

# FELLOWSHIP OF CATHOLIC SCHOLARS QUARTERLY

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**PRESIDENT'S LETTER** ..... Joseph W. Koterski, S.J.

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## Fellowship of Catholic Scholars

Scholarship Inspired by the Holy Spirit,  
in Service to the Church

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**Reminder:** Membership dues will be mailed out the first of the year and are based on a calendar (not academic) year.

### PRESIDENT'S LETTER

# Choosing Our Projects

It will always be important for the Fellowship of Catholic scholars, precisely as a *fellowship*, to promote an appreciation for the intellectual contributions that so many of our number have made as well as to promote the development of the new scholarship that is needed for the service of Christ and his Church. In this light I would like to invite and encourage members of the Fellowship to share their work in these pages. We would be grateful to receive news of what our members have recently published as well as to use these pages to advance current discussion on questions of contemporary significance.

The *Catholic* nature of our fellowship, of course, suggests the importance of expressly theological projects. Hence, I would like to devote the bulk of this letter to that focus, but not before taking note of the wide array of disciplines that are represented in the ranks of our membership. I would like to encourage scholars from all disciplines, not just theology, to contribute to the pages of the *FCS Quarterly*. What are the current problems and the special perspectives of your discipline that bear on Catholicism? How can they be illuminated by the resources of our Catholic faith? The venues that are provided by the professional journals of a number of disciplines are sometimes not very receptive to these matters. Publishing scholarly contributions on questions of this sort will help us in an important way to be the sort of fellowship that we want to be.

One of the foremost issues on the current horizon is the problem presented by recent and imminent attacks on conscience-protection in various quarters of American life. Catholic pharmacists, for instance, have already faced grave problems in their licensing when regulatory agencies have pressured them to provide abortifacients and tried to remove the safeguards for conscience that have previously protected them. Catholic hospitals and health-care providers are now under

severe pressure on a number of similar fronts, and the agencies for adoption and foster-care placement within the Catholic social service system have been feeling the brunt of the removal of conscience-protection clauses in some states.

It seems to me that this is a topic on which the members of the Fellowship of Catholic Scholars ought to be contributing from their professional competence. Not only the lawyers among us need to be brainstorming about appropriate strategy and tactics for the legislatures and courts to consider, but our scholars in politics, philosophy, economics, and other fields can also make important contributions to the public debate by turning their attention to this matter. What are the acceptable forms of cooperation with standards and policies that we find distasteful, and what forms of cooperation would cross the line of moral acceptability? What further implications down the line will the strategies being designed for the resolution of immediate problems have?

In addition to such interdisciplinary and discipline-specific topics, I would also like to use the present occasion to raise a question for the theologians of the Fellowship. In decades past, many collections of the pronouncements that the Magisterium has made on various topics were accompanied by some “theological note”—that is, by some technical term designed to express the relative degree of certainty or the type of censure that a given theological opinion deserved. These theological notes ranged from *fides divina* for cases in which belief in the proposition is due on the immediate authority of divine revelation, through *fides ecclesiastica* for doctrines on which the infallible teaching authority of the Church had come to a definitive decision, to various forms of *sententia* (opinion). I cannot help

but wonder if there would not be extremely valuable service rendered to the Church on several counts here. As Avery Cardinal Dulles indicated in his “The Hierarchy of Truths in the Catechism” (printed in *The Thomist* 58 [July 1994]: 369–88), these variegated notes are still useful for sorting through the kind and degree of respect that deserves to be accorded to pronouncements by the Church on important matters. In certain respects an updating of the terminology of the theological notes would be highly appropriate and desirable.

In the spirit of Aristotle, who remarked that the wise will not expect more certainty on a question than the discipline that treats such questions can provide, it is incumbent on faithful Catholic scholars to discuss and debate the level of certainty and the kind of respect that is appropriate on diverse questions. One sees Magisterial recognition of this point in recent documents like *Personae Dignitatis*, which seems eager to identify which questions it considers to be settled and which it thinks still remain open, pending on-going scientific research and theological reflection. As the late Cardinal Dulles liked to remind us, these theological notes were not provided by the Magisterium itself but were determinations made by theologians after proper debate in scholarly journals. But, so far as I can see, there is little to no discussion of this point nowadays despite the increased number of scholarly journals. If anything, the members of polarized camps often write for their own constituencies. I would hope that the theologians of the Fellowship could provide a valuable service on this issue. ✠

Joseph W. Koterski, S.J.  
President, FCS



# What Authentic Christianity Requires

By James Hitchcock  
*St. Louis University*

**A**uthentic Christianity requires three distinct elements—orthodoxy of doctrine, piety or worship, and morality of life—and Christians are required to live all three to the fullest possible extent.

In a way the distinction is analogous to that of truth, beauty, and goodness, and in both triads there is a profound and ineradicable, but at the same time intensely frustrating, sense that they must be intimately connected but often are not.

In eternity beauty is the dramatic manifestation of goodness and truth, but on earth, although it is not possible to separate truth and goodness, good people may not be beautiful in any discernable way, lacking both physical attractiveness and personal charm. Most problematical, the best art sometimes bears an at least ambiguous relationship to truth and goodness, and certain kinds of beauty can even undermine both.

Altogether the uncertain relationship of beauty to truth and goodness is one of the most telling manifestations of the fallenness not only of human nature but also of all of creation, even as the human yearning for the harmony of the three is one of the most powerful signs that the human heart is made for something beyond this world.

In the real world there are also often only tenuous connections between orthodoxy, piety, and morality. Professed believers are sometimes vulnerable to the charge of moral hypocrisy, precisely because they are conspicuous in their piety and orthodoxy but are not only deficient in morality but seemingly oblivious to some of its demands.

This is not simply the gulf between teaching and practice that is endemic to human nature—the failure to live up to one's beliefs, the old-fashioned hypocrisy of the religious stalwart caught in a brothel. It is rather a morally culpable failure of belief itself, a failure to see the truth.

The ideology of political correctness notwithstanding, it is only necessary to go a few decades to recall pious people who did not recognize that there even were moral issues involved in racial segregation and its antecedent slavery. Serious Chris-

tians were capable of casual and shockingly dehumanizing comments about race, and occasionally even of brutal actions.

Catholic insensitivity to racial justice was most effectively overcome by clergy whose orthodoxy was never in question, who rooted love of neighbor in the doctrine of the Mystical Body. But the belated awakening of many believers to the demands of social justice has in turn inevitably produced a new kind of disjunction, in which the sense of justice—often distorted—not only exists independent of orthodoxy and traditional morality but even in opposition to them.

Liberal Catholicism now deliberately separates ethics from dogma and thereby ceases even to have an authentically Catholic ethics. By a tangled but discernable process dogma and morality are disconnected, with sexual behavior in particular now treated as having little to do with religious belief, causing moral prohibitions on sexual behavior to be defined as injustices.

Of all the religions of the world Christianity (not only Catholicism) has always placed the greatest emphasis on doctrinal orthodoxy, something that, as its critics are fond of pointing out, is susceptible to a particular kind of distortion, which is the idea that to be a Christian requires merely holding to the creeds.

But if morality and orthodoxy often do not go together, it is less often noticed that piety and orthodoxy also do not. An orthodox individual may be lacking in fervor—it is not unknown for people who attend church irregularly nonetheless to affirm basic Christian beliefs. On the other side, most of the heretics of history were quite devout, if only because undevout people have little motivation to speculate about doctrine. Most often the heretic's very piety imparts fervor to his false beliefs.

Today those who undermine both doctrinal orthodoxy and authentic Catholic morality are in their way often more pious, or a least more ecclesiastically involved, than most other Catholics—more likely to attend services, to participate in retreats and workshops, to read religious publications, to undertake tasks. Many indeed are clergy or religious. The single most destructive force in the Church—groups of feminist nuns—was not long ago communities of the greatest devotion.

The simple lesson to be learned from this is

that an authentic faith requires three pillars none of which can substitute for the other two and none of which by itself guarantees that faith.

If it is only in eternity that beauty will be brought into full harmony with truth and goodness, so also it

is only in eternity and (imperfectly) in the lives of the saints on earth, that all the elements of the Christian life are brought into perfect balance. The homey lesson is, once again, that fallen human nature can always find ways of turning virtue into vice. ✠

## de Jouvenal on Power

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By Jude P. Dougherty  
*The Catholic University of America*

Some cultural historian of the future, some future Gibbon will record the decline and fall of a once great nation, how it lost contact with its founding documents and with the spiritual traditions which animated its growth and how it succumbed to the siren song of a charismatic leader who led it to its dissolution in a visionary multi-cultural, universal democracy.

As our nation faces a questionable future, we may turn to the past to determine in its light what the future portends. Yet as some wag once put it, “The only thing we learn from the past is that nobody learns from the past.” An often neglected cultural historian is Bertrand de Jouvenal. His work, *On Power: Its Nature and the History of Its Growth*,<sup>1</sup> remains timely although it was written more than 60 years ago. Penned during the dark days of the Nazi occupation of France, the book was published at first opportunity in 1945 and appeared in English translation five years later. Up against the raw power of the German occupation, de Jouvenal, the philosopher and historian, was led to reflect on the nature of power in the abstract. He set out to examine the reasons why and the way in which Power grows in society. As he uses the word, “Power” is always capitalized; it may stand for authority, the ruler, or simply the drive for dominance.

*On Power* can be read at different levels: as history, as prophecy, as political theory. Pierre Manent speaks of de Jouvenal’s “melancholy liberalism.” Given de Jouvenal’s sweeping command of history, he can make a case for every judgment or argument he advances in the book by citing numerous historical examples in support, yet his experience of Hitler’s rise to power in the 1930s cannot be discounted as a coloring factor. The book is a call for repeated stock taking, for an extended

scrutiny of every new proposal that would extend the power of the state. Do not leap into the dark, he cautions his countrymen at war’s end; beware of letting “necessity,” the tyrant’s plea, have its way.

Politics are about Power, he tells us. “It is in the pursuit of Utopia that the aggrandizers of state power find their most effective ally. Only an immensely powerful apparatus can do all that the preachers of panacea government promise.”<sup>2</sup> De Jouvenal believes that history shows that the acceptance of all-embracing state authority is largely due to the fatigue and despair brought about by war or economic disorder. The European may say that liberty is the most precious of all things, yet as the experience of France attests, it is not valued as such by people who lack bread and water. The will to be free in time of danger is easily extinguished. Liberty becomes a secondary need; the primary need is security.

One of the pitfalls of democracy is its lack of accountability. The popular will is easily manipulated. It recognizes no authority outside itself that possesses the strength to limit its excesses. The dethronement of the old faith to which the state was accountable left an aching void in the domain of beliefs and principles, allowing the state to impose its own. Without accountability, democracy because of its centralizing, pattern-making, absolutist drive, can easily become an incubator of tyranny. The kings of old, the personification of power, were possessed of personality, possessed of passions good and bad. More often than not, their sense of responsibility led them to will “the good” for their people. Power within a democracy, by contrast, resides in a faceless and impersonal bureaucracy that claims to have no existence of its own and becomes the anonymous, impersonal, passionless instrument of what is presumed to be the general will. Writing in France when the Roosevelt administration was barely 10 years old, de Jouvenal feared the long range danger posed

by the many regulatory commissions created by that administration. He saw that agencies possessing at once legislative, executive, and judicial control could operate largely outside of public control and become tyrannical.

The extension of Power, which means its ability to control ever more completely a nation's economy, is responsible for its ability to wage war. De Jouvenal asks, "Had Hitler succeeded Maria Theresa on the throne, does anyone suppose that it would have been possible to forge so many up-to-date weapons of tyranny?"<sup>3</sup> It is alas no longer possible for us to believe that by smashing Hitler and his regime we are eradicating the root of statist evil. "Can anyone doubt that a state which binds man to itself by every tie of need will be better placed to conscript them all, and one day consign them to the dooms of war? The more departments of life that Power takes over, the greater will be its material resources for making war."<sup>4</sup> Even within a democracy the vast resources of the state are ripe for a dictator to seize. The bold, by discounting all risk, are positioned to seize all initiatives and become the rulers, while the timid run for cover and security. "The more complete the hold which the state gets on the resources of a nation, the higher, the more sudden, the more irresistible, will be the wave in which an armed community can break on a pacific one . . . It follows that, in the very act of handing more of ourselves to the state, we may be fostering tomorrow's war."<sup>5</sup>

Aristotle in the *Politics* reduced the variety of governmental structures that he had studied to three: monarchy, aristocracy, and democracy, recognizing that whatever shape a government takes, the essence of governing is Power. Force may establish Power, but once established, habit alone can keep it in being. A standing center of power which is obeyed by habit has, in the case of the state, the means of physical compulsion and is kept in being partly by its perceived strength, partly by the faith that it rules by right, and partly by the hope of its beneficence. The natural tendency of Power is to grow. Power is authority, and authority enables the expansion of authority.<sup>6</sup>

Power, when dedicated to egalitarian pursuits must always be at war with capitalist authorities and despoil the capitalists of their accumulated wealth.<sup>7</sup> Its political objective consists in the demolition of a class that enjoys "independent means," by seizing the assets of that class to bestow benefits on others. The result is a transfer of power from productive individuals to an unproductive bureaucracy that becomes the new ruling class, displacing that which was economically productive. The

top state authorities, in alliance with the bottom (that is, the oppressed), squeeze out the middle (the Establishment) and in doing so progressively penetrate ever deeper into the personal lives of citizens. The point of course has been made by others, notably by F.A. Hayek, who called attention to the fact that an assault on property rights is not always apparent because it is carried out in the name of the common good, an appealing but elastic concept defined by those whose interest it serves.

