

Faith and Public Life

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Living in a state that recently elected a pro-choice Catholic governor, I heartily welcomed the Vatican's recent doctrinal note which urges Catholic politicians "not to divorce faith from public life." Although I do not believe that the statement will change the minds of incumbents who claim a personally opposed but politically tolerant view toward abortion, it certainly highlights the importance of our Fellowship in combating the theological and philosophical disconnect espoused by this position.

Because orthodox Christianity is based on the Incarnation, its very nature impacts the civic realm. The truths that God reveals to us in and through Jesus are therefore never limited to private belief and practice but are meant for the humanization of all society. Christ's command to the disciples to bring His Gospel to the world eliminates no one from disallowing error and evil to exist in the name of tolerance, diversity or unjust positive law. Accordingly, the document says that while Christians should recognize the legitimacy of different points of view based on firm moral principles, they should "reject as injurious to democratic life a conception of pluralism that reflects moral relativism."

The holistic vision always taught by the Church is best served when the faith is communicated by word and example. Strong Catholic families, orthodox catechesis and heroic role models have always supplied the identity and courage that enabled men and women to succeed in their mission

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O Timothee, depositum custodi, devitans profanas vocum novitates et oppositiones, falsi nominis scientiae, quam quidam profitentes circa fidem aberraverunt. Gratia vobiscum. 1 ad Timotheum 6

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as evangelizers in the public forum.

The tools for rebuilding this worldview called a “civilization of love” by Pope John Paul II have been provided in *Familiaris Consortio* (1981), *Ex Corde Ecclesiae* 1990 and *Evangelium Vitae* (1995). It is within the very mission of our Fellowship to live and promote these teachings by our personal lifestyle and teaching charism. It further impinges upon us to encourage men and women of integrity to dedicate a part of their life to promoting the common good in the political arena. In doing so, we will enable a new generation of Catholic politicians to give witness in the public square and literally renew the face of the earth. The January 16, 2000 statement by the Congregation for the Doctrine of the Faith entitled the “Doctrinal Note on Some Questions Regarding the Participation of Catholics in Public Life” reminds us that “democracy must be based on the true and solid foundation of non-negotiable ethical principles, which are the underpinning of life in society.” Let us take this important teaching as a confirmation of our past efforts and a challenge to continue promoting a culture of life

Biology and the Incarnation

A Response to the Article “Reproductive Science and the Incarnation”

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Dr. Catherine Brown Tkacz opened uncharted vista's on science and theology in her article (*FSC Quarterly*, Fall 2002). Some of her pioneer work, however, calls for further finessing. Other points invite expansion. Before doing so, may I express agreement with her general trend to prefer natural explanations when possible, rather than miracles. For example, she posits that Mary gave birth to Christ in the natural manner via the birth canal, “*pace Stanley Jaki* who is certain that Jesus was not born normally, but emerged by a miraculous exit out of the womb” (note 76). Birthing appears to be an integral part of Mary's motherhood.

In what follows, embryologists and geneticists provide data about conception and subsequent events; then, with the help of the Magisterium and Thomas, we explore the state of consciousness of Jesus at the time of conception.

1. The ovum at fertilization.

The article by Dr. Tkacz mistakenly states that the human oocyte is “haploid” at the time of ovulation. Sorry! Embryologists tell us it is diploid at ovulation, and that it becomes haploid only if and when it is fertilized by a male gamete.¹ This detail is meaningful for speculation about natural and supernatural events at the Incarnation.

A brief review of relevant facts about human reproduction is helpful here. The nucleus of a human somatic cell has 23 pairs of chromosomes, a total of 46. These are the DNA that program the growth and maintenance of a member of the human species. Other DNA exists in the plasma of the cell outside of the nucleus in

the mitochondria organelles. Its function is conversion of nutrients into energy.

If we postulate that God followed the pattern of nature as far as possible when the Son of God became Man, as Dr. Tkacz plausibly does, we thereby assume that He used a naturally functioning oocyte of His mother Mary, containing nuclear DNA. Let us pause to learn more about this wonder of nature. Geneticist Jerome Lejeune (RIP) gave this expert testimony during a court trial in 1989:

2. Properties of DNA

DNA ... is a long thread of one meter length that is cut into twenty-three pieces. Each piece is coiled on itself very tightly to make spiral of spiral of spiral, so that finally it looks like a little rod that we can see under the microscope that we call a chromosome. And there are twenty-three of them carried by father, twenty three of them carried by mother [in human gametes after meiosis]...

The minuteness of the language is bewildering because if I were to bring into this Court all the one meter long DNA of the sperms and all the meter long DNA of the ovals which will make every one of the five billions of human beings that will replace ourselves in this planet, this amount of matter would be roughly two aspirin tablets. That tells us that nature, to carry the information from father to children, from mother to children, from generation to generation, has used the smallest possible language. And it is very necessary because life is taking advantage of the movement of the particles, of molecules, to put order inside the chance development of random movement of particles, so that chance is now transformed according to the necessity of the new being.²

3. DNA at the time of ovulation

Of the 23 pairs of chromosomes, it is the 23rd pair that determines the sex of an individual. If the pair is XX, the person is female. If XY, the person is male. The 23rd pair in oocytes is always XX; in sperms it is either XX or XY. Mary's oocyte would naturally be an XX at the time of ovulation. Dr. Tkacz incorrectly assumed that it would have only one X because it would have reduced the 46 chromosomes to 23, one of each pair, at this critical point of the process. Embryologists disagree.

For example, distinguished embryologist Ronan O'Rahilly, who sits on the International board of *Nomina Embryologica*, a body that determines the correct terminology to be used in human embryology textbooks, tells here what all professional embryologists know:

Meiosis 2 is terminated after rupture of the follicle (ovulation) but only if a spermatozoon penetrates ... The term "ovum" implies that polar body 2 has been given off, *which event is usually delayed until the oocyte has been penetrated by a spermatozoon* (emphasis added).³

Meiosis is the process by which a diploid cell with 46 chromosomes reduces the number to 23. The discarded 23, one of each pair, are withdrawn to become a minuscule polar body that eventually disintegrates.

Supposing, then, that Mary's oocyte had the full count of 46 chromosomes when it was ovulated, what might be the sequence for the achievement of the Incarnation? Jesus is to be a male. The 23rd pair of chromosomes in Mary's oocyte is XX, female.

One conceivable solution comes to mind: God omits meiosis and the full count of 46 remains. God mutates the XX of No 23 into an XY pair. Voila, male! Wrong!

4. Male and female DNA

The entire set of 23 must be mutated into male chromosomes. (God can do that, of course.) Male and female DNA is complementary throughout in the sequences of genetic cascades. Lejeune pointed out during his testimony that in the development of a new human life, the DNA of the male component interacts continuously and dynamically with the DNA of the female component. If a zygote contains only chromosomes of female origin, it cannot develop into a body. "It makes spare parts, teeth, nails, all that mixed in incomprehensible disorder."⁴ He explains further:

(The reciprocal action) is exactly what an intelligent reader does when he wants to underline with a pen, to highlight some passage, or to scratch, delete another sentence. That is with the methylation, one gene which is still there is knocked out, put to silence, but if it is demethylated on the next division, on the next cell, then it will speak again...

The message written on the DNA of the male, with purposefully attached snips of methyl (CH₃) to modify genetic sequences, is different in the male component and in the female component:

The DNA carried by the sperm is not underlined (or crossed out) by this methylation on the same places which are not equivalent in the DNA chromosomes carried by ovum. During the manufacture of the sperm there are penciled indications, so to speak: "You should do that." But on the equivalent gene, on the equivalent chromosome manufactured by the mother, the underlining is in a different place, and it underlines something different. So that at the moment the two sets of chromosomes carried by the sperms and the egg are put together, they are not, as we had believed for years, identical.⁵

5. Conclusion: the DNA of the Incarnation

God - so it looks from here - had in mind to re-fashion or to create a complete set of 23 male chromosomes, of which No. 23 would be a Y. The set would be so designed that it could interact in complementary genetic dynamism with one X set of Mary's oocyte. The Holy Spirit overshadowed Mary. She pondered. She consented. God supplied the required chromosomes. He created the soul of Jesus. He animated the cell with that soul. And the Word was made flesh and dwelt among us. We bow in reverence.

A further speculation: Did God create the male set of DNA to match descent from the royal line of David? Plausibly yes. Do I hear someone suggesting that God also fashioned the DNA of Jesus to match that of His foster father Joseph?

6. The consciousness of Jesus while in the womb

Dr. Tkacz notes that it was not possible, humanly speaking, for Jesus to be conscious while He was a single cell, because the brain had not yet developed. She adds, however, that He was acting deliberately nevertheless: "Christ's actions ... were intended from the start" (p. 20). She does not explain further. We mine the sources for more data.

7. Christ possessed the beatific vision in His human soul from the time of Conception

St. Thomas teaches that Christ, by reason of the hypostatic union, possessed the beatific vision in His human soul:

The Godhead is united to the manhood of Christ in Person, not in essence or nature; yet with the unity of Person remains the distinction of natures. And therefore the soul of Christ, which is a part of the human nature, through a light participated from the divine nature, is perfected with the beatific knowledge whereby it sees God in essence (*Summa Theologica* III,10,2, ad 1).

Because the hypostatic union was co-terminous with the moment of conception, Thomas teaches implicitly that the beatific vision began with conception. Pope Pius XII teaches this explicitly in the Encyclical *Mystici Corporis*:

But the knowledge and love of our Divine Redeemer, of which we were the object from the first moment of His Incarnation, exceeds all that the human intellect can hope to grasp. For hardly was He conceived in the womb of the Mother of God, when He began to enjoy the Beatific Vision, and in that vision all the members of His Mystical Body were continually and unceasingly present to Him, and He embraced them with His redeeming love. O marvelous condescension of divine love for us! O inestimable dispensation of boundless charity! In the crib, on the Cross, in the unending glory of the Father, Christ has all the members of the Church present before Him and united to Him in a much clearer and more loving manner than that of a mother who clasps her child to her breast, or than that with which a man knows and loves himself (No. 75).

Even though this vision did not cross the barrier into the sense perceptions of Christ, nevertheless He was completely conscious of it in His spiritual awareness. The same beatific vision that Christ possesses in His human soul in heaven as comprehensor, that He already possessed while with us on earth as viator. *Mystici Corporis* elaborates the doctrine in No. 48:

It is pointed out by many of the Fathers, that as the head of our mortal body is the seat of all the senses, while the other parts of our organism have only the sense of touch, so all the powers that are found in Christian society, all the gifts, all the extraordinary graces, attain their utmost perfection in the Head, Christ. "In Him it hath well pleased THE FATHER that all fulness should dwell" (Col 1:19). He is gifted with those supernatural powers that accompany the hypostatic union, since the Holy Spirit

dwells in Him with a fulness of grace than which no greater can be imagined. To Him has been given "power over all flesh" (Cf. John 17:2); "all the treasures of wisdom and knowledge are in Him" (Cf. Col. 2:3) abundantly. The knowledge which is called "vision" He possesses with such clarity and comprehensiveness that it surpasses similar celestial knowledge found in all the saints of heaven. So full of grace and truth is He that of His inexhaustible fullness we have all received.

8. Christ also possessed infused knowledge

Moreover it is a *sententia communis* that in addition to the beatific vision, Christ also possessed cosmos-spanning infused knowledge in His soul. (To deny such would therefore be a *sententia minus communis*.) Infused knowledge is distinguished from the beatific vision in that through it things are known in their proper nature through infused intellectual concepts (*per species propria*). Intellectual concepts are immaterial, distinguished from phantasms and the imagination. Thomas states that God infused into the soul of Christ all knowledge that can be acquired by human cognition as well as that derived from divine revelation. In other words, He was intellectually aware of everything in heaven and on earth.

Thomas identifies this infused knowledge as intelligible species without phantasms (*Summa Theologica*, III,11,2); it was habitual because He could use it whenever He pleased (III,11,5); He knew different specific natures by different intelligible species (III,11,6). As He grew in age and wisdom, He could compare intelligible species of empiric knowledge abstracted from sense perceptions and phantasms, with the infused knowledge already present to Him (III,12,2).

We speculate further: Christ's beatific vision and infused knowledge being immaterial, needed to cross the barrier into the area of sense perceptions and phantasms to articulate in words what He knew intellectually, to bring

power to bear when He worked miracles. Speech is done only when spiritual thought excites the nerves of the brain to do their material thing, and is very complicated.⁶

Since only divine power can create something out of nothing, Christ's human nature could not do so. We think of the multiplication of the loaves and fish. By divine power He multiplied them, by crossing the barrier between the beatific vision and sense perceptions and phantasms, He blessed them and handed them to the disciples.

9. Crossing the barrier from vision and infused knowledge into sense perception, phantasms and the imagination

It would seem that Christ employed the beatific vision to cross the barrier into the world of sense in some instances, whereas at other times He employed infused intellectual species. Because *creatio ex nihilo* is not an intelligible concept, He worked with His beatific vision whenever He employed creative powers. The multiplication of loaves and fishes comes to mind; also the transubstantiation of bread into His body, and wine into His blood. These are beyond the ken of intellectual species, as is the mystery of the Blessed Trinity. Human intelligence cannot understand that these mysteries are possible, but neither can it assert that they are impossible. Therefore we can speculate that Christ drew upon His beatific vision rather than upon infused intellectual species when activating creative powers.

What shall we say, then, of other miracles? The modification of created objects is not unintelligible. If, as Thomas teaches, Christ possessed comprehensive intelligible species of all things created, then He could know intellectually the meteorological logistics needed to stop the fury of the winds of the storm at sea, and He could measure the gravitational counter-forces needed to flatten the waves. He could use these infused intelligible species when He wished to do so. To actually apply the natural forces that would tame the wind and waves, (and to prevent a de-

structive down-wind vacuum) required divine power, so it would seem. (Or was His human will so powerful that He could do that with His native created powers?)

Therefore we can believe that Christ employed His beatific vision AND infused knowledge in this miracle. He drew upon intellectual concepts when measuring the forces needed, and on the beatific vision when He applied miraculous power. Then, making the transit from the beatific vision and intelligible concepts into familiar sense and phantom faculties, "He awoke and rebuked the wind, and said to the sea, "Peace! Be still!" And the wind ceased, and there was a great calm" (Mark 4:39).

What shall we say about the miracles of bringing back to life the daughter of Jairus, of the son of the widow of Naim, of Lazarus four days after his death? With infused knowledge He could know where their souls were and He could call them back. With His comprehensive intellectual species He could, if He would, count the hairs on their heads, could know how to start the heart beating again, and could check whether the 100,000,000,000 (yes, 100 billion) nerves of the brain were still in place. Then, employing the beatific vision, and perhaps intellectual species as well, He stepped from there into the material world, took the daughter of Jairus by the hand to raise her, spoke to the widow's son words of life, spoke to the brother of Martha and Mary: "Lazarus, come forth!"

10. The Beatific Vision vs. infused knowledge in operation

Obviously the beatific vision and infused intelligible species are spiritual entities, not attached to phantoms that the brain can work with. Of the two, the beatific vision appears to be more remote from human phantasms than the focused intelligible species would be. Intelligible species appear to be a step closer to lowly sense perception than the beatific vision.

Whenever Christ spoke about His Father, about His own divinity, and about the Holy Spirit, the

beatific vision, not intellectual species, would be brought into play. It would seem that Infused intellectual concepts are incapable of grasping what is divine. He spoke about what He saw in the beatific vision, for example, when He said: "Before Abraham came to be, I AM." "The Father and I are one." "Father, glorify thy Son that thy Son may glorify thee." "Father, I desire that they also, whom thou hast given me, may be with me where I am, to behold my glory which thou hast given me in thy love for me before the foundation of the world."

Perhaps someone will say that He spoke these words directly as God, as the divine Person he was, not as Man who gazed at the beatific vision. Without denying that, we must keep in mind, however, that the words He spoke were articulated with lips, were formatted with the brain and nerves, and therefore were of human making. A transit from the beatific vision already housed within His created nature, and from there into His faculty of speech would appear to be more co-natural to Him, than employing divine powers to move tongue and lips.

At Cana, then, He understood with infused intelligible species how to fashion wine, the kind of wine that is good to the taste. The knowledge was there and ready. With His divine power He performed the miracle, to thereby please His mother, to add happiness to the party, to ease His disciples into belief. Whatever He did as God, he understood - in the literal sense - what He was doing as Man.

