciousness of being the Church " (p. 226), especially as this is shaped by such ideas as " consensus " and " reception" (pp. 255-257). But does such a method do justice to Scripture and history? Without lapsing into d'Alzon's traditionalism can we not acknowledge the enduring validity of some historic experiences, some historical developments, for example, the one expressed by the pseudonymous author of the Epistle to Titus in the mandate to " appoint presbyters in every town" (1:5)? Is the past merely an historical attic through which a theologian can rummage picking out those parts that seem to fit the church's needs at this time, discarding the rest? Or rather does not the attic of history also contain stuff that can make claims upon us, for example, valuable if delicate heirlooms, like monasticism, which we should labor to maintain or such hard-won trophies of spiritual and theological strife as the concepts of ordination and the classic, three-fold form for ordained ministry, structures which reflect early chaotic even necessary experiences but struggles we should not be eager to invite again? Indeed, it is such formative lessons of history that might challenge contemporary consensus and make reception a more mortifying, that is, self-effacing rather than (naively?) self-validating task. In the end I wonder if Tavard's insistence upon modernity at all costs is not an overreaction to the all-too-one-sided traditionalism of d'Alzon and his intellectual mentors de Bonald and de Maistre.

Tavard's *The Church* is Volume I in a series of eight volumes of systematic theology published by the Liturgical Press. The editor of the series tells us in the preface to this volume that these books were designed as textbooks for " upper-division theology courses in Catholic colleges and seminaries." This caveat is especially pertinent here. Tavard, unlike Auer, has not written a basic, introductory ecclesiology text but rather a highly speculative and ambitious attempt at revisioning the whole church. Even so, some people will doubt whether Tavard's historical method warrants such ambition, can justify such revision. Tavard's book is gracefully, indeed, engagingly written, but charm and the skilled play of ideas should not be allowed to conceal weaknesses in method and conception.

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Natural Law Theory: Contemporary Essays. Edited by ROBERT P. GEORGE. Oxford: Clarendon Press, 1992. Pp. 371. $39.95 (cloth).

As the editor of this volume, Robert P. George points out in his foreword that this hook is yet another manifestation of the renewed and growing interest in natural law theory. But why this recent increased interest in natural law theory? What purpose is this theory supposed to serve, or in what way do its proponents see it as an improvement on existing theories? First of all, it must be noted, as the variety of essays in this volume makes abundantly clear, that natural law theory, as it is presently conceived, most certainly does not represent anything like a unified, single theory of tightly knit principles and conclusions. In the present volume one can easily see a half-dozen or more different approaches to natural law theory. So different in tone and spirit are some of the essays that one can easily wonder if they have enough in common even to classify them as " family resemblances."

But if they all in their different ways do indeed evidence, as the editor claims, an increased awareness of and interest in natural law theory, the question immediately arises, why this increased interest? What problems do the advocates of these theories hope to solve by them or what questions do they think their theories will better address than the theories currently in place?

First of all, one may make a division which places the theories, however among themselves, into two general groups. The first of these groups wishes natural law theory to function as a general approach to morality. For this group natural law does the work of a moral theory. In this group I would place the essays of Joseph Boyle, Robert George, Russell Bittinger, John Finnis, and Hadley Arkes (probably). The second group uses natural law theory as a way of determining the connection between moral law and positive law or legal theory. The essays of Jeffrey Stout, Neil MacCormick, Jeremy Waldron, Michael Moore, Lloyd Weinreb, Joseph Raz, and Ernest Weinrib fall into this second category.

In all there are twelve essays in this volume. Space will not permit me to give a detailed analysis and critique of each. At most I can only indicate very briefly some of their more salient features. The book is divided into four parts, the first of which is titled "Natural Law, Practical Reasoning and Morality." In the very illuminating first essay of this section, "Natural Law and the Ethics of Traditions," Joseph Boyle undertakes to clarify the question of the relation of natural law theory to tradition. Certain approaches to moral theory currently popular

which are called virtues ethics, of which Alasdair Macintyre would he an example, claim that natural law theory is tradition-dependent. If Macintyre and other virtues ethicists are correct, then since natural law theory is culture-hound, and since the culture in which it was horn and flourished, medieval culture, has irretrievably retreated into the pages of history, then natural law theory is equally dead, of interest, if at all, only in an antiquarian way. Boyle carefully points out that there is more than one sense of being tradition-dependent. It is true that natural law theory is tradition-dependent in the sense that it did indeed come into existence in a particular historic epoch and that its language and thought do indeed express the period of its flourishing, i.e. the medieval period. But this, Boyle is careful to point out, does not mean that its validity and meaning were exhausted with the end of that culture. Rather the tradition is a *living* tradition so that its rich resources can continue to be exploited as that tradition is enlarged by its application to present day moral problems. Boyle's conclusion then is that in some senses natural law is indeed dependent on an ancient and medieval tradition, hut not so totally dependent that it has lost all validity for contemporary moral theory.

In the contribution by Robert George, "Natural Law and Human Nature," George tries to defend Germain Grisez's version of natural law against opponmts such as Weinreb, !Ettinger, and Veatch. Weinreb, correctly in my view, claims that Grisez's version of natural law is merely a cleverly disguised deontologism. Russell Rittinger has maintained, also correctly I think, that it is not a natural law theory at all, since at a minimum a natural theory must involve a commitment to law as " natural " and to nature as in some sense normative. This is not the case, according to Rittinger, in Grisez's theory of natural law. George defends Grisez's (and Finnis's) claim that to use a metaphysical anthropology to derive moral norms is an illicit inference in which there is more in the conclusion, the moral " ought," than there is in the factual premisses about human nature. Thus human nature cannot he morally normative because it is still on the level of fact. To claim that human nature can ever give rise to an " ought " is to be guilty of the "naturalistic fallacy." Thus, it seems to me, that Grisez, Finnis, and George are still stymied by Hume's well-known assertions about the is/ought dichotomy and G. E. Moore's continuation of this line of thought. But is there any way out of this impasse? A way out can be found, I think, in Thomas Aquinas's teaching on natural inclinations *(Summa Theol.* I-II, q. 94, a. 2). The natural inclination is a bridge over which one can move from the factual " is " to the moral " ought " and thus offers a way out of what is an impasse for Grisez, Finnis, and George.

As Russell Rittinger notes in his excellent chapter, "Natural Law

and Virtue: Theories at Cross Purposes," recent moral theory has made a sharp distinction between two different approaches to moral matters-natural law theory and virtue ethics. Rittinger examines several of the representative approaches, e.g. Alasdair Maclntyre's, Alan Gewirth's, and Edmund Pincoffs'. What it seems to come down to, according to Rittinger, is that you are forced to choose between an ethics of virtues *or* one of rules and rights. Gewirth, who claims to identify himself with the natural law tradition, believes that Maclntyre's virtue discourse is a totally inadequate substitute for moral rules governing individual moral rights. Pincoffs is the polar opposite of Gewirth and makes a strong case for the recovery of virtues as an alternative to moral minimalism. Rittinger finds both of these approaches unsatisfactory. Rittinger maintains that for St. Thomas, law and nature are analogous terms. Thus his teaching on natural law is neither exclusively juristic nor some loosely construed teaching on virtue. Rather, the teaching of Aquinas, and this is what Rittinger proposes, is a comprehensive approach to moral reality, encompassing the human good, moral precepts, human law, custom, divine law, and most certainly, the virtues. What Rittinger proposes is a natural law theory, hut one not so narrowly conceived as present day natural law theory tends to he, in which natural law is reduced merely to political and legal rights claims. Rather, Rittinger would like to see a natural law theory in which the moral riches of the teaching on the virtues is an integral part.

