SUBSISTIT IN:
NONEXCLUSIVE IDENTITY OR FULL IDENTITY?

CHRISTOPHER }. MALLOY

University of Dallas
Irving, Texas

T HE CONGREGATION FOR THE Doctrine of the Faith (CDF) published on June 29, 2007, with papal ratification and confirmation, a brief yet highly significant document entitled "Responses to Some Questions regarding Certain Aspects of the Doctrine on the Church. "[1]

The document touches a tender issue, the identity of the Church founded by Jesus Christ. Until the mid 1960s, the vast majority of Catholic theologians simply presumed that the Church Jesus Christ founded *is* the Catholic Church. Vatican II, on the other hand, in its dogmatic constitution regarding the Church, *Lumen gentium,* teaches, "This Church [of Christ], constituted and ordered as a society in this world, *subsists in* the Catholic Church" (emphasis added). [2] It would seem that if the Church of Christ "subsists in" the Catholic Church it is not fully identical with that Church and can, moreover, exist elsewhere. Few theologians continued to hold a "full identity" between the Catholic Church and the Church Christ founded. *Lumen gentium* was taken to be a watershed, an irrefragable warrant for one case of what Pope Benedict XVI has criticized as a "hermeneutic of rupture. "[3]

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[1] *AAS 99* (2007): 604-8. English translation published in *Origins* 37 (2007): 134-36.

[2] "Haec Ecclesia, in hoc mundo ut societas constituta et ordinata, subsistit in Ecclesia catholica" (LG 8 *[AAS* 57 (1965): 12]). Unless otherwise noted, translations of the council documents are mine.

[3] Pope Benedict XVI, "Address of His Holiness Benedict XVI to the Roman Curia" (22 December 2005).

The CDF's recent document, however, warns theologians away from such a hermeneutic with regard to *"subsistit in"* and affirms a "full identity" of the Catholic Church and the Church founded by Jesus Christ: "The council did not wish to change, nor is it to be said to have changed, this doctrine; instead, it wished to unfold it, to understand it more deeply, and to express it more fruitfully."4 Again, "The use of the terms [i.e., *subsistit in],* by preserving the full identity *fplenam identitatem]* of the Church of Christ and the Catholic Church, does not change the doctrine on the Church." 5 If the council did teach a "full identity," then many Catholic ecclesiologists have, for the past forty years, misconstrued a fundamental matter, one that orients the Catholic ecumenical compass. How could so many have perceived a "watershed" if there was none? Or is the CDF vainly attempting to turn back the clock?

In this article, I intend to demonstrate that, in continuity with the preconciliar magisterial teaching, Vatican II does not mitigate the full identity of the Church of Christ with the Catholic Church. First, I will take stock of the textual history of the constitution on the Church. Second, I will present four ways in which one might deny a full identity, focusing on the fourth way, which involves the notion of nonexclusive identity. Third, I will adumbrate the forceful arguments of one of the most respected English-speaking defenders of nonexclusive identity, Francis Sullivan. Finally, I will respond to Sullivan's arguments and offer a number of arguments that "converge" in favor of full identity.

I. FROM "IS" TO "SUBSISTSIN"

As is well known, the fathers of Vatican II approved a key change in the wording of an early draft of its decree on the Church. The first draft, *Aeternus Unigeniti,* was the schema drawn

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4 "Noluit mutare, at evolvere, profundius intelligere it fecundius exponere voluit, nee earn mutavisse dicendum est" (CDF, "Certain Aspects of the Doctrine on the Church," response to the first question *[AAS* 99(2007): 605; my translation]).

5 "Usus vocabuli retinentis plenam identitatem Ecclesiae Christi et Ecclesiae Catholicae doctrinam de Ecclesia non immutat" (ibid., response to the third question *[AAS* 99(2007): 607; my translation]).

up by the Preparatory Theological Commission. [6] It taught that there is only one *(unica)* Church and that the Catholic Church alone could by right *(iure)* be called "Church." [7] The title of this section of the draft (a. 7) reads, "The Roman Catholic Church is the Mystical Body of Christ." [8] Here, we have an identification of the Catholic Church with the Mystical Body of Christ and, hence, with the Church of Christ. It would seem that no one would presume that the Mystical Body is to be distinguished from the Church founded by Christ, for the latter expression certainly indicates a complex reality, both spiritual and visible, and the former expression would have done so in the minds of the drafters. Note 50 of chapter 1 of the draft states plainly, "The Church is [the] Roman Catholic [Church]," further indicating the identity of the Catholic Church with the Church founded by Christ. [9] Although this draft does not explicitly identify the Church founded by Christ with the Catholic Church, it nevertheless does not entertain the slightest distinction. [10]

As with many of the initial schemata, this first draft was not to enjoy a long life. [11] One can indeed be thankful, other considerations aside, for the richness and vitality resulting from the fresh

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[6] *Acta synodalia sacrosancti concilii oecumenici Vaticani II,* vol. 1.4 (Vatican City: Typis polyglottis Vaticanis, 1971), 12-91 (henceforth, *ASS*). For an illuminating narration of the prehistory of this text, see Alexandra von Teuffenbach, *Die Bedeutung des 'subsistit in' (LG 8): Zum Selbstverstiindnis der Katholischen Kirche* (Munich: Herbert Utz Verlag, 2002), 202-77.

[7] "Therefore, the Sacred Synod teaches and solemnly professes there to be naught but one true Church of Jesus Christ.... Therefore only the Roman Catholic Church is by right called Church" ("Docet igitur Sacra Synodus et sollemniter profitetur non esse nisi unicam veram Iesu Christi Ecclesiam.... Ideoque sola iure Catholica Romana nuncupatur Ecclesia" *[ASS* 1/4:15.14-24]). See also Robert Fromaget, "Subsistit In: De Eius Significatione in Constitutione Dogmatica De Ecclesia *Lumen Gentium"* (S.T.L. thesis, Angelicum, 2006), 8-10. In this article, "Church" will signify the universal Church, and "church" or "churches" will signify particular churches. The *Acta* frequently use capital "E" *(Ecclesiae)* in designating particular churches.

[8] *"Ecclesia Catholica Romana est Mysticum Christi Corpus" (ASS* 1/4:15.16; italics designating the title of a section). See also *ASS* 1/4:17 n. 49.

[9] "Ecclesia est Catholica Romana" *(ASS* 1/4:17 n. 50).

[10] See Fromaget, "Subsistit in," 9.

[11] A good number of theologians and bishops, especially those from central Europe, were decisively unhappy with the draft (see von Teuffenbach, *Die Bedeutung des 'subsistit in,'* 299-310).

approach of newer drafts. Although common opinion has it that one of the reasons for the rejection of the first schema was its identification of the Catholic Church on earth with the Mystical Body, it seems that in fact few criticized the schema on this count. [12] Gerard Philips wrote an alternative draft before the circulation of the initial schema. This draft, although indeed markedly different in approach and tone, included a similar identification of the Church founded by Christ with the Catholic Church. [13] Philips completed another draft in February 1963; this draft soon became the *Urtext* of the council. [14] The document was presented to all on 29 September 1963. It explicitly affirms the identity of the Catholic Church and the Church founded by Jesus Christ: "Therefore, this Church, true Mother and Teacher of all, constituted and ordered as a society in this world, is the Catholic Church, led by the Roman Pontiff and the Bishops in communion with him, although outside of her total structure many elements of sanctification can be found, which, as things proper to the Church of Christ, impel towards Catholic unity." [15]

[12] The common understanding is that the majority of bishops rejected the schema's practical identification of the Catholic Church with the Mystical Body of Christ. Alexandra von Teuffenbach argues, to the contrary, that no such majority existed (see von Teuffenbach, *Die Bedeutung des 'subsistit in,'* 303££.).Achille Lienart, indeed, and increasingly, fought the identification, but Sebastian Tromp noted in his notably impartial diary that none of the 150 fathers involved in the production of the schema, either orally or by writing, argued that this identification was erroneous (see ibid., 309). Nor were there any but a few who voiced an objection to the identity.

[13] See ibid., 320-23.

[14] For this draft, see *ASS* 2/1:215-81. For brief treatments of the various drafts, see Karl J. Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," *Origins* 35 (2006): 515C-518B; Fromaget, "Subsistit in," 8-16 and 31-37; and Francis Sullivan, "A Response to Karl Becker, S.J., On the Meaning of *Subsistit In," Theological Studies* 67 (2006): esp. 396-402.

[15] "Haec igitur Ecclesia, vera omnium Mater et Magistra, in hoc mundo ut societas constituta et ordinata, est Ecclesia catholica, a Romano Pontifice et Episcopis in eius communione directa, licet extra totalem compaginem elementa plura sanctificationis inveniri possint, quae ut res Ecclesiae Christi propriae, ad unitatem catholicam impellunt" *(ASS* 2/1:219.18-220.23). On the identity of the one Church and the Catholic Church, see also the *Commentarius (ASS* 2/1:230) and Cardinal Browne's remarks *(ASS* 2/1:340). Parente's draft, following the wording of Philips's first draft, also identifies the Church of Christ with the Catholic Church (see von Teuffenbach, *Die Bedeutung des 'subsistit in,'* 329). Both drafts point conclusively to the identification by such appositional connectors as *nempe* and *a savoir* (see ibid., 321 and 329). The French schema and the German schema neither made nor

Discussions among the fathers of the council provided an impetus for further changes. As Karl Becker notes, a subcommission was established in late October to make emendations. About a month later, the emended draft was presented to the theological commission in a plenary meeting.

Original draft (February 1963): "Therefore, this Church, true Mother and Teacher of all, constituted and ordered as a society in this world, is the Catholic Church, led by the Roman Pontiff and the Bishops in communion with him, although outside of her total structure many elements of sanctification can be found, which, as things proper to the Church of Christ, impel towards Catholic unity."

Emended draft (November 1963): "This Church constituted and ordered as a society in this world, is present in the Catholic Church governed by the successor of Peter and the Bishops in communion with him, although outside of its structure many elements of sanctification are found, which as gifts proper to the Church of Christ, impel towards Catholic unity." [16]

I have underscored the suggested changes or additions ("true Mother and Teacher of all" is also omitted). Philips offered explanations for the change most relevant for our purposes, the change from "is *[est]"* to "is present in *[adest in]":* The change was called for on the floor, and it fits better with the "although" clause.[17] Becker contends that only one of the written responses from the floor reflected the desire that *est* be changed.[18] Sullivan admits that Cardinals Lienart, Konig, and Bea-who criticized the original schema for identifying the Mystical Body with the Catholic Church-did not criticize the February 1963 draft on this point. He nonetheless points out that a handful of bishops

rejected the identification (see ibid., 330-36). As Tromp records in his diary, once conciliar discussion of Philips's draft began, Philips stated that he was following *Humani generis* as a starting point (see ibid., 350 and n. 218).

   [16] "Haec Ecclesia in hoc mundo ut societas [constituta] et ordinata, adest in Ecclesia catholica a successore Petri et episcopis in eius communione gubernata, licet extra eius compaginem elementa plura sanctificationis inveniantur, quae ut dona Ecclesiae Christi propria, ad unitatem catholicam impellunt" (recorded in Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 517A).

   [17] See ibid., 517B.

   [18] See ibid.

had desired something of a softening of the identity. [19] Alexandra von Teuffenbach, who wrote her dissertation under the direction of Karl Becker, contends that there were few requests for a change on this point. [20]

   "Lengthy discussion" [21] among the members of the commission resulted in the important emendation that concerns us. The text was emended from the proposed "is present in *[adest in]"* to "subsists in *[subsistit in]."* Becker has helpfully drawn attention to this double change. Previous presentations of this history tended to ignore the (at least in this passage) transitory *adest in. Subsistit in* is a direct replacement not of *est* but of *adest in.* This change was introduced by a member of the theological commission, none other than the conservative Sebastian Tromp. The emended draft, completed July 1964 and presented to the floor 15 September 1964, [22] reads, "This Church, constituted and ordered as a society in this world, subsists in the Catholic Church, governed by the successor of Peter and the Bishops in communion with him, although outside of its structure, many elements of sanctification and of truth are found, which as gifts proper to the Church of Christ, impel towards Catholic unity." [23] This sentence was

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[19] See Sullivan, "Response", 397f. Becker refers to Bishop Van Dodeward of Haarlem (see ASS *211*:433-34), but Sullivan remarks that Becker failed to note Cardinal Silva Henriquez of Chile (see *ASS* 2/2:137). Sullivan adds that some bishops called for closer reflection on the non-Catholic communities, in light of the *licet* clause.

[20] See von Teuffenbach, *Die Bedeutung des 'subsistit in',* 358-62. Karl Rahner, in a press conference in October 1963, affirmed the identity of the Catholic Church and the Church of Christ (see ibid., 363£).

[21] See *ASS* 3/6:81.

[22] The emended 1964 draft is found, side-by-side with a reprint of the original 1963 draft, in *ASS* 3/1: 158-366 (see the pages that follow for the final *relationes,* etc.).

[23] "Haec Ecclesia, in hoc mundo ut societas constituta et ordinata, *subsistit in* Ecclesia catholica, a *successore Petri* et Episcopis in eius communione gubernata, licet extra eius compaginem elementa plura sanctificationis *et veritatis inveniantur,* quae ut *dona* Ecclesiae Christi propria, ad unitatem catholicam impellunt" *(ASS* 3/1:167B.19-168B.26; the italicized words show the emendations). Von Teuffenbach suggests that the addition of *"et veritatis"* was first suggested by Rahner and Grillmeier sometime in the spring of 1963, although neither of them at that time objected to the self-understanding of the Church as articulated in Philips's draft (see von Teuffenbach, *Die Bedeutung des 'subsistit in',* 357). In the fall of that year, the German bishops and the Scandinavian conference of bishops suggested that *et veritatis* be added to the text (see *ASS* 2/1:293 no. 96).

approved and appears verbatim in the final, dogmatic decree (LG 8).[24] What is the significance of this change?

II. INTERPRETATIONS A LA RUPTURE

At least until the recent intervention of the CDF, the vast majority of theologians, with several exceptions (e.g., Alfredo Cardinal Ottaviani, Sebastian Tromp, Leo Cardinal Scheffczyk,[25] Karl Becker, Joseph Cardinal Ratzinger,[26] and others), interpreted

[24] The Latin text is identical, less the italics (see *AAS* 57 [1965]: 12).

[25] See Leo Cardinal Scheffczyk, *Aspekte der Kirche in der Krise: Um die Entscheidung fur das authentische Konzil,* no. 1, Quaestiones non disputatae: Eine theologische Schriftenreihe, ed. Johannes Biikrnann (Siegburg, Verlag Franz Schmitt, 1993), 142-45.

[26] The position of Joseph Cardinal Ratzinger is rather subtle. In one early reflection, he affirms an identity and rejects the opinion that the Church of Christ is not any of the existing "Churches" (see Joseph Ratzinger, *Theological Highlights of Vatican II,* trans. Werner Barze!, Gerard Thormann, and Henry Traub [New York: Paulist Press, 1966], 70-74). Yet, he does not spell out the nature of this identity. With his notion of the Church as a "fabric of worshiping congregations," he highlights the complexion of the Church, its constitution in a plurality of particular churches (see ibid., 90-92). In a later work, he writes, "No translation can fully capture the sublime nuance of the Latin text in which the unconditional equation of the first conciliar drafts-the full identity between the Church of Jesus Christ and the Roman Catholic Church-is clearly set forth: nothing of the concreteness of the conciliar concept of the Church is lost.... [B]ut this full concreteness of the Church does not mean that every other Church can be only a non-Church. The equation is not mathematical because the Holy Spirit cannot be reduced to a mathematical symbol, not even where he concretely binds and bestows himself" Ooseph Ratzinger, "Ecumenism at a Standstill? Explanatory Comments on *Mysterium Ecclesiae,"* in *Principles of Catholic Theology: Building Stones for a Fundamental Theology,* trans. Mary Frances McCarthy [San Francisco: Ignatius Press, 1987], 230f.). Still later, he states, "With this expression the Council changed Pius XII's formulation .... The distinction between *subsistit* and *est* contains and conceals the entire difficulty of ecumenism" Ooseph Ratzinger, "The Ecclesiology of the Constitution *Lumen gentium,"* in *Pilgrim Fellowship of Faith: The Church as Communion,* trans. Henry Taylor [San Francisco: Ignatius Press, 2005], 147). Again, "The being of the Church as such extends much farther than the Roman Catholic Church, yet in the latter she has in a unique way the character of an independent subject" ("Es scheint mir absurd, was unsere lutherischen Freunde jetzt wollen: Ein Interview mit Christian Geyer zur Erklarung 'Dominus Iesus'," *Frankfurter Allgemeine Zeitung* [22 September 2000]: 51, cited in translation in Maximilian Heinrich Heim, *Joseph Ratzinger, Life in the Church and Living Theology: Fundamentals of Ecclesiology with Reference to "Lumen gentium,"* trans. Michael Miller [San Francisco: Ignatius Press, 2007], 317). In short, on the one hand the cardinal affirms the full identity of the Church of Christ and the Catholic Church, and on the other hand he holds that the Church extends beyond the Roman Catholic Church. How are we to understand this tension?

In his magisterial work on Ratzinger's ecclesiology, Maximilian Heinrich Heim (see ibid.,

the decree in harmony with the following claim: There is not a full identity between the Church of Christ and the Catholic Church. As is well known, Pius XII, following what was presumed and not questioned by the tradition, taught a full identity. [27] Paul VI did not refrain from expressing the identity. [28]

For Becker, "the change from *est* to *subsistit in* does not mean that Vatican II ever abandoned or even weakened its original assertion of total identity between the Church of Christ and the Catholic Church. "[29] Sullivan and many others have seen things quite otherwise. Although differences among interpreters are legion, the possible denials of total identity might be distinguished into four categories, each of which, in different ways, involves

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310-30) stresses the cardinal's metaphysical reading of *subsistit* with reference to its roots in the verb *subsistere,* which indicates the self-standing being of that which is and, hence, its capacity to act as agent (see ibid., 317f.). Since the Church of Christ *subsists* only as one, the Catholic Church alone can claim to be the Church of Christ. Yet, as Heim copiously shows, Ratzinger emphasizes the genuine ecclesial status of non-Catholic Christian communities, some of which deserve the name "church." For Ratzinger, Heim suggests, the unique contribution of *subsistit* over *est* is this: The former term indicates the way in which the Church of Christ is the Catholic Church in a manner that both allows one to affirm the ecclesial reality of non-Catholic communities and also anchors that ecclesial reality in (i.e., from and toward) the Catholic Church. Hence, the cardinal does not to my knowledge affirm, as do proponents of the "fourth" position (see below), that the Church of Christ is present and operative in non-Catholic churches in a way that is different from the presence therein of the mystery (visible and invisible) that is the Catholic Church. For further consideration of Cardinal Ratzinger's thought and reflections closely related thereto, see notes 108, 152, and 153.

[27] Pius XII refers to "this true Church of Christ-which is the holy, Catholic, apostolic Roman Church" ("hanc veracem Christi Ecclesiam-quae sancta, catholica, apostolica Romana Ecclesia est" [Pius XII, *Mystici Corporis (AAS* 35 [1943]: 199); in many English versions, art. 13]). He later reaffirms this teaching that "the Mystical Body of Christ and the Roman Catholic Church are one and the same thing" ("corpus Christi mysticum et Ecclesiam Catholicam Romanam unum idemque esse" [Pius XII, *Humani generis (AAS* 42 [1950]: 571); in many English editions, art. 27]). See below, note 122, on the magisterial witness to the absolute and universal primacy of the pope.

[28] Turning his attention to the inmost circle of the pope's concern, the Catholic faithful, Paul VI refers to these as the sons "who are in the house of God, that is, in the one, holy, Catholic, and apostolic Church, whose *mother and head* is the Roman Church" ("qui in domo Dei sunt, hoc est in Ecclesia una, sancta, catholica et apostolica, cuius Romana Ecclesia est *mater et caput"* [Paul VI, *Ecclesiam suam* 113 *(AAS* 56 [1964]: 657)]). The context shows clearly that "Catholic" should in English be capitalized.

[29] Sullivan, "Response," 397.

some real distinction between the Catholic Church and the Church of Christ. Some of these positions are compatible with one another.

First, most radically, one might say that the Church of Christ exists nowhere on earth. Even if all Christian communities were taken together and considered in their complementary diversity, one could not call this totality the Church of Christ. Rather, the Church of Christ is an eschatological ideal or goal, for which Christians must hope and labor but which does not or cannot have a concrete, "subsisting" realization in history. Quite obviously, this position cannot really be counted an "interpretation" of Vatican II. Whether any Catholic has actually espoused such a position is another question. The CDF treats this as a position to be addressed. [30]

Second, some say that the Church of Christ consists in all Christian communities taken together as forming the one Church of Christ. Thus, the Church of Christ consists in Catholic, Orthodox, and Protestant communities, all taken together. [31]

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[30] See note 60. Ratzinger, similarly, refers to this position as one to be rejected (see Heim, *Joseph Ratzinger,* 320).

[31] See Richard McBrien, *Catholicism* (Minneapolis: Winston Press, 1981), 685. Hans Küng, a proponent of nonexclusive identity (see below), also has some sympathy for this view. For instance, he suggests that whoever proclaims his Church to be identical with the Church of Christ evades the problem of disunity (Hans Küng, *The Church* [Garden City, N.Y.: Image Books, 1976], 365). He contends that, in the hope for ecumenical progress, members of every church must suspend any idea that their church *is* the Church of Christ, keeping in mind that others could make the same claim. So, Christians must work towards the unity of Christ's Church (ibid., 373-83). In short, although Küng wishes to avoid the eschatological "evasion" of the problem of disunity (ibid., 364f.), he implies the current nonrealization, *in any community,* of Christ's priestly prayer. Hence, ecumenism must not be the effort to work for a return of particular churches to the one true Church of Christ already constituted: "The road to unity is not the return of one Church to another" (ibid., 379).

For the most part, Ralph Del Colle supports the fourth position, yet he too shares sympathies with this position. For instance, he asserts that the Lutheran witness to the gospel, among other non-Catholic witnesses, adds something to the richness of the Christian faith, without which addition Christian faith would be bereft of something important (Ralph Del Colle, "Toward the Fullness of Christ: A Catholic Vision of Ecumenism," *International Journal of Systematic Theology* 3 [2001]: 205). The point is well taken if Del Colle means to say that individual Lutherans and particular Lutheran communities can and do penetrate the gospel truth in ways that augment the expressive riches of the gathering of Christ's disciples. This is not, however, to add anything integral to the essence of the Church. Similarly, one

Accordingly, not any "church" on its own but the collection of all churches forms the Church founded by Christ. For this reason, some proponents of this idea add, it is beneficial to have contrasting expressions of the faith. Out of diverse witnesses-which many faithful members of each communion once understood to be contradictions calling for mutual anathemas-arises the plenitude of the "Body of Christ." In a somewhat Hegelian way the contradictions (antitheses) of the past are seen as sublimated into a higher unity. Another approach would have the antitheses still conflict and, as such, stand in tense juxtaposition, casting mutual light through their fruitful discordances. [32] So, too, out of divergent Christian communities, there arises the Church of Christ.

A third group claims that the Church of Christ subsists in the Catholic Church but that this Church of Christ could and/or does subsist in other, non-Catholic Churches. [33] Leonardo Boff was criticized by the CDF for holding this view. Boff presupposes a differentiation between the gospel and its mediations. The gospel is the very truth and way of life Jesus presents humanity, but his message and way must be mediated if it is to be communicated. So, one may distinguish the gospel itself and its mediations; neither can stand by itself. Boff differentiates, analogously, between Christianity itself and Catholicism as a realization and mediation of Christianity. There are, of course, other mediations

might think of John of Antioch's application of *homoousios* to Christ's being one with us. John added not to the deposit of faith but to its articulation.

[32] Ratzinger offers a lucid critique of this approach (see Ratzinger, "Ecclesiology of the Constitution," 148).

[33] "The intent of this understanding of the Church is to avoid the sociological identification of the Church with the present structures and formulations of the Roman Catholic institutions, or to somehow imply that the Eastern Churches not in communion with Rome were in any way 'not church'" (Jeffrey Gros, Eamon McManus, and Ann Riggs, *Introduction to Ecumenism* [Mahwah, N.J.: Paulist Press, 1998], 68). The qualification "in any way" suggests sympathy with this third position. Joseph Farmeree directly supports this position: "Is it not the task of ecumenical dialogue, from a Roman Catholic point of view ... even to acknowledge that the Church of Christ subsists in another Christian Church in which all the constituent elements of ecclesial or churchly reality can be found?" (Joseph Farmeree, "Local Churches, Universal Church and Other Churches in *Lumen Gentium,*" *Ecclesiology* 4 [2007]: 55; see 54-56).

of Christianity. Some persons, then, will find themselves striving to articulate and defend one side of the polarity (this or that mediation of the gospel; this or that reception of Christianity), while others will find themselves critiquing aspects of that side in the name of the other side (the gospel itself; Christianity itself). Boff defends both sides of this delicate balance. Support of either side is warranted, so long as "pathologies" are kept in check. "Pathology" would emerge from an exaggerated stress on one side of the polarity to the detriment of the other. There is, thus, an irreducible tension in Christian life. The relevant upshot for our investigation is this: "The Roman, Catholic, and apostolic Church is the Church of Christ on the one hand, and on the other hand, it is not .... It cannot claim an exclusive identity with the Church of Christ because the Church may also be present in other Chris- tian churches. "[34] Given that Boff conceives of Christian society as having to hold in tension these two approaches-support   for the gospel itself, which leads to critique of all existing structures, and support   for   such-and-such   structural   mediations   of   the gospel-and given that he describes each approach as "half of the equation" of the Church's life, he risks obscuring the integral unity of the visible and the invisible aspects of the Church. The implication of Boff's thought may be the notion of several "subsistences" of the Church of Christ. [35] George Tavard has

[34] Leonardo Boff, *Church, Charism and Power: Liberation Theology and the Institutional Church,* trans. John Diercksmeier (New York: Crossroad, 1985), 75. See also Leonardo Boff, *Manifest fur die Okumene: Bin Streit mit Kardinal Ratzinger* (Diisseldorf: Patmos-Verlag, 2001), 96 and 99; and Heim, *Joseph Ratzinger,* 323.

[35] Of course, one must interpret Boff's affirmation of a "multiplicity" of subsistences of the one Church of Christ-a seemingly impossible assertion-against   the background of his ecclesiology "from below." The Church arises as a solidification of Christ's presence among people. Hence, the "diverse subsistences" of the Church would be one dynamically or teleologically, though somewhat "disparate" in the order of generation. While this makes the notion more palatable intellectually, it involves another, more nettlesome, difficulty. For a prescient corrective to this ecclesiology from below, see Paul VI, *Evangelii nuntiandi* 58. For a sympathetic treatment of Boff's ecclesiology, see Kjell Nordstokke, *Council and Context in Leonardo Boff's Ecclesiology: The Rebirth of the Church among the Poor,* trans. Brian MacNeil, Studies in Religion & Society 35 (Lewiston, N.Y.: The Edwin Mellen Press, 1996), esp. 64-67. Paolo Gamberini's critique of the theory of multiple subsistences is very helpful (see Paolo Gamberini, "'Subsistit' in Ecumenical Ecclesiology: J. Ratzinger and E. Jiingel," *Irish Theological Quarterly* 72 [2007]: 63).

suggested this position more forthrightly: "The council says
nothing for or against the possibility of [the Church of Christ]
also invisibly subsisting in other ecclesial institutions and other
visible churches. Logic would seem to make this contention
acceptable in the problematic of Vatican IL "[36]

A fourth group says (a) that the Church of Christ continues to
exist fully in the Catholic Church alone but (b) that the Church of
Christ also exists, in lesser and in varying degrees, in other
Christian churches and communities. What pertains precisely to
the fourth position is the following way of linking these two
claims: There is between the Church of Christ and the Catholic
Church a "nonexclusive identity." There is identity, but it is "not
total," "not full," and "not exclusive." [37] We can pursue the nature

[36] George H. Tavard, *The Church, Community of Salvation: An Ecumenical Ecclesiology,*
New Theology Studies 1, ed. Peter Phan (Collegeville, Minn.: The Liturgical Press, 1992), 86.
Again: "The Church, membership in which is necessary to salvation, is not an empirical
institution. It is the Church 'of God' or 'of Christ' in an absolute sense. In the words of
Vatican Council II, this absolute Church is believed by Catholics to 'subsist' in the Roman
Catholic Church (LG, n. 8). But it is not limited to the visible boundaries of this Church. And
it presumably also 'subsists' in other institutions of salvation" (ibid., 182-83). A later work
appears more hesitant, but still supports the viability of this thesis (see George H. Tavard,
Vatican II and the Ecumenical Way, Marquette Studies in Theology 52, ed. Andrew Tallon
[Milwaukee: Marquette University Press, 2006], 138-39).

[37] Kung shows some support for this position: "The Catholic Church does not identify
itself exclusively (in spite of some formulas which seem to suggest otherwise) with the Church
of Christ. At one point at any rate a striking revision took place: instead of the definitive
formula originally suggested by the Commission: 'The unique Church of Christ … is *(est)* the
Catholic Church .. .' the formulation adopted was 'subsists (subsistit) in the Catholic
Church"' (Kung, *The Church,* 366-67). I would add to the supporters of this fourth position
Ralphe Del Colle, who offers various perspectives on the matter. Overall, however, he
advocates nonexclusive identity (see Del Colle, "Toward the Fullness of Christ," 206). In
support of his position, he suggests that the mission of the Holy Spirit is wider in scope than
the incarnate mission of the Son (see ibid., 209). He is thus perplexed by *Dominus Jesus,*
article 16 and note 56, texts in tension with his theory (see ibid., 206-7, including n. 11).
Gamberini speaks of a "formal identity" but quickly adds that the Church of Christ is not
exhausted by the Catholic Church (see Gamberini, "'Subsistit' in Ecumenical Ecclesiology,"
68): "We must acknowledge that the *ecclesia catholica non est totum ecclesiae"* (ibid.; see also
69). For Gamberini, Vatican II diverges from the teaching of Pius XII, who (he maintains)
taught that "nothing of the Church could be found *outside* the Catholic Church" (ibid., 62;
see also 71). The vague expression "nothing of the Church" is unhelpful because the genitive
has too vast a potential scope. Pius XII never stated that "nothing of the Church" could be
found outside the Catholic Church. For a helpful theological articulation of the Church's faith
at that time, see Charles Cardinal Journet, *The Apostolic Hierarchy,* vol. 1 of *The Church of*

of this differentiation-in-identity by asking, Do non-Catholic ecclesial communions and churches have one relation to the Catholic Church and another relation to the Church of Christ? According to Sullivan, they do:

Whatever "elements of sanctification and truth" are present and operative in other Christian churches historically are derived from the one church of Christ which "subsists in" the Catholic Church. In some way, which the council does not further specify, their efficacy as means of salvation is also derived from that fullness which is found in the Catholic Church. [38]

Again, this differentiation is implicit in Sullivan's reading of the following passage from John Paul II:

Insofar as these kinds of elements exist in other Christian communities, the one *(unica)* Church of Christ has an efficacious presence therein. On this account, the Second Vatican Council speaks of a certain, albeit imperfect, communion. The constitution *Lumen gentium* highlights that the Catholic Church knows that "for many reasons she is joined" to these communities in a certain real communion of unity in the Holy Spirit. [39]

the Word Incarnate: An Essay in Speculative Theology, trans. A. H. C. Downes (New York: Sheed and Ward, 1955), 40-45, esp. 42. The rejection of "total identity" has simply dominated theological circles from the earliest stages. See, e.g., Gregory Baum, "The Ecclesial Reality of Other Churches," *Concilium* 4 (1965): 34-41; Aloys Grillmeier, "Chapter 1: The Mystery of the Church," trans. Kevin Smyth, in *Commentary on the Documents of Vatican II,* vol. 1, ed. Herbert Vorgrimler (New York: Herder & Herder, 1967), 150; and Johannes Feiner, "Commentary on the Decree *[Unitatis redintegratio],"* trans. R. A. Wilson, in *Commentary on the Documents of Vatican II,* vol. 2, ed. Herbert Vorgrimler (New York: Herder & Herder, 1968), 68-75. Feiner contends that only on the definition of the Church as *societas* can one uphold the strict identity, and, should one do so, one is forced to claim an ecclesiological vacuum outside of the Catholic Church (see ibid., 69). Congar, similarly, writes, "There is no strict, *that is, exclusive,* identification *(adequation)* of the Church or Body of Christ and the Catholic Church" (Yves Congar, *Le Concile de Vatican II: Son Eglise Peuple de Dieu et Corps du Christ,* Theologie historique 71 [Paris: Beauchesne, 1984], 160; emphasis in original). By contrast, see Yves Congar, *Chretiens desunis: Principes d'un "oecumenisme" catholique,* Unam sanctam 1 (Paris, 1937), 292. Finally, see Jon Nilson, *Nothing beyond the Necessary: Roman Catholicism and the Ecumenical Future* (Mahwah, N.J.: Paulist Press, 1995), 56-58.

[38] Sullivan, *Salvation outside the Church?* 149.

[39] "Prout eiusmodi elementa sunt in ceteris Communitatibus christianis, unica Christi Ecclesia praesentiam habet in eis efficientem. Idcirco Concilium Vaticanum II de quadam loquitur communione, etsi imperfecta. Constitutio *Lumen gentium* illustrat Ecclesiam catholicam nosse "semetipsam plures ob rationes coniunctam" his Communitatibus vera

According to Sullivan, "This papal statement affirming the
effective presence of the Church of Christ in other Christian
communities is obviously hard to reconcile with [Becker's] thesis
that the Church of Christ is totally identified with the Catholic
Church." [40] Sullivan's inference is valid on the presupposition that
the presence and operation of the Church of Christ in non-
Catholic churches and communions is not totally identifiable with
the presence and operation of the Catholic Church therein. [41]
Accordingly, the Catholic Church is not simply identical with the
universal Church of Christ.

   Having adumbrated various ways of denying total identity, I
will now consider Sullivan's considerable arguments in favor of
this negation, in his response to Becker.

III. SULLIVAN'S ARGUMENTS AGAINST TOTAL IDENTITY

   First, quite naturally, Sullivan calls to mind the revision of the
February 1963 draft: "The 1963 draft of the Constitution on the
Church, while it no longer affirmed identity between the Mystical
Body and the Catholic Church, still said 'The Church of Christ is
the Catholic Church'. "[42] As we have seen, the *est* of this draft
became, in the final draft, *subsistit in (LG* 8). A similar expression
is found in *Unitatis redintegratio (UR* 4). Sullivan (and most
others) have seen this change as a sign that the council
"abandoned or even weakened" previous teaching. The council

quadam unitatis communione in Spiritu Sancto" (John Paul II, *Ut unum sint* 11 *[AAS* 87 (1995): 928]).

   [40] Sullivan, "Response," 406. See the broader context of the argument (ibid., 405-7).

   [41] Gamberini holds for a similar differentiation. He insists, first, that the Catholic Church is not the "source" and "origin" of the mediating reality of non-Catholic communions and churches. Instead, Christ is (see Gamberini, "'Subsistit' in Ecumenical Ecclesiology," 67). Of course, no Catholic theologian denies that Christ is the ultimate source of any endowment of his Bride. Yet it should be noted that it is through this very Bride that Christ communicates grace: "by which [Church] he pours out grace and truth to all" ("qua veritatem et gratiam ad omnes diffundit" [LG 8 *(AAS* 57 [1965]: 11)]). Gamberini portrays the above distinction as a dichotomy because he has in mind a differentiation between the Catholic Church and the Church of Christ: "To the Catholic Church is entrusted the fullness of the means of salvation, but the origin and the source of the means remains the Church of Christ" (Gamberini, "'Subsistit' in Ecumenical Ecclesiology," 67).

   [42] Sullivan, "Response," 397.

was drawing some real distinction between the Catholic Church and the Church of Christ. Despite a fundamental connection, there was "no longer ... an exclusive identity."[43] There was, therefore, "a very significant difference between what the council finally said at this point and previous drafts of the Constitution (and, indeed, previous official statements of Roman Pontiffs)."[44]

Second, Sullivan takes the clause in the final draft that succeeds the *subsistit* clause as further support:" ... although outside of its structure, many elements of sanctification and of truth are found, which as gifts proper to the Church of Christ, impel towards Catholic unity." What is adumbrated here is drawn out in *Unitatis redintegratio (UR* 1-4). Sullivan claims that this clause was first added in the 1963 draft (i.e., that it was not present in the original schema).[45] As is evident by an examination of its various versions, this *licet* clause underwent more than one set of emendations. Sullivan contends that even the pre-emended addition marked an important shift away *fromAeternus Unigeniti.* The heart of Sullivan's contention has to do with the status of the *elementa:* Are they *"only* elements" or are they *"ecclesial* elements"?

Sullivan highlights a critical emendation of another section of the 1963 draft (art. 9) that involved the addition (in art. 15 of the 1964 draft) of an explicit designation of separated communities as either "churches" or "ecclesiastical communions."[46] Before this draft, Sullivan contends, there was merely a recognition of elements (e.g., the sacraments) outside of the Catholic Church. With the emendation, "For the first time, a conciliar text uses the terms 'Churches' and 'ecclesiastical' of the communities in which those sacraments are received. The *relatio* given for this text shows that the doctrinal commission realized that this language, of which Tromp could hardly have approved, needed to be justified."[47] The *relatio* notes that the elements regard com-

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[43] Ibid., 402.

[44] Sullivan, *The Church We Believe In,* 21.

[45] See Sullivan, "Response," 397; idem, *Salvation outside the Church?* 142; and idem, *The Church We Believe In,* 24.

[46] See Sullivan, "Response," 400, identifyingASS 3/1:189.41-42 (art. 9 of the 1963 draft; art. 15 of the 1964 emended text); see *LG* 15 *(AAS* 57 [1965]: 19).

[47] Sullivan, "Response," 400.

munities, not merely individuals, that the communal character of the elements serves as the foundation for ecumenism, and that papal documents regularly refer to the Eastern communities as "Churches" and to Protestant bodies as "Christian communities."[48] Rebutting Becker, Sullivan links the movement from a recognition of *only* elements to a recognition of *ecclesial* elements, that is, of elements that constitute particular bodies as churches and communions, with the change to *subsistit.*[49]

The council, approving the conciliar decision to call some non-Catholic communions "churches" and other non-Catholic communions "ecclesiastical communions," therefore distanced itself from the opinion of the very person who introduced the phrase *subsistit in,* Sebastian Tromp. Becker discovered that it was Tromp who suggested the novel phrase.[50] Given that Tromp manifestly held that the Church of Christ was nothing but the Catholic Church, Becker argues, they are mistaken who use the phrase *subsistit in* to deny the strict identity between the Catholic Church and the Church of Christ. Now we can grasp the power in Sullivan's response to Becker: Tromp welded his opinion on the "full identity" to his refusal of the term "Church" to any separated communion: "[Tromp] strongly insisted [that *subsistit in]* meant that the Church of Christ subsists exclusively in the Catholic Church and that outside it there are only elements. Obviously this meant that outside the Catholic Church there is nothing that can be called a church."[51] As Sullivan reads Tromp, no particular body of Christians outside the Catholic Church can even be called "a church." Yet, the council accepted the title "church" for many non-Catholic communions. Further, if one considers the sense of the final draft, this acceptance was

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[48] See *ASS* 3/1:204 (D).

[49] See Sullivan, "Response," 401.

[50] See Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 517C. Perhaps such a mode of expression has a faint background in the following statement from Leo XIII: "Certainly, only she can glory in being the true Church of Christ, in whom the one body and one Spirit most fittingly cleave together" ("Ea nimirum gloriari unice potest Christi vera esse Ecclesia, in qua aptissime cohaereat *unum corpus et unus spiritus"* [Pope Leo XIII, *Orientalium dignitas (Pontificis Maximi Acta,* vol. 14 [Rome: Typographia Vaticana, 1895], 368)]). I am grateful to Zachary Keith for tracking down the Latin text for me.

[51] Sullivan, "Response," 400 (see the entire discussion, ibid., 399-401).

intimately tied with the move from *est* to *subsistit in.*[52] Tromp was correct (Sullivan contends) in welding his opinion on strict identity to the exclusive use of the title "church"; therefore, the twofold change of the conciliar document bespeaks a rejection of the notion of strict identity: "The doctrinal commission that approved this change must have understood it to mean no longer claiming an exclusive identity between the Church of Christ and the Catholic Church."[53]

Third, Sullivan draws on the *relatio* of the change to *subsistit:* The change was made "in order that the expression might harmonize better with the affirmation concerning the ecclesial elements which are present outside [the Catholic Church]."[54] In an earlier work, Sullivan also appealed to the summary provided by the commission: "There is but one church, and on this earth it is present in the Catholic Church, although ecclesial elements are found outside of it."[55] The *Acta* regarding the change to *subsistit in,* then, show the link between Sullivan's first two points. Sullivan concludes that one cannot affirm the *ecclesial* reality of non-Catholic communions unless one denies the full identity between the Catholic Church and the Church of Christ.

Fourth, Sullivan appeals, as we have seen, to *Ut unum sint (UUS* 11 [see above, p. 14]). In the footsteps of *Unitatis redintegratio (UR* 3), John Paul presses forward, teaching that the one Church of Christ is effectively present and operative in non-Catholic churches and ecclesial communions insofar as these enjoy elements of this true Church. *Dominus Jesus* reaffirms this teaching (DJ 17).[56] Moreover, *Dominus Jesus* states not that the Church of Christ exists *only* in the Catholic Church (as might be suggested by a metaphysical reading of *subsistit)* but that the

[52] See ibid., 402.

[53] Ibid.

[54] " **...** ut expressio melius concordet cum affirmatione de elementis ecclesialibus quae alibi *adsunt"* (ASS 3/1:177). See Sullivan, "Response," 401, and idem, *The Church We Believe In,* 24.

[55] Sullivan, *The Church We Believe In,* 26. The Latin reads "Ecclesia est *unica,* et his in terris adest in Ecclesia catholica, licet extra earn inveniantur elementa ecclesialia" (ASS 3/1:176).

[56] For the Latin text of *Dominus Jesus,* see *AAS* 92 (2000): 742-65; for an English translation, see *Origins* 30 (2000): 209-19.

Church of Christ exists *fully* only in the Catholic Church. [57] The same document affirms that non-Catholic communions with valid orders and a valid celebration of the Eucharist are "true particular churches" (see below, p. 24). Therefore, the Church of Christ can exist elsewhere, though not fully. Sullivan finds these teachings irreconcilable with the thesis of total identity. [58] Putting these and other data together, Sullivan contends that Catholics are no longer bound to believe that the Catholic Church is one and the same thing as the Church of Christ. [59]

We may now investigate whether there is any evidence in favor of the CDF's recent intervention on the meaning of *subsistit in.*

IV. FULL IDENTITY, OR "HERMENEUTIC OF CONTINUITY"

A number of considerations support the CDF's recent intervention. These can be divided into arguments directly in favor of "full identity" and responses to various arguments against full identity. I will begin with the latter. Given that the fourth position described above is the most circumspect, a response to arguments in favor of it will stand duty for responses to the other three positions, which have in various ways been addressed by other interventions of the CDF. [60] I will thus respond to Sullivan's arguments.

[57] See *Dominus Jesus* 16; Sullivan, "Response," 408f.; and idem, "The Meaning of *Subsistit In,"* 119.

[58] See Sullivan, "Response," 406.

[59] Sullivan acknowledges that certain magisterial documents are in tension with his reading of other magisterial documents.

[60] "Wherefore, the Christian faithful [meaning here 'Catholics'] are not allowed to suppose that the Church of Christ is nothing other than a certain sum total of churches and ecclesial communities, indeed divided but *to* some extent united as one. Much less are they free to hold that, today, the Church of Christ does not really subsist anywhere, so that it is considered to be only the goal that should be sought by all churches and communities" ("Quare christifidelibus sibi fingere non licet Ecclesiam Christi nihil aliud esse quam summam quamdam-divisam quidem, sed adhuc aliqualiter unam-Ecclesiarum et communitatum ecclesialium; ac minime iis liberum est tenere Christi Ecclesiam hodie iam nullibi vere subsistere, ita ut nonnisi finis existimanda sit, quern omnes Ecclesiae et communitates quarere debeant" [CDF, *Mysterium ecclesiae* 1 (MS 65 [1973]: 398)]). These statements exclude the viability of the second interpretation ala rupture and the first "interpretation." For the CDF's exclusion of the third position, see below, page 25, and note 87.

A) Responses to Sullivan

With respect to Sullivan's first observation concerning the change from *est* to *subsistit in,* one should note that the 1963 draft still affirms, albeit by implication, the identity of the Catholic Church with the Mystical Body. The text stresses the utter unicity of the Church; [61] it teaches the identity of the visible society and the Mystical Body;[62] and it affirms the identity of the Catholic Church and the Church founded by Christ. These three teachings imply that the Catholic Church is the Mystical Body of Christ, in the sense in which the term "Mystical Body" points to a single society both visible and spiritual. [63] Moreover, that identity is still explicitly affirmed in a note to the text. [64]

At any rate, *est* became *subsistit in.* Sullivan contends that the change marked a departure from previous teaching. Becker, who prefers a "hermeneutic of continuity," suggests that the intention of the one who introduced the phrase is relevant for an interpretation of its meaning. Becker's investigation of the archives illuminates how *est* was changed to *subsistit in,* namely, by way of *adest in.* I have already treated the first change. As for the second change, Becker reports, "H. Schauf wished to substitute *adest* with *est,* while S. Tromp responded by proposing *subsistit in."* [65] Apparently, Schauf thought *adest in* imprecise and wanted to return to the wording of the 1963 draft. Tromp offered *subsistit in* for the sake of precision. Obviously, Tromp did not intend *subsistit in* to be a denial or softening of exclusive identity.

[61] The sacred synod teaches there to be "none but one Church of Jesus Christ" ("non esse nisi unicam Iesu Christi Ecclesiam" *[ASS* 2/1:219.13-14]).

[62] These "are not two realities but one alone" (non duae res sunt sed una tantum *[ASS* 2/1:219.6]).

[63] Such was the authoritative use of the term at the time (see Pius XII, *Mystici corporis [AAS* 35 (1943): 194 and 208]). On this point, Heribert Miihlen is very helpful (see Heribert Miihlen, "Das Verhaltnis zwischen Inkarnation und Kirche in den Aussagen des Vaticanum II," *Theologie und Glaube* 55 [1965]: 182-88).

[64] Although the title to the section no longer reads "The Catholic Church is the Mystical Body," yet note 20 still gives references "On the identity of the Catholic Church and the Mystical Body" ("De identitate Ecclesiae Catholicae et Corporis Mystici" *[ASS 211*:225]). See Fromaget, "Subsistit In," 10.

[65] Becker, "The Church and Vatican H's *'Subsistit in'* Terminology," 517C.

Becker reports Tromp's own words in the meeting of the commission, recorded on tape: "We can say, 'Indeed [the Church of Christ] subsists in the Catholic Church, and this is something exclusive [Tromp speaking quite loudly] insofar as it is said that outside [of her] there are nothing but elements'. "[66] Sullivan himself, in his work before the publication of Becker's article, considered the paucity of our knowledge about the intention behind the change to be regrettable. [67] Upon Becker's publication, Sullivan refined his view: "The question, however, is whether the doctrinal commission that accepted [Tromp's] suggestion, and the council that approved the change from *est* to *subsistit in,* understood it to mean what Tromp insisted it had to mean." [68] This point is well taken; notwithstanding, the interpreter should not lightly dismiss Tromp's own understanding of the phrase. Of course, a more significant factor in interpreting *subsistit in* is consideration of the structure of the entire sentence finally approved. I will return to this point at the end of my third response to Sullivan. [69]

Sullivan's most compelling evidence pertains to his second argument, on the status of the *elementa.* It should be noted that Sullivan's remarks regarding the February 1963 draft is not entirely accurate. Becker expressly indicates that the "although" clause was not added at this stage. Instead, it was adapted from a passage in *Aeternus Unigeniti* concerning ecumenical issues.[70] Article 51 of that text affirms that Christians are invited to return to the Catholic Church, not as individuals (that is, when we speak of ecumenism) but as united with each other. The reason for the call for a return as communities rather than simply as individuals is that in non-Catholic communities there are certain "elements of the Church … which, as efficacious means and signs of unity can

[66] Ibid. (my translation).

[67] See Sullivan, *The Church We Believe In,* 24.

[68] Sullivan, "Response," 399.

[69] It is relevant to mention that, in a presentation of the preceding article (art. 7), those presenting the draft to the subcommission maintained that only at first glance *(primo intuitu),* and superficially *(magis superficialis quam realis),* might it seem that the new text differs substantially from the parallel article in the previous draft (ASS 3/1:174).

[70] See Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 516A.

produce mutual union with Christ, and, of their nature as things proper to the Church of Christ, impel towards Catholic unity." [71] This passage obviously served as the material for the 1963 *licet* clause, itself the basis of the corresponding passage in the final draft. It also set the trajectory for the conciliar affirmations concerning the ecclesial efficacy of non-Catholic churches and communions *(LG* 15; *UR* 3). There is confirmation of this observation in what follows in article 51: "The Sacred Synod does not deny that [such] elements, as long as they are preserved by such communities, can be salvific and produce the fruit of Christian spiritual life therein. "[72] It should be clear that *Aeternus Unigeniti* supplied much of the raw material for the very *relatio* on article 15 of *Lumen gentium,* concerning the use of the term *ecclesiae,* to which *relatio* Sullivan appeals against Becker.