We understand, then, that Christ was very much aware of all things, also when He was a single cell zygote. But we may also ask whether this knowledge and awareness was enjoyable for Him, since He had no nerves with which to feel joy, no body to resonate what He saw. Silly question! If we ourselves expect to be fully aware when we reach heaven after death, and before we are raised from the dead, then we can easily understand that Christ was conscious and totally aware in soul, even when His body was only one cell. If our blessed departed ancestors and friends enjoy heaven even now - which

they do - before they are reunited with their bodies, then we must believe that Christ was sublimely happy in spirit while He grew and thrived and enjoyed and employed Himself while biding His time within the womb of His mother.

11. Christ conversed with the Father as a zygote and embryo

The Book of Hebrews tells how Christ was in lively converse with the Father from the very beginning of His existence on earth:

Consequently, when Christ came into the world, he said, "Sacrifices and offerings thou hast not desired, but a body hast thou prepared for me; in burnt offerings and sin offerings thou hast taken no pleasure. Then I said, 'Lo, I have come to do thy will, O God,' as it is written of me in the roll of the book" (Hebrews 1:5-7).

Furthermore, Hebrews 1:7-13 records these lively communications between the Father and the Incarnate Christ from the first moment of His human existence:

And again, when he brings the firstborn into the world, he says, "Let all God's angels worship him." Of the angels he says, "Who makes his angels winds, and his servants flames of fire." But of the Son he says, "Thy throne, O God, is for ever and ever, the righteous scepter is the scepter of thy kingdom. Thou hast loved righteousness and hated lawlessness; therefore God, thy God, has anointed thee with the oil of gladness beyond thy comrades." And, "Thou, Lord, didst found the earth in the beginning, and the heavens are the work of thy hands; they will perish, but thou remainest; they will all grow old like a garment, like a mantle thou wilt roll them up, and they will be changed. But thou art the same, and thy years will never end." But to what angel has he ever said, "Sit at my right hand, till I make thy enemies a stool for thy feet"?

We do not say, then, that Jesus was not yet "conscious" while He was a single cell zygote, simply because His material brain had not yet developed.

12. Additional Biological Details

What follows may appear to be nit picking, but articles of importance published in the *FCS Quarterly* ought to pass the test of scientific correctness in all details. We cannot agree with the author that the implanting body of Christ touched the living blood of His mother (p. 20). The blood of the mother does not hemorrhage in the uterus to bathe the implanted embryo, but remains within the capillaries. The implant is nourished and waste matter is eliminated by means of osmosis processed through membranes. Dr. Tkacz knows this, we may be sure, and was carried away by non-scientific poetry.

On page 21 the author mentions that conception is not detectable by hormonal changes before implantation. Readers should know, however, that the Early Pregnancy Factor is measurable by Rosette Inhibition Test a day or so after fertilization, which is some 4-6 days before implantation. The test is expensive and difficult and therefore not generally available, but researchers use it to good effect.

Within 6 to 24 hours after fertilization the zygote sends a hormone to the ovary of the mother called the "ovum factor" in order to protect its newly created life. Little is known about this ovum factor except that it has a relatively small molecular mass and that it is secreted by the ovum soon after sperm penetration.

In response to the stimulus of the ovum factor from the zygote, the mother's ovary secretes a product into the blood stream called the "Early Pregnancy Factor." The EPF has been found in serum within 6 to 24 hours of fertilization, in mice, pigs, sheep, and humans.⁷

The ovaries, in response to the EPF hormone issued by the zygote or embryo, then secrete the early pregnancy factor into the blood circula-

tion, and the lymph glands pick it up with their receptors. They respond by releasing immunosuppressor factors which protect the zygote from being attacked and destroyed by the mother's immune system because he or she is a foreign body. He or she is not a part of the mother, and is a foreign body with elements from the father. EPF is also a growth factor, facilitating cell division. The newly conceived child continues to secrete its signal until the blastocyst stage. Thereafter the mother's ovaries take over entirely and continue to secrete the protective EPF for the duration of the pregnancy.

The ovum factor that the zygote secretes is a biological identification which the child gives to its mother, a name tag, a sample of this unique, one and only child's body. The mother's body, in response, protects the child from immuno-marauders, and supports the child's growth with substances sent to the growing child from her body.

We may believe that Jesus signaled His identification to Mary's body before implantation, while she was on her way to visit her cousin Elizabeth, and with the identification, He also requested by protection and nurture by this hormone communication.

Finally, I am so glad that Dr. Tkacz has Jesus bless every organ of His mother that nurtured Him and then issued Him forth through the birth canal. Thank you, doctor, for singing the glories of the mother with all her special gifts and organs.

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Footnotes

¹ The article by Dianne N. Irving, M.A., Ph.D. from which I lift this note is titled "When do human beings begin? Scientific myths and scientific facts," *International Journal of Sociology and Social Policy*, 1999 (19: 3/4:22-47). The quotation is from Ronan O'Rahilly and Fabiola Müller, *Human Embryology & Teratology* (New York: Wiley-Liss, 1994), p. 16. Dr. Irving cites an array of additional embryologists that attest to the same: William J. Larsen, *Human Embryology* (New York: Churchill Livingstone, 1997), pp. 3-21; Keith L. Moore and T.V.N. Persaud, *The Developing Human* (Philadelphia: W.B. Saunders Company, 1998), pp.18-34; Bruce M. Carlson, *Human Embryology and Developmental Biology* (St. Louis, MO: Mosby, 1994), pp. 3-21. Another source, not cited by Irving, is, for example, *Human Physiology*, Stuart Ira Fox, William C. Brown Publishers, 1984, pp. 662-666 with text and illustrations.

² Jerome Lejeune, Testimony in the Circuit Court for Blount County, Tennessee. August 10, 1989, page 39; printed by Center for Law and Religious Freedom, 4208 Evergreen Lane, Suite 222, Annandale, Virginia 22003). That a male gamete and a female gamete combine to make development possible is also noted by Dr. Irving in *op. cit.* p. 3, and is common knowledge in the medical world.

³ O'Rahilly, *op. cit.* p. 16; quoted by Irving, *op. cit.* p. 3.

⁴ Lejeune, p. 47.

⁵ Lejeune, *op. cit.* p. 46.

⁶ The author has described the phenomenal intricacies of human speech as follows in his book: *Evolution and the Sin in Eden*, Chapter Two (University Press of America, 1998). The book is now accessible on the author's URL: www.CatholicMind.com.

What we do by speaking is nothing short of the phenomenal. Eric H. Lennenberg, when recording three radio newscasters, found that they spoke an average of 5.7, 5.9, and 6.0 syllables per second. For each syllable there are about 2.4 phonemes, distinguishable sound-coded identities; that totals about fourteen phonemes per second (6 X 2.4). All the while we form and reform our air passage to resonate and articulate the sound. The passage from one phoneme into another -- its onset, the phone itself, and then the subsequent transition -- depends ultimately upon the differences in muscle adjustments. The brain gives the muscles their proper orders to contract, to relax, or to hold their tonus. At least one hundred muscles are engaged simultaneously. The brain therefore sends these fourteen hundred orders per second to produce the phonemes in rapid succession to the targeted 100 engaged muscles (see Lennenberg, 91-92). If we admire piano players who can play 16-20 notes per second, all the more do we marvel our speech automatism with which may be doing up to 1400 articulations per second with perfect ease - 70 times faster than

the flying fingers of the piano virtuoso.

The brain does not just fire off the fourteen hundred orders per second at random. It issues the electro-chemical neural transmissions in that magnitude of power and that order of sequence at which we are giving command. The arrival of the nerve's electro-chemical transmission at the target muscle must be in proper sequence, and its strength must stimulate the correct amplitude of the twitch of that muscle. The brain fires the signals from its motor strip terminal in a flurry of activity, subject to our conscious will to speak. Because some muscles are more distant from the source than others, the sequence of firing may need to be timed in reverse. Moreover, some of the nerves are thick and blitz the signal to the target muscle at about three hundred miles per hour, whereas other extremely fine nerves send the signal at a leisurely walking pace of 1.5 miles per hour. The brain must compute for distance and speed by firing the signals to coordinate the pull of the muscles to be exactly on split-second schedule to produce speech in proper order. Sometimes things get mixed up or go awry, and the ear, which monitors what is happening, admonishes us to correct ourselves and repeat, this time correctly. The short term memory keeps constant tabs on the on-going conversation and keeps our thoughts connected.

⁷ See "Early Pregnancy Factor" by Morton, Rolfe, and Cavanagh, Thieme Medical Publishers, New York, 1992). See also "Early Pregnancy Factor" by Lloyd Duplantis, Ph.D. in *Beginnings*, The Pharmacy Pro-Life News, No. 1, 2000).

The *Virginitas in Partu* A Response to the Article "Reproductive Science and the Incarnation"

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In her interesting article "Reproductive Science and the Incarnation" (*Fellowship of Catholic Scholars Quarterly* Vol. 25, No. 4, [Fall 2002] 11-25) Dr. Catherine Brown Tkacz offers a number of interesting correlations between the discoveries of reproductive science and the Church's belief in the mystery of the Incarnation. Just as the Holy Spirit has continued to bring forth deeper insights into the meaning of this mystery (cf. Dogmatic Constitution on Divine Revelation [*Dei Verbum*] #8), so also the data of biological science, evaluated in the light of Scripture and Tradition, can help us to marvel at the inexhaustible richness of the mystery. The point is, of course, that the mystery can never be simply explained either by theology or by modern science. At the end of her essay Dr. Tkacz appropriately comments that "the mystery of Jesus's Incarnation remains ineluctable and eternal" (p. 22).

Without taking away from the valuable insights which her article provides, I would nonetheless take issue with Dr. Tkacz' treatment of Mary's virginity in giving birth to Christ (commonly referred to as the *virginitas in partu*) on p. 21 and in endnotes #76 and #78 on p. 25. It must be admitted that the datum of the faith that Mary gave birth as a virgin, unfortunately, receives virtually no attention in contemporary catechesis or preaching. Indeed, who can remember having heard of the "virgin birth" of Jesus (and not of his "virginal conception" or of his Mother's "life-long virginity") in a homily in the last forty years?

I. Datum of the Tradition

The fact is that the mystery of Mary's virginity in giving birth to the Savior was preached and taught consistently by the Fathers and Doctors of the Church. One finds beautiful expositions of it

in the homilies and catecheses of St. Gregory of Nyssa (+ c. 394)¹, St. Ambrose (+ 397)², St. John Chrysostom (+ 407)³, St. Proclus of Constantinople (+ 446)⁴, Theodotus of Ancyra (+ before 446)⁵, St. Peter Chrysologus (+ 450)⁶, Pope St. Leo the Great (+ 461)⁷, Severus of Antioch (+ 538)⁸, St. Romanos the Melodist (+ c. 560)⁹, St. Venantius Fortunatus (+ c. 600)¹⁰ and Pope St. Gregory the Great (+ 604)¹¹

This preaching and teaching was not a mere matter of pious fantasizing, but rather it was a careful "handing on" of what had been received. The miraculous birth of Jesus in time was seen as a reflection of the mystery of his eternal generation by the Father.¹² As with all of the most important data which touched on the person of the Son of God, it became progressively clarified by the magisterium. Already during the pontificate of Pope St. Siricius (384-399) this matter was dealt with in the Plenary Council of Capua (392) and in the Synods of Rome and Milan in 393¹³ with St. Ambrose's teaching on Mary's "incorruption" in giving birth emerging as authoritative.¹⁴ In his *De institutione virginum* St. Ambrose introduced this mystery by quoting the beginning of the forty-fourth chapter of Ezeckiel:

"Then he brought me back to the outer gate of the sanctuary, facing the east; but it was closed. He said to me: This gate is to remain closed; it is not to be opened for anyone to enter by it; since the Lord, the God of Israel, has entered by it, it shall remain closed." ... Who is this gate, if not Mary? Is it not closed because she is a virgin? Mary is the gate through which Christ entered this world, when he was brought forth in the virginal birth and the manner of His birth did not break the seals of virginity [*quando virginali fusus est partu, et genitalia virginitatis claustra non solvit*].¹⁵ ... There is a gate of the womb, although it is not always closed; indeed only one was able to remain closed, that through which the One born of the Virgin came forth without the loss of genital intactness [*per quam sine dispendio claustrorum genitalium virginis partus exivit*].¹⁶

St. Ambrose' defense of the "virgin birth", espe-

cially in this treatise, is so definitive that those who have subsequently sought to "re-interpret" the doctrine in the light of the criticism of Dr. Albert Mitterer¹⁷ have found it necessary to take him on.¹⁸

II. The Magisterium

In 649 the Roman Synod which convened at the Lateran, whose teaching was approved as authoritative by Pope St. Martin I, anathematized anyone who would deny that Mary "gave birth to [God the Word] without corruption".¹⁹ In his Constitution *Cum quorundam hominum* condemning the errors of Unitarianism Pope Paul IV admonished all those who deny that the Blessed Virgin Mary "did not retain her virginity intact before the birth, in the birth, and perpetually after the birth."²⁰ *The Roman Catechism* also known as *The Catechism of the Council of Trent* followed suit with this clear teaching:

For in a way wonderful beyond expression or conception, he is born of his Mother without any diminution of her maternal virginity. As he afterwards went forth from the sepulcher while it was closed and sealed, and entered the room in which his disciples were assembled, although "the doors were closed" (Jn. 20:19), or, not to depart from natural events which we witness every day, as the rays of the sun penetrate the substance of glass without breaking or injuring it in the least: so, but in a more incomprehensible manner, did Jesus Christ come forth from his mother's womb without injury to her maternal virginity. ...

To Eve it was said: "In pain you shall bring forth children" (Gen. 3:16). Mary was exempt from this law, for preserving her virginal integrity inviolate, she brought forth Jesus the Son of God, without experiencing, as we have already said, any sense of pain.²¹

The Second Vatican Council presented this mystery succinctly by speaking of "the birth of Our Lord, who did not diminish his mother's virginal integrity but sanctified it"²² and the *Catechism of the Catholic Church* repeats that statement after clarifying that

The deepening of faith in the virginal motherhood led the Church to confess Mary's real and perpetual virginity even in the act of giving birth to the Son of God made man.²³

Those who would say that these recent professions of the mystery are minimal and non-binding need only examine the footnotes appended to each of them to discover that they are based on previous major declarations of the magisterium which have been considered definitive since the Patristic era. The text of *Lumen Gentium* cites the Lateran Synod of 649, the *Tome* of St. Leo the Great to Flavian²⁴ and the *De institutione virginum* of St. Ambrose. The *Catechism* gives two citations to the *Tome* to Flavian,²⁵ as well as citing the Second Council of Constantinople,²⁶ the Letter of Pope Pelagius I to Childebertus,²⁷ the Lateran Synod of 649, the Profession of Faith of the Synod of Toledo of 693²⁸ and Pope Paul IV's Constitution *Cum quorundam hominum*.

III. Dr. Tkacz' Comments

A. The Miraculous Nature of Christ's Birth

Now back to Dr. Tkacz. She states that

He [Christ] chose to traverse the birth canal. ... He passed through her [Mary's] cervix. Its strength had kept him securely in the uterus throughout gestation and now it widened to deliver him to wider life. He passed through the vagina, the organ with which every wife knows her husband. Jesus emerged through the labia, the vulva [21].

The good doctor reports as if she were an eyewitness, precisely on the assumption that there was nothing miraculous in the birth process of the Son of God. On the other hand Father Peter Damian Fehlner makes this very trenchant comment:

But on this question, viz. whether the virginity of our Lady in childbirth involves miraculous elements distinct from the virginal conception, there is an even more basic consideration. The Church has always insisted on this, antecede-

dently to any theological reflection on the point. *Belief precedes analysis; indeed sets very severe limits on our intellectual curiosity about the details of this singular birth.*²⁹

In this he is in fact echoing a major address which Pope John Paul II gave on 24 May 1992 in Capua where he had gone to address a Mariological Congress organized to commemorate the 16th Centenary of the Plenary Council of Capua which had dealt specifically with Mary's virginity in childbirth. On that occasion the Pope stated:

The theologian must approach the mystery of Mary's fruitful virginity with a deep sense of veneration for God's free, holy and sovereign action. ...