Jeffrey Stout, in his essay, "Truth, Natural Law, and Ethical Theory," takes up the problem of the collision between human positive law and "higher law." His position regarding "higher law" may he described as minimalist, since he eliminates what for both Aristotle and Thomas Aquinas is the foundation of "higher law," i.e. eternal law. He seems to espouse the view that the lonely dissenter's appeal to a " higher law " is at bottom, plain rhetoric, albeit useful rhetoric, for the dissenter makes a useful contribution to society by calling attention to the law's deficiencies. For Stout, the chief task of natural law theory is to develop a theory concerning "higher law," but by rejecting eternal law it seems that he has made this task difficult if not impossible, because in order for the "higher law" to which the dissenter appeals to make a moral claim on society it must he more than mere empty rhetoric. If it is to make a moral claim its foundation can only he one thing-eternal law.

Part Two of the hook deals with the relation of natural law and legal theory. Neil MacCormick offers a reflection on John Finnis's hook, *Natural Law and Natural Rights,* ten years after its publication. Finnis's work, apparently, deeply impressed MacCormick and his reflections on it are very sympathetic, not withstanding MacCormick's

well-known positivism. In fact he makes the very interesting observation at the conclusion of his essay on the supposed mutual opposition of positivism and natural law theory: " I for one regard the issue of mutual opposition as now closed and unfruitful " (p. 130) . In the past the essence of the natural law position has frequently been portrayed as holding that unjust laws are necessarily non-laws. If this truly represents the natural law position then MacCormick still does not agree with this view because laws, unjust or otherwise, evidently do have at least legal validity. But according to MacCormick's understanding of positivism there is a separation between laws and morals and, as MacCormick now understands this separation, it is a conceptual separability of legal validity from moral value. And understanding positivism in this way, MacCormick finds it quite compatible with the natural law position of Finnis. As MacCormick now sees it, and here he is undoubtedly indebted to his careful study of Finnis, both law and morality are the work of practical reason and this fact is the basis of the claim, which he now acknowledges, of the necessary connection between law and morality. They remain distinct, however, inasmuch as they have different criteria for the validity of their norms. Legal reasoning and moral reasoning are two species of the genus practical reasoning. He further states that "... law belongs to the realm of the reasonable" (p. 121). This is certainly a remarkable statement for an erstwhile stalwart positivist, since it would really seem to be of the essence of the positivist position that the essence of law lies in command, and not in reason.

For John Finnis, in his essay, "Natural Law and Legal Reasoning," natural law is an account of practical reasonableness in which practical reason's first principles are the basic reasons which identify the basic human goods as ultimate reasons for choice and action. These basic goods are reducible to seven supreme genera, such as friendship, health, leisure and play, knowledge of God, and so on. This statement of the human goods of course involves an account of human nature, but this is not to be understood as an attempt to deduce reasons for action from some pre-existent theoretical conception of human nature. And the reason for this, as we noted above in Robert George's essay, is that, according to Finnis, " Such an attempt would vainly defy the logical truth ... that 'ought' cannot be deduced from 'is '-a syllogism's conclusions cannot contain what is not in its premisses " (p. 135). But if natural law is an account of practical reasoning, how does natural law relate to legal reasoning, and in what ways do they differ? Legal reasoning is not the same as moral reason, although it is true they both involve the use of practical reason, because legal reasoning is technical in its nature whereas moral reasoning is not. The purpose of legal

reasoning in addition to being technical is also particular, the resolution of disputes-who is in the right here?

In his contribution, "The Irrelevance of Moral Objectivity," Jeremy Waldron attempts to defend an anti-realist meta-ethical position. His moral epistemological skepticism leads him to a defense of an old-fashioned ethical emotivism. From the fact of disagreement about moral values he concludes to moral skepticism. To say that his reasoning is superficial and slipshod is to exercise considerable restraint. The following quotation concerning moral disagreements illustrates the smug flippancy with which he approaches serious moral issues. " For every stern preacher who talks about the reality of obligation, there is a gum-chewing sophomore who says that all moral views are just matters of opinion and there's no ultimate standard" (p. 166). Apparently the opinions of " gum-chewing sophomores " have an equal worth with those of professors of moral philosophy. And in his case he just may be right. This approach is, unfortunately, yet another manifestation of the relativistic mind-set currently so prevalent in the groves of Academe and delineated so convincingly by Allan Bloom in *The Closing Of the American Mind.*

The opposite approach to that of Waldron is taken by Michael Moore in " Law as a Functional Kind." On Moore's view any natural law theory worthy of the name must start from a meta-ethical position of moral realism. But being a moral realist alone does not necel}sarily make one a natural lawyer in legal theory. One could hold that there are indeed objectively real moral values, but that these are walled off from legal propositions. Thus he notes, " This would he the combined view that there are mind- and convention-independent moral truth hut such truths are irrelevant to the truth conditions of legal propositions " (p. 192). This position is that of many, though certainly not all, legal positivists. It is certainly not Moore's position. For Moore there is a necessary connection between law and morality. Moore makes his own the well-known expression of Augustine-an unjust law is no law at all. Natural law in legal theory means for Moore that it is *analytically* necessary that morality be part of law. It is in the very definition of law.

Hadley Arkes, in his very interesting essay on Cicero's naturalism, takes up the question of the categorically imperative nature of moral principle versus moral expediency. Cicero constantly preaches that moral principles suffer *no* exceptions and yet, seemingly inconsistently, he can justify actions such a tyrannicide when necessity is sufficiently exigent. In these hard cases one principle collides with another and when this happens a lesser principle may have to yield to one more fundamental. Arkes notes, " Principles may have to be suspended from

one case to another, hut there may he deeper principles that tell us when the principles may he suspended" (p. 274). On Arkes's reading of Cicero, he is able to save the categorically imperative force of principle and yet to concede that in hard cases principles of one order may have to suffer exceptions in order to save principles of a higher order.

Lloyd Weinreb, in "Natural Law and Rights," defends the view that there is a genuine and strong connection between the philosophy of natural law and rights. He wishes to preserve the enduring tradition of natural rights, hut to do so from the perspective of the contemporary analysis of rights. The way that Weinreb's analysis of natural law and rights proceeds is by an examination of the close connection between rights, human freedom, and responsibility. Weinreb claims that his view is strongly Aristotelian (p. 297) and sets forth his philosophy of natural law and rights as an alternative to the positivist's account of rights.