The presence of these and similar passages in the original schema is evidence counter to the "hermeneutic of rupture" and, implicitly, counter to Sullivan's reading of Tromp. To see this all the more clearly, one may attend, finally, to note 6 of article 51: "Now, whatever be the nature of such separated communities, it is certain that in the tradition the name 'church' is attributed *often* and *constantly* to the separated communities of the East: On this, see the following documents" (emphasis in original). [73] Sullivan's contention that "for the first time, a conciliar text [i.e., the 1964 draft] uses" the terms "churches" and "communities" for non-Catholic communities is not accurate. [74] Such application appears in a significant note of the very text that Tromp "played a major role" [75] in drafting. In fact, note 6 provides an exceedingly lengthy

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[71] "Christiani autem separati incitamenta inveniunt ut ad Ecclesiae unitatem accedant, non modo singuli in seipsis, verum etiam inter se uniti in propriis suis communitatibus. In iis enim elementa quaedam Ecclesiae existunt ut potissimum Scriptura Sacra et Sacramenta, quae, ut media et signa unitatis efficacia unionem mutuam in Christo producere possunt et natura sua, ut res Ecclesiae Christi propriae, ad unitatem catholicam impellunt" *(ASS* 1/4:82.24-31).

[72] "Sacra Synodus, dum elementa ab his communitatibus servata, ibi quoque salutifera esse atque fructus vitae spiritualis christianae producere posse non denegat" (ASS 1/4:82.35-36).

[73] "Quidquid autem sit de natura talis communitatis separatae, certum est quod in traditione nomen 'Ecclesiae' communitatibus orientalibus separatis *saepe* et *constanter* attribuitur: cf. sequentia documenta Ecclesiae" *(ASS* 1/4:88 n. 6).

[74] See above, note 47.

[75] Sullivan, "Response," 399.

list of magisterial evidence for this use of the title "church," from
Gregory VII through Pius XII. Among the documents listed are
decrees from the Fourth Lateran Council (1215) and the Council
of Florence (1439). [76] Moreover, well before the appearance of
ecclesiae in article 15 of the 1964 draft of *Lumen gentium,* it had
appeared, together with the same lengthy list of magisterial
evidence, in two early drafts of the independent document on
ecumenism. Before the change to *adest,* some non-Catholic
communities were named "ecclesial" in the body of the text on
ecumenism. [77] Eventually, the list of evidence is, understandably,
shortened. [78]

We should recall that, according to Sullivan, Tromp welded his
opinion on exclusive identity to the rejection of the title "church"
for non-Catholic churches. It is noteworthy how Sullivan relates
Tromp's position: "[Tromp] strongly insisted [that *subsistit in]*
meant that the Church of Christ subsists exclusively in the
Catholic Church and that outside it there are only elements.
Obviously this meant that outside the Catholic Church there is
nothing that can be called a church. "[79] There is a slippage from
"Church" to "a church," from a term that is fit to designate the
universal Church to a term more suitable to a particular church
(or set of churches). The text Sullivan has in mind, article 7 of
Aeternus Unigeniti, without doubt refers to the universal Church.
Now, as we have just seen, *Aeternus Unigeniti* acknowledges that
some non-Catholic communions bear the title "church," teaches

[76] See *ASS* 1/4:88-90.

[77] See the draft presented November 1963, already approved by John XXIII in April *(ASS*
2/5:417-18 n. 16). Here, note 16 refers to the use of "ecclesiae" in article 2 (see *ASS*
2/5:414.32). An even lengthier note, including references to John XXIII and Paul VI, appears
in a revised draft (see *ASS* 3/2:303-4 n. 20).

[78] See *ASS* 3/7:16 and 35. See also, *UR,* note 19.

[79] Sullivan, "Response," 400. We find a similar slippage, or inadvertence to the distinction
between the universal Church and particular churches, in Sullivan's latest publication: "It
would follow [from the clarification on Boff] that outside the Catholic Church there can be
no other churches, but only 'elements of church"' (Sullivan, "The Meaning of *Subsistit In,"*
118). The Catholic Church is not to be compared to "other churches" as though she were
Sister and not Mother; rather, groups of her own particular churches are to be compared with
groups of those non-Catholic bodies called churches or ecclesial communions. See my
argument for an analogous sense of "church" below.

the existence of ecclesial elements of the Church outside of the Catholic Church, etc. If Sullivan's reading of Tromp's thought on the title "church" is accurate, Tromp ought to have objected to this very schema. Perhaps he meant neither that outside the Catholic Church there is nothing that can be called "a church" nor that the elements have no communal character.

We can reconcile Tromp's opinion with the tradition and with *Aeternus Unigeniti,* both of which acknowledge the title "church" for some non-Catholic communions. This reconciliation may be possible in one or both of two ways. We could suggest (a) that Tromp (or the authors of *Aeternus Unigeniti* 7) was denying the existence of more than one Church on the universal level put not the applicability of the title "church" to every particular non-Catholic communion. Or (b), we could understand the term "church" of particular communions in three senses: improper, proper but analogous, and proper and univocal. An "improper" use of the term "church" would involve an extension beyond the bounds of analogy, a use not proper to theology *qua* scientific. (Such, for instance, would be its use with respect to those communions that do not have valid Orders and a valid Eucharist.) Now, the *Acta* of Vatican II show the Secretariat for Christian Unity firmly defending the "proper" use of the term "church" for some non-Catholic communions (i.e., those of the "East"). [80] In the official conciliar teachings, the term is several times predicated of such communions *(LG* 15; *UR* 3, 14, and 15; and *Orientalium ecclesiarum* 26 and 30). More recently, the CDF has taught that such communions "merit" the title "church"; [81] in *Dominus Jesus,* the CDF declared them to be "true particular churches." [82] In a document issued the same year, the CDF affirmed that the term is said of them in a "proper sense." [83]

[80] See *ASS* 3/7:35.

[81] "For which reason [i.e., on account of apostolic succession and valid Eucharist, etc.] they merit the title 'particular churches'" ("[Q]uapropter titulum merentur Ecclesiarum particularium" [CDF, "Letter to the Bishops of the Church on Some Aspects of the Church Understood as Communion," 17 (AAS 85 (1993): 848)]). See also, CDF, "Certain Aspects of the Doctrine on the Church," response to the fourth question (AAS 99 [2007]: 607).

[82] "verae sunt Ecclesiae particulares" (DI 17 *[AAS* 92 (2000): 758]).

[83] CDF, "Note on the Expression 'Sister Churches,'" *Origins* 30 (2000), arts. 8 and 11.

From this established teaching, it does not necessarily follow
that the title "church" (when designating a particular church)
must be taken only univocally. [84] A "proper" use of a term,
according to many theologians, can admit of analogous
extensions. On what bases would one deny a univocal use of
"church" to some particular communion? The CDF teaches:

Communion with the universal Church, which is represented by the Successor
of Peter, is not a certain complementing feature of the particular church coming
from the outside but one of her internal principles by which she is constituted.
Therefore, the situation of [being] particular church that these venerable
Christian communities receive is also affected by a wound. [85]

This point would seem to affect the way the designation "church"
should be understood when predicated of such communions. [86] We
can connect this observation with an important passage in the
CDF's intervention regarding Boff, relevant to the status of the

[84] Miihlen's interpretation of the February schema is in opposition to my suggestion (see
Miihlen, "Das Verhiiltnis zwischen Inkarnation und Kirche," 183 n. 26). Gamberini, following
Kasper, suggests on the other hand a totally open sense of "church," so that even Protestant
communities could be called "church" (see Gamberini, "'Subsistit' in Ecumenical
Ecclesiology," 70). To follow this lead would be to strip the term of its meaning and thus of
its effectiveness.

[85] "Quia autem communio cum Ecclesia universali, cuius personam gerit Successor Petri,
non est quoddam complementum Ecclesiae particulari ab extra adveniens, sed unum e
principiis internis quibus ipsa constituitur, conditio Ecclesiae particularis, qua potiuntur
venerabiles illae communitates christianae, vulnere quoque afficitur" (CDF, "Some Aspects of
the Church Understood as Communion," 17 [*AAS* 85 (1993): 849]). See also DI 17; and CDF,
"Certain Aspects of the Doctrine on the Church," response to the fourth question *(AAS* 99
[2007]: 608). The conciliar roots of this teaching are found in *UR* 3 (Norman Tanner, ed.,
Decrees of the Ecumenical Councils, 2 vols. [Washington, D.C.: Georgetown University Press,
1990]), 2:910.33-911.7. For purposes of referential precision, I will on occasion make
reference to the Tanner text. See also, Joseph Ratzinger, *Called to Communion:
Understanding the Church Today,* trans. Adrian Walker (San Francisco: Ignatius Press, 1996),
94.

[86] There is a consonance between this suggestion and the *Acta.* In a pertinent conciliar
discussion of *Unitatis redintegratio,* there was a complaint that the decree employs imprecise
and ambiguous terms. The response, as Becker points out (see Becker, "The Church and
Vatican H's *'Subsistit in'* Terminology," 520B), was that in the *movement* that is ecumenism,
it is fitting not to employ Scholastic and dogmatic terminology as though one were dealing
with a closed system. Rather, it is fitting to employ pastoral terminology in a descriptive
mode, yet without succumbing to vagaries (see *ASS* 3/2:335).

elementa: "The council had chosen the word *subsistit-*subsists-exactly in order to make clear that one sole 'subsistence' of the true church exists, whereas outside her visible structure only *elementa ecclesiae-elements* of church-exist. "[87] As Sullivan admits, "It seems to me, we do have [here] an interpretation that corresponds to the way that Tromp understood *subsistit in,* that is, that the Church of Christ subsists so exclusively in the Catholic Church that outside it there are only elements. "[88] Sullivan implies that such a reading involves a "hermeneutic of re-rupture": "In fact, however, Vatican II nowhere said that outside the Catholic Church there are *only* elements of the church. "[89] Sullivan believes the CDF returns to the authentic meaning of Vatican II in the body of *Dominus Jesus,* which expressly calls some non-Catholic communions "true particular churches." He finds it "incomprehensible" that note 56 repeats the outworn tag from the Boff intervention. [90] Significantly, the recent CDF "Responses to Some Questions regarding Certain Aspects of the Doctrine on the Church" includes a reference to this intervention,[91] and the CDF's commentary on this document restates the claim. Supposing, *pace* Sullivan, that the CDF is not being inconsistent, one can account for both points by appeal to an analogous use of "church." The two basic theses that Tromp espoused can be understood similarly. [92]

[87] CDF, "Notification on the Book *Church: Charism and Power. Essay on Militant Ecclesiology* by Father Leonardo Boff" (11March1985) *(AAS* 77 [1985]: 758-59; translation in *Origins* 14, no. 42 [1985]: 685).

[88] Sullivan, "Response," 408.

[89] Ibid. See also Sullivan, "The Meaning of *Subsistit In,"* 118.

[90] Sullivan, "Response," 409.

[91] See CDF, "Certain Aspects of the Doctrine on the Church," response to the second question, note 8 *(AAS* 99 [2007]: 606).

[92] Sullivan points out (Sullivan, "Response," 401; idem, "The Meaning of *Subsistit In,"* 118) that the council teaches that non-Catholic churches and ecclesial communions receive the elements of the Church "in their own churches and ecclesiastical communities" ("in propriisEcclesiisvelcommunitatibusecclesiasticis" *[LG* 15 (AAS57[1965]: 19)]). This appeal hardly suffices to establish his point. The council also describes particular *Catholic* churches as "enjoying their own traditions" ("propriis traditionibus fruentes" *[LG* 13 (AAS 57 [1965]: 18)]). This is hardly to put a dialectical relation between "own" and "universal." The expression is also found *inAetemus Unigeniti* 51 (see note 71).

Sullivan in this third argument points to the explanations given for the change: *subsistit in* was used in order better to accommodate both the single, full subsistence of the Church of Christ in the Catholic Church *and* the reality of ecclesial elements outside of the Catholic Church, referred to in the *licet* clause. He takes it that, in contrast to *est, subsistit in* allows the contents of the *licet* clause to be accommodated because it implies the negation of "total identity" while affirming a mitigated (i.e., nonexclusive) identity. Consequently, one can affirm that the non-Catholic churches and communions established through these ecclesial elements (to which the *licet* clause refers) have two relations, one to the Catholic Church and another to the Church of Christ.

Against this common reading of the *licet* clause, von Teuffenbach maintains, "The *licet* clause would be logically impossible in this form, if the first part of the sentence were intended to imply already that-besides the Catholic Church-there is also the possibility of other concrete realizations of the Church." Instead, the structure-anchored by the pivotal "although"-logically implies a differentiation of affirmations between the two clauses. Were the meaning "The Church of Christ consists mostly in *(subsistit in)* the Catholic Church," then the relative *licet* clause would be redundant and pointless. Better to replace *licet* with *quia* or *enim!* [93] Von Teuffenbach concludes, "There is no other concrete realization of the Church of Christ than the Catholic Church, yet there are also ecclesial elements outside of this Church. "[94] Of course, one could respond that the *relatio* defending the change to *subsistit in* implies that *est* was less apt than *subsistit in* to account for ecclesial elements that are *present (adsunt)* outside of the Catholic Church (see note 54). [95]

[93] See von Teuffenbach, *Die Bedeutung des 'subsistit in',* 78-83.

[94] Ibid., 377.

[95] Similarly, as Sullivan reads the *Acta,* the doctrinal commission considered *est* more restrictive than *subsistit* and therefore meant to deny the thesis of total identity (see Sullivan, "Response," 402; idem, "The Meaning of *Subsistit In,"* 122). He is indicating the commission's summary response to four requests concerning *subsistit in:* that the qualifier *integro fnodo* be added; that the qualifier *iure divino* be added; that *subsistit in* be changed back to *est;* and that *subsistit* be changed to *consistit* (exists, remains). The commission

Becker opines, not unreasonable, that this *relatio* is likely a carry-over from the draft containing the *adest in.* According to Becker, *subsistit in* was meant as a precision to the ambiguous *adest in,* in order to satisfy Schauf's concerns, and not as a mitigation of *est.* [96] Becker does not fail to mention that *subsistit in* adds the crucial note of permanence. [97] According to Robert Fromaget, *subsistit in* is more precise than both *est* and *adest* since it specifies the manner of being of the one Church of Christ, which in its essen-tial character is described throughout chapter 1 of *Lumen gentium.* The Church exists in the manner of a self-standing mystical person. [98]

In any case, the *relatio* does not necessarily imply the "nonexclusive identity" thesis, and von Teuffenbach's observation on the very structure of the authoritative sentence has force. Sullivan's first three arguments, then, offer no sufficient warrant for denying the full identity. Whether one accepts a historical or a metaphysical sense of *subsistit in,* the extra-Catholic ecclesial reality affirmed by the council should be understood not as self-

observed that the suggestions represented two tendencies, one towards a more restrictive affirmation and another towards a more open affirmation. Obviously, the first three requests fall into the first category. The commission replied directly to the first two, giving assurance that these qualifiers *are affirmed* elsewhere in the constitution. So, the commission did not set itself against the first tendency as such but against the specific employment of these suggestions. Becker suggests the following as a possible motivation for the change from *est* to *adest in* to *subsistit in:* "It is possible that some saw in the term *est* the possibility of denying or of not giving sufficient attention to ecclesial elements in other Christian communities. But if this hypothesis is granted, then the justification for the change would be terminological and not doctrinal" (Becker, "The Church and Vatican H's *'Subsistit in'* Terminology," 518A-B; see Sullivan's objection in Sullivan, "Response," 401). In any case, responding to the request for a change back to *est,* the commission related that the term *subsistit in* was accepted by all present after a lengthy discussion. Is it not "unthinkable" that Tromp, who was among those present, changed his mind on the total identity (Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 518A; see also Sullivan, "Response," 399)? Schauf and Ottaviani were also present (see von Teuffenbach, *Die Bedeutung des 'subsistit in',* 379; Fromaget, "Subsistit In," 22 n. 47). In fact, here, the commission affirms the legitimacy of two of the three concerns favoring a "more restrictive" reading (see *ASS* 3/6:81). In the discussion on ecumenism, such identity is explicitly maintained (see note 121). The commission's response here, then, does not imply a negation of total identity.

[96] See Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 517C-518A.

[97] See ibid., 519B and C.

[98] See Fromaget, "Subsistit In," 34-37. See also the references specified in the next note.

standing but as both grounded in and oriented towards the Catholic Church. [99]

In his fourth argument, Sullivan appeals to *Ut unum sint (UUS* 11) and *Dominus Jesus (DI* 16-17), which affirm that the Church of Christ is present and operative in non-Catholic churches and communions. From this he deduces that the Catholic Church is not totally identified with the Church of Christ. This deduction is valid only on the presupposition that the presence and operation of the Church of Christ in these non-Catholic churches and communions differs from the presence and operation of the Catholic Church. John Paul nowhere affirms this presupposition. *Dominus Jesus,* in fact, subtly guides one away from it:

There is but one Church of Christ, subsisting in the Catholic Church, the government of which belongs to the successor of Peter and to the Bishops in communion with him. Those churches which, although not in perfect communion with the Catholic Church, are yet joined to the same [Church] by the closest bonds, as apostolic succession and a valid celebration of the Eucharist, are true particular churches. Wherefore, the Church of Christ is present in and works in these churches, although in them full communion with the Catholic Church is wanting, for the reason that they do not accept the Catholic doctrine of the primacy, which, by the will of God, the Roman Bishop objectively possesses and exercises over the universal Church. [100]

The CDF clearly ascribes the ruling of the one Church of Christ to the pope and those bishops in communion with him, namely, to the Catholic hierarchy. [101] Further, the CDF holds the

[99] For further reflection on this grounding, see notes 26 and 110, as well as my response to Sullivan's fourth argument.

[100] "Unica ergo est Christi Ecclesia, subsistens in Ecclesia Catholica, cuius moderatio spectat ad Petri Successorem et ad Episcopos in communione cum eo. Ecclesiae illae quae, licet in perfecta communione cum Ecclesia Catholica non sint, eidem tamen iunguntur vinculis strictissimis, cuiusmodi sunt successio apostolica et valida Eucharistiae celebratio, verae sunt Ecclesiae particulares. Quapropter in his quoque Ecclesiis praesens est et operatur Christi Ecclesia, quantumvis plena desit communio cum Ecclesia Catholica, eo quod ipsae doctrinam catholicam non acceptant de Primatu, quern, ex Dei consilio, Episcopus Romanus obiective possidet et in Ecclesiam universam exercet" (DJ 17 *[AAS* 92 (2000): 758]; my translation).

[101] If one wishes to include non-Catholic bishops in this ascription, one must qualify the ascription (e.g., "in some way"). If a non-Catholic bishop "in some way" governs a particular church not in full communion with the Church of Christ, he may be said "in some way" to govern a particular church not in full communion with the Catholic Church.

Church of Christ to be present and operative in these communions, although they lack full communion with the Catholic Church. This "although" is crucial, for it reflects that the presence of the Church of Christ is hindered precisely by the non-Catholic communion's lack of full communion with the Catholic Church. Here, *Dominus Jesus* is simply following *Unitatis redintegratio (UR* 3),[102] in harmony with *Ut unum sint (UUS* 11).[103]

Sullivan pits *Dominus Iesus's* historical reading of *subsistit* and its mere affirmation that the Church of Christ exists fully only in the Catholic Church against the CDF's metaphysical reading of *subsistit* and restrictive affirmation of mere "elements of the Church" outside of the Catholic Church in the 1985 intervention on Boff (itself echoed in later CDF documents). Whatever is meant by the "presence and operation" of the Church of Christ in non-Catholic churches, this teaching need not imply a denial of the total identity of the Catholic Church and the Church of Christ. Becker raises questions about the precision of this manner of formulating the relation of the Church of Christ to the non-Catholic churches. [104] Notwithstanding such reservations, the

[102] "Those who believe in Christ and have received baptism validly *[rite],* are placed in a certain communion, albeit imperfect, with the Catholic Church. Indeed, on account of the discrepancies presently existing between them and the Catholic Church, in various ways, whether in doctrinal or even disciplinary matters or regarding the structure of the Church, not a few obstacles, sometimes grave ones, stand in the way of full ecclesiastical communion. The ecumenical movement has as its aim the overcoming of these obstacles" ("Hi enim qui in Christum credunt et baptismum rite receperunt, in quadam cum Ecclesia catholica communione, etsi non perfecta, constituuntur. Profecto, ob discrepantias variis modis vigentes inter eos et Ecclesiam catholicam tum in re doctrinali et quandoque etiam disciplinari tum circa structuram Ecclesiae, plenae ecclesiasticae communioni opponuntur impedimenta non pauca, quandoque graviora, ad quae superanda tendit motus oecumenicus" [UR 3 *(AAS* 57 [1965]: 93)]).

[103] In the paragraph preceding the one to which Sullivan refers, John Paul teaches that the elements of sanctification and truth found outside the visible structure of the Catholic Church constitute the objective basis of the communion, albeit imperfect, of non-Catholic churches and ecclesial communions with the Catholic Church. These elements are present, he adds, in different degrees (see *UUS* 11 *[AAS* 87 (1995): 927]).

[104] See Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 520C-521A. His suggestion-that the text behind John Paul's expression is *ASS* 3/2:335-is compelling. That text shows marked caution. See also note 86.

crucial point is this: The mystery of how the Church of Christ is "present and operative" in non-Catholic churches is the same mystery of how the Catholic Church is "present and operative" therein. Neither *Dominus Iesus* nor *Ut unum sint* affirms a differentiation of presence and operation. Nor is such a dif-ferentiation required for the explanation-which   remains a task-of this mystery.

Need a metaphysical reading of *subsistit in* exclude a historical reading of the term? At least, may one hold the truth of the affirmations associated with either reading simultaneously? If so, one may, following out the implications of the CDF's intervention on Boff and of its most recent clarification, venture to say that the Church of Christ has one sole "self-standing" or agential existence (as dependent Bride, of course). This full and self-standing existence of the Church of Christ, the actual Catholic Church, began at Pentecost, continues today, and shall remain forever. By contrast, extra-Catholic ecclesial reality does not exist as a self-standing mystical person. By God's will, it remains grounded in and oriented towards the one Bride; it is properly hers; and thus it belongs to her by right. [105] Communions endowed with a sufficient threshold of ecclesial endowments are proximately disposed to be, in *actu pleno,* particular churches of the Catholic Church. Because they lack an internal principle constitutive of church they can, it seems, bear only the effects of having the Church's form. At any rate, *Dominus Iesus's* employment of "only fully exists" should not be read as allowing for degrees of metaphysical subsistence, which, as Becker implies, is a contradiction in terms. [106] Sullivan maintains that the Church of Christ "subsists-though   not fully-in the Orthodox churches. "[107] If "subsists" means simply "it somehow remains" or "something

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[105] Feiner notes (see Feiner, "Commentary on the Decree *[Unitatis redintegratio],"* 159 and 161) that, at the last minute, Paul VI requested that *"iure"* be added to the important line in *UR* 3: "All these things, which come from and lead to Christ, pertain by right to the one Church of Christ" ("[H]aec omnia, quae a Christo proveniunt et ad Ipsum conducunt, ad unicam Christi Ecclesiam iure pertinent" [AAS 57 (1965): 93]).

[106] See Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 520C.

[107] Sullivan, "The Meaning of *Subsistit In,"* 120 (see also 121).

of it remains," one can speak of degrees of more or less, for the precise manner of "remaining" or "existing" is not in view. Further inquiry would lead to the metaphysical question. [108] In sorting all these diverse manners of the "being" of the Church of Christ, one should compare the existence of non-Catholic particular or local churches *not* to the existence of the Catholic Church, the universal Church of Christ, but to the existence of Catholic particular or local churches. Only in that way can a proper comparison be drawn.

Although Becker does not subscribe to a metaphysical reading of *subsistit in,* he implies the truth of the affirmation of the Church's metaphysical subsistence as one integral reality. The implication of this viewpoint dovetails with the "full identity" associated with a metaphysical reading. Sullivan contests, "It is difficult to understand how Becker can claim that the Secretariat for Christian Unity totally identified the Church of Christ with the Catholic Church, when it so clearly recognized that non-Catholic churches and communities are used by the Holy Spirit as means of salvation." [109] James O'Connor provided a response to this difficulty over two decades ago. In the council's *Acta* we find the following important response to an objection to the description (in *UR* 3) of non-Catholic churches as "means" of salvation: "Without doubt, God uses the disjoined communities themselves, not indeed *qua* disjoined, but *qua* informed by the

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[108] The historical sense of the term *subsistit-that* the Church of Christ continues to exist in her fullness here, in the Catholic Church-is of course required by Catholic teaching. So long as one does not take a metaphysical reading in a crass sense-"something" subsisting "in something else"-a metaphysical affirmation about the manner of existence of this Church of Christ need not contradict the doctrine of full identity (cf. Becker, "The Church and Vatican II's *'Subsistit in'* Terminology," 519B, who yet appears to presume the idea as well [ibid., 520C]). It seems to me that metaphysical reflections on this matter add a certain depth. Importantly, they establish the theological grounds for the doctrinal affirmation of the real ecclesial character of non-Catholic churches (see note 26 on Ratzinger's thought on this; see also Fromaget, "Subsistit In," 38-45). Clearly, the council can employ the term in a merely historical sense (see *UR* 13, regarding the perpetuation of Catholic traditions in the Anglican communion). It would be a mistake, however, to take metaphysically a merely historical application regarding the enduring existence of "elements" outside the Catholic Church (see, e.g., Sullivan, "The Meaning of *Subsistit In,*" 120).

[109] Sullivan, "Response," 405. See also ibid., n. 29, with reference to *ASS* 3/7:35

aforementioned ecclesial elements, for conferring saving grace to believers. "¹¹⁰ O'Connor   comments:

The elements [of separated churches and communions] are operative here and now because they belong by right to the Church and *presently* derive their efficacy from the plenitude of grace entrusted to the Catholic Church. In other words, the ecclesial elements are elements of the Catholic Church presently operative in the separated Churches and Communities because of their real, although imperfect, unity with the Catholic Church. ¹¹¹

A number of arguments directly favor the thesis of "total identity."

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¹¹⁰ "Deus procul dubio utitur ipsis Communitatibus seiunctis, non quidem qua seiunctis, sed qua informatis praedictis elementis ecclesialibus, ad conferendam credentibus gratiam salutarem" *(ASS* 3/7:35). It should be mentioned, first, *thatAetemus   Unigeniti* already stated something to this effect (see notes 71 and 72). One might object *thatAetemus   Unigeniti* spoke of the instrumental efficacy of the elements and not of the communities. Yet, second, the *Acta* attest that it is on account of the elements that said communities have their efficacy. In response to worries that *Lumen gentium* 15, exaggerated the promise of non-Catholic communions and thus gave license for the Protestant prosyletization of Latin America, the doctrinal commission made clear that "This entire passage treats *of the objective elements* which constitute a certain bond with the Catholic Church. The passage is obviously stated in general terms" ("In toto textu agitur *de elementis obiectivis* quae nexum quemdam cum Ecdesia Catholica constituunt, et sermo evidenter est generalis" *[ASS* 3/6: 100; the same point is made in *ASS* 3/2:335]). Third, John Paul II ascribes the presence and operation of the Church of Christ in non-Catholic Churches to the presence therein of ecclesial elements (see note 39). The CDF follows him (see CDF, "Certain Aspects of the Doctrine on the Church," response to the second question *[AAS* 99 (2007): 606]). See, also James O'Connor,   "The Church of Christ and the Catholic Church," in *The Battle for the Catholic Mind,* ed. William May and Kenneth Whitehead (South Bend, Ind.: St. Augustine's Press, 2001), 258-59.
¹¹¹ O'Connor,   "The Church of Christ and the Catholic Church," 259. O'Connor is well aware of the problem that non-Catholic churches cannot be impeded in the validity of certain exercises of the sacraments on account of a juridical act of Rome (see, e.g., *ASS* 3/7:35). Nevertheless, as he notes, the same is true *within* the Catholic Church (differences of domains for various canonical norms notwithstanding). A "suspended" bishop can serve the Lord, but not *qua* separated (ibid., 260). Moreover, the *nota praevia* accompanying *Lumen gentium* offers preliminary guidelines for the interpretation of some matters, such as the meaning of "communion" and the question of "juridical determination" of a bishop's power to perform his sacred function. Diverse answers to questions of liceity and validity do not prejudice the argument that the Church of Christ is simply the Catholic Church. However, diverse answers to the question of juridical determination will affect the ways in which one understands the meaning of "church" when said of non-Catholic communions. See also Leo XIII, *Satis cognitum* 14-15; Pius XII, *Mystici corporis* 42.

B) Arguments for Total Identity

I intend these arguments to be taken as "converging probabilities." First, a Catholic theologian ought to presume in favor of the perpetuity of past doctrine, unless he countenances an explicit revocation, or unambiguous implicit revocation, thereof. [112] Much more is this the case for a longstanding teaching. [113] Vatican II nowhere expressly revokes previous teaching, nor do the conciliar teachings necessarily imply such a revocation. One therefore presumes the continuity of doctrine reaffirmed recently in the CDF's "Responses."

Second, as some have pointed out, the council elsewhere affirms the identity of the Mystical Body of Christ and the Catholic Church. *Orientialium ecclesiarum,* which received conciliar approval the same day as *Lumen gentium,* reads, "The holy and Catholic Church, which is the Mystical Body of Christ --- ". [114] No one, presumably, would differentiate the Mystical Body from the Church of Christ. This passage, therefore, is tantamount to an affirmation of identity between the Catholic

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[112] For a similar contention, see Fromaget, "Subsistit In," 47.

[113] Was the teaching longstanding? Sullivan contends that the total identity of the Catholic Church and the Church of Christ was not held by the fathers of the Council of Florence. He indicates the reference in session 6 to a wall that divided the "western and eastern Church" (in the singular in Latin and Greek). See Tanner, ed., *Decrees,* 1:524.9-11; and Sullivan, "The Meaning of *Subsistit In,"* 524. This reading is problematic in the context of that council as a whole. In session 8, the council portrays the Greeks and the Armenians as having been made one with the Roman Church (see Tanner, ed., *Decrees,* 1:535.31-536.2). Session 6 stresses the primacy of the Roman pontiff over the whole Church (see Tanner, ed., *Decrees,* 1:528.15-30) and refers to the Catholic Church as Mother Church and Spouse of Christ (see Tanner, ed., *Decrees,* 1:524.30-31 and 525.14). How, then, should one understand the passage to which Sullivan refers? The voice of the council is as it were that of the universal Church addressing her actual sons, those who *were* divided. She rejoices that those who are her sons, and who were once divided though marked by Christ in baptism, are united at last. This is as though to say that, whereas the objective scope of papal power is and was universal, it suffered in its reception among some of the Eastern churches, which are now, in *actu pleno,* particular Catholic Churches. Who, finally, can forget Florence's very difficult teaching (applicable *formaliter)* that no one who does not remain in the bosom of Catholic unity-be he a heretic or schismatic--can be saved (see Tanner, ed., *Decrees,* 1:578.7-26)?

[114] "Sancta et catholica Ecclesia, quae est Corpus Christi Mysticum" *(Orientalium Ecclesiarum* 2 *[MS* 57 (1965): 76]). See O'Connor, "The Church of Christ and the Catholic Church," 257.

Church and the Church of Christ. [115] Another conciliar utterance implies the same: "Now, the bishops are singly the visible principle and foundation of unity in their particular churches, which are formed in the image of the universal Church; it is in these and from these that there exists the one and only Catholic Church." [116] The analogy in context is clear: As the pope is to the universal Church, each bishop is to his particular church. To designate the universal Church, which is "one and only one," *Lumen gentium* does not hesitate to use the title "Catholic Church." [117] Sullivan might explain this statement, as he does the use of "the one and only Church of God" to designate the Catholic Church *(UR* 3), [118] as being applicable only in the first millennium. [119] Yet, the passage from *Lumen gentium* occurs in the context of a discussion of the college of Bishops, which by definition is constituted only by the pope and those bishops in hierarchical communion with him. [120] Further, the *Acta* attest that the conciliar secretariat affirmed the total identity of the Catholic Church and the Church of Christ. [121]

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[115] The refrain "Christ's Body, which is the Church," evocative of Pius XII and Sebastian Tromp, appears in various places. See *Sacrosanctum concilium* 7 (Tanner, ed., *Decrees,* 2:822.29-30); *Lumengentium* 7 (Tanner, ed., *Decrees,* 2:853.24), 14 (Tanner, ed., *Decrees,* 2:860.13), 48 (Tanner, ed., *Decrees,* 2:887.37), and 49 (Tanner, ed., *Decrees,* 2:889.15); *Gaudium et spes* 32 (Tanner, ed., *Decrees,* 2:1088.38-39); and *Presbyterorum ordinis* 12 (Tanner, ed., *Decrees,* 2:1057.21).

[116] "Episcopi autem singuli visibile principium et fundamentum sunt unitatis in suis Ecclesiisparticularibus, ad imaginem Ecclesiaeuniversalisformatis, in quibus et ex quibus una et unica Ecclesia catholica exsistit" (LG 23 *[AAS* 57 (1965): 27]).

[117] See also *Code of Canon Law,* canon 368.

[118] "[U]na et unica Dei Ecclesia" (UR 3 *[AAS* 57 (1965): 92]).

[119] See Sullivan, "Response," 402-4 and 407.

[120] See *LG* 22-23; and *Nata explicativa praevia,* no. 3.

[121] With respect to the introduction to *Unitatis redintegratio,* there was a complaint that non-Catholic communions were being numbered alongside the Catholic Church, giving the appearance of a false connumeration. The response was: "In this place, only the reality as perceived by all is being described. Below, it is clearly affirmed that only the Catholic Church is the true Church of Christ" ("Hie tantum factum, prout ab omnibus conspicitur, describendum est. Postea dare affirmatur solam Ecclesiam catholicam esse veram Ecclesiam Christi" [ASS 3/7:12]). The third concern regarding chapter 1 urged the explicit addition of "Catholic" whenever the use of "Church" was meant to designate the Catholic Church. The response was that the sense in each case should be obvious from the context (see*ASS* 3/7:15). The same bishop desired another change (the fourth listed): That the text explicitly state that

Third, in various ways, Vatican II presents Peter as the pastor of the entire Church; similarly, Peter and the bishops united with him form one college, governing the entire Church. In harmony with established tradition, this is the constant claim of the entire council. [122] Now for the argument: When Peter exercises authority over all the Catholic faithful, he fully exercises his supreme authority. This exercise of authority is not that merely of bishop or metropolitan or even "patriarch of all the West." But, at least objectively, he fully exercises his supreme authority precisely as pastor of the entire Church of Christ. Therefore, Peter's authority as pastor of the Catholic Church is coextensive with his authority as pastor of the Church of Christ. With regard to Peter's

only the Catholic Church is the Church of Christ and that everyone has the duty to seek her out and enter her in order to obtain eternal salvation. The risk, in not clarifying this matter, is that Catholics will be exposed to indifferentism. The secretariat's response was, "What is asked here is sufficiently borne out in the entire text. On the other hand, the text cannot pass over the fact that revealed truths and ecclesial elements are also found in other Christian communities" ("In toto textu sufficienter effertur, quod postulatur. Ex altera parte non est tacendum etiam in aliis communitatibus christianis inveniri veritates revelatas et elementa ecclesialia" [ibid.]). Other bishops urged that the text more clearly teach that the true Church is only the Catholic Church and that the pope enjoys supreme authority over all the faithful. The response was that the text presupposes this doctrine, expounded in *Lumen gentium* (see ibid.).

In the discussion of *UR* 2, there was a desire that the unicity of the Church be more clearly expressed. The response reads: "(A) From the whole text, the identification of the Church of Christ with the Catholic Church is evident, although, as is necessary, the ecclesial elements of the other communities are set in relief. (B) The Church-governed by the successors of the Apostles with the successor of Peter as their head-is explicitly called the 'only flock of God' and the 'one and only Church of God' ("[A] Ex toto textu dare apparet identificatio Ecclesiae Christi cum Ecclesia catholica, quamvis, ut oportet, efferantur elementa ecclesialia aliarum communitatum. [BJ ... Ecclesia a successoribus Apostolorum cum Petri successore capite gubernata ... explicite dicitur 'unicus Dei grex' et ... 'una et unica Dei Ecclesia'" *[ASS* 3/7:17]). It is noteworthy that the CDF, in its responses to questions on "Certain Aspects of the Doctrine on the Church," cites these texts in its fourth footnote (MS 99 [2007]: 605-6 n.4).

[122] *LG* 8 (Tanner, ed., *Decrees,* 2:854.21-23, 26-28); 18 (Tanner, ed., *Decrees,* 2:863.11-14); 19 (Tanner, ed., *Decrees,* 2:863.28-32); 20 (Tanner, ed., *Decrees,* 2:864.4-6); 22 (Tanner, ed., *Decrees,* 2:865.28-866.11; 866.14-18, 20-24, 25, 32, 34); 23 (Tanner, ed., *Decrees,* 2:867.21, 23, 29-30); and 25 (Tanner, ed., *Decrees,* 2:869.30-34, 39). Among other witnesses to the constancy of this tradition, see Fourth Lateran Council, chap. 5 (DS 811); Council of Lyons, Session 4 (DS 861); Boniface VIII, *Unam sanctam* (DS 870-75); Council of Florence, "Decree for the Greeks" (DS 1307); Vatican I, *Pastor aeternus* (DS 305 0-64); Leo XIII, *Satis cognitum* 13-15; and Pius XII, *Mystici corporis* 40-41.

authority, what can be defective is not his power but the
acceptance thereof by Christians. But papal authority, which is
supreme, is objectively augmented neither by the consent of the
faithful nor by the cooperation of bishops, even though bishops
receive their power directly from Christ and even though, when
united with the pope in an ecumenical council, they jointly
exercise that supreme authority. Nor should one attempt to
circumscribe papal authority or true conciliar authority by appeals
to "recognition" and "reception. "[123] Given, then, the perpetually
established supreme authority of the Bishop of Rome, there are no
grounds for distinguishing *realiter* the Catholic Church and the
Church of Christ.

  Fourth, as Vatican II teaches, the entire means of salvation, the
full deposit of faith, and the full governing structure of the
Church belongs only to the Catholic Church: "Through Christ's
Catholic Church alone, which is the comprehensive help *[generate
auxilium]* for salvation, can *[potest]* the fullness of all the means
of salvation be attained."[124] Clearly, the *potest* does not allow for
a temporally limited distribution of the predicate. The reason is
this: "that fullness of grace and truth ... is entrusted to the
Catholic Church."[125] Now, if there were a real differentiation

[123] We find such an appeal in the Joint International Commission for the Theological
Dialogue between the Roman Catholic Church and the Orthodox Church, "Ecclesiological
and Canonical Consequences of the Sacramental Nature of the Church: Ecclesial Communion,
Conciliarity and Authority" (Ravenna, 13 October 2007).

[124] "Per solam enim catholicam Christi Ecclesiam, quae generale auxilium salutis est, omnis
salutarium mediorum plenitudo attingi potest" *(UR* 3 *[AAS* 57 (1965): 94]). The elements of
sanctification and truth found outside the Catholic Church, conducive to salvation, draw their
efficacy from the fullness of grace and truth entrusted to the Catholic Church. *Lumen gentium*
teaches that these elements are proper *(propria)* to the Church of Christ and therefore impel
towards Catholic unity (LG 8). In the *Acta,* the following response regarding a suggested
change is noteworthy: "When ecclesial elements are said to exist outside of the boundaries of
the Catholic Church, it is by no means affirmed that in the Catholic Church one does not find
all the elements [of the Church]. The fullness of the means of salvation ... is explicitly
ascribed to the Catholic Church alone" ("Eo quod extra saepta Ecclesiae catholicae elementa
ecclesialia exstare dicuntur, nullatenus affirmatur non omnia elementa in Ecclesia catholica
inveniri. Plenitudo mediorum salutis ... explicite soli Ecclesiae catholicae adscribitur" *[ASS*
3/7:31]). See also John Paul II, *Ut unum sint* 11(AAS87 [1995]: 927).

[125] "[I]psa plenitudine gratiae et veritatis ... Ecclesiae catholicae concredita est" *(UR* 3
[AAS 57 (1965): 93]). Paul VI requested the insertion of "Catholic" at the end of this
statement (see Feiner, "Commentary on the Decree *[Unitatis redintegratio],"* 159).

between the Catholic Church and the Church of Christ, it would be possible for a set of non-Catholic Churches to attain full communion with the Church of Christ, and hence to enjoy the fullness of grace and truth, without *eo ipso* becoming particular Catholic churches. Such a situation is impossible, since the fullness can be obtained only through Christ's Catholic Church.

Fifth, Vatican II presupposes that, during this "end of the times," the people of God-which no one would differentiate *realiter* from the Church of Christ-is the Catholic Church. This point can be shown by the following observations. First, the people of God is said to cling to the word of the magisterial teaching office.[126] The predicate is, as such, applicable only to the members of the Catholic Church. Second, the council speaks equivalently of "The Church, or the people of God."[127] The context shows that "Church" here means "Catholic Church." Third, the teaching on incorporation into the people of God manifests the same. All are called to the Catholic unity of the people of God, and all people either "belong" *(pertinent)* or are "ordered" *(ordinantur)* to this unity.[128] The distinctions between belonging and being related are presented more precisely as follows. Those are "fully incorporated" who accept all the means of salvation and the entire structure of this society, who are united with Christ in its visible structure governed by the supreme pontiff and the bishops (by the ties of the profession of faith, the sacraments, ecclesial authority, and communion), and who still have the Spirit of Christ.[129] Those who meet all conditions but the

[126] See *LG* 12.

[127] "Ecclesia seu Populus Dei" (LG 13 [Tanner, ed., *Decrees,* 2:859.17]; see also *LG* 28 [Tanner, ed., *Decrees,* 2:873.36-37]).

[128] *LG* 13 (Tanner, ed., *Decrees,* 2:860.5-7). For a similar analysis, see Fromaget, "Subsistit in," 39-40.

[129] See *LG* 14 (Tanner, ed., *Decrees,* 2:860.20-25). Of course, the conditions spelled out here pertain to the objective order. Whether someone who is commonly assumed not to be Catholic may in fact be Catholic is another question, which the council chose not to answer. Hence, the wording in *UR* 3: "Those who have by faith been justified in baptism are incorporated into Christ" ("iustificati ex fide in baptismate, Christo incorporantur" *[AAS* 57 (1965): 93]). The text does not read "into Christ's body," pace the Tanner translation (Tanner, ed., *Decrees,* 2:910.13-14). The secretariat called attention to the deliberate omission of the term "body" here, since it was not the council's intention to settle disputed questions of membership (see *ASS* 3/7:30). The readings of Feiner (Feiner, "Commentary on the Decree

last (i.e., Catholics who have not persevered in charity) are nonetheless "incorporated" into this society. [13]° Catechumens desire to be incorporated into the Church. [131] "Mother Church" thus embraces them as her own. [132] Other Christians are, on various grounds, "joined" to the Church. [133] Finally, other people are "ordered" to the people of God in various ways.[134] This narrative of diverse relations to the unity of the people of God presupposes the identity of the people of God with the Catholic Church.13[5] Fourth, *Unitatis redintegratio (UR* 3), echoes this presupposition: For the building up of the one body, Christ entrusted all the blessings of the New Testament to the apostolic college alone, over which Peter presides. Into this one body "all those who already belong in some way to the people of God ought to be fully incorporated. "[136]

Sixth, according to Vatican II, it is precisely the Catholic Church-not the Church of Christ conceived as extended beyond the Catholic Church-that is necessary for salvation. It is first asserted that the pilgrim Church of Christ is necessary for salvation. [137] From this general principle the council concludes to

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[Unitatis redintegratio]," 73) and Congar (Congar, *Le Concile de Vatican II,* 160) concerning Church membership seem, therefore, to go beyond the text. For a reading alternative to these, see Karl J. Becker, "The Teaching of Vatican II on Baptism: A Stimulus for Theology," in *Vatican II: Assessment and Perspectives Twenty-five Years After (1962-1987),* vol. 2, ed. Rene Latourelle (New York: Paulist Press, 1989), 62-75. For a good and subtle presentation, see Fromaget, "Subsistit In," 27-33. Von Teuffenbach argues that Cardinal Lienart failed to distinguish the question of membership from the question of the relation of non-Catholic communions to the one and only Catholic Church (see von Teuffenbach, *Die Bedeutung des 'subsistit in',* 304f.).

[130] See *LG* 14 (Tanner, ed., *Decrees,* 2:860.25-27).

[131] See *LG* 14 (Tanner, ed., *Decrees,* 2:860.31£).

[132] See *LG* 14 (Tanner, ed., *Decrees,* 2:860.33).

[133] *LG* 15 (Tanner, ed., *Decrees,* 2:860.34-37).

[134] *LG* 16 (Tanner, ed., *Decrees,* 2:861.14£).

[135] Sullivan reads into the constitution the notion of "degrees of incorporation in the church" (see Sullivan, *Salvation outside the Church?* 146). He further blurs the subtlety by contending that since one either belongs (a loose term) or is related to the Church, therefore, all who belong are members of the Church (see ibid., 153).

[136] "cui plene incorporentur oportet omnes, qui ad populum Dei iam aliquo modo pertinent" *(UR* 3 *[AAS* 57 (1965): 94]).

[137] See *LG* 14 *(AAS* 57 [1965]: 18).

a particular moral precept pertaining to God's will for concrete man: "Wherefore, those men could not be saved who-not unaware that the Catholic Church was by God through Jesus Christ made necessary-nonetheless would not will to enter into her or to remain in her." [138] If the objective necessity to enter the Catholic Church follows straightforwardly from the necessity of the pilgrim Church of Christ for the salvation of wayfarers, then, as Fromaget argues, the Catholic Church is the very same thing as the Church of Christ. [139] Or is the Catholic Church some kind of instrument of the Church of Christ? Of course, it is emphatically to be added that salvation is possible for individuals who are not Catholic. [140] Moreover, non-Catholic Christian communities enjoy ecclesial mediation of the means for achieving this possibility. Disputes about the denial of the possibility for non-Catholics to be saved, à la Feeney, are to be distinguished from the issue of *subsistit.* Non-Catholics can be saved precisely through a mystical communion with the Catholic Church. There is no compelling need for a Catholic theologian to appeal to some other "mystical communion" with a Church of Christ supposedly not fully identical with the Catholic Church.

Seventh, the denial of full identity does not accord with the context of the *subsistit* clause. The burden of article 8 of *Lumen gentium,* as well as that of *Mystici corporis,* was to maintain the inseparable unity of the invisible and visible aspects of the one and

[138] "Quare illi homines salvari non possent, qui Ecclesiam Catholicam a Deo per Iesum Christum ut necessariam esse conditam non ignorantes, tamen vel in earn intrare, vel in eadem perseverare noluerint" (LG 14 *[AAS* 57 (1965): 18]). Tanner, following a general editorial decision, capitalizes neither *Ecclesiam* nor *Catholicam* (see Tanner, ed., *Decrees,* 2:860.17).

[139] See Fromaget, "Subsistit In," 38 n. 145.

[140] *LG* 15-17. Sullivan argues from the possibility that non-Catholics can be saved, even though they do not enter into visible union with the Catholic Church, to the denial of total identity. This is to presuppose what one intends to establish. It is not necessary to deny total identity in order to save this possibility. As O'Connor has shown, the secretariat found it not necessary to repeat, in *UR* 3, the necessity of the Catholic Church for salvation, since the truth of this necessity was abundantly clear: "The necessity of communion with the Catholic Church for obtaining the grace of Christ and salvation is sufficiently indicated in the entire context" ("Necessitas communionis cum Ecclesia catholica ad gratiam Christi et salutem obtinendam sufficienter indicatur in toto contextu" *[ASS* 3/7:35]). See O'Connor, "The Church of Christ and the Catholic Church," 259.

only *(unica)* Church. The one reality of the Church is constituted on this earth "as a visible structure."[141] The Mystical Body of Christ and the "society arranged with hierarchical organs,"[142] therefore, form one complex reality from two elements, a mysterious analogy for which is Christ, one person composed of two natures.[143] Insofar as particular gatherings of Christians do not retain the full scope of the visible order of the Catholic Church, they fail to be, in *actu pleno,* particular churches of the Catholic Church. Given that the Church of Christ is one reality, visible and invisible, how then could they be, in *actu pleno,* particular churches of the Church of Christ? However one qualifies the status of such churches with respect to the Catholic Church (e.g., they "participate" in the reality of the Catholic Church; they "approximate" to being, fully, Catholic particular churches), one must identically qualify their status with respect to the Church of Christ.[144] To differentiate these "respects" would be to render the Catholic Church but a collective sister church, albeit massive and "full," among the major collective sister churches of the Church of Christ.

Eighth, only the doctrine of full identity preserves the teaching that the Catholic Church is Mother of all particular churches and not a federated sister to any particular church or churches. The CDF has reaffirmed this constant teaching: "As recalled above, one cannot properly say that the Catholic Church is the *sister* of a particular church or group of churches." The reason (what is being recalled) is that "The one, holy, catholic and apostolic

[141] "ut compaginem visibilem" *(LG* 8 *[AAS* 57 (1965): 11]).

[142] "Societas autem organis hierarchicis instructa" (ibid.).

[143] Even late in the *Acta,* the unicity of the Church is repeatedly expressed. See *ASS* 3/1:176 and 180; and *ASS* 3/7:12, 15, 16-17, 35 (response to suggested emendation no. 57) and 36 (response to suggested emendation no. 63). The unicity is, of course, also enshrined in the conciliar texts themselves: "This is the only Church of Christ" ("Haec est unica Christi Ecclesia" [LG 8 *(AAS* 57 [1965]: 11)]); and "In this one and only Church of God" ("In hac una et unica Dei Ecclesia" *[UR* 3 *(AAS* 57 [1965], 92)]). The teaching continues to manifest itself (see CDF, "Some Aspects of the Church Understood as Communion," 8; *UUS* 11; and *DI* 16-17).

[144] If one may in some mode of discourse speak of degrees of being particular churches of the Church of Christ, one could speak identically of degrees of being particular Catholic churches. See, e.g., *The Catechism of the Catholic Church,* 834.