The theologian, however, who approaches the mystery of Mary's virginity with a heart full of faith and adoring respect, does not thereby forego the duty of studying the data of Revelation and showing their harmony and interrelationship; rather, following the Spirit, ... he puts himself in the great and fruitful theological tradition of *fides quaerens intellectum*. When theological reflection becomes a moment of doxology and latria, the mystery of Mary's virginity is disclosed, allowing one to catch a glimpse of other aspects and other depths.³⁰

B. The Patristic Testimony

In Dr. Tkacz' endnote #76 she rather lightly dismisses an article by Father Stanley Jaki on the virgin birth because he does not cite any Patristic texts in making his case. She opines that the miraculous nature of the birth of Christ "seems to me essentially modern, based on a pietistic thought that to honor Jesus one must dissociate him from human birth, as if birth were indecent" (p. 25). I trust that by now the reader will recognize that this doctrine is clearly taught by the Fathers. (For reasons of space we must forego discussion of the Scriptural bases of the doctrine.) Further, the miraculous nature of Jesus' birth is not an indictment of human birth as being "indecent", but rather fully congruent with the saving purposes of the Incarnation. As Pope St.

Leo the Great preached:

The Lord Jesus Christ came to take away our maladies, not to contract them; to bring a remedy to our vices, not to succumb to them. ... That is why it was necessary for Him to be born in new conditions [*propter quod oportuit ut novo nasceretur ordine*]. ... It was necessary that the integrity of the One being born preserve the pristine virginity of the one who gave birth.³¹

John Seward's excellent study, *Cradle of Redeeming Love*, provides several illuminating pages on the fittingness of the miraculous nature of Jesus' birth.³²

C. The Seal of Virginity

In endnote #78 Dr. Tkacz states "Legend attributes an intact hymen to the Theotokos" and then goes on to quote from *Taber's Cyclopedic Medical Dictionary* that the "rupture or absence [of the hymen] is not evidence of loss of virginity". While a certain sense of delicacy, inspired by the 1960 *Monitum* of the Holy Office of 1960,³³ makes me hesitate a moment before taking issue with this statement, it needs to be dealt with. On this matter the late Father Juniper Carol, O.F.M. summarized quite clearly how the approach of the Fathers and the magisterium had come to be understood:

At the appropriate time, Our Blessed Lord left the womb of His Mother through the natural channels but in a miraculous way, that is, without in any manner opening any part of Mary's body. In other words, there was no dilatation of the normal passage, no opening of the vagina, no breaking of the virginal hymen.³⁴

In less specific biological language the Holy Father treated this issue in his discourse at Capua in 1992. He stated:

It is a well-known fact that some Church Fathers set up a significant parallel between the begetting of Christ *ex intacta Virgine* [from the untouched Virgin] and his resurrection *ex intacto sepulchro* [from the intact sepulchre]. In the parallelism relative to the begetting of Christ, some Fathers put the emphasis on the virginal concep-

tion, others on the virgin birth, others on the subsequent perpetual virginity of the Mother, but they all testify to the conviction that between the two saving events -- the generation-birth of Christ and his resurrection from the dead -- there exists an intrinsic connection which corresponds to a precise plan of God: a connection which the Church, led by the Spirit, has discovered, not created.³⁵

With regard to Dr. Tkacz' specific insistence, John Seward provides clarification from the Angelic Doctor:

St. Thomas says that the hymen pertains to virginity only *per accidens*, and that its rupture by any means other than sexual pleasure is no more destructive of virginity than the loss of a hand or foot (cf. *ST 2a2æ q. 152, a. I, ad 3*). However, he also holds that bodily integrity belongs to the perfection of virginity (see *Quæstiones quodlibetales* 6, q. 10, prol).³⁶

Could we expect that God would do less for His Virgin Mother?

IV. Virginity of Flesh -- Virginity of Heart

What does this doctrine mean? It certainly shouldn't be taken in any way as lessening "the value and dignity of marriage"³⁷ asserts the Holy Father. Rather, he insists, it should be seen as pointing to the fact that the bodily integrity of Mary is a physical sign of her total spiritual virginity, that the virginity of her flesh is an indication of the virginity of her heart:

Therefore, she fulfils in herself the ideal of perfect adherence to God's plan, without compromise and without the defilement of falsehood or pride; the ideal of faithful fulfilment of the covenant, the violation of which on the part of Israel is compared to adultery by the prophets; the ideal of sincere acceptance of the Gospel message, in which the single-hearted are called blest (cf. (cf. Mt. 5:8) and virginity for the kingdom is extolled (cf. Mt. 19:12); the ideal of rightly understanding the mystery of Christ -- the *Truth par excellence* (cf. Jn. 14:6) -- and his doctrine, because of which the Church is also called a virgin since she preserves the deposit of faith whole and incorrupt.³⁸

Family Research Council and *Roe v. Wade*

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Thirty years ago in *Roe v. Wade* the Supreme Court launched what it hoped would be a cultural revolution. Here are the inaugural words: “The right of privacy...is broad enough to encompass a woman’s decision whether or not to terminate a pregnancy”.

The revolution has progressed rapidly. The counter-strategies tried so far have been ineffective: we are no closer to overruling *Roe* than in 1973; the abortion liberty occupies an organizing place in our culture and politics; the number of abortions annually has remained remarkably steady over three decades.

Why is the pro-life effort stalled? Especially since abortion is a great moral evil, so repugnant to people of good will? Partly because abortion is alluring, and easy to rationalize. Abortion promises women control of their lives. This promise is appealing; after all, what is to be said for the alternative? Abortion is unlike other social pathologies, such as drugs or compulsive sexual activity or consumerism. These are escapes which do not really solve anyone’s problems. Abortion, on the other hand, is a real (though immoral) answer to a genuine problem: surprise pregnancy and the uninvited change of life it entails.

Women often choose abortion reluctantly, regretfully, and with trepidation. But our pro-choice culture supplies ready-made excuses, and even justifications, to assuage the pain. These seductions include ready-to-wear labeling of the unborn as “tissue” or a clump of cells, described clinically as “zygote” “embryo” “fetus”. Or, one may be lulled into thinking that abortion is painful, tragic, necessary killing. In any event, abortion’s victims are silent. Those who speak up for them are targeted as religious zealots, extremists, and misogynists.

The only sure defense against this evil is a stridently pro-life culture in which abortion, however alluring, is unthinkable, beyond the comprehension of decent people. This defense was breached in 1973, if not a little earlier. Abortion is now loose among us and respectable in many quarters. It is hard to see this devilish genie being chased back into the bottle.

Still there is reason for hope, and reasonable hope is reason enough to carry on the pro-life fight. Some day we may even be surprised by success. The first cause for hope is, sorrowfully, confirmation of long-suspected dangers. Every day we learn another way in which abortion harms women. The link to breast cancer alone would push another medical procedure or drug off the market. Many women who have abortions are sooner or later tormented by feelings of loss, grief, and guilt. Personal relationships are tested by their shame and sorrow. Post-abortion women are often depressed and, in some cases, suicidal. Abortion solves (in its way) the problem of unwanted pregnancy. But for many women it *creates* more problems than it solves.

The abortion industry struggles to suppress all these truths, and scarcely allows women an informed, free choice. Here, then, is a short-term strategy for advancing the culture of life: exposing and ending the abortion industry’s exploitation of women. Explode the “caring partnership” between the woman and her abortionist, arrayed against the hapless child *in utero* and his or her “right-wing” adult protectors. And once the woman’s loyalty to her abortion provider is dissolved, those (pro-lifers) who help her to be a decent mother join her – and baby – in a new alliance against the abortionists.

This woman-centered strategy comprises intricate educational and legal initiatives. But its genius is easy to understand: speak the truth about what abortion does to women, the truth suppressed by the industry’s lies and callousness. The strategy requires systematic collection of data on abortion’s perils, information buried in so many

courthouse, clinic, and laboratory files. First-rate scientific studies, experiments which will prove to anyone open-minded that abortion is inimical to women's well-being, need to be done. (That abortion is bad for heart and soul is work for others. No lab studies needed.)

This effort may require legally compelled disclosure of abortion industry data, as it may public funding for the science. What the law *must* do, though, is this: legislators (and sometimes, unelected public health officers) have to hold the abortion industry to common standards of medical practice, the norms everyone but abortionists are made to follow all the time. Abortionists *must* fully inform each woman of the risks to *her*, which include the potential psychological harm of killing one's own offspring. The risks to *her* include, in other words, what abortion does to her unborn child – a living, genetically unique human individual who, but for the abortionist's intervention, would be born a few months hence. Remember: in *Doe v. Bolton*, the companion case to *Roe*, the Court defined "health" broadly to include all aspects of a woman's flourishing — physical, psychological, emotional. So the law would not expect abortionists to do anything which the great cases did not call them to do.

This approach may in a few years shrink the demand for abortion, and maybe the supply even more: the expense of securing full and free consent, along with potentially catastrophic liability for aborting without it, could drive some clinics out of business. The strategy may also portend a shift in abortion politics. The contemplated shift depends upon pro-choice women converting to the pro-life view, because they come to see abortion as a bad option for just about all women, not just for themselves. Otherwise, they will end up among the legion of "personally-opposed" pro-choicers.

By itself the woman-centered strategy does not signal the demise of *Roe v. Wade*. And one cannot reasonably expect to stop abortion as long as it remains everywhere legal, and available at public expense in many states. Besides, abortion is (as I said) a tempting way out of a real problem. Much of our culture will encourage it for a very

long time as the choice of last resort.

What, then, are realistic goals for those committed to a true culture of life?.

One abortion is of course one too many. But let us face facts: there is no way in our sexually promiscuous society to that abortion will disappear. As one man's guess, the irreducible incidence of abortion – even assuming its universal illegality – is around 100,000. (Right now the figure is about 1.3 million a year.) Too many unplanned pregnancies for too many unmarried women; too many medics too willing to do abortions for an affordable fee; too little social and moral cost in some sectors (big cities, the artsy folks, in university settings) of American culture; too many holes in law enforcement.

One thing is certain: no approach to that bedrock number is possible *without* making abortion illegal. Bear in mind that, even according to the grossest pro-choice advocacy numbers, *Roe trebled* the number of annual abortions. In truth *Roe* probably increased abortion ten-fold. Some surveys today show that ninety percent of women would not have an abortion if it were illegal. I say again: all paths to a genuine culture of life go through *Roe v. Wade*, not around it.

But reversing *Roe* does not itself prohibit abortion. "Reversing *Roe*" means reinstating state legislators' control over the matter. Why? Because no Justice of the Supreme Court has ever taken the view, which I believe to be correct, that abortion is prohibited by the Constitution's guarantee of equal protection of the law for all persons. Justices Thomas and Scalia and Chief Justice Rehnquist instead hold that the Constitution is silent about abortion; states may permit or prohibit it as they see fit.

Reversing *Roe* is still worth the effort. Reversal would end the pro-choice chokehold on our highest law, and alter public consciousness. Prohibition would be a lawful goal in every state, albeit a long shot in some. These possibilities would energize pro-lifers, and eventually save some babies. Most important, reversing *Roe* is the necessary first step on the road to the ultimate goal: a

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constitutional amendment banning abortion. *This* would reduce annual abortions to that non-negotiable, bedrock number, whatever it exactly is.

How do pro-life forces go about reversing *Roe*? For a long time they sought reversal through an overruling Supreme Court decision. One relevant source of hope was the sheer audaciousness of *Roe v. Wade*. I do not refer here to the mind-bending arrogance of unelected judges who would overturn the traditional laws of all fifty states. I refer instead to the lethal whimsy of the Court's reasoning. Dissenting Justice Byron White called the case an exercise of "raw judicial power". At least, even pro-choice legal scholars, such as John Hart Ely of Harvard Law School, denounced the arbitrariness of the opinion. These criticisms fueled hope for an early reversal of *Roe*. The hope was to cobble together an anti-*Roe* judicial coalition comprised of pro-lifers and others well schooled in the judge's craft, repulsed not so much by abortion as by *Roe*'s sloppiness.

It has come out the other way around. Justices who are "personally" anti-abortion vote to confirm *Roe*. Some do so believing that *Roe* is miserable judicial work. One or more of the centrist group of Justices in the 1992 affirmation of *Roe* – *Casey v. Planned Parenthood* – believed both that abortion is immoral and that *Roe* was wrongly decided.

In my judgment, the Supreme Court is not going to reverse *Roe v. Wade* for a long time – if ever. *Roe* was just what Justice White said it was: an exercise of raw power. It will take such power to reverse it, in the form of a populist political uprising in favor of a constitutional amendment, expressly robbing that awful decision of all legal effect. So: the woman-centered strategy first, then a direct effort to uproot *Roe*.

The audaciousness of *Roe* also reinforces the "abortion-industry-exploits-women" strategy. Let me explain.

The *Roe* Justices did not suggest that an abortion liberty could be found in the constitutional text. (It can't.) They admitted that abortion had for

centuries been treated as a crime. They admitted that the ruling was unprecedented. Though the Justices mentioned other cases which dealt with "privacy" – mostly involving family life but also a couple involving contraceptives -- they conceded that abortion was "inherently different" from all those decisions. The difference maker was the presence of the unborn child, called by the Court alternately the "fetus" and "potential life". On what explicit basis, then, did the *Roe* Court create a constitutional right to terminate a pregnancy?

On the "detriment" the "state would impose" on the woman by denying her an abortion. The "detriments" catalogued by the Court had almost nothing to do, however, with pregnancy. Nothing to do with the woman's alleged right to "control her own body". They were not about pregnancy, even though the Court rested a right to terminate pregnancy upon them. The "detriments" were about raising children. The Court's pain-filled tale about being a mother was a second source of hope: the Court's dark, self-centered critique could never eclipse, many trusted, the buoyant joys of parenting.

Aside from an unexplained reference to "harm medically diagnosable early in pregnancy", here is the *whole* set of "detriments" so great, in the Court's view, as to justify creating a constitutional right to abortion: "Maternity, or additional offspring, may force upon the woman a distressful life and future. Psychological harm may be imminent. Mental and physical health may be taxed by childcare. There is also the distress, for all concerned, associated with the unwanted child, and there is the problem of bringing a child into a family already unable, psychologically and otherwise, to care for it. In other cases...the additional difficulties and continuing stigma of unwed motherhood may be involved." All these reasons lead to infanticide as much as they do to abortion. Who is to say that the pregnant woman who projects clear sailing won't eventually encounter these "detriments"? She may discover that child care is more exhausting than she thought it would be; she may be taxed, financially and psychologically, in unexpected ways; married when pregnant, she may now be on her own, scarcely

coping with the demands of single-parenting. What is *she* supposed to do? If you think about it for a split second, you will see that *Roe's* “detriments” do not end with infancy.

In fact, were the question solely about pregnancy (and not about being a mother), events since 1973 would surely undo *Roe*. The Court said then that childbirth could be dangerous, and that abortion might be chosen for its comparative safety over carrying and delivering the baby. But the quality of pre-natal maternal care has advanced greatly since *Roe*; pregnancy and childbirth are considerably safer courses than they were then. Much safer than abortion was, and is. In 1973 we knew almost nothing about the dangers of abortion; illegal for centuries, there were no scientific studies of what abortion did to women's bodies, their psyche, and their hearts. If the question is this: which is better for women – labor and delivery or abortion – the answer is now an easy call.

Plainly put, *Roe* is profoundly anti-child, anti-mother, and therefore anti-woman. A woman-centered strategy for reversal is thus the opportunity of the moment. *Roe* does not, to be sure, require anyone to abort her child or to regard motherhood as an unalloyed “detriment”. Yes, in that sense *Roe* frees women to choose and to think what they like. But women – and men – are *not* free to choose the culture in which they live, interact, have sexual relations, have children, marry. One set of laws shapes, structures, and ultimately holds in place by legal sanction the public architecture of all these practices and relationships. Every last one of us lives in the world *Roe* made. None of us can entirely escape its sway. Our children struggle to outrun *Roe*, if they try. In the world *Roe* made killing is authoritatively held out as a licit response to the challenges of being a mother.

An aside: does this mean that *Roe* might license infanticide? No. In its first favorable reference to abortion in its history, the Supreme Court spoke in the 1971 *Eisenstadt* case of a protected choice to “bear” or “beget” a child. “Bear”, in the common understanding and surely in the

mind of the *Eisenstadt* Court, means “to give birth”. It has no post-natal reference. When birth is concluded, a child has been born. *Roe v. Wade* consistently and without exception referred to abortion as the “termination of pregnancy”. The recent (2002) enactment of the federal Born Alive Infant's Protection Act seals this straightforward reading of the whole abortion judicial corpus: “abortion” really means only ending a pregnancy before the baby is separated from the mother's body. This asymmetry between reasons for the legal rule and the legal rule in *Roe* is eye-catching evidence of the case's arbitrary quality.