Part Four of the hook deals with the legal formalism of Ernest Weinrib. For some unknown reason, the essay of Joseph Raz, "Formalism and the Rule of Law," which is a critique of Weinrib's formalism, is offered before Weinrib's own presentation of his theory. Raz's essay is, however, self-sufficient since he includes all of the relevant texts of Weinrib, but it certainly would have made more sense logically to allow Weinrib to present his theory before offering a critique of it. As Weinrib conceives of formalism, its purpose is to synthesize the desirable aspects of the tradition of natural law and rights. To show the inadequacy of contemporary legal scholarship he uses as a test case the problem of liability in tort law. His analysis reveals that the standard legal framework in tort law renders the corrective justice procedures of tort law incoherent. This is simply one instance of a much wider problem-the complete inadequacy of the standard framework of legal scholarship. To overcome these deficiencies, he offers his theory of formalism, the wellspring of which he claims to derive from the tradition of natural law and rights. Formalism for Weinrib means that the law is *immanently* intelligible. Its form dictates its contents. It can never be adequately understood by anything extrinsic to itself, nor can it ever he rightly understood as an *instrument* of something else, since an instrument is only intelligible because of something extrinsic to it, e.g. its purpose. In this way Weinrib hopes to insulate the law from politics, and to prevent the current seemingly irresistible drive to politicize the law. His opposition to the instrmnentalization of law also sets him at loggerheads with Roberto Unger and his epigones in the Critical Legal Studies movement where the law is seen simply as an instrument of social change. These are efforts that one can surely sympathize with and praise, hut there are also some serious problems

with Weinrih's theory of formalism which Joseph Raz points out in his essay. One of the most serious of these deficiencies in my opinion is the role that is accorded to the judiciary. Weinrih's theory, as Raz shows, requires that when positive law is in conflict with the " form of law," positive law should he disregarded by the courts, and the courts in these cases not only have the legal right to disregard the statutes of law hut even the moral duty to do so. To give such total discretionary power to the courts is certainly to offer an invitation impossible to re· sist, as the recent judicial history of the United States Supreme Court clearly shows, to autocratic and politically motivated judicial activism.

The above remarks, inadequate as they are because of the constraints of space, may offer some indication of the rich diversity of natural law theories currently offering themselves for our consideration. Those interested in natural law theory either within the framework of moral theory, or legal theory, or both, will surely find that a careful reading of this volume will amply reward their efforts.

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Metaphysics: An Outline of the History of Being. By MIECZYSLAW ALBERT KRAPIEC, O.P., translated by Theresa Sandok. New York: Peter Lang, 1991. Pp. 539. $69.95 (cloth).

This volume is the second in Lang's *Catholic Thought from Lublin* series edited by Andrew Woznicki. Krapiec's work is a *tour de force* of Gilsonian Thomism as it founds metaphyscis upon a judgmental grasp of the act of existence in sensible things. The hook is unrelentingly Krapiec. Though there are abundant historical descriptions, there is a minimum of textual citation. Also, the reader can plainly see that Krapiec is intent upon presenting his understanding of metaphysics *ad mentem Thomae.*

Three main parts comprise the hook. Part One is on the object of metaphysics-being as being (as existing). Part One contains the most crucial pages of the hook, viz., pp. 86-100. There Krapiec explains the attainment of this object. This portion is obviously the heart of the hook, and I will treat it in detail later. Part One also includes a lengthy exposition of the transcendentals.

Part Two focuses on the structure of being and elaborates the following: act and potency, substance and accidents, matter and form, essence and existence, and the causes of being. There are two noteworthy points here. First, Krapiec's lengthy inclusion (pp. 313-374) of

matter and form within his metaphysics seems to have metaphysics swallowing up natural philosophy. One's misgivings are not assuaged by Krapiec's presentation of the division of the speculative sciences hack in his General Introduction. There the first degree of abstraction is no longer the home of natural philosophy hut the home of the modern humanistic and natural sciences (p. 28). The second degree harbors mathematics, while the third degree is home not only to metaphysics hut "philosophy" (pp. 28-9). The reader is left wondering what has happened to natural philosophy. I see no exigency' for Krapiec's metaphysics to eclipse natural philosophy. Moreover, for some Thomists, the move will create an unfortunate distraction from the good points of Krapiec's metaphysics.

Second, by this reader's count, Krapiec presents no less than nine arguments for the real distinction between essence and existence. These arguments include the following: Aquinas's *De Ente et Essentia* argument that one can know what a phoenix is without knowing that one exists; the necessary character of existence as an essence vs. contingent realities; the monism of existence as an essence vs. the plurality of beings; the infinity of existence as an essence vs. finite realities; and the reality of the potency/ act distinction applied to essence-as·potency and existence-as-act. I cannot engage this involved topic in the short space of a review. I will say, however, that with Joseph Owens, I fail to see why a conceptual distinction between essence and existence is insufficient to deal with the above facts and problems. Underwriting my skepticism is the understanding that meanings can remain different as meanings even if considered merged in some reality. For example, " rational " and " animal " still differ as meanings (under pain of making all animals rational) even when considered as merged in Tom (who is both rational and animal). Why may not Tom himself and his existence mean two different items though understood as possibly merged in the existent?

Part Three of the hook discusses the metaphysical role of analogy. In his General Introduction under the rubric of " transcendentalizing cognition" (pp. 10-19), Krapiec presented analogy as the only way in which philosophy could obtain a non-distortive grip on the plurality of beings. Without pre-empting existential judgments as our basic intellectual contact with the real, Krapiec glowingly describes transcendentalizing cognition as "connect[ing] us directly to the existing world" (p. 12) and as "capable of apprehending the act of existence and the real content of being" (p. 16). Part Three amplifies this role of analogy. Noteworthy points include the following. First, analogy of proportionality expresses the unity of the concept of being as being. The analogy captures the sameness within the composition of any concrete essence and its existence (pp. 451, 18). Krapiec regards both

substance and accident as having acts of existence (pp. 452, 382). Second, Krapiec situates God, the first cause of existence, *within* the analogy of proportionality that is being as being (pp. 459, 462). This move strikes me as strange since there is no real distinction in God between essence and existence. Third, outside of metaphysics no genuine analogy exists. Rather, purported cases turn out to be univocal relations or metaphors (p. 471). Finally, Krapiec weighs in on the interpretation of the *Quinque Vwe;* they are metaphysical arguments for they are formulated in view of the basic composition of a concrete essence and proportional existence (p. 494).

The volume concludes with a 14 page up-to-date bibliography that is correlated with the above three main parts. An index is also provided.

In the remainder of the review, I want to focus on the crucial pp. 86-100. As mentioned, there Krapiec describes the attainment of the object of metaphysics. That object is designated being as being whose meaning Krapiec understands as any determinate concrete content (concrete essence) whatsoever as existing (p. 93). Reaching being as being is a two stage process. The first stage consists of existential judgments of the form "A exists." These express the cognitive affirmation of real existence, for they resist any translation into predicative judgments. (Sometimes, e.g., pp. 86, 88, Krapiec identifies judgment with the cognitive affirmation itself instead of the propositional expression.) The content of existential judgments is first described as the "facticity" of the thing, but later (pp. 87, 92) it becomes the formulation of the thing's act of existence. Krapiec concludes the first stage by noting the variety of existential judgments. They deal with the existence of material and immaterial things (my thought of a triangle, my love of a person), necessary (principle of non-contradiction) and non-necessary things, natural and artificial things, and substantial and accidental things. My impression is that any one of these sets would do for stage one. It is also interesting that none of the sets include an extra-mental immaterial being.

Transition to the second stage consists in reducing this multiplicity of judgments by constructing the concept of being as being. The construction is the work of separation, not abstraction. If I understand Krapiec correctly, the construction proceeds along these lines. We cannot identify the meaning of " exists " with any determinate content because if we did, then the real multiplicity of different determinate contents would have to he denied (p. 92). For example, if " exists" were the same as " this here John," there would be no fact of existence apart from John, and existence would be exhausted in John. In other words, to he a being means to be an instance of the real compo-

sition between essence and existence because anything less denies the multiplicity of things (p. 93).

By way of comment, I want to say three things. First, Krapiec is cavalier to go from the facticity sense of existential judgments to the act sense. In his *The Elements of Christian Philosophy,* Etienne Gilson noted that Thomists themselves are divided about whether existence meant the fact of the thing or an act of the thing. Krapiec may be confusing sense judgment with intellectual judgment. The former provides a wholistic grasp of the existing thing; the latter furnishes a distinct awareness of its existence. Unfortunately, as mentioned, intellectual judgment receives scant elaboration. Judgment in the sense of existential propositions obtains the brunt of the analysis.