Given that all political activity is concerned with the acquisition of Power, both to seize and to maintain the organs of power, one must first gain control of public education at its early stages. A state monopoly in education has the ability to condition minds in childhood for its later years, thereby preparing popular opinion for the seizure by the state of even greater power.<sup>8</sup> De Jouvenal reminds his reader that in times past Western Europe has acknowledged that there is a superior will to the collective will of man and that there is an immutable law to which even civil authority must bow. Absent that acknowledgment, Power has free reign. "Even the police regime, the most insupportable attribute of tyranny, has grown in the shadow of democracy."<sup>9</sup> France, disliking the minority rule of one person, deposed the crown and subsequently organized itself in the light of mass interests only to discover that when the majority holds power over a minority, justice within a democracy can be as elusive as it is in a despotic regime.

De Jouvenal's translator couldn't resist a postscript, "One of the first casualties in times of discord is, as Thucydides noted, the meaning of words, and to the Thucydidean list of inexactitudes, it is time to add the current equation of liberty with security, the possession of a vote with liberty, and justice with equality . . . of democratic with whatever the user of the word happens to approve. Humpty Dumpty has succeeded to the chair of more precise thinkers."<sup>10</sup>

Yves R. Simon, a French contemporary of de Jouvenal, born in 1903, the same year as de Jouvenal, (Simon in Cherbourg, de Jouvenal in the Champagne region), were both in their early thirties when they witnessed Hitler's rise to power. At the outbreak of the war, Simon was a visiting professor in the United States. Remaining in America, he eventually became a member of the Committee on Social Thought at the University of Chicago. From this vantage point, Simon, like de Jouvenal, surveyed the ruins of Europe and in his own way addressed the conditions that brought it about.<sup>11</sup> Influenced by Pierre Joseph Proudhon, no

friend of democracy, Simon was fearful that democracy, far from excluding a totalitarian regime, would in time actually give way to one. Absent appropriate checks and balances, the legal processes of the democratic state may work in such a way as to allow the elimination of democracy. Of equal importance to whatever checks and balances may be prescribed by law or inscribed in a constitution, are those that are in a sense external to the political structure, namely, private property and independent management of resources. "When people acquiesce to the removal of all checks on the conquering expansion of the state, the totalitarian regime is firmly established." Simon was convinced that an impersonal authority could not win such an irrational surrender but that a leader with charismatic talents could win approval.<sup>12</sup> We know from experience, he says, that where totalitarianism prevails, democracy has no chance, yet few men dare to voice the paradoxical consideration that democracy may become totalitarian. Totalitarian democracy, of course, would not be true democracy.<sup>13</sup> Proudhon maintains that the state, whether democratic or not, remains the state and of its very nature threatens all liberties and the very life of society.

De Jouvenal has yet another concern. In a democratic regime, we are told, the general interest is represented by Power. From this postulate flows the corollary that no interest is legitimate that opposes the general interest. For this reason even local or particular interest must yield to the general interest, in de Jouvenal's words, "bend its knee to Power." Power, which is conceived as the incarnation of the general wish, cannot tolerate any group which embodies less general wishes and interests.<sup>14</sup>

The distinguished American historian, Richard Pipes, a former director of Harvard's Russian Research Center and a specialist in Russian history, reinforces de Jouvenal's judgment that democratic procedures in electing government officials do not guarantee respect for individual rights. The right to property, he holds in his book entitled, *Property and Freedom*,<sup>15</sup> may be more important than the right to vote. Property of itself does not guarantee civil rights and liberties, but, historically speaking, it has been the most effective device for ensuring both. Property has the effect of creating an autonomous sphere on which, by mutual consent, neither the state nor society can encroach. In drawing a line between the public and the private sphere, it makes its owner, as it were, co-sovereign with the state.

Even so, once "the elimination of poverty" becomes a state objective, the state is bound to treat property not

as a fundamental right that it has an obligation to protect but as an obstacle to "social justice."<sup>16</sup> Even in the most advanced democracies, the main threat to liberty may come not from tyranny but from the pursuit of socialist objectives. Liberty by its very nature, Pipes reminds us, is inequalitarian. Men differ in strength, intelligence, ambition, courage, perseverance, and all else that makes for success. There is no method to make men both free and equal. In the pursuit of equality, property rights may be subtly undermined through taxation and government interference with business contracts as the state pursues its egalitarian objectives. Insofar as poor voters always and everywhere outnumber rich ones, in theory there are no limits to the democratic state's drive to promote equality and to run roughshod over the rights of private property. "The rights to ownership,"<sup>17</sup> Pipes argues, "need to be restored to their proper place instead of being sacrificed to the unattainable ideal of social equality and all embracing economic security. . . . The balance between 'civil' and 'property' rights has to be readdressed if we care about freedom." He continues, "The Civil Rights Act of 1964 gave the government no license to set quotas for hiring personnel by private enterprise or admitting students to institutions of higher learning, and yet the federal bureaucracy acts as if it had."<sup>18</sup> Some fear, Pipes acknowledges, that the drive for social justice will inevitably lead to the destruction of democracy, yet he is not drawn to that pessimistic conclusion. He reasons that encroachments on property cannot advance relentlessly to their logical conclusion, the abolition of private property, because the most affluent are twice as likely to vote as the weakest. If he were addressing the subject today, some 10 years later, I am not sure he would be so sanguine. The prospect of government control of all aspects of the electoral process looms as the present administration is now positioned to mobilize the vote through federally funded organizations and through redistricting by taking direct control of the census. Not to be discounted is the distorting effect of a monolithic media able to advancing its own political agenda in concert with officials who share its objectives. De Jouvenal addressed this issue when speaking of the ability of popular newspapers to awaken emotion, building or destroying concepts of right conduct. "From the day the first ha'penny paper was launched until now, the big circulation newspapers have never built up an ethic."<sup>19</sup>

In concluding paragraphs of his study, de Jouvenal writes, "It is impossible to condemn totalitarian regimes without also condemning the destructive metaphysics which made their happening a certainty."<sup>20</sup> He asks,

“What would the individualists and free thinkers of the eighteenth and nineteenth centuries say could they but see what idols a man must now worship, to what jackboot he must now pay homage; would not the superstition they fought seem to be the very acme of enlightenment, compared to the superstitions which have taken its place?” No wonder Pierre Manent called him a “melancholy liberal.” ❧

## Endnotes

- 1 Bertrand de Jouvenal, *On Power: Its Nature and the History of Its Growth*, with a Preface by D. W. Brogan; trans. by J. F. Huntington (New York: The Viking Press, 1949).
- 2 Paraphrased by D. W. Brogan in his Preface, pp. xvi-xvii.
- 3 *Ibid.*, pp. 11-12.
- 4 *Ibid.*, p. 12.
- 5 *Ibid.*
- 6 *Ibid.*, p. 157.

- 7 *Ibid.*, p. 171.
- 8 *Ibid.*, p. 11.
- 9 *Ibid.*
- 10 *Ibid.*, p. 380.
- 11 Yves R. Simon, *The Community of the Free*, trans. From the original French by Willard R. Trask (Lanham, MD: University Press of America, 1984).
- 12 Simon, *op. cit.*, p. 149.
- 13 “The real question is whether democracy can lead to totalitarianism, whether a democratic regime can develop into a totalitarian regime, whether the democratic state may happen to work in such a way as to bring about the elimination of democracy and the establishment of totalitarianism” (Simon, p. 150).
- 14 de Jouvenal, *op. cit.*, p. 261.
- 15 Richard Pipes, *Property and Freedom* (New York: Alfred A. Knopf, 1999).
- 16 Pipes, *op. cit.*, p. 229.
- 17 *Ibid.*, p. 287.
- 18 *Ibid.*, p. 288.
- 19 de Jouvenal, *op. cit.*, p. 373.
- 20 *Ibid.*, p. 377.

# Condoms and the Pope

Kenneth D. Whitehead

## I.

**L**ike the recurring papal travels that have now become such an integral part of the modern papal office, Pope Benedict XVI’s visit to Cameroon and Angola in Africa in March, 2009, was intended to carry the Church’s message of peace, justice, reconciliation, hope, and healing to some of the Holy Father’s African children and episcopal brethren, and, in particular, to deliver the *Instrumentum Laboris*, or Working Document, for the upcoming 2009 Second Special Assembly for Africa of the Synod of Bishops, to representatives of the African hierarchy in Yaounde, Cameroon; and then Pope Benedict was to proceed to Luanda, Angola, to celebrate the fifth centenary of the evangelization of that African country.

Alas, as sometimes occurs in the case of “the best laid plans,” a single reporter’s question about Africa’s current HIV/AIDS epidemic transformed the pope’s trip into an international incident to be viewed with incredulity and alarm by enlightened informed opinion nearly everywhere, and, not surprisingly, sensationally reported on in the same way by the world press and media.

In the interests of an accurate historical record, it is important to make clear exactly what the pope was

asked, and exactly what he answered, that caused such widespread furor, particularly since part of the controversy that blew up involved the charge that the Vatican Press Office altered the pope’s actual words. It was a French journalist, Philippe Visseyrias, who asked the pope during the flight to Africa: Holy Father, among the many ills that beset Africa, one of the most pressing is the spread of AIDS. The position of the Catholic Church on the way to fight it is often considered unrealistic and ineffective. Will you address this theme during the journey?

The pope’s reply to this question was as follows:

I would say the opposite. I think that the most efficient, most truly present player in the fight against AIDS is the Catholic Church herself, with her movements and her various organizations. I think of the Sant’Egidio community that does so much, visibly and also behind the scenes, in the struggle against AIDS. I think of the Camillians, and so much more besides. I think of all the sisters who take care of the sick. I would say that this problem of AIDS cannot be solved merely with money, necessary though it is. If there is no human dimension, if Africans do not help [by responsible behavior], the problem cannot be overcome by the distribution of prophylactics: on the contrary, they increase it. The solution must have two elements: firstly, bringing out the human dimension of sexuality, that is to say, a spiritual and human renewal that



would bring with it a new way of behaving towards others, and, secondly, true friendship offered above all to those who are suffering, a willingness to make sacrifices and to practice self-denial, to be alongside the suffering...

How this question and this answer got reported to the world, of course, was that the pope and the Catholic Church were callously dead set against helping AIDS victims, and, irrationally and inexplicably, wanted to deny to them the condoms that could supposedly save their lives. It did not help that the Vatican Press Office changed “money” in the above statement to “publicity slogans,” and also spoke of a *risk* of increasing the problem by distributing condoms, not that such distribution did, in fact, increase it, as the pope plainly said.

The response by Pope Benedict XVI, including his point that the distribution and use of condoms is not an effective answer to Africa’s HIV/AIDS epidemic, but rather might even aggravate it, immediately (though perhaps not surprisingly) aroused the kind of indignation and outrage that some of the Church’s other countercultural positions quite regularly bring out today. There were not only the hew and cry and the baying of hounds of the mass media, along with the typical supercilious and condescending looking down the nose so characteristic of certain pundits and other commentators (a practice which then often and very quickly degenerates into near hysteria); there were also the protests and picketing by homosexual activists scattering condoms about in front of churches like confetti. How such people can pretend to be taking a *moral* stand is hard to fathom, and the degree to which they manage to summon up moral indignation even harder. At the same time, there were even a few rather embarrassed disavowals of the pope’s position by some Catholics, including open criticisms of it by some Portuguese and South African Catholic bishops.

The governments of Belgium, France, and Germany, no less, actually issued official statements faulting the pope and reiterating the current supposedly imperative need for widespread condom distribution in the interests of public health. The Belgian parliament actually went so far as to pass a resolution instructing the country’s government to “react strongly against any state or organization that in the future brings into doubt the benefit of using condoms to prevent transmission of the AIDS virus.” The Vatican felt obliged to reject officially this Belgian government action out of hand, reaffirming that the Church and the Holy Father were surely free

in a democratic era to express their opinion on this or other topics, regardless of today’s received opinions. The Vatican statement deplored “the fact that a parliamentary assembly should have thought it appropriate to criticize the Holy Father on the basis of an isolated extract from an interview separated from its context, and used by some groups with a clear intent to intimidate, as if to dissuade the pope from expressing himself on certain themes of obvious moral relevance and from teaching the Church’s doctrine.”