[U]niversal [C]hurch is not sister but *mother* of all the particular churches." This is not mere semantics. It is a matter "above all of respecting a basic truth of the Catholic faith: that of the unicity of the [C]hurch of Jesus Christ. In fact, there is but a single [C]hurch. "[145] This teaching has no grounds if the Catholic Church is not, now and always, the Universal Church of Christ, Mother of all particular churches. [146]

How, then, to account for the ecclesial reality of non-Catholic churches? Non-Catholic churches can be considered "true particular churches" in a proper but analogical sense. A more precise accounting of the extension of the sense of "church" is desirable. Clearly, they are not particular churches *in actu pleno.* Would it be accurate to describe them as "true churches" insofar as they are proximately disposed to the form of the one true Church?

It seems to me, finally, that the denial of total identity has been bolstered by an unwitting transposition from one set of ecclesial polarities to another. The following polarities, each in its own way, apply to the Church: visible society- mystical reality; perfect in the means for the attainment of the end - imperfect and sinful in her members; sign - signified; essential character - variegated incarnate manifestations; pilgrim wanderer- heavenly victor; etc. Early conciliar discussions rightly highlighted these polarities. Problems arise, however, when these as it were eschatological and vertical polarities are taken to justify a horizontal (geographical) and present polarity between the Catholic Church and the Church

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[145] CDF, "Note on the Expression 'Sister Churches,"' 10-11 *(Origins* 30 [2000]: 224B). The tradition witnesses that the Catholic Church is Mother of all Churches through the primacy accorded to her visible head. Accordingly, the tradition does not hesitate to call the Church of Rome the Mother of all Churches (see Fourth Lateran Council, chap. 5 [DS 811]; Council of Lyons, session 4 [DS 861]; and Leo XIII, *Satis cognitum* 13). See also the teaching of Paul VI cited above in note 28. The supremacy of the one Church of Rome over all particular churches is stressed also at Vatican I, *Pastor aeternus* (DS 3060).

[146] Sullivan insists, however, that the Universal Church of Christ is not simply the Catholic Church, and he implies that Paul VI not only permitted one to hold but expressed himself in such a way as to imply that the Catholic Church is a collective "sister" of the churches of the East. See Sullivan, *The Church We Believe In,* 63.

of Christ, *qua* further extended. [147] This leads to a kind of
abstraction of the "universal Church of Christ" from the Catholic
Church: "There is one Church of God that embraces the
particular churches of both East and West, even though at present
they are not in full communion with one another." [148]

 On the basis of this abstraction, there emerges the conception
of a dual relation: non-Catholic church - Church of Christ; non-
Catholic church - Catholic Church. This dual relation, in turn,
entails difficulties for a conception of the universal Church as
both always visible and always ontologically prior to particular
churches. [149] Ontologically prior, the universal Church, as Bridal
Servant and Instrument of Christ, informs this or that particular
church with its ecclesial reality. If the universal Church is always
visible, just what universal Church informs non-Catholic churches
with their ecclesial reality, if not the Catholic Church? If one
appeals neither to the Catholic Church nor to an invisible Church,
one seems to have no recourse but to the notion of the universal
Church as a communion arising out of the many churches. [150] But
the universal Church is not a federation of churches, however
intimately connected. [151] The first set of polarities can be main-

[147] See, e.g., Farmeree, "Local Churches, Universal Church and Other Churches in *Lumen Gentium,"* 54-58. By contrast, the movement from *LG* 49 to *LG* 50 ratifies both the differentiation of the pilgrim status from the heavenly status of the Church and the identity of the Church with the Body of Christ *(AAS* 57 [1965]: 55).

[148] Sullivan, "The Significance of the Vatican II Declaration," 283. See also idem, *The Church We Believe In,* 24f. Again, "The Orthodox Churches can hardly be said to be particular churches of the Catholic Church. If they are not, of what universal church are they particular churches? It would seem that they must be particular churches of the church of Christ, which must then continue to exist beyond the limits of the Catholic Church and not be simply identical with it" (Sullivan, "The Meaning of *Subsistit In,"* 123). John McDermott's remark retains its pertinence: "Sullivan's universal Church is hardly an ordered society in this world" Gohn McDermott, *"Lumen gentium:* The Once and Future Constitution," in Kenneth Whitehead, ed., *After 40 Years: Vatican Council II's Diverse Legacy* [South Bend, Ind.: St. Augustine's Press, 2007], 158 n. 21).

[149] See CDF, "Some Aspects of the Church Understood as Communion," 7 *(AAS* 85 [1993]: 842). See also Ratzinger, "Ecclesiology of the Constitution," 133-39.

[150] See Sullivan, *The Church We Believe In,* 63-65, and Farmeree, "Local Churches, Universal Church and Other Churches in *Lumen Gentium,"* 60.

[151] See Paul VI, *Evangelii nuntiandi* 62; and CDF, "Some Aspects of the Church Understood as Communion," 9.

tained without the addition of a geographical polarity between the Catholic Church and the further extended Church of Christ.

CONCLUSION

I have attempted to demonstrate (a) that Vatican II does not mitigate the traditional doctrine on the full identity of the Church of Christ with the Catholic Church and (b) that therefore on this point there is no warrant for a hermeneutic of rupture. Conciliar and postconciliar magisterial teachings leave theologians with the urgent tasks of articulating the unique contribution of *subsistit,* accounting for the ecclesial status of non-Catholic churches and communities, and unpacking the ecumenical implications of full identity.

Perhaps advertence to a distinction of manners of consideration may assist in these theological endeavors. On the one hand, one can consider the essential character and constitutive elements of the one Church, visible and invisible. From this perspective, one approaches the Church as such, not prescinding from her earthly aspects but considering them absolutely, as it were. On the other hand, one can consider the actual manifestation and concrete life of the Church. [152] From the latter perspective, one

[152] By means of this distinction, one can illuminate the harmony in Cardinal Ratzinger's claims that the Church of Christ is fully identical with the Catholic Church and that she extends beyond the *Roman* Catholic Church. Seen from the material perspective, Catholic churches and non-Catholic churches and communions have this in common: They are the particular, ecclesial stuff upon which God through Christ, in the Spirit, works. So, if by "Catholic Church" one intends *to* designate the variegated manifestation or complexion of the Church of Christ, where it is perfect or metaphysically subsistent, then one might say that the reality of the Church of Christ extends beyond the Catholic Church. (It seems to me that this is why the cardinal prefixes *Roman* to "Catholic Church" in affirming such an extension, as though drawing attention to those temporal aspects of her concrete manifestation that are not *per se* necessary to her essential constitution. I thus find Heim's contention that Ratzinger "does not presuppose a complete identity" [Heim, *Joseph Ratzinger,* 317] to be misplaced.) Nevertheless, such an affirmation is not admissible from the perspective that approaches the Church as such. The Catholic Church, as such, is not a mere set of federated churches but the universal Church of Christ, totally identical thereto. (Hence, the CDF, in its commentary on its "Responses to Some Questions regarding Certain Aspects of the Doctrine on the Church," describes this total identity as a "substantial identity of essence.") So, it is more proper to recognize "Catholic Church" as a term designating the very Church founded by Christ, visible and invisible, divine mystery and ordered society. It is this very Church that can be conceived

attends directly to the variegated manifold of the one Church, which exists in particular churches. One attends directly to the relative strengths and weaknesses-liturgical, theological, pastoral, etc.-of these churches or those. One attends to the adequacy of the harmony among the sister churches. In virtue of the real, albeit imperfect, communion enjoyed by Catholic and non-Catholic particular churches, further, one may simply include the latter with the former in this estimation of the adequacy of the ecclesial symphony. Of course, this suggestion involves a differentiation of considerations, not dual realities. [153] From the coupling of these perspectives on the unique Church, finally, one can affirm both the essential fullness of the ecclesial reality of the Catholic Church and the concrete poverty and woundedness of her lived life, together with her practical need of the expressive ecclesial riches found outside her visible boundaries. [154]

in this twofold consideration.

[153] This consideration opens up space for a Catholic approach to ecumenism that does not rely on a real differentiation between the Catholic Church and the Church of Christ. It allows for both of the following assertions: (a) the goal of the ecumenical movement is not the union of churches in some *tertium quid* but their union in the Catholic Church herself, conceived as such, and (b) the Catholic Church as presently manifest, i.e., as conceived from the material or phenomenological point of view, is not configured in the same way as she was four hundred years ago and as she shall be in the future. A particular or local church that enters full communion with the Catholic Church becomes Catholic, while the latter undergoes reconfiguration in her concrete complexion. Various theologians point in different ways to something of this distinction. I have noted Cardinal Ratzinger already. Others include Richard Schenck (Richard Schenk, "The Unsettled German Discussions of Justification: Abiding Differences and Ecumenical Blessings,"*Dialog: A Journal of Theology* 44 [2005]: 161 and n. 30); Gamberini ("'Subsistit' in Ecumenical Ecclesiology," 68-69); and, especially, Fromaget ("Subsistit In," 80-88). I find particularly promising Thomas Aquinas's meditation on the two senses in which one can understand *forma mixti:* as the substantial form rendering many parts one substance and as the emergent, manifest "quality" of the harmony among these parts (see Thomas Aquinas, *Summa contra Gentiles* IV, c. 81). There is only one substance and one substantial form; yet, in a composite being, harmony among the parts is a necessary feature. Disharmony entails sickness, or even death. Approaching a composite entity from the material point of view, one can consider potential parts together with actual parts as both belonging to the whole according as it has the character of a balanced interplay of ordered parts. Given that the Church is a corporate entity, Aquinas's insight on *forma mixti* could be applied only analogously.

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A CERTAIN RECTITUDE OF ORDER:
JESUS AND JUSTIFICATION ACCORDING TO AQUINAS

J. MARK ARMITAGE

Durham, United Kingdom

BRIAN DAVIES OBSERVES that justification, for Aquinas, "is a matter of God making us more godly." [1] But how exactly does Aquinas understand this process of "making us more godly"? The key concept in Aquinas's teaching on justification is that justification denotes a movement towards "rectitude of order":

Justice is so-called inasmuch as it implies a certain rectitude of order *[rectitudo ordinis]* in the interior disposition of a human being, in so far as what is highest in humans is subject to God, and the inferior powers of the soul are subject to the superior, i.e. to the reason; and this disposition the Philosopher calls 'justice metaphorically speaking'. [2]

In this article I wish to explore the Christological and soteriological significance of Aquinas's understanding of justice as "a certain rectitude of order in the interior disposition of a human being." Firstly, I intend to examine his treatment of original justice and original sin, especially in so far as these denote a relation to "ordinateness." Secondly, in the light of the close connection between the questions of law and justification in Pauline theology, I intend to explain why it is for Aquinas that the

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[1] Brian Davies, O.P., *The Thought of Thomas Aquinas* (Oxford: Clarendon Press, 1992), 337.

[2] *STh* I-II, q. 113, a. 1. All quotations from the *Summa Theologiae* are taken, with appropriate adaptations, from the translation by the Fathers of the English Dominican Province, (London: Burns, Oates & Washbourne, 1920-25).

Old Law is incapable of justifying-that   is, of producing "a certain rectitude of order in the interior disposition of a human being." Finally, I intend to show how the justice of Christ-Christ's   own personal justification and interior rectitude of order-is   the ground for all human redemption and justification.

    Although this study is expository rather than speculative, I do not plan to offer either a detailed account of the relevant question from the *Summa Theologiae (STh* 1-11, q. 113) or an assessment of whether or not Aquinas's argument there is successful.[3] Neither do I intend to discuss in great depth the twin issues of justification by faith and of the relationship of grace and justification. [4] In the light of the Reformation, these issues have become, together with the debate as to whether justification is imputed (Lutheranism) or imparted (Catholicism), central to the discussion of justification whether this is conceived polemically or ecumenically, and they are, understandably, issues that feature prominently in the Joint Declaration on the Doctrine of Justification by the Lutheran World Federation and the Catholic Church. [5] However, there has emerged over the last thirty years or so (primarily in the English-speaking world) a current of thinking in contemporary Pauline scholarship to the effect that Paul's teaching on justification needs to be interpreted not along the customary post-Reformation lines, but in the light of his understanding of Old Testament covenant theology and of the shape of biblical narrative. [6] This "new

[3] For an analysis of Aquinas's synthesis, see Eleonore Stump, "Atonement and Justification," in Ronald J. Feenstra and Cornelius Plantinga, Jr., eds., *Trinity, Incarnation, and Atonement: Philosophical and Theological Essays* (Notre Dame, Ind.: University of Notre Dame Press, 1989), 178-209.

[4] The classic themes of justification through faith, justificati_omand grace, and justification as forgiveness are beyond the scope of this study. For a good introduction, see Davies, *The Thought of Thomas Aquinas,* 335-39; Daniel A. Keating, "Justification, Sanctification and Divinization in Thomas Aquinas," in Thomas Weinandy, Daniel Keating, and John Yocum, eds., *Aquinas on Doctrine: A Critical Introduction* (London: T. & T. Clark, 2004), 139-58.

[5] Available on the Vatican web site (www.vatican.va) under the Pontifical Council for Promoting Christian Unity.

[6] See especially N. T. Wright, *Paul: Fresh Perspectives* (London: SPCK, 2005); also N. T. Wright, *The New Testament and the People of God* (London: SPCK, 1992); Ben Witherington III, *The Paul Quest: The Renewed Search for the Jew of Tarsus* (Downers Grove, Ill.: InterVarsity, 1998), 230-62.

perspective on Paul" has recently found a counterpart in what might be described as the "new perspective on Aquinas. "[7] I hope to demonstrate that Aquinas's teaching on justification is likewise grounded in a theology of salvation history according to which Christ is presented as the fulfillment of Torah and Wisdom.

I. SIN AS DISORDER

Defining original justice, Aquinas writes that

this rectitude consisted in his [Adam's] reason being subject to God, the lower powers to reason, and the body to the soul; and the first subjection was the cause of both the second and the third; since while reason was subject to God, the lower powers remained subject to reason. [8]

For Aquinas, the antithesis of justice is sin. Justification, indeed, is a movement away from sin and towards justice,[9] and the rectitude of order in which justification consists presupposes a reordering of that which has become disordered. Aquinas explains that "sin denotes an inordinate act, even as an act of virtue is an ordinate and due act," while "the vice of a thing seems to consist in its not being disposed in a way befitting its nature," which is another way of saying that it represents a "disordered" con-dition.[10] Likewise, human actions are elicited by the will and "a human act is evil through lacking conformity with its due

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[7] The term "new perspective on Paul," which describes an approach to reading Paul in the light of Jewish history and theology (of which Jesus of Nazareth is, according to Paul, the fulfillment) rather than in the light of Reformation debates, was coined by James D. G. Dunn in "The New Perspective on Paul," *Bulletin of the John Rylands Library* 65 (1983): 94-122. Major figures associated with the "new perspective" include E. P. Sanders, N. T. Wright, Richard B. Hays, Ben Witherington III, and Dunn himself. Matthew Levering has recently proposed what might be termed "a new perspective on Aquinas," according *to* which Aquinas, like the Paul described by the new perspectivists, is portrayed as viewing incarnation, redemption, and the sacraments in terms of the fulfilment of such Old Testament motifs as Torah and Temple. See Matthew Levering, *Christ's Fulfillment of Torah and Temple: Salvation according to Thomas Aquinas* (Notre Dame, IND.: University of Notre Dame Press, 2002).

[8] *STh* I, q. 95, a. 1.

[9] *STh* I-II, q. 113, a. 1.

[10] *STh* I-II, q. 71, a. 1.

measure" which in turn depends on a "rule." The two rules of the human will are human reason and the eternal law "which is God's reason, so to speak," with the result that sinful actions are those which do not conform with the twofold rule of human and divine reason. [11]

The inordinate reason itself is the primary cause of sin

first, in so far as it errs in the knowledge of truth, which error is imputed to the reason as a sin, when it is in ignorance or error about what it is able and ought to know; secondly, when it either commands the inordinate movements of the lower powers, or deliberately fails to check them. [12]

The will is moved in accord with reason, but the will and reason may be thrown off kilter either by some disorder within themselves or by the sensitive appetites in such a way that they falsely apprehend their good and fail to measure up to the rule of reason and of the eternal law. [13] When this occurs the consequence is a lack of order between the body (mediating the sensitive appetites) and the reason and between the reason and the eternal law ("God's reason"). This is the precise opposite of the *rectitudo ordinis* at which justification aims.

Original sin "is an inordinate disposition, arising from the destruction of the harmony which was essential to original justice, even as bodily sickness is an inordinate disposition of the body, by reason of the destruction of that equilibrium which is essential to health." [14] Actual sin is "an inordinateness of an act," whereas original sin is "an inordinate disposition of nature," and, unlike actual sin, is "a kind of habit." [15] It destroys original justice and diminishes the natural inclination to virtue. [16] Aquinas explains that

[11] *STh* I-II, q. 71, a. 6.
[12] *STh* I-II, q. 74, a. 5.
[13] *STh* I-II, q. 75, a. 2.
[14] *STh* I-II, q. 82, a. 1.
[15] Ibid., ad 2.
[16] *STh* I-II, q. 85, a. 2.

As a result of original justice, the reason had perfect hold over the lower parts of the soul, while reason itself was perfected by God, and was subject to him. Now this same original justice was forfeited through the sin of our first parent ... so that all the powers of the soul are left, as it were, destitute of their proper order, whereby they are naturally directed to virtue; which destitution is called a wounding of nature. [17]

In consequence of this the reason, the will and the irascible and concupiscible powers of the soul (the subjects of fortitude and temperance respectively) become disordered:

in so far as the reason is deprived of its order to the true, there is the wound of ignorance; in so far as the will is deprived of its order of good, there is the wound of malice; in so far as the irascible is deprived of its order to the arduous, there is the wound of weakness; and in so far as the concupiscible is deprived of its order to the delectable, moderated by reason, there is the wound of concupiscence. [18]

Original sin, accordingly, introduces disorder-an inordinate disposition-at every level of the soul, undermining the body's proper subordination to the soul and the soul's proper subordination to God.

II. DESIRE AND DISORDER

This "inordinateness" is what Aquinas understands by "concupiscence." At one level, inordinateness is caused by the loss of original justice:

Now the whole order of original justice consists in a human's will being subject to God. This subjection, first and chiefly, was in the will, whose function it is to move all the other parts to the end ... so that the will being turned away from God, all the other powers of the soul become inordinate. [19]

At another level, however, the "material element" in original sin is that inordinateness which Aquinas equates with concupiscence:

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[17] *STh* I-II, q. 85, a. 3.

[18] On the irascible and concupiscible powers of the soul and their proper relation to reason, see *STh* I, q. 81, aa. 2-3.

[19] *STh* I-II, q. 82, a. 3.

Accordingly the privation of original justice, whereby the will was made subject to God, is the formal element in original sin; while every other disorder of the soul's powers, is a kind of material element in respect of original sin. Now the inordinateness of the other powers of the soul consists chiefly in their turning inordinately to mutable good; which inordinateness may be called by the general name of concupiscence.

Aquinas notes that "the concupiscible power is naturally governed by reason" and that "the act of concupiscence is so far natural to humans, as it is in accord with the order of reason." However, "in so far as it trespasses beyond the bounds of reason, it is, for humans, contrary to reason," and it is in that that the concupiscence of original sin consists.[20] Moreover, "as in good things, the intellect and reason stand first, so conversely in evil things, the lower part of the soul is found to take precedence, for it clouds and draws the reason."[21] The inordinate reason may be the primary cause of sin, but the loss of subjection of reason to God is mirrored within the soul itself in the inordinateness which sees concupiscence and the lower part of the soul seize the hegemony from intellect and reason; Aquinas notes that "the appetitive faculty obeys the reason, not blindly, but with a certain power of opposition," with the result that "the habits or passions of the appetitive faculty cause the use of reason to be impeded."[22]

The inordinateness in which original sin consists derives from pride. Pride *(superbia)* is the desire to overstep above *(supra)* what one really is, and consequently is opposed to "right reason," which "requires that every man's will should tend to that which is proportionate to him."[23] Instead, "pride makes a man despise the divine law whieh hinders him from sinning."[24] Aquinas explains that "the first inordinateness of the human appetite resulted from his [Adam's] coveting inordinately some spiritual good" which "he would not have coveted inordinately if he had desired it according to his measure as established by the divine

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[20] lbid.,ad 1.

[21] Ibid., ad 3. See *STh* I-II, q. 77, aa. 1-2; *STh* I-II, q. 80, a. 2.

[22] *STh* I-II, q. 58, a. 2 .

[23] *STh* 11-11, q. 162, a. 1.

[24] *STh* 11-11, q. 162, a. 2.

rule." [25] In particular, Adam (like the devil) "coveted somewhat to be equal to God, in so far as each wished to rely on himself in contempt of the order of the divine rule." [26] Pride, accordingly, constitutes an inordinateness within the soul which goes against the "order of reason," rejects the "divine rule," and so disrupts the subordination of the body to the lower parts of the soul, of the lower parts of the soul to the intellect and reason, and of the intellect and reason to God.

We may note in passing that this coveting of equality with God represents a disordering both of the vocation to exercise genuine freedom and of the vocation to exist in the *imago Dei*. Rudi te Velde argues that Aquinas understands the disorder that follows from the loss of original justice as depriving the human self of its basic freedom. Reduced to a state of disorder and disharmony, human beings are unable to realize that freedom which is intrinsic to what it means to be truly human. [27] In particular, because of the disorder it introduces into the human soul, Adam's prideful coveting of equality with God deprives human reason of its freedom to obey the eternal law. At the same time, the coveting of equality represents a disordering of humanity's creation in the image of God. [28] Joseph P. Wawrykow accordingly discerns a number of resonances and structural similarities between Aquinas's teaching on original justice and his teaching on the *imago Dei*,[29] while Romanus Cessario speaks of the "prerogative of image-perfection in the state of original justice," and goes on

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[25] *STh* II-II, q. 163, a. 1.

[26] *STh* 11-11, q. 163, a. 2.

[27] Rudi A. te Velde, "Evil, Sin, and Death: Thomas Aquinas on Original Sin," in Rik Van Nieuwenhove and Joseph Wawrykow, eds., *The Theology of Thomas Aquinas* (Notre Dame, Ind.: University of Notre Dame Press, 2005), 143-66, at 157-59.

[28] *STh* I, a. 93, a. 1: "it is manifest that in humans there is some likeness to God, copied from God as from an exemplar; yet this likeness is not one of equality, for such an exemplar infinitely excels its copy."

[29] Joseph P. Wawrykow, *The* SCM *Press A-Z of Thomas Aquinas* (London: SCM Press, 2005), 101. On the *imago Dei* according to Aquinas, see especially D. Juvenal Merriell, C.O., *To the Image of the Trinity: A Study of the Development of Aquinas' Teaching* (Toronto: Pontifical Institute of Mediaeval Studies, 1990); A. N. Williams, *The Ground of Union: Deification in Aquinas and Palamas* (Oxford: Oxford University Press, 1999), 68-72.

to present sin in terms of the loss of the divine image. [30] While it
is beyond the scope of this study to explore in detail the equation
between disorder and the loss of authentic human freedom and of
the *imago Dei,* it is important to bear in mind the full range of
ideas implied by concepts such as *ordo* and *iustitia.*

Ill. LAW AND ORDER

We have seen that reason is central to the idea of *rectitudo
ordinis,* inasmuch as right order consists in the due subjection of
the sensitive part of humans (the flesh and the sensitive appetites
of the soul) to the reason and of the reason to God. For Aquinas,
law is likewise intimately bound up with reason, [31] and has to do
with God's rational ordering of the universe. [32] Natural law is a
participation in the divine law, whereby the eternal law is
imprinted on rational creatures, [33] and natural law, human law,
and divine law (Old Law and New Law) are all determinations of
eternal law by which eternal law is manifested and reflected
within the order of creation. The function of divine law is to
order humanity towards its supernatural end: "since man is
ordained to an end of eternal happiness which is disproportionate
to man's natural faculty ... it was necessary that, besides the
natural and the human law, man should be directed to his end by
a law given by God. "[34] In rational creatures, accordingly, *rectitudo
ordinis* denotes a natural *ordo* which is in accord with natural law
and a supernatural *ordo* which is in accord with divine law, each
of which is a determination of eternal law.

Aquinas is keen to underline the identification of eternal law
with divine reason *(ratio)* and Wisdom. He explains that "the
ratio of divine Wisdom, as moving all things to their due end,
bears the character of law. Accordingly the eternal law is nothing

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[30] Romanus Cessario, O.P., *The Godly Image: Christ and Salvation in Catholic Theology from Anselm to Aquinas* (Petersham, Mass.: St. Bede's Publications, 1990), 185.

[31] *STh* I-II, q. 90, a. 1.

[32] *STh* I-II, q. 91, a. 1.

[33] *STh* I-II, q. 91, a. 2.

[34] *STh* I-II, q. 91, a. 4.

else than the *ratio* of divine Wisdom, as directing all actions and movements. "[35] If eternal law is the *ratio* of divine Wisdom, it follows that all law participates to some degree in that *ratio.* Where Sirach equates Torah with divine Wisdom, Aquinas equates the eternal law in which Torah participates with divine Wisdom. [36] Aquinas also identifies eternal law with the person of the Son.[37] Accordingly, eternal law= divine Wisdom= the Word = the Son. As will become clear, inasmuch as Christ is divine, he is the divine Wisdom to whom human reason is properly subordinated, while, inasmuch as he is human, his flesh and the lower parts of his soul are duly ordered to reason, and his reason is duly subjected to the divine Wisdom. [38] As incarnate Wisdom, Christ is just, well-ordered and rational-in the sense that his human reason is subordinated to the *ratio* of the divine Wisdom which he himself incarnates. [39]

The problem with Torah-the Old Law-is that, although it participates in eternal law and hence in the *ratio* of the divine Wisdom, it is radically incapable either of reordering what has been disordered by sin or of ordering the rational creature towards beatitude. [40] The Old Law was good because it was "in accordance with reason" - "it repressed concupiscence which is in

[35] *STh* I-II, q. 93, a. 1. Jean Porter rightly emphasizes the equation of eternal law with divine Wisdom: "Right Reason and the Love of God: The Parameters of Aquinas' Moral Theology," in van Niewenhove and Wawrykow, eds., *The Theology of Thomas Aquinas,* 167-91, at 180-86.

[36] On Sirach, see Ben Witl1erington III, *Jesus the Sage: The Pilgrimage of Wisdom* (Minneapolis: Fortress Press, 2000), 85-86. Torah is a concretization or incarnation of Wisdom but does not exhaust it. God's Wisdom takes particular location in Zion in the Book of the Covenant.

[37] *STh* I-II, q. 93, a. 1, ad 2.

[38] On the important question of Wisdom Christology, see Levering, *Christ's Fulfillment of Torah and Temple,* 31-50; Joseph P. Wawrykow, "Wisdom in the Christology of Thomas Aquinas," in Kent Emery, Jr., and Joseph P. Wawrykow, eds., *Christ among the Medieval Dominicans* (Notre Dame, Ind.: University of Notre Dame Press, 1999), 175-96. On the biblical background to Wisdom Christology, see Witherington, *Jesus the Sage.*

[39] See, for example, *STh* III, q. 46, a. 9: "Christ's passion was subject to his will. But his will was ruled by the divine wisdom which 'orders all things' conveniently and 'sweetly' (Wisdom 8:1)."

[4] For an excellent account of the Old Law, see Levering, *Christ's Fulfillment of Torah and Temple: Salvation according to Thomas Aquinas,* 21-30.

conflict with reason" and "forbade all kinds of sin; and these too are contrary to reason" –but "the end of the divine law is to bring humans to that end which is everlasting happiness," and "this cannot be done save by the grace of the Holy Spirit, whereby "charity, which fulfills the law ... is spread abroad in our hearts" (Romans 5:5)."[41] This outpouring of the grace of the Spirit is reserved to Christ, for which reason one function of the Old Law is to ordain humans to Christ.[42] Another function was to overcome pride–the root of original sin:

> after man had been instructed by the Law, his pride was convinced of his weakness, through his being unable to fulfill what he knew. Hence, as the Apostle concludes (Romans 8:3-4) "what the Law could not do in that it was weak through the flesh, God sent his own Son to do ... that the justification of the Law might be fulfilled in us."[43]

In the light of original sin, pride abounds and reason is dis-ordered. The Old Law does not solve the problem of disordered reason but brings it into focus, preparing for the justification that will be accomplished by Christ. Torah reveals the disorder that has been introduced into the rational creature by sin, but is unable to reorder what has been disordered, and unable to subordinate flesh to reason and reason to God.

IV. SPIRIT AND FREEDOM

That work of reordering is accomplished by the grace of the Spirit in which the New Law primarily consists. Aquinas explains that "that which is preponderant in the law of the New Testament, and on which all its efficacy is based, is the grace of the Holy Spirit, which is given through faith in Christ. Consequently the New Law is chiefly the grace itself of the Holy Spirit, which is given to those who believe in Christ,"[44] and inasmuch as it consists in "the grace of the Holy Spirit bestowed

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[41] *STh* I-II, q. 98, a. 1.
[42] *STh* I-II, q. 98, a. 2.
[43] *STh* I-II, q. 98, a. 6.
[44] *STh* I-II, q. 106, a. 1.

inwardly" the New Law justifies.[45] Both Old Law and New Law have the same end, "namely, the subjection of humans to God," but the Old Law works towards this end "like a pedagogue of children," whereas "the New Law is the law of perfection, since it is the law of charity." [46] The Old Law encouraged people to live justly in accordance with right reason by inducing fear of punishment, whereas the New Law, "which derives its pre-eminence from the spiritual grace instilled into our hearts," inclines them "to do virtuous deeds through love of virtue, not on account of some extrinsic punishment or reward" by the grace of the Spirit and by offering spiritual and eternal promises "which are objects of the virtues, chiefly of charity" in such a way that they "are inclined of themselves to those objects, not as to something foreign but as to something of their own. "[47]

The New Law, in short, orders us towards subjection to God not out of fear on the basis of legislation but spontaneously and out of virtue on the basis of Spirit-infused charity. Human beings are now truly free:

> the children of God are led by the Holy Spirit, not as bondsmen, but as free. They are free, who are a cause unto themselves; and we do that freely which we do of ourselves, that is, of our own willing; but what we do against our will, we do, not freely, but after the manner of bondsmen. The Holy Spirit then, rendering us lovers of God, inclines us to act of our own will, freely, out of love, not as bondsmen prompted by fear.[48]

Jean-Pierre Torrell accordingly attributes to the Spirit the gifts of freedom and "instinct. "[49] This is significant, because one of the consequences of that loss of *ordo* that follows from original sin is the loss of a spontaneous (or instinctive) obedience of the lower part of the soul to the reason and of the reason to God. The Old Law does not solve this problem. There is nothing free about

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[45] *STh* I-II, q. 106, a. 2.

[46] *STh* I-II, q. 107, a. 1.

[47] Ibid., ad 2.

[48] *ScG* IV, c. 22.

[49] Jean-Pierre Torrell, O.P., *Saint Thomas Aquinas,* vol. 2, *Spiritual Master,* trans. Robert Royal (Washington D.C.: The Catholic University of America Press, 2003), 201-11.

obeying laws out of fear of punishment, and nothing spontaneous and instinctive about trying to reorder the soul through compliance with legislation. The problem is solved only by the outpouring of the Spirit,[50] who restores us to the *imago Dei* by moving us to obey God out of spontaneous love.[51] This understanding of the grace of the Spirit in terms of freedom and spontaneity sheds light on what Aquinas means by *rectitudo ordinis.* Rectitude of order comprises freedom from disorder and freedom from the Old Law which is a temporary and contingent mechanism for dealing with disorder, and brings with it the spontaneity and instinctiveness which are the corollary of right order between flesh, reason, and God.[52]

Aquinas explains that "the New Law fulfils the Old by supplying that which was lacking in the Old Law."[53] More specifically,

the end of every law is to make men righteous and virtuous … and consequently the end of the Old Law was the justification of men. The Law, however, could not accomplish this, but foreshadowed it by certain ceremonial actions, and promised it in words. And in this respect, the New Law fulfils the Old by justifying men through the power of Christ's passion.[54]

The nonjustifying Old Law is related to the justifying New as shadow to reality: "it is written (Colossians 2:17) concerning the ceremonial precepts that they were 'a shadow of things to come, but the body is of Christ'; in other words, the reality is found in Christ. Wherefore the New Law is called the law of reality; whereas the Old Law is called the law of shadow or of figure."

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[50] See Keating, "Justification, Sanctification and Divinization," 148-51.

[51] See Michael Dauphinais, "Loving the Lord Your God: The *imago Dei* in Saint Thomas Aquinas," *The Thomist* 63 (1999): 241-67. Dauphinais makes the important connection between image-restoration and the fact that the New Law enables us to do God's will out of love rather than out of fear.

[52] On "spontaneity" and the New Law, see Pedro Rodriguez, "Spontaneite et caractere legal de la loi nouvelle," in *Lex et Libertas,* Studi Tomistici 30, ed. Leo Elders and K. Hedwig (Vatican City: Libreria Editrice Vaticana, 1987), 254-64.

[53] *STh* I-II, q. 107, a. 2.

[54] This power is applied by means of the sacraments *(STh* III, q. 62, a. 1). The sacraments of the Old Law, unlike those of the New, do not possess the power to justify and to confer grace *(STh* I-II, q. 103, a. 2; III, q. 62, a. 6).

Aquinas notes that "Christ fulfilled the precepts of the Old Law both in his works and in his doctrine," where "fulfilled" means not so much "observed" as "perfected," "completed," "consummated." In Christ the shadow (which merely prefigures justification and ordinateness) yields to the reality (which contains them) "that the justification of the law might be fulfilled in us"–that is, that the ordinateness that Torah foreshadowed might be manifested in Christ and hence in us as a reality. Matthew Levering has argued convincingly that "at the heart of Thomas Aquinas's scientific theology of salvation lies the narrative of Scripture-the fulfillment of Israel's Torah and Temple through the New Covenant of Christ Jesus,"[55] and, as we shall see, Christ's own *rectitudo ordinis* finds expression in his own fulfillment of the Old Law.[56]

V. CHRIST AND THE ORDER OF GRACE

Aquinas addresses in detail the question of Christ's habitual grace because it is important to him to emphasize that Christ is a real and complete human being to whose *rectitudo ordinis* we can be configured.[57] According to Aquinas the Spirit dwells in Christ by habitual grace,[58] and habitual grace is in Christ in such a way that he stands nearest to the inflowing grace of God, attains most closely to God by that knowledge and love to which human nature is raised by God, and as mediator between God and human beings is filled with grace which overflows on others.[59] As God he is essentially divine, but as human he is divine by participation through grace.[60] Aquinas notes that

[55] Levering, *Christ's Fulfillment of Torah and Temple,* 3.

[56] Christ's fulfillment of the Law is made possible by his own fullness of grace; see'ibid., 93-94, 120. It is impossible without grace for a human being (even Christ) to fulfill the commandments of the Law *(STh* I-II, q. 109, a. 4).

[57] Paul Goudreau, "The Humanity of Christ, the Incarnate Word" in *The Theology of Thomas Aquinas,* 252-276.

[58] *STh* III, q. 7, a. 1, *sc.*

[59] *STh* III, q. 7, a. 1.

[60] Ibid., ad 1. Aquinas sees grace as a participation in the divine nature (e.g. *STh* I-II, q. 110, a. 4). On this theme see Williams, *The Ground of Union,* 82-89; Keating, "Justification, Sanctification and Divinization," 151-55. For an overview of this debate, see Fergus Kerr,

The humanity of Christ is the instrument of the Godhead-not, indeed, an inanimate instrument, which nowise acts, but is merely acted upon; but an instrument animated by a rational soul, which is so acted upon as to act. And hence the nature of the action demanded that he should have habitual grace. [61]

Christ's mediatorial and instrumental role does not mean that grace simply flows through him as a passive instrument; rather, his rational soul acts in addition to being acted upon. The "grace of Christ" is not just grace that Christ receives and that dwells within him but something that he shapes by his own actions so that it truly is the "grace of Christ" -that is, grace that Christ has not only received but made Christ-formed by the graced acts of his human soul, and in particular of his reason and will and intellect.

Christ is said to possess the "fullness of grace" in terms of both the fullness that he receives and the fullness that he pours out. [62] He possesses the virtues, [63] though he does not possess faith, being a *comprehensor* to whom the beatific vision belongs from the outset as well as a *viator,* [64] and the gifts of the Spirit. [65] Significantly, he lacks the "fomes" of sin which in other humans results in inordinateness:

Christ had grace and all the virtues most perfectly. Now moral virtues, which are in the irrational part of the soul, make it subject to reason, and so much the more as the virtue is more perfect. Thus, temperance controls the concupiscible appetite, fortitude and meekness the irascible appetite .... But there belongs to the very nature of the "fomes" of sin an inclination of the sensual appetite to what is contrary to reason. And hence it is plain that the more perfect the virtues are in anyone, the weaker the "fomes" of sin becomes in him. Hence, since in Christ the virtues were in their highest degree, the "fomes" of sin was nowise in him. [66]

O.P., *After Aquinas: Versions of Thomism* (Oxford: Blackwell, 2002), 149-61.

[61] *STh* III, a. 7, a. 1, ad 3.
[62] *STh* III, q. 7, a. 9.
[63] *STh* III, q. 7, a. 2.
[64] *STh* III, q. 7, a. 3; III, q. 9, a. 2; III, q. 15, a. 10.
[65] *STh* III, q. 7, a. 5.
[66] *STh* III, q. 15, a. 2.

Christ is a complete human being who possesses grace in all its human fullness in a way in which other humans possess it, except in so far as he possesses it so fully and perfectly that his humanity is entirely without inordinateness, and already enjoys the final outcome of grace, which is beatitude. [67]

Christ's habitual grace is the grace to whose fullness human beings gain access by means of membership of the mystical body. Aquinas explains that "Christ is called the head of the church" in virtue of his nearness to God (and thus the preeminence of his grace), his perfection and fullness of all graces, and his "power of bestowing grace on all the members of the church."[68] We are, accordingly, conformed with, perfected by and filled with Christ's own habitual grace-that habitual grace of which Christ is not a passive instrument but an active mediator. Jean-Pierre Torrell emphasizes the centrality for Aquinas of the idea of *conformitas* and *configuratio* with Christ. [69] The *imitatio Christi* is fundamental to the sharing of the Christian in the divinizing grace of the Spirit, and this "imitation" of Christ the exemplar of perfect humanity necessarily involves a configuration with his *rectitudo ordinis.*[70] Finally, it is through the imitation of Christ that the believer participates in the divine nature by way of likeness, and is assimilated to the *imago Dei* through conformity with the one in whom the image is restored. [71]

Aquinas adds that "the personal grace, whereby the soul of Christ is justified, is essentially the same as his grace, as he is the head of the church, and justifies others." [72] That is to say, the grace

[67] Hence he possesses beatific knowledge rather than faith. On Christ's knowledge, see the excellent survey in Levering, *Christ's Fulfillment of Torah and Temple,* 31-33, 161-63. Of the extensive literature cited there, see especially Romaus Cessario, O.P., "Incarnate Wisdom and the Immediacy of Christ's Salvific Knowledge," in *Problemi teologici a/la luce dell' Aquinate,* Studi Tomistici 44 (Vatican City: Libreria Editrice Vaticana, 1991), 334-40.

[68] *STh* III, q. 8, a. 1.

[69] Torrell, *Saint Thomas Aquinas,* 2:140-45.

[70] On the *imitatio Christi,* see Goudreau, "The Humanity of Christ, the Incarnate Word," 260-62.

[71] Torrell, *Saint Thomas Aquinas,* 2: 112-16. Torrell speaks of "imitating God by imitating Christ."

[72] *STh* III, q. 8, a. 5. "Christ's person … constitutes a recapitulation of the entire story and process of human sanctification" (Williams, *The Ground of Union,* 159).

in virtue of which Christ enjoys that rectitude of order-that proper order of body to soul and soul to God-in which justification consists is also the grace (understood as participation in the divine nature by way of likeness) that he communicates to members of his mystical body so that they too might be justified. What we participate in as members of the mystical body is nothing other than Christ's own justification-his *ordinatio,* his *rectitudo ordinis.* To be "in Christ" is to participate in his personal habitual grace (which belongs to him as to his human nature and which is itself a participation in the divine nature) and to be justified in conformity with his justification. Daniel Keating observes that "Aquinas understands justification in rather broad terms as encompassing various aspects of the New Testament's depiction of our incorporation into Christ. ,m To use the language current in English-speaking Pauline scholarship, for Aquinas justification is a participatory rather than a juridical category. [74]

VI. CHRIST'S RECTITUDE OF ORDER

Central to an understanding of Christ's justification is Aquinas's treatment of the two wills in Christ. [75] Following the sixth ecumenical council (Constantinople III), he affirms that "there are two wills in Christ, i.e. one human, the other divine." [76] Christ's human will encompasses both the natural or sensitive and the rational:

it must be allowed that in Christ there was a sensual appetite, or sensuality. But it must be borne in mind that sensuality or the sensual appetite, inasmuch as it naturally obeys reason, is said to be "rational by participation" .... And because

[73] Keating, "Justification, Sanctification and Divinization," 144.

[74] Traditional Lutheran interpretations of justification emphasize the forensic and juridical dimension. For E. P. Sanders and others the Pauline language of justification is another way of talking about being "in Christ," and hence is "participatory." See E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (London: SCM Press, 1977), 502-8. For a good overview, see Veronica Koperski, *What Are They Saying about Paul and the Law?* (New York: Paulist Press, 2001).

[75] Gondreau, "The Humanity of Christ, the Incarnate Word," 266.

[76] *STh* III, q. 18, a. 1.

"the will is in the reason," as stated above, it may equally be said that the sensuality is "a will by participation." [77]

From what was said above it is clear that any inordinateness between the sensitive will and the rational will result in a radical disordering of the entire person. In Christ, however, what we see is "a certain rectitude of order" in which "what is highest in humans is subject to God, and the inferior powers of the soul are subject to the superior." In Christ, and in Christ alone, the reason really does obey the divine will, and the sensual appetite really does obey the rational will.

Aquinas explains that Christ "allowed all the powers of his soul to do what belonged to them," and adds that "it is clear that the will of sensuality naturally shrinks from sensible pains and bodily hurt." Accordingly,

it was the will of God that Christ should undergo pain, suffering, and death, not that these of themselves were willed by God, but for the sake of nan's salvation. Hence it is plain that in his will of sensuality and in his rational will considered as nature Christ could will what God did not; but in his will as reason he always willed the same as God, which appears from what he says (Matthew 26:39) "not as I will, but as you will." [78]

Aquinas concludes:

although the natural and the sensitive will in Christ wished what the divine will did not wish, yet there was no contrariety of wills in him. First, because neither the natural will nor the will of sensuality rejected the reason for which the divine will and the will of the human reason in Christ wished the passion…. Secondly, because neither the divine will nor the will of reason in Christ was impeded or retarded by the natural will or the appetite of sensuality. So, too, on the other hand, neither the divine will nor the will of reason in Christ shrank from or retarded the movement of the natural human will and the movement of the sensuality in Christ. For it pleased Christ, in his divine will, and in his will of reason, that his natural will and will of sensuality should be moved according to the order of their nature. Hence it is clear that in Christ there was no opposition or contrariety of wills.[79]

[77] *STh* III, q. 18, a. 2. On the human will, see *STh* I, q. 82.
[78] *STh* III, q. 18, a. 5.
[79] *STh* III, q. 18, a. 6.

Aquinas presents Christ as one in whom the sensitive or natural will is properly ordered to the rational will, and in whom the rational will is properly ordered to the divine will (which, in virtue of the incarnation, is his own). The harmony between the two parts of the will and between the human and divine wills is perfect. In consequence, Christ enjoys perfect freedom, including the exercise of free will.[80] There is no inordinateness in Christ; rather, there is order, freedom, and spontaneity. *In fine,* Christ is the one in whom original justice is restored, and in whom the work of justification is already realized.

VII. CHRIST'S WORK OF REORDERING

The implications for human redemption of Aquinas's two-wills Christology are worked out in his discussion of the passion, where he affirms that "it was befitting that Christ should suffer out of obedience."[81] The primary reason for this is "because it was in keeping with human justification, that 'as by the disobedience of one human, many were made sinners, so also by the obedience of one, many shall be made just', as is written (Romans 5:19)." Accordingly, Christ suffers out of obedience in order to justify human beings. Secondly, "it was suitable for reconciling man with God: hence it is written   5:10): 'We are reconciled to God by the death of his Son,' in so far as Christ's death was a most acceptable sacrifice to God.... Now obedience is preferred to all sacrifices.... Therefore it was fitting that the sacrifice of Christ's passion and death should proceed from obedience." Finally, "it was in keeping with his victory whereby he triumphed over death and its author; because a soldier cannot conquer unless he obeys his captain. And so the human being Christ secured the victory through being obedient to God." All of this presupposes a dyothelite Christology, without which the idea of Christ's obedience would be meaningless.

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[80] On Christ's free will, see *STh* III, q. 18, a. 4. On free will in general, see *STh* I, q. 83.
[81] *STh* III, q. 47, a. 2.

Aquinas is at pains to emphasize that Christ's obedience does not in any way contradict his freedom of will, but rather reflects the complete conformity (or ordinateness) of his natural will with his rational will and of his rational will with his divine will:

> Although obedience implies necessity with regard to the thing commanded, nevertheless it implies free-will with regard to the fulfilling of the precept. And, indeed, such was Christ's obedience, for, although his passion and death, considered in themselves, were repugnant to the natural will, yet Christ resolved to fulfill God's will with respect to the same, according to Psalm 39:9: "I have desired to do your will, 0 God." Hence he said (Matthew 26:42): "If this chalice may not pass away, but I must drink it, your will be done." [82]

Here Aquinas portrays Christ bringing his natural or sensitive will into line with his rational will and his divine will in order to fulfill the will of the Father. The passion thus marks the point at which Christ's own justification (his *rectitudo ordinis),* already perfect, attains its ultimate destiny in obedience through suffering. [83] "Christ received a command from the Father to suffer," [84] and, in Christ's suffering, obedience and charity come together: "Christ suffered out of charity and out of obedience because he fulfilled even the precepts of charity out of obedience only; and was obedient, out of love, to the Father's command." [85] This convergence of suffering, obedience, and charity reflects the perfect *rectitudo ordinis* that exists within Christ-the ordinateness between his natural will and his rational will and his rational will and his divine will.

Christ's loving obedience is specifically that of the New Law, which is a law of charity rather than of fear, and which brings humans to fulfill God's will freely and spontaneously and lovingly

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[82] Ibid., ad 2.

[83] We might also mention the emphasis on humility that emerges in Aquinas's commentary on Philippians-a humility that reverses the pride that lies at the heart of original sin. See Francesca Aran Murphy, "Thomas' Commentaries on Philemon, 1 and 2 Thessalonians and Philippians," in Thomas G. Weinandy, Daniel A. Keating, and John P. Yocum, eds., *Aquinas on Scripture: An Introduction to His Biblical Commentaries* (London: T. & T. Clark, 2005), 167-96, at 177-78.

[84] *STh* III, q. 47, a. 2, ad 1.

[85] *STh* III, q. 47, a. 2, ad 3.

by the grace of the Spirit. [86] Thus Romanus Cessario writes that "The charity of Christ, 'obedient because of his love for the Father', inaugurates the new covenant of love." [87] Aquinas explains that "because the 0 ld Law was ended by Christ's death, according to his dying words, 'it is consummated' (John 19:30), it may be understood that by his suffering he fulfilled all the precepts of the Old Law." [88] In particular, by his obedient suffering the right-ordered Jesus accomplishes what the Old Law could not bring about and fulfills the moral, ceremonial, and judicial precepts. [89] The convergence in Christ of obedience and charity together with his fulfillment of the precepts of the Old Law effects the consummation of the Old Law and the transition to the New Law. Since all of this is rooted in Christ's own personal justification-his due order of flesh, natural will, rational will, and divine will-it makes possible the justification of all by *participatio* and *imitatio* through the grace of the Spirit.

Aquinas further underlines the connection between Christ's personal justification (the corollary of an authentic two-wills Christology) and the work of atonement when he writes

Christ's passion, according as it is compared with his Godhead, operates in an efficient manner; but in so far as it is compared with the will of Christ's soul it acts in a meritorious manner; considered as being within Christ's very flesh, it acts by way of satisfaction, inasmuch as we are liberated by it from the debt of punishment; while inasmuch as we are freed from the servitude of guilt, it acts by way of redemption; but in so far as we are reconciled with God it acts by way of sacrifice. [90]

Here atonement is presented from the threefold perspective of Christ's grace-causing divinity, his meritorious will, and his satisfactory, sacrificial, and redemptive body. Each of the elements

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[86] On the way in which Christ's passion fulfills the Old Law through obedience and charity, see Levering, *Christ's Fulfillment of Torah and Temple,* 53-54.

[87] Romanus Cessario, O.P., "Aquinas on Christian Salvation," in Weinandy, Keating, and Yocum, eds., *Aquinas on Doctrine,* 117-37, at 125.

[88] *STh* III, q. 47, a. 2, ad 1.

[89] On Christ's fufillment of the moral, ceremonial and judicial precepts of the Old Law, see Levering, *Christ's Fulfillment of Torah and Temple,* 54-66.

[90] *STh* III, q. 48, a. 6, ad 3.

in whose *ordo* to each other his justification consists exercises a salvific function precisely in so far at it is aligned with the others and acts in perfect cooperation and coordination with the others. Sin, we have seen, is basically a withdrawal from order, with the result that salvation consists in the restoration of that divine order in which the human will is ordered towards its ultimate and supernatural end,[91] with the qualification that in this present life the "lower parts"-the flesh and the lower powers of the soul-remain rebellious towards the justified reason.[92] For Aquinas, this restoration of divine order is accomplished through loving obedience by the justified, ordinate, right-reasoned Christ-the Christ whose *rectitudo ordinis* is the ground of all justification, and to whom we are conformed sacramentally by the justifying and reordering grace of the Spirit.[93]

VIII. JESUS AND JUSTIFICATION

In Christ's passion the definition of justice as "a certain rectitude of order in the interior disposition of a human being, in so far as what is highest in humans is subject to God, and the inferior powers of the soul are subject to the superior" is lived out in his loving obedience to his Father through suffering and in his fulfillment of the precepts of the Old Law. In addition, through the medium of the mystical body and of the sacraments of the Church, Christ's own personal habitual grace in virtue of which he himself attains this *rectitudo ordinis* is poured out on believers who, by the grace of the Spirit, are set free from inordinateness

[91] See Rik Van Nieuwenhove, "'Bearing the Marks of Christ's Passion': Aquinas' Soteriology," in van Nieuwenhove and Wawrykow, eds., *The Theology of Thomas Aquinas,* 277-302, at 282-84.