There is more arbitrariness to *Roe*, right there at the heart of things, the moral status of the life within the womb. Here we have an opportunity to buttress the political coalition to overturn *Roe* by amendment. I cannot help but observe that, on this question, *Roe* is simply absurd.

The *Roe* Court said that it did not “need [to] resolve the difficult question of when life begins”. The Court there said the “the judiciary...is not is a position to speculate as to the answer.” But in no general or broad way, did the Court hold that the states or the Congress operated under a similar disability. All that the Court held in this regard was that Texas (and thus any other governmental body, including for argument sake, the Congress) “could not override the rights of the pregnant woman” by adopting an answer to the question of when life begins. The “right” involved was the right to choose abortion. Consider now the Supreme Courts' 1989 *Webster* decision. The state of Missouri had legislated that the “life of each human being begins at conception” and that “unborn children have protectable interests in life, health, and well-being.” The Eighth Circuit Court of Appeals held that, in light of *Roe*, Missouri “impermissibly” adopted a “theory of when life begins.” But the Supreme Court reversed this part of the Eighth Circuit holding. The Supreme Court said in 1989 that our prior decisions including *Roe* meant “only that a state could not justify an abortion regulation *otherwise invalid under Roe v. Wade* on the ground

that it embodied the state's view". (Emphasis added).

This means that laws which punish someone who injures an unborn child are consistent with *Roe*. These "feticide" laws hold accountable angry boyfriends, for example, for injury or death to the unborn as a distinct victim. Punishment is the same as for injuring a grown-up, walking-around person. As against the whole world save for the pregnant woman and someone providing the abortion she desires, our law may require that the unborn child be treated *exactly* as anyone else is, at least with regard to a right not to be assaulted or killed.

But does anyone really think that the moral status of someone depends upon *who* strikes him or her, or whether that person strikes him or her with *someone else's* permission? Or upon *where* the someone is physically located at this instant: *in utero*, in the birth canal, in the delivering doctor's arms? Does anyone really believe that someone is, or is not, a human person depending upon whether someone else *wants* them to be? Evidently, some do believe. At least that is the linchpin, the central nervous system, of our whole pro-choice regime. We can reasonably hope that a new generation (yes, particularly of women) can be persuaded that personhood is not such a transitory, contingent quality.

I said at the beginning that the *Roe* Court launched a cultural revolution. We have seen outlines of that cultural *putsch*. Here is the full picture.

Go back to the "detriments" of being a mother. Women had experienced and met these challenges ("detriments") from time out of mind. Nowhere did the *Roe* Court suggest that these hardships were new, or that they were, in 1973, growing more onerous. There is no reason to think they were. The burdens of motherhood were instead decreasing. Family-friendly public policies lessened financial pressures on poor

families; affordable psychological services abounded; the moral "stigma" of unwed motherhood had all but disappeared from our culture; the Supreme Court itself had already prohibited most discrimination against "illegitimate" children. With help of these sorts, women could navigate the shoals of unplanned pregnancy, if only by relying, finally, upon adoption.

Despite these many advances in support of mothers, the Supreme Court lifted abortion from the realm of scandal, sin and death, and declared it a constitutionally anointed solution to the "detriments" of motherhood. Why? Why did the Court decide to view perennial challenges – then, easing up – as pains too great to bear?

Because the Court had its own *normative* conception of women's identity, procreation, careers, motherhood – the stuff of cultural revolution. The Court sought to make a reality of its vision of women and their place in society. *Roe* was, in other words, social engineering of the most ambitious kind. Or, perhaps more exactly, an entirely self-regarding power to engineer one's own life.

The Court did not look back for justification. There was nothing to help their case in the rear-view mirror anyway. The Court instead *anticipated* the ratification of its innovative work by future generations. The great constitutional theorist Alexander Bickel detected this pattern of "justification" across the whole judicial revolution beginning in the Sixties. Bickel thought that the Justices were imagining the past and remembering the future. He said that they believed, not that history or precedent supported their rulings, but that the histories written about them would approve their bold strokes.

Consider now what the Court has *since* said to sustain *Roe*. Almost twenty years after the Court wrote: "An entire generation has come of age free to assume *Roe's* concept of liberty in defining the capacity of woman to act in society, and to make reproductive decisions". With what effect? "[F]or two decades... people have

organized intimate relationships and made choices that define their views of themselves and their places in society, in reliance on the availability of abortion in the event that contraception should fail. The ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives”.

These sentences are taken from the *Casey v. Planned Parenthood*, the June 1992 decision which re-affirmed the central holding of *Roe*. They contain the grounds for that affirmation – not the language of the Constitution, the meaning which our forefathers attributed to it (“framers’ intent”), pre-1973 decisions of the Supreme Court, or any other conventional legal source. Many today applaud *Roe* for the culture it made possible, a culture in which women control their reproductive lives, and obtain social and economic goals on a par with men. The HBO series *Sex in the City* were a snapshot of American women: this is what the *Roe* Justices hoped for.

Note well: *Casey* was not talking only about the many million women who had abortions. The Court implicitly claimed to have altered the psychology and self-understanding, the dreams and achievements, of every woman. *All* women have available to them a fail-safe “control [over] their reproductive lives”. The notion resembles claims one could make for unemployment compensation or Medicare: not nearly everyone uses them, but everyone knows about the social “safety net”. No matter what chances one takes with one’s money or job, no matter how bad one’s luck turns, one knows that one is not going to starve.

The abortion liberty is nested deep within our culture of sex without a thought of procreation, of planned pregnancies, of intentional parenting. This view clashes not only with an alternative morally healthy culture, but with reality as well. For even in the ideological haze of “choice” instigated by *Roe*, we know that we cannot choose the children we will have, whether we will like them or not, whether they

will like each other, or us. We have little control over whether they will be our life’s joy, or cross; over whether they will consume us with pain or bathe us in joy. Bringing a child to be is thus a matter of unreserved commitment, of submission to unforeseen contingencies, of humble openness to the future until death parts mother from son, father from daughter. It is a matter of faith in Providence.

It is here, deep within our most cherished acts and relationships and beliefs, that we find the ground upon which to stand up to the abortion culture. And the ground for abiding hope.

This article was also published in *The Family Research Council publication, Building A Culture of Life 30 Years after Roe v. Wade*.

The Laity in the Mission of the Church

By Russell Shaw
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Two of the most disturbing things I have read lately about the role of the laity in the mission of the Church were written by people I greatly respect—Cardinal Joseph Ratzinger and Professor Mary Ann Glendon. Probably their remarks were so disturbing precisely because I *do* respect them. You develop a certain tolerance for the absurdities of the absurd, but with people of substance like Cardinal Ratzinger and Professor Glendon it is a different story: "If in the case of green wood they do these things, what is to happen in the case of the dry?" (Lk 23.31).

But even though what the Cardinal and the Professor said has the potential for doing much mischief, thinking about why that is so has helped me clarify some of my own ideas. That is why I introduce their remarks into the present discussion.

Start with Cardinal Ratzinger. His comments appear in a new, book-length interview called *God and the World*. Asked by journalist Peter Seewald to comment on the rights of the laity in the Church, he answers that Pope Pius XI "founded the lay apostolate," and then he adds:

As far as I can see, the anticlerical emphasis, the feeling that lay people had first of all to secure their own rights in the Church, did not develop until after the Second Vatican Council.¹

The questioner pursues the point, remarking that "this idea has grown into a proper anti-Roman war cry, into a dogma of liberal bourgeois thought"; and Cardinal Ratzinger responds:

[A]bove all the notion has formed that we have to determine together what it is possi-

ble to believe today, what kind of Church we should construct. And in doing this we would, so to speak, have to deprive the clergy of their power and to ensure that the laity have their due say....

If the clergy understand their role correctly, they do not prescribe what the Church is, but stand in obedience to God, which is guaranteed by the pope. Then their task is precisely to ensure that people do not shape the Church in accordance with their wishes, but rather that she remains in the hands of the Lord.... And then it is not dishonorable to be a layman, but the normal form of being a Christian; the normal form in which the gospel is lived out in this world and brought into the daily affairs of the world. That Christianity takes hold of the world and reshapes it, that is the true apostolate of the laity.²

Cardinal Ratzinger is making two important and true points here about the laity and their rights. The first is that the rights of the laity have become a rallying-cry for the Catholic left in recent years; witness Europe's We Are Church movement and the Voice of the Faithful organization that has sprung up in the wake of the clergy sex abuse scandal in the United States. The second is that the shaping of the secular order in light of the gospel *is* the lay apostolate, properly understood, and that this is the most important part of the laity's participation in the mission of the church.

But the Cardinal also is saying something untrue and destructive in reducing all advocacy regarding the rights of the laity in the Church to anticlericalism, in saying that it arises from a desire to reshape the Church "in accordance with [human] wishes," and in calling it an attack on the authority proper to the clergy. These things are true of *some* advocacy regarding the laity's rights, but they are not true

garding the laity's rights, but they are not true of it *all*. To suggest otherwise is a clericalist maneuver—unconscious, no doubt—intended to keep the laity in their place: a place that most certainly does not involve significant participation in decision-making.

Professor Glendon's treatment of these matters is found in an article entitled "The Hour of the Laity," published in the November issue of *First Things*. Like Cardinal Ratzinger, she says a number of true and important things: for example, that the body of Catholic lay people in the United States today, so often and so misleadingly said to be "the most highly educated laity" in the Church's history, suffer from a shocking lack of education and formation in the faith; that assimilation into a secular culture committed to beliefs and values opposed to Christianity has had a disastrous effect on American Catholics; and that some of these people lately have sought to exploit the sex abuse crisis for their own ends by attempting something not unlike an ecclesiastical coup d'etat.

Professor Glendon writes:

[S]logans about "structural reform" and "power-sharing" did not come from nowhere. Aging members of the generation of failed theories—political, economic, and sexual—have seized on the current crisis as their last opportunity to transform American Catholicism into something more compatible with the spirit of the age of their youth. It is, as Michael Novak puts it, their last chance to rush the wall.³

This is certainly true, and it is extremely important that it be said. The trouble is that it is *all* Professor Glendon has to say, here at least, about lay participation by the laity in ecclesial decision-making. As with Cardinal Ratzinger, in this telling of the story it all comes down to a revolution staged by aging '60s-style Catholic dissidents. This reductionism, too, is deeply clericalist.

With this introduction to the problem, I wish to turn to a brief examination of three models of lay participation in the mission of the Church. They are: lay apostolate, lay ministry, and shared responsibility. I shall then say a few words about the need for a developed theology of shared responsibility, and finally about the need for education and formation for this form of lay participation as well as for lay apostolate.

First, lay apostolate.

There are two versions of this. The older of them is Catholic Action, whose classic definition is the participation of the laity in the apostolate of the hierarchy. This may be what Cardinal Ratzinger has in mind in saying Pope Pius XI, who sometimes was called the Pope of Catholic Action, "founded the lay apostolate." Catholic Action in its day was an important innovation in thinking and practice regarding the laity. But its day pretty clearly has passed in a country like the United States, and I do not think there is any realistic possibility of reviving it.

The second version of lay apostolate is what might be called the Vatican II version. Rather than being the participation in the apostolate of the hierarchy, it is understood as the participation of the laity in the mission of the Church—the apostolate properly so called—which belongs to them by right and by duty as a result of baptism and confirmation.

Lay apostolate in this Vatican II sense takes priority among forms of lay participation in the Church's mission. As *Lumen Gentium* says, "The laity...are given this special vocation: to make the Church present and fruitful in those places and circumstances where it is only through them that she can become the salt of the earth."⁴ The Decree on the Apostolate of Lay People says: "The characteristic of the lay state being a life led in the midst of the world and of secular affairs, laymen are called by God to make of their apostolate...a leaven in the world"; and again: "Laymen ought to take

on themselves as their distinctive task this renewal of the temporal order."⁵

My impression is that in the United States, for many different reasons, the council's prescription for lay apostolate has not been a great success. It would be beyond the scope of this paper to examine that question at length; but by way of illustration I merely note that in the 108th Congress the two most prominent Catholics in the Senate and House of Representatives will probably be the Senate and House minority leaders, Tom Daschle of South Dakota and Nancy Pelosi of California. Both strongly support legalized abortion as well as positions on other human life issues opposed to the teaching of the Catholic Church; and unfortunately they are not alone in this among Catholic Members of Congress.

Second, lay ministry.

The landmark document here is of course Pope Paul VI's 1972 apostolic letter *Ministeria Quaedam*, with its key affirmation: "Ministries may be committed to lay Christians. They are thus no longer to be regarded as reserved to candidates for the sacrament of orders."⁶

Since then, both the literature on lay ministry and lay ministries themselves have proliferated. No doubt that is desirable in principle. But no doubt, too, it has been accompanied by a great deal of theoretical and practical confusion, which seem to get worse as time goes by. In one parish I know a brochure called *A Guide to Ministry Opportunities* recently was distributed which read in part:

We consider all activities at [this] parish to be a ministry of some kind. While some roles, such as Eucharistic Minister or Lector, are traditional ministries, we believe that participating in such activities as Fund-raising Events, working on Social Concerns, or making decisions on which charities should receive our tithes are forms of ministry also. Is it unreasonable to think that where everything is ministry,

sooner or later nothing will be ministry? The rhetorical devaluing of the term, to the point that it is nearly meaningless, is obvious in a passage like this.

Moreover, I think it clear that the almost exclusive emphasis on lay ministries in official Catholic circles in the United States during the last twenty-five years and the almost total neglect of organized lay apostolate during the same time helped bring about the collapse and virtual disappearance of the latter. Pope John Paul's critique of careless thinking and practice on the subject of lay ministry is devastating. In *Christifideles Laici* he speaks of a too-indiscriminate use of the word "ministry," the confusion and the equating of the common priesthood and the ministerial priesthood, the lack of observance of ecclesiastical norms, the arbitrary interpretation of the concept of "supply," the tendency towards a "clericalization" of the lay faithful and the risk of creating, in reality, an ecclesial structure of parallel service to that founded on the Sacrament of Orders.⁷

This, too, may be part of what Cardinal Ratzinger has in mind; and so, I agree with him that it has not been taken nearly as seriously as it should be.

Third, shared responsibility.

The term is unfamiliar today, but that was not always the case. During the postconciliar years in the United States, the idea of shared responsibility in the Church enjoyed a vogue in the Church in the United States and some other countries. For example, the peculiar dual-conference structure of the National Conference of Catholic Bishops and the United States Catholic Conference reflected this thinking. In the mind of the planners, USCC, together with the bishops' National Advisory Council, were supposed to evolve into a National Pastoral Council of the American Church.

It did not happen, of course, because the

Vatican, worried about developments in the Netherlands and the U.S., in the early 1970s circulated a letter on national pastoral councils to the world's bishops saying in effect, 'Not now'; and also because the famous Call To Action Conference of 1976—which I believe was intended as a kind of backdoor vehicle for introducing a National Pastoral Council—got badly out of control, embarrassed the bishops, and laid the idea of shared responsibility to rest for the next quarter-century and more. At the national level, this is symbolically expressed by the fact that the bishops several years ago abandoned the old NCCB *and* USCC, and adopted a one-conference structure, the United States Conference of Catholic Bishops, with themselves the exclusive decision-makers.

Even so, I believe, the time now has come to revive the idea of shared responsibility. There are two reasons for that.

First, in the United States at least, it is required by the present crisis of the Church. Along with moral failings of a shocking sort, the sex abuse scandal has uncovered systemic weaknesses in decision-making and governance. And although for some people "systemic" has become a code word for left-wing rebellion, and although giving lay people a real say in decision-making would hardly be a panacea: nevertheless it is possible to propose prudent systemic change without being a left-wing dissident, and there will be no real solution to the weaknesses in decision-making and governance without participation by the laity—without, that is to say, without the practice of shared responsibility.