The French government’s statement actually made reference to a “duty to protect human life”—a duty that does not ever seem to have been mentioned by that same government in connection with, for example, legalized abortion. More than two months after Pope Benedict XVI’s visit to Africa, Frances’s first lady, Carla Bruni, wife of French President Nicholas Sarkozy, was still fuming about the pope’s failure to appreciate the efficacy of condoms; she garnered admiring press coverage reporting her conviction that the Catholic Church badly needed to “evolve.” Raised Catholic, she found that the pope’s words left her feeling “profoundly secular.”

Formerly “Catholic Spain,” meanwhile, had publicly pledged to send a million condoms to Africa in response to the pope’s words! Spain’s current pro-contraceptive policies, however, did not lack criticism from the country’s own Institute for Family Policy, which recently issued a paper pointing out that Spain’s “dreadful” contraceptive policies were having an effect that was “catastrophic” for the country’s future. With the Western world’s lowest average birth rate—1.07 children per couple—and with a high average life expectancy, Spain now has the most rapidly aging population in the European Union.

Then, in May, the European Parliament itself considered, but finally turned down by a vote of 253 to 199, a resolution to “condemn the recent declarations of the pope, who has prohibited the use of condoms and warned that condoms can even bring about a greater risk of illness.” Although this resolution did not pass, the fact that 199 European parliamentarians nevertheless found it possible to vote against the pope on such a pretext was both extraordinary and surely unprecedented.

Given this kind of alarmed reaction in government circles, it was perhaps not any surprise, therefore, that in the United States the *New York Times* and the *Washington Post* should have led the editorialist pack in attacking the pope’s position. For them it was evidently not an opportunity to be missed to go after

the Church. Their strong disapproval if not hatred for Catholic teaching was considerably less controlled than these mainstream organs usually manage to keep somewhat within bounds. The *Times* opined that the pope “deserves no credence when he distrusts scientific findings about the value of condoms in slowing the spread of the AIDS virus.” The *Post* cited a rather confusing welter of data about the AIDS epidemic which did not actually apply to the pope’s point, but then nevertheless considered this to be “evidence” which supposedly refuted the pope’s position.

Actually, as several other journalistic outlets promptly and more honestly reported, the preponderance of current research evidence probably tends to support the pope’s position. A number of studies have shown that it is the reduction in sexual partners rather than the wide distributions of condoms that tends to slow or reduce the incidence of HIV/AIDS. For example, Edward C. Green, director of the AIDS Prevention Research Project of the Harvard Center for Population and Development Studies, told *National Review Online*; “The best evidence we have supports the pope’s comments.”

Green pointed out further that “there is a consistent association supported by our best studies, including the U.S.-funded ‘Demographic Health Survey,’ between greater availability and use of condoms and higher (not lower) infection rates.” That’s *higher* infection rates where condoms are widely distributed—although the very idea of this seems counter-intuitive at first.

Nevertheless, “in every African country in which HIV infections declined,” Green said, this decline has not been the result of condom use but “has been associated with a decrease in the proportion of men and women reporting more than one sex partner over the course of a year—which is exactly what fidelity programs promote.” In another interview with *Christianity Today*, Green, who has been criticized by some public health officials for his support of sexual partner reduction programs as the answer to AIDS, said that:

There is no evidence at all that condoms have worked as a public health intervention intended to reduce HIV infections at the “level of population.” This is a bit difficult to understand. It may well make sense for an individual to use condoms every time, or as often as possible, and he may well decrease his chances of catching HIV. But we are talking about programs, large efforts that either work or fail at the level of countries, or as we say in public health, the level of population. Major articles published in *Science*, *The*

*Lancet*, *British Medical Journal*, and even *Studies in Family Planning* have reported this finding since 2004. I first wrote about putting emphasis on fidelity instead of condoms in Africa in 1988.

However that may be, the British medical journal, *The Lancet*, whatever it may have previously published to the contrary, in the present instance joined the pack in accusing the pope of having “distorted scientific evidence to promote Catholic doctrine.” There was seemingly no way that the pope’s viewpoint could simply be allowed to stand without challenge.

Yet another example which seemed to support Green’s—and the pope’s—conclusion that widespread condom distribution actually increases rather than decreasing the incidence of HIV/AIDS was the statement issued by Asia’s Catholic Association of Doctors, Nurses, and Health Professionals (ACIM-Asia), based in the Philippines. ACIM cited the case of Thailand, which aggressively promotes condom distribution and use. This South Asian country with a population of around 63 million registered some 570,000 HIV-positive adults and children at the end of 2003, and there were some 58,000 AIDS-related deaths. By contrast, the Philippines, with a population of some 80 million, where condom distribution programs have been much more vigorously resisted, registered only 9000 HIV-positive cases during the same time period, and with only 500 reported AIDS-related deaths. The ACIM statement concluded that “the condom-use program in Thailand is not effective.”

But it was the president of the Catholic League for Religious and Civil Rights, William A. Donohue, who probably made the same general point in support of the pope’s position more succinctly; it came in a press release issued shortly after the whole controversy blew up: “Why,” Donohue asked, pertinently, “is it that New York City, which under Major Michael Bloomberg, has given away tens of millions of free condoms, has an HIV rate *three times* the national average”? Anyone prepared to look at the actual statistical facts of the matter, is surely entitled—if not obliged—to ask: why indeed?

## II.

A reason why, contrary to what appears to be the almost universal popular belief, public condom distribution seems to increase the incidence of HIV infection and AIDS in a population rather than diminishing or curbing them, was perhaps the same reason that has been widely

and typically voiced by the Catholic bishops of Africa themselves. As *National Catholic Reporter* journalist John R. Allen, Jr., traveling with the pope in Africa, reported: “In a nutshell the bishops’ position—expressed both by individual prelates and by whole conferences—is that wide availability of condoms encourages a sense of invulnerability among Africans, especially the young, leading to riskier sexual behavior, and increases the possibility of infection.”

This explanation, that condom use just might actually encourage riskier behavior, not only seems to have more than a little plausibility; it accords with the best current research results to date, as we have just seen. Condoms are notoriously unreliable as contraceptives in any case, as a matter of fact, with failure rates as high as twenty percent. Those imagining themselves “safe” because of their condom use, however, could well feel able to engage in riskier behavior anyway, in particular by multiplication of their sexual partners. It has long been argued, of course, that widespread availability and use of condoms definitely does encourage sexual promiscuity

Nevertheless, this line of thought does not seem ever to have occurred to any of those almost automatically excoriating the pope. The conventional wisdom in our contemporary secular culture seems to be that condoms are not only a protection, but are a positive *benefit*. How could they possibly be considered a *risk factor* instead? This is evidently not something that is easy for everybody to see in today’s moral climate. Instead, the Catholic Church gets blamed for causing or aggravating the AIDS epidemic, when the true fact of the matter is that anyone actually following the Church’s moral teachings concerning chastity and abstinence is surely at the lowest possible level of risk for contacting HIV/AIDS.

Moreover, the Catholic bishops in Africa have issued at least two additional statements on the subject following Pope Benedict XVI’s visit, which triggered the subsequent aggrieved and outraged worldwide hullabaloo that ensued. On March 27, shortly after the pope’s departure, Cardinal Theodore Adrien Sarr, archbishop of Dakar and president of the Regional Episcopal Conference of West Africa (CERAO), issued a statement remarking on how “surprised and amazed” CERAO was “at the mode in which a phrase spoken by the Holy Father was completely taken out of context.” This CERAO statement maintained that “one does not combat AIDS by destroying the spiritual and moral resources of man, above all of adolescents and

youth, rendering them fragile and making them the objects of sexual desire without the faculty of control given to them by the Creator.”

Later on, on May 12, Cardinal Polycarp Pengo, archbishop of Dar-es-Salaam in East Africa, and president of the Symposium of Episcopal Conferences of Africa (SECOM), issued another statement on the subject, making reference to the media attacks on the pope. *Inter alia*, this SECOM statement observed that the pope’s position

...did not go down well with certain people, and some sections of the media who for their own selfish ends will always look for an opportunity to attack the pope or the Catholic Church. Since then there has been fierce debate between those who advocate the use of condoms to help stop the spread of the epidemic and those who oppose it.

Pope Benedict’s position on condom use is not new. He was only reaffirming the Church’s position with regard to the use of condoms in the fight against AIDS. His predecessor, Pope John Paul II, often said that sexual abstinence, not condoms, was the best way to prevent the spread of the disease. It is also clear that the Catholic Church has always been at the forefront of the battle against AIDS and she is most probably the largest private provider of HIV care in the world....

This therefore calls for a responsible and moral attitude towards sex as the only sure way of succeeding in the fight against the disease. The Catholic Church advocates fidelity in marriage, and chastity and abstinence from premarital sex as key weapons in the fight against AIDS.

Thus, in spite of the widespread opposition aroused by the words of the pope around the world in response to the question about the African AIDS epidemic, it could surely have been no great surprise that the pope would enunciate the teaching of the Church. Moreover, it would certainly appear from the statements just quoted that the pope enjoys strong support from the leadership of the Catholic Church in Africa itself. The pope’s position also garnered a modicum of support from a number of other sources, mostly outside Western Europe and North America. For example, the Russian Orthodox Church promptly issued a statement identifying moral behavior as the best defense against HIV/AIDS. Similarly, a prominent African AIDS prevention activist, Martin Ssempe, declared that the real culprit in the

spread of the disease “is sexual promiscuity driven by the immorality of the heart.” Even the Belgian Catholic bishops—rather grudgingly, though, it seemed—deplored their government’s action in censuring the pope. But it was hardly to be expected that enlightened informed opinion generally in the developed world could accept or countenance the pope’s point of view.

The very fact that the pope was asked the particular question about combating AIDS that he was asked surely indicates how defenders of morality and chastity are distinctly on the defensive in today’s moral climate. Nevertheless, the answer that the pope gave should not really have been all that unexpected. Rather, it should have been expected that the pope of Rome, the supreme authority in the Catholic Church, would reiterate the constant teaching of that Church. The Church has always considered the use of condoms to be wrong. It is not a position that has arisen out of some supposed hostility or unconcern for AIDS victims. Yet even while continuing to condemn behavior that she has judged to be immoral, the Church still remains the world’s largest single organization taking care of AIDS patients, as the African bishops’ statement noted. There is *no* lack of concern for AIDS victims on the Church’s part—quite the contrary. Attacks on the Church for supposedly helping cause or somehow compounding the AIDS epidemic are without any foundation whatsoever.

But the pope’s answer does point to another important fact about the Church’s negative view regarding condoms even when faced with the ravages of AIDS. A number of Catholic theologians have recently been suggesting that the use of a condom just might be licit in the case of married couples where one partner is already infected with the HIV/AIDS virus. The rationale is that the use of a condom in such a case would not be primarily contraceptive; the intention would not be to prevent a possible conception—an action forbidden by Church teaching, as most people are aware. The intention would instead be to prevent the transmission of the HIV/AIDS virus.

Thus, the argument goes, the classic double-effect principle would come into play: the prevention of a possible conception would be a by-product—foreseen but not intended—of the action taken to prevent the transmission of a disease. The double-effect principle allows an unintended negative consequence of an action not in itself intrinsically evil if a positive good is both intended and achieved by that action.

A number of Catholic theologians not otherwise necessarily known to be dissenters from Church moral

teaching seem to have become persuaded recently by this idea that condom use could be considered licit in this one case of an HIV/AIDS infection within marriage—and not just theologians, but a few bishops as well. As the *National Catholic Reporter* reported in a story back on April 6, 2006, a surprising number of prominent Catholic prelates have already publicly bought into the same line of argumentation, namely, that such condom use to prevent disease could indeed be licit. Included in the NCR story were the names of such cardinals as Carlo Maria Martini, formerly of Milan, Belgian Cardinal Godfried Daneels, English Cardinal Cormac Murphy-O’Conner, and Swiss Cardinal Georges Cottier, formerly theologian of the papal household under Pope John Paul II.

While it may be thought unusual at first sight that cardinals of the Holy Roman Church should venture so openly to endorse such unproved moral thinking, many with long memories will recall that a majority of the cardinals and bishops on Blessed Pope John XXIII’s papal birth control commission back in the 1960s were prepared to sanction the use of contraception as a remedy for “hard cases” within marriage. As long as a marriage was generally “open to life,” the idea was that individual contraceptive acts could be countenanced in some particular cases. As it turned out, however, Pope Paul VI knew better when he issued his encyclical *Humanae Vitae* in the face of the contrary advice of what was actually a majority of the members of that same papal birth control commission. Pope Paul VI’s *Humanae Vitae* has, in fact, been rather dramatically vindicated in the light of the rapid depopulation of a formerly Christian Europe as a result of today’s near universal reliance on and use of contraception—in or out of marriage!

Nevertheless, around two years before Pope Benedict XVI’s trip to Africa, according to the same NCR story just quoted, Cardinal Javier Lozano Barragán, president of the Pontifical Council for Pastoral Assistance to Health Care Workers, was reported to have stated in an interview with the Italian newspaper *La Repubblica*, that his dicastery had been asked to prepare a document on the subject of possible condom use as an AIDS preventive by Pope Benedict XVI himself. Cardinal Lozano was reported as quite openly favoring the option of such a “defensive” use of condoms within marriage; in his interview he held that a wife had a right to defend herself against being infected, and could thus properly require that her husband wear a condom.