[92] *STh* I-II, q. 109, a. 9. See Joseph P. Wawrykow, *God's Grace and Human Action: 'Merit' in the Theology of Thomas Aquinas* (Notre Dame, Ind.: University of Notre Dame Press, 1995), 130-31.

[93] Inasmuch as he is the Word and Wisdom of God, Christ restores us to the *imago Dei* both by defeating sin though his passion and resurrection and by teaching us and empowering us (sacramentally) to live the life of grace inaugurated by the New Law. See Wawrykow, *The SCM Press A-Z of Thomas Aquinas,* 100.

and assimilated to the *imitatio Christi* and *imago Dei.*[94] Christ,
who stands in perfect *rectitudo ordinis* thanks to the indwelling
grace of the Spirit, effects the reordering of the universe by
fulfilling the Old Law (which is itself a determination of eternal
law, that is, of God's reason and Wisdom, which in turn is iden-
tified with Christ's own person),[95] and by inaugurating the New
Law-the law of charity and freedom and spontaneity-through
his own loving obedience to the Father. In this way he deals with
the disorder of sin and with the inordinateness of fallen humanity,
creating in his mystical body a locus in which the grace of the
Spirit, mediated through the sacraments, can communicate to the
faithful conformity with the *ordo* of Christ's personal justification,
which brings with it the true freedom and spontaneity of life in
the Spirit and the image-perfection of life in the *imago Dei.*

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[94] The Spirit of freedom and spontaneity is poured out through the sacraments. On the
pneumatological dimension of Aquinas's sacramental theology, see Liam G. Walsh, O.P.,
"Sacraments," in van Nieuwenhove and Wawrykow, eds., *The Theology of Thomas Aquinas,*
326-64, at 331.

[95] Discussing the "incarnational 'is'," Thomas Weinandy "Aquinas: God IS Man: The
Marvel of the Incarnation," *Aquinas on Doctrine,* 67-89, at 83, writes that "Jesus is the Son
of God existing as man." We might also say that Jesus is the Wisdom and reason of God
existing as a perfectly justified human being in whom sensuality is ordered to reason and
reason ordered to the divine reason which he himself is.

EXISTENTIAL RELATION AS PRINCIPLE OF INDIVIDUATION

STEPHEN A. HIPP

Mount St. Mary's Seminary
Emmitsburg, Maryland

ACCORDING TO BOTH Albert the Great and Thomas Aquinas, the problem of the person is fundamentally a problem of individuation, since individuation-understood as embracing incommunicability, completeness, and singularity-constitutes personhood. [1] Patristic and medieval reflection on the Christian doctrine of the Trinity posited the special category of relation as the formal principle of personal distinction in God. In this article, I wish to revisit the problem of individuation as approached by medieval Scholasticism, with special attention to Thomas Aquinas, Duns Scotus, and Henry of Ghent. My intent is to advance relation as a candidate, even in the context of composite substances, for the distinctive (individualizing) aspect of supposital perfection. [2] I shall here treat the concept of

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[1] Aquinas, *STh* I, q. 29, aa. 1-2; III, q. 2, aa. 1-2; III, q. 16, a. 12, ad 2; *Quodl.* 2, q. 2, a. 2; *De Pot.,* q. 9, a. 2; III *Sent.,* d. 5, q. 2, a. 1, ad 2; Albert the Great, I *Sent.,* d. 23, a. 6, ad 2 (in *B. Alberti Magni Ratisbonensis episcopi, ordinis Prtedicatorum, Opera omnia,* ed. A. Borgnet, 38 vols. [Paris: Vives, 1890-99], 25:599; all references to Albert, unless otherwise noted, are taken from this edition); I *Sent.,* d. 25, a. 1, quaest. 3-4 & ad quaest. 3-4 (Borgnet, ed., 25:625-28); I *Sent.,* d. 25, a. 3, ad quaest. (Borgnet, ed., 25:632); III *Sent.,* d. 5, a. 15, sol. (Borgnet, ed., 28:115); see Stephen A. Hipp, *"Person" in Christian Tradition and in the Conception of Saint Albert the Great: A Systematic Study of Its Concept as Illuminated by the Mysteries of the Trinity and the Incarnation,* Beitriige zur Philosophie und Theologie des Mittelalters (Munster: Aschendorff, 2001), 343-49.

[2] The distinction, however, is somewhat unnecessary for the purposes of this article, which aims to identify a principle of supposital distinctiveness that can be applied to both material and immaterial created substances.

individuality in a broad sense convertible with the notion of numerical unity or distinctive existence, and not in the restricted sense of signifying the multiplication of logical inferiors with respect to a species (i.e., the division of a species into subjective parts) and the quantitative factors ordinarily associated with that.

The so-called problem of individuation concerns the establishment of the causes and principles of individuality-consisting both in the relation of distinction from others and indivisibility into a multiplicity of like natures [3]-in an effort to acquire scientific knowledge of the fundamental makeup of the individual thing. An enormous amount of literature, ancient and contemporary, is devoted to this question, and the theories span a broad spectrum of often incompatible metaphysical standpoints. But their common objective was to determine which of the essential or inhering components of a given body is responsible for its being this individual among many. Is it the matter? the form? the particular collection of accidents? some combination of the foregoing? or something else again? A synthetic overview of the historical development of the problem is not possible within these

[3] There is no reason to suppose that the distinctive notion of individuality is opposed to the unitive (nondivisible) notion, such as it has sometimes been treated (cf. the contrast made by Jorge Gracia in his introduction to *Individuation in Scholasticism, The Later Middle Ages and the Counter-Reformation, 1150-1650* [New York: SUNY Press, 1994], 2). Godfrey of Fontaines saw the properties of both divisibility from others of like species (strictly numerical unity related to quantity} and indivisibility in itself (ontological or transcendental unity) as rooted in that by reason of which a thing is undivided in itself. Peter of Auvergne likewise distinguished unity of being from strict numerical unity without excluding the possibility that the principle of one can, in some cases, be the principle of the other (though neither necessarily implies the other). Similarly, James of Viterbo treats the cause of both individual (ontological) unity and numerical unity (pertaining to intraspecific subjective parts) as one and the same. Cajetan does the same. See Godfrey of Fontaines, *Quodlibet* 6, q. 16 (in *Les quodlibets cinq, six, et sept de Godefroid de Fontaines,* ed. M. de Wulf and J. Hoffmans, *Les Philosophes Beiges,* vol. 3 [Louvain: Institut superior de philosophie de l'universite, 1914], 254-60); Peter of Auvergne, *Quodlibet* 2, q. 5 (in E. Hocedez, ed., "Une question inedite de Pierre d'Auvergne sur !'individuation," *Revue neoscholastique de philosophie* 36 [1934], 370-79); on both authors, J. F. Wippel, "Godfrey of Fontaines, Peter of Auvergne, and John Baconthorpe," in Gracia, ed., *Individuation in Scholasticism,* 221-56; James of Viterbo, *Quodlibet* 1, q. 21 (in E. Ypma, ed., *Jacobi de Viterbio O.E.S.A. disputatio prima de quolibet* [Wurzburg: Augustinus-Verlag, 1969], 223); cf. J. F. Wippel, "James of Viterbo," in Gracia, ed., *Individuation in Scholasticism,* 257-58; Cajetan, *In de ente,* q. 5, s. 34-37 (in Thomae de Vio, Caietani, *In De ente et essentia* D. *Thomae Aquinatis commentaria,* ed. M.-H. Laurent [Turin: Marietti, 1934], 50-56); cf. *In de ente,* q. 28, s. 150 (Laurent, ed., 238-39).

pages, but I shall address these questions in a limited way, while referring to several representative Scholastic theories. [4]

Like Henry of Ghent, but unlike Scotus, I see the only possibility for ultimate personal individuation in an existential factor (i.e., something pertaining to existence and the causes of a thing's existence). [5] Like Scotus, and also like Francis Suarez (though for different reasons), but unlike Joseph Owens in his modern, purportedly Thomist theory, I believe that *esse actus essendi* cannot perform the individuating role. This issue has recently been a topic of great interest amongst Thomists, with contributions from Lawrence Dewan, Timothy Noone, Joseph Owens, Kevin White, and others. [6] I would like to enter into that debate and ally myself with a position I perceive as consistent with Thomas.

The immediate principle of individuation, I maintain, is bound up with the creature's unique relation to God as to the cause of its existence. Henry came close to such a formulation [7] but, faced with the difficulty of describing what this might mean intrinsically

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[4] For a comprehensive survey of the problem from an historical perspective, see M.-D. Roland-Gosselin, *Le "De ente et essentia" de S. Thomas d'Aquin* (Paris: Vrin, 1948), 49-134; Gracia, ed., *Individuation in Scholasticism;* Jorge J.E. Gracia, *Introduction to the Problem of Individuation in the Early Middle Ages,* 2d ed. (Munich: Philosophia Verlag, 1988).

[5] For Henry, the ultimate source of individual distinction for the separated substances lies in their respective *rationes existendi,* whereby even pure forms are distinguishable from one another on the basis of their actual subsistence; see Henry of Ghent, *Quodl.* 5, q. 8 (in *Quodlibeta magistri Henrici Goethals a Gandavo doctoris solenis* [Paris, 1518], repr. Biblioteque S.J. [Louvain, 1961], vol. I, f. 165vM-166rM); *Quad/.* 2, q. 8 (in *Henrici de Gandavo Quodlibet,* vol. 2, ed. R. Wielockx [Leuven: University Press, 1983], 50-51); see also *Quad/.* II, q. 8 (Wielockx, ed., 38-43 and 47); *Quad/.* 11, q. 1 (Paris ed., vol. 2, f. 438r0); Stephen F. Brown, "Henry of Ghent," in Gracia, ed., *Individuation in Scholasticism,* 202-4. Scotus deals extensively with the problem of individuation and the principal medieval theories concerning it in *In Meta.* 7, q. 13; see also *Leet. in II Sent.,* d. 3, p. 1, q. 1, n. 1 (in *Opera omnia* [Vatican City: Typis polyglottis vaticanis, 1950-] 18:231); *Ord.* 2, d. 3, p. 1, q. 1, n. 1 (Vatican ed., 7:393).

[6] Lawrence Dewan, "The Individual as a Mode of Being according to Thomas Aquinas," *The Thomist* 63 (1999): 402-24; Timothy B. Noone, "Individuation in Scotus," *American Catholic Philosophical Quarterly* 69 (1995): 527-42; Joseph Owens, "Thomas Aquinas," in Gracia, ed., *Individuation in Scholasticism,* 173-94; Kevin White, "Individuation in Aquinas's *Super Boetium De Trinitate,* Q. 4," *American Catholic Philosophical Quarterly* 69 (1995): 543-56.

[7] Henry of Ghent, *Quodl.* 2, q. 8 (Wielockx, ed., 50); *Quad/.* 11, q. 1 (Paris ed., vol. 2, f. 438/418vQR); *Quad/.* 5, q. 8 (Paris ed., vol. 1, f. 166rM); see Brown, "Henry of Ghent," 204.

for the supposit (fearing the risk of infinite regress), stated his principle in other terms. [8] I submit that it is the relative formality of existence (responsible for a unique mode of being) that finally accounts for the individuality according to which nature is hypostatized, and therefore also for the formal perfection of personality.

In order to defend this thesis, I shall briefly present the insufficiency of historically important contending theories, then give a more detailed exposition of my own position, and end with a consideration of a critical difficulty this position must face.

I. ELIMINATION OF "ESSENCE THEORIES"

The first theories one must consider are essence theories. These are theories that identify the principle of individuation with something that belongs directly to the order of the essence as opposed to the order of existence, including the formal or material parts of the nature, substantial or accidental-that is, those things discernible within the absolute structure of the essence.

The object of our investigation is the principle of numerical unity amongst natural substances. That principle, if we follow Aristotle, is said to be matter. But matter which is conceived as a pure potency cannot operate as an actual principle of numerical distinction just because it is capable of being the matter of anything. To be such a principle, that matter must be related to quantity in some fashion. It must have the minimum quantitative

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[8] Specifically, in terms of a twofold negation *(Quodl.* 5, q. 8 [Paris ed., vol. I, f. 166rM]) which, as Scotus points out, serves little to explain the problem at hand (Scotus, *Leet.,* d. 3, p. 1, q. 2, n. 39-53 [Vatican ed., 240-44]; *Ord.* 2, d. 3, p. 1, q. 2, n. 43-58 [Vatican ed., 410-17]). Scotus's criticism of Henry's description seems rather ironic, since Henry expresses the twofold negation only as an inevitable consequence of the undefinability of the positive element in his explanation for individuation. Effectively, Henry stands closer to Scotus than one might think, since Scotus's *haecceitas* shares the same undefinable and irreducible property as the causal productive element in Henry. One cannot forget, furthermore, that Scotus himself will describe the closely related perfection of supposital existence in the language of a negative modality ascribed to individual substance (Scotus, *Op. Ox.,* III, d. 1, q. 1; d. 5, q. 2, n. 4-5; d. 6, q. 1; *Quodl.* 19, a. 3).

aspect of extension for the divisibility necessary for numerical multiplicity. In the Aristotelian-Thomistic understanding, matter as *extended* allows us to distinguish and *indicate-segnare-* different parts and individuals. In this manner it is able to limit the acts proper to forms. Precisely how the Thomistic *materia signata* is to be understood is open to debate, and we find a variety of late medieval interpretations on this point. But if matter's role in individuation is not to be attributed to the fact that it is already quantified in some fashion (as held, for example, by Capreolus), [9] then some other disposition inherent in the matter must account for its ability to individuate (as Cajetan holds). [10] Either scenario presupposes a perfection requiring the act of some *form,* taking us beyond the matter alone. [11] In the end, it is either some corporal formality or the substantial form that provides the explanation for individuation. Matter itself fails to deliver an explanation, and one still must account for what makes the form in question to be the form that it is.

Alternative accounts include: (1) "bundle" or accident theories, locating a thing's individuality in its unique collection of accidents (for which the authority of Porphyry, Boethius, and Avicenna may be cited); [12] and (2) appeals to quantity itself on the basis of its very notion as divisible or as self-individuating (as in one opinion of James of Viterbo). [13] But none of these will succeed *prima facie.*

[9] See in particular Aquinas, *De Verit.,* q. 5, a. 9, arg. 6; *De Ente,* c. 2; *STh* III, q. 77, a. 2; see also (though of dubious authenticity) *De natura materiae et dimensionibus interminatis,* c. 3 *(Opusc. philos.,* ed. R. Spiazzi [Turin, 1954], n. 378). Cf. Aquinas, *STh* I, q. 76, a. 6 and ad 2; *In Boet. De Trin.,* q. 4, a. 2; II *Sent.,* d. 3, q. 1, a. 4; II *Sent.,* d. 30, q. 2, a. 1; III *Sent.,* d. 1, q. 2, a. 5, ad 1; IV *Sent.,* d. 12, q. 1, a. 1, sol. 3; IV *Sent.,* d. 12, q. 1, a. 2; IV *Sent.,* d. 12, q. 1, a. 3, sol. 1, ad 3; IV *Sent.,* d. 44, q. 1, a. 1, sol. 1, ad 3; IV *Sent.,* d. 44, q. 1, a. 2, sol. 5, ad 3; *Quodl.* 9, q. 6, a. 1.

[10] Cajetan, *In de ente,* q. 5, s. 37 (Laurent, ed., 53-54).

[11] Francis Sylvester Ferrara makes the same observation with respect to the Cajetanian account. See Ferrariensis, *ScG* I, c. 21, n. 4.

[12] On the influence of the Porphyrian and Boethian views of individuality on subsequent Medieval philosophy, see Gracia, *Introduction to the Problem of Individuation in the Early Middle Ages,* 65-121.

[13] James of Viterbo, *Quodlibet II,* q. 1, ed. E. Ypma, p. 5-15. Note that James wavers on this position in light of the reception of quantity into a more fundamental subject, upon which it would therefore depend for its own determination. See J. F. Wippel, "James of Viterbo", in *Individuation in Scholasticism,* p. 263-264.

Accident theories appear unacceptable for several reasons. First, individuation must be a substantial perfection, lest substantial individuals differ only accidentally. Second, accidents, from the point of view of their quiddity, as formal perfections, can be common to many. Third, accidents are naturally posterior to substance from which they derive their being.

Note that this last fact led some, such as Durandus of St. to assert that accidents necessarily presuppose the existence of an already individual substance, since substances exist only as individuals. [14] The implication is that the individuality of the substance has to be antecedent to the existence of the accident. The presupposition, however, is in certain respects unwarranted, since the existence of substance as naturally prior to that of an accident is indifferent to the possible causes of the individuality of the substance. While it is true that no substance can exist except as individual, it does not follow that what stands on the existence of the substance also stands on the individuality of the substance. It is therefore conceivable that something naturally posterior to the being of the substance would remain nonetheless prior as regards the individuality of the same (provided all temporal priority or posteriority is excluded). I will return to this crucial issue. [15]

Quantity theories also appear unacceptable, for several reasons. First, quantity is itself an accident. Second, quantity can play a role in the numerical multiplication of specific forms only by virtue of its residence in matter as ultimate (limiting) subject. Third, while quantity enables matter to serve as a substrate for the multiplication of individuals within a species, it cannot (of itself) account for the ontological unity (indivisibility) and incommunicability of the individual, the consideration of which, furthermore, precedes that of the multiplication of the species

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[14] See Durandus, II *Sent.,* d. 3, q. 2 (in *Durandi a Sancto Porciano... in Petri Lombardi Sententias theologicas commentariorum libriN* [Venice, 1571], fol. 136vb, n. 9; 137ra, n. 11); M. Henninger, "Durand of Saint Pourc;ain," in Gracia, ed., *Individuation in Scholasticism,* 323-24.

[15] See below, "Advantages of the Existential Relation Theory."

into subjective parts. [16] In analyzing the role of quantity in individuation it is especially important to keep in mind precisely what one is trying to explain: is it the intrinsic unity (identity) of the individual, or is it the division of specific nature into subjective parts? For the latter, quantity may well (and perhaps necessarily) play a central role insofar as material substances are distinguished according to dimensive properties. For quantity to have an explanatory role regarding the former problem, it would have to be the defining feature (metaphysically constitutive) of an individual's identity. But this is not conceivable for *undefined* quantity, but only for some determinate quantity; and the determination of quantity obtains not from the nature of quantity itself, but as the effect of substantial form. Ultimately, a certain determination of quantity is necessary for it to serve as a proximate cause of numerical unity, whether that numerical unity is understood in terms of individual identity or of the division of the species into its logical inferiorsLBut since such a determination derives from something besides the quantity as such, defense of quantitative individuation entails recourse to other fundamental principles.

The only remaining candidate within the order of the essence is substantial form itself. Many have proposed form as principle of individuation, including Averroes, Godfrey of Fontaines, Peter of Auvergne, John Baconthorpe, Richard of Mediavilla, and Durandus of St.   However, in the system of each of these thinkers, factors other than form itself are involved in causing individuation, or are at least added to the essence in concomitance with its "contraction." [18] This is because, at a

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[16] See F. Suarez, *Disp. Meta.* 4, s. 3, n. 12; 5, s. 1 & 3 passim; Cajetan, *In de ente,* q. 5, s. 34 (Laurent, ed., 50); q. 5, s. 36-37 (Laurent, ed., 52-53).

[17] For Durandus, see Henninger, "Durand of Saint Poun;ain," 325-26.

[18] With the last qualification, I have in mind, in particular, the teaching of Richard of Mediavilla,for whom the numerical unity attributed to the essence as such cannot be achieved in the absence of the additional existential relation to the Creator entailed by real existence which is implied by being "one." See Richard of Mediavilla, II *Sent.,* d. 3, a. 4, 1-2 (in *Clarissimi theologi magistri Ricardi de Mediavilla super quatuor libros Sententiarum Petri Lombardi Quaestiones subtilissimae* [Brescia, 1591], vol. 2, p. 59a-b); M. Henninger, "Hervaeus Natalis and Richard of Mediavilla," in Gracia, ed., *Individuation in Scholasticism,*

specific level, form is common to every member of the species and
cannot account for what differentiates them. Therefore something
beside formal quiddity must account for the uniqueness of
individuals. Nevertheless, most proponents of this theory tend to
posit substantial form as the principle of individuation because of
what appears to be the impossibility of attributing individuation
(especially in the sense of ontological unity) to anything
superadded to the nature, given that such additional things appear
to be accidental. [19] While it is correct to affirm a real substantial
difference between the individual natures of two individuals, such
an affirmation is not enough to explain the source of that
difference when confronted with the identity of the essential
structures (specific formal quiddity) of their respective natures.
Thomas explains that, while every real form is something
individual, it is not a "this" (individual) *insofar as* it is a form. [20]
He further argues for the universality of every form *qua* form:
"Every form is, of itself, something common; wherefore, the
addition of one form to another cannot be the cause of
individuation. "[21] Similarly Albert the Great: "Every nature, and
every form, is communicable of itself." [22] Following Avicenna's
lead,[23] Henry of Ghent also argues that essences hold themselves

304-7.

[19] Godfrey of Fontaines provides a fine example: *Quodlibet* 6, q. 16, (De Wulf and
Hoffmans, eds., 3:254-60); *Quodlibet* 7, q. 5 (De Wulf and Hoffmans, eds., 3:323-24). For
what concerns an individual's proper identity, John Baconthorpe arrives at the same
conclusion as Godfrey along similar lines; see John Baconthorpe, III *Sent.,* d. 11, q. 2 (in
Questiones in quator librum sententiarum et quodlibetales [Cremona, 1618; repr.
Farnborough: Gregg 1969], 74). See J. F. Wippel, "Godfrey of Fontaines, Peter of Auvergne,
and John Baconthorpe," in Gracia, ed., *Individuation in Scholasticism,* 221-28, 235-56.

[20] Aquinas, *In Boet. De Trin.,* q. 4, a. 2.

[21] Aquinas, *Quodl.* 7, q. 1, a. 3 (Marietti ed., 136): "omnis autem forma de se communis
est; uncle additio formae ad formam non potest esse causa individuationis." See I *Sent.,* d. 4,
q. 1, a. 1; *De Verit.,* q. 2, a. 5; *STh* I, q. 11, a. 3. "Form of itself, unless something else
prevents it, can be received by many" ("Forma vero, quantum est de se, nisi aliquid aliud
impediat, recipi potest in pluribus" *[STh* I, q. 3, a. 2, ad 3]), and "What is in many is not a
principle of individuation" ("quod … in multis est, non est individuationis principium" [ScG
IV, c. 10]).

[22] Albert, I *Sent.,* d. 4, a. 3: "omnis natura, omnis forma quantum est de se communicabilis
est."

[23] Avicenna, V *Metaphysics.*

indifferently toward existence of any kind, whether common or individual (universal or singular), and are of themselves capable, therefore, of subsisting in a single supposit or in many. [24] Scotus cites Avicenna's position to the same effect and devotes an entire question to establishing the multiplicability of angelic forms. [25] Appeal to factual difference (formal unity) leaves the problem of explaining its principle or principles unresolved-unless one is willing to adopt a nominalist stance, denying the reality of common essences altogether, and with it any need for individuation.

Individuation, it seems, must be located at a metaphysical level even deeper than these substantial principles of nature.

II. ALTERNATIVES TO ESSENCE THEORIES

In the quest for a principle of individuality, once essence categories have been discounted (a path followed in different ways by various medieval authors including Henry of Ghent, Godfrey of Fontaines, Peter of Auvergne, and John Baconthorpe), [26] one naturally turns either to the properly existential order (pertaining to *esse)* or to principles of the supposit. Theories rooting individuation in what pertains to the supposit can follow a number of paths. Four domains have traditionally been identified

[24] See Henry of Ghent, *Quodl.* 2, q. 8 (Wielockx, ed., 38-43 and 47); *Quad/.* 11, q. 1 (Paris ed., vol. 2, fol. 438r0).

[25] Scotus, *Leet.,* d. 3, p. 1, q. 3, n. 28-30 (Vatican ed., 18:236-37); q. 7, n. 196-229 (Vatican ed., 18:293-301); *Ord.* 2, d. 3, p. 1, q. 7, n. 212-54 (Vatican ed., 7:495-516); see *In De an.,* q. 22, *resolutio* (a) (Wadding, ed., 3:629).

[26] Henry argues emphatically that neither matter nor form is sufficient to account for the individuality of substances. Godfrey of Fontaines, who wishes to posit substantial form as principle of individuation for composite substances, argues against the possibility of any other substantial or accidental factor accomplishing that role-matter serving at best as a *correlative* principle of strict numerical division (Godfrey of Fontaines, *Quodl.* 6, q. 16 [De Wulf and Hoffmans, eds., 3:324]), and quantity operating in this respect only as a *dispositive* cause (ibid. [De Wulf and Hoffmans, eds., 3:325, 328-29]), while other accidents are understood as presupposing the individuation of the substance in which they inhere (ibid. [De Wulf and Hoffmans, eds., 3:320-21]). Peter of Auvergne and John Baconthorpe likewise reject the theory that matter as such could individuate, and John provides strong arguments against quantity as well; see Peter of Auvergne, *Quodlibet* 2, q. 5 (Hocedez, ed., 374); John Baconthorpe, III *Sent.,* d. 11, q. 2, a. 3 (Cremona ed., 74-75).

as pertammg to the supposit as such: accidents, the act of existence, individuality, and the formal principle of supposital perfection (called in some theories the principle of habitual subsistence). [27]

Accidents properly speaking, it seems, cannot perform the task at hand, lest individuality itself be subject to coming and going or be merely accidental to an individual, to the detriment of all subjective identity. However, we cannot exclude accidents simplistically and shall have to come back to a consideration of them, since we have not yet taken into account the predicable modes according to which necessary, proper, and accidental accidents may be distinguished. [28]

Among the remaining domains of the supposit, it would be senseless to appeal to individuality, for that is what we are trying to explain. That leaves only the act of existence or subsistence, the latter understood not in the sense of being as such (which would be equivalent to the act of existence), but rather as a particular mode of being. [29]

If a supposital theory of individuation appeals to the act of existence as the principle of individuation, we simply come back to the existential order through the medium of the supposit, and the cause of individuality will have to be sought either in (1) what is formal to the existence of a complete concrete nature or (2) something dealing with the efficient causes of the existence of the nature. Option (1)-currently in vogue among some Thomists, such as Joseph Owens-is, in my opinion (as well as from the metaphysical perspective of Thomas, as I intend to argue), fundamentally problematic. Option (2), dealing with the efficient

[27] The fact that we are not directly concerned here with "persons" but with all supposits in general does not render a consideration of "habitual subsistence" out of place. Originally put forward as an explanation of personality, "habitual subsistence" ultimately functioned as nothing more than a rudimentary suppositizing (concretizing) principle always requiring the additional qualification of rationality to draw it into the realm of the personal.

[28] See Thomas Aquinas, *De princ. nat.,* c. 2; V *Metaphys.,* lect. 22 (Cathala-Spiazzi, eds., nn.1139-43); *STh* I, q. 77, a. 6; *Despir. creat.,* a.11; *DeEnte,* c. 6; *Q.* D. *Deanima,* q.12, ad 7. See below, "Advantages of the Existential Relation Theory."

[29] It makes no difference if one wishes to call the formal principle of the supposit "habitual subsistence," "subsistence," a "substantial mode," or "mode of being."

causes of *esse,* however, introduces an entire set of elements that broaden the scope of our discussion and is able, I believe, to point us in the right direction for rendering an account of individuality. I shall return to this.

Finally, a supposital theory of individuation might look for the source of individuality in the very source of supposital/hypostatic perfection or subsistence. The difficulty here lies in one's concept of the supposit. If the supposit is understood to consist in nothing other than the concrete individual nature, [30] then the appeal made is circular (and begs the question). If, on the other hand, the supposit is conceived as *adding* something to concrete individual nature, then attention to the formal principle of the supposit as such passes right over the problem of individuation, leaving it unexplained. [31]

Thus the solution comes down to either the formal actuality of an individual essence or something related to the efficient principles of the nature's existence.

III. THE PROBLEM WITH "ESSE"

The first solution, *locating* individuation in the formal actuality of an individual essence, cannot be accepted. For Scotus, the reason for this is rooted in the undifferentiated character of *esse* itself which, having no distinctness as such, cannot be the cause of distinction in another. [32] The determination of *esse* derives only

[30] Note that this position enjoys the universal support of philosophers and theologians until the fourteenth century. It is only afterwards that the theologically dictated need to distinguish the supposit from individual nature as such (occasioned primarily by Christological considerations) finally gave rise to the contrary opinion. The theological tradition prior to the fourteenth century was fully capable of maintaining the necessary distinction without further introducing any real distinction between a supposit and its concrete individual substantial nature *qua* particularized/individualized (effectively recognizing two distinct manners of signifying concrete individual nature). For a detailed and historical treatment of the nature-supposit distinction in Christian tradition, see Hipp, *"Person" in Christian Tradition.*

[31] Suarez makes the same observation when rejecting the third interpretative opinion concerning Thomas's doctrine of what the supposit is understood to add to the notion of the nature in *Quodl.* 2, q. 2, a. 2; see Suarez, *Disp. Meta.* 34, s. 3, n. 1-13.

[32] Scotus, *Leet.,* d. 3, p. 1, q. 3, n. 55-57 (Vatican ed., 18:245); *Ord.* 2, d. 3, p. 1, q. 3, n. 59-65 (Vatican ed., 7:418-21).

from its reception in, its becoming the actuality of, a determinate form. Suarez contends that *esse* cannot be the source of individuality lest nothing could be individual which did not exist, which would be incompatible with the notion of an individual possible being.[33] Of course, the notion of a properly individual possible being is problematic in its own way. As a pure possibility in the mind of God, the individuality of that being concretely considered, given the simplicity of everything in the divine mind, would be identical to that of the divine nature with which its *esse* is one. However, a certain proper mode of individuality (i.e., other than the simplicity of the divine mode of being) could still be ascribed to the pure possible considered in its *potential* relationship to being, where the latter is understood to enter only obliquely into its notion. This is analogous, *mutatis mutandis,* to the Capreolist notion of the "common supposit," though it pertains not so much to a common nature *qua* concrete or concretely signified as to an individual nature *qua* possible or in abstraction from its being.[34] Other Scholastic authors and various Thomists have similarly argued for the impossibility of *esse* performing the individualizing function.[35]

Against these positions, however, and intending to represent the teaching of Thomas, Joseph Owens claims that, with respect to the distinguishable parts and attributes of a thing, it is *esse* that "is forging all the varied elements of the thing into a unit ... they are brought together by real existence in the one person . . . existence makes them a unit," and speaks of "the unifying feature of existential actuality."[36]

[33] Suarez, *Disp. Meta.* 5, s. 5, n. 2-5. See also *Disp. Meta.* 34 ("De prima substantia seu supposito eiusque a natura distinctione").

[34] See Capreolus, *Defensiones Theologiae Divi Thomas Aquinatis* (ed. Ceslai Paban and Thomae Pegues, 7 vols. [Turin, 1900-1908], 1:228a-38a (I *Sent.,* d. 4, q. 2, a. 1); 5:84a-110b (III *Sent.,* d. 5, q. 3, a. 3). I shall return to the problem of "possible individuals" at the end of this article.

[35] See, for example, John Baconthorpe, III *Sent.,* d. 11, q. 2 (Cremona ed., 72). John's objection is based on the fact that existence comes to an essence or nature (in the order of nature) only after the nature is fully constituted according to its intrinsic principles. Cajetan constructs his theory of personal subsistence on the basis of the same conviction *(In III,* q. 4, a. 2; q. 4, a. 3, ad 1).

[36] Owens, "Thomas Aquinas," 174-75 and 187.

A number of serious objections can be brought against this thesis. First of all, it seems that Owens makes the error of confusing the order of knowing with the order of being, moving from existence as responsible for our *perception* of unity to existence as *cause* of the same unity. Coming into contact with and experiencing the unique act of existence of a thing reveals-to our understanding (and through a special act of judgment)-not only that it has being, but also that it is "this," that is, an individual. But revealing that something is one is not the same as *causing* the unity we are compelled to admit on the basis of being's (phenomenological) effect. [37]

Epistemic questions aside, there remains a nontrivial ambiguity in Owens's position. This existence which "always individualizes as an actuality" and which "gives the thing its thoroughgoing individuation by synthesizing everything in the thing into a single unit," [38] it seems, can no longer be the act of the essence in a formal sense as Thomas himself understood it. Owens has implicitly treated *esse* in these passages after the manner of an efficient cause. To say, moreover, that being unifies is to give it a unifying power, which is to "naturalize" being as it were, giving it a certain nature. But being is no natural thing or nature; it is purely the act of a nature, and wholly distinct as such from nature considered as such, as act is distinct from potency.

Naturally, any alternative to *esse* understood as the formal actuality of a thing (which, as we have seen, cannot individuate)- if that alternative likewise refuses to consider the existential order in efficient terms-would result in reducing the cause of unity to a function of the essence (even if it must be acknowledged that this is the *actual* essence). [39] Owens correctly represents Thomas as holding this last position (especially with respect to form) while nevertheless identifying the ultimate unifying factor in *esse*. To be

[37] The act of *judgment* is the synthesizing act here. Owens practically says so himself: "As directly attained through the synthesizing act of judgment, it is forging all the varied elements of the thing into a unit" (ibid., 174).

[38] Ibid., 186-87.

[39] Note that to consider the existential order in efficient terms is not equivalent to treating *esse* itself in efficient terms and involves additional factors very different from *esse* as such.

sure, the essential principles of a nature cannot operate without existing. But, if the fact that the actuality of a principle is necessary for it to exercise its function is all that lies behind Owens's insistence upon existence as cause of individuation, then his theory makes little headway and simply begs the question. He is right to seek the explanation of individuation in the existential order, but errs by moving too far in that direction.

The very texts cited by Owens do, in fact, show that the cause of a thing's subsistence is the cause of its incommunicability or individuality. [40] Despite the inconsistency in the above noted treatment of the term *esse,* the rest of Owens's article serves to confirm this last affirmation and closely associates the causes of a thing's existence with individuality. [41] However, the principal conclusions he wishes to draw from that important association go beyond the meaning and intention of Thomas's texts. An analysis of these limitations is beyond the scope of this article, [42] but I would like to examine the relationship of the causes of a thing's existence to its principle of individuality.

IV. EXISTENTIAL RELATION AS PRINCIPLE OF INDIVIDUATION

Henry of Ghent conjectures that individuation has to be brought about not through the principles of the nature, but through the causal action of the divine agency whereby the nature receives its existence as a supposit. [43] The notion of subsistence, proper to the supposit, is always really distinct from that of the nature as such. And it is subsistence alone, understood as joined to the nature absolutely considered, that, for Henry, ultimately sets one individual off from another.

[40] Dewan's critique of Owens concedes this as well; see Dewan, "The Individual as a Mode of Being," 411-13.

[41] As regards these actuating causes, moreover, Owens does an excellent job of demonstrating the role ascribed by Thomas to both form and quantified matter in bringing about the existence of an individual.

[42] With sound argumentation and broad textual support, Dewan opposes Owens's interpretation; see Dewan, "The Individual as a Mode of Being," 403-24.

[43] Henry of Ghent, *Quodl.* 2, q. 8 (Wielockx, ed., 38-43, 47, 50-51); *Quodl.* 5, q. 8 (Paris ed., vol. 1, f. 165vM-166rM); *Quodl.* 11, q. 1 (Paris ed., vol. 2, f. 438r0).

Because the actual joining of these two principles cannot be accomplished by the principles themselves, an extrinsic agent-namely, God-is invoked to provide the causal explanation for the unique subsistent act by which concrete natures differ. While this is fine at the level of efficient causality, it leaves unsettled the question of what intrinsically distinguishes the supposit from the absolute nature that makes it *formally* to be this individual. It is precisely at this point in the inquiry that Henry's response becomes most interesting. Henry (working with Avicennian principles) appeals to something joined to the nature in an accidental fashion, inasmuch as it does not belong to the notion of the essence, but without thereby being separable from the existing nature. [44] He also speaks of this additional element as a certain disposition of the supposit as supposit, which means *qua* subject to the "accidental" feature just mentioned. [45]

Henry was unable to carry his explanation further. But, keeping in mind that his entire discussion refers to the productive agency responsible for the above factors (i.e., that it repeatedly refers to the determination in question as possessed by a form only through that agency which brings it into and holds it in existence), [46] one is justified in seeing in his accidental feature [47] the only factor in creative causality yet to be mentioned, namely, the *relation* existing between the divine agent and the subsisting

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[44] Henry of Ghent, *Quodl.* 2, q. 8 (Wielockx, ed., 49); cf. *Quodl.* 11, q. 1 (Paris ed., vol. 2, fol. 438/418vQR). The determination had from the additional element which is *extra rationem speciei* cannot be accidental to the supposit: the supposit, *formaliter dicitur,* is the determinate thing (thus the concept of the supposit formally considered necessarily includes the notion of its existing). The determination (and existence itself), however, is accidental to the essence *as such* (i.e., absolutely considered).

[45] Henry of Ghent, *Quodl.* 5, q. 8 (Paris ed., vol. 1, fol. 166rM). This *"quasi dispositio"* is described as belonging to the (specific) form in the supposit, i.e., as belonging to the form insofar as it is a supposit (and not to the form *qua* form), while the supposit is precisely that which *has* the form along with this *ratio determinationis.*

[46] Henry of Ghent, *Quodl.* 11, q. 1 (Paris ed., vol. 2, fol. 439/419rT); see *Quodl.* 5, q. 8 (Paris ed., vol. 1, fol. 165vM-166rM).

[47] Henry of Ghent, *Quodl.* 2, q. 8 (Wielockx, ed., 49-50).

supposit. [48] From this perspective, moreover, there is room to interpret the *"quasi dispositio"* proper to the supposit as such in terms of the same relation, but with respect to the *subject* of the relation-effectively   acknowledging that Henry thereby identifies the *foundation* of the causal relation rather than the relation itself.

Such then is the position that I would like to propose: the immediate formal principle of individuation is nothing other than the creature's relation to God as to the cause of its existence. [49]

V. ADVANTAGES OF THE EXISTENTIAL RELATION THEORY

Identifying the principle of individuation with such a relation has powerful advantages. This relation is not a mere "accident"; it is what we might call today a "transcendental" relation. It is "extrinsic" to the nature as such (and in some respects adds to the individual nature only an extrinsic reference, from the point of view of its *esse ad),* and thus is able to be "added" to the nature absolutely considered in such a way as to operate as its distinguishing principle. At the same time, however, it is intrinsic to the very constitution of the nature in its individuality, and thus is able to serve as its intrinsic principle of identity. While the substance supplies the being for the predicamental accident from the point of view of its *esse in,* it is the *esse ad* of the relation (or what is expressed by the *esse ad:* that is, the formal perfection of the relation itself)[50] which actualizes the nature from the point of view of its individual identity (i.e., distinctiveness). Something

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[48] Although I have not explicitly found this teaching in Henry's texts, in which Henry appears to reduce the principle of determination exclusively to *esse* (even if he concedes great importance to the productive cause of that *esse),* Stephen Brown asserts that the positive feature Henry ultimately sought to define "adds to a particular essence a real relation to the Creator as the efficient cause of the individual's actual existence" (Brown, "Henry of Ghent," 205). Mark Henninger makes the same observation: see Henninger, "Hervaeus Natalis and Richard of Mediavilla," 306.

[49] Note that the relation here is precisely that of *depending* or *undergoing causal production.* Naturally, one's doctrine of relation dramatically affects the success or failure of the position here endorsed.

so In every predicamental genus besides substance, we distinguish between accidentality-which   is the predicament's *inessendi* mode of being-and the *ratio* or difference according to which one predicament is distinct from another.

proper to the entirety of the substance serves as the foundation for the relation; indeed, this foundation is the substance itself considered as a potency with respect to *esse*. As a result, the constitutive being of the relation (pertaining to its *esse in)* and that of the substantial nature in its proper *"entitas"*[51] are distinguishable only according to mode of signification (or virtually)-one as distinguishing, the other as distinct. [52]

Let us clarify this complex series of relationships. A thing's creative relation to God is integrated into the individual according to the *esse in* of the relation as it inheres in the creature according to the passive dimension of creation (founded upon and identical to the contingency-reality or "undergoing" of the creature as such), in contrast to active creation, which, identical to the universal cause of being (God), is the term of the referential *esse ad* of the same relation. If what individuates me is the existential relation, it can do so only by entering into my constitution; but the relation penetrates me only according to its *esse in* and insofar as there is a real foundation in the subject of the relation. The foundation of that relation is the contingency of the entire essence, which is identical to the accidental being of the relation (i.e., its *esse in)* and therefore identical in mode of being to that which individuates the essence. Note that I call the generic being of the relation "accidental" and "inherent" following the

[51] The expression is taken from Suarez (see *Disp. Meta.* 5, passim, and especially s. 6). Suarez's *entitate* solution bears certain similarities to the present proposal. For Suarez, the entirety of a simple essence and the irreducible principles of a composite substance serve themselves as the cause of the individuality of the nature in question ("omnem substantiam singularem [se ipsa, seu per entitatem suam, esse singularem] neque alio indigere individuationis principio praeter suam entitatem, vel praeter principia intrinseca quibus eius entitas constat" *[Disp.* 5, s. 6, n. 1]). Moreover, his individuating "entitas"-which is only logically distinct from the nature *(Disp.* 5, s. 2, n. 9)-signifies the nature as it is posited in existence ("entitas rei nihil aliud est quam realis essentia extra causas posita" *[Disp.* 7, s. 1, n. 12]). The differences, however, are greater than the similarities: amongst other things, in the present thesis, a nature's *entitas* stands for the entirety of the concrete nature *qua* nature, that is., in its potency for being, (which is really distinct from the essence), and it plays a role in individuating only as the *foundation* for the properly distinctive relation.

[52] The distinction operative here is analogous to the *"ut approprians"-"ut appropriata"* distinction between *proprietates personales* and *personae* as explained by Albert and Thomas; see Hipp, *"Person" in Christian Tradition,* 297, 433-37, 443-44, 455-56, and especially 461-67, all of which is directly concerned with individuation.

conventions of logic,[53] though it may equally be called nonaccidental because of its identity with the foundation, precisely to the extent that such a foundation (the contingency reality in question) is nonaccidental). According as the being of a relation is determined by that of its foundation, if its foundation is not an accident, we may describe the being of the relation, its *esse in,* not as an accidental being, but as something other than accidental. The foundation here is the essence itself insofar as it is contingent or limited (which is the entirety of the essence, not some partial dimension of it). As a result, the being of the relation must be identical to that of the actual essence. But the fact that the *inesse* of the relation is identical to the being of the existing essence does not mean that the essence is the same as the relation *simpliciter.* The relation includes the aspect of *esse ad* as well as its *esse in.* Moreover, the intrinsic relativity of the essence, due to the fact that, as a foundation, it is identical to the being of the relation, does not necessarily mean that the essence is itself a relation, but only that it is relative. In general, the fact that the *esse in* of a relation is identical to that of its foundation does not mean that the foundation is a relation: in the relation of similarity, for example, between two white bodies, the whiteness, which serves as the foundation for the relation of similarity, remains an *absolute* accident. Thus the contingency in question is the very essence, and the "accidental" being *(esse in)* of the relation is identical to the existing essence which is entirely referred to God as to its cause. The accidental being of the *esse* relation is not *in* the essence as in a distinguishable subject, but it is *identical* to the essence. To say, therefore, that the relation to God individuates a substance is the same as to say that the existing substantial essence (understood precisely according to the dynamism of its ex-sisting, i.e., as an actual potency in its relationship to *esse actus essendi)* individuates the substance from the perspective of the actuality of the distinctiveness. But we cannot lose sight of the said relation's *esse ad,* formally accounting

[53] Every relation is *signified* as *in* a subject, even when the mode of its predication implies nothing in the subject (but only reference *ad alio)* and is, as in the case of divine supposits, one of identity.

for the distinctiveness of the actuality of the same substance. We thus keep before our eyes a relationship of mutual actualization between the relation and its substantial subject, each determining the other in differing respects. [54]

The various criticisms launched against accidental theories of individuation, including the well-known objections raised by Scotus in his commentary on the *Metaphysics,* [55] are thus warded off. The fact that accidents are posterior to substance in the order of nature is no longer problematic, since the accident in question is an inseparable, necessary accident that reciprocally actualizes the nature with respect to its concrete, indivisible mode of instantiation, though without actualizing it in the order of *esse.* Both the relation and the substance stand toward one another as potency and act in different respects. [56] The relation possesses a certain priority of nature regarding the essence it determines with respect to individuality (and the individual modality of existence which that signifies) even if the essence enjoys a natural priority with regard to the relation in respect of being *simpliciter.* Neither exists in temporal priority with respect to the other. [57]

The underlying problem, it seems, is that whatever makes something to be individual must itself be individual. But everything that is individual is so on account of a principle of individuality, and so we embark on an infinite regress-unless these two entities are co-principles simultaneously, mutually

[54] This is exactly how Thomas resolves the paradox of the creature's "transcendent ordination" to another (i.e., toward its First Cause) understood as a predicamental relation but nonetheless responsible for the very being of the creature: Aquinas, *STh* I, q. 45, a. 3, ad 3. See J.-H. Nicolas, *Synthese dogmatique: Complement: de l'Univers a la Trinite* (Fribourg: Imprimerie Saint Paul, 1993), §41.

[55] See Scotus, *In Meta.* 7, q. 13, nn. 20-30.

[56] On the manner in which act is determined by potentiality and potentiality by act, see Aquinas, *De Pot.,* q. 7, a. 2, ad 9; see also *De spir. creat.,* a. 8, ad 9. These principles are judiciously applied to the problem of substantial unity in material substances and to the subjective differentiation of genera and species in Nicolas, *Synthese dogmatique: Complement,* §153²-153'.

[57] See in this regard, and with respect to the identity between creation, conservation, and the creature itself insofar as it is dependent, A. D. Sertillanges, *Foundations of Thomistic Philosophy,* trans. G. Anstruther (Springfield, Ill.: Templegate Publishers, 1931), 100-104.

determining one another *in different respects.* This is precisely
what we must affirm.

   An analogy might illuminate this point. In the realization of a
being *(ens),* both the essence and its existence are necessary
principles. Created *esse* can only be realized in a limited way, that
is, through the determining/limiting role of essence; and essence
is nothing without its act which *esse* supplies (or, more precisely,
for which *esse* is another name). The obvious question is: how can
essence exercise a limiting function with regard to being when it
is nothing prior to the possession of that being? The response is
simply that no antecedent actuality on the part of the essence is
required for it to exercise its limiting function, for it performs
that role (and can only perform such a role) in its potentiality.
The actualizing principle is determined by the potential principle
only in its potentiality. [58] To make sense of this, it seems we should
affirm that what is potential can determine what is actual because
what is actual is limited by the producing agent to the distinctive
contours of the potentially real thing considered in the mind of
the agent. Thus the essence *qua* potential really performs no
limiting role at an efficient level, but only as a determinant of the
productive cause, somewhat like a final cause for the production
of this act of being. The *actual* potency (which is the existing
essence), however, certainly limits the act of being (which it
possesses) to itself, and the two are perfectly and uniquely
proportioned to one another. It is in this sense that the actual
essence, according to its potency for being, that is, according as it
is an actual potency (for, even the real essence does not possess its
being of itself or necessarily), is actually determining the being it
possesses. It is in this sense that a potency can be said to
determine an act. This general rule for co-principles related to
each other according to potency and act might help to explain
what takes place between an essence and its individuating relation
of dependence for being.

   (A) The relation of dependence, in one sense, is only potential
with respect to (the actuality of) the essence of which it is the

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[58] See Aquinas, *De Pot.,* q. 7, a. 2, ad 9.

relation, since it cannot be actual without the actuality of the essence. But if this relation determines the individuality of the essence, it seems it could only do so as an *actual potency.* Given the above observations, this means that the agent producer restricts the essence (which, in the case at hand, is actual with respect to the relation depending upon it for its being) to this particular relation of dependence, and henceforth that relation actually determines the essence, even though it does so in its potentiality for existing (i.e., for being the relation of the essence). There is, however, no temporal priority between the two, just as in the case of an essence and its *esse actus essendi.* What is required is an exterior agent capable of circumscribing his production of the active principle to the natural limits of the potential principle.

(B) In another sense, the relation of dependence is rather like an active principle with respect to the essence it individuates, while the essence is potential, inasmuch as it cannot be individual without such a relation (which actualizes individuality). Again, the agent produces the relation in respect of the essence to which it must conform (and, of course, as always united to and supported in being by the essence, since absolutely no temporal priority is involved). Then the essence can serve, in its *actuated* potency for individuality, as a foundation for the individuating relation. Only as an actuated potency for individuality-by virtue of which the essence is indeed individual (though not so of itself)-can the essence serve as a real foundation for the individuating relation.

(C) Finally, either the essence or the relation can be viewed from the point of view of determining the other after the manner in which an act determines a potency. However, taking the relation as an actual form determining the essence to be this individual (the essence, as it were, in potency to such a perfection) only makes sense if the existence of the essence-as an individual (since only individuals exist)-is already taken for granted, on the basis of which the relation itself may exist as an actual form. Taking the essence as the actual principle of the existence of the dependence relation by which the essence is numerically one (or

individual) only makes sense if the essence already possesses being (and as an individual), on the basis of which the essence may truly found the relation in order that that relation (in potency to being) may itself be this determinate relation. Such necessary pre-conditions, however, cannot be explained except in terms of (a) and (b) above, and by appealing to the agent cause responsible for the concomitant production of the individual and the intrinsic principle of its individuation, analogous to (and immediately connected with, if not a virtual translation of) the production of an essence and its actuality.