Second, steps in this direction also are required by a sound theological appreciation of the laity and their role in the Church. Despite Cardinal Ratzinger's apparent belief that concern with the laity's rights is a post-Vatican II phenomenon, the theme of shared responsibility is present in the documents of the council itself. For example, *Lumen Gentium*, speaking of the

"many benefits for the Church" to be expected from a "familiar relationship" between the laity and the pastors, goes on to say:

The sense of their own responsibility is strengthened in the laity, their zeal is encouraged, they are more ready to unit their energies to the work of their pastors. The latter, helped by the experience of the laity, are in a position to judge more clearly and more appropriately in spiritual as well as in temporal matters. Strengthened by all her members, the Church can thus more effectively fulfil her mission for the life of the world.⁸

And the Decree on the Apostolate of the Laity:

The laity should develop the habit of working in the parish in close union with their priests, of bringing before the ecclesial community their own problems, world problems, and questions regarding man's salvation, to examine them together and solve them by general discussion.⁹

And a bit later in the same document:

In dioceses, as far as possible, councils should be set up to assist the Church's apostolic work, whether in the field of evangelization and sanctification or in the fields of charity, social relations and the rest; the clergy and religious working with the laity in whatever way proves satisfactory. . . . Such councils should be found too, if possible, at parochial, inter-parochial, inter-diocesan level, and also on the national and international plane.¹⁰

Pope John Paul also speaks approvingly of the diocesan pastoral council in *Christifideles Laici*, saying in part that on a diocesan level this structure could be the principal form of collaboration, dialogue, and discernment as well. The participation of the lay faithful in these Councils can broaden resources in consultation and the principle of collaboration —*and in certain instances also in decision-making* [emphasis added]—if applied in a broad and

determined manner.¹¹

Very recently he returned to this topic in an *ad limina* talk to a group of Brazilian bishops. Although cautioning against the "dispersion of vital forces" that would come from turning a national lay organization into a "conference" parallel to the episcopal conference itself, he suggested the possibility of a "convergence" of complementary lay and clerical structures at the diocesan level, leading in time to an "organic convergence" of clergy and laity.

"In this way," the Pope remarked, "an effort should be made to reach the goals that are truly laid out in diocesan pastoral plans and, in the ultimate analysis, in the mind of the successor of Peter and in the Magisterium, correctly applied."¹² Granted that this is quite vague, it nevertheless raises interesting possibilities in the minds of people who pay attention to such things. It also underlines the fact that shared responsibility is not simply a creature of post-conciliar anticlericalism.

It seems to me that shared responsibility should be practiced in three areas of Church life: finances, personnel, and the setting and carrying-out of the Church's political program. This is not the place for much detail, but I hope it is clear that I am speaking of a *sharing* of responsibility, not unilateral lay control replacing unilateral clerical control.

Sharing of responsibility is appropriate in all of these areas. In regard to finances, both for the sake of lay expertise and for the sake of authentic, enforceable accountability. In regard to the Church's political program, because, as Vatican II and common sense both make clear, this is an area of activity proper to the laity and also because the Church stands no chance of regaining its capacity for effective action in the public square—already in decline before the sex abuse scandal—in any other way. And in regard to personnel—that is to say, the selection of bishops and pastors—because, as Yves Congar pointed out a half-century ago, lay people ought to have a say even about questions concerning the recruitment and formation of the clergy—

obviously a sphere wherein the hierarchy has to judge and alone be finally responsible; but all the faithful are concerned in it, their concern indeed is a guarantee of success, and it is not difficult to imagine modern forms corresponding...to the people's former part in elections and ordinations.¹³

Congar further remarked that, just as at one extreme "to make an act of the body of the faithful the condition for validity of an hierarchical operation, whether of magisterium (dogma) or government (decree)," so also at the other extreme, "to give no place to the co-operation and assent of the whole body is to ignore something in the order of life."¹⁴ Surely it is not impossible to avoid both extremes.

Finally, a few words about the need for a theology of shared responsibility and for formation for shared responsibility and lay apostolate.

The theology remains to be worked out, although Congar remains an important source. I would suggest at least three elements in it. First, the ecclesiology of the Church as a *communio*, considered not just in terms of relationships among churches—particular, universal, and so on—but also among persons within the Church: in other words, the Church as People of God and Mystical Body of Christ. Second, a developed appreciation of the charismatic dimension in the Church alongside the hierarchical. Third, an understanding of the reality and the importance of personal vocation, as suggested by John Paul II when he says ecclesial communion is characterized by a diversity and a complementarity of vocations and states in life, of ministries, of charisms and responsibilities. Because of this diversity and complementarity every member of the lay faithful is seen in relation to the whole body and offers a totally unique contribution on behalf of the whole body.¹⁵

With regard to formation, I can only repeat that Professor Glendon is absolutely right in saying massive catechetical failure has left American Catholics massively ignorant of the faith. Ignorance is the seed bed of most contemporary dis-

sent, and it has to be remedied before we can move very far in the direction of shared responsibility.

But this is not an argument for not moving at all. Very nearly the only large-scale efforts to form the laity of which I am aware in American Catholicism at the present time are those intended to prepare people for professional or para-professional lay ministry. For many reasons, this is a bad mistake.

While the education of the laity now needs to recover lost ground on many fronts, formation should focus above all on vocation and vocational discernment. Its "fundamental objective," Pope John Paul says, "is an ever-clearer discovery of one's vocation and the ever-greater willingness to live it so as to fulfill one's vocation."¹⁶ Parishes especially must become schools of vocational discernment for the laity—not just the few whose vocations include callings to the priesthood and consecrated life, but the many, who all are called to participate in the mission of the Church: through lay apostolate, through lay ministry, and, in at least some cases, through a sharing of responsibility that involves participation in decision-making for the Church.

This paper was presented December 2, 2002, at a Faith and Reason Institute conference in Washington, D.C. Russell Shaw's books include *To Hunt, To Shoot, To Entertain: Clericalism and the Catholic Laity* (Ignatius Press, 1993) and *Ministry or Apostolate: What Should the Catholic Laity Be Doing?* (Our Sunday Visitor Publishing Division, 2002). He is a member of the communications faculty of the Pontifical University of the Holy Cross, Rome.

Footnotes

- ¹ Joseph Cardinal Ratzinger, *God and the World: Believing and Living in Our Time* (San Francisco: Ignatius Press, 2002), p. 387.
- ² *Ibid.*, pp. 387-388.
- ³ Mary Ann Glendon, "The Hour of the Laity," *First Things*, November 2002.
- ⁴ Vatican Council II, Dogmatic Constitution on the Church, *Lumen Gentium*, n. 33.
- ⁵ Vatican Council II, Decree on the Apostolate of Lay People, *Apostolicam Actuositatem*, n. 2, n. 7.
- ⁶ Pope Paul VI, Apostolic Letter on First Tonsure, Minor Orders and the Subdiaconate, *Ministeria Quaedam*.
- ⁷ The Lay Members of Christ's Faithful People, *Christifideles Laici*, n. 23.
- ⁸ *Lumen Gentium*, n. 37.
- ⁹ *Apostolicam Actuositatem*, n. 10.
- ¹⁰ *Ibid.*, n. 26.
- ¹¹ *Christifideles Laici*, n. 25.
- ¹² Address of John Paul II to the Bishops of Brazil from the Regions 1 and 4 on Their "Ad Limina" Visit, October 26, October 2002, *L'Osservatore Romano* (English language edition), November 6, 2002.
- ¹³ Yves Congar, O.P., *Lay People in the Church* (London: Geoffrey Chapman, 1965), p. 268; originally published in 1951 as *Jalons pour une Théologie du Laicat* (Paris: Les Editions du Cerf).
- ¹⁴ Congar, p. 262.
- ¹⁵ *Christifideles Laici*, n. 20.
- ¹⁶ *Ibid.*, n. 58.

Catholic Theologians: Mandate and Magisterium

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Anticipating the June effective date for a new requirement that every American theologian at a Catholic college to request and receive from her or his local bishop a mandatum, Milwaukee Archbishop Rembert Weakland asked for theological advice on the matter. These mandates, essentially, certify that a theologian's work does not misrepresent the content and implications of Church teaching. (As it turned out, this spring's events mooted the issue for Weakland who, it now appears, will have little involvement in the mandate process.) Marquette University's Daniel Maguire responded with a letter also published in the American Association of University Professors' house magazine. (Daniel Maguire, "Academic Freedom & the Vatican's Ex Corde Ecclesiae," *Academe* (May-June 2002): pages 46-50) Maguire ridicules, as predicated on belief in "magic", the traditional claims that bishops enjoy a special divine assistance in teaching, and that bishops are in virtue of that assistance competent to assess the orthodoxy of theological claims even without extensive theological education and professional certification. Maguire's letter is important, in part because of his prominence as one of the most active of the first generation of major dissident moral theologians, but also because of its content.

I will not trouble myself with most of this Maguire defines the term 'magic' as "the achieving of effects without appropriate causation." If causation is inappropriate whenever its mechanism is not naturalistically explicable, then this definition is so broad as, without further qualification, to include the whole of the supernatural and to exclude the needed distinction between virtuous acceptance of divine agency and sinful superstition. If he means something less than this, then he needs to tell us where and why divine assistance to episcopal teaching crosses

over into a form of causation that is not "appropriate." Maguire's argument chiefly relies on Avery Cardinal Dulles's claim that theologians and bishops have distinct magisteria (teaching missions) in protesting the Church's new requirement that Catholic universities' teachers of Catholic theology request and maintain a canonical mandate from their local bishops. This distinction of magisteria, which Dulles offered in a presidential address to the Catholic Theological Society a quarter century ago, is not unproblematic. Accepting it must involve some stretching of the notion of a magisterium, a teaching office and authority within the Church. I accept it without critique here in order to focus on the use to which Maguire seeks to put this idea of Dulles's.

Unfortunately for Prof. Maguire's argument, his discussion seriously misrepresents Dulles's position in bending it to the service of Maguire's preferred conclusions. Moreover, it is difficult to see how Maguire could alter Dulles's position to support those conclusions without either violating his own precepts or manifesting obvious bias. What matters is not whether there are two (or more) teaching missions in the Church, but how such missions relate to one another. There are three possibilities.

The first is Dulles's own. As Maguire says, Dulles holds the bishops' and theologians' magisteria are "complementary and mutually corrective." Maguire immediately infers that "[t]he theological magisterium, has a duty to critique the hierarchical magisterium." If the two are "mutually corrective", however, then it must also follow that a bishop has, if not a duty, then at least the right and competence to critique a theologian. To deny that is to abandon mutuality. Note that to maintain, as Maguire does, that most bishops are incompetent to critique an academic theologian's work because they are inadequately educated and to insist that any such criticism undergo academic

peer review is to claim that anyone can criticize theological work only as a theologian. Yet that denies the heart of Dulles's view, which is that a bishop has a separate teaching mission: a mission to teach, not as a theologian, but precisely as bishop.

Of course, Maguire could agree with Dulles that theologians have a distinct teaching mission without also agreeing that the missions are "mutually corrective." Does Maguire then, accept this second possible relation, thinking that each's exercise of its teaching mission is beyond the competence of the other to judge and criticize? If so, a problem arises. Maguire criticizes any bishop who presumes to clarify episcopal teaching by pointing out that a certain theologian's position conflicts with that teaching. If a theologian's teaching is immune from bishops' criticism because of some mutual insulation, then so too must the bishops' exercise of their teaching authority be immune from a theologian's critique. So interpreted, Maguire runs afoul of what academic philosophers call a pragmatic, self-referential inconsistency: if what he says about the limits of theologians is correct, then he delegitimizes his saying what he does about the bishops exercise of the power of the mandate. It is difficult to see how Maguire could adopt this position without undermining the propriety of his own critique of *Ex Corde.*

Maguire, then, must renounce mutuality and consequently any claim to the two magisteria's equality, if he is to use Dulles's distinction of teaching missions in support of this critique of *Ex Corde.* He must endorse a third view of the relationship between the theologian's teaching mission and the bishop's. According to it, the theologian's is superior to any bishop's, permitting the former to criticize the latter but not the latter the former. In fact, he probably would need to go further. Twentieth century research on language indicates that, for any assertion, we clarify its content by showing what it entails and what it excludes. It follows that, if a bishop is to teach anything about the Church, he must be able to say what that teaching excludes, including claims made by theologians. If Maguire

wants to use the theologians' alleged teaching magisterium to immunize their work from episcopal critique (that is, critique made by bishops as bishops and not as theologians), he must deny the bishops any teaching office at all, and reserve magisterium exclusively to the academy. This extreme position sounds outlandish, and until adequate defense is offered, Maguire's position will strike us as special pleading, a demand for one-sided right for theologians to criticize bishops while theologians are insulated from the bishops' response.

Maguire says the important question is not what teaching is official but what teaching is true. He is at least half-right: it is the Truth that can set us free in this life and Whose embrace constitutes our felicity in the next. When we accept the Church's authority, however, as the term implies, we therein acknowledge that we have grounds, rooted simply in her authorship, for believing and for doing what she tells us. So, it matters what teaching is officially, is really, the Church's, because she is a guide to the Truth.

Why identify genuine teaching with official teaching? After all, some respond to the Vatican's vision that Catholic higher education springs *ex corde ecclesiae*, from the Church's heart, with the query 'Which heart?' Some might similarly challenge any admonition that a Catholic theologian think with the mind of the Church by asking 'Which mind?' Maguire finds the first question insightful, and might well think the same of the second. It is difficult to see why we should agree. The metaphor of the heart invokes the image of the Church as a body, elaborated in Scripture and tradition as Christ's Mystical Body. If God's Word is the Church's lifeblood, then what we attribute to the heart must share in its function of spreading that Word throughout all its members, that is, less metaphorically, its membership. (Perhaps we should add: its one heart. What has many hearts must be either many bodies, contrary to the Church's essential unity, or a deformed body, whose aberration would be contrary to the Church's perfection.) Yet, as the metaphorical heart has a function--a *munus*, a mission, an office--in the

Church, so do its other parts. The Church is a kind of body, having, as a body has, parts of differentiated function. Because Christ, the Truth Incarnate, is head of the Church--which is therefore never just the people of God, but the people united in and with God--the teaching office of the Church is seated in His vicars (substitutes) and those of His apostles. Many people in the Church are teachers, but the Church itself teaches when it exercises its teaching office. That is why, contra Maguire, it can matter so much what teaching is official, and why it imperative for us to know, and for our bishops to clarify, what fits and what contradicts the Church's genuine, its official, doctrine.

None of this shows that the specific requirements that are laid out in Ex Corde for a theologian to acquire and maintain a mandatum are a good idea, nor how they should be implemented. My own view is that a bishop's withholding or withdrawing a theologian's mandate, while not objectionable in principle, should occur only in extreme cases, and over egregious public iteration of positions that distort the content and implications of Church doctrine. Would this entail some modification of academic freedom as some in the United States understand it? Maybe so, but those troubled by that must offer some substantial and effective alternative procedures by which the Catholic Church can, through its episcopal hierarchy, exercise its right to say what (and whose) teaching conflicts with Catholic doctrine. These days, within theology as well as without, the academy is rife with ill-justified insistence on the social contextualization, historicism, revision, adaptation, and development of our rules. It is a sad irony that some see no difference between the academic freedom appropriate for, say, an atheist chemist teaching her discipline in a secular university, and the different sort suitable to the relationship between her bishop and a Catholic theologian purporting to teach Catholic theology in a Catholic institution. We await a developed understanding of how to reconfigure academic freedom and accountability in a way that fits the peculiarities,

only exacerbated by any claim that the latter exercise a magisterium within the Church, of the latter. The current keening over the Catholic Church's asserting its right to say what and whose teaching counts as Catholic theology seem to me overblown, redolent more of self-interest and sloganeering than principle.

Reference

Daniel Maguire, "Academic Freedom & the Vatican's 'Ex Corde Ecclesiae'," **Academe** (May-June 2002): pages 46-50.

Membership Matters

by Christopher M. Janosik

The Fellowship web site now has important new capabilities including on line application and membership update forms. A guest book feature located at the bottom its home page facilitates collection of feedback from and information about persons who visit the site and offers visitors an opportunity to be added to a mailing list for news about our upcoming conventions and publications.

Matthew Gamber, SJ (Gonzaga University) has received affirmative responses from 150 members who will be listed in our forthcoming media guide. Many have written letters and notes with their replies expressing full and enthusiastic support for the project. The guide is now in the design / production stage. The target date for publication is early spring, 2003. Long-term plans include posting an electronic version of the guide on the Fellowship web site and linking contributors to individual web pages.

The Board of Directors will hold its semi-annual board meeting at the Catholic University of America on April 5, 2003. Ratification of new members, election a permanent president and appointment of a new executive secretary will be agenda items, as will planning for the annual convention in September at Arlington, Virginia.