And as reported at the same time, it was strongly implied that an official Church document to this effect

would be issued “soon”—although the then president of the Pontifical Council for the Family, the late Cardinal Alfonso López Trujillo, strongly maintained the contrary position, namely, that no use of a condom could ever be licit, since condom-use was intrinsically evil. Others argued that once the use of a condom ever came to be allowed under any circumstance at all, its use could never be limited to one approved circumstance within marriage.

Certainly the historical experience related to the former universal Christian teaching prohibiting contraceptive use would suggest that trying to limit condom use to a marriage where one spouse was infected with the HIV/AIDS virus would fail. When the Church of England in 1930 broke ranks with the traditional Christian teaching prohibiting contraception, it was clearly specified at the time that contraceptives were only supposed to be employed in genuinely “hard cases” and within marriage. Yet once contraception came to be considered licit in any one situation, it very quickly came to be considered licit in virtually *every* situation—and not only licit but desirable and indeed even imperative. This, of course, is how contraception is almost universally regarded today.

But once contraception came to be considered acceptable as a means for managing difficulties within marriage—i.e., came to be considered, in effect, as no longer wrong in itself—it very quickly came to be considered, in the minds of almost everybody, as the means by which, “without consequences,” marital acts themselves no longer needed to be confined to marriage. Far from helping to alleviate difficulties within marriage, contraception came to be one of the principal agents in the current widespread dissolving of marriage bonds within society as a whole.

Similarly, the moral acceptance of condom use, even for the prevention of disease, would surely be likely to have similar unforeseen consequences as well, quite apart from the question of whether such use could ever be considered licit in itself. Deciding that something always considered to be wrong is somehow suddenly *not* wrong in a particular circumstance would surely not be without consequences, some of them perhaps not immediately foreseeable. However that may be, those advocating “defensive” condom use within a marriage where an HIV/AIDS infection is present have at the very least perhaps not adequately thought this

whole question through; surely they have to show that condom use is not wrong in itself.

Two years after the original NCR report, however, there has been no further public mention of any possible Roman document allowing any kind of “defensive” use of condoms. Nor does it now seem likely that there ever will be any such document, considering how definite Pope Benedict XVI proved to be in rejecting condom use as a possible public health measure. The pope did not hesitate for an instant. In his reply to the French journalist’s question, he seemed to be absolutely clear in his own mind, considering himself to be on very firm ground. And he most certainly came down unequivocally on the side of the traditional Church teaching against any condom use whatever. Moreover, he proved to be quite calmly willing to incur virtual worldwide criticism and obloquy by speaking out against condom use, even as a possible safeguard against the transmission of disease.

Yet another straw in the wind, perhaps, was the retirement, in April, 2009, of Cardinal Javier Lozano Barragán as head of the Pontifical Council for Pastoral Assistance to Health Care Workers. There was no further mention of any kind of the Roman document that he had reportedly been asked to prepare on any “defensive” licit use of condoms to prevent HIV/AIDS infection within marriage.

In the mind of Pope Benedict XVI, it would seem that human dignity and the good of the human person properly understood evidently appear to outweigh any specious and supposedly easy “technical” solution to a moral problem. For however the world may wish it were otherwise, the fact remains that Africa’s current HIV/AIDS epidemic *is* at bottom a moral problem. Nor is it any surprise at all that Pope Benedict XVI should view it as primarily a moral problem, whatever most of the rest of the world might continue to imagine to the contrary. ✠

Kenneth D. Whitehead’s most recent book, *Mass Misunderstandings: The Mixed Legacy of the Vatican II Liturgical Reforms*, was published by St. Augustine’s Press in May, 2009. His other new book, *The New Ecumenism: How the Catholic Church after Vatican II Took Over the Leadership of the World Ecumenical Movement*, was published by St. Paul’s Alba House in January, 2009.

# On Politics and Physics: *Stanley Jaki on Science in Islam*

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“What is happening in the Muslim world is not so much an outburst of fanaticism as a frantic last-ditch effort to ward off the specter of—well, not of capitalism, not of Communism, not of hedonism—but of science.”

—Stanley Jaki, “On Whose Side Is History?”<sup>1</sup>

## I.

Not since the Crusades, perhaps, has an understanding of Islam’s self-understanding of itself been a more immediate political issue. Behind this sudden rise of Islamic unrest is an issue of deeper import. Stanley Jaki has been one of the few scholars knowledgeable enough and careful enough to address the origins of the problem that lies behind the public unrest. At bottom the issue is nothing less than Islam’s understanding of the meaning and nature of its God, of Allah. The other and more visible civil turmoils are the consequences, carried out in different ways, of the implications of this basic issue.

Bernard Lewis, in his Jefferson Lecture of 1990, saw the issue in terms of “secularism and modernism,” which presumably could be relied upon to tame this Islamic turbulence. “The war against modernity is... directed against the whole process of change that has taken place in the Islamic world in the last century or more and has transformed the political, economic, social, and even cultural structures of Muslim countries,” Lewis continued.

Islamic fundamentalism has given an aim and a form to this otherwise aimless and formless “resentment and anger of the Muslim masses at the forces that have disrupted their societies... robbed them of their beliefs, their aspirations, their dignity, and, to an increasing extent, even their livelihoods.”<sup>2</sup> Jaki’s position addresses the very origins of this modernization

and secularization in a unique way because he sees the centrality of science and religion in these very changes while at the same time he rejects the secular humanist implications that seem to be present in Lewis.

William F. Buckley, Jr., likewise, has taken note of the perplexity we have in understanding Islamic aims and principles. “We are, after all, face-to-face with something very different from the religion common to our own culture...,” he wrote. In Islam, where The Law as put forth in scripture (the Koran) and tradition (Sunnah) is “To be reflected exactly not only in the personal lives of believers, but also in the laws of the state as well... The government of Muslim states is explicitly an institution of God.”<sup>3</sup> It is this understanding of “The Law” that deserves some further attention, in the light of Stanley Jaki’s work.

An abiding theme in the work of Stanley Jaki concerns the various still-born historic initiatives to begin science and to sustain, once begun, its self-generating progress. We might like, perhaps, for cultural or ecumenical reasons, to believe that science could have commenced just anywhere, at just any time, with just any people, with just any cultural, religious, or philosophical presuppositions. The fact is, however, that science requires certain definite habits of mind, certain understandings about the reality of the world, and certain epistemological ideas about the relation of mind and reality.

Without these specific ideas and habits, moreover, there will be no original or continuing science. To be sure, any human being, in any time or place, can in principle learn and understand such principles and habits we call science if he has the will, talent, and understanding to do so. That too is part of the very meaning of both universal science and universal human nature. It is only in this latter sense of a common human nature in a real world that we can know with our given intellects that a universal philosophy and an abiding truth open to all men are possible.

In the history of the world, it was neither necessary nor inevitable that science would develop in the first place. And by changing our ideas, it is still possible

for it to disappear even where it has already materialized. Furthermore, in those places in the world where science has not appeared, it will not appear or develop until certain and known ideas and basic views of the world are accepted. All these observations should be stated with the full realization that some scientists can be charlatans, while many errors are found in the very effort to develop science, the importance and meaning of which errors Stanley Jaki has himself clarified in a magnificent passage in *The Relevance of Physics*.<sup>4</sup>

## II.

Readers of Jaki's work are familiar with his discussions of the fate of science in China, Greece, India, Mexico, and Islam. Unlike many historical discussions of the origins of science, Jaki takes seriously the specific differences of beliefs, customs, and philosophies as reasons for the origin and continuation of science or the lack thereof. Jaki is objective enough to grant that certain ideas are necessary for certain developments to take place. Not everything can come from anything. Some ideas, some theories, some experiments, and some endeavors just will not work. This relationship is what the very idea of truth as a conformity between mind and reality means.

In the case of Islam, in particular, Jaki argues that the particular notion of Allah found in the Muslim theologians and philosophers whereby Allah is pure will makes science, in principle, impossible.

What is occurring in the Muslim world today is a confrontation ... between a very specific God and science which is a very specific antagonist of that God: the Allah of the Koran, in whom the will wholly dominates the intellect. A thousand years ago the great Muslim mystics al-Ashari and al-Ghazzali denounced natural laws, the very objectives of science, as a blasphemous constraint upon the free will of Allah. Today, the impossibility of making ends meet without science forces the Muslim world to reconsider its notion of Allah.<sup>5</sup>

Jaki thus sees that the real problem, even with science, is theological. An all powerful God, free even from the principle of contradiction, makes both the meaning of God and of the created world impossible to ascertain. On this premise, science as an investigation of and knowledge of a reality that is simply given, but given to be what it is, becomes impossible.

On the surface of things, however, this position, that science investigates a real finite world to find its universal laws that can be discovered and formulated by the human mind, might seem perfectly obvious were it not for the cultural and theoretical issues involved. Both the conflicting claims to truth of the various religious and the claims to the un-knowability of truth in relativism and multiculturalism make it seem that science itself as a claim to truth is a very limited, even dangerous thing.

If science is a good thing and if it bears a true description of an actual world in all its interrelationships, however, ideas—religious, philosophical, racial, or cultural—that do not allow for this scientific understanding must in some sense be not merely unworkable but positively wrong. If and to the degree that there is a scientific truth, positions contradictory to it, which cannot in principle support its premises, cannot be maintained except at the cost of making science subjective (Kantianism) or of giving up science altogether—which a people, a nation, a religion, or a culture is free to do.

What is most counter-cultural in Jaki's own work, of course, is his argument, made with great care and erudition that at the origins of science as we know it lie in certain theological positions that deal with the actual world, particularly those of Creation and Incarnation.<sup>6</sup> The problem of reason and revelation arose because of the historic confrontation between Greek science and philosophy with the three established revelational religions.<sup>7</sup> Primarily, this is an issue in Judaism, Islam, and Christianity, though in some respects Plato is pertinent here also.

The most important question that arises, consequently, concerns the relation of Judaism, Christianity, and Islam to science and its origins. This issue is particularly pertinent since it has been claimed all through modernity that science undermined religion. Jaki's work is precisely to examine the tenuous basis of this claim, without denying the problems science causes religion. The case of Islam falls under this general consideration as an example of a religious theory that cannot, in principle, maintain the logic of science and simultaneously be consistent with itself.

Jaki argues that the origin of modern science is medieval, that the first law of motion was a medieval discovery (Burdian). Jaki further argues that this law was originally formulated because the theological position of Christianity on Creation from nothing required the rejection of a pantheist or animist view of the world, especially a rejection of the notion of the eternity of motion.

Motion thus had to have an initial impetus or cause. Jaki further argues that the doctrine of the Incarnation of Christ was the doctrine that forced attention to the specificity of the world in time and of each moment and being in it. In general, science could not develop without the notion of a beginning in time in which, however, there were stable secondary causes that had their own reality, nature, and stability. Science was an account of specific events, specific relationships which were observed, tested, understood.

### III.

With this background, Jaki has a particular problem with Judaism, Islam, and Eastern Christianity, each of which would, paradoxically, grant the doctrine of the Creation of the world. Eastern Christianity, moreover, would have no difficulty with the Incarnation but science did not originate there either. Thus, in Jaki's argument, there must be some teaching or doctrine in Western Christianity that was particularly apt for the beginnings and progress of science. This was the doctrine of creation from nothing that caused Burdian to realize that motion must have a beginning and not be eternal, that once begun, motion would not stop unless impeded by something outside of itself.

Jaki, of course, does not deny the basic Christian teaching that neither Creation nor Incarnation can be proved by science though he does hold that the existence of God can be proved from reason through the finite things that exist. Jaki, in agreement with Aquinas, does not hold that either the doctrine of Creation or Incarnation can be the conclusion of a scientific premise, however much they are not capable of being shown to be contradictory to any truly scientific position.

Jaki's position is more subtle, more attuned both to the nature of reason and the meaning of revelation. In his work on Duhem, we find, for example, the following passage: "In a footnote (F) Mentré felt it important to warn against what he termed an already widespread misinterpretation of Duhem's thought: "Duhem does not say that modern science is a product of Christianity; he rather says that Christianity has been an auxiliary, and indispensable one, to the scientific development."<sup>8</sup>

In his footnote to this passage, Jaki comments briefly: "This is an all-important point, often forgotten in sympathetic portrayals of the role of Christianity in the rise of science."<sup>9</sup>

What was Jaki's problem with Islam's notion of

God? At the end of his essay, "The Physics of Impetus and the Impetus of the Koran," Jaki wrote:

The whole question of why science was not born within the Muslim milieu, or the question of why the physics of impetus was not formulated there, is in the end a theological question, which can only be answered in terms of theology, such as the true nature of the Koran's impetus. The significance of this result will not seem minor at a time when religious revival is at work in the Muslim world with a greater impetus than perhaps ever before in its history.<sup>10</sup>

Clearly, in Jaki's analysis, some aspect of Allah, as described in the Koran, makes the ability properly to see science impossible, whereas there is something in the Christian understanding of God the Creator that fosters this relationship.