Albert the Great speaks of the composition of an essence with its existential relation, a composition said to effect the very concreteness of the subject.[59] He also speaks of an "ultimate composition" intrinsic to the constituents of every supposit and inseparable from the relation of dependence by which they exist.[60] For every created reality, composition of an at least extrinsic sort must be admitted due to its dependence on the efficient cause from which its *esse* is received.[61] Furthermore, Albert explicitly defends the notion of a relation and its subject as mutually prior

[59] Albert, I *Sent.,* d. 2, a. 13 (Borgnet, ed., 25:68): "Because it is created, it necessarily has a relationship to the Creator, and this relation is something in the creature, even if it is but a respect toward another; wherefore, this relation produces with the created thing a composition and something concrete" ("quia creatum est, de necessitate ponit habitudinem ad creantem, et haec habitudo aliquid est in ipso, licet sit respectu alterius; unde haec habitudo cum ente creato facit concretionem et compositionem").

[60] See Albert, *Sum. theol.* II, tr. 1, q. 3, m. 3, a. 2, ad quaest. 2 (Borgnet, ed., 32:37); II, tr. 4, q. 13, m. 1, ad 1-2 (Borgnet, ed., 32:160); I *Sent.,* d. 8, a. 25, ad 3 (Borgnet, ed., 25:258); II *Sent.,* d. 3, a. 4, sol. (Borgnet, ed., 27:68-69); *De quidecim problematibus,* n. 15.

[61] "There is that kind of simplicity which does not have the implication of relation according to being with respect to interior components, though it has dependency with respect to an exterior cause, which gives it being.... According to the dependency a thing has with respect to the principles of its being ... it always depends according to being upon the efficient cause from which it receives being" ("Est simplicitas quae non habet plicam habitudinis secundum esse ad componens intra, licet habeat dependentiam ad causam extra, cujus est dare esse, et facere debere esse in omnibus quae sunt.... Secundum dependentias quas habet ad principia sui esse... semper dependet secundum esse ad causam efficientem a qua accipit esse" [Albert, *Sum. theol.* II, tr. 1, q. 3, m. 3, a. 2, ad quaest. 1 (Borgnet, ed., 32:35)]). Note that Albert resolves the related problem of an apparent infinite regress and duly acknowledges the priority of the composite with respect to its components (including the fact that the matter-form composite alone is the proper object of creation); see *Sum. theol.* II, tr. 1, q. 3, m. 3, a. 2, ad quaest. 2, ad obj. 1 (Borgnet, ed., 32:38).

and posterior to one another. In the first book of his commentary on the *Sentences,* Albert refutes an argument which claims that substances can be relative not only by reason of relation but also by themselves, as though, abstracting from the relation, the substance nevertheless remains related. The example used is that of creation (implying the relation of a substance to its total principle) where, according to the argument, if the relation is removed, the substance of the creature remains and is, nevertheless, still relative to its Creator. In his response, Albert observes that certain relations are, in a certain respect, anterior to the subject of relation, namely, when they enter into the constitution of the substance. If, therefore, such relations were to be removed from the substance, the substance itself would disappear. Such is the situation with regard to the relation of creation (or conservation, if we tie the signification of "creation" to the concept of "beginning"), which cannot be separated from the creature lest the creature cease to exist.[62] Albert also argues for the mutual and simultaneous dependence of the constitutive principles of supposits (whether in the realm of composite substances or that of the separated substances).[63] These co-principles are unified according to an entitative dependency, and neither is consistent without the other. This interdependence is reflected in the fact that neither is produced without the other, but both are simultaneously produced in and for the supposit.

Thomas will argue in a similar way.[64] Interpreting the classical Thomist theory of individuation by matter along analogous lines, invoking the same principles, J.-H. Nicolas notes the necessary interdependency between matter and form as mutual principles of individuation/specific multiplication (due to the sheer potentiality of matter as such).[65] Hervaeus Natalis likewise appeals to such a

[62] See Albert, I *Sent.,* d. 26, a. 6, ad. 6 (Borgnet, ed., 26:14).

[63] See, for example, Albert, *Sum. theol.* II, tr. 1, q. 3, m. 3, a. 2, sol. and ad 1 (Borgnet, ed., 32:33; II, tr. 1, q. 3, ad 1 (Borgnet, ed., 32:34).

[64] Aquinas, *STh* I, q. 45, a. 3, ad 3; I, q. 77, a. 6.

[65] Nicolas, *Synthese dogmatique: Complement,* §15J2. In the order of material substances, matter is understood to individuate insofar as it is in potency to a certain kind of form (whence its character as interminate, since it is not yet determined by this or that particular form). But what would allow such a potency to operate as the principle of individuality for

metaphysics when advancing his position regarding individuation through quantity (where quantity is a dispositive cause of sub-jective plurality and antecedent *secundum quid* to the individual substance). [66] None of this could stand, of course, except within a properly Aristotelian metaphysical framework such as that of Thomas, where the analogical diversity of the causes and the notion of reciprocal and total causal principles constituting a *per se* unity of causation intrinsic to a single *res* (or single operation) is upheld. [67]

The further concern that the frequent change of accidents and their coming and going renders them incapable of accounting for substantial identity over time is also overcome in light of the inseparability and immutability of the relation in question, any change of which would require a corresponding change on the part of one of its terms. But God cannot change, and the requisite

a given form? Nothing could distinguish one form from another were they not received by diverse potencies, wherefore the diversity of the potencies founds individuation. But their diversity is owed to the fact that each is "this" or "that" potency, a thisness (or thatness) that must itself be accounted for and that directs us to the "designated" aspect of matter, explained by matter's subjection to the determining act of form. It is noteworthy that Nicolas's entire discussion of the relationship between matter and form in individuation focuses exclusively on the multiplication of individuals within a common species, effectively ignoring the question of an ontological unity antecedent to and independent of the numerical unity consequent upon subjective multiplication. This is not an oversight on the Dominican's part, since, as John Baconthorpe had firmly argued in the mid-fourteenth century (III *Sent.,* d. 11, q. 2 (Cremona ed., 73), Thomas may never have intended to explain the principle of individuality strictly speaking, but only the multiplication of individuals within the same species.

[66] Hervaeus Natalis, *Quodl.* III, q. 9 (in *Subtilissima Hervei Nata/is britonis theologi acutissimi quolibeta undecim* [Venice, 1513; repr. Ridgewood, N.J.: Greg Press, 1966], fol. 81ra-82va); see *Quodl.* VIII, q. 11, ad 4 (Venice ed., fol. 153ra); Henninger, "Hervaeus Natalis and Richard of Mediavilla," 302, 309-10. It should be pointed out that Hervaeus's doctrine of the dispositive role of quantity in the plurification of material substances, as well as the position of Nicolas regarding the role of matter in the same process (referred to above), are entirely in keeping with my own position on individuation which is open-ended for what concerns an explanation of strict numerical multiplication of substantial forms for material substances.

[67] Scotus's own treatment of causality abandons this metaphysical route so critical to the Aristotelian account of substantial (and operational) unity (especially evident in *De Anima* 3 and *Physics* 3). See Scotus, *Ord.* 1, d. 3, p. 3, q. 2, n. 498, 500, 503 and 545; *Ord.* 2, d. 3, p. 2, q. 1, n. 271, 278, and 280-81; 2, d. 25, q. un., n. 22. For an insightful evaluation of the consequences of this, see A. De Muralt, *L'enjeu de la philosophie medievale* (Leiden: E. J. Brill, 1993), 34-46, 82-84, 101-5, 112-18, 321-23, 331-51.

change on the part of the substance would have to involve a complete substantial change, since the foundation for the relation in the substance is identical to the entire reality of the substance in itself.

Finally, the "something added" to the nature is not something accidental to the nature *qua* individual, so the individuating principle is not accidental to the existing primary substance. Note that this also circumvents the various objections raised by Godfrey of Fontaines against the possibility of anything superadded to the essence performing the individuating role. [68] The numerical unity achieved through such a relation, moreover, cannot be lost through bodily death, as it is not tied to quantitative considerations.

VI. NO INFINITE REGRESS OR MULTIPLICATION OF "THINGS"

But what makes the relation in question to be this and not that? There is no need to pursue this line of questioning, since this relation (along with the existence of the substance) is an immediate formal effect of God's creative causal action which produces the entirety of the individual nature (which is the terminus of all creative action as well as of all natural generative action) [69] according to its intrinsic and mutually related principles of potency and act. These principles are matter and form at the

[68] See Godfrey of Fontaines, *Quodl.* 7, q. 5 (de Wulf, ed., 3:319-23). More will be said about the ontological inseparability of the existential relation and the individual essence below, when dealing with the divine ideas and the epistemological question of the extent to which existence can be abstracted from the notion of the individual.

[69] This fact is consistently stressed by Roger Bacon, Henry of Ghent, and Peter of Auvergne. See in particular Roger Bacon, *Communia naturalium,* bk. 1, p. 2, d. 3, c. 7 (in R. Steele, ed., *Opera hactenus inedita Rogeri Baconi,* fasc. 2 *[Liber primus Communium naturalium Fratris Rogerz]* [Oxford: Clarendon Press, 1905], 92-96); bk. 1, p. 2, d. 3, c. 9 (Steele, ed., 99); bk. 1, p. 2, d. 3, c. 10 (Steele, ed., 105-6); see J. M. G. Hackett, "Roger Bacon," in Gracia, ed., *Individuation in Scholasticism,* 117-39. See Henry of Ghent, *Quodl.* 5, q. 8 (Paris ed., vol. 1, f. 165vM-166rM}; *Quodl.* 2, q. 8 (Wielockx, ed., 50-51). For Peter of Auvergne, see *Quodl.* 2, q. 5 (Hocedez, ed., 372); see Wippel, "Godfrey of Fontaines, Peter of Auvergne, and John Baconthorpe," 229-30.

essential level, and, at the level of individuality as such,[70] the entire composite substance and existential relation to God, principles that come into existence only together, and in reciprocal causal coordination, in such a way that only one "thing" (res) is produced. [71] The relation in question is not an additional *res* the individuality of which needs to be explained. Again, the nature of its *esse in,* as identical to the substantial foundation, reveals the unity of the being involved in this production, the singularity of *ens.* The case is analogous to (and intimately tied up with, if not indistinguishable from) the relation of creation. Creation is essentially a relation, real on the part of

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[70] In speaking of the essential level here, I am referring to the essence of the individual substance, the *forma totius individualis,* consisting of this form and this matter. The level of individuality as such considers the individual substance precisely according to its individuality, as opposed to its natural constitution as such. All of the intrinsic constituents of a primary substance can be viewed in either of two ways: (1) according as they are *constitutive* of the individual's nature, which is to view them in terms of the individual's natural makeup; or (2) according as they refer the substance to others or to other nonessential factors such as an extrinsic agent cause. The twofold level of mutually coordinated principles related to one another as potency and act suggests the presence of a more fundamental composition within the structure of created nature beside that (in material substances) of matter and form and distinct from the relationship of *essentia* and *esse* (proper to material and immaterial substances alike). As alluded to above, Albert the Great puts forward such a doctrine in the context of discussing the various kinds of composition and simplicity distinctive of created beings whose *esse* is received: Albert, I *Sent.,* d. 8, a. 24 (Borgnet, ed., 25:254); I *Sent.,* d. 8, a. 25 (Borgnet, ed., 25:257-58); *Sum. theol.,* II, tr. 1, q. 3, m. 3, a. 2, ad quaest. 2 (Borgnet, ed., 32:37).

[71] This understanding, at home within Thomistic Aristotelianism, would be foreign to a Scotistic metaphysics grounded on the *distinctio formalis ex natura rei* where each of the distinguishable components is credited some sort of proper individuality (even its own *haecceitas)* and where to each conceptually distinguishable form adequately corresponds a certain *ens,* one separable from the other (at least *de potentia asboluta Dei).* See Scotus, *Ord.* 1, d. 2, p. 2, q. 1-4; 1, d. 4, p. 1, q. un; 1, d. 8, p. 1, q. 4, n. 192; *Ord.* 2, d. 1, q. 4-5, n. 203; 2, d. 3, p. 1, q. 4, n. 91-92; *Ord.* 4, d. 11, q. 3, n. 46; *Rep.* 1, d. 12, q. 2, n. 6; 1, d. 33, q. 2, n. 8; 1, d. 45, q. 2, n. 9. Then again, Scotus's own understanding of the ultimate individuating principle refuses to treat the *differentia individualis* as a "this something" *(hoc aliquid),* but views it rather as that whereby something else is a "this" *(quo aliud est hoc).* See Scotus VII *Metaphys.,* q. 13, n. 112; Peter King, "Duns Scotus on Singular Essences," *Medioevo* 30 (2005): 111-37. Furthermore, "thing" has various meanings for Scotus and does not always name something capable of existing independently of a determination relative to another. It is enough for something to be mind-independent for it to count as a "thing" in a realist sense. See Scotus, *Quad.* q. 3, n. 2-3 and the excellent article by G. Pini, "Scotus' Realist Conception of the Categories," *Vivarium* 43 (2005): 80-83.

the creature, logical on the part of God. But traditional teaching holds that this relation is not itself created in the proper sense of the term and needs no additional causal explanation for its own being (which too is rooted in the potency of the substantial subject brought into existence).

In the end, what emerges is a highly ordered picture of the intrinsic structure of the supposit, consisting of a harmonious interdependency between essence and existence, matter and form, quantity and matter, and the relative and the absolute, while acknowledging a metaphysically significant role for each of these factors in accounting for the ontological unity of the individual and/or the numerical distinction of many individuals within a common species. But it *all* ultimately and beautifully comes down to the productive agency of God, and to the existential relation binding us to him.

VII. WHAT ABOUT GOD'S KNOWLEDGE OF "POSSIBLE INDIVIDUALS"?

At least one fundamental problem, however, confronts the theory, namely, the problem of explaining "possible individuals" or "individual possibles." Scotus and Suarez both argue against the possibility of *esse* functioning as principle of individuation because (among other reasons) nothing could then be individual which did not exist.[72] The implication would preclude the possibility of God's knowing individual things prior to their actually existing.

First of all, it must be stressed that the principle I have posited is not *esse,* but the relation involved in the communication of *esse* to an essence. Nevertheless, the problem raised by Scotus and Suarez apparently remains, inasmuch as there is no such relation in abstraction from *esse.* However, it would be premature and overly simplistic to confound the two notions to the point of denying that a certain kind of knowledge of one (viz., the relation) can be had without knowing the other (the *esse).* While no such relation can exist in abstraction from *esse,* this does not

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[72] See Scotus, VII *Metaphys.,* q. 13, n. 50; Suarez, *Disp. Meta.* V, s. 5, n. 2-5.

mean that a concept (or knowledge) of such a relation cannot exist without a concept (or knowledge) of the *esse* naturally associated with it. The relation in question contains within its concept exactly two terms, the essence and God, along with the notion of dependence (rooted in the essence). But must *esse* itself, properly speaking, enter into the very concept of that relation? The dependency alluded to has its *ratio* directly in the realized *potency* of the essence, and only *indirectly* in the correlative notion of actuation *(esse)* necessary for the potency to be real.

If the above comments about the essentiality of the existential relation with respect to individuality are true, then at least the relational aspect of existence cannot be said naturally to follow individuation. To the extent, moreover, that that relation entails a thing's actuality, even the formal actuality of a thing appears to be (at least indirectly) built into the individual as such. In the intentional order, the complete notion of an individual substance, then, is certainly not without its unique causal relation to God and includes at least an oblique reference to the *esse* by which it exists (or could exist). On the one hand, the quiddity of the individual form is, for the human intellect, virtually inconceivable since it depends upon (or includes a reference to) an apparently nonquidditative element for its quiddity, making quidditative what is seemingly nonquidditative. On the other hand, one should perhaps not jump to the conclusion that merely oblique intentional reference to the nonquidditative (existential) order effectively imports that very order into a proper intention of the quidditative (i.e., into our concept of the essence). Nevertheless, if for an individual essence there is no difference between its ultimate individuality and its existential relation, *and* if the inclusion of that existential relation in the notion of the individual implies the inclusion of *esse* itself (a conclusion which, as noted, would require further justification), then it would follow that its essence and existence are inseparable notions.

Concerning specific unity, Thomas states that "being does not enter into the definition of the creature, since being is neither a

genus nor a difference. "[73] If, however, the existence relation constitutes the individuality of a thing, then it functions like a difference with respect to the common species and thus belongs to the definition of the individual as such.[74] For this reason we cannot abstract from the causal relation by virtue of which a thing receives existence and still have a concept of the individual essence. But (and here is the potential force of the objection), if *esse* itself is wrapped up in our notion of the causal relation responsible for it, then an individual's very existence would be a principle of its individuality and, arguably, function like a "difference" with respect to the species. In this case, we could not abstract from being at all and still have a concept of the individual essence,[75] since the individual essence would be an individual essence only through existence.

The apparent inseparability of existence and individuation when the latter is conceived as consisting in a thing's existential relation to God, though it does not reduce *esse* itself to the principle of individuation, nevertheless makes the event of individuation unintelligible without the act of existence. Their necessary correlation, we observed, is unmistakably evident in the

[73] Aquinas, *Quodl.* 2, q. 2, a. 1: "ens autem non ponitur in definitione creaturae, quia nee est genus nee differentia"; cf. *ScG* II, c. 53; *De Pot.,* q. 5, a. 4, ad 3; IV *Metaphys.,* lect. 1.

[74] The relation of the existential relation to the individual is one of essentiality, because it belongs to its intelligible structure. It is with respect to the species that the existential relation (and *esse* too for that matter) is accidental-falling, that is, outside of its definition. But because the existential relation determines the species in regard to its singulars, it may be designated "essentially (or, more precisely, 'individually') determinative" of the species. That is, its respect to the common nature is analogous to that of a difference to the genus, the latter relation defined as "essentially determinative." Thus it is not accidental in the fullest sense of the term (in the sense of neither in a thing's definition nor determinative of any of its essential principles) even with respect to the species, the concrete realization of which depends upon that existential relation (though it is always accidental with respect to the species absolutely considered).

[75] The result would supply an additional reason why individuals cannot properly be defined. One would be unable to form a proper concept of the individual not only because no universal or common idea of an individual nature may be formed, but also because it would transcend the order of the essence itself, including in its "notion" an element from the existential order. It is important to note, however, that, even were *esse* inseparable from the individual *(formaliter accipitur),* this would not imply the necessity of the existence of the individual since there is no necessity at all that there be this individual. Given this individual, however, *esse* necessarily belongs to it.

passages of Thomas cited by Joseph Owens. The doctrine of their inseparability can be traced as far back as Boethius, for whom the individualization of the complete substantial entity is a simultaneous event with being posited in existence/receiving being and amounts in the final analysis to nothing other than a "mode of existence."[76] Within the Boethian structure, the reception of *esse* and the determination accomplished by the particularizing principles are a simultaneous event. They are two distinguishable aspects of the same realization of a thing's actuality, the former *(esse)* being "conditioned" or specified by the latter, stamping a particular modality upon the manner in which a subsisting thing exists. That a substance's actuation *extra causis* is inseparable from its individuation, however, does not mean that *esse* is equated with the formal principle of individuality. In fact, individuality is here depicted as a *mode* of existence-having a principle, therefore, distinct from existence as such. The strength of the above objection, of course, lies especially in the fact that there is more than a mere correlation between *esse* and the existential relation: the notion of the latter and, therefore, the notion of the individual essence, seems to include the former.

Nevertheless, there is a sense in which the individual essence remains abstractable from *esse* (and, in a certain manner, even from the existential relation bound up with it), as long as the individualizing causal relation to God is still retained within its notion as potential. (Indeed, the possibility of this thing's relation to God cannot be abstracted from, otherwise it could not be conceived as this thing.) While the possibility for a relation is certainly not the same as the actual relation, the inclusion of the notion of such a possibility-because of its direct reference to the (hypothetical) actuality with respect to which it is a possibility-would nevertheless suffice for cognition of an "individual

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[76] See Boethius, *Contra Eutychen,* 3; *Quomodo sub.,* 1-8; *De Trin.,* 2; see Hipp, *"Person" in Christian Tradition,* 115-19. In this last work, a chapter devoted to Boethius develops (in dialogue with Cajetan) a notion of individuality conceived as a mode of being; the thesis is expanded and defended in various places throughout the remainder of the book (see in particular part 2, chaps. 1 and 7; part 3, chap. 1, discussing Cajetan and Suarez; and part 3, chap. 2).

possible," that is, cognition of a possible thing *according to* such a relation (inasmuch as it is known *with reference to* such a relation). We can consider it, then, according to its *possible* act of existence, leaving behind as it were its actual act of existence. To do so is to consider the causal relation in its potency-that is, according as an essence's existence is contingent and according as it is not necessary that such a causal relation (by which it would exist) be actual to it. In this sense, we may speak of a possible essence. That possibility translates as a potency with respect to the act of *esse,* that is, as a potentiality for the causal relation to God. Not that a possible essence is anything with an actual or real potency in itself, but our *concept* of a possible essence signifies the essence according to its receptive potency (i.e., according to the receptive potency which the real essence is or would be) with respect to the act of existence.

The very notion of a potential inclusion of being in the individual substantial entity abstracted from the proper act of the supposit is proposed by Capreolus. [77] Suarez maintains a similar position, recognizing an extrinsic order to actuality or being on the part of the substantial entity *signified* as distinct from the subsistent, a distinction he explains in terms of modal distinction. [78] One might also add that, in speaking of the essence's potency for being, we are effectively signifying the essence (as earlier explained) according as it is the foundation for the relation in question. Thus, the relation is virtually and indirectly imported by such a manner of conceptualizing the essence (even if the relation be viewed here only from the perspective of its dependence upon its subject, i.e., according to its generic being). [79]

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[77] Capreolus, *Def. theol.* (Paban-Pegues, eds.), 1:241, 325b-328, 359•-b;5:22•-h,105, 110b, 325'-b, 359--b.

[78] Suarez, *Disp. Met.* 34, s. 4, n. 23, 25, 32, 40-41; see E. Forment, *Ser y Persona* (2d ed; Barcelona: Publicacions i Edicions de la Universitat de Barcelona, 1983), 319-25, 339-57, 383-86, 391-94.

[79] In other words, the aspect of relation intended here concerns only its *esse in,* with respect to which it is wholly dependent upon the substance (by which we acknowledge that the substance itself is a co-principle of the actual individual). Nevertheless, the identity of the relation's foundation (the very essence according to its contingency) with the generic being of the relation should have implications for our notion of the possible essence-which is, in

Despite these reflections, some will still object that existential factors cannot make something unique because, contrariwise, the uniqueness of the existential factors themselves are a consequence of or follow upon the numerical identity of the thing. [80] For nothing but some distinct thing can exist, and existence does not come to nothing. However, this is to speak of existence as "coming to something," as if there was something to come to without existence. What is meant is that existence comes to the idea of the essence had in the mind of God. But what makes that "idea" individual? Its individual intention, of course. And what makes that individual intention individual? One of its conceptually distinguishable components? If we are not to be led to an infinite regress, we shall be pushed to consider being again-but in this case either the essence's intentional being in God, or its objectively possible being. Given the nature of divine intellection, an essence's intentional being in God is substantially identical to the divine essence. While this gives the intention a certain "individuality" (in an analogical sense of the term), it has nothing to do with the structure of the intention objectively considered, with respect to which some factor among others intrinsic to the possible must account for the individuality of the intention. [81] I argue for its possible being (which, moreover, cannot be absent from its intentional being), since the possible being (directly for what concerns the existential relation, and indirectly for what concerns *esse)* cannot be abstracted from the concept of the individual essence. Possible being is necessary for (intrinsic to) quidditative or essential individuality. Someone may object that even unicorns have possible being. They do indeed, and they have an essential individuality, the ultimate conceptual explanation for which is possible being. But they are not therefore

fact, nothing other than the essence *qua* contingent, i.e., according to its *capacity* to be.

[80] See Duns Scotus, *Leet.,* d. 3, q. 3, 56-57.

[81] In God, of course, any such factors, our way of understanding notwithstanding, do not, when known, correspond to several intentions, but to one simple intellective act, within which he nonetheless attains to each of these factors according to its distinction. See Aquinas, *De Verit.,* q. 2, a. 4, c. and ad 4, 6-7, 9.

individuated   in   reality.   Real   being   is   necessary   for   real individuality-that   is, for a thing to become an existing individual.

Note that "possible being" does not mean the mere possibility that something may be, but rather refers to the being (and, more precisely, the existential relation) that would have to be intrinsic to the thing in order to account for its thisness, and considers it as potentially in the essence being conceived. This possible being is absolutely essential to the thing being conceived. Capreolus reasons much the same way in his explanation   of the formal constitutive of the supposit, where he distinguishes the common concrete thing or "concrete supposit" from the singular concrete thing or simply "supposit," precisely in terms of the being that is "potentially,"   "implicitly,"   or "indirectly"   contained in an in-dividual's notion. The former corresponds to our notion of the *forma totius individualis* somehow abstracting from actual existence but not from possible existence, while the latter corresponds to our concrete existent in possession of its actual being. [82]

Another way around the entire problem might be to suggest that the notion of divine knowledge of "possible individuals," when the latter is understood as signifying a potentially real thing according to its proper individuality, is contradictory. God knows every possible thing only as a possible, and therefore   as instantiable. Anything truly individual necessarily exists (and, therefore, for God to know it would be to know it in its existence). God has an idea of the manner in which he would like to create Socrates, but this remains an idea, potentially multipliable in many until he actually creates an individual according to that idea. Such an idea is therefore not really an individual   idea (a complete/perfect   idea of the individual Socrates), but an idea of how God could in fact make a Socrates. I do not deny that God can also have an idea of *the* possible Socrates (which I discuss below), but I distinguish the idea of Socrates from the idea of Socrates as possible. God's knowledge

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[82] See Capreolus, *Def. theol.* (Paban-Pegues, eds.), 1:241, 325b-28, 359'\ 5:22•-h, 105, llOh, 325•-h, 359•·\ see Forment, *Ser y Persona,* 156, 195-97, 319-25.

of the individual Socrates (if it is indeed knowledge of Socrates the individual) must presuppose the individual Socrates (at some time in the past, present or future for what concerns our temporal perspective). Thus.God knows the individual only as existent (at some time)-which is equivalent to saying that God knows the individual only as individual. This does not make divine knowledge dependent upon something besides God; it simply denies that there can be knowledge of some distinct thing that does not exist at some time, lest there be knowledge without an object. [83] Such a stance should not be understood as excluding the *scientia simplicis intelligentiae* by means of which purely possible entities are also known by God; it merely maintains that such knowledge is not really knowledge of the individual, but only of the potential individual (i.e., knowledge of the individual only as it is in potentiality). Thus Thomas: "those things that are not actual have truth according as they are in potentiality, for it is true that they are in potentiality; and *as such* they are known by God." [84] The possibility for this, notwithstanding the fact that "a thing is known according as it is in act" ("unumquodque conoscitur secundum quod est actu"), is explained by the fact that the conditions for the existence of all things exist in God as in

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[83] The late thirteenth and fourteenth centuries saw unprecedented intellectual debates over the possibility, in the act of knowing, of an objective representation without an object. That discussion-preeminently   represented by Henry of Ghent, Duns Scotus, Peter Aureolus, William of Ockham, William of Alnwick, Robert Holcot, Nicholas of Autrecourt, and Gregory of Rimini-witnessed   an evolution, passing by way of the Scotistic separation of subject and extramental object in the formal act of knowing, to the Ockhamist extreme of a *purely subjective* act of knowing. Scotus's innovation meant postulating an ulterior *esse repraesentatum, intermediary* between that of the knowing subject (in its act of knowing) and that of the object known (in *esse cognitum).* In God, the creature's *esse objectivum* becomes a *product* of the divine intellection, with its corresponding *esse diminutum* or *esse secundum quid.* The Ockhamist revision, for its part, reaches the paradoxical idea of a *notitia intuitiva rei non existentis,* and banishes the necessity of *every* intermediary in human and divine knowledge alike. I have but touched on the surface of this complex issue; but the present thesis intends to stand on Thomistic soil, far removed from any of the above. Excellent studies are provided by E. Gilson, *Jean Duns Scot: Introduction ₐses positions fondamentales* (Paris: Vrin, 1952), 279-316; Muralt, *L'enjeu de la philosophie medievale,* etudes 3-4 and 8.

[84] Aquinas, *STh* I, q. 14, a. 9, ad 1: "secundum quod sunt in potentia, sic habent veritatem ea quae non sunt in actu: verum est enim ea esse in potentia. Et sic sciuntur a Deo." See III *Sent.,* d. 14, q. 1, a. 2, sol. 2.

their active cause. [85] From this perspective, one may continue to
defend the perfection of God's knowledge of every logically
possible thing-whether   realized or yet to be realized (cor-
responding to his *scientia visionis)* or merely contained within his
or another's power (corresponding to his *scientia simplicis
intelligentiae).* For God does not know the possible individual as
existing, but only as being able to exist: "it is in the knowledge of
God not that they be, but that they can be. " [86]

   Considering knowledge of a thing only as *potentially* existing
(which, it should be noted, is not really knowledge of the thing in
itself), God could know not only a possible Socrates, but even *the*
possible Socrates, provided, of course, that the determinate
existential relation in its potentiality enters into the notion. It is
a question of conceptualizing Socrates according to the relation he
would have were he to exist as this individual. Such a notion is
possible because the individuating factor (the existential relation)
is cognizable (* realizable in actuality) without the inclusion of
actual existence-that   is, without having to equate its notion with
that of actually existing, even if it implies a reference to actually
existing. The relation itself, moreover, is known only as possible.
While it is true that the real/actual existential relation is what
formally individuates the individual Socrates, it is not necessary to
know that relation in its actuality in order to have knowledge of
the possible Socrates, for the relation in its potentiality uniquely
delimits the possible Socrates (which is the individual Socrates
only according to its intentional existence in the mind of God).
The intentional individuality imported by the notion of the
relation in its potentiality suffices for knowledge of the possible
individual. This is particularly the case in God, given the
perfection of the divine intentionality. While our notion of
intentional individuality admits of a certain abstraction, from both
esse and the actual individuality of the individual being conceived,
and thus fails to capture the true individuality of Socrates, in God
the very intention of Socrates' individuality (and the very notion

[85] See *De Verit.,* q. 2, a. 4, c. and ad 7; q. 2, a. 5.

[86] Aquinas, *STh* I, q. 14, a. 9, ad 3: "non est in scientia Dei ut ilia sint, sed quod esse
possint."

of the possible Socrates) fully contains the real perfection of the singularity Socrates would enjoy were he to exist. [87] Though the determinate existential relation be known only as possible, and though it be known in its cause, and not in itself, it is known perfectly in its cause because the divine perfection contains every participated perfection pre-eminently.

The fact that knowledge of this relation (whether possible or actual) necessitates knowledge (correspondingly possible or actual) of the subject to which it belongs (and vice versa) nowise precludes the presence of its idea in God. [88] An "idea" strictly speaking signifies the form of something that could be produced. [89] But even co-principles of a composite entity (which alone has a complete and *per se* act of existing, and to which alone corresponds the perfect notion of an idea in God), [90] have their idea (taken in a looser sense as notion or similitude) in the divine essence, as the principle of every principle constituting the composite. [91] Just as God can know the singular understood as singular through a potential co-principle (i.e., a co-principle that is purely potential with respect to the formal actuality of the nature) and therefore can also know the principle of that

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[87] "God not only knows that things are in himself; but by the fact that they are in him, he knows them in their own nature" ("Dicendum est quod Deus non solum cognoscit res esse in seipso; sed per id quod in seipso continet res, cogniscit eas in propria natura" [Aquinas, *STh* 1, q. 14, a. 6, ad 1]). Cf. Aquinas, I *Sent.,* d. 35, q. 1, a. 3, ad 1: "the more perfecta medium, they more perfectly a thing is known in it: and therefore, to the degree that his being exceeds our own, to the same degree his understanding of the being of the thing, which he knows through his own being, exceeds our own understanding which regards the being of the thing and which is received from the thing itself" ("quanto autem medium perfectius est, tanto in eo res perfectius cognoscitur: et ideo quanto esse suum excedit nostrum, tanto scientia sua de esse rei, quod cognoscit per esse suum, excedit scientiam nostram, quae est de esse rei accepta ab ipsa re"). Cf. also I *Sent.,* d. 36, q. 1, a. 1; d. 36, q. 2, a. 1, ad 3; d. 36, q. 2, a. 3, ad 3. See also Aquinas, *De Verit.,* q. 2, a. 4; *ScG* I, c. 50.

[88] See Aquinas, *STh* I, q. 15, a. 3, ad 3-4; *De Verit.,* q. 3, a. 7.

[89] Aquinas, *De Verit.,* q. 3, aa. 5 and 7.

[90] Aquinas, I *Sent.,* d. 36, q. 2, a. 3, ad 2-4.

[91] "If we take 'idea' in the broader sense as meaning an intelligible character or likeness, then those things which can be distinctly considered are of themselves able to have distinct ideas, even though they cannot exist separately" ("Si autem large accipiamus ideam pro similitudine vel ratione, tune ilia possunt distinctam habere ideam quae possunt distincte considerari quamvis separatim esse non possint" [Aquinas, *De Verit.,* q. 3, a. 5; cf. q. 3, a. 8, ad 2]). See *STh* I, q. 14, a. 11.

singularity even if that principle is by itself neither realizable nor intelligible to us,[92] in the same way he can know the individual (possible or real) through an equally complete understanding of the existential relation (possible or real).

Following what Thomas seems to affirm in book 1 of his commentary on the *Sentences,* it should not be denied that a potential co-principle has a certain intrinsic intelligibility to God even when it is taken in precision from its correlative active principle. Potential principles (even prime matter), to the extent that they are or can be, are fully intelligible to God,[93] whose mode of knowing is neither abstractive nor limited by the imperfect metaphysical state of such objects, since he knows all objects in knowing himself.[94] This does not mean that God can know actual prime matter without knowing the composite, nor does it mean that a perfect "idea" of prime matter (possible or actual) exists in God, but only that some representation of possible prime matter is possible in God and that some representation of any other possible potential or relative principle considered even *secundum se* is possible in God in light of the superior mode of being the intrinsic perfection of that principle (and its intelligible species) enjoys in God. Whatever perfection is implied in the notion of such a principle exists absolutely in God and can, therefore, be known in the divine essence, precision from its correlative notwithstanding. Of course, it can be so known only according as it is *in God* and the unique mode of being this implies,[95] whence an idea of such a principle considered by itself-and which, to repeat, cannot be considered by itself except according to its mode of being in God-intentionally captures that possible principle less according to the possible mode of being it would enjoy were it to be created than according to the eternal being it

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[92] See Aquinas, I *Sent.,* d. 36, q. 2, a. 3, ad 2 and 4; I *Sent.,* d. 36, q. 1, a. 2, ad 3.

[93] See, in addition to the indicated passages from the commentary on the *Sentences,* Aquinas, *De Verit.,* q. 2, a. 5; q. 3, a. 5; *De spir. creat.,* a. 1; *De Malo,* q. 1, a. 2; *De Anima,* q. 7 (end); *Comp. theol.,* c. 19. Cf. (as a balance) *STh* I, q. 15, a. 3, ad 3; *De spir. creat.,* a. 3; *De princ. nat.,* c. 1.

[94] Aquinas, *STh* I, q. 14, a. 11, c. and ad 1.

[95] See Aquinas, I *Sent.,* d. 36, q. 1, a. 3, ad 2.

has in God. [96] All of this serves simply to confirm the presence in God of distinct ideas for an individual nature, its individuating relation (or any other principle of individuation) and the foundation for that relation (or any other principle correlative of the individuating factor). [97]

Thus God can fully know-"vel per ideas distinctas, vel per cognitionem suae potentiae" -both the existential relation (according to all of its perfection) and the foundation for that relation. And this foundation, although nothing other than the individual nature according to its potentiality for being, is logically distinct from the *natura individualis* as such, since it signifies that essence differently than it is signified by the name "individual." Both of these come together either in actuality to constitute the individual nature or logically to constitute the "possible individual."

VIII. DEEP SIGNIFICANCE OF THE ISSUE

Considerations of a substance's objective possibility and of the divine ideas are not only important for replying to objections against positing an existential factor as the formal principle of individuation, but also are necessary for a deeper understanding of the dynamic relationship between potency and act interior to the coordinated causes that make the individual. Earlier I

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[96] This last point holds *a fortiori* for what concerns pure possibles: "But those things which are not, nor were, nor will be, and which nevertheless could be, could have been, or could be in the future, given that they do not exist in themselves, do not in themselves have any distinction, nor exist except in the power of God himself … therefore God does not know these things by way of distinct ideas, but through the knowledge of his power, in which they are found" ("sed ea quae nee sunt nee fuerunt nee erunt, et tamen potuissent esse vel fuisse vel futura esse, cum in seipsis non sint, nullam in seipsis distinctionem habent, nee sunt nisi in potentia ipsius Dei... ideo haec Deus non cognoscit per ideas distinctas, sed per cognitionem suae potentiae, in qua sunt" [Aquinas, III *Sent.,* d. 14, q. 1, a. 2, sol. 2]).

[97] It is obviously also the case that God can have an idea not only of the individual nature but also of all of its constitutive principles when the latter are considered in the composite, i.e., according to their unity in the subject. In this connection, see Aquinas, *STh* I, q. 15, a. 3, ad 3-4; and *De Verit.,* q. 3, a. 8, ad 2 on the unity of the idea of an individual, its species, and any particularizing features and the plurality of ideas which each represents from the perspective of pure intelligibility.

addressed a concern that, because the foundation, and therefore the *esse in* (generic being) of the relation, is in the substance (and even identical to the latter when properly signified), it might seem that the principle of individuation (or at least its ultimate condition) reduces to nothing other than the substance. The difficulty was resolved by affirming a reciprocal determination between the individual's existential relation to God and the (substantial) subject of that relation. But it is worth noting here again, as a way of illustrating the relevance of the divine ideas to our understanding of the dynamics of the existential relation, that the foundation in question is the *potentiality* of the substance, that is, its potency for being. This potency, considered in itself, and not insofar as it is equivalent to the actual essence considered in relation to its actuality, is nothing other than the possibility that God's infinite perfection be imitable in a manner corresponding to the individual essence in question. [98]

CONCLUSION

In light of the forgoing considerations, I submit that it is precisely a particular relation to God that ultimately individuates every individual *res* (meaning every individual substance, only substances being truly individual in the full sense). That relation is responsible for each substance's thisness, while the individual's form *(jorma totius individualis)* as such is what makes the substance not to be "this here," but rather to be *what* it is. Being *what* it is implies something other than just being distinct from some other thing and indivisible; it means to be distinct and one in a particular *way,* by being this particular (and this individual) "kind" of substance *(such* a substance), this individual quiddity. [99]

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[98] This also testifies to a certain mysterious continuity between "possible individuals" in the mind of God and the corresponding individuals existing in the extramental order.

[99] The various aspects just identified-namely, distinction from others, indivisibility, and quiddity-which are proper to every individual substance, correspond (in the language of Thomas) to the notions of *aliquid, unum,* and *res,* each of which, though convertible with being in general, expresses a different mode of being in general. It is the principle of individuation that explains the former two (which differ from one another only according to the manner in which transcendental unity is signified: as relative to others or absolutely),

For better or for worse, it follows from this understanding of individuation by transcendental relation that the coming to be of substances by way of generation or eduction implies the coming to be of new existential relations to God. Furthermore, when sodium and chlorine, for example, unite to form a new substance in the universe of created reality, the result is that two distinct relations to God have disappeared and been replaced by a single relation to God on the part of the now single substance called salt, or sodium chloride. Therefore, in the change observed in nature whereby several substances combine to form one, or one substance is broken into many substances, we are witnessing a constant and continual reduction and multiplication, respectively, of existential relations to God. God himself never changes in this respect. But the real relations to God are constantly changing in this world, ceaselessly coming to be and disappearing, in exact correspondence with-and directly and formally (albeit not independently) responsible for-the coming to be and disappearing of individuals. [100]

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while the name *res* is ascribed to being on account exclusively of the essence. See Aquinas, *De Verit.,* q. 1, a. 1.

ALBERT THE GREAT AND THOMAS AQUINAS ON PERSON, HYPOSTASIS, AND HYPOSTATIC UNION

COREY L. BARNES

Oberlin College
Oberlin, Ohio

ANY DISCUSSION OF Albert the Great on the hypostatic union must account for his occasional references to two hypostases or to a purely human hypostasis in Christ, together with Albert's insistence on the truth of the Lombard's second Christological opinion, the subsistent or composite-person theory. Such accounts were offered by V.-M. Pollet and M. Lamy de la Chapelle. [1] Since then, much relevant research into late twelfth- and early thirteenth-century views on the hypostatic union [2] and into Albert's extensive reflections on personhood [3] has

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[1] See V.-M. Pollet, "Le Christ d'apres S. Albert le Grand," *La vie spirituelle* 34 (1933): 78-108; "L'union hypostatique d'apres S. Albert le Grand," *Revue thomiste* 38 (1933): 502-32, 689-724; M. Lamy de la Chapelle, "L'unite ontologique du Christ selon saint Albert le Grand," *Revue thomiste* 70 (1970): 181-226, 534-89. Pollet, "L'union hypostatique d'apres S. Albert le Grand," offers the most direct and extensive treatment of Albert's references to two hypostases.

[2] Most obvious in this regard are W. H. Principe, *The Theology of the Hypostatic Union in the Early Thirteenth Century,* 4 vols. (Toronto: Pontifical Institute of Mediaeval Studies, 1963-75); L. O. Nielsen, *Theology and Philosophy in the Twelfth Century: A Study of Gilbert of Porreta's Thinking and Theological Expositions of the Doctrine of the Incarnation during the Period 1130-1180,* Acta theologica danica 15 (Leiden: E. *J.* Brill, 1982); and M. Colish, *Peter Lombard,* 2 vols. (Leiden: E. *J.* Brill, 1994).

[3] S. Hipp, *"Person" in Christian Tradition and the Conception of Saint Albert the Great: A Systematic Study of its Concept as Illuminated by the Mysteries of the Trinity and the Incarnation,* Beitriigezur Geschichte der Philosophie und Theologie im Mittelalter (Munster: Aschendorff, 2001). Hipp's remarkably detailed study provides much of the background for Albert's characterization of personhood and will be relied upon heavily here. See also A.

appeared. Informed by this research, it is possible to set Albert's references to two hypostases within the context of early thirteenth-century Christological debates and Albert's own presentation of 'person' and 'hypostasis'.

   The import and potential dangers of Albert's formulations come into sharp focus in comparison to Thomas Aquinas's presentation of 'person', 'hypostasis', and 'hypostatic union'. This comparison also sheds light on Thomas's Christology as it reveals a shift in perspective from that of early thirteenth-century Christologies. More specifically, examination of this issue helps to explain why Thomas does not share his teacher Albert's understanding of 'person', yet develops the basic lines of Albert's presentation of unity and duality in Christ, particularly in terms of Christ's *esse.* Reading Thomas in light of Albert's Christology provides a valuable and underutilized perspective for examining various issues in Thomas's Christology. This essay will offer interpretations of Albert and Thomas that highlight the continuities and discontinuities between these learned Dominicans.

   This investigation will begin with the background of late twelfth- and early thirteenth-century presentations of 'person'. Particular attention will be given to any distinctions made between 'person' and 'hypostasis'. This background well frames Albert's definition of 'person' in terms of *per se* unity, *per se* singularity, and *per se* incommunicability. The focus here will be on the three types of incommunicability distinctive of persons. Thomas Aquinas rejects any distinction of 'person' and 'hypostasis' based upon any type of incommunicability. This disagreement largely relates to the Lombard's three opinions on the mode of union in the Incarnation: the *homo assumptus* theory, the subsistent or composite-person theory, and the *habitus* theory (III *Sent.,* d. 6). This essay will argue that Albert's affirmation of two hypostases or of a purely human hypostasis in Christ is intended to combat the *habitus* theory and the (in Albert's mind) related view that Christ according as man was not something (*Christus secundum*

Hufnagel, "Das Person-Problem bei Albertus Magnus," in *Studia Albertina: Festschrift fur Bernhard Geyer zum 70. Geburtstage* (Munster: Aschendorff: 1952), 202-33.

quad homo non est aliquid), otherwise known as Christological nihilianism. When Albert directs his attention to the *homo assumptus* opinion, he stresses the unity of person and hypostasis in Christ through a discussion of Christ's *esse.* These various affirmations are best reconciled by accepting Albert's use of 'hypostasis' both as a term of first intention or first imposition (i.e., a name for a thing) and as a term of second intention (i.e., a name for an abstraction). Albert's equivocal use of 'hypostasis' corresponds to similar understandings of the term in other early thirteenth-century Christologies and so corresponds to the perception of the *habitus* theory and Christological nihilianism as urgent Christological concerns.

Thomas rejects any equivocal use of 'hypostasis', fearing that affirmation of it as a name of second intention allows for positing two hypostases in Christ. Such equivocal use thus risks sliding toward Nestorianism. We can thus see a shift in perception between Albert and Thomas as to the most pressing Christological concerns. For Thomas, shades of Nestorianism coloring popular formulations of the Lombard's second opinion represents the greatest Christological danger. Though he rejects Albert's language of two hypostases, Thomas repeats Albert's reformulation of Christological questions in terms of *esse.* Albert's discussion of Christ's *esse* stresses the union of two natures in Christ and seeks to avoid the first and third opinions through the formula of *unum duplex esse.* Thomas follows Albert's logic but does not employ the formula of *unum duplex esse,* perhaps due to fears that this formula could be misinterpreted in support of a two hypostases view. Thomas's adherence to Albert's method of Christological unity through unity of *esse* also casts doubt upon contemporary interpretations of Thomas as supporting two *esses* in Christ.

I. LATE MEDIEVAL CONCEPTIONS OF PERSON

Twelfth- and thirteenth-century discussions of 'person' built upon the foundation laid by Boethius (ca. 480-ca. 524). Boethius's definition of 'person' as an individual substance of rational nature

("persona est rationalis naturae individua substantia") [4] set the basic terms for Scholastic reflections on personhood. [5] The overriding question for later theologians concerned the meaning of 'individual substance' in Boethius's definition. As Boethius knew from Aristotle, *substantia* could be taken for primary substance (the existing individual or hypostasis) or secondary substance (essence or nature). An 'individual' secondary substance seems an obvious contradiction. If, however, 'substance' in Boethius's definition of person indicates primary substance, the addition of 'individual' seems unnecessary. [6] The very use of *substantia* in the   of person is curious as well. Boethius generally recognizes a distinction of *substantia* and *subsistentia* according to which the subsistent subsists "on account of an essence's reception of its actuality" and may exist either as a substance (through the medium of its particularizing aspect) or as

[4] Boethius, *Liber contra Eutychen et Nestorium,* c. 3, with the common variant "naturae rationabilis individua substantia" (Boethius, *The Theological Tractates* [New York: G. P. Putnam's Sons, 1926]). Boethius notes that the Greeks can this *hypostasis:* "What the Greeks can hypostasis we designate with this definition" ("Sed nos hac definitione earn quam Graeci upostasiV dicunt terminauimus" [ibid.]). "The Greeks designate the individual subsistence of rational nature with the far more expressive name hypostasis, but we lacking such an expressive term have retained the common name, caning *person* what they can *hypostasis;* but Greece, more skinful with words, calls an individual subsistence a hypostasis" (ibid.).

[5] For more on Boethius's definition of person and understanding of individuation, see Hipp, *"Person" in the Christian Tradition,* 115-35; B. Wald, *'"Rationalis naturae individua substantia':* Aristoteles, Boethius und der Begriff der Person im Mittelalter ," in Jan A. Aertsen and Andreas Speer, eds., *Individuum und Individualitat im Mittelalter* (Berlin: Walter de Gruyter, 1996), 371-88; J. J.E. Gracia, "The Legacy of the Early Middle Ages," in J. J.E. Gracia, ed., *Individuation in Scholasticism: The Later Middle Ages and the Counter-Reformation, 1150-1650* (New York: State University of New York Press, 1994), 21-38; M. Nedoncene, "Les variations de Boece sur la personne," *Revue des sciences religieuses* 29 (1955): 201-38.

[6] Gracia notes that Boethius presents diverse accounts of 'substance' and 'individual'. "A third important area where Boethius's thought on individuality had a marked impact upon subsequent discussions has to do with the extension of 'individual'. For, although Boethius does not seem to adopt a clear position on this in an instances, there are many places where he makes comments relevant to this issue. In some works he clearly accepts not only Aristotelian primary substances but also their features as individual. In other places, however, he seems to speak as if some features of substances, and indeed substances themselves, were not individual. In the area of the ontology of individuality, Boethius does not say anything very clear, but he speaks of the 'property' and 'quality' of individuals" (Gracia, "The Legacy of the Early Middles Ages," 24).

a nonsubstantial subsistent (such as God).[7] Stephen Hipp notes that *subsistentia* differentiates this particular subsistence from other essences and indicates independence from accidents while *substantia* "designates being placed under accidents as a substrate."[8] Subsistence is thus a general designation realized in two ways, the substantial and the non- or supra-substantial. Granting Hipp's characterization of this distinction, Boethius's definition of 'person' seems restricted to those individuals of rational nature that stand under accidents and so would not apply to the divine persons.

For these and other reasons, subsequent theologians found it necessary to elaborate upon or replace Boethius's definition in order for it to serve the requisite tasks of Trinitarian theology and Christology. Richard of St. Victor (d. 1173) thought the definition, especially its formulation in terms of substance, inadequate in a Trinitarian context.[9] Literally applying Boethius's definition of 'person' to God would yield the absurd conclusion that the divine substance is not one alone or that the Trinity is a

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[7] Hipp, *"Person" in the Christian Tradition,* 115.