Second, I have difficulty seeing as separation the second stage's constructing of the concept of being. The procedure seems to be a variation of the absolute consideration of the essence argument in Aquinas's *De Ente.* In sum, just as man does not include black, or one, or existence in the soul under pain of making all men black, one, or existing in the soul, so too the meaning of man fails to include the meaning of " exists " under pain of making man the only existent. But Aquinas explicitly refers to absolute consideration as an abstraction.

From what I can tell, Krapiec's penchant for labeling the procedure " separation " derives from his opinion that the procedure produces the knowledge of a *real* distinction between the concrete essence and existence. But again, a close reading of Krapiec's second stage shows that in truth the procedure is bringing out what may well be only a distinction between " meanings."

Finally, does not the first stage render otiose the elaborate procedure of the second stage? In other words, if existential judgments truly reveal various things as composed with their respective existences, does it not suffice to have the concept of being as being simply be a reflection of these data? Why the mentioned elaborate " construction " of being as being?

In conclusion, despite my difference with Krapiec, *Metaphysics: An Outline of the History of Being* is a book with which I am in profound sympathy. The initiation of metaphysics through the judgmentally grasped act of existence of sensible things, the dismissal of transcendental method (pp. 77-85), the reserving to metaphysics the proof of God, the continual contrast of existence to " concrete essence " rather than just essence, and the capacity of analogy to capture sameness in difference, are all points that need reiteration in current discussion of Thomistic metaphysics. Krapiec is no upstart novice but a seasoned veteran, and to see him make these points is to me no small consolation. In a remark of a revealing personal nature, Krapiec mentions that the wholistic view of the world achieved by metaphysics " fills the

human being with happiness" (p. 34). I would only add that happiness is the reward of any reader who gives this book the attention that it deserves.

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Henry VIII and the Conforming Catholics. By PAUL O'GRADY. Collegeville, Minnesota: The Liturgical Press, 1990. Pp. 186. $11.95 (paper).

The careers and writings of what this author has called " Conforming Catholics " have been generally neglected by historians of the English Reformation, at least until recently. That is why it is even more remarkable that not only one, but two books should be published in 1990 on this subject. Glyn Redworth's life of Stephen Gardiner, bishop of Winchester *(Jn Defense of the Church Catholic,* London: Basil Blackwell) is primarily a historical and biographical account of this pivotal anti-papal Catholic, with particular emphasis on the period from 1540-1547. This book, while complete and well written, concentrated on the life of Bishop Gardiner almost to the exclusion of his writings, though some of these were mentioned in passing.

Paul O'Grady's book suffers from almost the reverse of that problem. In his Introduction, he contends that " intellectual systems, once generated, have a logic of their own." His concentration on the " intellectual system " of anti-papal Catholicism at times overwhelms the historical considerations of the period, and he falls into at least the neglect of what Professor Geoffrey Elton calls " uncertainty as to what actually happened." Dates are plentiful in this consideration, to be sure, but the events selected are limited, and one gets the impression that there is quite a bit more to the story than the author is letting on. Quite a bit of familiarity with the period is assumed by the author on the part of the reader, and much that is quite germane to the topic and useful to following the text is relegated to footnotes.

The great contribution of this study is that it raises a number of names to a higher profile, and highlights their writings. Gardiner, though relatively neglected (at least until recently), is one of the few names that surface about which a biography has been written. There has been a significant amount of groundwork done for this book, and merely the listing of titles by these authors is a valuable contribution.

But there are problems, some of which are hardly the fault of the author. O'Grady uses the term "Henrician Catholic" in a number of

places, which causes one to wonder, what was the Catholicism of Henry VIII himself? J. J. Scarisbrick, in his magisterial biography of the king, certainly goes over the evidence, and O'Grady adds nothing new. The sources are scanty, and one is forced at times to make a series of assumptions (based on Henry's choice of bishops and councilors, for example) about what Henry actually believed that eventually become a series of assumptions piled on top of other assumptions. Noticeably and significantly absent from the consideration of Henry's management of his ecclesiastics is any attention to Henry's plan for the formation of a strong Tudor monarchy within England, the long standing work of Professor Elton. Foreign policy, another issue in the religious settlement of the period, is mentioned occasionally and briefly (here Professor Redworth's book more than makes up the difference). One cannot attempt to determine the king's theological positions in a vacuum, and although Henry VIII did (and still does) have some reputation as an " amateur theologian " in the period in question, there are few purely theological statements by that monarch. Theology, to all appearances, was just one lever used by Henry in erecting a strong modern state: the imposition of theological and liturgical uniformity was almost always a means to political uniformity, as the Prayer Book Revolts in Cornwall and the West showed in Edward's reign.

Another problem arises in determining who, exactly, is an Henrician Catholic? It is fairly simple to differentiate this group from the Reformers-the controversies over the Sacrament and justification by faith do this clearly. But how can they he separated from the Roman Catholics? O'Grady traces the use of Conciliarist authors (particularly Gerson), and this is not a had test. There is also a chapter on "Erasmianism " which is helpful as well. But the limits of the author's work here work against the clarity of his subject. The author has limited his consideration to the period between the Act of Supremacy and the early years of Edward VI (a period of about 15 years) , and his consideration of that period is· limited further to periods of doctrinal controversy which produced significant literature (from 1534-1540, and then again 1545-1548). Little notice is taken of the latter years of Edward's reign, and (more significantly for an attempt to differentiate this group from Roman Catholics) of the early years of Mary's reign.

The list of Anti-Papal Catholics appears to he overwhelmingly clerical. In addition to Gardiner himself, we may include Edmond Bonner, Bishop of London (after 1539) ; Cuthbert Tunstall, Bishop of Durham (after 1530); Thomas Thirlhy, Bishop successively of Westminster, Norwick, and Ely (though his designation in this camp is problematic, as the author realizes: he was one of Gardiner's closest friends and was executor of his will); and Richard Sampson, Bishop of Chichester (after 1536). Notice is lacking of a number of major

names: Nicholas Heath, for example, Bishop of Rochester (and thus a suffragan of Canterbury!) in 1539, Worcester in 1543, Archbishop of York upon Mary's accession, and Gardiner's successor as Lord Chancellor (1555-1558).

While the author notes the traditional polemic against the friars, this is hardly new with the Henrician Catholics, the Erasmians, or even the sixteenth century. This polemic had become something of a set-piece even in the thirteenth century. What may be overlooked is that there also appears to be strong support for Henrician Catholicism among the regular clergy, and particularly the friars. It is here, more than in many other places, that the source documents must be read carefully, because in sources such as the archives of religious orders the ideas and polemic of a later period have taken over and overlaid anything that might qualify as a contemporary understanding.