For more information on "The Catholic Citizen: Debating Issues of Justice" to be held at the Crystal GATEWAY Marriott, please visit the Fellowship web site.

Members of the Fellowship continue to contribute scholarly expertise to National associations and publish on a wide variety of topics. Among the most recent are:

Bernard Dobranski (Ave Maria School of Law), **Robert George** (Princeton), **Mary Ann Glendon** (Harvard University), **Michael Healy** (Franciscan University), **Nicholas Healy**, (Ave Maria College), **Ralph Martin** (Renewal Ministries) and **Fr. Richard Neuhaus** (Institute on Religion) who are among those providing leadership for the recently announced Board of Trustees, Ave Maria University - Naples, FL.

Joseph Varacalli (Nassau Community College) recently announced an important conference, "Catholic Social Thought, Social Science and Social Policy" sponsored by the Center for Catholic Studies of Nassau Community College (March 28-29, 2003). Among the 50 scholars making presentations are **Rev. Robert Batule** (Rockville Centre), **Gerald Bradley** (Notre Dame), **Rev. Francis Canavan** (Fordham University), **Robert Fastiggi**, (Sacred Heart Seminary), **Marie George** (St. John's University), **Msgr. George Graham** (Rockville Centre), **Kenneth Grasso** (SW Texas State University), **David Gregory** (St. John's University), **Stephen Krason** (Franciscan University), **Rev. Edward Krause** (Gannon University), **Jose Pereira** (Fordham University) and **William Toth** (Seton Hall University).

Eugene Diamond, M.D. (Loyola University Medical Center), who recently spoke at the Pontifical Academy for Life. The theme of the assembly was "Ethics and Biomedical Research." His topic was "Conflict of Interest in Biomedical Research.

Patricia Ann Reilly, OP professor emeritus (St. Thomas Aquinas College), was recently honored with the Founders Award by St. Thomas Aquinas College in Sparkill, NY. The award recognizes individuals who exemplify the College's motto "To Enlighten the Mind through Truth" and salutes those who dedicate themselves to the pursuit of the founding ideals and values of the college community. Sister Reilly was also inducted into the Saint Thomas Aquinas College Hall of Fame for her outstanding leadership and dedication to education.

MEMBERSHIP MATTERS

Peter Ryan, SJ (Mount St. Mary's Seminary), was a respondent to Cardinal Francis George, O.M.I., who provided the keynote address at "Spiritual Fatherhood: Living Christ's Own Revelation of the Father," the spring symposium on spirituality and identity of the diocesan priest, co-sponsored by The Institute for Priestly Formation and Mount St. Mary's Seminary.

Janet E. Smith (University of Dallas) who contributed to the 3rd Annual Conference for Women sponsored by *Canticle Magazine*.

Rev. Richard Neuhaus who provided the keynote speaker for the *Creating a Culture of Life* conference in Toronto, Canada.

Newly published books:

STEPHEN M. BARR recently published *Modern Physics and Ancient Faith*, University of Notre Dame Press, (2003).

REV. JUDE DOUGHERTY, Ph.D., published *The Logic of Religion*, Catholic University of America Press. (January 2003).

RALPH MCINERNY, Ph.D. published *The Very Rich Hours of Jacques Maritain: A Spiritual Life, and Characters in Search of Their Author*, University of Notre Dame Press, (2003).

DOUGLAS OLLIVANT, ABD, edited *Jacques Maritain and the Many Ways of Knowing*, American Maritain Assoc. Publications (2002).

MSGR. FRANCIS J. WEBER, who last December completed forty years as Archivist for the Archdiocese of Los Angeles has released two new books: *Santa Margarita de Cortona Asistencis: A Forgotten Missionary Foundation along California's El Camino Real* and *A Legacy of Healing. The Story of Catholic Health Care in the Archdiocese of Los Angeles*.

And in journals:

PHILIP BLOSSER, Ph.D., who published reviews of *Quality with Soul: How Six Premier Colleges and Universities Keep Faith with Their Religious Traditions* by Robert Benne and *Higher Learning and Catholic Traditions* by Robert Sullivan in *New Oxford Review*, (January, 2003).

SR. SHEILA GALLIGAN, S.T.D., who published, "Please Pass the Salt" in *The Catholic Answer*, (January, 2003).

REV. JOHN GARKOWSKI, Ph.D., who recently published *The Beauty of the Cross: The Theological Aesthetics of Hans von Balthasar*" in *Logos*, (Summer, 2002).

MARY ANN GLENDON, Ph.D., whose presentation "Ecclesia in America: Reform, Renewal, and the Role of the Laity in a Time of Turbulence" has been published in *Catholic International*, (February, 2003).

JOHN HASS, Ph.D., who published "Apostle of Life: John Paul II" in *The Priest*, (January, 2003).

MSGR. GEORGE KELLY who published "Foxes and Lions" in *Catholic World Report* (February 2003).

JOHN KOBLER, M.A., who published "Esthetics of Lumen Gentium" in *The Modern Schoolman*, (November, 2002)

MARK LATOVIC, S.T.D., who published "Capital Punishment, Church Teaching and Morality: What is John Paul II Saying to Catholics in Evangelium Vitas?" in *Logos*, (Spring, 2002).

JOSE PEREIRA, who recently published *Thomism and the Magesterium: From Ancient Patris to Veritatis Splendor*" in *Logos*, (Summer, 2002).

RONALD RYCHLACK, Ph.D., who published “Another Reckoning: A Response to Daniel Jonah Goldhagen’s *A Moral Reasoning in Crisis*, (January, 2003).

WILLIAM TIGHE, Ph.D., who published “Anglicanism, Catholicism and the Significance of the ‘Anglican Use’ in the Catholic Church” in *New Oxford Review*, (January, 2003).

CYNTHIA TOOLIN, Ph.D., who recently published “The Dissenting Theologian” in *Homiletic and Pastoral Review*, (December, 2002).

KENNETH WHITEHEAD, who published “The Church in Crisis: 200 Years” in *New Oxford Review*, (February, 2003).

Also noted:

A Generation Betrayed, authored by Eamonn Keane and published by Hatherleigh Press, has received high praise from a number of the Fellowship’s past presidents and directors.

All members of the Fellowship are encouraged to submit news of appointments, awards, and publications directly to the executive secretary for this column. Preference will be given to events that have already taken place, and publications that are available in print, subject to limitations of space in each issue of the *Quarterly*.

BOOK REVIEWS

Stravinskias, Peter.

The Bible and the Mass

Newman House Press, 2000

Reviewed by Marie I. George
St. John's University
Jamaica, New York

Many Catholics attend Mass without ever realizing that a good part of the prayers used there are drawn in whole or part from the Bible. Fr. Stravinskias' book serves the dual purposes of enhancing one's appreciation of the meaning of the Mass, while bringing out that the Mass contains a substantial amount of Scripture in its Ordinary prayers. Each of the book's four chapters ends with questions suitable for a discussion group. The book is written in Fr. Stravinskias' typical crisp, clear style. Rather than presenting the Scriptures upon which the various prayers are based in the manner of a dry concordance, Stravinskias adds many reflections suited to nourishing a love for the Mass. He also gives some of the historical background concerning the addition of, development of, or changes in certain Mass prayers, and discusses some of the controversies surrounding them. He points out discrepancies between the English translation and the Latin, and addresses the importance of Latin in the liturgy (111-114). He answers in passing a number of typical questions that arise concerning the Mass, for instance why Mass cards are sold (52). Stravinskias thus

gives us a lot more in the book than the scriptural references relevant to understanding the Mass. A weakness of the book is that it is not as complete as it might be. In a number of cases Scriptural passages that clearly were being referred to in a prayer are not mentioned. While it is very helpful to be given references in the Catechism of the Catholic Church, they should not be substituted as they sometimes are for the actual Scriptural reference (e.g., the CCC reference is giving for "in the fullness of time..." instead of the reference to Gal. 4:4-5). Adding the Eucharistic prayers as an appendix would also be helpful. Also, the explanation of the reading cycles could be made a little clearer.

Some of the scriptural references that were omitted include:

-In the Confiteor, "I confess... to you my brother and sister" is taken from James 5:16: "So confess your sins to one another..."

-The Kyrie has affinity with Lk. 18:14: "God be merciful to me a sinner," words spoken by the publican "who went home at rights with God." in the parable of the publican and the Pharisee.

-In the Gloria; "You are seated at the right hand of the Father," is taken from Mk. 16:20. It occurs in other places in Scripture as well.

-The sign of the cross made on forehead, lips, and heart, as to the lips is somewhat reminiscent of the incident recounted in Isaiah 6:6, 7: " ' What a wretched state I am in! I am lost, for I am a man of unclean lips and I live among a people of unclean lips...' " The one of the seraphs flew to me, holding in his hand a live coal which he had taken from the altar with a pair of tongs. With this he touched my mouth and said: "See now, this has touched your lips, your sin is taken away, your iniquity is purged." "

-In the Sanctus, "Hosanna! Blessing on him who comes in the name of the Lord!" is what the people cried out to honor Christ in his triumphal entry in Jerusalem (Mk 11:9, 10, Lk. 19:38). The prayer is noteworthy in its mention both of the Creator and of Christ who is the source of the new Creation. This verse moreover is first found in Ps. 118:25, 26. As for the "Holy..." portion, in Isaiah 6:3 the seraphim cry out to each other at the throne of the Lord: "Holy, holy, holy is Yahweh Sabaoth. His glory fills the whole earth." Also, the four animals of the Apocalypse (4:8) "never stopped singing:" "Holy, Holy, Holy is the Lord God, the almighty..."

-The references to the works of the consecration are surprising omitted: I Cor. 11:24-27, Mt. 26:26-29, Mk. 14:22-

25, and Lk. 22:17-18

-Similarly with the references in the Roman Canon to Abel, Abraham, and Melchisedech.

-No attempt is made to explain the source of the short prayer pronounced after the Our Father (“For the kingdom, the power, and the glory are yours, now and forever.”). This line is found in some Protestant Bibles at Mt. 6:13, and I believe is ascribed to a copyist. This prayer is somewhat similar to a passage from Rev. 7:11-12 (cited on 101). The CCC also refers us to Rev. 1:6; 4:11; 5:13. It would have been good to mention that the CCC has an extensive commentary on the Our Father.

As for doctrinal matters, a comment regarding the Eucharist is somewhat ambiguous: “for those who argue that the Eucharistic [sic] is primarily a meal, Jesus’ action after the meal reinforces the truth that the Mass is fundamentally a sacrifice—like those of the Old Testament—which includes a partaking of the sacrifice to signify participation in the effects of the sacrifice, namely, redemption and reconciliation (CC 1365 ff.)” (68). The CCC (1329) also says that the sacrament of the Eucharist is called: “The Lord’s Supper, because of its connection with the supper which the Lord took with his disciples on the eve of his Passion and because it anticipates the wedding feast of the

Lamb in the heavenly Jerusalem.” The Eucharist was intended by Christ to be both a sacred banquet where he is truly present and a memorial of his sacrifice on Calvary. This issue comes up again on page 86 in a question asking why it is better to refer to the altar as altar or as a table. An altar is always a table, but a table is not always an altar: “The altar, around which the Church is gathered in the celebration of the Eucharist, represents the two aspects of the same mystery: the altar of the sacrifice, and the table of the Lord” (CCC1383).

All in all, *The Bible and the Mass* do a fine job of helping us deepen our appreciation of the Mass through a study of Scripture. I recommend it warmly to all who wish “to learn the surpassing knowledge of Jesus Christ,” by frequent reading of divine Scriptures’ “ (CCC133).

* * *

Deggs, Sister Mary Bernard .
No Cross, No Crown: Black Nuns in Nineteenth-Century New Orleans.
Indiana Univ. Press, 2001

Reviewed by
Robert Rakauskas
Los Angeles, CA

No one can deny that the re-emergence of slavery in the Western world after the discovery of America constitutes one of the darkest chapters in European and American his-

tory, and, even more so, in the history of Christendom itself. While the morality of slavery as such remained a disputed question, the immorality of the African slave trade was indisputable, and the systematic subjugation and exploitation of a race still awaiting the Gospel by a society claiming to be Christian was truly a sin that cried out to God for vengeance. To her credit, the Church, most notably through her Popes, condemned the African slave trade repeatedly and with great force, though Catholics both in North and South America continued to possess slaves with a more or less undisturbed conscience. The Church certainly labored for the just and charitable treatment of slaves and their evangelization, and as early as 1851, with Pius IX’s beatification of Peter Claver, the Jesuit missionary who spent himself in the spiritual and corporal service of black slaves in Cartagena, Colombia, she could point to heroic examples of the genuine Christian attitude and reaction towards slavery.

In the United States in particular, while some Southern Protestants even sought to furnish a biblical foundation for black slavery, Catholic of the South managed to shirk the implications of papal condemnations by maintaining that these were directed just at the Spanish and Portuguese slave trade, or that emancipation efforts would provoke even greater evils in the form

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of social upheaval, or that, although they were “personally opposed” to slavery, it was a matter best left up to the legislatures to decide. Despite the assertions of anti-Catholic propagandists, any sympathy the Vatican may have felt towards the Confederate cause certainly did not extend to the institution of slavery, which was, in fact, the one issue excluded from discussion in any proposed meeting between Confederate diplomats and Pope Pius IX.

Tragically, the American Civil War and the abolition of slavery did not lead to the rapid incorporation of black Americans into this country’s civil and religious life, not even in Catholic settings. While it is accurate that relatively few American of African descent were Catholic, still, even those few often encountered hostility and prejudice from Catholic people and institutions, in the South and in the North, as ethnic black parishes, even a black seminary, and an entire African-American apostolate were gradually founded.

It is in this context of slavery and of lingering post-Civil War prejudice and exclusion the Sister Mary Bernard Deggs’s *No Cross, No Crown: The Story of Black Nuns in Nineteenth-Century New Orleans* is set. The account was composed in the 1890’s by Mary Bernard Deggs, a member of the Sisters of the Holy Family, and order originally

of freeborn black nuns of French-speaking Creole background dedicated in particular to the service of slaves and free people of color. The narrative chronicles the evolution of the Sisters of the Holy Family, a community that perdures today, from its foundation in 1842 as a simple confraternity, through its recognition in 1872 as a full-fledged religious order with traditional religious habit, until the institute’s maturity in the 1890’s.

The figure of Sister Mary Bernard is somewhat of a mystery, for in her penning she reveals precious little about herself. The text allows us to deduce that, despite her expressive-even eloquent-style, she had but a rudimentary education, acquired undoubtedly in one of the institute’s schools for black girls. The frequent references from an adult’s point of view to cases of students suggest furthermore that she was at least for some time a teacher herself in one of the community’s schools. There are intimations in the account of the author’s declining health, but no indications as to why Sister Mary Bernard in particular was selected to record the story of the young order’s origins.

No Cross, No Crown outlines the trials and achievements, the constant experience of racial prejudice, the internal tensions, and the gradual but enduring social and ecclesiastical recognition that marked

the first fifty years of existence of the Sisters of the Holy Family. The order adapted to and survived the most radical societal transformations, from the imposition of the draconian ante-bellum laws in the South for blacks slave and free, to the Civil War, to the mass resettlement of former slaves in New Orleans after the war, and finally, to the emergence of Jim Crow laws in the later 1900’s with the renewed opposition to blacks’ participation in American society. The order grappled with its own prejudices as well, overcoming only gradually internal opposition to the acceptance of ex-slaves as religious candidates.

Given the historical circumstances in which the Sisters of the Holy Family developed, it is no surprise that the cross of Christ figures as the dominant spiritual theme of Sister Mary Bernard’s account and as the of the heart of the order’s own spirituality. We read of the order’s “many crosses, which are the key of all graces and the flowers and stones of the crown,” a phrase from which derives the book’s title, *No Cross, No Crown*. Love of prayer emerged as another key feature of the Sisters’ spirituality enabling them to persevere and achieve great things for God and souls in the most adverse circumstances.

No Cross, No Crown is actually part of a broader study presently under way of the life

of the foundress of the Sisters of the Holy Family, Henriette Delille, with a view to the introduction of her cause of canonization. The editors, Virginia Meacham Gould, a lecturer at New Orleans's Holy Cross College, and Charles E. Nolan, the archivist of the Archdiocese of New Orleans, incorporated into the text extensive corrections and clarifications of the original manuscript and complement the work with almost twenty pages of fascinating photographs of immense historical value.