[8] Ibid., 121; see also 119, 124-27. Nedoncelle disputes the perceived tension between defining person according to substance or subsistence. "If the reader pays attention to the words we have just emphasized, he will no longer wrongly insist upon the antithesis of *subsistentia* and *substantia;* on the contrary he will notice the equivalence between *individua subsistentia* and *substantia,* and he will affirm that this chapter, though reputedly obscure, is perfectly consistent, if not transparent" (Nedoncelle, "Les variations de Boece sur la personne," 220).

[9] J. Ribaillier describes the issue and Richard's solution to this difficulty. "Richard, who restricts the word *substantia* to its abstract sense, proposes to substitute the words *incommunicabilis existentia* for *individua substantia;* he intends to justify the use of the word 'person' as applied to the Trinity, a term/usage Augustine admits only *ex necessitate* for lack of anything better, and which seems to the Victorine to have been inspired by the Holy Spirit. If one appeals to etymology, the word *existentia* in effect signifies two things: substance, *quad est,* and origin, *unde habeat esse.* The divine Persons, who belong to the class of existents, as do all other persons, can then be distinguished according to origin, without, however, being differentiated according to substance. Within the standard Augustinian [framework], Richard produced an original work" (Ribaillier, "Introduction," in *Richard de Saint-Victor: De Trinitate* [Paris: J. Vrin, 1958], 24). For a discussion of Richard's definition of person geared toward contemporary Trinitarian theology, see N. Den Bok, *Communicating the Most High: A Systematic Study of Person and Trinity in the Theology of Richard of St. Victor (✝1173)* (Paris: Brepols, 1996). Den Bok discusses Richard's definition of person within the context of other twelfth-century views on 203-42.

person, which conclusions lead Richard to reject Boethius's definition. 10 Richard holds that "a divine person is an incommunicable existence *[incommunicabilis existentia]* of the divine nature" *(De Trinitate,* 4.22) and later adds that a person must exist through itself alone *(De Trinitate,* 4.24).11 These formulations stress incommunicability and a *per se* mode of existence. Richard's Trinitarian specifications of personhood enriched the larger discussion of personhood and exercised a decisive influence on subsequent Trinitarian and Christological discussions.

William of Auxerre (d. 1231) provided a bridge from twelfth- to thirteenth-century theology. 12 William's *Summa aurea* (1215-20), which develops themes from the Lombard's *Sentences* along more Aristotelian lines of rational demonstration, enjoyed vast popularity in the thirteenth century. The *Summa aurea's* investigation of Christology reflects the lines of development begun in the late twelfth century, and these lines encourage William to specify the meaning of 'person' and 'hypostasis'. 13

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10 "In order for the [definition] to be universal and complete, it is necessary that every individual substance of rational nature be a person, and, conversely, that every person be an individual of rational nature. Consequently, I ask about the divine substance. Since it is not but one alone, I ask whether it is individual. That the divine substance indeed is the Trinity of persons, which is believed without doubt, manifestly disproves what was approved above. If, therefore, the divine substance must be called individual, there is some individual that is not a person, for the Trinity is not a person nor can it rightly be called a person" (Richard of St. Victor, *De Trinitate,* 4.21).

11 "Perhaps it will be more straightforward and more useful for comprehension if we say that a person is *existing through itself alone* as *[iuxta]* a certain singular mode of rational existence. Enough was noted above about how 'existing' should be accepted. Therefore, we add 'through itself alone' because person is never rightly said expect about a specific and single one discrete from all others by a singular property" *(De Trinitate,* 4.24).

12 Little is known of William's life. See C. Ottaviano, *Guglielmo d'Auxerre (d.1231): La vita, le opere, ii pensiero* (Rome: L'Universale Tipografia Poliglotta, 1931), 7-29; J. A. St. Pierre, "The Theological Thought of William of Auxerre: An Introductory Bibliography," *Recherches de theologie ancienne et medievale* 33 (1966): 147-55; B. T. Coolman, *Knowing God by Experience: The Spiritual Senses in the Theology of William of Auxerre* (Washington, D.C.: The Catholic University of America Press, 2004). Coolman's analysis of the spiritual senses in the *Summa aurea* sheds much light on the general tone of William's theology.

13 As will be discussed below, late twelfth- and early thirteenth-century Christologies came to concentrate on questions of the unity or duality of Christ and of whether Christ *secundum quod homo est aliquid.* "The importance of following the evolution in the twelfth-century

Expanding upon Boethius's definition, William argues that personhood requires a threefold distinction: singularity, incommunicability, and dignity. Particularly relevant here is William's application of this threefold distinction to the Incarnation, for he holds that the Word's human nature, which William often designates as "Jesus," lacks only the third distinction. [14] Based upon this distinction, William can deny that the Word assumed a person or a man while affirming that Christ according as he is man is something *(secundum quod homo est aliquid),* namely, the individual human nature or subject "Jesus."

Alexander of Hales (ca. 1186-1245) plotted the course followed by much of later Scholastic theology when he began to lecture from the Lombard's *Sentences.* [15] Alexander offers three definitions of 'person': Boethius's, Richard of St. Victor's, and a third anonymous definition that highlights the property of dignity ("persona est hypostasis distincta proprietate ad dignitatem

theology of the union in Christ becomes clear from an examination of William of Auxerre's investigation of this mystery. For it is evident from the beginning-and the whole question *De Incamatione* confirms this-that for him even more than for his predecessors the more recent problem of the unity or duality of Christ is both his way of access to this mystery and one of his main concerns in analyzing it. Thus his brief presentation of the three opinions is put in terms of *aliquid* and *non-est-aliquid* on the one hand and *unum* and *duo* on the other" (W. H. Principe, *William of Auxerre's Theology of the Hypostatic Union* [vol. 1 of *The Theology of the Hypostatic Union in the Early Thirteenth Century],* 71).

[14] "Solution: We say that Jesus, in as much as Jesus, is not a person. To be a person, something must fulfill three requirements: singularity, incommunicability, and dignity. Singularity is in the soul of Socrates as well as in Socrates, who by his singular existence differs from every other thing, because he is distinguished from the universal. The distinction of incommunicability is in Socrates from the fact that he is not communicable as a part, because he cannot come as a part into composition with another. Such distinction [of incommunicability] is not [found] in the soul or body. So, neither the soul nor the body is a properly a person, because neither is *per se unum* or *per se sonans.* As Boethius says in *De Duabus Naturis et Una Persona Christi,* neither of those [soul or body] is a person. Socrates possesses dignity from the fact that his humanity is not mixed with a more dignified form but is distinct from any more dignified form. In just the same way, Peter is truly a person and Paul is truly a person, because in them the three distinctions concur. The last distinction is not [found] in Jesus as Jesus, because his *Jesuitas* is joined to a more dignified form in the Son of God and so is not distinguished from a more dignified [form]" (William of Auxerre, *De Incamatione* 8.10, in Principe, *William of Auxerre's Theology of the Hypostatic Union,* 275-76).

[15] On Alexander's use of the Lombard's *Sentences,* see I. Brady, "The Distinctions of Lombard's Book of Sentences and Alexander of Hales," *Franciscan Studies* 25 (1965): 90-116.

pertinente") *(Glossa* 1.23.9). [16] The distinction of dignity, as Alexander explicates it, precludes the individual human nature assumed into union with the Word from being a person. The specific characteristics of the property of dignity are never fully clarified but do involve a moral dimension. [17] In short, Alexander presents three definitions of 'person' and uses the distinction of dignity noted in the third definition to defend the Lombard's second opinion together with the affirmation that Christ is *aliquid secundum quad homo.* The definition of 'person' in terms of dignity put forth by William of Auxerre and Alexander of Hales and its use to deny personhood of the individual human nature assumed to the person of the Word provide the backdrop for interpreting Albert the Great's presentation.

II. ALBERT THE GREAT AND THOMAS AQUINAS
ON PERSON AND ITS RELATION TO HYPOSTASIS

Albert the Great (1200-1280) earned the designation "Universal Doctor" through the staggering breadth of his learning. [18] This breadth was not at the expense of depth, a fact particularly evident in Albert's conception of 'person'. As did his predecessors, Albert begins with Boethius's definition and elaborates upon it in service of specific Trinitarian and Christological requirements. In his *Commentarii* on the Lombard's *Sentences* (completed in 1249), Albert explicates Boethius's

[16] Alexander of Hales, *Glossa in quatuor libros sententiarum Petri Lombardi,* Bibliotheca Franciscana Scholastica Medii Aevi, 12-15 (Quaracchi: Collegium S. Bonaventurae, 1951-57). The *Summa halensis* attributes this third definition to the *Magistri.*

[17] "Thus Alexander distinguishes person, individual, and subject by saying that person is referred to the moral   individual pertains to the rational order, and subject belongs to the natural order *[Glossa* I, 25, 4]" (W. H. Principe, *Alexander of Hales' Theology of the Hypostatic Union* [vol. 2 of *The Theology of the Hypostatic Union in the Early Thirteenth Century],* 60).

[18] On Albert's life, see G. Schwaiger, "Albertus Magnus," in *"Nimm und lies": Christliche Denker von Origenes bis Erasmus von Rotterdam* (Stuttgart: Verlag W. Kohlhammer, 1991), 171-81; J. Weisheipl, "The Life and Works of St. Albert the Great," in *Albertus Magnus and the Sciences: Commemorative Essays 1980* (Toronto: Pontifical Institute of Mediaeval Studies, 1980), 13-51. On the universal character of Albert's knowledge, see M.-D. Chenu, "The Revolutionary Intellectualism of St. Albert the Great," *Blackfriars* 19 (1938): 5-15.

definition in terms of *per se* unity, *per se* singularity, and *per se* incommunicability. [19] These three types of perseity indicate the same basic reality but differ according to our mode of understanding. *Per se* unity indicates a subsisting whole and "means that a thing is indivisible in itself and divisible from others. "[20] *Per se* singularity indicates the singular mode by which an individual exists as a supposit. This means that every person is a person in a unique manner, even persons within the same species. Albert employs this principle to explain how Christ holds humanity in common with all other human beings while expressing that human nature through the divine personality of the Word. [21] My focus here will be on *per se* incommunicability,

[19] "TO THIS it should be said that person, according to the very meaning of the term, requires something *per se unum.* Person requires also *per se* incommunicability to another, because it is not in the potency of another, nor is it predicated of another, as was said above. Similarly, person requires something of itself singular. And so, there are three [requirements], namely, unity, singularity, and incommunicability" (Albertus Magnus, *Commentarii in III Sententiarum,* d. 5, a. 15 *[Opera Omnia,* vol. 28 (Paris: Borgnet, 1894)]). In his *De Incarnatione,* Albert's definition of person clearly reflects the influence of Alexander. Albert writes: "Person is a supposit of rational nature distinct by a property pertaining to dignity, either natural or moral" *(De Incarnatione* III, q. 3, a. 4 *[Opera Omnia,* vol. 26 (Munster: Aschendorff, 1958)]). *De Incarnatione* was likely completed prior to Albert's *Commentarii* on book 3 of the Lombard's *Sentences.* On the dating of these works, see l. Backes, "Das zeitliche Verhaltnis der Summa De incarnatione zu dem dritten Buche des Sentenzekommentars Alberts des GroGen," in *Studia Albertina: Festschrift fur Bernhard Geyer zum* 70. *Geburtstage* (Miinster: Aschendorff, 1952), 32-51; O. Lattin, "Commentaire des Sentences et Somme theologique d'Albert le Grand," *Recherches de theologie ancienne et medievale* 8 (1936): 117-53.

[20] Hipp, *"Person" in Christian Tradition,* 240. Hipp argues that in human beings the *per se* unity derives from substance, while in God it derives from the properties of origin (ibid., 282).

[21] For persons that differ in the ontological order, "different modes of distinction constitute personal singularity" (ibid., 299-300). Individuation in human beings derives from particular matter and the proper accidents deriving from that matter (ibid., 303). Among human beings there is a community of universality (as particulars of the universal rational nature). However, the community shared by human beings as concrete subjects "is a community of the notion of *supposit"* (ibid., 323), consisting of a common relation to a universal nature. This community is had in the supposital act, which is similar though not identical for all human persons. The Christological benefit of this view is precisely in the community of the notion of supposit. Since every supposit of a common nature is an individuation of that nature in a unique way, no two supposits are supposits in precisely the same way. That the person in Christ is the divine person of the Word thus poses no grave problem for Christ's community with humanity.

particularly as expressed in Christology. The language of *per se* incommunicability offers the greatest detail and so is most revealing of Albert's thought. The distinction of person based upon incommunicability is also Thomas's point of greatest contention with Albert's view of 'person'.

For Albert, personhood excludes three types of communicability: the communicability of the universal, the communicability of the substantial part, and the communicability of assumptability or of union into the singularity of another. [22] Christ's human nature displays all the necessary characteristics for personhood except this third type of incommunicability, which is proper to Christ's human nature and prevents the individual human nature assumed from being a person. [23] In other words, this third. type of incommunicability, of which there are no other examples, functions in Albert's Christology much as the distinction of dignity functioned in the Christologies of William of Auxerre and Alexander of Hales.

Thomas Aquinas (1225-74) spent his formative years as a theology student (1245-52) under the guidance of Albert, first in

[22] "Thus *persona* involves a greater completion *[est majoris concretionis],* namely that in its natural dignity from rational nature it is distinct by a property making it incommunicable in three ways (according to three modes). Person is not communicable as a part, as is a soul or a body. It is not communicable as a universal, such that it could be predicated of many. It is not communicable through union in the singularity of another, as we said in the preceding distinction. This should be conceded" (III *Sent.,* d. 6, a. 2). "It should be said that, in truth, the Master's approach does not agree with the meaning of substance. He intends to show that the things posited do not suffice to define person, because person is not sufficiently defined when it is called a substance of rational nature unless *individual* is added. When individual is added, the definition does not befit this man *Uesus],* according as man *(secundum quod homo),* in that sense by which *according as* notes the cause or condition of nature. This is so because individual posits a triple incommunicability. It names something incommunicable to many, incommunicable through opposition to the communicability of a part in composition, and incommunicable through opposition to the communicability through assumption into the singularity of another, as was made clear above" (III *Sent.,* d. 10, a. 3).

[23] "Although the human nature of Christ is distinguished from all other things only through its particular 'collectio accidentum', and although it also possess a spiritual nature *[geistige Natur],* nevertheless it lacks its own personal property, through which it becomes incommunicable in the above-mentioned sense" (Hufnagel, "Das Person-Problem bei Albertus Magnus," 224).

Paris and then in Cologne. [24] Albert's influence on Thomas was considerable. Thomas followed Albert on many points and only adhered to an opposing position cautiously and with strong reasons. Debates over the definition of 'person' illustrate this well. Albert finished his *Commentarii* in 1249, so the young Thomas would have been familiar with Albert's elaboration of Boethius's definition in terms of *per se* unity, *per se* singularity, and *per se* incommunicability. Thomas, in a manner surprising given the regular practice of expanding upon the various definitions of 'person', begins and ends with Boethius's definition, defending it with explanations but few supplements. More to the point, Thomas rejects defining 'person' according to incommunicability and rejects differentiating 'person' and 'hypostasis' according to the incommunicability of assumptability. Though this is clear already in his *Scriptum* on the Lombard's *Sentences* (1252-56), [25] it is most evident in the disputed questions *De Potentia* (1265-66).[26] The objections of question 9, article 2 of *De Potentia* challenge every word of Boethius's definition. Thomas defends

[24] The best introduction to Thomas's life and works is J.-P. Torrell, *Saint Thomas Aquinas:* vol. 1, *The Person and His Work,* trans. Robert Royal (Washington, D.C.: The Catholic University of America Press, 1996); see 18-35 on Thomas's years as a student under Albert. See also J. Weisheipl, *Thomas d'Aquino and Albert His Teacher* (Toronto: Pontifical Institute of Mediaeval Studies, 1980).

[25] In response to a criticism of Boethius's definition based upon the use of *substantia,* Thomas presents and dismisses Albert's own presentation of person. "Some say that substance [in the definition of person] is taken for hypostasis and that there is a triple incommunicability to the definition *[ratio]* of person. The first type of incommunicability frees [person] from the community of the universal. The second frees [person] from the community of particulars that belong in the constitution of a whole. The third frees [person] from the community of assumptability of being conjoined to a more dignified thing, as we say. This third type of incommunicability prevents the human nature in Christ from being a person. [Proponents of this view] say that the name hypostasis removes the *ratio* of the universal and particular and that the addition of individual removes the communicability of assumptability. The first [interpretation] is better, because [the interpretation of three types of incommunicability] cannot be dragged out of the signification of these words. Beyond that, the objection remains how substance is taken in the definition of hypostasis, since we say that hypostasis is an individual substance" (Thomas Aquinas, I *Sent.,* d. 25, q. 1, a. 1, ad 7 *[Opera Omnia,* vol. 6 (Parma, 1856)]).

[26] For the dates of these works, see Torrell, *Saint Thomas Aquinas,* 1:36-53, 161-64. The disputed questions *De Potentia* date from Thomas's first year teaching in Rome and slightly precede the beginning of the *Summa Theologiae's Prima Pars.*

each word and explains its meaning. The seventh objection argues that 'individual' was unnecessary in the definition because the 'substance' referred to is clearly primary substance, in which case individual adds no useful specification. Aquinas responds:

It should be said that *some* say that *substance* is posited in the definition of person just as it signifies hypostasis, but since individual belongs to the *ratio* of hypostasis according as it is opposed to the community of universals or of parts-because no universal, nor any part, such as a hand or foot, can be called a hypostasis-individual belongs in a higher degree to the *ratio* of person, according as 'it is opposed to the community of assumptability. For they say that human nature in Christ is a hypostasis but not a person. And therefore [they say that] individual is added to the definition of person in order to exclude assumptability. [27]

The 'some' *(quidam)* mentioned by Thomas equate substance and hypostasis and define these as incommunicable in terms of universals and parts. They further argue that 'individual' adds to substance the incommunicability of assumptability. Distinguishing 'hypostasis' and 'person' according to the incommunicability of assumptability allows for the assumption of a hypostasis. Thomas fears the distinction is made for the very purpose of specifying the Word's assumption of a hypostasis though not a person. [28] This

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[27] "Ad septimum dicendum, quod *quidam* dicunt, quod *substantia* ponitur in definitione personae prout significat hypostasim, sed cum de ratione hypostasis sit individuum, secundum quod opponitur communitati universalis vel parti-quia nullum universale, nee aliqua pars, ut manus vel pes, potest dici hypostasis-ulterius de ratione personae est individuum, secundum quod opponitur communitati assumptibilis. Dicunt enim, quod humana natura in Christo est hypostasis, sed non persona. Et ideo ad excludendum assumptibilitatem additur individuum in definitione personae" (Thomas Aquinas, *De Pot.,* q. 9, a. 2, ad 7 *[Quaestiones disputatae,* vol. 2 (Turin: Marietti, 1949)]).

[28] Thomas repeats this argument in the *Summa Theologiae.* "It should be said that according to soq:1e substance is posited in the definition of person for primary substance, which is the hypostasis. Nevertheless, they say the addition of individual [in the definition of person] is not superfluous, because by the name hypostasis or primary substance the *ratio* of universal and of part is excluded, for we do not say that universal man *(homo communis)* is a hypostasis, nor a hand, since it is a part. The addition of individual excludes assumptability from the *ratio* of person, for the human nature in Christ is not a person, since it was assumed by a more dignified [form], namely by the Word of God. - But it is better to say that substance is taken commonly, just as it is divided through primary and secondary. Through the addition of individual, [substance] is assumed to stand for primary substance" (Thomas Aquinas, *STh* I, q. 29, a. 1, ad 2 *[Summa Theologiae* (Ottawa: Commissio Piana, 1941)]).

fear seems to be directed toward or at least to include Albert's view of 'person' and the question of the Word's assumption of a human hypostasis.

III. THE MODE OF UNION IN CHRIST
ACCORDING TO ALBERT THE GREAT

Peter Lombard's (1095/1100-1160) *Sentences* exerted immense influence on late twelfth- and early thirteenth-century theology. [29] The general framework for thirteenth-century discussions of Christology was provided by three opinions enumerated by the Lombard in distinction 6 of the third book: *homo assumptus,* subsistent or composite-person, and *habitus.* [30] The first opinion *(homo assumptus)* holds that a rational soul and human body were united to constitute a true human being and that this human being began to be God through its assumption to the person of the Word. The second opinion (subsistent or composite-person) holds that the human being Jesus Christ is composed of two natures (divine and human) and three substances (divinity, soul, and body). This opinion holds that before the Incarnation the person of the Word was simple but that after the Incarnation he was composite. The third opinion *(habitus)* holds that Christ's body and soul were not united so as to form a substance but were

[29] On Peter's life and works, see Colish, *Peter Lombard,* 1:15-32; and P. Rosemann, *Peter Lombard* (Oxford: Oxford University Press, 2004), 34-53. One underappreciated influence of the Lombard was in his use of John Damascene's *De fide orthodoxa* as an authoritative source. "The second redaction of the *Collectanea* contains revisions informed by the teachings of John Damascene, whom Peter was the first Latin theologian to use in 1154 after his translation from Greek; he draws on this authority even more extensively in the *Sentences,* especially in Trinitarian theology and Christology" (Marcia Colish, "Peter Lombard," *in The Medieval Theologians: An Introduction to Theology in the Medieval Period,* ed. G. R. Evans [Oxford: Blackwell, 2001], 168-83, at 169). Peter quotes the Damascene according to Burgundio's translation, undertaken at the request of Pope Eugene III, which Peter had perused during his trip to Rome in 1154. Curiously, Peter only quotes those portions of the Damascene also available in the earlier and partial translation by Cerbanus *(De fide orthodoxa* III.1-8). See E. M. Buytaert, ed., *De Fide Orthodoxa: Versions of Burgundio and Cerbanus* (St. Bonaventure, N.Y.: The Franciscan Institute, 1955).

[30] The Lombard presents these three·opinions in distinction 6 of book 3 of the *Sentences.* See Peter Lombard, *Sententiae in N Libris Distinctae,* Cure PP. collegii S. Bonaventurae ad Claras Aquas (Grottaferrata, 1981).

united to the person of the Word in the mode of a *habitus,* pre-
serving the Word from any change and precluding two persons in
Christ. [31]

   The Lombard's second opinion (subsistent or composite-person
theory) had received virtually unanimous assent by Albert's time. [32]
In Thomas's view, however, aspects of a *homo assumptus*
Christology had crept into the prevailing understanding of this
opinion. His concern with this trend only increased with his
recovery of the acts of the councils of Ephesus, Chalcedon, and
Constantinople II and III.[33] Through these councils, Thomas
learned the orthodox statement of Christological doctrine as
formulated by the Church meeting in council and gained a more
thorough knowledge of Nestorius's arguments. [34] Learning the

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[31] N. M. Haring, "The Case of Gilbert de la Porree Bishop of Poitiers (1142-1154),"
Medieval Studies 13 (1951): 1-40, attempts to describe these opinions as they were understood
in the twelfth century. Nielsen examines the three opinions as presented by the Lombard and
uses that examination to identify sources for each theory and the Lombard's own preference
(Nielsen, *Theology and Philosophy,* 243-64). Nielsen attributes the first opinion to Hugh of
St. Victor and the second, though filtered through the Lombard's own theological framework,
to Gilbert Porreta (ibid., 256-67). This reconfiguration of Gilbert's Christology, Nielsen
argues, reflects the Lombard's preference for the third opinion (ibid., 257-64). See also Colish,
Peter Lombard, 1:398-438. Colish disputes Nielsen's conclusion and maintains that the
Lombard did not clearly favor any of the three opinions. "In coming to the conclusion that
all three positions, despite their biblical and patristic warrants, were problematic, Peter had
before him the arguments of contemporaries who espouse one or another of the positions and
whose terminology was so unclear or inconsistent that they did not, in his estimation, succeed
in making their case" (ibid., 1:404). See also W. H. Principe, "Some Examples of Augustine's
Influence on Medieval Christology," in *Collectanea Augustiniana* (Louvain: Leuven University
Press, 1990), 955-74.

[32] Albert asserts that "Virtually all the modern doctors hold the second opinion and not
the first" (III *Sent.,* d. 6, a. 3).

[33] On Thomas's historical research while at Orvieto and his resultant knowledge of patristic
texts otherwise unused in the thirteenth century, see M. Morard, "Thomas d'Aquin lecteur
des conciles," *Archivum Franciscanum Historicum* 98 (2005): 211-365; G. Geenen, "En
marge du concile de Chalcedon. Les texts du quatrieme concile clans les ceuvres de saint
Thomas," *Angelicum* 29 (1952): 43-59; idem, "The Council of Chalcedon in the Theology
of St. Thomas," in *From an Abundant Spring: The Walter Farrell Memorial Volume of 'The
Thomist'* (New York: P. J. Kennedy, 1952), 172-217; I. Backes, *Die Christologie des hi.
Thomas von Aquin und die griechischen Kirchenviiter* (Paderborn: Schoningh, 1931).

[34] Common knowledge of Nestorius's views derived from *Boethius's Liber contra Eutychen
et Nestorium,* c. 4. Albert even seems to confuse Nestorius and Eutyches in III *Sent.,* d. 5, a.
12.

motivations and arguments of Nestorianism allowed Thomas to equate a *homo assumptus* Christology with Nestorianism and so to label the *homo assumptus* view a heresy condemned by the Church meeting in council.[35] This equation of a *homo assumptus* view and Nestorianism made more dangerous the disguised presence of elements of a *homo assumptus* Christo logy in popular interpretations of the Lombard's second opinion. Thomas taught that assuming a man or a hypostasis is equivalent to assuming a person (Nestorius's view),[36] which results in an accidental union of natures in Christ. The *habitus* theory falls prey to the same critique of positing an accidental union.[37] Thomas counters that the union was substantial rather than accidental.

[35] "Some of those conceded one person in Christ but posited two hypostases or two supposits, saying that a certain man, composed from soul and body, was, from the beginning of its conception, assumed by the Word of God. This is the first opinion posited by the Master in the sixth distinction of the third book of the sentences. Others, however, wishing to preserve the unity of person, posited that the soul of Christ was not united to the body, and that these two, separated from each other, were accidentally united to the Word, so that the number of persons would not increase. This is the third opinion the Master posits there. Each of these opinions, however, falls into the heresy of Nestorius. The first indeed because it posits two hypostases or two supposits in Christ, which amounts to positing two persons, as was said above. And if the name person should be emphasized, it must be kept in mind that even Nestorius admitted unity of person on account of unity of dignity and honor. Whence the fifth synod pronounced anyone anathema who said *one person according to dignity, honor, and adoption, just as Theodore and Nestorius insanely wrote" (STh* III, q. 2, a. 6 *[Opera Omnia* (Roma: Leonine, 1903)]). Haring argues that Thomas correctly views the first opinion as a lapse into Nestorianism but that Thomas's association of the second opinion with Chalcedonian orthodoxy resulted from a failure to interpret correctly the second opinion (Haring, "The Case of Gilbert de la Porree," 38).

[36] It was a common criticism of the first opinion that assuming a man amounted to assuming a person. See William of Auxerre, *Summa aurea* III, tract. 1, q. 1, c. 1.

[37] Thomas stresses that the *habitus* theory posits an accidental union, though the twelfth-century proponents of the *habitus* theory did not posit an accidental union. On the accuracy of Thomas's understanding of the motivations of the positive formulations of the *habitus* theory, see W. H. Principe, "St. Thomas on the Habitus-Theory of the Incarnation," in *Saint Thomas Aquinas, 1274-1974, Commemorative Studies* (Toronto: Pontifical Institute of Mediaeval Studies, 1974), 381-418. Richard Cross somewhat reduces Thomas's concern with an accidental union in Christ to consideration of the *habitus* theory (R. Cross, *The Metaphysics of the Incarnation: Thomas Aquinas to Duns Scotus* [Oxford: Oxford University Press, 2002], 51-64). The argument defended here puts far greater stress on Thomas's concern to refute the *homo assumptus* theory.

To what extent do Thomas's worries and corrections apply to Albert? The Universal Doctor does not defend the incommunicability of assumptability on the grounds of distinguishing 'person' and 'hypostasis'. [38] This by itself does not answer the question. Albert does occasionally refer to a purely human hypostasis in Christ or to two hypostases in Christ. [39] He writes: "It should be said that human nature is properly and *per se* assumed, and also united by a certain mode *[aliquo modo]:* but it was assumed first and *per se,* and it was united in its hypostasis to the divine hypostasis" (III *Sent.,* d. 5, a. 10). [40] Later in the same article he writes that "it suffices for assumption that the hypostasis of human nature participates in the [personal, individuating] properties of the Son of God and of the divine nature, and conversely the divine hypostasis accepts the properties of the human hypostasis" (ibid., ad 4). [41] In these passages, Albert seems

[38] In his discussion of the Trinity, Albert does affirm that 'individual' in Boethius's definition of person clarifies that 'substance' stands for hypostasis (I *Sent.,* d. 25, a. 1, qcla. 2). He later adds that if 'substance' signifies 'hypostasis', then 'individual' signifies the *ratio distinctionis* not included in the meaning of hypostasis (I *Sent.,* d. 25, a. 1, qcla. 3).

[39] Pollet recognizes the Nestorian overtones of Albert's references to two hypostases. "Albert's language is in places very defective and hardly comprehensible: certain sentences are so clumsy that they appear tinged with colorings of Nestorianism" (Pollet, "L'union hypostatique d'apres S. Albert le Grand," 506). Pollet attributes Albert's clumsy phrasing to his refutation of Abelard's Christology read into the Lombard's third opinion (ibid., 509-10). Albert's concern with the third opinion was conditioned by the development of Christological debates at the end of the twelfth century and the beginning of the thirteenth. Pollet's insight can be usefully expanded with reference to those debates.

[40] "Dicendum, quod humana natura est assumptum proprie et per se, et etiam unita aliquo modo: sed assumpta est primo et per se, unita autem in hypostasi sua ad hypostasim divinam" (III *Sent.,* d. 5, a. 10).

[41] Albert also seems to refer to two supposits. "The proposition is true in those in whom the entire *esse* of the supposit is from one nature. This is not true in Christ. That opinion errs in this, because the *esse* of this or that supposit is not from one nature, but from two. This is so because that man has *esse* of man united, and not confused or mixed" (III *Sent.,* d. 6, a. 3, ad 3). Lamy de la Chapelle suggests this last quotation is a faulty text in so far as it doubles the supposit but that the Borgnet edition can be made intelligible. "However, the reading of d.6, a.3, ad 3 the Borgnet edition proposes to us remains partially intelligible. In splitting the supposit, *-hujus vel hujus suppositi,* - but in continuing to affirm that each of them obtains its *esse* by two substantial [natures], Albert brings the pseudo-duality of hypostasis taught by the first opinion back into a unity. In other words, when I consider the Word incarnate, 'this man is God, and God is this man,' because the supposit of his humanity does not have as its unique and first principle the nature assumed. This explication is evidently inoperative when one

to affirm the view attacked by Thomas, namely, that the hypostatic union is a union of two hypostases in the one person of the Word. Albert rarely uses the expression 'hypostatic union' and does not use the expression 'substantial union', but more reservedly he admits that the union in Christ was not a union of persons and did not take place in the natures. His willingness to leave matters defined negatively opens his position to varying interpretations. Even if he does not add the incommunicability of assumptability to the definition of 'person' in order to distinguish 'person' from 'hypostasis', his definition of 'person' seems to support the distinction.

Clarifying the meaning of Albert's affirmations of two hypostases requires examining their proximate context within the *Commentarii* and the more remote context of early thirteenth-century presentations of the hypostatic union and the Lombard's three opinions. Albert's affirmations of two hypostases in Christ occur in his commentary on distinction 5 of the third book of the *Sentences.* The lengthy commentary on this distinction is divided into 16 articles, with topics ranging from a comparison of union and assumption (a. 1) to querying whether the Word assumed a man or this man or some man *(homo, vel hie homo, vel aliquis homo)* (a. 11). This latter topic is of particular interest here. Albert denies that the Son of God assumed a man, on the grounds that persons are undivided in themselves and divided from others. The Son did not assume a man because the Son did not and could not assume a person. Noteworthy here is that Albert does not present this article in terms of the Lombard's three opinions. So, while this denial that the Son assumed a man contradicts the *homo assumptus* view (first opinion), Albert does not explicitly make that point in distinction 5 but delays analysis of the three opinions till distinction 6.

Albert focuses in distinction 6 on refuting the Lombard's first opinion *(homo assumptus).* In article 2, he distinguishes the meaning of 'a thing of nature' *(res naturae),* 'suppositum',

considers the Word as such" (Lamy de la Chapelle, "L'unite ontologique du Christ," 209 n. 94).

'substance', 'hypostasis', 'individual', and 'person'. Albert here reiterates the three modes of incommunicability definitive of personhood, culminating the progressive specification of the various terms. 'Substance' is "distinct through this matter, distinguishable through accidents, and not distinct through itself" (III *Sent.,* d. 6, a. 2). Albert presents 'hypostasis' as the Greek equivalent of 'substance', implying that hypostases are not distinct through themselves and so lack the incommunicability proper to persons, seemingly allowing for the assumption of a hypostasis. [42] Such an interpretation gains credibility in light of the third article's rejection of the Lombard's first opinion. Albert denies that Christ assumed a man or a suppositum but makes no mention of hypostasis. [43] This all seems evidence that Albert allowed for two hypostases in Christ, distinguished a two-hypostases view from a *homo assumptus* view, and found a two-hypostases view compatible with the second opinion.

The evidence against this reading of Albert's Christology is found largely, though by no means exclusively, in article 5 of this distinction, where Albert expressly states that there is only one hypostasis in Christ. The article concerns the number of *esse simpliciter* in Christ; Albert argues there can be only one *esse simpliciter* in Christ because there is only one hypostasis. Note that affirmation of one hypostasis in Christ functions here as premise rather than conclusion. Other explicit affirmations of only one hypostasis in Christ are found in nearby texts. [44] Does

[42] On individual as specifying incommunicability beyond hypostasis, see Hufnagel, "Das Person-Problem bei Albertus Magnus," 215.

[43] "And so I say that Christ did not assume a man or a supposit, etc., but this all was united to him in singularity of person. And I say that the thing of nature *(res naturae)* is not distinct from the Son of God through *esse,* but rather it is incommunicable with the incommunicability of the Son of God and is not another in Christ. In others, however, the thing of nature *(res naturae)* is incommunicable through this matter, just as a suppositum, and individual, and person" (III *Sent.,* d. 6, a. 3, ad 1).

[44] "Whence Christ is not two but one *(unum},* because he is not two persons nor two hypostases, as is clear from what was said before" (III *Sent.,* d. 6, a. 4, ad 2). Albert writes that "it does not follow that Christ is two hypostases but that he is one hypostasis existing in two natures, one of which relates to his mother and the other to his Father" (III *Sent.,* d. 7, a. 3, ad 3). "Without prejudice I say that there is not but one filiation of Christ the Son of God, because it is not intelligible how two [individuating] properties of the same type

Albert flagrantly contradict himself or is there some other explanation for these seemingly contradictory affirmations? Does Albert, despite his express approval of the second opinion, support some version of the first opinion? The development of late twelfth- and early thirteenth-century Christological reflection helps to untangle these knots.

Walter Principe has traced the progression of early-thirteenth-century Christological debates, showing their emphasis on questions of whether Christ as man is something *(an Christus secundum quad homo est aliquid)* and whether Christ is one *(unum)* or two. [45] The question of *aliquid* or *non est aliquid* served to distinguish the first and second opinions from the third, or at least from the popular interpretation of the third opinion as supporting Christological nihilianism, a position condemned by Pope Alexander III in 1170 and 1177. [46] Questioning the unity or duality of Christ revealed a difference between adherents of the first opinion and those of the second and third opinions. In short, answering these two questions identified one's position on the Christological spectrum reported by the Lombard. William of Auxerre, Alexander of Hales, and Albert the Great all treated Christological nihilianism as a pressing concern. Concern to refute

determine one hypostasis" (III *Sent.,* d. 8, a. 2).

[45] For a general characterization of the evolution of. Christological reflection in this period, see Principe, *William of Auxerre's Theology of the Hypostatic Union,* 64-70. "It must be emphasized from the very beginning that by the time William of Auxerre wrote his *Summa Aurea* the presentation of the teachings of the three opinions had become schematized in ways that often failed to reproduce the opinions as they were originally stated about the middle of the twelfth century" (ibid., 64). "These thirteenth-century authors themselves reflect the evolution that had gone on in the presentation of each opinion by both its adherents and opponents. A reading of the theologians of the late twelfth and early thirteenth century reveals that there were not three uniform positions but rather three general groupings or tendencies, each with certain common presuppositions and each with general agreement on answers to the various questions proposed. Within each tendency or grouping, however, individual authors provided different explanations and theories in response to the new positions and explanations of others" (ibid., 64-65).

[46] By the beginning of the thirteenth century, the *non est aliquid* position was associated squarely with the third opinion, but in the twelfth century some proponents of the second opinion also supported this position (ibid., 67-70). See also Principe, "St. Thomas on the Habitus-Theory of the Incarnation," 398-405; Nielsen, *Theology and Philosophy,* 243-64; Colish, *Peter Lombard,* 1:399-427.

the *habitus* theory and its perceived assertion that Christ as man *non est aliquid* largely colored these theologians' presentation of the human nature assumed.

William of Auxerre sought to deny both the Word's assumption of a man *(homo assumptus)* and Christological nihilianism. [47] William argued that a *homo assumptus* view amounted to affirmation of two persons in Christ, the rejected position of Nestorius *(De Incarnatione* 1.5). The challenge for William was to hold this denial together with the proposition that Christ as man is *aliquid.* William's elaboration of 'person' in terms of singularity, incommunicability, and dignity provided the terminological and conceptual means for asserting that the Word assumed an individual human nature (which is a 'something') and that this individual human nature lacked the dignity proper to persons. [48] Principe explains the distinction as follows:

> Thus the distinction of dignity, connected with perseity in power or operation and more fundamentally with perseity in being, is lacking to Jesus as Jesus. His humanity is singular rather than universal; it is not part of a nature, but a whole nature; but the 'nobler form' in the Son of God replaces the constituent of human personality in Christ's human nature. Therefore Jesus precisely as Jesus is not a person. [49]

William explains this replacement of personality and the affirmation that Christ is one *(unum)* by proposing that the individual human nature degenerates into an accident. [50] This infelicitous

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[47] On William's presentation of the three opinions, see Principe, *William of Auxerre's Theology of the Hypostatic Union,* 71-78.

[48] "William of Auxerre's analysis of the distinction between individual human nature and personality, based on the distinction of dignity, enabled him to accept, without fear of positing a human personality, the teaching that Christ as man is an 'individual of this species "man",' and therefore *aliquid secundum quad homo (Deinc* 8,12)" (ibid., 93).

[49] Ibid., 82-83.

[50] "To the second we say that in truth there is an essential *binarity* in Christ. One of the united things of that *binarity,* namely the humanity, although it is essential, nevertheless degenerates into the accidental. Therefore that *binarity* does not number the subject but the natures, just as a *binarity* of accidents does not number the subject but its forms" (William of Auxerre, *De Incarnatione* 3.7, in Principe, *William of Auxerre's Theology of the Hypostatic Union,* 257).

phrase would be reverentially interpreted or altogether dropped
by subsequent authors, even those heavily indebted to William. [51]

Alexander of Hales developed William's insights using more
precise, though not necessarily more felicitous, terminology.
Alexander's precision, however, does not exclude all ambiguities,
a fact evident in his diverse understandings of 'hypostasis'. This
diversity extends into Albert's use of 'hypostasis' and so clarifies
his meaning. Alexander often equates 'hypostasis' and 'subsis-
tence', distinguishing these from 'person' according to a property
of dignity. [52] While Alexander normally conceives of 'hypostasis'
as a term of second intention (i.e., an abstraction or logical con-
cept) akin to 'individual', the ambiguity emerges from his
occasional references to 'hypostasis' as "a concretely existing
individual thing, not as the individual within a species."[53] The
relevance of this ambiguity comes into sharper focus with
Alexander's discussion of Christ as *aliquid secundum quad homo.*
In his attempts to stress the reality of the individual human nature
assumed to the Word, Alexander makes mention of a purely
human hypostasis in Christ. Principe writes:

An important element in the doctrine of Alexander of Hales on the mode of
union is his acceptance in Christ of a human hypostasis that is not identical with
the person of the Son of God. Although Alexander does not state this in so many
words in Redaction A [of the *Glossa],* several texts have already been seen in

[51] For examples of such reverential interpretation, see *Summa halensis* III, inq.1, tr. 1, q.
4, tit. 1, d. 4, c. 4; Bonaventure, III *Sent.,* d. 6, a. 1, q. 3.

[52] On Alexander's view of hypostasis and subsistence as equivalents, see Principe, *Alexander
of Hales' Theology of the Hypostatic Union,* 52-57. "When it comes to distinguishing the
hypostasis or individual substance from person, it is usually this 'property of dignity' or this
'excellent property' found in the person, but not in the hypostasis, that serves to distinguish
the two" (ibid., 68).

[53] Ibid., 64. Principe holds that Alexander prioritizes hypostasis as a term of second
intention rather than a term of first intention. Principe's interpretation helps to smooth over
some of Alexander's statements that otherwise verge toward the first opinion. "In summary,
for Alexander of Hales the individual, considered in relation to the principles of individuation
and as distinct from subject and person, is a being of the logico-metaphysical order, an order
in which thought and reality coalesce. At times, however, Alexander speaks of the individual
hypostasis in the order of physical reality; then it is closely akin to, if not identical with, the
subject. As will be seen, in Alexander's theology of the Hypostatic Union the former notion
of individual and of individual hypostasis prevails" (ibid., 65).

which he says that because an individual hypostasis is not necessarily a person, the individual human nature in Christ does not have to be a person. Clearly, Alexander envisages a human hypostasis in Christ lacking the property of dignity that would make it a human person but sharing the personal property of the Word in the union. [54]

Principe goes on to argue that references to a purely human hypostasis in Christ refer to 'hypostasis' as a term of second intention and so affirm nothing more than the individuality and singularity of Christ's human nature with respect to its species. [55] This, in Principe's estimation, removes any concern that Alexander's Christology slides toward Nestorianism or a *homo assumptus* Christology. [56] Principe's interpretation requires a similarly charitable reading of Alexander's affirmations of two supposits in Christ and (seemingly) of a purely human subject in Christ. [57] These affirmations indicate a performative fluidity in the Christological opinions that permits Alexander to adhere expressly to the second opinion while incorporating aspects of the first opinion. [58] Albert the Great inherited from Alexander this

[54] Ibid., 122.

[55] "The reply of Redaction L is clear: the human hypostasis is an *individuum rationis,* an individual within a logical species: it is a name of second intention" (ibid., 124).

[56] "Thus the human hypostasis of Christ is an entity of the logical order, the center of reference for the logical properties and accidents that constitute an individual. When the hypostasis is understood as belonging to this level of being *(esse logicum,* one text says of the being of the individual), it need not be feared as if it were some kind of crypto-person in the human nature of Christ" (ibid., 125).

[57] "What is said about two supposits *[Glossa* III, 6, 25 (L)]* is a rather surprising concession in view of other statements, but it must be remembered, as is said here explicitly, that *suppositum* is understood as *natura supposita* or *natura subjecta:* this is true throughout the tract on the Incarnation. To admit two *supposita* in this sense is thus to admit in Christ two natures but not two independent centers of activity or of attribution, as one might suspect from the ordinary use of the term *suppositum* by other authors, especially regarding the first opinion on the Incarnation. Nevertheless, to say as Redaction L does that Christ is 'duo neutraliter' comes very close to certain views of that first opinion and leaves open to misinterpretation a teaching that otherwise strongly defends the unity of Christ" (ibid., 190-91). Principe discusses Alexander's references to a human subject in Christ in ibid., 211-12.

[58] This fluidity is evident as well through Principe's analyses of Hugh of St. Cher and Philip the Chancellor. Hugh, following the lead of William and Alexander, names the individual human nature composed of soul and body 'Jesus' in order to avoid an accidental inherence of humanity in the Word (W. H. Principe, *Hugh of Saint-Cher's Theology of the Hypostatic Union* [vol. 3 of *The Theology of the Hypostatic Union in the Early Thirteenth Century],* 103).

ambiguous use of otherwise precise terminology in the context of fluid Christological positions.

Returning now to *Albert,* the influence of William and Alexander becomes clear. Albert explicitly affirms two hypostases in Christ or a purely human hypostasis in Christ when combating the Lombard's third opinion, the *habitus* theory. The *habitus* theory, as *Albert* understands it, denies that Christ's soul and body were joined to each other, but says that they were rather put on individually by the Son of God. This prevents the assumption of a man but at the expense of Christ's true humanity or that Christ was *aliquid secundum quad homo.* Albert wishes to deny that the Word assumed a man while affirming that Christ was *aliquid secundum quad homo.* 'Hypostasis' serves Albert as a middle term, marking Christ's human nature as an individual distinct according to its particular unity of body and soul though not a man or a person. [59] When Albert's attention turns to the first

"Hugh intends to distinguish his position from that of the first opinion on the Hypostatic Union: this is clear from his description of what its proponents understand by the name 'Jesus.' The first opinion holds, he says, 'that this name "Jesus" is imposed from a created form and on a created thing only; it has supposition only for a created thing' [III *Sent.,* 6, 14]. Hugh disagrees with this position in that for him the name 'Jesus' has an accidental supposition by which it stands for the divine person" (ibid., 130). Albert's Christology reflects many aspects of Philip's. Philip stresses the perfection of personality as derived from the particular *esse* that individuates it as a being *per se* (W. H. Principe, *Philip the Chancellor's Theology of the Hypostatic Union* [vol. 4 of *The Theology of the Hypostatic Union in the Early Thirteenth Century],* 66-67, 94-97, 144).

[59] Albert's understanding of hypostasis as a middle term plausibly derives from Philip the Chancellor. Philip writes: "If it is asked which of those is more proper, 'Those two natures are united in hypostasis' or 'are united in person,' I respond that it is more proper to say 'in hypostasis' than 'in person.' They are said to be united in unity of person on account of the heretics who posited a plurality of persons in Christ just as a diversity of natures. There is a difference between person and hypostasis, because person names a property of excellence, but hypostasis holds a middle place between person and individual. On the divine side, there is a person. From the side of human nature, there is an individual that has the universal nature in itself and is individuated by a twofold individuation, as was said. In the union made of the Word to human nature, the hypostasis there was a person in respect to a property of excellence, and an individual, for Jesus is an individual, and that individual was founded upon the hypostasis of the Son of God" *(Quaestiones de incarnatione,* q. 2, b, 11, in Principe, *Philip the Chancellor's Theology of the Hypostatic Union,* 172; see also 66). Hipp identifies two basic senses of hypostasis for Albert. In one sense, hypostasis is an inherently relative term signifying "the substance according as it stands under the common nature and the *proprietas,"* yet abstracted in so far as possible from personality (Hipp, *"Person" in Christian Tradition,*

opinion (as in III *Sent.,* d. 6, a. 5), he affirms only one hypostasis in Christ. Albert's use of 'hypostasis' follows closely the pattern established by Alexander, employing it both as a name of first intention and as a name of second intention depending on the context and purpose. When 'hypostasis' names a thing, Albert affirms only one hypostasis in Christ against the *homo assumptus* theory. When 'hypostasis" names a logical abstraction, Albert affirms a purely human hypostasis in Christ against the *habitus* theory. Whether or not this implies any self-contradiction, it certainly opens itself to various interpretations. The risks involved with such interpretive openness no doubt prompted Thomas's rejection of this equivocal use of 'hypostasis'.

Stress on the fact that Christ was *aliquid secundum quod homo* inched William, Alexander, and Albert toward aspects of a *homo assumptus* view or at minimum suggested to them language reminiscent of a *homo assumptus* view. The second major Christological question in the early thirteenth century regarded whether Christ was one *(unum)* or two. Albert's reflections on Christ's unity inch his position on this spectrum of Christological opinions back toward the subsistent or composite-person theory, yet the urgency of preventing Christological nihilianism remains evident. Albert frames the question of Christ's unity or duality in terms of *esse,* which framing highlights the delicate balance of preserving unity without sacrificing the truth of Christ's humanity. The union in Christ is a union in *esse* rather than in essences, a union in which the one person is a supposit for two natures. Albert concludes that "the *esse* in Christ is one in comparison to the hypostasis whose *esse* it is, although this *esse* is of two essences which remain distinct, such that the *esse* of one [essence] is the

259). It signifies determinable substance without properly signifying the *proprietas.* Hypostasis thus signifies the same reality as person but according to a different mode of signification (ibid., 246). In a different sense, hypostasis is logically convertible with the *proprietas.* "The hypostasis is formally dependent upon the *proprietas* for its hypostatic being. At the same time, every instance of perfect and complete (i.e. ontologically independent) distinction entails a unique hypostatic being" (ibid., 466). Hufnagel emphasizes the hypostasis as logically prior to the personal property determining a being as incommunicable (Hufnagel, "Das Person-Problem bei Albertus Magnus," 231-32).

esse of the other [essence]" (III *Sent.,* d. 6, a. 4). [60] Article 5 clarifies the relationship of *esse* to hypostasis and to nature. Albert writes:

Preserving the truth of the union made in the hypostasis, as is true, the second opinion says the wholly one *esse* is the one *esse simpliciter* of Christ: but the *esse* of this *simpliciter* is one thing, the *esse* of this according to this or that nature is another thing, and the *esse* of this or of that nature is another thing. For the *esse simpliciter* of this is the *esse* of the person or hypostasis, according as it is a hypostasis: and this is not but one in Christ. It stands clear from this that the Catholic faith says the union was made in *esse.* For if it is made in *esse,* it will be in some *esse,* and not but in the *esse* of the hypostasis: therefore, the *esse* of this hypostasis is one from that union: for whatever things are united are one.