What is the essence of Jaki's position? Briefly, that the orderly notion of science, the three laws of motion and the engineering developed as a result of these laws, required a proper view of the actual world and what happened within it. The crucial Muslim thinker is Avicenna (d. 1037). The Koran did have a notion of Creation, but Avicenna held a Plotinian emanationism in which creation of new beings from nothing is replaced by a transformation of God Himself into everything else. God eternally produces world, but He is not a Creator.<sup>11</sup> Like the Latin Averroists, Avicenna and the Arab philosophers put Aristotle's pantheism ahead of the Koran.

The Muslim philosophers held a kind of two truth theory to protect both themselves and the Koran. They opposed, by using uncritically Aristotle the philosopher, the more conservative Muslim view of Allah. This conservative view to exalt God or Allah was forced logically to an occasionalist position. Occasionalism denied, in the name of the power of God, any real causality in secondary natures in the world. Thus, if God could create, it was apparently a greater power for Him to create every moment than if He left other beings their own power to act. Muslim orthodoxy "rejected the notion of scientific law for fear that it would impose constraints on the infinite power of Allah, the Creator."<sup>12</sup>

Since Muslim scholars failed to formulate a proper idea of creation from nothing in time from a definite beginning, Jaki concludes that this failure is a theological failure. It results in either occasionalism or pantheism, neither of which can found science. Jaki further analyzes the position that science is merely a result of civic development with on need to worry about reli-



gious or philosophic ideas to support it. The two truth traditions which proposed to let the two spheres exist side by side with no attempt to relate one to the other left the culture and the philosopher at war each with itself and with no firm basis for science in either system.<sup>14</sup>

Jaki points out that the exposure of the Muslim world to science and technology has made it alert to its own inferiority in the area of science. No theory of exploitation or military submission will avoid the real problem which is the understanding of the world and its causes, including the nature of God and creation from nothing, that will make science possible. Essentially, what Jaki is arguing is a religious and philosophic consistency of idea and action that would in fact result in a true representation of God and the world, one which in fact has been worked out in the history of science. In this context, it would be wrong to consider Jaki either as anti-Muslim or pro-Christian, but as someone who sees where the issues lie and who is willing to spell them out and articulate their relation to a true understanding of science and its history.

“The Muslim world is fully justified both in deploring the abuses of science and in trying to apply science in a humane way,” Jaki concluded with much sympathy.

But before that humane application takes place, there has to be science, that is, there have to be minds fully familiar with science. This view, however, demands that there be minds fully imbued with the thinking underlying science especially if they wish to be creative in science. The question is then whether the present-day Muslim reawakening, which is a reassertion of the role of the Koran in every facet of life, can be reconciled with the thinking demanded by science.<sup>14</sup>

Clearly, on the basis of the Muslim theoretic understanding of Allah and of the consequences of that understanding of the world and its laws, Jaki does not think the impetus of the Koran is compatible with the impetus of science.

Neither wars nor acrimony will resolve the validity or invalidity of this position, only the accurate and true understanding of both the theoretic positions of the Koran and of science. Eventually, true ideas must replace untrue ones. No religion or philosophy or science would, in Jaki’s view, have it otherwise if such

principles are clearly spelled out. Jaki’s service to Islam is of a piece with his service to Judaism, Christianity, and to science itself, a persistent, clear presentation of what science is, what religion is, of how they might relate to one another. ✠

## Endnotes

- 1 Stanley L. Jaki, “On Whose Side Is History?” *Change or Reality and Other Essays* (Lanham, MD.: University Press of America, 1986), 242.  
For a general view of Jaki’s work, see Paul Haffner, *Creation and Scientific Creativity A Study in the Thought of S. L. Jaki* (Front Royal, VA.: Christendom College Press, 1991); P. F. Hodgson, “The Significance of the Work of Stanley L. Jaki,” *The Downside Review*, 105 (1987).
- 2 Bernard Lewis, 19th Jefferson Lecture in the Humanities, “Western Civilization: A View from the East,” Washington, D. C., May 2, 1990, 23.
- 3 William F. Buckley, Jr., “Unfamiliar Foe Among Us,” *The Washington Times*, July 8, 1993, G3.
- 4 Stanley Jaki, *The Relevance of Physics* (Chicago: University of Chicago Press, 1966), 219-21.
- 5 “On Whose Side Is History?” *ibid.*, 242. On the relation of this same idea of the deity as pure will to Occam and Hobbes, see Josef Pieper, *Scholasticism* (New York: McGraw-Hill, 1964), Chapter XI.
- 6 See Stanley L. Jaki, *Universe and Creed* (Milwaukee: Marquette University Press, 1992), 86 pp.
- 7 See Etienne Gilson, *Reason and Revelation in the Middle Ages* (New York: Scribner’s, 1938); James V. Schall, *Reason, Revelation, and the Foundations of Political Philosophy* (Baton Rouge: Louisiana State University Press, 1987); *Faith and Political Philosophy: The Correspondence between Leo Strauss and Eric Voegelin, 1934-1964*, Edited by Peter Emberley and Barry Cooper (University Park, PA.: Pennsylvania State University Press, 1993). Jaki’s own most thorough treatment of these issues is in *The Road of Science and the Ways to God* (Chicago: University of Chicago Press, 1978).
- 8 Stanley L. Jaki, *Uneasy Genius: The Life and Work of Pierre Duham* (The Hague: Martinus Nijhoff, 1984), 231-32.
- 9 *Ibid.*, Ftn. #36, 232.
- 10 Stanley Jaki, “The Physics of Impetus and the Impetus of the Koran,” *The Absolute Beneath the Relative and Other Essays* (Lanham, MD.: University Press of America, 1988), 151.
- 11 *Ibid.*, 146-47.
- 12 *Ibid.*, 147.
- 13 *Ibid.*, 148-49.
- 14 *Ibid.*, 148.

# The Merry Widow

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**N**o doubt the most popular operetta ever is Franz Lehar's *Merry Widow*. Its German title is *Die lustige Witwe*, in French, *La veuve joyeuse*. It has been played by professionals and amateurs so many times all over the world, in every opera house, in many languages, that it is almost impossible to record how many. In 1934, Jeanette MacDonald and Maurice Chevalier starred in it in a black and white movie. I saw a used DVD of this version on Amazon for \$3.93, a steal if there ever was one. What great singer has not been Hanna Glawari, the merry widow? I note, among others, Frederica von Stade, Dagmar Schellenberger, Dorothy Kirsten, and Beverly Sills. Even Lana Turner played the part in the 1952 Technicolor movie version. The first Hanna was Mizzi Gunthur, on December 30, 1905, in Vienna. The first American performance was at the New Amsterdam Theater in New York, on October 21, 1907.

Of course, what is great about the operetta is the music, so lively and memorable, and yes, so often sentimental. One sings it to himself for days after hearing it. Everyone has probably heard it even before seeing and hearing it on stage. Happily, I was invited to see a local production at the F. Scott Fitzgerald Theatre in Rockville, Maryland, one Sunday afternoon, as performed by a local, mostly amateur, opera company. I had not heard or seen *The Merry Widow* in years, but I could not pass up the opportunity when I was kindly invited. I do remember seeing it years ago, I cannot recall where, perhaps at the Kennedy Center. Even then, I was struck by the fact that it was something that was perfect in its kind.

Much exuberance enlivens this musical for sure. The program notes said that basically its plot was the traditional "battle of the sexes." But in the outcome, both sides happily win, as it should be, if such a battle does indeed exist. The plot does have to do with money, politics, and Pontevedra, the legendary German duchy from which Hanna and her money hails. If the

rich widow marries again to a foreigner, the country is in danger of losing her millions, a not un-contemporary theme. But it is an operetta of true love finally realized. This is where Count Danielo, her once spurned admirer, comes in to save both love for Hanna and the money for the country.

And we have Maxim's in Paris with its dancing girls, an example of how not to live a staid life back home in the boondocks of Pontevedra or wherever. Anyone who sees the finale must wonder how is it possible for him not to have joined this cast, even as a klutz in its least of roles, for one of its thousands of performances over the years? Someone is always redoing it. It all reminds me a bit of Plato's remark about what we do in heaven, the "singing, the dancing, and the sacrificing."

At the particular performance that I attended, we had two intermissions. During these intermissions, a lady played the music of the show we were attending on a grand piano in the foyer. After some time during the first intermission, I noticed a very lovely little girl on the floor before us. Her age I estimated at around three. Her mother was sitting by the piano watching her. As it turned out, after intermission, they were sitting right in front of us.

The little girl wore a lovely dress with long pink leggings, her long dark hair in a bow. Her shoes were off. She began to dance by herself. She obviously had had some ballet lessons, as she carefully moved in front of us. Soon, many of the people around her began to watch her. By objective standards, the majority of the audience was far closer to Schall's age than the little girl's.

The girl was quite oblivious to the fact that everyone was watching her. She twirled and skipped. Often she fell in making a step, but gracefully came right up again. Her posture was very erect. Her movements with her hands and body were very graceful. She did not come to anyone, not even her mother. Her head was back; she looked into the distance. She just danced by herself. She was really beautiful. She reminded me of that passage in Plato in which he observes that the very young cannot help but dance.

When, after the Vilia aria, the second intermission came, even more people were watching the girl. Again,

she seemed very distant, curiously so. It was almost as if she knew there was an audience to watch her, but it was not us folks in front of her. One wonders, on seeing her dance, how something quite that lovely can exist. But it does. You are seeing it. There she is, dancing by herself. Would she some day, I wondered, be a “Merry Widow” herself? Would she waltz with some future Count Daniello? The very notion of a widow in this operetta connotes both the sadness of widowhood and the abidingness of life and love beyond the initial sadness.

As we left the theatre, the mother and the little girl were sitting in the lobby. I said to the mother as I passed, “That was the best intermission I have ever had.” The mother smiled and thanked me. This little girl I will never see again. In fact, she will grow up and never be quite in that lovely way a three year old can be. That is how our lives are constructed. Every day we

see sights of such incredible beauty that we would be paralyzed in inaction if we paused before them all. Yet we know that this pause is what we should do.

Aristotle said that human life is filled with many different dramas, not just our own, not just one big one. And that is also the lesson of the *Merry Widow*, why, I think, that it comes back again and again, why everyone wants to sing it, play in, dance in it. For one moment, “Chez Maxim’s” is there before us and the garden of Hanna Glawari, with the Ambassador and the counts, the suitors and the ladies, the waltzes, the machinations, the human condition of perhaps a happier time, yet of a time out of time when we behold something beautiful that we will never see again in this passing world. In seeing again the *Merry Widow*, in seeing this lovely little three-year old dance by herself, I realized that I again had seen something “perfect in its kind.” We are given life for such moments, I think. ✕

## The Good Habit: *The Depiction of Nuns in the Novels of Rumer Godden*

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By Glenn Statile  
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### Rumer and Her Sisters

In the pantheon of accomplished women Catholic novelists of the last century the quintessentially English Rumer Godden (1907—1998) is not nearly as much of a household name as the Norwegian Sigrid Undset or that grand dame of the American South, Flannery O’Connor. Margaret Rumer Godden was born on December 10<sup>th</sup>, 1907 at Eastbourne in Sussex England. Her great grandfather was Thomas Hewitt Key, a philologist who had been appointed to a professorship in astronomy and mathematics at the new University of Virginia by its founder Thomas Jefferson. During a long life she was married twice, to Laurence Foster—a stockbroker, from 1934 until 1946; and to James Haynes-Dixon—a civil servant, from 1949 until his death in 1973. G.K. Chesterton once quipped that he knew many a happy marriage but never a compat-

ible one, but Rumer’s marriage to Foster was neither happy nor compatible. While Foster was a dashing and swashbuckling type, he was by no means Godden’s intellectual peer. It is even said that he mistook Omar Khayyam for a kind of curry. God d’en was originally a good day greeting meaning “Good day to you.” It hails from a time when Northwest France, especially Normandy, belonged to the English. The French called the English soldiers recruited from this area “Goddens.”

Rumer Godden was taken by her parents to India in 1908 where her father ran a shipping line. One might with only a dash of poetic license claim that her body of literary work represents a dialectical forging of the stereotypical coolness of the English demeanor and the hot Indian sun that baked both her body and mind during many of her formative years. Sent to her grandmother’s London home for a year in 1913, she would be shipped back to India at the outset of World War I in 1914. Ironically, it took an outburst of war to create the conditions for the continuation of her idyllic childhood in India. In a short story entitled “The Little Fishes,”

which appeared in the September 18<sup>th</sup>, 1954 issue of the *New Yorker*, Godden provides a fictional account of the unkind treatment both she and her sister Jon had received at the hands of the nuns in an Anglican convent school after returning to England from India in 1920. Her later, predominantly positive, writing about nuns was at times psychologically colored by this early negative experience. This was especially true in the case of *Black Narcissus* (1938) which Godden tells us was written “in a spirit of revenge” (*Publisher’s Weekly*, vol. 196, 11/10/1969, p. 18). Rumer’s move toward Catholicism was initially motivated by her own daughter Jane’s decision to become a Catholic in 1956. While Rumer was received into the Church in 1957, she would not become a fully-fledged Catholic until 1968, by which time the obstacle of her divorce to her still living first husband had been satisfactorily overcome.