As an example, the Dominicans of the Province of England could be cited. In the Middle Ages, the English Province of the Order of Preachers was the largest in Europe, and its influence upon both that Order and upon England was not inconsiderable. And yet, with fewer than a dozen exceptions, the entire province followed the lead of its Provincial and accepted the Oath of Supremacy, and, at the final Suppression, the Order scattered. Our documents on the Dominican houses during this period are scanty: we have no record of even a single house refusing the Oath. There was no counterpart to the Carthusians in this period, and the only Dominican in the list of Roman Catholic martyrs was professed in prison and died in 1600. Even looking at individuals, rather than at houses, the Etory appears to be the same. John Hilsey, former Prior Provincial, was associated with Cromwell, and died in 1538 as Fisher's successor as Bishop of Rochester, but was also author of a treatise in defense of transubstantiation *(De veri Corporis Esu in Sacramento)*. Documents which survive from the seventeenth century and later about many English Dominicans of this period have also been composed with the latter half of the sixteenth century and the Counter-Reformation firmly in mind. William Peryn, for example, Vicar General of the Dominicans after the Order was restored in Mary's reign and prior of the sole Dominican house re-established in England (Smithfield), died in August 1558. He left England in 1535, and the *Obituary Notices* record that he returned after the execution of Cromwell (which a source recalls as Peryn's "falling into schism"). An easier interpretation of this activity, however, would be to place Peryn in the camp of anti-papal Catholicism, particularly as the date of his return would suggest that the Royal Supremacy (not entirely a dead issue in the 1540s) was not his primary reason for fleeing to the Continent. He published *Three godly sermons of the sacrament of the altar,* in defense of transubstantiation, in 1546 and again in 1548. His later

conduct, the sources record, was unexceptionably Catholic. Other Dominicans who can be classed as anti-papal Catholics from available sources are Maurice Griffyn, bishop of Rochester under Mary (1554-1558); John Hopton, Bishop of Norwick (1554-1558); and a priest listed variously as Thomas Heskyns or Heskins. Three Dominicans, at most, can be consistently classified as Papalist Catholic supporters throughout the period from 1535-1555 of the hundreds in England at the time of the Act of Supremacy. Research on the other orders of friars in England at the beginning of the sixteenth century is not available in the same profusion as it is about the Dominicans, but it remains to he seen whether the story with these orders would be very different.

Among non-clerical supporters of the Henrician Catholics, there are other names that can be cited: in addition to most of the Howard clan, we may properly include Thomas Wriothesley, Lord Chancellor and first Earl of Southhampton, and Sir Robert Rochester and Sir Francis Englefield, close friends of Gardiner. A significant omission in this study is that of the Duke of Norfolk, though reference is made to him in connection with the Act of the Six Articles.

Current scholarship (particularly in the last ten years) has produced a plethora of studies of local clergy in the Tudor era. Studies such as Houlhrooke's work on church courts during the English Reformation have turned up a significant " middle level" layer of support for what could be called "Henrician Catholicism." None of this work is mentioned in O'Grady's book. While most of these men left no literature behind, the estimation of Henrician Catholicism is incomplete without taking them into account.

A further limitation on this study is the excision of any sources not in English. This is all the more surprising when O'Grady mentions works which, while written in Latin, were avaliable in English in the period. O'Grady says that Gardiner's treatise *Si sedes illa* (his defense of the execution. of John Fisher) and the *Contemptum humanae legis* (against Martin Bucer) were not published until 1930, but then quotes passages from these with Tudor diction and orthography! In fact, both of these circulated in printed English translations during Gardiner's lifetime, and it is from these translations that the citations are taken, not from a new translation or edition of 1930 (the reference is presumably to Pierre Janelle's collection of shorter works of Gardiner published under the title *Obedience in Church and State* in 1930).

O'Grady's mention, in passing, of the 1549 Book of Common Prayer and the Henrician Catholic reaction to it is problematic. The book was, to be sure, more reformed than any previous service used in England, but to characterize it as completely Protestant misses the mark. Gardiner himself accepted the book, saying that, while he himself

would not have made it what it was, it was still conformable with Catholic doctrine. When examined on this later in Edward's reign, Gardiner brought forth seven places in the Service of Holy Communion of the Book of Common Prayer which supported the doctrine of Eucharistic sacrifice and transubstantiation. Again, by limiting the scope of consideration to the fifteen years in question, by limiting the research only to works produced in English, and by limiting the figures considered to only the most famous, the author has come up with conclusions which need further refinement and nuance. This is the case with the Eucharistic controversies, with the suppression of the monasteries, and with other issues which continue into the reign of Mary.

The controversial literature died out only when the writers of that literature did. O'Grady asks what may he the central question: who (if anyone) succeeded the anti-papal Catholics? He suggsets that there is a *lacuna* of three centuries until Keble, Pusey, and the Oxford Movement take over. This may he a hit overblown-the *exact* positions of the writers of 1535-1550 may not he reproduced in Mary's or Elizabeth's reign, hut in substance their positions do find echoes. Here again, the limitation of the study to this short period has deprived us of answers.

The author's style tends to the cryptic. It is difficult to tell whether it is the fault of the author or the editor. Words such as "ponent" appear on the one hand, along with colloquialisms on the other. The editing in this hook is one of the worst efforts I have seen. The two sets of footnotes (one set marked by asterisks, the other by superscript numbers, but both included and intermingled as endnotes) are confusing, the typographical errors are numerous and occasionally amusing (such as p. 47, where "likely" should read "laity"), there are about a half dozen sentence fragments without verbs, and the index in the hack is a disaster and virtually unusable. A subject index is promised by inclusion in the title page, but does not appear.

In the final assessment, the book opens a great many treasures, but promises more than it delivers. It is too facile at points, and does not appear to have fully engaged the vast amount of current scholarship on the issue, even within the overly restricted period marked out for its consideration. Its consideration of the literature of the period is limited, hut significant. As a scholarly study it is lacking in depth; as a survey it assumes too much.

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Wittgenstein: Meaning and Mind. Volume 3 of an Analytical Commentary on the *Philosophical lnvestigatwns.* By P. M. S. HACKER. Oxford: Basil Blackwell, 1990. Pp. xxi + 575.

In this third volume of his magisterial analytical commentary on Ludwig Wittgenstein's *Philosophical lnvestigatwns,* Professor P. M. S. Hacker of St. John's College, Oxford, writes without Gordon Baker, who collaborated on the first two books. Each volume covers a discrete stretch of text in *Philosophical Investigations.* In a first volume subtitled " Understanding and Meaning " Baker and Hacker introduced the series and set out Wittgenstein's view of philosophy as the therapeutic dissolution of philosophical questions. Volume 2 was subtitled "Rules, Grammar, and Necessity." Through extensive use of material from the *Nachlass* it explored Wittgenstein's discussion of rules and rule-following. The current volume, " Meaning and Mind," deals with the private language arguments and ancillary issues. A fourth volume, "Mind and Will," will complete the series. The present book begins with the generally-accepted first appearance of discussion of a private language at # 243 and runs through the discussion of conscious processes and criteria at# 427.

In appreciation of the difficulty of the topic and the attention it has attracted, Hacker writes of " The tropical undergrowth of the great private language arguments," of how "the path is overgrown" and covered with dark distorting shadows, of how " the path through this terrain is shrouded in gloom," and its very direction difficult to discern (xv-xvi). Helpfully, however, he gives us a guide to his own path-finding volume. It consists of thirteen essays, each intended to stand independently of the rest, a fact which leads to a certain amount of repetition and overlap. " The same nodes often appear in different essays" (xvi), but in relation to different topics. Correlated with each essay is an exegesis of the pertinent stretches of *Philosophical lnvestig<P tions.* These too overlap to some degree with the essays. Hacker cautions the reader that his analytical commentary is not designed to be read straight through. Accordingly, I shall sample from the topics presented-the private language arguments, thought, imagination, the self, and consciousness-taking care to touch upon issues most likely to be of interest to the general philosophical reader, as well as Wittgenstein specialists.