Likewise, there is not but one *esse* of one hypostasis: but Christ is not but one hypostasis: therefore, Christ does not have but one *esse simpliciter:* because the *esse* of the thing of nature or hypostasis is the *esse* of the whole: and this is the *esse simpliciter.*

The *esse* according to this or that nature, however, is the *esse* taken in comparison to the nature making the *esse* in the hypostasis, and from that part the *esse* in Christ is doubled. For, the *esse* of the nature of humanity is in that one, as well as the *esse* of the nature of deity. If we wish to speak properly, then we would say that according to this consideration [the hypostasis] would not have two *esses* but rather one twofold, constitutive *esse [unum duplex in constituente esse].*

The *esse* of the nature is the *esse* that the nature has in itself: for every thing has its own *esse.* The *esse* of the human nature in Christ is not the *esse* of God's nature, but the *esses* are not by that way two as the natures. (III *Sent.,* d. 6, a. 5) [61]

[60] "Sic igitur secundum praedicta dico, quod unum est esse in Christo secundum comparationem ad hypostasim cuius est esse, licet hoc esse sit duarum essentiarum quae distinctae manent, eo quod hoc esse istius est hoc esse alterius: et est mirabile ut unio fiat in esse, et non essentiis" (III *Sent.,* d. 6, a. 4).

[61] "Tenendo veritatem unionis factam esse in hypostasi, sicut est veritas, et secunda opinio <licit unum tantum esse, simpliciter est unum esse Christi: sed aliud est esse hujus simpliciter, et aliud esse hujus secundum naturam hanc vel illam, et aliud est esse natura hujus vel illius. Esse enim hujus simpliciter est esse personae vel hypostasis, secundum quod est hypostasis: et hoc non est nisi unum in Christo. Et hoc patere potest ex hoc quod fides Catholica <licit unionem illam factam in esse. Si enim in esse facta est, erit ipsa in esse aliquo, et non nisi in esse hypostasis: ergo esse hujus hypostasis ex unione illa est unum: quaecumque enim uniuntur, sunt unum.

"Item, unius hypostasis non est nisi unum esse: sed Christus non est nisi hypostasis una: ergo Christus non habet nisi unum esse simpliciter: quia esse rei naturae sive hypostasis, est esse totius: et hoc est simpliciter esse.

"Esse autem secundum naturam hanc vel illam, est esse acceptum in comparatione ad natura facientem esse in hypostasi, et a parte ilia geminatur esse in Christo. Est enim in eo esse

The argumentation here is dense, but this article well encapsulates Albert's understanding of the mode of union in Christ. In response to the third opinion, Albert affirms the substantial reality of the human nature assumed by noting that the *esse* of Christ's human nature is not the *esse* of the divine nature. When *esse* is viewed in terms of the nature as a formal cause of *esse* in the hypostasis, Albert affirms one twofold *esse* in Christ. [62] Albert subordinates this duality to the greater unity of Christ in terms of *esse simpliciter,* which is one as the hypostasis in Christ is one. Stressing the unity of *esse simpliciter* in Christ while noting the duality of natural *esse* according as the hypostasis subsists in human nature is an attempt to strike a proper balance between the reality of Christ's singular human nature and the ultimate unity of

naturae humanitatis, et esse naturae deitatis. Et si vellemus proprie dicere, tune diceremus, quod haberet tali consideratione non duo esse, sed unurn duplex in constituente esse.

   "Esse naturae est esse quod habet natura in se: omnis enim res habet suum esse. Esse naturae humanae in Christo non est esse naturae Dei, neque illa esse sunt duo sicut naturae" (III *Sent.,* d. 6, a. 5).

   [62] "To the fourth we say that constitutive differences only produce *[non faciunt nisi]* formal *esse.* Whence they pertain to logical considerations, which consider form. The *esse* of the supposit or person, however, is not only formal *esse* but also the *esse* that results from both components *[quad relinquitur ex utroque componentium].* This is one in Christ. Although formal *esse* is twofold on account of the difference [of natures], the *esse* of the supposit or person is not but one. And so it does not follow that Christ is two, because he is neither two supposits nor two persons. It does follow that he is one *[unum]* having *esse* in himself from two different opposites" (De *Incamatione,* III, q. 3, a. 4, ad 4). Lamy de la Chapelle focuses on the role of *esse* actualizing the essence in the hypostasis. "It is the *esse* that gives essence to the hypostasis. All the actuality of the essence, in the order of the effectuation of being, comes from the *esse.* From this perspective, the *esse* plays the role of cause (as the supreme act of the existing thing), and essence plays the role of effect: *different sicut effectus et causa"* (Lamy de la Chapelle, "L'unite ontologique du Christ," 216). He also notes the accommodations to the first opinion present in Albert's allowance that the natures double the *esse* in Christ. "[Albert] accepts the principle put forward by the supporters of the first opinion: *natura facit esse in hypostasi.* Far from exhausting the meaning, he seeks an intermediary interpretation that offers the possibility of maintaining the full substantiality of the nature assumed without, for all that, conferring to it the value of a distinct supposit. Moreover, he does not innovate. *Certain defenders* (convinced they are right) of the second opinion were already trying to reconcile the two points of view, as implied by the pivotal text dedicated to the unique *esse simpliciter* of Christ, which closes article 4 and introduces article 5" (ibid., 223-24).

hypostasis. [63] Albert inherited ambiguous terminology with which to address Christological questions along a fluid spectrum of opinions. His great triumph was to recast pressing questions and concerns in terms of Christ's *esse,* a maneuver that allowed affirmation of Christ's personal unity without undermining the integrity of his two natures.

IV. THOMAS AQUINAS ON THE MODE OF UNION IN CHRIST

Thomas Aquinas preserves many of Albert's insights while simultaneously tidying the ambiguous terminology Albert inherited from William and Alexander. The focus here will be on Thomas's presentation of the union in Christ in terms of 'person' and 'hypostasis', a focus that highlights the differences between Thomas and Albert. [64] Thomas rejected adding the incommunicability of assumptability to the definition of 'person', noting that advocates of such an addition distinguished 'hypostasis' and 'person' on the grounds of incommunicability in order to affirm two hypostases in Christ but only one person. Thomas counters that 'hypostasis' and 'person' indicate the same reality and that

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[63] This view is clear also in Cod. Vat. lat. 4245, where Albert distinguishes *esse suppositi* and *esse naturae.* Albert affirms a unity in *esse suppositi* and a duality of *esse naturae.* This unity and duality of *esse* allows for a twofold predication of the one supposit. "I say without prejudice that the divine power uniting makes the supposit of this nature to be substantially the supposit of another nature, with the distinction of natures remaining. Since the union is according to the *esse* of the supposit and not of nature, there is one *esse* of the supposit in as much as the supposit is of two natures. The *esse* of the natures remains distinct, because the uniting is united, as Boethius holds. Whence the union is made in the unity of the supposit; the distinction of natures according to their *esse,* which remain in one and the same supposit, allows for the predication of a twofold property, so that it may properly be said: This one is a man and this one is God" (F. Pelster, "Die Quaestio Alberts des GroBen iiber das Eine Sein in Christus nach Cod. Vat. lat. 4245," *Divus Thomas* 26 (1948): 3-25, at 25).

[64] For an excellent summary and discussion of Thomas on the hypostatic union, see J. Wawrykow, "Hypostatic Union," in Rik Van Nieuwenhove and Joseph Wawrykow, eds., *The Theology of Thomas Aquinas* (Notre Dame, Ind.: University of Notre Dame Press, 2005), 222-51. See also M.-V. Leroy, "L'union selon l'hypostase d'apres saint Thomas d'Aquin," *Revue thomiste* 74 (1974): 205-243. On Thomas' Christology in relation to the Lombard's second opinion, see M. Raschko, "Aquinas's Theology of the Incarnation in Light of Lombard's Subsistence Theory," *The Thomist* 65 (2001): 409-39.

'person' simply adds the specification of rational nature. [65] The
clarity and certitude with which Thomas attacks not only the
homo assumptus view but also the elements of a *homo assumptus*
view that had been incorporated into early thirteenth-century
articulations of the subsistent-person theory indicate a shift from
Albert to Thomas in their perceptions of which Christological
opinion represented the most pressing challenge.

In question 9, article 1 of *De Potentia,* Aquinas investigates the
meaning of the terms 'essence', 'subsistence', and 'hypostasis' in
preparation for the second article's discussion of Boethius's
definition of 'person'. As discussed previously, Albert identifies
'hypostasis' as the Greek equivalent of 'substance'. Thomas
repeats this identification with the qualification that 'hypostases'
name substances as substanding. [66] *"Person,* though, adds to
hypostasis a determinate nature, for it is nothing other than a
hypostasis of rational nature" *(De Pot.,* q. 9, a. 1).[67] In the reply
to the first objection, Thomas holds that because "person adds
nothing beyond hypostasis save rational nature, it is necessary that
hypostasis and person are completely the same in rational nature"
(ibid., ad 1).[68] These assertions implicitly affirm what article 2

[65] Hufnagel argues that a rough equivalent to this is Albert's final position: "Albert's
thinking seems obviously to have developed in the following direction: he finally defined
hypostasis to include every individual being, but he defined person to include only hypostases
of a spiritual *[geistigen]* nature" (Hufnagel, "Das Person-Problem bei Albertus Magnus," 232).
The *Summa halensis* expresses the same view. "A hypostasis is an incommunicable existence
or substance distinguished from all others. This definition is taken from Richard of St. Victor,
who sometimes takes person for hypostasis. Person, according the definition and name of
person, is an incommunicable rational substance distinct through a property of dignity. From
this it is clear that every person is a hypostasis but that the converse is not true. In rational
natures, which import dignity, the hypostasis is a person. In other natures, the hypostasis is
not a person unless when speaking of person grammatically" *(Summa halensis* III, inq. 1, tr.
1, q. 4, tit. 1, d. 3, mem. 4, c. 3, a. 3 *[Summa theologica seu sic aborigine dicta "Summa fratri
Alexandri,"* (Quarrachi, 1948)]).

[66] Substances also exist *quasi per se,* being sustained in themselves rather than in an
external foundation. According to this, a substance is said to subsist and is called *subsistentia*
or ουοιωολς; *(De Pot.,* q. 9, a. 1).

[67] *"Persona* vero addit supra hypostasim determinatam naturam: nihil enim est aliud quam
hypostasis rationalis naturae" (ibid.).

[68] "Ad primum ergo dicendum quod, ex quo persona non addit supra hypostasim nisi
rationalem naturam, oportet quod hypostasis et persona in rationali natura sint penitus idem"
(ibid., ad 1).

states explicitly, that 'individual substance' in Boethius's definition of 'person' designates nothing other than 'hypostasis'. Thomas discredits the separation of 'individual' and 'substance' in Boethius's definition as a misguided attempt to distinguish 'person' and 'hypostasis' *(De Pot.,* q. 9, a. 2, ad 7). Equally important is Thomas' s insistence that 'person' and 'hypostasis' are names of first imposition (names of things) rather than names of second intention (logical abstractions) *(De Pot.,* q. 9, a. 2, ad 2). In these two articles, many of the terminological ambiguities characteristic of early thirteenth-century Christologies have been eliminated.

The value of terminological clarity is apparent in the *Summa Theologiae's* discussion of the hypostatic union. The second question of the *Tertia Pars* analyzes the mode of union in Christ, arguing that the union takes place not in nature (a. 1) but rather in person (a. 2).[69] All the theologians considered here would unhesitatingly assent to this conclusion. Article 3 raises the less common and more difficult question of whether the union takes place in the supposit or hypostasis. Based upon Thomas's above-noted identification of 'person' and 'hypostasis' in rational natures, his response in article 3 predictably defends a union in the one hypostasis of the Word. Thomas notes, however, "that some, ignorant of the relation *[habitudinem]* of hypostasis to person, although they concede there was only one person in Christ, nevertheless posited one hypostasis of God and another hypostasis of man, as if the union were made in person but not in hypostasis" *(STh* III, q. 2, a. 3).[70] Three arguments follow that reduce this view to some position condemned at Ephesus or Constantinople II. The first and now familiar argument equates

[69] For a critical appraisal of Thomas's distinction between person and nature as applied to Christology, see M. Gorman, "Uses of the Person-Nature Distinction in Thomas' Christology," *Recherches de theologie et philosophie medievales* 67 (2000): 58-79.

[70] "Respondeo dicendum quod quidam, ignorantes habitudinem hypostasis ad personam, licet concederent in Christo unam solam personam, posuerunt tamen aliam hypostasim Dei et aliam hominis, ac si unio sit facta in persona, non in hypostasi." "Dicendum quod quidam volentes evitare Nestorii haeresim, ponentis in Christo unam personam, sed duas hypostases, sive duo supposita" *(De Unione Verbi incarnati,* a. 2 *[Quaestiones disputata,* vol. 2 (Turin: Marietti, 1949)]).

'person' and 'hypostasis' in such a way that assigning a purely
human hypostasis to Christ amounts to recognizing a purely
human person *(STh* III, q. 2, a. 3; *De Unione,* a. 2). The second
argument is more interesting. If 'person' adds anything to the
definition of 'hypostasis', that can be nothing but a property of
dignity. Thomas here cites the definition of 'person' as "a
hypostasis distinct by a property pertaining to dignity" *(STh* III, q.
2, a. 3).[71] Granting this distinction, a union in person but not in
hypostasis would be an accidental union in dignity alone, a view
condemned at the Second Council of Constantinople. The third
argument concerns the subject of predication in Christ. If there
were a purely human hypostasis in Christ, everything true of the
human nature would be true of the human hypostasis as its
subject. It would then be false to affirm that the Son of God was
born of the virgin, suffered, was crucified, and was buried. This
would undermine the truth of the Incarnation.

The *Scriptum* on the Lombard's *Sentences* also rejects any
attribution of two hypostases in Christ. Its treatment reflects more
closely the questions that were of greater import in the early
thirteenth century, particularly whether Christ is one *(unum)* or
two. Thomas, even at this early stage in his career, stresses
'hypostasis' as a name of first imposition and *individuum,*
'singular', and 'particular' as names of second intention. [72] This
clear and firm distinction provides the terminological resource for

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[71] "Second, because if it is granted that person adds something beyond hypostasis in which
the union was made, this something is nothing other than a property pertaining to dignity,
according as it is said by some that person is *a hypostasis distinct* by *a property pertaining to
dignity.* If therefore the union is made in person and not in hypostasis, it will follow that the
union was made only according to a certain dignity" *(STh* III, q. 2, a. 3). Thomas offers nearly
identical argumentation in *De Unione,* a. 2.

[72] "Accidents follow nature; therefore every name designating a particular thing with
respect to its properties designates it also with respect to the common nature. This can be
done in two ways. In one way it can be done through a name of first imposition, and thus
hypostasis is taken commonly in ever substance but person only in rational substances. In
another way it can be done through a name of second imposition, and thus it is an individual
in as much as it is undivided in itself, but it is singular in as much as it is divided from others;
whence singular is the same as what is divided [from others]" (III *Sent.,* d. 6, q. 1, a. 1, qcla.
1).

specifying what in Christ is one and what is two. [73] Since 'hypostasis' is a name of first imposition, allowing two hypostases in Christ is tantamount to allowing two persons. This equivalence of 'person' and 'hypostasis' renders unintelligible any attempt to posit one person but two hypostases in Christ, a position Thomas identifies with the first opinion or *homo assumptus* theory. [74] Though he believes affirmation of two hypostases or of *homo assumptus* ultimately leads to Nestorianism, in the *Scriptum* he characterizes these affirmations as unintelligible or erroneous but not heretical. [75]

Throughout his career, Thomas rejected a two-hypostases view of Christ. In the *Scriptum* he identifies the position of one person

[73] "Nevertheless, just as we say the union was made in person, so we say [it is made] in hypostasis, supposit, thing of nature, individual, singular, and particular. This is said of the last three because although they can be predicated of things that do not subsist through themselves, nevertheless they are also predicated of things that do subsist through themselves. We say that a hypostasis is an individual; whence, in as much as the union is made in hypostasis, it is also made in the individual. So we can say that Christ is one individual and also that in him there are two individuals or many individuals, as also happens for every other man. This applies the same for singular and particular" (ibid.).

[74] "It should be known that although the first opinion posits two hypostases, it does not posit two persons. For, from the fact that person is an individual of rational nature, which is most complete, and where the total intention of nature is present, person signifies the most complete thing by the final completion, beyond which there is no other. Whence, since they posit one man assumed *[hominem assumptu unum]* to the Word, they do not grant to it the *ratio* of person but only the *ratio* of hypostasis, in as much as it is subsisting" (ibid.).

[75] "Whence it should in no way be conceded that a man was assumed. It should be known, nevertheless, that the first opinion posited none of the aforementioned modes of union, whence it is not heretical. It did posit that the union was made according to this, that the person of the Word began to be that substance. This, indeed, is not intelligible, that one of two is made another, unless through the conversion of one into another. Rather, it is impossible, as was said before, and therefore it cannot be sustained" (III *Sent.,* d. 6, q. 1, a. 2). Bonaventure similarly equates a *two-supposita* view with the first opinion, noting that this view is not heretical. "It can be understood in a third way that Christ is *two in a middle sense,* not because Christ is of two natures or of two persons, but because he is *two supposits* or *two things of nature,* which hold a middle place between duality of nature and duality of person. This mode of speaking pertains to the first opinion and is not heretical, but has much probability. For since diverse natures correspond to diverse *things of nature,* and diverse *substances* correspond to diverse *supposits,* therefore they wish to say that Christ, who is God by reason of the divine nature, and man by reason of human nature, is *two things of nature,* one of which is predicated of the other on account of the unity of person. But although this position has some probability, nevertheless it says something even more improbable and so has few or no supporters" (Bonaventure, III *Sent.,* d. 6, a. 1, q. 1).

and two hypostases in Christ as the *homo assumptus* view, a view he finds unintelligible. In the *Summa,* he addresses these positions separately and in each case reaps the fruits of his research into patristic and conciliar sources. Article 6 of question 2 of the *Tertia Pars* is justifiably famous for its clear statement that the Lombard's first and third opinions are not opinions but heresies long condemned by the Church and that the second opinion is not an opinion but the orthodox faith. Less famous but equally interesting is the assertion in article 3 that "it is a heresy long condemned to say that in Christ there are two hypostases or two supposita or that the union is not made in hypostasis or supposit" *(STh* III, q. 2, a. 3). By the time of the *Summa,* Thomas was no longer content to suggest the incoherence of a one-person, two-hypostases view or its affinity with the first opinion; he makes explicit that such a view is heretical. To the extent that several prominent thirteenth-century theologians, including Thomas's illustrious teacher Albert the Great, at times affirmed two hypostases in Christ, these theologians left their views open to heretical misinterpretations. The same holds true for affirmations of a purely human subject in Christ occasionally made by William of Auxerre and Alexander of Hales. What seems to preserve safely the orthodoxy of these early thirteenth-century Christologies is their consistent defense of Christ's unity. Albert's ardent support of one *esse simpliciter* in Christ makes it clear that the Universal Doctor defended Christ's fundamental unity and only affirmed two hypostases in opposition to the *habitus* theory and due to his ambiguous understanding of 'hypostasis'. This is to suggest not that Albert's Christology is unproblematic but rather that Albert groped for adequate language to express the mode of union in Christ while responding to the Christological questions of his time. Thomas undoubtedly benefitted from Albert's advances.

Thomas returned to the question of whether Christ was one *(unum)* or two in his later works. For him, the question of whether Christ is *unum* relates closely to unity of hypostasis and

unity of *esse*.[76] Albert raised to prominence the question of Christ's unity of *esse;* Thomas learned from Albert the significance of this question as well as the basic lines for developing a response. *De Unione* has garnered much attention for its affirmation of a secondary *esse* in Christ furnished by the human nature assumed, an affirmation seemingly at odds with Thomas's regular presentation of only one *esse* in Christ (III *Sent.,* d. 6, q. 2, a. 2; *Quodl.* IX, q. 2, a. 2; *STh* III, q. 17, a. 2; *Comp. theol.,* c. 212). His presentations of Christ's *esse* have generated a substantial body of secondary literature and raise many questions beyond the scope of this discussion.[77] Even if only in a limited manner, it will prove useful to examine some aspects of Christ's unity of *esse.* The question of whether Christ is *unum vel duo* well introduces the question of *esse* and so will be briefly sketched here.

[76] The *Scriptum* treats together the questions of *unum vel duo* (III *Sent.,* d. 6, q. 2, a. 1), *esse* (III *Sent.,* d. 6, q. 2, a. 2), and composite person or hypostasis (III *Sent.,* d. 6, q. 2, a. 3). *De Unione* follows its discussion of *unum vel duo (De Unione,* a. 3) with discussion of *esse (De Unione,* a. 4). The *Summa Theologiae* examines the issue of composite person under the heading of the mode of the union *(STh* III, q. 2, a. 4) and the issues of *unum vel duo* and *esse* together under the heading of consequences of the union *(STh* III, q. 17, aa. 1 and 2). On Thomas's interpretation of *persona composita,* see M. Gorman, "Christ as Composite according to Aquinas," *Traditio* 55 (2000): 143-57.

[77] See V. Salas, "Thomas Aquinas on Christ's *esse:* A Metaphysics of the Incarnation," *The Thomist* 70 (2006): 577-603; T. Weinandy, "Aquinas: God *IS* Man: The Marvel of the Incarnation," in T. Weinandy, D. Keating, and J. Yocum, eds., *Aquinas on Doctrine: A Critical Introduction* (London and New York: T&T Clark, 2004), 67-89; R. Cross, *The Metaphysics of the Incarnation: Thomas Aquinas to Duns Scotus;* J. L. A. West, "Aquinas on the Metaphysics of *esse* in Christ," *The Thomist* 66 (2002): 231-50; S. Brown, "Thomas Aquinas and His Contemporaries on the Unique Existence in Christ," in K. Emery, Jr., and J. Wawrykow, eds., *Christ among the Medieval Dominicans* (Notre Dame, Ind.: University of Notre Dame Press, 1998), 220-37; R. Cross, "Aquinas on Nature, Hypostasis, and the Metaphysics of the Incarnation," *The Thomist* 60 (1996):171-202; T. Morris, "St. Thomas on the Identity and Unity of the Person of Christ: A Problem of Reference in Christological Discourse," *Scottish Journal of Philosophy* 35 (1982): 419-430; E. Gilson, *"L'esse* du Verbe incarne selon saint Thomas d'Aquin," *Archives d'histoire doctrinale et litteraire du moyen age* 35 (1968): 23-37; J. H. Nicholas, "L'unite d'etre dans le Christ d'apres saint Thomas," *Revue thomiste* 65 (1965): 229-60; A. Patfoort, *L'unite d'etre dans le Christ d'apres s. Thomas. A la croisee de l'ontologie et de la christologie* (Paris: Desclee, 1964); H. Diepen, "L'existence humaine du Christ," *Revue thomiste* 58 (1958): 197-213; M. Corvez, "L'unicite d'existence clans le Christ," *Revue thomiste* 56 (1956): 413-26; A. Hastings, "Christ's Act of Existence," *Downside Review* 73 (1955): 139-59.

Positing two persons in Christ would render Christ two in the masculine, a position rejected by each of the three opinions. The first opinion affirms that Christ is one in the masculine but two in the neuter. Proponents of this affirmation sought to avoid the view that Christ *non est aliquid secundum quod homo* and reasoned that the human *aliquid* made Christ two in the neuter. The *Scriptum* offers a somewhat more accurate appraisal of the issue from a purely historical standpoint (III *Sent.,* d. 6, q. 2, a. 1). *De Unione* and the *Summa Theologiae* argue that some held Christ to be two in the neuter because they posited two hypostases or supposita in Christ *(De Unione,* a. 3; *STh* III, q. 17, a. 1). Thomas's slight reworking of the motivations for affirming Christ as two in the neuter separates this issue from the question of Christ as *aliquid secundum quod homo,* a separation that makes more comfortable the assertion that Christ is one in the neuter. The neuter *(unum),* according to Thomas, designates the indistinct or imperfect; the masculine *(unus)* designates the distinct and complete. Natures, save in God, do not exist of themselves but are that by which something exists (the *id quo* in Boethius's terminology). Christ subsists as man through humanity. Humanity indicates the nature according to which Christ exists as man, while man indicates the existing reality. Since the existing reality (the *id quod* in Boethius's terminology) is none other than the hypostasis of the Word, 'man' designates not simply the nature but the concrete instantiation of that nature in a subject.[78]

[78] It is worth explaining two distinctions Thomas often resorts to in his explorations of Christological predication (e.g., *STh* III, q. 16). Some names predicate natures abstractly (e.g., *humanitas* or *divinitas),* while others predicate natures concretely (e.g., *homo* or *Deus).* Aside from the case of God, names designating nature abstractly cannot be truly predicated of an individual possessing that nature. It is not true that "Peter is humanity *(humanitas)."* Rather, only concrete names of the nature can be truly predicated of an individual. It is true that "Peter is a human being *(homo)."* A further differentiation, in some sense a subdivision of concrete predication, can be made between distinct and indistinct predication. The term human being *(homo)* can be applied to every individual of human nature and so predicates human nature of the individual indistinctly. Personal names (e.g., Peter) predicate human nature distinctly or under the determination of individual properties. For a discussion of abstract and concrete predication, see Gorman, "Uses of the Person-Nature Distinction in Thomas' Christology." Thomas derives this use of the concrete and abstract distinction from Bonaventure, III *Sent.,* d. 6, a. 1, q. 1.

There is only one subject in Christ, so 'man' and the human *aliquid* designate in Christ the one hypostasis of the Word under the determination of humanity. Thomas has, following Albert, reformulated the question of Christ as *unum vel duo* in terms of the number of supposits or hypostases in Christ such that affirmation of two natures in Christ does not lead to Christ as two in the neuter, which disrupts the logic of the first opinion, and that affirmation of Christ as *unum* does not lead to the view that Christ *non est aliquid secundum quad homo,* which avoids the pitfalls of the third opinion.

A similar logic governs Thomas's presentation of Christ's *esse,* namely, that everything pertaining to hypostasis in Christ is one while everything pertaining to nature is two. Following Albert, Thomas acknowledges that *esse* "pertains to hypostasis and to nature, to hypostasis as to that which *[id quad]* has *esse;* to nature as to that by which *[id quo]* something has *esse" (STh* III, q. 17, a. 2). So, granting that *esse* pertains both to hypostasis and to nature, according to which should it be numbered? Albert proposed *unum duplex esse,* a simple and compelling formula. Thomas's sympathies remain ever loyal to Albert's intent, yet not even in *De Unione* does Thomas repeat Albert's formulation. The general line of thought developed here suggests a plausible reason for Thomas's more reserved terminology, namely, that *unum duplex esse* could be misinterpreted in terms of one person and two hypostases. Thomas counters any notion of two hypostases or supposits in Christ by stressing, even in *De Unione,* that *esse* "is properly and truly said of the subsisting supposit" *(De Unione,* a. 4), which in Christ is one. [79] Affirmation of only one *esse* has generated many concerns and critiques in Thomas's readers, most serious of which is the charge of Monophysitism. [80] At minimum

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[79] "Esse enim proprie et vere dicitur de supposito subsistente"; cf. *STh* III, q. 17, a. 2, ad 1).

[80] Cross argues that Thomas's *one-esse* position amounts to Monophysitism or avoids Monophysitism only through internal inconsistencies (Cross, *The Metaphysics of the Incarnation,* 57, 67-68; "Aquinas on Nature, Hypostasis, and the Metaphysics of the Incarnation"). Weinandy argues that if Thomas truly restricted Christ's *esse* to the divine *esse* of the Word, then such a view would be a version of Monophysitism. Weinandy holds that Thomas did not so restrict Christ's *esse* but allowed for a finite created human *esse* (Weinandy,

it seems to raise the question of the ontological status of Christ's human nature.

Christ is *aliquid secundum quad homo,* namely, a hypostasis or person of human nature. [81] Thomas casts the *aliquid* or *non est aliquid* debate as fundamentally a question about the number of hypostases in Christ. Even terms predicating nature predicate in the concrete and so refer to the hypostasis, whether distinctly or indistinctly. A critical reader of Thomas's explanatory strategy might judge that his solutions more conceal than solve questions about the ontological status of Christ's human nature. Does not referring the *aliquid* in *aliquid secundum quad homo* to the hypostasis of the Word undermine the most basic logic of the affirmation? Is such a reference meaningful or problematically circular? Though these questions are serious in their own right, they do not pose serious challenges to Thomas's Christology. Underlying these concerns rests the notion that the truth of the Incarnation and the Word's assumption of an individual, perfect human nature require that the human nature assumed possess some reality, some basic act of existence on its own or of itself. Thomas stresses that hypostases are what truly and properly exist. Christ's human nature exists only insofar as it is a particular human nature, the concrete human nature of the divine Word. When questioning whether Christ is *aliquid secundum quad homo* or the number of *esses* in Christ, Thomas reminds us that the

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"Aquinas: God *IS* Man," 80-83). For a response to Cross, see West, "Aquinas on the Metaphysics of *esse* in Christ." For a response to Weinandy, see Salas, "Thomas Aquinas on Christ's *esse."*

[81] As Principe notes, in the *Summa* Thomas does not explicitly address the question of whether Christ is *aliquid secundum quod homo* but his views on the matter are relatively clear from his position on the question of whether Christ *secundum quad homo* is a person or hypostasis *(STh* III, q. 16, a. 12) (Principe, "St. Thomas on the Habitus-Theory of the Incarnation," 414-18). Leroy seems wrongly to distinguish suppositum and person in his denial that for Thomas there is a human person in Christ. "This man has a human nature: he is the supposit of a human nature *(suppositum humanae naturae),* but he is not a human person. That by which he is man does not constitute a new human person nor does it turn the Word into a human person(!). Rather, it makes Jesus the Word incarnate to be a divine Person in a human nature" (Leroy, "L'union selon l'hypostase d'apres saint Thomas d'Aquin," 206). A human person is nothing other than a person of human nature. The person of the Word, by virtue of the Incarnation, is a person of human nature and thus a human person.

aliquid and the *esse* indicate that the hypostasis of the Word is the subject of predication in Christ. This does not lessen the truth of the Incarnation or of Christ's human nature, no more so than it would lessen the truth of Peter's human nature to note that predications concerning Peter's human nature are true of the hypostasis rather than humanity.

If this goes some way toward clarifying Thomas' s defense of one *esse* in Christ, the question remains how this can be reconciled with *De Unione's* provision for a secondary *esse* supplied by Christ's human nature. The camp against such reconciliation includes a large and diverse group of interpreters. [82] Some have attempted to harmonize *De Unione* with Thomas's other presentations of Christ's *esse.* Thomas Weinandy argues that "Aquinas implicitly held two *esses* from the start (and so was never a Monophysite), but only explicitly stated this position on the one occasion in the *De unione Verbi incarnati."* [83] Victor Salas articulates the opposite position, folding *De Unione's* secondary *esse* into the metaphysics grounding the *one-esse* view. "Simply put, the human *esse* introduced in *De Unione* seems to be none other than the divine *esse* when considered from the point of view

[82] Cross argues that *De Unione's* account is coherent, unlike the remainder of Thomas's accounts of Christ's *esse,* but lacks all explanatory value (Cross, "Aquinas on Nature, Hypostasis, and Metaphysics," 172-73, 198-201). Patfoort regards *De Unione,* aa. 3-4 as circular and so incautious if not unsuccessful *(Patfoort,L'united'etre,* 168-69). West describes *De Unione's two-esse* view as an aberration that leans toward either a *homo assumptus* or *habitus* view (West, "Aquinas on the Metaphysics of *esse* in Christ," 233-37).

[83] Weinandy, "Aquinas: God *IS* Man," 80. Weinandy suggests that Thomas's normal emphasis on one *esse* stems from a concern to oppose Nestorianism and that he became increasingly aware of the need for a created *esse.* Weinandy understands Thomas's most basic Christological insights to demand this created *esse.* "If the Son of God actually did assume the substantial nature of manhood and so come to exist as an authentic man, then the authenticity of that substantial manhood demands a human created *esse"* (ibid., 81). "The humanity is in act (exists) as a man and thus its act is human. If it did not have a finite created human *esse,* it would simply not be because it, obviously, only is because it has been created" (ibid.). Weinandy is careful to add the qualifications that this "finite created human *esse"* does not entail any existence independent of the Word. "The created *esse* is more than accidental because the humanity is an authentic substance in its own right (manhood), and thus it possesses its own integral created human *esse.* However, the created human *esse* is not the principle *esse* because the humanity does not exist independently of the Son as a separate supposit/reality" (ibid., 82).

of its subsisting in a human nature. "[84] This articulation fits well with the interpretation of Thomas described here. Thomas consistently states that *esse* properly belongs to the hypostasis as that which *(id quad)* exists. In the Incarnation, the *id quad* of the Word gains a new *id quo* such that the Word newly subsists as a hypostasis of human nature. *De Unione* highlights the *esse* of the Word as determined by the form of human nature. While Thomas's other treatments more narrowly highlight the one *esse* of the Word, this is not to the exclusion of the nature's role in forming that *esse*.[85]

SUMMARY

Early thirteenth-century Christologies staked out their positions along the spectrum of the Lombard's three opinions by answering the questions of whether and how Christ was *aliquid secundum quad homo* and of whether Christ was *unum vel duo.* Though near unanimous assent was given to the second opinion, this assent often concealed aspects of a *homo assumptus* view. Late medieval reflections on person developed Boethius's definition in terms of incommunicability, unity, singularity, and dignity. These reflections produced remarkably refined notions of 'person', a fact most evident in Albert the Great' s thought. Armed with a long list of qualifications determining personhood, late-twelfth- and early-thirteenth-century theologians combated the *habitus* and *homo assumptus* theories by arguing that the Word

[84] Salas, "Thomas Aquinas on Christ's *esse,"* 592. Salas's interpretation rests heavily on Thomas's understanding of the incarnate Word as a composite person (see Gorman, "Christ as Composite"). Salas criticizes Weinandy for essentializing Thomas's notion of *esse* by insisting that the created human *esse* must be substantial (Salas, "Thomas Aquinas on Christ's *esse,"* 593-94).

[85] "To the third it should be said that the temporal generation does not terminate in the *esse* of the eternal supposit, such that it would simply through itself begin to be, but rather that it began to be a supposit possessing that *esse* of a supposit of human nature" *(Quodl.* IX, q. 2, a. 2, ad 3 *[Quaestiones de quodlibet* (Rome: Marietti, 1956)]). "To the first it should be said that *esse* follows nature, not as having *esse* but as something by which it is. A person or hypostasis, however, follows as [something] having *esse.* Therefore Uesus] more retains unity according to unity of hypostasis than possesses duality according to duality of nature" *(STh* III, q. 17, a. 2, ad 1).

assumed an individual human nature but that this individual human nature did not meet the requisite qualifications for personhood. Such a proposal verges toward a *homo assumptus* view when the individual human nature assumed is characterized as a hypostasis or subject. To varying degrees, William of Auxerre, Alexander of Hales, and Albert the Great affirmed a purely human hypostasis or subject in Christ.

These affirmations, incautious though they may be, do not inevitably lead to a *homo assumptus* Christology or to Nestorianism. Albert, as did Alexander, uses 'hypostasis' both as a term of first imposition and as a term of second intention. References to two hypostases or to a purely human hypostasis in Christ should be read, at least in Albert's case, as indicating an individual human nature composed of body and soul, lacking nothing save independent existence. This human hypostasis indicates a logical abstraction conceived as a refutation of the *habitus* theory and Christological nihilianism. Albert defends the unity of Christ through consideration of *esse.* Christ is *unum* because he is one supposit or person, to which *esse* properly belongs as that which exists. Since the one hypostasis or person of the Word subsists in two natures, Albert proposes one, twofold *(unum duplex) esse* in Christ. Albert's reflections on Christ's *esse* calm fears that his Christology amounts to a *homo assumptus* view, though the language of two hypostases in Christ remains open to heretical misinterpretation.

Thomas Aquinas steadfastly refused any distinction of 'person' and 'hypostasis' in rational nature. This refusal reflects Thomas's concern to eliminate the traces of a *homo assumptus* view lurking within popular interpretations of the second opinion, a concern that itself reflects a change of perspective from earlier thirteenth-century figures. While William of Auxerre, Alexander of Hales, and Albert the Great worked diligently to combat any affinity between the second and third of the Lombard's Christological opinions, Thomas devotes greater attention to distinguishing the first and second opinions. He explicitly rejects distinguishing person and hypostasis through the incommunicability of

assumptability, a distinction perhaps supported by Albert's understanding of 'person'. Though Thomas declines to reproduce Albert's conception of 'person', he follows his learned teacher in connecting the question of Christ's unity with Christ's *esse.* Albert and Thomas both link *esse* with 'person' and maintain one *esse simpliciter* in Christ. Thomas does not repeat Albert's formula of *unum duplex esse,* but he does adhere to Albert's basic intuition. This reading of Thomas helps account for the views of *De Unione* in light of Thomas's other treatments of Christ's *esse* and advances our understanding of Thomas's reformulation of Albert's Christology.

The conclusion remains that Albert the Great refined his conception of 'person' to confront the Christological questions of his time, questions largely inherited from the early thirteenth century. Thomas Aquinas approached Christological questions from a slightly different perspective. Not content to reject the Lombard's first and third opinions, Thomas sought to root out any semblance of the first opinion in expositions of the mode of union in Christ. The surface differences between Albert's and Thomas' s Christo logical language sometimes indicate deeper differences and other times mask deeper continuities. My aim here has simply been to begin the process of discerning the differences and the continuities so as to better understand each theologian's Christology.

BOOK REVIEWS

A Short History of Thomism. By ROMANUS CESSARIO, O.P. Washington, D.C.:
The Catholic University of America Press, 2005. Pp. 106. $19.95 (paper).
ISBN 0-8132-1386-x.

In this fine little book, which features a foreword by Ralph McInerny,
Romanus Cessario traces the history of Thomism from the end of the thirteenth
century to the middle of the twentieth century, adding a few comments in the
brief concluding chapter about the last few decades. His aim is duly
circumscribed:

> While the present study purports only to fulfill a provisional
> objective, it nonetheless provides a sketch of the history of Thomism
> that will be useful until that day when some scholar with the required
> time and resources undertakes to research and write the
> multi-volume history of Thomism that this important school of
> thought both merits and requires. Perhaps this modest effort to draw
> together the many diverse strands of a complicated history into a
> single narrative might even prompt the undertaking of such a
> full-length study. (33-34)

Even though the recent past does not figure prominently in Cessario's account,
another of the book's salutary effects is that it provokes the reader-at least it
provoked me-to reflect on post-Vatican II Thomism and on the future of
Thomism, over which some of us may have at least a bit of influence. I will
return to this point below.

Cessario begins by sketching St. Thomas's scholarly career and describing the
Angelic Doctor's aspiration to fashion a unified and systematic articulation of
Christian wisdom that "does not emerge from" but rather "embraces each of the
subordinate and ancillary disciplines within its transcendental unity" (9). He
notes that St. Thomas would find the contemporary fragmentation of theological
inquiry "very odd" and "would be repelled by the cacophony of competing truth
claims advanced by point-of-view theologians claiming hegemonic expertise in
one or another theological discipline" (ibid.). Interestingly, this fragmentation
has recently been on display in the academic reviews, even the sympathetic ones,
of Joseph Ratzinger's *Jesus of Nazareth* (Doubleday, 2007). Reviewers strain to
classify this remarkable work, which combines, in the manner of the *Summa*

Theologiae, scriptural exegesis, rabbinic and patristic commentaries on various parts of Scripture, insight into Jewish, Greek, and Roman history and culture, the history of Catholic doctrine, metaphysics, moral theory, philosophical anthropology, and the fruits of thousands of hours of mental and contemplative prayer. "After all," they protest in effect, "no one can be an up-to-date expert in all the relevant sub-disciplines, and so this must be some sort of 'popular' or 'catechetical' tract rather than a serious work of theology."

Something has surely gone amiss when the very idea of an integrated theoretical and practical wisdom baffles many of the 'scientific' theologians of our day. And, *mutatis mutandis,* the same sort of fragmentation and loss of direction afflict philosophy, too, as a contemporary academic discipline. In fact, to my mind one of the most destructive effects of academic fragmentation among Catholic thinkers is the sharp dichotomy many presuppose between being a philosopher and being a theologian and between the academic disciplines of philosophy and systematic theology. In short, we need St. Thomas now more than ever, both for his teaching and for his method.

Cessario spends the rest of chapter 1 setting the stage for the catalogue of historically important Thomists that fills chapters 2 and 3. This stage-setting involves three separate tasks. The first is to indicate how he will be using the term 'Thomist' in his catalogue. Saint Thomas is such an important figure in Western thought, and especially in the thought of the Catholic Church, that after his time nearly all major Catholic thinkers-and many others as well (Leibniz, to name but one)-have felt the need to come to terms with him. Inevitably, most of them either depart from St. Thomas in ways deemed by some to be important or extend his system in ways deemed by some to be unfaithful to his intentions. The variations are seemingly endless, so much so that some have even suggested that there is no such thing as a peculiarly Thomistic tradition. Cessario rightly dismisses this perverse suggestion, but is still faced with a tricky conceptual problem. In the end, he settles for a set of recognizably Thomistic positions in metaphysics, philosophical anthropology, and moral theory as roughly definitive of Thomism until the time of Descartes, and then, for more modern times, he invokes the twenty-four Thomistic theses that found their way into St. Pius X's *Doctoris Angelici* (1914), the *motu proprio* that prescribed these theses for Catholic college and seminary education.

Needless to say, this invocation of sets of Thomistic positions does not automatically take care of the second task, namely, specifying just who should count as a Thomist for the purposes of this book. The reason is that there is a veritable continuum of degrees of participation, so to speak, in St. Thomas's thought, and if we stubbornly insist on perfect conformity to full sets of these theses, then there will have been no Thomists other than St. Thomas-and, presumably, only the later (or, perhaps, earlier) St. Thomas at that. But there is no reason to insist on such a rigorous standard.

Cessario follows James Weisheipl in distinguishing three groups of thinkers: (a) mere *eclectic* Thomists, who borrow from St. Thomas but feel no particular allegiance to him, (b) *wide* Thomists, who give "the principles and conclusions

of Thomas Aquinas a privileged place in the development of [their] own proper philosophical or theological reflections" (16), and (c) *strict* Thomists, who are engaged, as Weisheipl puts it, in "a systematic attempt to understand and develop the basic principles and conclusions of St. Thomas Aquinas in order to relate them to the problems and needs of each generation" (13-14). This taxonomy, taken as a broad rule of thumb, is tolerable, though not without its pitfalls. For instance, Cessario classifies the sixteenth-century Jesuits as eclectic Thomists (17), even though it seems clear that Molina and Suarez, to name the two with which I am most familiar, give "the principles and conclusions of Thomas Aquinas a privileged place," even when disagreeing with them. Indeed, the great bulk of the works of both Jesuits takes the form of extended commentaries on one or another part of the *Summa Theologiae,* and there is no question that they treat St. Thomas with much more deference than they do any other author. For instance, in a particularly poignant passage in part 4 of his *Concordia,* Molina agonizes over the fact that a crucial text from St. Thomas cannot in all honesty bear the interpretation he would like to give it. I do not mean to quibble here, so much as to underscore the rhetorical dimension of any such broad-stroked taxonomy.

In general, however, identifying the strict Thomists is not all that difficult, as long as this identification is made by ostension, as it were, rather than strictly by definition. Most Thomists before the time of Descartes were Dominicans who not only identified themselves as Thomists but were also identified as Thomists by other Catholic writers who found themselves in conversation with them. (There were, to be sure, a few "wayward" Dominicans who had only the most tenuous claim to be called Thomists of any stripe. In the most entertaining sentence in the book, Cessario dryly notes concerning Durandus of Saint-Poun;:ain: "His status [as a bishop] however did not preserve him from the scrutiny of the Dominican Order, whose authorities considered his *Commentary on the Sentences* to contain more than a few-235 altogether-positions that were opposed to Aquinas's teaching" [56].) A similar point holds for the post-Cartesian era, though here things get a bit murkier because, in addition to straightforward Thomism, there were various attempts to extend St. Thomas's thought in order to make it answer questions that arise only within the general context of the "new way of ideas." So, for instance, Cessario (perhaps unfairly) classifies the Transcendental Thomists as eclectic Thomists, noting (accurately) that they have had virtually no impact on "the way that the Church authentically expresses the Catholic faith" (88). On the other hand, Karol Wojtyla's extension of Thomism via phenomenology is more difficult to classify and obviously has had an impact on the teachings of the Church.

The third task is to make a determination about whether or how to divide the history of Thomism into distinct chronological periods. The standard division is tripartite, marking (a) an initial period that reached its high point in the work of such fifteenth-century thinkers as John Capreolus and Denis the Carthusian; (b) the sixteenth and seventeenth century revival that took place mainly on the Iberian peninsula and produced the likes of Francis Sylvestri of Ferrara,

Francisco de Vitoria, Cardinal Cajetan, Dominigo Soto, Domingo Banez, and John Poinsot, to name just a few; and (c) the nineteenth and twentieth-century revival that began in Germany and Italy with the likes of the Jesuit Josef Kleutgen, was enshrined in Leo XIII's *Aeterni patris,* and then spread in earnest to North America. There are subtle variations on this scheme from author to author, but all of them focus on the temporal waxing and waning of Thomism over the centuries. While ascribing a rough accuracy to such accounts, Cessario is reluctant to codify historical divisions of this sort, in part because the story could just as easily be told geographically, in which case it would take on a different character, and in part because the ups and downs of Thomism are traceable to, as much as to anything else, "external" factors such as the Black Plague, the Reformation, and a long series of ecclesiastical, political, social, and cultural upheavals.

What follows in chapters 2 and 3 is a sketchy and yet fascinating narrative about the most prominent Thomists of the last seven centuries, highlighting the salient issues they have dealt with and, in some cases, their roles in promoting the study of St. Thomas for the good of the Church. I will give just a brief sample of interesting tidbits from these chapters.

Although St. Thomas did not actively cultivate disciples during his own lifetime, the controversies surrounding his writings galvanized leading Dominicans-most notably, St. Albert the Great, Peter of Conflans, and Giles of Lessines at first and, later on, Robert Orford, Thomas Sutton, and John Quidort –to come to his defense forcefully within a few years of his death. This established Thomism "as a legitimate school of theology within the Christian Church" (43) even before St. Thomas's canonization in 1323. Another early hero was the English Dominican Richard Knapwell, who was excommunicated by the Franciscan archbishop John Peckam in 1286 for arguing that the rational soul is the sole substantial form of a human being-a position later endorsed by the Council of Vienne.

Thomism continued to flourish amid opposition until the later fourteenth century, when the Black Plague and the Great Western Schism severely disrupted European life in general and ecclesial life in particular. But because of the expansion of the Dominican Order, the movement was still alive at the beginning of the fifteenth century not only in the university centers of England, France, and Italy, but also in lands as far separated as Spain and Armenia. (This highlights the role that Dominican houses of study have played, and are likely to continue to play, in the history of Thomism; a modicum of independence from the universities is a definite advantage for any intellectual movement.) The best-known figures of this period were John Capreolus, the Dominican expositor of St. Thomas's *Commentary on the Sentences,* and the incredibly prolific Denis the Carthusian.

The sixteenth century remains perhaps the most interesting in the history of Thomism. Cessario cautions us not to exaggerate the opposition between the Scholastics and the humanists (66-67). However, it is undeniable that the tension between them was exacerbated once the Reformation occurred, and this made

it more socially acceptable for the Reformers to heap scorn on St. Thomas and his successors. But as with all the other many crises that have marked the history of the Church, God's grace abounded, and one of its most obvious effects was the proliferation of outstanding theologians, most of them Thomists and all of them heavily influenced by St. Thomas, during the Tridentine and post-Tridentine period. (Cessario dismisses as "a popular but erroneous rumor" [74] the widespread belief that the *Summa Theologiae* was enshrined next to the Bible on the altar by the Fathers of the Council of Trent.) Near the end of chapter 2 Cessario gives a rendition of what he takes to be the distinctively Thomistic theses that played an important role in the sixteenth-century debates with other traditions in Catholic theology (69-72), followed by a more specific characterization of some key differences between the Thomists and the Jesuits, especially Francisco Suarez and, to a lesser extent, Luis de Molina (77-78). Without going into detail, I will simply note that in both cases there were junctures at which I felt a bit uneasy, either because certain points being touted as distinctively Thomist did not seem to me peculiar to Thomism or because the positions being attributed to the Jesuits were not articulated as carefully as I would have liked. This is a minor complaint, given the severe space restrictions under which Cessario is operating. But it is a reminder that writing an extensive history of Thomism will be a philosophically and theologically, as well as historically, demanding task.