In a literary career that spanned more than sixty years Rumer Godden lit up the literary firmament quite brightly with her talent for evoking the domestic lives and vocations of those women so aptly characterized as brides of Christ. Godden’s gift, as manifested in such mature post-Catholic works as *In This House of Brede* (1969) and *Five for Sorrow, Ten for Joy* (1979), was intimately connected to her adult conversion to Catholicism. It was also influenced by her childhood in India, that subcontinental jewel of the English empire, whose long languorous days and sweltering nights nurtured in her an almost sensuous appreciation for the personally edifying virtues of contemplation and silence. In an article entitled “On Words” Godden attributed her attunement to the infinite variety of language to the vividness of the Hindustani language to which she was exposed in her early years. As a literary chronicler of the lives of nuns in such novels as *Black Narcissus* (1938), *In This House of Brede* (1969), and *Five for Sorrow, Ten for Joy* (1979) Godden easily belongs in the company of such first rate recent contributors to the nun genre as Ron Hansen—*Mariette in Ecstasy* (1996) and Mark Salzman—*Lying Awake* (2001).

Francis Mauriac once said that “If you would tell me the heart of a man, tell me not what he reads, but what he rereads.” One could say something similar about the heart of anyone who puts himself or herself on a steady diet of good religious novels like those just mentioned. In a posthumously published fictional work Mark Twain wrote that “Against the assault of laughter nothing can stand.” With the wisdom of such wit in mind I would like to share with you a humorous but true anecdote from the life of Mother Theresa.

A visiting philanthropist on a tour of the slums of Calcutta once told Mother Theresa that he would not do her work for \$10,000.00. To which she responded: “Neither would I.” While anyone with a charitable sensibility can appreciate such a joke it is tailor made for Rumer Godden.

Rumer Godden was the second of four sisters, the oldest of whom, named Jon, was also a fairly well known and accomplished novelist in her own right. But my focus in this essay will be those religious sisters brought to life so strikingly in the three aforementioned Godden novels, although it should be kept in mind that several of her short stories and a novel entitled *The Dark Horse* (1981) also take up the nun theme. It is important to note however that nuns were not the only literary subject that Godden treated with the flair of a specialist. Her literary oeuvre, consisting of over twenty novels, short stories, poetry, books for children, non-fictional works—including several of an autobiographical nature, amounts to an amazingly coherent and recurring concentration on such seemingly disparate themes as nuns, children, the ballet, animals—especially dogs, India, houses, and lots of flowers. Godden’s penchant for delving into such diverse topics and the prolific body of work she amassed, publishing her last novel entitled *Cromartie versus the God Shiva* (1997) in the year prior to her death in 1998, can be summed up in an old Indian proverb. In an aptly entitled autobiographical memoir entitled *A House With Four Rooms* (1989) Godden writes that “everyone is a house with four rooms; a physical, a mental, an emotional, and a spiritual. Most of us tend to live in one room most of the time but unless we go into every room every day, even if only to keep it aired, we are not a complete person.”

## *Black Narcissus* (1938)

**B**lack *Narcissus* was Rumer Godden’s third novel. It tells the story of a group of Anglican nuns who travel to a remote location in the Himalayas in order to establish a school and a hospital. In addition to these overt and worthy goals, the less transparent dual incentives for establishing a community of nuns in a distant mountain enclave are those of converting the heathens to Christianity and taming them by the very civilizing effects which accrue to anyone who learns the fine art of English gardening. When Rumer Godden told her father that she was writing *Black Narcissus* he advised her not to waste her time, for nobody would read it, proving once again, given the novel’s

mostly critical success and longevity, that father doesn't always know best.

*Black Narcissus* was made into a feature film in 1947 which starred Deborah Kerr as the Anglican nun Sister Clodagh. Kerr would also portray a nun in the John Huston film costarring Robert Mitchum entitled *Heaven Knows Mr. Allison*. Clodagh's lack of humility in the eyes of her own superior is contrasted with what is projected by Godden as the virtue of her having a realistic sense of her own competence, which one might argue is the proper way to understand humility. Just as chastity is not to be equated with celibacy, humility ought not to be equated with self-abasement. Godden does an excellent job throughout the novel in putting both the self-confidence of Clodagh and the vocation of any woman who aspires to the religious life on trial, both credibly and reverently. With *In This House of Brede* and *Five for Sorrow, Ten for Joy* readers of Rumer Godden eventually learn that the author will come to affirm the self-sacrifice involved in choosing to live the highly regulated and confined life of a cloistered nun.

The film version of *Black Narcissus* led to a protest in Catholic circles as the cinematic depiction of the Anglican nuns made it difficult to distinguish them from their Catholic counterparts. What was objected to was neither the holiness nor the charity of the nuns, which is artfully conveyed in both the novel and the film, but the murderous and utterly worldly inclinations of one of their number. A petition of protest against the film was issued and signed by several hundred Catholic priests and nuns at a conference held at Notre Dame in 1947. Godden's so-called spirit of revenge, if one takes her own turn of phrase to heart, would also manifest itself in a 1945 short story entitled "Sister Malone and the Obstinate Man" in which an Anglican nun serving as a nurse in India fails to regard the natives as persons. Godden herself hated the film but this was due in most part to the artificiality of the Himalayan sets rather than anything to do with the chemistry of the explosive emotions that erupt upon the silver screen.

The title of *Black Narcissus* ties in nicely with the narrative thread of the novel. "Black" of course conveys a sense of the sinister, the constant companion and counterpoint of the good both in actual life as well as in the film, while "Narcissus" conjures up the mythological tale involving the deleterious if not sinful effects of vanity upon the human soul. Rumer Godden would have very likely been familiar with Herman Hesse, whose own retelling of the mythological Narcissus story, *Narcissus and Goldmund*, was published in 1930. By means of an Indian

perfume made from the flower known as the black narcissus Godden is able to highlight the differences between the exotic mysticism of Indian culture and Anglicized Christianity, as well as to focus attention upon the vanity involved in any expectation that the latter could ever transform the former into its own mirror image.

## *In This House of Brede* (1969)

In a short story entitled "No Virtuoso" Rumer Godden presaged her later extremely sympathetic and well-balanced treatment of nuns as presented in her novel entitled *In This House of Brede*. The novel portrays a contemplative community of Benedictine nuns in England. The short story deals with a young girl who takes the veil for the right reason, for the glory of God rather than as a refuge from the world after having been jilted by some unrequited love. The Rule of St. Benedict is, technically speaking, a book for monks living in community under the authority of an abbot. Since the seventh century it has also worked well for religious communities consisting of women, and subsequent to the Reformation it has also come to be adopted by Protestants and Anglicans. The Rule is moderate in its demands in relation to other monastic approaches and fosters an appreciation of the relational nature of the human being.

Dame Felicitas of Stanbrook Abbey, the model for the fictional Abbey of Brede, told Rumer Godden that she wished "someone would write a book about nuns as they really are, not as the author wants them to be." Godden writes that "I thought of *Black Narcissus* and blushed." After the death of Godden's mother, Dame Felicitas arranged for Rumer to recuperate at Stanbrook, at which time she was able to attend a solemn profession. Rumer by that time, as part of her gravitation toward the Catholic Church, had already been accepted as an oblate member of the community—one of a group of lay people attached to the abbey who are entitled to wear the symbolic scapular beneath their clothes, indicating allegiance to St. Benedict. Muriel Spark also visited Stanbrook Abbey for research purposes while working on what would become *The Abbess of Crewe* (1974), a satire which spoofs the Watergate scandal. Sylvia Plath stayed incognito at Stanbrook during the final year of her unfortunate life, while both Alec Guinness and the anti-war poet Siegfried Sassoon also spent some time in residence at the Abbey.

*In This House of Brede* realistically depicts the day in and day out frustrations and triumphs in the lives of a

community of cloistered and contemplative Benedictine nuns living in the south of England within the walls of a monastery called Brede from the mid 1950s until the immediate aftermath of Vatican II in the late 1960s. It is part of Godden's artful craft to reveal how such frustrations can function, not only as obstacles to holiness, but also as a basis for elevating oneself toward spiritual perfection. The protagonist of the novel is the middle aged and worldly wise Philippa Talbot, a successful civil servant, widow, and mother of a long dead child. She is forty two years old at the time when she opts to trade in her secular lifestyle within the rapidly changing world for a mode of living in which the eternal verities and virtues will eventually, albeit not without suffering, reform her. She is by nature a domineering woman who discovers that dominance leads to a dead end. At first her dominance is held in check to an extent as the result of her attempting to conform to the expected behavior of one who wears a habit. In time the Rule of St. Benedict will enable Philippa to appreciate that it is only with obedience and true submission that authentic selfhood lies. Analogous to the statue of Our Lady in the novel that is brought to life from a mere hunk of wood, Dame Philippa is herself transformed into a true bride of Christ. The path which leads from Philippa's refusal to yield herself until her eventual surrender to God is the key to understanding the way of life which the novel portrays. The novel turns on the question of whether an intelligent, competent, self-sufficient, even arrogant woman of the world can give the greatest gift of all, which is to give oneself away to God.

*In This House of Brede* was an immediate critical success. It was a Book of the Month Club main choice in the United States. Godden participated in a publicity tour of the United States which included a speaking engagement at the Library of Congress. There was one notable critic however who did complain to Godden about the novel, saying that except in the word "Sussex" there is no sex in the novel. When a film of the novel was made in 1975, starring Diana Rigg as Philippa Talbot, Rumer Godden ensured that Stanbrook Abbey would receive a large proportion of its earnings. The name of the fictional Abbey, Brede, can mean either bread or meat. The nuns of Brede are concerned with both material and spiritual sustenance; the ordinary, rather tasteless diet prepared in their kitchen and the Eucharist which both renews and elevates their efforts to give themselves entirely to God.

## *Five For Sorrow, Ten for Joy (1979)*

After publishing *In This House of Brede* Rumer Godden's second husband James Haynes-Dixon implored her to never write another novel about nuns, but to write a book about a brothel instead. In the autobiographical memoir entitled *A House With Four Rooms* Godden writes that "Ten years later I wrote a book about both." The title is an obvious reference to the mysteries of the rosary in which the joyous and glorious incidents in the lives of Jesus and Mary outweigh those whose suffering gives rise to great sorrow.

The novel tells the story of Elizabeth Fanshawe and her transformation from victim and victimizer to a person who tries to avoid the sole tragedy of human life, which as Leon Blois tells us in *The Woman Who Was Poor* is that of not being a saint. In 1944 at the young age of twenty-one, Elizabeth enlisted in the English army. Her assignment as a driver took her to Paris at a time when the French were jubilant over the liberation of their city. Intoxicated from hours of celebratory drinking, Elizabeth or Lise encounters a charming criminal named Patrice Ambard. She is subsequently seduced, falls madly in love with Patrice, and is put to work in the brothel which serves as his livelihood. While not exactly an Horatio Alger story, Lise will eventually rise to the highest echelons of bordello life when she becomes the madam and procuress in charge of the sordid daily operations of Patrice's establishment. Lise is eventually displaced in the affections of Patrice by an underage street urchin of unfortunate upbringing named Vivi. Nevertheless, Lise adopts a maternal attitude and affection for Vivi which will survive even Vivi's attempt to kill her at the end of the novel. Such a bond leads Lise to kill Patrice in order to prevent him from harming Vivi. As a result Lise is convicted and sentenced to a number of years in prison. While there she undergoes a conversion to the Catholic faith as the result of visits from the Sisters of Bethany, a Dominican order of nuns devoted to Saint Mary Magdalene, which in real life was founded by *Pere Marie Jean Joseph Lataste* in the 1860s.

Lise enters the Sisters of Bethany upon her release from prison and takes the name of Sister Marie Lise du Rosaire. By the end of the novel she is tracked down by Vivi, who has never forgiven her for killing Patrice. While in adoration of the Eucharist, Lise's near ecstatically charged body begins to sense impending danger as Vivi approaches from behind. Lise's protégé, a younger nun named Lucette, makes a sacrifice of her own life in

order to save that of Sister Lise. Yet the novel ends on a happy note as Lise hopes that someday Vivi will return to retrieve a pair of broken rosary beads that she has mended for her estranged spiritual daughter.

*Five For Sorrow, Ten for Joy* is a very Catholic novel about a woman who turns from sin to sanctity. The heroine Elizabeth Fanshawe gets caught up in the kind of swirling vortex of social change so ably charted by such post-conciliar novelists as David Lodge. Despite this very human tendency to get carried along by the selfish spirit of the times, as Scott and Zelda were in the previous generation, there is however implanted within each of us made in the image and likeness of God an underlying universal desire to cast off the confines of the false freedom of individuality in a search for the true freedom which can only be found in relationship to Christ. Oscar Wilde once said that he preferred a woman with a past and a man with a future. In the character of Elizabeth Fanshawe the venerable Rumer Godden has given us an indelible fictional portrait of a woman with a material and sinful past which pales in comparison to her spiritual and hope filled future.