Hacker rightly insists that there is not a single argument against "private language," but a set of subtly interrelated investigations aimed to show the incoherence of certain incredibly tenacious Cartesian conceptions of human nature, the mind, knowledge, and language.

Thus the private language arguments are central to Wittgenstein's effort to understand and expose" both the inner/outer picture of the mind and the Platonist conception of number, as well as their dialectical contraries, behaviorism and formalism" (16). The dominant theme of these investigations is a *reductw ad absurdum* of these conceptions, accomplished by showing that they operate in a context in which there " can be no rules, ... no ostensive definitions, no samples and no techniques of application [and hence only] . . . an illusion of meaning " (21). In his analysis, Hacker highlights the following subsidiary themes: privacy, avowals and descriptions, private ostensive definitions, criteria, the ' inner ' and the ' outer '; minds and machines, and behavior /behaviorism. In the pursuit of this exposition Hacker embraces familiar Wittgensteinian tenets of intention and technique; viz., one must remember that it is one's *own* understanding one is trying to grasp and reform, and it is only through repeated forays and examinations, from many different angles, that one comes to see the terrain clearly.

In the exegesis of *Philosophical Investigations* # 243 Hacker carefully sorts out the " private language" whose possibility Wittgenstein denies: "... his target is the idea of an unsharable language, one which cannot, in principle, he made intelligible to anyone other than its speaker. For the idea that such a language is not merely possible but actual is an unnoticed presupposition ... underlying idealism . . . and solipsism" (38).

In the essay on privacy Hacker vividly argues and illustrates how the grammar of possession (" I *have* a pain") leads us to force an unfitting grammar on our language of sensation. Similarly, the tempting language of certain knowledge ("Surely I *know* when I have a pain") is disclosed as mistaken. The essay on private ostensive definition sorts out the kind of " private language " under discussion by Wittgenstein; i.e., a language existing anterior to and independently of any shared language, the objects of whose referring expressions are knowable only to the speaker of the language, because they are exclusively that speaker's private subjective experiences. The aim is to show that the idea of such a language, which is presupposed by the accounts of mind and sensation produced by Locke, Descartes, and the other progenitors and practitioners of modern philosophy up through the 20th century, is incoherent. Hacker's discussion here admirably well integrates the issue of the essentially private language with the matters of naming, ostensive definition, and the provision of samples, all staple topics from the critique of the "Augustinian *Urbild"* of language; i.e., the critique of the supposedly primitive and contextless naming-relation as the foundation of all language.

Hacker's discussion of the attribution of psychological states to *human beings,* and not to their bodies, minds, body-parts, etc., puts him, following Wittgenstein, at odds with much of the parlance of neuroscience. *Brains* don't see, hear, feel, etc.; *people* do. Similarly, he works out the familiar view that *mind* is not a substantive entity named by the noun "mind," so "thinking, perceiving, having emotions, wanting, intending, and resolving are not, *pace* Cartesians, properties of, or activities performed by, the mind. It is living human beings ... that reflect, ponder, and cogitate . . ." (155). From this it follows that machines cannot think; and this is a grammatical remark, a statement about how our language-the question whether its categories correspond with *reality* being nonsensical-obliges us to conceive things. The heavy emphasis on the *autonomy of grammar* familiar to readers of Hacker's other work on Wittgenstein will remind readers of this work of the characteristic flavor of his interpretations. It reminds us that Hacker often seems to he rendering a Wittgenstein whose view of language seems to seal us inside existing grammatical forms without provision for corrective recourse to how things are. By now, surely, we all know that there is not going to he available to us anything like a categorically neutral apprehension of *how things are* to serve as an ultimate recourse; hut surely, too, few would he attracted by the apparently self-sealing consequences of the autonomy of grammar in Hacker's sense.

In the essay "Avowals and Descriptions" Hacker clearly and authoritatively makes the case for understanding first-person, present-tense pain language as *avowing,* rather than *describing.* Why does this matter? It matters because the descriptive reading-in which "I have a pain" is an incorrigible description of a private, subjective situation to which the speaker has direct, privileged, introspective access-is part and parcel of the " classical picture of the relation between the mental and the physical" (187) that is a chief target of Wittgenstein's work. Hacker is scrupulous to guard the far flank of Wittgenstein's position. The positive account, that present-tense, first-person pain language is avowing and expressive in character, hinges on the idea that it grows out of and is an extension of our natural, unlearned behavioral manifestations of pain. But these manifestations are not signs or symptoms. They are part of the complex which, in living human beings, we call" being in pain." Therefore, "to view avowals of pain as forms of pain-behavior akin to moans or cries of pain is not to identify pain with pain-behavior " (153) .

Hacker provides a concise history of behaviorism from Watson through Russell to the Vienna Circle, noting that " when Wittgenstein returned to philosophy in 1929, behaviorism was definitely in the air" (231). But Wittgenstein did not simply embrace behaviorism. Rather,

he saw the impetus *toward* behaviorism as a result of misconstrual of sensation-language. That is, when the Cartesian model induces us to construe sensation-language as referring to unobservable entities, a principle of economy leads us to dispense with them. So to adopt behaviorism is one possible consequence of clinging to Cartesian categories. But is he some sort of crypto-behaviorist? Hacker's answer is " No," on the ground that the logic of pain-avowals demands that they be understood neither as a symptom of pain (Cartesian) nor as the substance of pain (behaviorism), but as *expressions* of pain, pain which while not a "something" referred to in pain-avowals, is (albeit obscurely) nevertheless not a "nothing" either. Hacker's excellent sub-essay on " Body and Behavior " sets out well the coherent view which tends to sound rather lame in this " not-a-something/not-a-nothing " version: in repudiating both " Cartesian *and* behaviorist conceptions of body and behavior, as well as the Cartesian picture of mind" (251), Wittgenstein is left with the rich, highly textured facts of human activity, in which we actually *cannot* see the " colourless movements" alleged to be there by behaviorism. " What we see is expressive behavior ... " (253) . An essay on the pervasive metaphor of " the inner and the outer " concludes " Chapter I " of the commentary and by implication marks Hacker's sense of the boundary between areas of discussion in the text of *Philosophical Investigations.* The break falls between ## 315-316.

The nature of thinking is the topic of the next "chapter," ## 316-362. The great theme of the commentary in this section is to exhibit Wittgenstein's attack on "the picture of an inner process of thought as constituting the soul of language" (287). Hacker again provides schematic maps graphically depicting the relations among the entries in Wittgenstein's text and provides two essays: "Thinking: methodological muddles and categorial confusions, and " Thinking: The soul of language."

Using the language of " mythology " and " superstition," Hacker expains that " the mystery of understanding language through the medium of thought is produced by grammatical illusions," and the "task of philosophy is ... to destroy those illusions" (297). The core illusion is the idea that thinking is paradigmatically an inner, mental process, an activity undertaken in the incorporeal medium of the mind. This way of putting it shows how tightly this illusory paradigm is tied to the preceding topic: thinking comes to seem a sort of silent speaking. Hacker takes the hardest line to be wrung from Wittgenstein on this question, explicitly decrying as a confusion of grammar the idea that the brain is the organ of thinking, or that " thinking is a process or activity of the brain " (309) . The grammar of thinking and the grammar of describing brain processes are of course wholly different. **But**

Hacker, following Wittgenstein in his most flat-footed position (see for example Zettel ## 608-609), seems to imply that brain activities have nothing to do with thinking. But he also writes of "the correlation between thinking and parts of the cerebral cortex," calling it "contingent" and something that had to be discovered (308). What is sound in Hacker's Wittgenstein is surely this: that just as thinking is not to be *identified* as an incorporeal process occurring in the occult medium of the mind (the blow at Cartesianism), so thinking is not to be identified as a *physical* process occurring in an organ of the body, the brain (the blow at physicalism). Rather, the concept thinking is far more diffuse and ramified than *either* of these paradigms would suggest, and has to do with the complex behavior and interactions of living bodily human beings in myriad social contexts.