As Cessario's narrative enters into the eighteenth and nineteenth century we find him providing an interesting measured defense of so-called manual Thomism, which began to develop as early as the late seventeenth century "in order mainly to meet the pedagogical requirements of students preparing for the ministerial priesthood" (83-84). He is well aware of the limitations of the manuals and of the perspective that disdains them, but suggests that this is not the last word:

> Some intellectual historians have criticized the manual tradition on the basis that it replaced critical engagement in philosophical dialogue, such as that practiced by Aquinas and his first disciples, with a synthesized presentation of principles and conclusions.... Canon [Vincenzo] Buzzetti, who began his intellectual life as a disciple of John Locke, learned his Thomism and became convinced of its value, by reading the manuals of [the Dominicans Antoine] Gaudin and [Salvatore] Roselli. His personal experience illustrates that the Thomist manuals could serve to open up to well-disposed persons an alternative vision of philosophy ... that would keep Catholic theology from tumbling into eclecticism. (84)

The manuals represented an attempt to solve a problem that is still with us, namely, how to give at least a modicum of sound philosophical training to a large group of men who will play an important ministerial role in the Church and yet cannot in fairness or in fact be assumed to be prospective philosophers or theologians. Predictably, it was precisely the budding philosophers and

theologians among them who found the manuals most frustrating. Some felt most keenly the absence of those classical philosophers and Fathers of the Church with whom St. Thomas had carried on a constant dialogue in his own proper works; others felt most keenly the lack of intellectual contact with more contemporary modes of thought. In the years leading up to Vatican II the first type of frustration led to a demand for *resourcement* in Catholic intellectual life, whereas the second type engendered a demand for *aggiornamento.*

It is at this point that Cessario's narrative invites reflection on the recent past and the future of Thomism. The demands for *resourcement* and *aggiornamento* were acceded to in the wake of the council, but in the process strict Thomism, along with Scholasticism in general, was largely jettisoned by mainstream Catholic intellectuals, especially by theologians but also by most philosophers. As MclInerny brought out well in his now-classic work, *Thomism in an Age of Renewal* (Doubleday, 1966), this widespread rejection of Thomism was more a matter of the heart than of the mind. But it has had profound intellectual consequences as well. The most obvious is the parlous condition of the vast majority of large Catholic universities in Europe and North America. A more subtle consequence is that the most influential preconciliar Catholic theologians of the *aggiornamento* wing have a very sparse following nowadays, forty years after the council. And why? In his perceptive review *(First Things,* May 2007) of Fergus Kerr's *Twentieth-Century Catholic Theologians: From Chenu to Ratzinger* (Blackwell, 2006), R. R. Reno notes that these theological giants are now barely intelligible to the present generation of new Catholic theologians, in large measure because the neophytes lack a solid grounding in the standard Thomistic philosophy and theology in which the great theologians had been trained (in part through the manuals) and against which they had in various ways rebelled.

The fact is that, love him or hate him, St. Thomas provides contemporary Catholic philosophers and theologians, even those who choose in the end to deviate from him in one way or an0ther, with the philosophically most plausible starting points in metaphysics, philosophy of nature, moral theory, and philosophical anthropology, along with the deepest and most thoroughly worked out account of the relation between faith and reason. As a result, given that familiarity with the Angelic Doctor's thought has ceased to be a central aim of Catholic higher education, many aspiring Catholic philosophers and theologians find themselves adrift as Catholic philosophy and theology "tumble into eclecticism," to use Cessario's phrase. For instance, even philosophy and theology majors in contemporary Catholic universities are unlikely to have anything approaching a refined grasp of St. Thomas's views about the relation between faith and reason-and this at a time when these views could bring considerable light to the current confused cultural debate about the interplay between Christian faith and natural science.

Nor are the prospects bright for a reinstatement, or even a mere modest revival, of Thomism in the flagship Catholic universities of Europe and North America. When my own department conducted a search for a Thomist a few years ago, it turned out that some of my younger colleagues had never even

heard of a Thomist! One of them, a cradle non-practicing Catholic, asked in astonishment, "Why would we want to hire someone who believes all and only what Aquinas believes?" As I sorted through the confusion about Thomism and Catholic philosophy implicit in this question, it occurred to me that one effective, though admittedly flippant, response might be, "Well, we hired someone who believes all and only what *you* believe. Which is worse?" The bottom line, unfortunately, is that my department and others like it harbor very little sympathy for the idea of serving the Church by cultivating the thought of St. Thomas. They are more concerned with their standing in the secular academic world. Perhaps they will claim, and in some cases sincerely believe, that this concern, far from being sycophantic, is equivalent to an aspiration for intellectual excellence. But any Catholic philosopher who has experience in contemporary Catholic universities and has thought deeply about matters pertaining to faith and reason is likely to have a multitude of good reasons for dismissing this claim.

Despite all this, there are many encouraging signs for the future. The last fifteen years have witnessed a resurgence of interest in the works of St. Thomas among a small but significant group of gifted Catholic undergraduates. (I find nothing in my professional life quite as exhilarating as being thanked effusively by students for having recommended to them the works of-who would have believed it?-Reginald Garrigou-Lagrange.) Indeed, many of these young people are now beginning to make a name for themselves as Thomists in the academy. I have participated in some of their tenure reviews and been greatly edified by the experience. Some of them have been able to study the works of St. Thomas both as undergraduates and as graduate students; others have received solid Thomistic training as undergraduates and put St. Thomas aside temporarily during their graduate studies. But all have nurtured the aspiration to contribute in one way or another to Catholic philosophy and theology in general and to the Thomistic tradition in particular. In addition, there are several excellent journals devoted to fostering Thomism, along with the other Scholastic traditions. Cessario mentions *The Thomist* and *Revue thomiste,* as well as the recent inception of the English-language edition of *Nova et Vetera* (91-93). What's more, the advent of the Internet and the consequent easy access to texts, research, and intercommunication will at least partially offset the loss of those Catholic universities that can no longer be counted on to foster the study of St. Thomas systematically. And there is a lot more good news beyond this.

I especially recommend Cessario's little book in tandem with Mclnerny's *Thomism in an Age of Renewal* to the younger generation of Thomists and prospective Thomists. Each of these books in its own way transmits a sense of the nobility and depth of an intellectual tradition which has served the Church well over the centuries and which is worthy of intellectual allegiance even today. Together they provide a historical context within which we can face with equanimity the claim, reported by Cessario, that Thomism is not at this time one of the "active theological traditions at work in the Church" (12). As both its

remote history and its proximate history demonstrate, even if Thomism is not fully flourishing at present, it soon enough will be, once again.

ALFRED J. FREDDOSO

University of Notre Dame
Notre Dame, Indiana

Reason and the Reasons of Faith. Edited by PAUL J. GRIFFITHS and REINHARD HOTTER. New York: T. & T. Clark, 2005. Pp. ix+ 373. $60.00 (cloth). ISBN 978-0-567-02830-3.

This book is a fruit of the seed that John Paul H's encyclical *Fides et ratio* planted. Mindful of the current crises of reason and of faith, the contributors focus their attention on theological reasoning, especially in light of modern and postmodern attacks on its legitimacy. It is rare to find a collection of essays in which authors so different in their starting-points engage one another so well.

The essays that constitute this volume come from meetings held over the course of three years at the Center of Theological Inquiry in Princeton. Although inspired by the work of a pope, the authors of these essays include Orthodox, Anglican, Lutheran, and Reformed voices as well as Roman Catholics. The organizers inform us that they made no effort to assure homogeneity in theological method or in philosophical preferences, but simply trusted in a common commitment to investigate resources of reason for theology in the face of current challenges.

As systematic theologians, they frequently had recourse to philosophy and decided to invite the renowned Canadian philosopher Charles Taylor to join them for the final meeting. His postscript ("Engaging the Citadel of Secular Reason") clearly anticipates his latest blockbuster, *A Secular Age* (2007), with its musings on the prospect that it is the simultaneous presence of mutually incompatible but equally plausible world views that paralyzes contemporary intellectual culture, including theological reasoning. Resolving Taylor's perplexities will be no easy task, but this volume helps to make clear that what is needed is vigorous epistemological and metaphysical reflection, for it is not clear that all these world views are equally plausible, and some may be the result of intellectual mistakes or perhaps even willful decisions that are only disguised as discoveries.

The collection has four parts. The first set of papers inquires into the nature of theological reasoning; the second, the assessment of reason's powers by theologians; the third, the significance for theology of philosophical shifts during the passage into modernity and postmodernity; and the fourth, the inexorable necessity and ongoing importance of philosophy for theological inquiry. Throughout the authors show respect for John Paul H's *Fides et ratio* and

broadly agree with his concern about the contemporary crisis of reason. But the contributors by no means agree with the course suggested by the encyclical for the resolution of that crisis.

Much of the debate in this book is really about whether there are *praeambula fidei* that can be known by reason independently of faith that could thereby enhance the credibility of faith-claims. In the tradition of *{ides quaerens intellectum,* the first group of essayists examines the "reasons of faith" typical of specific areas of expertise within systematic theology. Alan J. Torrance writes on revelation, Bruce D. Marshall on the Trinity, Colin Gunton and Robert W. Jenson on Christology, and Lois Malcolm and Mark Mcintosh on the Cross.

Torrance is typical of those disinclined to allow for any such *praembula.* In his essay on the criteria by which Christianity claims to recognize when God has spoken in genuine revelation, he insists that Christians must avoid judging the authenticity of the Word of God not only by some extrinsic standard of what makes worldly sense but also by the tests of "Socratic immanentism" (as if resonance with truths already within us could serve to differentiate genuine revelation from false claims in a fashion comparable to the doctrine of recollection in the Platonic dialogues). An adequate theological understanding of how God speaks requires a conversion of reason under the influence of the Holy Spirit, not the presumption that the canons of reason are culturally neutral and beyond any particular world view. Torrance insists that the testimony of Jesus is self-authenticating. Even when believers articulate their own reasons for thinking that their particular religious beliefs are "properly basic," they should never imagine that their faith-claims could be "demonstrable" to others. For Torrance, reason itself seems to suggest that reason, left to its own devices, never constitutes an indubitable ground for certainty. For this reason he remains skeptical about the ways in which *Fides et ratio* in effect reiterates the claims of Vatican I that faith and reason are in harmony and that compelling proofs for some faith-claims are in principle possible.

Bruce Marshall's wonderful essay about what epistemic difference believing in the Trinity might make to any other truth claim is a helpful counterweight here. By distinguishing the idea that the Trinity is the cause of everything else in the universe from the idea that beliefs about the Trinity might be the reason for anything else that we might believe, Marshall affirms the instinct behind the *praeambulafidei:* there are truths about the world and about the creator of the world that one can know quite independently of any religious beliefs. But whether one takes the more spare naturalism of an Aquinas or the richer semiotic metaphysics of a Bonaventure, faith in the Trinity can well bring us to see any number of things about the Creator and creation that would likely never have occurred to us otherwise.

Of the three essays in the section dedicated to the theological assessment of reason, Reinhard Hiitter's study of Aquinas on the relation between intellect and will is particularly insightful. To confront the skepticism of modernity and the nihilism of postmodernity, he urges the cultivation of precisely the sort of intellectual virtues that Nietzschean deconstructionism most holds in suspicion:

humility and receptlVlty. The intrinsic orientation of the intellect toward grasping reality ought to lead to habits of philosophical reflection that are appreciative of a world created *ex nihilo* and entirely dependent on God for its being. But the postmetaphysical privileging of the will's rule over reason and the relentless voluntarism of an age dominated by the instrumental use of reason can easily mask reason's teleological character and even lead one to forget why Christian tradition often thought of curiosity as a vice.

The other essays of section 2 show less optimism about reason's prospects. Paul Griffith's quasi-Augustinian explanation of error begins strongly enough as exegesis of the problem of volitional depravity but allows an unwarranted pessimism about reason to engender doubts about the prospect of ever appealing to natural law in public debates on morality. In embracing the anthropology of Martin Luther, Ernstpeter Maurer reflects on the structural problems facing reason "under the condition of sin" that invariably distort its self-perception and make reason prone to forget its status as a created reality, dependent on its Creator.

The historically focused essays in section 3 concentrate on the challenges that theological reasoning has encountered with modernity. Carver T. Yu shows how the ultimate groundlessness of autonomous reason tends toward nihilism as its logical conclusion. He analyzes the gradual evaporation of being that results from Hume's reduction of cognitive intentionality to the habits of consciousness, and Kant's reduction of understanding to the *a priori* structures of the mind. Janet Martin Soskice uncovers an unstated commitment to a univocal concept of being in Locke's strategy for identifying the attributes of God, and shows how it leads to Hume's radical skepticism about God and Kant's dialectical projection of God as a moral necessity while simultaneously denying the possibility of ever knowing God by speculative reason. David Bentley Hart takes up the theme of the analogy of being that Soskice proposes as an alternative to Locke's metaphysical univocity and criticizes Heidegger for a "willful misreading" of Christian metaphysics.

In the final section, Martin Bieler and Romanus Cessario ask not only why philosophy matters for theology but whether any one particular philosophy is needed. Like Hart, Bieler clearly appreciates the forcefulness of the problem that Heidegger's critique of ontotheology presents to contemporary theology. In response he affirms the ecclesial tradition of not declaring any one particular philosophy to be official, but presents Aquinas's views on the interrelationships between faith and reason and between philosophy and theology as particularly well suited for meeting the Heideggerian challenge. Cessario dares to name the elephant in the room: the historical trend of Protestant theological formation to proceed without requiring philosophical training and the recent trend within Catholic theological formation to marginalize philosophy, or even to make skepticism more rather than less likely by presenting a potpourri of philosophies to seminarians. His essay makes a forceful case for realistic metaphysics and epistemology as an indispensable support to the acquisition of the truths of faith and all the other tasks of theology.

The range of views in this volume thus covers a wide spectrum, but even their differences shed some light on the fundamental project of *(ides quaerens intellectum.*

JOSEPH W. KOTERSKI, S.J.

Fordham University
Bronx, New York

Aristotle East and West: Metaphysics and the Division of Christendom. By DAVID BRADSHAW. Cambridge: Cambridge University Press, 2004. Pp. 297. $75.00 (cloth). ISBN 0-521-82865-1.

In his preface, David Bradshaw invites his readers to expect a helpful contribution to East-West ecumenism that will outline the historical development of both Christian traditions. His purpose, he says, is to describe "the formation of the two traditions, eastern and western, in parallel with one another" (x). From the start he prepares us for a discussion of two broad and important topics: (1) the development of ancient Greek thought and (2) the alternative appropriations of that heritage by the Christian East and West. Promising that his epilogue will consider "what light the comparison of the two traditions can shed on our current situation" (xiii), he also seems to offer a balanced consideration of both sides of this discussion. As he notes, "It is only by seeing both the eastern and western traditions as developments out of a shared heritage in classical metaphysics that they can be properly understood" (xii). Bradshaw proposes, then, not the more common historical reviews of the two traditions, but a careful analysis of the philosophical roots from which both have emerged.

It soon becomes apparent, however, that Bradshaw means to catalogue various theological failures of the West, particularly those that stem from its inability to strike a proper balance between reason and revelation. That balance, he insists, was fully achieved in the East. He identifies this lack of harmony between philosophy and theology as "the shipwreck of faith and reason [which] was strictly a western phenomenon" (x). So while he might suggest that his volume will further the theological discussion between the Christian East and West, his more deliberate aim seems to be, first, to identify the failure of the West in order to appreciate its Greek philosophical heritage and, second, to consider how this failure has hindered its theological development.

Even if we were to accept Bradshaw's identification of the cause of the West's "shipwreck" as the Enlightenment, full agreement with him would require us to suppose that only the East is fully equipped to avoid the theological issues of modernity, and that it has encountered no comparable difficulties of its own. It is not clear that either claim is defensible. Further, lest we suppose that the Western malaise is solely a modern phenomenon, Bradshaw further asks us to

consider how "all the bloody wars and revolutions, the hatred, the arrogance, and philosophical despair of the nineteenth and twentieth centuries" (277) ultimately derive from the Enlightenment's revolt against Scholasticism-a revolt, he emphasizes, that never arose in the East. While such remarks might provoke impassioned retorts, a more studied consideration recognizes that it is futile to engage the book in this way.

One of the greatest challenges facing readers of Bradshaw's work, then, is to pass over the various remarks that distract from an otherwise informative discussion of the influence of Greek philosophy on the two Christian traditions. Such remarks are, fortunately, mostly limited to the preface and epilogue. For example, after tracing the development of various intellectual themes from Aristotle through Thomas Aquinas and Gregory Palamas, Bradshaw asks us to consider how "major institutions and movements embodied [persecution and religious wars] in the West, such as the Crusades, the military orders, and the Inquisition, [which] all arose after the schism" (276). How ought we to connect this theological tradition to these historical developments? If there is a direct link, Bradshaw declines to provide it himself. Moreover, after having encouraged us to shift our focus "from dogma and ecclesiology to questions of fundamental metaphysics" (xii), this seems an unfortunate and questionable leap. If Bradshaw's aim is to impugn western Christendom (e.g., "the long movement of the West toward unbelief" [275]), we might wonder why he bothers to review the shared intellectual history as thoroughly as he does.

Fortunately, most of Bradshaw's argument is less forced. Each of the intervening chapters offers a more balanced consideration of the historical developments introduced in the preface. While each is intended to support his ultimate endorsement of the East versus the West, each is drawn with sufficient balance and depth to afford genuine insight into a specific topic that warrants its own consideration. Further, though Bradshaw does not actually propose to advance the East-West ecumenical cause, he does identify ecumenism as a possible vantage from which to review his results. To the extent that readers of either tradition can approach his project with a less polemical spirit, they stand to gain a more informed appreciation of the shared history, and from that, a broader foundation from which to consider the East-West ecumenical exchange.

Bradshaw chooses the concept of *energeia* to illustrate his understanding of the contrast between East and West (xi-xii). Chapter 1 identifies and develops two main thematic senses of the term in the Aristotelian *corpus*. First, *energeia* is contrasted with physical movement *(kinesis):* where the latter is for the sake of an end, the former is an end in itself. Second, *energeia* is described as actuality, understood, in part, as "a more fully realized stage of natural development" (20). Chapter 2 describes the Prime Mover as the means by which Aristotle unites these two strands of *energeia.* Imparting motion to the cosmos without being moved, the Prime Mover exemplifies pure actuality (26), Bradshaw's first theme. He identifies the "traditional view" with this particular theme, as only noting its transcendence (42). Bradshaw then invites us to consider the Prime Mover's immanence which it enjoys as the end sought by all natural objects (his second theme) in virtue of its supreme intelligibility (38).

Bradshaw's reading of Aristotle essentially grounds the rest of his argument: where the East sets forth both the divine transcendence and the divine immanence, the West so focuses on the former that it overlooks the latter. Although Bradshaw intends to show that the theology of the West failed to blossom as fully as in the East (in a way that is analogous to the difference between the "traditional view" and his own) we might appraise his results differently. That is, we might view Aristotle as a common resource that was mined differently by the two traditions according to their own concerns.

In chapter 3 Bradshaw confirms that Aristotle was not considered a theological touchstone by East or West. Here he identifies a number of different sources who either do not consider *energeia* according to the range of possibilities he has identified or who hardly treat it at all. He almost seems to allow that his reading of Aristotle does not necessarily lead to the claims of his preface and epilogue.

Chapter 4 describes Plotinus's development of *energeia,* understood as actuality, in terms of two modes: internally, a thing's "peculiarly intimate relationship to [its] own being" (76) and externally, that which it imparts to others. Through the latter, all things are said to be a form of contemplation and "intrinsically productive" (77). The general point is that, in Plotinian terms, the One is the cause of the being of all things, not directly, but as the *telos* of their internal act toward which their external *energeia* naturally strives (94). This bequeaths the intellectual resources by which subsequent interpreters, including Christians, might explicate God's immanence. Here again Bradshaw's interpretation lends itself to a broader reading than emerges in his final conclusion: his complaints about Plotinus's "inconsistent terminology" and "second thoughts" suggest that the *Enneads* do not immediately comport with his ultimate interpretative ends.

In chapters 5 and 6 Bradshaw's argument seems the most tenuous, as it limns various historical factors outside the direct development he has proposed. As such, they might be said to encourage more ecumenically motivated conclusions, since they permit a less deliberate interpretation. For example, we see how Porphyry appropriated *energeia* for more practical purposes; this might indicate that the term had broader use than as a description of the divine nature. Chapter 6 describes various interpretations of *energeia* that would raise difficulties for its Christian appropriation. It was associated with magic through the Hermetica (131), as revealed in the writings of Iamblichus, who "proved essential to pagans such as the Emperor Julian in their efforts to turn back the new religion [Christianity]" (136). We may also note Bradshaw's concession that some interpretations were troubling enough to be rejected by the Council of Constantinople (127). The chapter concludes with a review of Proclus, who describes how the soul perfects itself by cultivating the trace of the Plotinian One by "bringing itself into a state of primeval silence" (150). With these points in mind, we might wonder if the West's hesitancy to endorse *energeia* in the manner Bradshaw suggests might have been a matter of caution than of failure (Proclus's recommendation, for example, perhaps sounding a bit Pelagian).

Chapters 7 and 8 are perhaps the most generally useful part of Bradshaw's text. They describe the East's achievement on its own terms, rather than as an

indictment of the West. Bradshaw first reminds us that most of the historical texts reviewed in the preceding chapters remained unknown to the West during the Middle Ages (153). He then summarizes Gregory of Nyssa's distinction "between the divine *energeiai,* which are known and can be named, and the divine *ousia* which has no name and is known only through the *energeiai* of which it is the source" (164). Bradshaw contends that this allows the East to preserve God's transcendence, while explicating God's immanence, as manifested in prophecy and glossolalia (172). By means of this distinction, he invites us to appraise the Eastern claims that God is "beyond being" and "beyond voricrts" (191). These claims refer not merely to conceptual knowledge, but to "direct personal knowledge attained only by cleansing the divine image within" (ibid.). Bradshaw then describes St. Maximus's elaboration of this distinction in terms of *logoi,* roughly equivalent to *energeiai,* which are various divine (immanent) processions into individual beings (205), and the *logos,* not only the creator and sustainer of creatures but also their meaning and purpose (206).

Chapter 9 contrasts the theological achievements of the two traditions according to Bradshaw's basic thesis: the East's balance of immanence and transcendence versus the West's overemphasis on the latter. Bradshaw describes Augustine's theology as one whose "fundamental point remains that the divine being as such is innately suited to the human intellect" (227). In contrast, he proposes Palamas's synthesis, which counsels a cessation of intellectual activity so as to acquire the Spirit of God through purity of heart. He indicates that Palamas uses *energeia* to refer to divine realities "that can be known and participated by creatures" (ibid.). So, according to the Eastern view, the highest activity of the soul lies in its divinization by gifts of the Spirit who is immanently present. Highlighting the prominence of God's transcendence in the West, Bradshaw describes how, for Aquinas, God's *esse* is not *esse commune,* from which it follows that we "cannot say precisely what the likeness between God and creatures is" (245). This, in turn, leads to Aquinas's mistaken transformation of "what for Dionysius had been a means of ascent toward God [divine names] into a semantic device for clarifying the limitations of theological language" (ibid.). I suggest that one could just as well consider how Aquinas's use of analogy might explicate the Eastern claim that while God is beyond voricru:,,he can be "participated by creatures" (237). This would also invite a fuller consideration of Aquinas's understanding of participation than Bradshaw provides. However, in view of his contention that "the western tradition was already unsound as far back as Augustine" (275), we might also require a study that affords a more generous handling of such points than this volume allows.

<div align="right">BRIAN CHRZASTEK, O.P.</div>

Dominican House of Studies
Washington, D. C.

Light in Darkness: Hans Urs van Balthasar and the Catholic Doctrine of Christ's Descent into Hell. By ALYSSA LYRA PITSTICK. Grand Rapids, Mich.: Wm. B. Eerdmans Publishing Co., 2007. Pp. 458. $55.00 (cloth). ISBN 978-0-8028-0755-7.

Alyssa Pitstick's *Light in Darkness* is the most recent in a spate of books and articles calling into question the thought of Hans Urs von Balthasar from the more traditional and specifically Thomistic side of Catholic theology. What sets this book apart, however, is both the severity of the questioning and the significant publicity which it has received since its publication. Ostensibly the book is concerned with Balthasar's theology of Christ's descent into hell, clearly the most controversial aspect of his theology, but soon enough the reader realizes that Pitstick sees the descent as the tail that wags the theological dog of Balthasar's entire project. Furthermore, Pitstick maintains that Balthasar's rejection of the traditional theology of the descent is both knowing and intentional, thereby casting a shadow over his entire contribution to twentieth-century Catholic theology.

Light in Darkness is divided into three parts: the first presents the traditional theology of Christ's descent into hell; the second offers a thoroughgoing analysis of Balthasar's theology of the descent, especially as this comes to bear upon his Trinitarian theology; and the third raises some general conclusions concerning Balthasar's theology as a whole in the light of what has gone before. To restate the thesis with greater specificity: Balthasar's theology of descent is out of keeping and incompatible with that of the Catholic tradition insofar as it sees the descent, not so much in terms of a victory tour into the "limbo of the Fathers" after the triumph over sin accomplished on the cross, but as the final step of Christ's entering into the human condition in order to heal it from within.

In the first part, Pitstick offers a reading of the traditional theology of the descent based on Scripture, the Eastern Fathers (and Eastern iconography), Augustine, Aquinas and, much more briefly, Nicholas of Cusa. Her contention is that the tradition understood "the harrowing of hell" in two ways, both of which are incompatible with the approach of Balthasar. First, in the traditional view, hell is already divided into areas so that, even before the death and resurrection of Christ, there is a "hell of the damned" and a "limbo of the [righteous] Fathers." Christ only descended into the limbo of the Fathers. Second, Christ's suffering for and victory over sin is accomplished already on Good Friday, so that the descent is simply an announcement of that victory-a victory that leads to rejoicing for the righteous and further shame for the damned. It is also important, according to Pitstick, that the descent is seen as glorious in the "face value" sense of that word. In all of these areas, it is concluded, Balthasar fails to uphold the traditional doctrine of the descent.

The middle section of the book is much longer and involves a thorough reading of Balthasar on the descent, first in general, but then in terms of the role of each person of the Trinity. The Father, out of love for the world, sends his Son precisely in order to heal the human condition from within, including its

state of godforsakeness. In order to do this full justice, Balthasar must take the claim in the Second Letter to the Corinthians that "[God] made Him to be sin ... "more radically than the tradition has been typically willing to take it. The Father's role, in Pitstick's reading, is to place the sin of the world onto the Son so that he can overcome it through obedient love. The Son's role is willingly to consent to this mission, which extends even to the godforsakeness of those in hell. Because the Son's mission is rooted in his prior procession within the Trinity-to which he also must consent, in Balthasar's view-he is able to enter into the human condition in this radical way, without in any way jeopardizing the divine immutability or his status as Son of God. In other words, because the Son's *pathos* in the face of sin is rooted in a prior free and immutable decision within the immanent Trinity, Balthasar can go farther than the patristic-Thomistic approach, which wants to limit the suffering of Christ to his humanity. This willingness to suffer the human condition, even to the point of becoming sin, dying, and entering into hell, is not a threat to the immutability of God or the divinity of the Son insofar as God is in no way constrained from without to enter into such a condition. In this way, Balthasar thinks that he can do justice to the proper patristic concern for the divine *apatheia.*

Furthermore, all of the events in the life of Jesus that might normally be relegated, in a potentially Nestorian fashion, to the humanity of Jesus are rooted, in Balthasar's approach, in the Trinitarian relations. For instance, if Jesus' existence is marked by kenosis-the putting aside of the divine attributes in order to enter into the human condition-this is rooted in a prior kenosis within the Trinity in which the Son eternally disposes himself to the will of the Father. Or if Jesus is able to experience death, it is because already in the Trinity there is something like a "supra-death," capable of subsuming finite death, which is rooted in the fact that the Trinitarian persons have already done something like lay down their lives for each other from all of eternity. Such an approach enables Balthasar to root the virtues of the Kingdom, such as those outlined in the Sermon on the Mount, in the very essence of a God who is by his very nature self-giving love. Finally, there is the role of the Spirit, which consists in maintaining the love between the Father and the Son, even as the Son enters into the realms of sin, death, and hell.

Pitstick will have none of this, and she is determined to show that none of it corresponds to the mainstream of the Catholic tradition. Indeed, the book can be quite bracing insofar as one is not typically accustomed to seeing Balthasar's approach on all of these questions lined up so relentlessly with the views of Aquinas or other significant voices in the tradition. The third part of the book is little more than a driving home of this point: that Balthasar's entire theology diverges from the tradition both because of and in order to sustain his idiosyncratic reading of the descent. Moreover, on each of the points outlined above, Pitstick works hard to demonstrate not only that the traditional answers were different, but that they were better, that they were not broken and, so, were in no need of fixing. She sees sinister influences upon Balthasar's theology which help to account for his divergence from the tradition, and here we are

confronted with the usual suspects: Martin Luther, John Calvin, Hegel, Karl Barth, and Adrienne von Speyr, to name the most important, none of whom qualifies as a normative source of Catholic theology.

This book is a very engaging read. It is, furthermore, a well-written, thoroughly researched and clearly argued book, which will provide a great deal of fodder for the much-needed dialogue between admirers of Balthasar and those of a more traditionalist bent. Besides providing an excellent refresher course in a neglected aspect of Catholic theology, the book offers one of the more thorough treatments ofBalthasar's eschatology and Trinitarian theology than this reviewer has seen. Most importantly, the relentless and close comparison of Balthasar's positions with those of the Fathers and Aquinas will have to be kept in mind in future works dealing with Balthasar's theological contribution. However, it may very well be that what makes the book so interesting-the relentlessness of its central thesis-is the very thing that makes it questionable in the final analysis. Beneath the entire argument lies an either/or-in fact, there are several-which is very likely false. Namely, either Balthasar did not know the traditional position and, so, neglected it out of ignorance (and Pitstick rightly shows that this is highly improbable), or he knew it and disregarded it out of a sort of hubris which cannot be forgiven in a Catholic theologian. If this latter is the case, and it is furthermore the case that the descent drives Balthasar's entire project, it is almost impossible to account for the reception of Balthasar's theology by the past two popes. Surely they knew/know enough about past Christian thought and about Balthasar to understand that his theology is not a mere mechanical repetition of the former. Perhaps there is a greater awareness on their part of the mystery that marks all attempts at theological retrieval.

I would like to raise three questions in particular in order to round out this basic criticism. First, I wonder if Pitstick's treatment of the tradition is suffi-ciently nuanced. It seems almost certain that the differences, even if subtle, in the theologies of descent of the Eastern Fathers, Augustine, Aquinas, and Nicholas of Cusa point to tensions that allow, and even beg for, further development. Not only is it doubtful that the Tradition (now with a capital "T") has spoken on this matter in anything like a final or definitive way, it is also doubtful whether the position is as simply unanimous as Pitstick's account suggests. And if this is true regarding her account of the descent, it is even clearer in her approach to the Trinity. Here "the Tradition" is simply reduced to Thomas Aquinas, so much so that a figure as important as Richard of St. Victor (whose social analogy of the Trinity is closer to Balthasar's approach) is never even mentioned. Second, there seems to be no appreciation on Pitstick's part for the fact that doing theology at any given time always involves a retrieval of past thought that is never a matter of mere repetition. It is never, "either one is traditional or one is not," but is always, rather, a matter of "testing everything and holding fast to that which is good." As I read the book, I could not help but wonder what would happen to John Paul II's theology of the body under such an approach. Finally, there is never a genuine attempt on Pitstick's part to understand Balthasar's thought as he understood it himself. For instance, to go back to the either/or mentioned

above, Balthasar would not have seen his thought *either* in terms of an ignorance of Church teaching, *or* in terms of a simple rejection thereof. Rather, Balthasar's genius lies precisely in his ability to circumvent certain impasses by asking the question in a different way or by beginning with a different starting point. Indeed, he provides numerous hermeneutical keys to his thought in works such as *Love Alone Is Credible.* It seems strange in a book of this nature not to have looked more closely at how Balthasar sees his own work in the light of the history of Christian (or even Western) thought.

Still, this book is to be recommended for engaging in the sort of high-level, re-theologized theology which Balthasar himself would have surely relished. One can only look forward to the debate that this book is sure to elicit.

RODNEY HOWSARE

DeSales University
Center Valley, Pennsylvania

Ecstatic Morality and Sexual Politics. A Catholic and Antitotalitarian Theory of the Body. By G. J. MCALEER. New York: Fordham University Press, 2005. Pp. 237. $55.00 (cloth). ISBN 0-8232-2456-2.

This is a intriguing work. Cognizant of the fact that there exists "no book-length study of Thomas on the body," McAleer offers this work as a "return to Aquinas," or as an "engaged Thomism" in the arena of a general theory of the human body (xi-xii). What follows is *tour de force* of sorts, wherein Aquinas is put in dialogue with several contemporary thinkers, chiefly Pope John Paul II, on the meaning of the human body in general, and then on the body as it relates more specifically to human sexuality and to political theorizing.

The chief notion running throughout, suggested by the unusual title of the work, is what McAleer terms "ecstatic Thomism." Rather innovatively, he takes this creative mode of expression as the key to defending traditional Catholic moral thought, and as the key to unlocking the "extremely elaborate metaphysical conception of the body [that] is at the root of *Humanae Vitae* and [of] its recent defense in Woytyla's philosophical theology" (137). Grounded in the Pseudo-Dionysian maxim *bonum est diffusivum sui,* "ecstatic Thomism" signifies a "metaphysics of the body as a self-diffusive good" (ibid.). McAleer shows the central importance of such a metaphysics by juxtaposing it with the fact that the body, and more specifically human sexuality, is ridden with "violence" on account of original sin, that is, is subject to tension, lust, domination (125ff.). The norms of Catholic sexual morality give us the best chance of reducing this violence, or the best opportunity for realizing the body's self-diffusive goodness. So when we look, say, at the use of artificial

contraceptives, we see an act that "cannot escape violence," or an act that stands opposed to "ecstatic sex," as ecstatic sex is only where "spouses act so as to serve the good of the other" (128). Rather than serving the good of the other, artificial contraception feeds the tension, the lust, the domination to which human sexuality has been enchained since the original fall.

With the assertion that a metaphysics of the body as a self-diffusive good is central to Karol Wojtyla's philosophical theology, McAleer betrays his firm conviction that there runs a deep Thomist undercurrent throughout the whole of Wojtyla's works and that, indeed, Pope John Paul II stands out as "a leading contemporary Thomist" (138). Whether most Thomists, or even most proponents of John Paul II's personalist theology of the body (who often exhibit little interest in Aquinas), would agree with this assertion is open to debate. But McAleer does not fail to deliver a strong attempt to corroborate it.

The book concludes with a critique of what the author terms a "liberal conception of the body" and of "the liberal political thinking that accompanies it" (157). More specifically, McAleer attempts to show that Catholic social thought has taken a "wrong turn" in its employment of the language of human rights. This is due chiefly to the influence of Jacques Maritain, who for his part sought to place liberal democratic principles on a Thomistic foothold. The result, according to McAleer, is ruinous: "[bolstered by the language of human 'rights,'] our liberal democracies are structured by a tyranny of the stronger over the weak [as seen, for instance, in the 'right' to abortion that most liberal democracies have embraced]" (171).

McAleer's project of reinserting Aquinas back into contemporary discourse on the body, especially as it relates to matters of human sexuality, constitutes a worthy, and long overdue, endeavor. For this he is to be commended. The same may be said of his attempt at recovering the Thomist strain of the late pontiff's thought, particularly since many adherents of John Paul II's theology of the body seem to overlook or downplay this strain. It is not uncommon to find theology of the body proponents too dismissively casting Aquinas aside as a bygone author whose natural-law account of the meaning and purpose of human sexuality has been eclipsed by the new Christian personalism spearheaded by John Paul II.

McAleer's engagement with modern philosophy, sustained throughout the entirety of the work, offers a constructive example of the way in which Aquinas remains relevant for contemporary thought. The breadth of McAleer's scholarship and vision to which this engagement testifies is most impressive. But let the neophyte be forewarned: this engagement assumes a proficient familiarity with continental and phenomenological philosophers (e.g., Schopenhauer, Nancy, Merleau-Ponty, Levinas, Kant, Descartes, Hobbes, Foucault, Wojtyla), as well as with Aquinas himself. This assumption is encumbered by the fact that on more than one occasion the author fails to explain what I think are brilliant insights but that remain, for all of that, obscure glimpses into a vast yet hazy horizon. (E.g., McAleer suggests there is a Tridentine moment in the thought of Nancy, which brings Nancy close to Thomas and to John Paul II [31], but he does not follow with an explanation of what he means by this.)

While there is much about this work that merits well-deserved praise, it is not without its shortcomings, or at least its problematic elements. For instance, McAleer offers a "Christoform" view of Aquinas's doctrine of the natural law (80ff.). Defining the natural law, somewhat peculiarly, as "the love that wounds the lover," McAleer insists that, on Thomas's account, Christ is the foundation of the natural law, as the natural law calls us to ecstasy. While I wish to stay sympathetically open to such an argument, it is unclear precisely what McAleer means by "Christoform natural law" (152), and I fear that such a view departs from both the letter and the spirit of Aquinas in that, quite possibly, it collapses the New Law of Christ into the natural law.

Aquinas of course maintains a clear distinction between the natural law and the New Law of Christ. At bottom, law is a dictate that instructs us of our end (*STh* I-II, q. 90, pro!.). The natural law instructs of our end as proportionate to our reason; it instructs us of a good we can attain on our own. But since our ultimate good, our true end, lies beyond a purely natural good proportionate to our nature, we stand in need of a law that directs or proportions us to our higher supernatural good, a law that instructs us of our supernatural end. This the New Law of Christ accomplishes. Seen in this light, Christ is the culmination, not the foundation, of the natural law. If the natural law begins the process of our legislative ordering to the true human good, the New Law of Christ completes and perfects this ordering by attaining God himself. Put in slightly different terms, in ordering our humanity, or more particularly our bodies, to the natural good of reason, the natural law prepares our bodies for the perfecting, supernaturalizing work of Christ himself. McAleer's argument strikes me as inverting this order, and of thereby blurring the distinction between the natural law and the Evangelical Law.

Another problematic issue comes by way of a rather bizarre argument for the all-male priesthood (152-55). McAleer argues, rightly I think, that the office of the ministerial priesthood is based not on a natural right but on a divine privilege. But he proceeds to tie this privilege to the phenomenon of domestic violence (!). Because domestic violence is committed much more by men than by women, he reasons, the ministerial priesthood is more appropriately offered to men, since a male priest is continually reminded, via the Eucharistic sacrifice, of his duty "to conform (his) sensuality to the Deposed Lover [Christ]" (155). The obvious difficulty with this argument is that it implies nothing intrinsic to the ordained priesthood which would make it exclusive to men. Rather, it ties the all-male priesthood to an historical, existential accident, and from this accident of history a universal principle is derived. McAleer fully admits as much: "It will certainly be time for women to have access to the privilege of the priesthood once more men turn up in hospital emergency rooms as the result of domestic battery than women" (ibid.). McAleer deserves credit for defending the all-male priesthood with a unique and unusual argument, but I fear few shall find it convincing. I for one would hope that Christ chose only male apostles for some deeper reason (such as, say, his own maleness, which the priest vicariously

represents, albeit implicitly, through the words of the Eucharistic consecration) than that of a mere accident of history.

These criticisms aside, McAleer deserves our gratitude for endeavoring to recover the wisdom of Aquinas on the meaning of the body. The central and resounding theme of the book, that the body enjoys an integral participation in the self-diffusive nature of the good, is both illuminating and profound. That this work offers an opening salvo on the self-diffusive nature of the good means an invitation to pick up and carry on this important reflection by other scholars in the field has been issued. We can only hope that those Thomists who wish to take up the cause are as well attuned to the need for showing the ongoing relevance of Aquinas for modern thought as is McAleer.

PAUL GONDREAU

Providence College
    Providence, Rhode Island

The Philosophy of Positive Law: Foundations of Jurisprudence. By JAMES BERNARD MURPHY. New Haven: Yale University Press, 2005. Pp. 256. $40.00 (cloth). ISBN 0-300-10788-9.

James Bernard Murphy's exquisitely learned volume concerning some episodes in the history of jurisprudence aims at evaluating the "philosophy of positive law"-which is, he tells us, distinct from legal positivism (21). We know what legal positivism is: it is the thesis that the existence of law is a matter of social fact, and as a result there are no necessary constitutive constraints on law set by morality. What, though, is this philosophy of positive law with which legal positivism is contrasted? The philosophy of positive law is not a thesis or a theory but rather a *project,* or *research program:* that of distinguishing a certain sort of law-that which we pick out in terms of its being enforced by the courts-from other sorts of law, and in which this distinction is carried out by characterizing that law as posited, laid down, deliberately imposed. This is a project on which, for all of their other differences, Thomas Aquinas, Thomas Hobbes, and John Austin were engaged. Indeed, not only is this project to be distinguished from the theory of legal positivism, it is only once this project was set to the side that legal positivism really took off as a successful theory.

That legal positivism took off when the project of the philosophy of positive law was abandoned suggests that there was something about that project that was dooming jurisprudence to frustration. This is, I take it, Murphy's view. The project of distinguishing the law that our courts are concerned to enforce from other sorts of law-most preeminently in Aquinas, Hobbes, and Austin, natural law-failed repeatedly within these theories. Further, given the heterogeneity of

the sorts of norms enforced by courts-statutes,   precedents, customs, opinions of learned authorities, etc.-the attempt to absorb all of these into a common pattern, in which these norms are deliberately imposed by some governing authority, was doomed to fall short.

Murphy's argument begins with a discussion of philosophy of language centered on Plato's *Cratylus.* His view is that the themes of the opposition of nature and convention, custom and stipulation that appear in that dialogue and are from there taken up into the philosophical tradition influence the course of the jurisprudential debate. As far as I can tell, this suggestion is not made good in the rest of the book: these philosophy-of-language issues are never really at the center of things, and when they do appear (e.g., in the chapter concerned with Hobbes's views, which I will consider below), they raise more questions than they answer, and are used to forward implausible theses. Murphy's argument is, I think, largely independent of any of these reflections on language, and nothing of the main argument is lost by turning directly to the first of three rich historical investigations, that on Aquinas's view.

In this chapter, Murphy presents a well-worked-out account of Aquinas's theory of positive law, emphasizing that positive law is for Aquinas not simply a matter of human law but divine law as well. Here we have the first critique of the project of philosophy of law: on Murphy's view, Aquinas falls prey to a confusion that infects his whole project for he vacillates between a notion of positive law as what is deliberately imposed and a notion of it as what is morally contingent in content. This involves a serious error: confusing the truth that it is *possible*that what is deliberately imposed has morally contingent content with the falsehood that it is *necessary*that what is deliberately imposed is morally contingent in content. One will be rightly suspicious of the claim that Aquinas fell prey to such gross error. Surely Aquinas could recognize that a positive law could be imposed whose content simply forbade the murder of the innocent, which is morally noncontingent, on Aquinas's view. It must be admitted that Murphy draws out passages from Aquinas in which he seems committed to the claim that the content of what is positive law is not naturally authoritative, and so Murphy at the very least brings out the fact that many of us who teach Aquinas's views are cleaning it up a bit as we go along. But the stronger claim, that there is a deep confusion here that vitiates the project of the philosophy of positive law, is not sustainable. There is nothing in Murphy's argument that precludes our noting that Aquinas has two concerns at play, and that he uses a common term in working out these concerns. On one hand, he is concerned to classify sorts of law: here one relevant differentiating factor is that some law exists only when, and in part because, there is a speech-act performed *(Summa Theologiae* I-II, q. 92, a. 2). (Aquinas treats all positive law in this speech-act way; more on this below.) On the other hand, he is concerned to understand the extent to which such speech-acts make practically binding particular abstractly considered norms, such as "do not wear a garment of wool and linen" or "do not kill the innocent." In one context, he uses 'positive' to classify those laws that come into existence only in that way. In another context, he uses 'positive' to

classify those abstract norms which must be the object of the relevant speech-act to be binding. These are exercises in analytical versus normative jurisprudence, respectively. The fact that Aquinas was not particularly interested in keeping a clear distinction between these enterprises is not a particularly damaging point.

It thus seems false that within Aquinas's view we find the "ultimate indeterminacy of the positivity because ... the two dimensions of positivity [do not] coincide" (87). There is a concept employed to distinguish types of law and there is a concept employed to distinguish the kind of authority possessed by a norm. These concepts are related via analogy, like the concept of 'healthy' as applied to a human and the concept of 'healthy' as applied to a human's eating habits. Not all of the humans healthy in one sense are healthy in the other sense, but the concepts are intelligibly related, and it does no harm to use the same term for both. I do not find, then, the sorts of indeterminacies and confusions in Aquinas that Murphy finds.

The other strike against Aquinas as a practitioner of the philosophy of positive law is that this project requires the assimilation of all human laws to rules deliberately imposed, including, prominently, customary law. Here Murphy seems just right: Aquinas's argument that custom can acquire the force of law feebly attempts to turn it into more a matter of intentional imposition than is plausible, and treats action that is not for the sake of imposing norms implausibly as if it were (66). On the other hand, it seems to me that Murphy overstates the extent to which Aquinas's affirmation of a top-down sovereign-subject model (69) is what makes problems for him on custom. It is a benefit of Aquinas's view that it does not require (like Hobbes's or Austin's views) the legality of custom to have to flow through some sovereign authority distinct from those who practice the custom. Aquinas affirms, for example, that the people (or at least a "free" people) can change laws through their habits of observance *(Summa Theologiae* I-II, q. 97, a. 3, ad 3), regardless of statutory imposition to the contrary.

Murphy's view is that Hobbes and Austin, through sharing Aquinas's project with respect to positive law, find themselves in the same confusions. Murphy begins his account of Hobbes's theory of law by giving an account of Hobbes on language-an account which is in itself a plausible characterization of Hobbes's very implausible views, on which words have private significations (private mental states) and public significations (public objects), but in which these two need not be logically related. Murphy claims that this is crucial for Hobbes's theory of law, so that the sovereign can deal with the differences in private significations of moral words among subjects by stipulating what the public meaning will be. (Why a subject should have any interest in the such stipulations by the Hobbesian sovereign is not discussed by Murphy.) This appeal to Hobbes's theory of language is not needed to do work in Murphy's argument: he relies on it solely to argue, deeply implausibly in my view, that Hobbes's argument that subjects may deny Christ if so ordered by their sovereigns turns on Hobbes's theory of meaning and reference (165-68), rather than his explicit responsibility-shifting argument that "Whatsoever a subject ... is compelled to

[do] in obedience to his sovereign, and doth it not in order to his own mind, but in order to the laws of his country, that action is not his, but his sovereign's" *(Leviathan,* ch. 42, 1111) , an argument that rests not on Hobbes's theory of language but his theories of authorship and personation *(Leviathan,* ch. 16).

Murphy thinks that Hobbes finds himself with the same problems distinguishing natural and positive law that Aquinas finds himself, and embroils himself even more explicitly in attempts to characterize all valid legal norms as commands of some single authority. Indeed, there is more: for Hobbes has imported a conception of sovereignty into his view that is a "jealous" conception (156), seeming to imply that for any given person, only one party can be sovereign over that person, thus entailing that for any human subject, it is possible for God or some human ruler to be sovereign over that person, but not both. Again, it is unclear whether this is a deep problem with Hobbes's view or an infelicity. Hobbes's essential points are that no one can have two distinct human sovereigns and that one can never justify rebellion against one's earthly sovereign by appealing to the commands of one's heavenly sovereign. If Hobbes's view allows this result, then whether he goofed in defining sovereignty a particular way does not seem much to the point. The same sort of reply seems appropriate when Murphy criticizes Austinian sovereignty on a similar basis. If Austin's aim is to demarcate various sorts of law and legal system, it seems perfectly satisfactory that people can have a heavenly as well as an earthly sovereign so long as this does not destroy the possibility of characterizing distinct earthly legal systems in terms of distinct habits of obedience to distinct earthly sovereigns.

That Austin *is* concerned with such questions of divine sovereignty is made clear by Murphy, who emphasizes that Austin's aim of interrelating human with divine and natural law, and making clear the sorts of positivity involved with each, is continuous with the aims of Aquinas and Hobbes. Austin is explicit about the theoretical aim of distinguishing questions about what law is from what it ought to be, at least in cases of positive law. Murphy thinks that Austin strays from this constraint, noting that he tries to argue that there are positive laws the content of which appear in every legal system, and that they not only do appear but *must* appear. Murphy argues that Austin's argument here requires appeal to moral judgments about their value and human capacities to respond to them, and thus undercuts his objective of a value-free science of positive law (185). We might wonder, first, whether the appeal to moral judgments is useful but dispensable-it might simply be a useful placeholder and shorthand for a whole pattern of tendencies of judgment and sentiment that belong to human nature-and second, whether even a science that had to include moral truths as evidence for its claims about what laws must exist, but only *causally* as opposed to *constitutively,* would violate Austin's dictum. (After all, do we want to say that Hart's account of the "minimum content of natural law" [of which Murphy duly takes note] violates Hart's own positivist constraints? [185]).

As in the case of Aquinas and Hobbes, then, I am not persuaded by Murphy's claim that there is a deep difficulty in Austin's project regarding positive law.

Extremely valuable is Murphy's discussion of the conclusion of Austin's *Province of Jurisprudence Determined,* in which Austin concedes (though seemingly underestimating the depth of this concession) that his account of sovereignty has to be succeeded by an account of jurisdiction. No doubt this is a large concession. But I am not sure that it is a large concession for the reason that Murphy thinks it is, that is, that jurisdiction is an essential judicial rather than legislative notion (209). I would have thought that it is neither: regardless of etymology, we employ the concept of jurisdiction both to characterize those over whom a norm is authoritative (e.g., the universal jurisdiction of the moral law, the limited jurisdiction of the statutes of the commonwealth of Virginia) and to characterize the reach of the authority of some judge or judges in the application of those norms.

Murphy's book concludes with lessons for contemporary jurisprudence. Contemporary jurisprudence has, for the most part, already learned these lessons. As Murphy notes, the contemporary project does not typically concern itself with distinguishing positive law from other sorts; there is just law, and so no need to distinguish various sorts (218); and the top-down sovereign-subject model has been supplanted by more supple views that can incorporate more easily various sources of law, such as Hart's account of the rule of recognition. And while Hart famously noted the American jurisprudential community's preoccupation with the courts, his own view takes on board Murphy's suggested focus on the courts, characterizing the rule of recognition primarily in terms of the acceptance of legal officials, especially judges. I take it, then, that the true lessons that need to be learned have already been learned, though I doubt that the predecessor project of positive law failed at all of the points that Murphy suggests.

I have taken issue with a number of Murphy's arguments and conclusions. I want to conclude by noting how important and interesting this book is. The argument for the strong continuity in animating concerns among Aquinas, Hobbes, and Austin is persuasive and illuminating, and there is much to learn from Murphy not only about these continuities but also about the fine details of the individual legal theories of these eminent figures. We are in Murphy's debt for this doing this deep scholarly work, when so much jurisprudence that makes reference to these figures does no more than to stay on the surface.

<div align="right">MARK C. MURPHY</div>

Georgetown University
    Washington, D.C.