*Five for Sorrow, Ten for Joy* is a novel about the excruciating process of sanctity, excruciating because it is so closely linked by Godden to the cross. In taking a lifetime for Lise to achieve the station of sainthood Godden gives us a fictional affirmation of Aristotle's insight that happiness (*eudaimonia*) "can not be achieved in less than a complete lifetime; one swallow does not make a summer, neither does one fine day. And one day, or indeed any brief period of felicity does not make a man happy" (*Nicomachean Ethics* I, vii, 16). Summoned by the calls of the rosary, the cross, and the sisterly angels who announced the good news of salvation during her years of imprisonment, Lise eventually comes to learn the full measure of her worth as both a woman and a human being. It was a lesson that St. Augustine, another sinner turned saint, had already learned and tried to teach us so long ago. It is a lesson which still reverberates in the hearts of anyone willing to drown out the deafening noise of selfishness that pursues us into each of the four rooms of our being that Rumer Godden refers to in her autobiography. It is this: the true measure of love is to love without measure. ✠

## Reflections on Medjugorje

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By Eugene Diamond, M.D.

**E**mile Zola, when visiting the Grotto at Lourdes and seeing the discarded crutches and canes, was said to have remarked, "What, no wooden legs?" Although there is strong evidence that Zola actually witnessed a miraculous cure during his visit, he became a cynical and persistent critic of the alleged healing powers of the Shrine. Alexis Carrell, on the other hand, visited the Shrine out of curiosity and with an open mind. He verified a miraculous cure of tuberculosis peritonitis by actually examining the patient. He reported his findings, as an agnostic, to the French Academy of Sciences, which attributed the cure to some poorly understood psychosomatic phenomenon rather than as a miracle. The members of the Academy rose up in righteous indignation to expel him and, ultimately to lead him to emigrate to the United States. While Carrell was not a believer, he eventually won a Nobel Prize which attested to his

scientific skills and detachment.

The fundamental question for any person on pilgrimage to a shrine is "Do you believe in miracles." In other words, do you believe that God, as the author of creation, does in fact intervene to suspend the laws of nature in any particular instance? Some miracles we believe as a matter of obligation. Jesus did, as the gospels tell us, suspend the laws of nature to allow Him to walk on water, heal the leper, cure blindness and deafness, raise Lazarus from the dead and heal the servant of the Centurion, among other things. Were miracles a feature exclusively of Christ's public life or are miracles ongoing through time? The purpose of the miracles performed by Jesus, were apparently intended to increase the faith of the people. Does God intervene in nature now for the same purpose of demonstrating His power and enhancing faith?

In the scientific community, one is likely to find the most outspoken critics of the possibility of miracles. This happens despite the fact that almost every physician

will attest to the fact that he has attended a patient who survived against overwhelming odds from an expected fatal outcome. As my response to such vociferous disclaimers of the possibility of miracles, I usually ask, "If your wife were sick, would you pray for her?" When firmly reassured that they would, of course, pray for a near relative's recovery, I respond "You are praying for a miracle." A person who prays for a sick person is asking that God interfere in nature to alter the course of an illness to convert an unfavorable outcome to a favorable one. One physician friend of mine whose wife had a malignancy, protested that he would only pray that there would be no pain associated with the disease. Even this, however, is a petition for a miracle since what the prayer asks is that the natural course of the disease be altered to spare the patient from painful complications.

During the last century, most of the miraculous occurrences in the Catholic tradition have been associated with Marian apparitions. The inevitable response to the huge outpouring of faith occasioned by the few apparitions authenticated by the Church is the proliferation of many unsubstantiated claims fabricated by alleged witnesses for a variety of motives. Some of these are rejected out of hand as transparent hoaxes but others are surrendered with great reluctance by impassioned partisans. Some of these partisans see the disqualification of certain occurrences as part of a grand plot initiated by diabolical forces with certain ecclesiastical authorities as co-conspirators. The painful interlude between claim, counterclaim, and either acceptance or rejection has caused the Church in its wisdom to engage in appropriately cautious evaluation of each new alleged phenomenon. The withholding of official sanction is particularly important in view of the predisposition of the faithful to succumb to what Ronald Knox has called Enthusiasm. The temperate evaluation of alleged miracles is a form of damage control to limit the disenchantment occasioned by revelations of deception or clerical confidence game which sometimes occur.

The alleged Marian apparitions at Medjugorje are currently in this stage of agonizing appraisal. It is obvious that objective evaluation is extremely difficult against a background of literally hundreds of thousands of pilgrimages to the site with innumerable testimonials to personal faith experiences elicited by such pilgrimages. The firm unwillingness of the Holy See to extend official recognition to the apparitions or even to sanction Church sponsored travel is validated by the inescapable ambivalence and strong emotional charge asso-

ciated with acceptance or rejection of the occurrences at Medjugorje.

The analysis of Franz Werfel has become somewhat of a cliché but it is, nonetheless, highly relevant. As he wrote in the *Song of Bernadette*, "For those who believe, no explanation is necessary; For those who do not believe no explanation will suffice." As with Lourdes, belief is the key but the credulous are still at risk. The apparitions at Medjugorje are unique in having access to modern scientific technology to help to validate some-key points. In the publications of Dr. Henri Joyeaux, written with Rene Laurentin, some factual data emerge. Using the technology of evoked visual response and evoked auditory response, there is scientific evidence from tracings taken on the visionaries during the alleged apparition, that they are in fact hearing something and seeing something. Such evidence would not be available if the visions were a hoax nor would it be present if the young people were hallucinating. Likewise, frame by frame analysis of time lapse motion pictures indicate that the children begin to pray, allegedly in response to an invitation to do so by the Blessed Mother, at the same precisely synchronized moment. This would seemingly rule out the occurrence of joint prayer in imitation of one or the other of the visionaries acting as a leader. The state is described by Dr. Joyeaux as an ecstasy but there is no parallel state described in the medical literature under a different set of circumstances. This scientific evidence is not irrefutable but it would seem to refute, at least, a completely fabricated conspiracy.

Inevitably one must depend on personal first-hand experience to a large extent in evaluating the veracity of the Medjugorje story. It must be conceded that the ambience of the Yugoslavian pastoral countryside is, of itself, an influence to be considered. My own visit came at the urging of five of my sons and daughters who preceded me on pilgrimage. I should emphasize that they are not unsophisticated children but adults with advanced degrees (M.D., J.D., M.S.N., and two M.S.W.s). I was nonetheless, reluctant and unconvinced until I received an invitation to speak at a meeting in Split, Yugoslavia, close to Medjugorje. Since the invitation was quite unexpected and came from a colleague I had not seen for 15 years, it was hard for me to deny that I was somehow being summoned to the scene.

It is difficult to capsule the experience at Medjugorje but I will give what are only personal impressions. First, of all, in all honesty, it must be said that most of what is said by those on the site, would be of



dubious credibility. There are always numerous enthusiasts who are anxious to tell you of their personal conversation with the Virgin or of a sighting in a treetop or on a belfry. I suppose that all of us as pilgrims are longing for such an experience or for the spiritual metanoia which would inevitably follow. Such happenings are mere distractions which do not prove or disprove the authenticity of the revelations described by the visionaries. If these are blocked out, to the extent possible, the central theme and impact of the place is quite extraordinary. The unearthly silence of thousands of pilgrims at the top of Apparition Mountain or Mount Krizevac during the period when the visionaries are said to be engaged in listening to the Blessed Mother is certainly dramatic and unprecedented in my experience.

Some years ago, I was able to march in one of the processions at Lourdes. Physicians who are members of the International Medical Association of Lourdes are privileged to join the procession immediately behind the clergy who carry the Blessed Sacrament to bless the sick and disabled. Even after thirty five years of hospital practice, I have never experienced such a scene of concentrated severely handicapped and pre-terminally ill patients. The benefit of Lourdes to the 99+ % who are not cured is surely a new acceptance of their problem and a new access to a spiritual dimension to their suffering.

Likewise, the overriding impact of the scene at Medjugorje is one of profound devotion and prayerful reawakening. There is a fundamental and uncomplicated spiritual message which might be disappointing to those looking for exhilaration or transports of inspiration. Any individual response would obviously be conditioned by one's personal history, expectations, and spiritual readiness. No multiplication of favorable responses would confirm that Medjugorje is bonafide any more than such experiences could be cancelled out by a plurality of negative responses.

Peripheral to the profoundly moving spiritual experience of the Medjugorje pilgrimage are other events to which differing degrees of significance have been attached. These are the phenomena of the changing color of the rosaries and the so-called "spinning sun". My own rosary did unquestionably change color from silver to gold. I attach no necessarily miraculous significance to this occurrence which could conceivably be related to an environmentally driven chemical effect. The change is factual, however, and not imaginary. I did not witness the sign of the sun. It is said that a quarter of a million people experienced a similar solar display at

Fatima indicating that such experiences can be deemed authentic.

Perhaps nothing is more damaging to the credibility of the Medjugorje apparitions than the implacable opposition of the Bishop of Mostar, the ordinary of the diocese in which Medjugorje is located. Bishop Zanic has a long standing incompatibility with the Franciscans who were so actively involved in the early activities of the visionaries. In contrast to the viewpoint of the Bishop of Mostar, Bishop Franic, the retired Bishop of Split has expressed a preliminary endorsement of the pilgrimages. Marijo Zivkovic, one of the leading Catholic laymen of Croatia has expressed the opinion that disagreement between the bishops had a salutary political effect. The Communist government of Yugoslavia was much less inclined to suppress the activities at Medjugorje as a religious plot in view of the public disagreement between the bishops. Zivkovic has also expressed the viewpoint that the bloodless revolution which now has removed from power the Titoist Communist party is attributed by devout Catholics in Croatia and Slovenia to the intervention of the Virgin of Medjugorje.

Much of what has been attributed to the young seers in their public utterances seems inconsistent and, at times, protective of the political status of their Franciscan sponsors. I suspect that if the statements of the peasant children at Fatima or those of Juan Diego during interrogation were to be subjected to the same scrutiny, similar inconsistencies would have appeared. The Blessed Mother seems to have established a pattern of appearing to simple peasant youths rather than sophisticated intellectuals. It would be unfair to hold them to higher standards of consistency than St. Peter or Doubting Thomas.

My own inclination is to keep an open mind about Medjugorje and to treasure the positive spiritual experiences of my pilgrimage there. At the same time, I do not trivialize the potential scandal of any future exposure of irregularities nor do I minimize the devastating effects of such an exposure on the faithful who have invested much devotional capital in the shrine.

There are many reasons to have confidence in the objective investigating powers of the pope and his appointed representatives. In the meanwhile, open discussion and debate should continue and we should not yet be prepared to foreclose either the strong opinions of critics or of advocates alike. The reality of the present situation should be acknowledged honestly, however. The jury is indeed still out on Medjugorje. ✠

*St. Thomas Aquinas on Love and Charity: Readings from the "Commentary on the Sentences of Peter Lombard."* Translated by Peter A. Kwasniewski, Thomas Bolin, O.S.B., and Joseph Bolin. With introduction and notes by Peter A. Kwasniewski. Washington, D. C.: The Catholic University of America Press, 2008, xxxii, 404 pages, \$39.95.

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Peter A. Kwasniewski, Thomas Bolin, O.S.B., and Joseph Bolin have met a significant need in providing us with what is to date "by far the most extensive English translation" (xvi) of St. Thomas Aquinas's *Commentary on the Sentences of Peter Lombard*. Peter Kwasniewski offers an interesting and informative Introduction to the work, in which he explains that the team's translating efforts were guided by two general principles: "(1) maximal fidelity to Thomas's text, the attempt to say things as he says them, with the weight and balance of his own statements; and (2) maximal clarity in English, often preferring phrasings more familiar to our ears and closer to the Latin's meaning" (xvi-xvii). These are excellent principles, and they have been followed with laudable faithfulness.

The selections here translated, which represent a sizable portion of the *Commentary*, deal principally with the subject of love and charity, hence the title the translators give to the volume. *Caritas*, *amor*, *dilectio*, and *amicitia* ("charity," "love," "affection," and "friendship") figure prominently in St. Thomas's writings, and he himself notes that they are "four words that refer, in a way, to the same thing" (xxi). But there are of course differences to be recognized. *Amor* and *dilectio* are virtually

synonymous terms, and refer to the most elementary of the passions or sense appetites; as such, they could be regarded as "givens" of nature. But *dilectio* may be said to differ from *amor* in that it involves the element of choice. *Amicitia*, for its part, is a habit, hence is something which must be acquired through conscious effort. *Caritas* refers first and foremost to a theological virtue, which means that it is also a habit, but in this case an infused habit. But *caritas* or charity might also be said to be an elevated expression of the most basic of the passions, *amor*. Charity is transformed love, love as raised above the level of the merely natural. The Introduction includes discussions of how the translators handled several other key terms that figure prominently in the work, terms which are pregnant with special meanings for St. Thomas—*amans*, *amatum* ("lover," "beloved"); *affectus*, (*affective*), *secundum affectum* ("affection," "affectively," "by way of affection"); *appetitus*, *appetibile* ("appetite," "appetible"); *ea quae sunt ad finem* ("those things which are ordered toward an end"). Given the wide range of its meanings, the translators decided to leave the Latin term *ratio* untranslated in most instances, leaving the reader free "to pull out the meaning from the context" (xxix-xxx).