But while the Cartesian mythology corresponds to just *nothing* (there is no such incorporeal process), the physicalist mistake is subtler and needs subtler treatment. Surely we know there *are* physical processes of the brain that relate in discoverable ways to some of the sorts of things we regard as cases of thinking. The relation is nothing like the identity envisaged by the physicalist, and is probably irrelevant to much or most of the grammar of thinking and thought. But to press the point against physicalism as far as *seeming* to deny that brain activity ever has anything to do with thinking is to risk sounding absurd even to readers untempted by physicalist mind-brain identity theories. Despite verging occasionally on this denial, Hacker's discussion follows a sound and accurate track through Wittgenstein's critique of the "beguiling fallacy" (334) that thinking is an intrinsically meaningful mental language that vivifies spoken language by correlation with it.

Moving from thought to imagination in Chapter 3, Hacker takes up the stretch of text in *Philosophical Investigations* ## 363-397, again providing the diagrams. The topics are imagining, mental images, visual impressions, and related concepts. Identifying the "natural philosophical impulse towards generalizations and imposition of unity upon diversity" (399) as the ground of confusion, Hacker notes Wittgenstein's insistence on the heterogeneity of the application of these concepts. And what we need to do to attend to that heterogeneity is to look at usage. In usage we find important disanalogies between the grammar of imagining and the grammar of that concept we are most tempted to use as its paradigm; namely, *seeing*. Hence, too, the analogy between imaginings and *pictures* weakens upon *inspection,* as does that between visual impression and mental (visual) images. The main burden of this discussion is to show that "seemingly intractable problems about the nature of the mind are . . . not empirical problems at

all" and are, therefore, not subject to settling through experiment (422).

Next comes a brief section on the self and self-reference (PI ## 398-411) . In truth, the topic is certain uses of " I " and " my " which figure in philosophical problems. The *point de depart* is, of course, Cartesian metaphysics, and Hacker provides a genealogy of the modern philosophical self via Locke, Hume, Kant and Schopenhauer. The genealogy leads to the *Tractatus,* which drew on Schopenhauer and Russell to produce an austere version of transcendental idealism. Hacker narrates Wittgenstein's wrestling, in conversations with the Vienna Circle, in *Philosophical Remarks,* and in *The Blue and Brown Books,* with "I" as a source of confusion. What emerges is the view that the search for the self or the I is unintelligible-" like looking for the East Pole . . . It is not that one *cannot* find it, hut that nothing *would count* as finding it" (487).

Similarly, the topic of Chapter 5, consciousness, is identified as a locus of conceptual confusion. We do not, *pace* Cartesians, perceive our consciousness. Nor is there, as the discourse of modern philosophy would have us believe, a " world of consciousness." As for the "gulf " between consciousness and body, the problem is a product of the typical source of philosophical confusion: " We project our own misunderstandings of the conceptual or grammatical articulations of our language onto reality, and rightly find reality thus conceived to he unintelligible" (522). But there *is* a criteriological relation between states of mind (in a tamed, non-Cartesian sense) and states of the body (in an enriched, non-reductionist sense). Yet "criterion" in Wittgenstein's usage is not a technical term on which hinges a theory of meaning, but a " modest instrument in the description of the ways in which words are used" (546).

1£ a complaint is to be lodged against Hacker's approach in this volume, it would pertain not to his scholarship, skill, or thoroughness, hut to his Wittgensteinianism. There is not, as arguably there should not be in an analytical commentary, any criticism of Wittgenstein's mature perspectives here. But beyond that, Hacker frequently resorts to Wittgenstein's concept of the autonomy of grammar. He consistently relies on the idea of philosophical practice as pure clarification, and describes philosophical problems as rooted solely in confusions of grammar, such that clarity resolves everything. This perhaps doctrinaire version of a genuinely strong Wittgensteinian theme sometimes seems to brush puzzles aside, rather than solving them. For example, we read " There is no deep mystery about how a living creature can he conscious; after all, the alternative, for a sentient animal, to being conscious is being asleep or unconscious " (525) . Yes. But even after we are disentangled from Cartesian problems-" How can a body he con·

scious?" "How can mental substances relate to physical ones?"-even then, to deflect philosophical thought about consciousness into the distinction between being awake and being asleep may seem not to engage the puzzlement or the wonder that we bring to the issue. Now maybe that puzzlement or wonder needs treatment, hut if so this should he shown. Otherwise we may he left feeling the victim of verbal brilliance, or of linguistic diversion. This, however, is a small quibble, not a substantive problem in a work the size of Hacker's.

This is not the sort of hook one picks up to read through, even if one is philosophically sophisticated and earnestly wants to understand *Philosophical Investigations.* It is, rather, a hook-with its companions in the series-to he consulted, read *in,* dipped into, sampled, and savored, as an accompaniment to reading Wittgenstein. The exegetical passages are strong, insightful, helpful. Extensive passages in the original German are supplied at key points. Hacker is especially good at displaying thematic flow and continuity through a difficult text. No one, reading Hacker, could fail to see the tight focus on closely related issues that generates Wittgenstein's unorthodox style. It is always clear what he is getting at. So this series is a landmark, a monument in Wittgenstein scholarship. It is an achievement worthy both of its author and of its subject. Serious students of Wittgenstein will need access to these volumes.

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Prescription: Medicide. The Goodness of Planned Death. By JACK KEVORKIAN. Buffalo, New York: Prometheus Books, 1991. Pp. 268.

Jack Kevorkian's hook *Prescription: Medicide* defends two main proposals: 1) death row inmates must he allowed to die under anesthesia so that they can donate their organs or undergo an experiment if they choose; 2) the terminally ill must he given the freedom to die by their own hand or another's in the manner described above and for the same reasons.

The hook has three main sections corresponding to these proposals: one on capital punishment (pp. 11-158), one on euthanasia (pp. 185-end), and one on the ethical principles supporting his proposals (pp. 159-184). Much of the hook is historical, recounting the genesis of the ideas and what has happened in the attempt to implement them.

The tone is full of energy, enthusiasm, and frustration, the latter giving rise to a host of *ad hominems,* some fallacious, some not.

Jack Kevorkian often dismisses his opponents as 'emotional,' and, like many of us, he understands himself to he rational, logical, and clear-headed. In view of this, one is particularly struck by the crude self-contradictions in his hook. In some cases the contradictions occur within three pages of each other, and there is at least one instance where the contradiction occurs within a single sentence. Because of these inconstancies, the reader will find no coherent theoretical basis for Dr. Kevorkian's proposals.