No Cross, No Crown is a captivating story about heretofore-unsung American Catholic heroes whose example of self-denial and perseverance in the most trying of circumstances will humble and inspire readers of today.

* * *

Arkes, Hadley,
**Natural Rights and the
Right to Choose**
Cambridge Univ. Press, 2002,

Reviewed by
Kenneth D. Whitehead
Retired
U.S. Government

Hadley Arkes is a professor at Amherst and hence is a *bona fide* academic, but he is also well known as a writer and commentator on current affairs and constitutional law in such journals as *Crisis*, *First Things*, and *The Weekly Standard*. In addition, he is the

father of the Born-Alive Infants Protection Act, which President George W. Bush signed into law on August 5, 2002. As an intellectual he conceived the idea of the new law, and as an activist and lobbyist he worked diligently over a number of years on Capitol Hill and among the Washington political class to explain and promote it. Its eventual enactment represents a significant pro-life legislative victory which it is to be hoped is a harbinger of more such victories to come.

The Born-Alive Infants Protection Act simply establishes in law that any child born alive, including one who *survives* an intended abortion, is possessed of full human dignity and is entitled to the equal protection of the laws.

Confronted as we all are in America with the current reality under *Roe v. Wade* and its successor court cases that the life of an unborn child may be legally snuffed out at any time during a pregnancy up to and including actually coming to birth—as the debates, controversies, and court cases related to partial-birth abortion have so dramatically shown over the past few years—Hadley Arkes thought of what he called a “modest first step” to try to erode the virtually unlimited, court-manufactured so-called woman’s “right” to an abortion: if a child should actually succeed in getting born, whether or not his birth was intended, then at that

point he ought to be entitled to the full protection of the law. Court cases were increasingly making clear, in fact, that what the “abortion right” actually amounted to was a right to a dead baby regardless, and there were instances where hospitals were callously leaving tiny abortion survivors to die without care; they had been slated for abortion anyway, after all. The new law at least draws a line at such open infanticide—which most of the court cases nullifying state partial-birth abortion bans had shown themselves notoriously unwilling to draw.

I can remember reading articles by Hadley Arkes during the 1990s advocating this “modest first step” of his. I tended not to see the point of his argumentation at that time, and was even impatient with it. He too at first apparently found it hard to enlist important supporters for his proposed bill, notably the National Right to Life Committee. The idea seemed to be *too* modest, in fact. After all, in the light of the known biological fact that the developing human organism is a self-contained, individual, unique human being from the time of conception on, why link the legal protection of this human being to his actual birth? Shouldn’t the unborn child enjoy the full protection of the law at every stage of his development, not just at the moment of birth? Pro-lifers have been arguing ever since legal-

ized abortion was first visited upon us and the pro-life movement began, that human life does *not* begin only at birth, but is a seamless continuum, from conception through natural death.

The trouble is, though, under the current reign of *Roe v. Wade* and its judicial progeny, the legal permission to kill currently does not stop even at birth, as we have sadly discovered in the course of trying to draw the line at least at partial-birth abortions—and as we are currently seeing also in the relentless push for assisted suicides. With legalized abortion, the basic decision has already been made by society sanctioning our ability, directly and intentionally, to take the life of innocent human beings. The only question now is: how far does this permission extend? The political and judicial class of those who favor abortion are mostly not in any doubt about whether abortion is killing or not; most of them know very well that it is killing, but they just want to be able to do it anyway.

Back at the beginning of the pro-life movement many of us naïvely thought that if we could just persuade people that it is a human being who is killed by abortion, we could hold back, or even roll back, the abortion juggernaut. The pro-abortionists were never so naïve, although they understood that they could not simply baldly assert the new

“right” to kill; the “abortion right” they wanted had to be packaged properly in order to gain acceptance. Nevertheless, way back at the beginning of the pro-life movement, the often-quoted 1970 editorial in the journal *California Medicine* saw clearly where we were heading, and where, since then, we have actually gone. Speaking about “scientific and technological development,” the journal saw that it had become “necessary and acceptable to place relative rather than absolute values on such things as human lives, the use of scarce resources, and the various elements which are to make up the quality of life... This is quite distinctly at variance with the Judeo-Christian ethic,” *California Medicine* correctly noted, “and carries serious philosophical, social, economic, and political implications for Western society...” The journal then went on, both pertinently and presciently:

The process of eroding the old ethic and substituting the new has already begun. It may be seen most clearly in changing attitudes towards human abortion. In defiance of the long held Western ethic of the intrinsic and equal value for every human life, regardless of its stage, condition, or status, abortion is becoming accepted by society as moral, right, and even necessary. It is worth noting that this shift in public attitude has af-

ected the churches, the laws, and public policy rather than the reverse. Since the old ethic has not yet been fully displaced it has been necessary to separate the idea of abortion from the idea of killing, which continues to be socially abhorrent. The result has been a curious avoidance of the scientific fact, which everyone really knows, that human life begins at conception and is continuous, whether intra- or extra-uterine, until death. The very considerable semantic gymnastics which are required to rationalize abortion as anything but taking a human life would be ludicrous if they were not often put forth under socially impeccable auspices. It is suggested that this schizophrenic sort of subterfuge is necessary because while the new ethic is being accepted, the old one has not yet been rejected...

Thus *California Medicine* on the new morality and its legal implications; and this was back in 1970—before *Roe v. Wade* even! Nevertheless, the hand-writing was already on the wall; and with the Supreme Court’s decision three years later, the “abortion right” was established virtually without limits in all of the fifty states. Nor has it been possible through all of the subsequent litigation and legislation over the past thirty years to place any real limit on it. However, the Born-

Alive Infants Protection Act at least now finally does draw a line where it turned out none existed before, and establishes a principle that badly needed to be established. What the future of the law will be, and how it will fare in the courts, are things that remain to be seen; but at the moment the law represents a significant pro-life victory.

This book by Hadley Arkes is in part a memoir recounting the author's attempts over several years, mostly in Washington, to get the idea of his "modest first step" enacted into law. His efforts in this regard turned out to be for him a series of eye-opening, even (one would imagine) shocking, experiences of how far some of America's politicians and judges are prepared to go in recognizing and sanctioning the virtually absolute right of a woman in America today to destroy any child she does not want, not only up to actual birth, but even beyond. Professor Arkes discovered in abundance in the course of his efforts some of those "very considerable semantic gymnastics" which *California Medicine* spoke about as required to justify abortion.

In addition to being an absorbing account of abortion politics in Washington, the book is also, and perhaps in even greater part, a treatise by constitutional scholar Hadley Arkes on the degree to which pro-abortion judges, like

America's knowledge class in general, have "talked themselves into premises quite at odds with the premises of the American Founders. To put it another way, they have talked themselves out of the premises on which their own freedom rests." They may go right on talking about "rights" all the while, especially the *Roe*-fabricated right to an abortion, but in doing so they have undermined and overturned the historical natural law basis on which the Constitution and laws of this country were founded. They can no longer even "offer a moral defense of these rights," says Professor Arkes.

The author argues his case from a number of angles. His excursions into the thought-worlds of the American Founding Fathers and the Lincoln-Douglas debates over slavery provide fascinating reading for anyone interested in the legal and constitutional basis of the rights of all of us in the United States, not merely the rights of the unborn. His discussions of the present and future prospects of the pro-life movement in America are also of very great interest. This is one of the most interesting and knowledgeable books written in the thirty-plus years since the whole issue first arose.

What Hadley Arkes has discovered and described in the book is nothing else but what should have been realized from the moment the highest

court in the land found it possible to invent a supposed right allowing women to have the offspring they have conceived callously destroyed. To create such a right that was nowhere in the Constitution—or *could* be in the Constitution properly understood—meant, in effect, to deny and nullify those natural rights to life, liberty and the pursuit of happiness declared in the Declaration of Independence and later substantially enshrined in the Constitution. Insistence on the new and Court-fabricated "abortion right" has steadily been sweeping these other rights away, in fact. It is impossible to deny natural rights to an entire class of human beings in the name of this new ersatz right without far-reaching consequences, which the author carefully draws out. The dishonesty and irrationality exhibited by our justices and judges in order to maintain the "abortion right" in place currently threatens to undermine our entire legal system.

Hadley Arkes writes about all this as one who is not only uncommonly learned in the subject matter but is engaged and passionate about it as well. This is a book which should be read not merely by those enlisted in the pro-life cause, but by everyone interested in the future of the rule of law in America.

Kenneth D. Whitehead is the author of, among other books, *Political Orphan? The Pro-*

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Political Orphan? The Pro-life Cause after 25 Years of Roe v. Wade (1998).

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Kaczor, Christopher.
Proportionalism and the Natural Law Tradition
Catholic Univ. of America, 2002

Reviewed by
Richard J. Rolwing,
Retired
Reynoldsburg, Ohio

Why does a priest charged with sexual abuse, I was told by his priest-psychologist-counselor, insist that he has never dissented from any Catholic Teaching, and yet deny any sense of guilt for sexual actions with a teen-age boy, arguing, that if any fault was involved, it as the boy's?

Why have so many bishops referred to the actions of such priests not in biblical, religious, or even moral terms, much less in legal and criminal terms, but in psychological and sociological terms? Why have so many self-acknowledged homosexual priest, unnamed or not, when their views and feelings are published by reporters, expressed themselves similarly?

Why would a leading priest consultant for twenty years to the bishops about priestly sexual abusers warn them in his report to them against thinking or speaking judgmentally? Why would the archbishop who led the group that composed the Dallas meeting

document simultaneously be pushing the acceptance of the homosexual life-style in the biggest Catholic high school in his see's home city?

Why would an east coast bishop suspend an assistant pastor fro reporting to him that his pastor keeps a stash of pornographic, even sado-masochistic, materials?

How could seminaries permit open homosexual actions among seminarians? What are they teaching their students?

Proportionalism, for one thing.

In 1990 one of the two leading moral theologians in America promoting proportionalism, Fr. Richard McCormick, S.J., (since deceased) claimed that most Catholic moral theologians in the world accepted proportionalism that it dominates Catholic moral theology, and has been taught in our seminaries for 40 years. The other leading American has been Fr. Charles Curran, his theological sidekick. The denial by the Vatican of a status as a Catholic theologian only seemed to spur Curran's voluminous scholarly publishing ever since.

"What are you doing?" was my mother's favorite query. When it implied a possible rebuke, she asked, "What do you think you are doing?" And an obvious order to "stop it right now" came out as "Just what do you think you are doing?"

I never answered without a

spin. I never answered, "stealing my brother's _____," or "pounding his face with delight," or sneaking away from a chore," or "refusing to study." I never said, "I'm doing a dirty deed." I certainly never said, "sinning."

Of course, I could give good reasons for doing whatever, and I always had available circumstantial excuses, but her questions demanded that I truthfully acknowledge the first and most obvious feature of the reality of my conduct. She asked about the "what", not the "why", or the "why here and now." She wanted me to face both its physical nature and its moral quality.

St. Thomas taught there are three measures of the morality of a human act, the object, the end (sought), and circumstances. The act's object gives it its nature and character. If it is evil, the other two can't redeem it. But an evil end or evil circumstances make any act evil.

My mother asked about the first of Thomas's measures, the object, the "what." I usually dressed up the object's perfidy and simultaneously appealed to good reasons (end) and /or pressing or mitigating circumstance. I did so because I knew as well as she did, not that I had been caught, that I should cease and desist.

For proportionalism, the "what" is the last or least im-

portant question to ask, and the answer can even be irrelevant. It has been called a method for making exceptions to moral norms. I once attended an all-day seminar on Catholic medical ethics offered to a local Catholic hospital by Fr. McCormick. Each of his lectures stimulated many questions. Near the end of the day he became slightly impatient with the multiplicity of questions. When he finally answered that actually there was nothing forbidden, nothing you absolutely may not do, in Catholic ethics and Catholic hospitals, I knew I had been had. If his seminar had been a check, it had just bounced. Having been in the business world for 20 years I was innocent of what was going on in theology. But the hospital, too, had bought a pig in a poke.

While McCormick oftentimes claimed that proportionalism had evolved or developed over many Catholic centuries, he admitted, and at times boasted, that it was a revolutionary revision of Aquinas's natural law thought. While it predated *Humane Vitae*, that document fueled it into a raging bonfire. Proportionalists regularly exemplify their principles and arguments by showing how they can justify contraception. Actually, the title of one of McCormick's books, Doing Evil to Achieve Good, would seem to imply that any "what" could serve as an example.

The "what" defined by the object of the act, the proximate (as opposed to a more remote) end, according to St. Thomas, must be good, not evil. A good remote end, for which the act (object) is a means, cannot change the intrinsic character of the object of the act. A bad (remote) end will make a (abstractly considered good) deed in the concrete, bad, and its doer also bad. The same with circumstances. Spouses copulating publicly do wrong. All three measures must pass muster for a concrete action to be good, not evil.

Many elements of proportionalist thought have been coming on for many centuries. Time has helped them mutate into its many versions. After JP II's 1993 *Veritatis Splendor* rebuked proportionalism, Fr. Curran stood up at the ACTS convention, as I remember, protesting, "The Pope has doctorates in both theology and philosophy. It is simply incomprehensible that he would simply repudiate all of the great development in moral theology in the last 30 years. How could he do it?" But his sidekick, Fr. McCormick was unperturbed. JP said proportionalism was "unfaithful to the Catholic moral tradition and the church's teaching" when it justifies as morally good "behavior contrary to the divine and natural law." But McCormick said the Pope misunderstood proportionalism. "The Pope missed us

completely." And from that time on, McCormick played the classic response in church history, dodge ball with a "blind" Pope. And many books responded to the encyclical with, "You missed me, try again." Of course, no throw ever hits the target, if only because the "monster" has so many heads or variations.

Moral theology is very abstruse philosophical ethics engaged in by believers. It, like this little book, is very demanding. Kaczor says proportionalism has attracted almost no Protestant adherents. That may well be because, as a Protestant philosopher friend who just came home to Rome put it, "I gradually discovered that Protestantism has no (tradition of) moral theology or philosophy." It just never dug scholastic physics, psychology, or metaphysics. But pray with me that my convert friend will not get taken in by the dominant Catholic moral theory of today.

After seven centuries we should have learned that when you try to operate at high levels of reflection about matters Aquinas discussed, not following him faithfully has always led to getting lost. Some say that the saint must still be in Purgatory suffering embarrassment over so many half-baked disciples to this day. But that would keep all the saints in Purgatory. And yes, proportionalists claim,

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like the neo-scholastic manualists they inadequately rebel against, that they are faithful followers of Aquinas. But like some classic theological disputes, this movement has provoked opposing responses from Jesuits and Dominicans. Jesuits promote it and Dominicans criticize it.

It cost me some serious bucks to discover how chaotic Catholic moral theology had become. In 1995, the 50th year after Hiroshima, I innocently spent about thirty-five hundred dollars of my own money mailing a petition to all Catholic theologian, biblical scholars, and ethicists. Vat II had denounced bombing cities, staying general, as it ought. In 1983 the American Bishops denounced that even more explicitly, but still staying general. Ordinarily, they should. But America was the only nation to ever use nuclear bombs. So 50 years after the fact I asked probably 2500 to 3000 moral guides (I had already struck out asking the bishops to sign it) to do the obvious, apply those two teaching to Hiroshima and come right out with the judgment that our nation did a terribly wrong deed.

Please do not ask me about the pitiful response. Before the year was out, the American Catholic Theological Society did go on record formally approving, of all things, the two general statements, the Council's 31 years before, and the American Bishops',

12 years before. But the long incoherent letters of mush I received pitched me into a temporary pit of despair. I had never imagined that the peaks of Catholic tradition could be lost even to theologians.

Proportionalists consider themselves revisionists opposing those they call traditionalists. Kaczor demonstrates in detail how much they distort Catholic moral tradition in their very appeals to it and analyses of it. Like the manualists, off of whom they bounce, they misunderstand Thomas. They revise his entire moral scheme by marginalizing virtue. They focus on law as nominalists did and even voluntarists. They never use his most important treatises, the big eleven question on human acts. So they completely ignore his analyses of the nine interior or immanent acts that go to make up a fully human action, and they treat human actions as if they are purely transitive operations with physical effects in the exterior world. Without letup they confuse Aristotle's action with *facito*, doing with making, prudence with strategy, wisdom with technique. If immanent actions without exterior effects are not subject to moral evaluation, what could be morally wrong for a celibate to treasure his porno library? Jimmy Carter's adulterous look must have been a Playboy joke. No wonder one proportionalist acquired the nickname, "the lamb of God,"

"because he took away so many of the sins of the world."