Dr. Kevorkian is an ethical relativist who holds that no action is right or wrong in itself, but right or wrong depending on the circumstances (p. 171). Yet he does not consistently maintain this. For example, he says on p. 188: " From that moment on I was sure that doctor-assisted euthanasia and suicide are and always were ethical, no matter what anyone says or thinks." On the next page he says something no ethical relativist can say: " If, therefore, such conduct was ethical then, it's ethical now. Why the obvious double standard?" On p. 86 with regard to experimenting on those condemned to death he tells us of his " unshakable conviction that what [he] was trying to accomplish was unquestionably right. And it will always he right as long as medicine is practiced and human beings are judicially destroyed." On p. 175 we hear that an ' ideal doctor ' can handle any medical ethical dilemma that might arise " if one essential principle remains uppermost and *permanently honored* [my emphasis] in [his] ... mind: the highest respect for the personal *autonomy or self-determination of the patient* ... Autonomy is paramount .... "

This same principle is mentioned in several other passages. On p. 29 he writes, " it [experimentation on capital offenders] would have to he entirely voluntary on the part of the convicts.... " On p. 37 he complains that the Nazi "never bothered about consent.... " Then on p. 89 he says " first, a condemned individual's autonomy must he respected at all times." It is clear that Dr. Kevorkian does not object to having fixed principles at all. Rather, he simply objects to the ones held by his opponents.

But one has to wonder how important and inviolable the autonomy of the criminal is for Dr. Kevorkian. First of all, his theory, situation ethics, does not support any moral absolutes. Second, when he first mentions the importance of autonomy, he does so in connection with the practical problem of getting his proposal accepted. " Thus, respect for the condemned's personal autonomy eliminated another potential problem for my planned crusade" (p. 29). Third, *he himself places limits on the importance and primacy of autonomy* when he stipulates

that " those who decide on anesthesia and experiments would be free to change their minds; *but revocation must be limited,* say to within one week of the scheduled date of execution (after which the initial assent must stand), *in order to avoid the waste of time, effort, and money in preparing for the planned experiments* " (p. 34, my emphasis). Not only is autonomy not absolute in Kevorkian's mind, it cannot even measure up to goods as trivial as time, effort, and money.

Fourth, and maybe most important, Dr. Kevorkian emphasizes the importance of making death, and especially capital punishment, positive. The execution of criminals today does no good. It is an essentially nihilistic aot measuring, at best, zero on the scale of good and bad. Dr. Kevorkian wants us to do what the ancient Hellenistic Alexandrians and medieval Cilician Armenians did: learn something from the people we execute so that science can advance and society be benefited. Now the Greeks and Armenians did not ask for consent from their condemned-if they had, they would have learned little or nothing, as few if any would have consented-and they are praised by Dr. Kevorkian for "dar[ing] to do what is right." I am suggesting that Dr. Kevorkian's respect for personal autonomy is a hindrance to his stated goal of the advancement of science through human experimentation. For even with today's anesthetics there will be far fewer volunteers on death row than prospects.

In conjunction with his last point, consider Dr. Kevorkian's analysis of the purpose of capital punishment. " The execution of a human being should aim far higher than simply to satisfy the law. Such an epochal event should serve as a means of elucidating the what, why, and how of human thought and action-especially those of a criminal nature-and of health and disease, and of life and death" (p. 68). The condemned are a valuable resource, and, in Jack Kevorkian's eyes, ·they should not be wasted.

Finally, Dr. Kevorkian often speaks of the "debt" the criminal owes to society.

Add all this together and you get state-mandated experimentation on unwilling capital offenders. If the state has the right to take another person's life because of what he has done, why is it wrong for it to stipulate that the manner of death must benefit society? Dr. Kervorkian officially condemns such forced experimentation, but on what ground? On p. 29 he says that it is " only fair and decent " to respect the will of the convict. Does he suppose that after all moral absolutes are gone, and " sanctity of life " is dismissed as mere invention, " fairness and decency " are sufficient to prevent us from forcing criminals into experiments against their will, especially considering their " debt to society "? Probably not. If we can rightly

take the lives of the condemned against their will, then their mode of death is hardly an obstacle.

And what about euthanasia? Surprisingly, especially considering the hook's title, Dr. Kevorkian devotes more space to the execution of capital offenders. First, it is unclear whether he thinks euthanasia should he legalized. But he does think a doctor should he allowed to perform it. In this case it is called "medicide" (p. 202). In conjunction with this, a doctor should he allowed to advise people to end their lives, or prescribe euthanasia. Hence the title *Prescription: Medicide.* This is the medical specialty of which Dr. Kevorkian is at present the only practitioner (at least in the US) .

But there is some confusion over whether Dr. Kevorkian thinks doctors should he allowed to take life (euthanasia) , or only assist suicides. For although he says medicide is euthanasia performed by a doctor (see p. 202), he also says that with the dawn of his suicide machine (" mercitron ") "no longer is there a need-or even an excuse-for anyone to he the direct mediator of the death of another ... " (p. 233). Those who can should do it themselves.

Be this as it may, the second part of Dr. Kevorkian's proposal is the *raison d'etre* of the first. Those who wish to end their lives should he given, like the death row convict, the option of donating organs or undergoing an experiment. In connection with this, a new specialty, "ohitiatry," should he developed to help bring something positive out of death (p. 203). " Obitoria, or " suicide centers," would then be opened up to run experiments and, when possible, harvest organs. Dr. Kevorkian's ultimate goal is the institution of these ohitoria, and it is for this that he practices medicide.

Does he not practice medicide in order to end the suffering of the terminally ill? Look at what he says on p. 214 to one of his first candidates for death by the mercitron.

> Under extraordinary circumstances like these [i.e. advising someone to kill himself with the mercitron] I feel it is only decent and fair to explain my ultimate aim. I emprazized that it is not simply to help suffering or doomed persons to kill themselves-that is merely the first step, an early distasteful professional obligation (now called medicide) that nobody in his or her right mind could savor. *I explained that what I find most satisfying is the prospect of making possible the performance of invaluable experiments or other beneficial medical acts* under conditions that this first unpleasant step can help establish-in a word, obitiatry ... (my emphasis).

Ending the patient's suffering is a reason, though clearly secondary. The advancement of science is primary. There are other passages to the same effect. Consider the final chapter, "Completing the Medical Spectrum," where Dr. Kevorkian speculates over what science could learn from experimenting on living human beings.

This understanding of Dr. Kevorkian's purpose helps to make sense out of a strange comment of his in an interview to the journal *Free Inquiry.* There he says that ending agonizing suffering is a "minor benefit " of euthanasia, and does not counter-balance the loss of human life.

IK: Planned death is a system for making death, euthanasia, and suicide positive instead of negative.

FI: And one positive benefit is that the patient will not suffer agonizing pain and torment.

!K: That's a minor benefit. *Minor benefits do not counter-balance the loss of human life.* But if the patient opts for euthanasia, or if someone is to he executed, and at the same time opts to donate organs, he or she can save anywhere from five to ten lives *(Free Inquiry,* Fall, 1991, p. 15, my emphasis).

Incredibly, ending agonizing pain and torment is only a minor benefit in Dr. Kevorkian's eyes, a benefit so minor that it is not even a good enough reason to take a patient's life. Dr. Kevorkian's campaign is not, as it is made to seem, primarily for the sake of the terminally ill. Their sufferings are *also* ended, but the campaign is chiefly for the advancement of science and the benefit of future generations.

On p. 172 Dr. Kevorkian scornfully dismisses the danger that inevitable abuse will accompany the implementation of his idea. Such concerns are tantamount to open admission of character weakness, he says. But when one reads his book, one finds a person who has, like many, rejected absolute moral laws (and any transcendent meaning to life), who wants to bring good out of death, whose *primary focus* is not his patients' well being, and who wants the medical profession to be allowed to experiment on living human beings. Add to this that a person may owe a debt to his society (be he a criminal or simply one who has for many years benefited from his society) and we have a recipe for abuse and atrocity.

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