We acknowledge the development of dogma in the realm of faith. Has anyone claimed a development of dogma in the realm of morals? Few doubt that moral thought made great progress in Augustine and then in Thomas. No one denies Canon law has developed. But has Catholic moral thought since the 13th century always been a providential blessing on the church? If proportionalism does rule the day, as it seems, moral thought has degenerated, not developed. Modern theologians called for pluralism and largely abandoned scholasticism and Aquinas. But while theological pluralism may be a prerequisite for progress, it has not helped preserve past treasures of thought.

Kaczor's work is a scholarly, reasonable, modest, balanced, dissection of a lot of silliness. It is addressed to professionals in his field and discusses the highest level of moral theory. Finding out where you are in this battlefield a d whose side you wish to join can be mind-numbing, especially when even many traditionalist have been creative and original, and the common terminology lost with the abandonment of scholasticism has been replaced with analytic philosophy's sheer ordinary language. Illumination increases confusion like fireflies on a dark night. Thank

God, however, that we ordinary souls do not absolutely need moral theologians who are sophisticated philosophers. We can rely on the Church's God-given moral guidance. It does help, though, to have some bishops who proclaim it.

"The Catholic Church stands as almost a solitary proponent," says Kaczor, "of the existence of moral absolutes in the modern world." He supports the Church. Proportionalism really undermines it.

I give his book an 8 1/2 rating. He would have to be a magician to make clear all the obfuscation which proportionalism has brought about. And he would need to make his book 15% longer to eliminate, by better explaining or phrasing, his own sloppy formulations. My disagreements with him were few and trivial. I thank God for his work.

* * *

van Zeller, Dom Hubert.
Suffering: The Catholic Answer. The Cross and Its Meaning For You.

Sophia Institute Press. 2002

Reviewed by
John Adam Moreau Ph.D.
Richmond, VA

For years I've thought that the only book of its type I need is *Arise >From Darkness: What To Do When Life Doesn't Make Sense* by Benedict J. Groeschel, C.F.R.

That remarkable work is cherished by its admirers for its spiritual and common sense approach to how to live with sorrow and to grow from it. He does so in chapters like *When Friends Fail*, *When the Church Lets Us Down*, *When Death Robs Us* and *When We Are Our Own Worst Enemies*.

Fr. Groeschel of course centers his work on the Passion and provides a convincing how-to on matters such as knowing when someone fails you but not recognizing when you have failed someone; being loyal when you are hurt; sinking your own boat; not living on resentment and hurt feelings, and self-destruction.

"Be warned," says Fr. Groeschel, "love and you will get hurt. But...we are all moving toward an everlasting experience of love."

I now feel that Dom Hubert's 122-page work; a re-issue of his *Approach to Calvary* (1961) is a can't-do-without companion to *Arise From Darkness* or any favorite book of the sort.

Dom Hubert (1905-1984), a Briton, was a Benedictine who was accomplished as a sculptor and whose works on spirituality and prayer had a wide following in the English-speaking world.

If *Arise from Darkness* is a how-to approach to suffering, Dom Hubert's book is a why-to fashioned on the Stations of

the Cross. I found myself drawn in because of his use of irony and his sharp and unusual twist of viewpoint. Fr. Groeschel emphasizes "why not me?" whereas Dom Hubert, in addressing dying to self, emphasizes "why me!"

Dom Hubert believes that no one ever fully lives a cross bearing life and that our lives are bespotted with failure, weak mirror images of how Christ was a humiliated "failure." Few of us, he notes, are offered the radiance of saving our souls by violence--martyrdom.

"Take away the part of the gospel," writes Dom Hubert, "that has to do with failure, and you get...an incomplete response. There is no way around it: if we would be perfect in Christ, we must fail with Christ. Nothing succeeds like Christian failure."

Since we are flawed, he goes on, it is natural that we incorrectly assume that there will be something readily immediate in our experience when we take up the cross. But in fact, it can be dreary drudgery in a "hideously prosaic" life marred by our obstinacy, our wishing to take up the cross on our own terms, our being dismayed when doing so yields a sunken spirit and exhausted vitality, our uselessly insisting on seeing our sufferings clearly (if we see them clearly we would want to handle them ourselves), our fleeing from taking up a cross,

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and our fear of suffering.

The presumption, he says, is that the saints never gave in, when in fact they found "no glamour anymore in the thought of continued endurance. We are bored with the theory of Christian suffering."

Of various types of cross bearers, the one at the top of the scale, says Dom Hubert, is "he who walks toward the cross and receives it with open arms. Although he may not know what he is in for, he is making as complete a sacrifice as he can; he trusts that God will give him the grace to carry his good intention to its conclusion. This is pure love; this is being one with Christ in His cross-bearing; this is the total surrender that verifies Christ's words about being lifted up and drawing all things to Himself."

I found this passage striking for reflecting what I personally never have been, and other readers might gratefully react the same way. I found myself recognizing the person who tends to think of the Passion as merely a projection of his own sufferings.

Suffering: The Catholic Answer rewards because it is so human. Mary FEELS things. Simon did not ask to carry the cross. He had to be TOLD to do so. Those who expected our Lord to end Roman occupation were utterly dismayed. For Veronica, the wife of a Roman official, her

reputation was at stake.

Ultimately, says Dom Hubert, we each confront the sadness of old age, the bitterness of really knowing ourselves, our unwillingness to grind out "dry, hard acts of faith and hope through clenched teeth." We can choose to remain blind to the significance of our discouragements or we can grasp that no suffering is wasted.

Not wasted either, Dom Hubert writes, is the suffering of those who through their faults brought on their sufferings. He says: "The neurotics, the failures, the misfits, all are sufferers, all are Christ."

"We go wandering through life," he writes, "muddling up our crosses and slopping through our pleasures, and have nothing to show for it before God. But if all along, in spite of having fallen so often for temptation, we have wanted virtue rather than vice, God rather than self, charity rather than uncharity, we shall be nearer to God at that end than when we began."

BOOK RECEIVED

Cavins, Jeff and Pinto, Matthew. **Amazing Grace, For Those who Suffer**
(Ascension Press, L.L.C., 2002)
271 pp. ISBN 0-9659228-4-7

Claudel, Paul. **I Believe In God, A Meditation on the Apostles' Creed**
(Ignatius Press, 2002)
317 pp. ISBN 0-08987-08567-6

Dawson, Christopher, with an introduction by Alexander Murray. **The Making of Europe, An Introduction to the History of European Unity.**
(The Catholic Univ. of America Press, 2003)
255 pp. ISBN 0-8132-1083-6

Dennehy, Raymond. **Anti-Abortionist at Large**
(Trafford Publishing, 2002)
212 pp. ISBN 1-55369-380-9

Dougherty, Jude P., **The Logic Of Religion**
(The Catholic Univ. of America Press, 2003)
167 pp. ISBN 0-8132-1308-8

Edited By Grasso, Kenneth L. & Hunt, Robert P. **A Moral Enterprise, Politics, Reason, and the Human Good**
(ISI Books, 2002)
337 pp. ISBN 1-882926-80-3

Hittinger, John P., **Liberty, Wisdom, and Grace: Thomism and Democratic Political Theory**
(Lexington Books, 2002)
301 pp. ISBN 0-7391-0412-8

Koys, Reverend Thomas. **The Ashes That Still Remain.**
(CMJ Marian Publishers, 2002)
208 pp. ISBN 1-891280-43-0

O'Donnell, Timothy T., **Swords Around The Cross, The Nine Years War, Ireland's Defense of Faith and Fatherland 1594-1603**
(Christendom Press, 2001)
276 pp. ISBN 0-931888-78-6

Ray, Stephen K., **St. John's Gospel, A bible Study Guide and Commentary for Individuals and Groups**
(Ignatius Press, 2002)
402 pp. ISBN 0-08987-08214-9

Roche, Marianne E., **On-The-Job Spirituality: Finding God in Work.**
(St. Anthony Messenger Press, 2002)
152 pp. ISBN 0-86715-456-5

Stein, Edith, Translated by Kurt F. Reinhardt. **Finite and Eternal Being**
(ICS Publications, 2002)
544 pp. ISBN 0-935216-32-4

Stein, Edith, Translated by Josephine Koeppel, O.C.D. **The Science of The Cross.**
(ICS Publications, 2002)
314 pp. ISBN 0-935216-31-6

Suarez, S.J., Translation and introduction by Freddoso, A.J. **On Creation, Conservation, & Concurrence, Metaphysical Disputation 20-22**
(St. Augustine's Press, 2002)
249 pp. ISBN 1-890318-76-0

Tietge, David J. **Flash Effect, Science and the Rhetorical Origins of Cold Wall America**
(Ohio University Press, 2002)
178 pp. ISBN 0-8214-1433-x

West, Christopher, **Good News About Sex & Marriage, Answers to Your Honest Questions about Catholic Teaching**
(Charis Books, 2000)
167 pp. ISBN 1-56955-214-2

If you are interested in reviewing one of the **Books Received** please contact:

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SACRED HEART MAJOR SEMINARY SCHOOL OF THEOLOGY

Faculty Positions

Sacred Heart Major Seminary is a four-year liberal arts college and graduate school of theology owned and operated by the Archdiocese of Detroit. The mission of SHMS is to educate and form candidates for the Roman Catholic priesthood and to prepare men and women for diverse lay ministries and other leadership roles in the Church. SHMS is fully accredited by North Central Association and the Association of Theological Schools. In addition to the STL degree program beginning in 2004, SHMS offers diplomas in ministry, associate degrees in ministry, bachelor degrees in philosophy, and master degrees in theology, ministry, and divinity. The enrollment is about 350, most of whom are part time students, including students from other dioceses and countries.

Endowed Chair in Dogma/Christology

The School of Theology of Sacred Heart Major Seminary (SHMS) is searching for a senior level scholar to fill an endowed chair of Catholic Dogma with a concentration in Christology for its new STL program focusing on the "New Evangelization" to begin in 2004. A doctorate, along with a proven record of publishing and teaching in the areas of Catholic dogma and Christology, is expected. The position calls for teaching two graduate courses each semester as well as thesis direction and other duties determined by the Rector and the Dean of Studies. This is a full-time faculty position with the starting rank of Professor. If the applicant is a Roman Catholic priest, he will also be expected to reside at the seminary. Salary is negotiable. An excellent benefits package is included. The contract will be for five years and then a permanent position can be offered. Candidates must be willing to advance the institution's mission, to make the Profession of Faith, to take the Oath of Fidelity, and to conform to the teachings of the Code of Canon Law and the USCCB Program for Priestly Formation. Minority applicants are strongly encouraged.

Requirements

*The candidate must have a doctorate in Catholic systematic theology or dogma and a specialization in Christology.

*The candidate must have extensive publishing and teaching experience of high quality.

*The candidate must be a good Catholic role model for the students and committed to teaching and acting in communion with the Magisterium of the Catholic Church.

Responsibilities

*Teach two graduate courses a semester and be available for thesis direction.

*Participate in faculty meetings and other committee meetings.

*Participate in the life of the seminary as outlined in the contract and Faculty Handbook

Endowed Chair in Catholic Social Analysis

The School of Theology of Sacred Heart Major Seminary (SHMS) is searching for an accomplished Catholic scholar to accept the position of an endowed chair of Catholic Social Analysis in its new STL program of studies focusing on the "New Evangelization" to begin in 2004. Under the supervision of the Dean of Studies, he/she will also serve as the Director of an Institute for Urban Evangelization, which he/she will design and implement in cooperation with archdiocesan personnel and SHMS faculty. Additionally, the applicant will be responsible for teaching two graduate courses each semester. He/she must have the doctorate and extensive, but highly regarded publishing and teaching experience. As Director of the Institute, the applicant must be able to apply Catholic social analysis on the practical level, particularly to the challenges and opportunities of the new evangelization and the Catholic Church in Detroit. This a full-time faculty position with the starting rank of full professor. If the applicant is a Roman Catholic priest, he will also be expected to reside at the seminary. Salary is ne-

gotiable. An excellent benefits package is included. The contract will be for five years and then a permanent position can be offered. Candidates must be willing to advance the institution's mission, to make the Profession of Faith, to take the Oath of Fidelity, and to conform to the teachings of the Code of Canon Law and the USCCB Program for Priestly Formation. Minority applicants are strongly encouraged.

Requirements

- *The candidate must have a doctorate, preferably in the social sciences or a closely allied discipline.
- *The candidate must have extensive publishing and teaching experience of high quality.
- *The candidate must be a good Catholic role model for students and committed to teaching and acting in communion with the Magisterium of the Catholic Church.
- *The candidate must have collaborative ability to work cooperatively with archdiocesan personnel in the design and implementation of the Institute for Urban Evangelization

Responsibilities

- *Direct the Institute for Urban Evangelization.
- *Teach two graduate courses a semester and thesis direction.
- *Participate in faculty meetings and other committee meetings.
- *Participate in the life of the seminary as outlined in the contract and Faculty Handbook.

Endowed Chair in Homiletics and Apologetics

The School of Theology of Sacred Heart Major Seminary (SHMS) is searching for a Catholic free to fill the position of an endowed chair of Homiletics and Apologetics for its new STL program of studies focusing on the "New Evangelization" to begin in 2004. A doctorate, along with a proven record of publishing and teaching, is expected. The ideal candidate should have expertise in oral communication and use of broadcast media, Catholic dogma, pastoral theology, ecumenical dialogue, and evangelization. The position calls for teaching two gradu-

ate courses each semester as well as thesis direction and other duties determined by the Rector and the Dean of Studies. This is a full-time faculty position with the starting rank of Professor. If the applicant is a Roman Catholic priest, he will also be expected to reside at the seminary. Salary is negotiable. An excellent benefits package is included. The contract will be for five years and then a permanent position can be offered. Candidates must be willing to advance the institution's mission, to make the Profession of Faith, to take the Oath of Fidelity, and to conform to the teachings of the Code of Canon Law and the USCCB Program for Priestly Formation. Minorities are strongly encouraged to apply.

Requirements

- *The candidate must have a doctorate in Catholic dogma or related field and a specialization in homiletics, evangelization, applied theology or apologetics.
- *The candidate must have extensive publishing and teaching experience of high quality.
- *The candidate must be a good Catholic role model for the students and committed to teaching and acting in communion with the Magisterium of the Catholic Church.

Responsibilities

- *Teach two graduate courses a semester and be available for thesis direction.
- *Participate in faculty meetings and other committee meetings.
- *Participate in the life of the seminary as outlined in the contract or Faculty Handbook.

Send Letter of Application, CV with professional references to:
Dr. Mark S. Latkovic
Sacred Heart Major Seminary
2701 Chicago Blvd.
Detroit, MI 48206
Latkovic.Mark@shms.edu

Deadline: April 1, 2003

FORMING A CATHOLIC MIND

A new Catholic university is being established in Australia, inspired by the example of orthodox Catholic scholars in the USA and elsewhere as well as by the flowering of institutions such as Christendom College, Thomas Aquinas College and the Franciscan University of Steubenville.

Campion College Australia is being developed by the Campion Foundation - and due to open in 2005. It will seek to blend faith and reason in the spirit of the original universities, offering a genuinely liberal education suffused by the light of Catholic wisdom and loyal to the Magisterium of the Catholic Church.

"Campion College Australia will be a welcome addition to both Australian tertiary education and Australian Catholic education. Democracies need variety and the Catholic community needs those who understand and love Christian humanism as well as the converted and the committed. Campion College Australia is a novel and exciting prospect."

- Archbishop George Pell, Archbishop of Sydney

Campion College Australia is seeking to appoint its inaugural President by the end of 2003, and would be interested in receiving applications or nominations from members of the Fellowship of Catholic Scholars.

Please address all applications as well as enquiries to:

Karl Schmude, Executive Director, Campion Foundation.

Tel.: 61 2 6771 5902 Fax: 61 2 6771 5903

Email: k.schmude@campion.org.au

'Campion College is the answer to a prayer! At last Australia is to have a genuinely Catholic college, one equally devoted to high standards of academic excellence and to the truths of Catholic faith. Campion will prepare students for careers and, more important, to be leaven in all-too-secular society. Congratulations to all concerned.'

- Gerard V. Bradley, Professor of Law, University of Notre Dame

BUILDING A CATHOLIC CULTURE

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