The focal point around which St. Thomas develops his treatment of love is *caritas* or charity; this is the quintessence of love in that it is nothing else than our participation in the very life of God ("Now charity is a certain participation of divine goodness." 39), so that, just as the soul is the life of the body, charity, which is one and the same with grace, is the life of the soul. Thus, "the soul's entire goodness is from charity" (10). And because charity is our participation in the very life of God, St. Thomas is able say that the power of charity is infinite (9).

Charity is a habit, but because it is an infused virtue, it is not one we can acquire through our own efforts, or, as St. Thomas puts it, always mindful of larger, metaphysical considerations, "charity is *not* nature, since it cannot be caused by the natural principles of creation" (15). God alone is the efficient cause of charity. While we can dispose ourselves to charity, we cannot effect it in ourselves.

In a typical way of his analyzing things, St. Thomas sees a tripartite division of charity. There is, in the first instance, uncreated charity, which is simply God Himself, the Holy Spirit; there is the charity which is the infused habit, the theological virtue; and there are those individual acts of charity which flow forth from the infused habit. Charity, as God's gift to us, is the means by which we love Him, and because all love necessarily involves knowledge—for the obvious reason that we cannot love what we do not know—as our love of God increases, so too does our knowledge of Him. But everything has its source in the charity which is God Himself (*Deus caritas est*), for knowledge of God comes only through grace, not through nature. Given our utter dependence upon charity/grace, are we then to conclude that we are not entirely free creatures? That would not follow, for, as St. Thomas points out, assisting grace does not negate free will, but rather makes it possible (60).

Given the fact that God is both the source and the proper end of charity (He is the proper end of charity because He is the only fully adequate and worthy object of our love), and because He is infinite, we can never love Him enough. If we are loving rightly, we love God above all else, as our ultimate end, to which are subordinated the countless lesser ends of life which are also the objects of our love. The relative

worth of those lesser ends is gauged by how they relate to our ultimate end, and they can be counted as real goods only to the extent that, however obliquely, they contribute toward the achievement of the ultimate good.

We can lose charity, alas, and that unhappy eventuality is brought about by mortal sin, “mortal” by reason of the fact that it kills the life of God in our souls. This happens, not because of a default of knowledge necessarily, but because of a default of will. St. Thomas remarks interestingly on this point when he writes: “It should be said that the opinion of those who held that charity, on account of its firmness, cannot be lost, is similar to the opinion of Socrates, who held that one who has knowledge, on account of its nobility and certainty, cannot go astray” (265).

St. Thomas’s analysis of what we might call the psychological aspects of love are especially arresting. He argues that love, considered now in the most comprehensive way, “is nothing other than a certain transformation of affection into the thing loved” (120). In more particular terms, this happens because “the lover takes up the beloved as though he were the same as himself,” (122) and thus there is a conjoining of persons such that the “lover is transformed into the beloved and in a way is turned into him,” (123) so that “nothing of the beloved remains not united to the lover” (124); “the lover is transformed into the inner identity of the beloved,” (125) making “the beloved the lover’s form” (125). Can there be any intimacy like unto this? And consider its implications when the love in question is divine love, the love between God and man. According to the Thomistic way of looking at things, to love Christ is to be transformed in Christ.

In St. Thomas’s explorations into

the multi-layered nature of love and its many ramifications (could we not call them infinite?), he gives considerable attention to the foundational fact that love and knowledge are inseparable. The intellect must inform before the will can move. And yet love enjoys a certain superiority over knowledge for its out-going dynamic, and the peculiar kind of unity which that brings about. It is love that “enters more *into* a thing than knowledge,” (142) because while with intellect we receive, take things into ourselves, with love we go out of ourselves, even to the point where, as we have seen, the loving subject undergoes a transformation of self.

In taking yet another analytic approach to his subject, St. Thomas sees love as including (1) longing for the beloved, (2) benevolence toward the beloved, (3) along with beneficence, and (4) concord. With regard to benevolence, we recall that the essence of love is willing the good for the other, and willing the good would naturally entail the doing of the good. As to concord, that is not to be regarded as synonymous with peace, for peace is the mere absence of disagreements. Concord, on the other hand, involves positive union of lover and beloved.

For St. Thomas, love and charity inevitably involve the notion of friendship. Following the thought of Aristotle, he argues that, on the natural level, friendship is founded on the virtues. Only good men can be true friends. But virtue cannot be the foundation for our friendship with God, and that is because this friendship is based on charity—indeed, we can say that it is but another dimension of charity—and charity is an infused virtue, that is, pure gift. In other words, while natural friendship can be a result of our own efforts, divine friendship cannot be. One of the results of divine friendship is that, “God is naturally loved

by a man more than a man loves himself” (213). It could not really be otherwise, for the proper object of love is the good, and the greater the good, the greater the love. Charity is supreme; it is the mother and “the *mover* of all the other virtues,” (163) and orders all the other virtues to their proper ends.

As to how charity applies to our fellow creatures, it is unqualifiedly inclusive, extending to evil men as well as to good. But, St. Thomas carefully notes, the precise object of our love is the evil-doer, not the evil that he does; as long as the evil-doer lives and breathes, charity holds open for him the possibility of conversion (195). He expatiates on this point beautifully: “It should be said that we are bound to love someone according as he shares something in common with us. Now the enemy has in common with us a sharing in human nature, on the basis of which it is possible for him to have in common with us a sharing in the divine life. Accordingly, we ought to love him in regard to things that pertain to his nature and to the possession of grace, whereas we ought not to love the enmity he has against us, since according to it he has something in common neither with us nor even with himself, but rather something that is contrary [both to us and to himself], as was said also concerning other sins” (245). We must love our enemies, but not their enmity, for were we to do the latter we would be loving un-loving.

The signal mark of our charity toward all men is that we want exactly for them what we want for ourselves, the attainment of our common final end—the beatific vision, eternal union with God. We are to consider our fellow man as one of our “proper goods,” and we love him as a likeness of God. The first and most obvious effect of our possession of charity is our emphatic and uncompromising withdrawal

from sin. On the positive side, we actively do good and we rejoice in the good that we do. St. Thomas specifies a hierarchical order of charity: we should love God above all else, then our neighbor, then strangers, then friends before enemies (while of course not excluding enemies), then the common good before private goods.

In order to have a correct understanding of the greatest of all commandments, we must clearly realize that if we do not love God first and foremost, there can never be any love of neighbor, for “love of God is the cause and reason for the love of neighbor” (255).

On giving further reflection to the somber possibility of the loss of charity, St. Thomas observes that we lose charity simply by not actively availing ourselves of its presence, by not *using* it. The battle to maintain ourselves in a state of grace is continuous and trying. It is more difficult to resist evil than to do good, but we are never alone in the ongoing spiritual combat in which we are engaged, and “God will always administer to one who is fighting” (278). And the victory toward which the battle is aimed? Beatitude, “the ultimate end of human life” (337). The blessed state of perfect union with God, the supreme consummation of love, is, for St. Thomas, essentially “an act of intellect,” (343) an eternal, utterly unalloyed banquet of knowledge of the Divine Essence. Man, in enjoying beatitude, will be maximally in act, which means that he will be maximally alive.

The translators of *On Love and Charity* are to be congratulated and commended for the fine book they have given us, making available in English one of the seminal works of St. Thomas’s theological corpus. Up to this time it has been for many perhaps the least well known of his works, but now, happily, that will change.

***Constitutional Adjudication: The Costa Rican Experience.*** Robert S. Barker. Lake Mary, Florida: Vandeplas Publishing, 2008, x, 180 pages.

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According to not a few knowledgeable and concerned observers, we live in times which are precarious for the U. S. Constitution, not for any radical defects in the document itself, but for the seemingly systematic way certain of its key provisions tend to be ignored by those who should be abiding by them, and for the interpretations given to the document by a hyper-activist judiciary, interpretations which only a free-wheeling and fanciful mind could imagine bear any resemblance to the intentions of the framers. In a comprehensive study of the U. S. Constitution published four years ago (*La Constitución de los Estados Unidos y su Dinámica Actual*, reviewed in the Spring 2007 issue of the *Fellowship of Catholic Scholars Quarterly*), Professor Robert S. Barker gave special attention to the problems created for constitutional stability by activist judges whose often remarkably far-fetched interpretations of the founding document seriously depreciate the enduring authority it was clearly meant to have. In a note for a forthcoming book by Professor Charles E. Rice of the University of Notre Dame Law School, we read that, “He [Professor Rice] argues that the American republic is dead and the Constitution cannot be restored to what it was in the beginning” (*St. Augustine’s Press Winter/Spring 2009 Catalogue*, 19). Whether things are really that dire is an arguable point, but it seems to be beyond dispute that at the moment, in terms of the status of its

constitution, things are not faring particularly well for the republic.

In his most recent book, *Constitutional Adjudication: The Costa Rican Experience*, Professor Barker makes another significant contribution to contemporary constitutional thought, in this case giving principal emphasis to the relation between a constitution and the judiciary branch of government. The constitutional republic which is the focus of his attention is Costa Rica, and the quality of his study is emphatically attested to by Professor Keith S. Rosenn of the University of Miami School of Law, who writes that it “will become the definitive English-language work on Costa Rican constitutionalism” (v). There is a twofold value to this book. It is valuable first and foremost for what the reader can learn from it about the developmental history of the Costa Rican constitution, as well as about its present condition and the role it plays in the country’s governance, matters which are intrinsically interesting and richly informative. Secondly, given the situation which now obtains in our own country regarding constitutional questions, there is much in the Costa Rican situation by which we can be beneficially instructed.

Robert S. Barker is Distinguished Professor of Law at Duquesne University, and Adjunct Professor of Law at the University of Pittsburgh. He has a deep and wide-ranging knowledge of constitutional law, especially as it pertains to Latin America, in several of whose countries he has spent a considerable amount of time as both researcher and teacher, Costa Rica in particular. Among his many accomplishments, he has served as the Chairman of the Constitutional Law Committee of the Inter-American Bar Association.

Costa Rica, Professor Barker points out at the beginning of his book, “has long been a functioning

democracy with stable governmental institutions and a traditional respect for law” (5). It is a country in which “constitutional principles are followed and court decisions are obeyed to an extent equaled in few other countries” (32). Costa Rica can be said to have had a favored past in that its colonial history, unlike that of just about every other Latin American country, did not witness the emplacement of a strong aristocracy, and thus was avoided subsequent pronounced social and economic divisions within the population. Right from the beginning, then, there was created a social atmosphere which would prove favorable for the eventual establishment of a healthy and stable constitutional republic. Costa Rica gained its independence from Spain in 1821. It was part of the Central American Federation until 1848, at which time it became fully independent, and the republic was established. For the first fifty years of its history, “the era of experimentation,” Cost Rica went through a number of constitutions, but a durable stability was achieved with the promulgation of the Constitution of 1871, which was to be the governing document of the country for three quarters of a century, and which was signally important for the country’s subsequent political history in that it solidified the principle that “the constitution should be the supreme law of the land” (41). What this meant, in practical terms, and particularly with respect to the country’s present and presumably permanent constitution, promulgated in 1948, is that the document “is treated as a set of operating rules. It is not merely a statement of national aspirations...” (30). It might be remarked parenthetically here that this is also the import of the U. S. Constitution, as originally conceived; that is, it is to be understood as laying down definite norms, and is not to be taken, as some seem

to suppose, as a mystic source of ever emanating and imagination-provoking penumbra.

The reforms which were inaugurated in 1938 were of special significance for Costa Rica’s constitutional history in that they accorded more power to the judiciary in interpreting the constitution. This is significant because it represented a marked change in emphasis, for up to that time it was the legislative branch which bore the principal responsibility for constitutional interpretation, which is to be explained by the fact that the country was very much in the Civil Law tradition. As was true in all Latin American countries, the development of political thought in Costa Rica was considerably influenced by the French Revolution and its many ramifications. This resulted, in Costa Rica, in the fostering of a view of Civil Law which was suspicious of the judiciary and gave primacy of place in governmental affairs to the legislative branch. Specifically, what the 1938 reforms did was “to establish judicial supremacy in constitutional matters and to concentrate judicial review in the Supreme Court” (48). Although the 1938 reforms then represented what can rightly be described as a pronounced turning point in Costa Rican constitutional history, that event was in effect only the blossoming of an attitude which had been slowly germinating over the years, and had an important precedent in the Organic Law of Tribunals (*Ley Orgánico de los Tribunales*) of 1888, where judicial control of constitutionality saw its inception.

In Cost Rica, the President of the Republic is elected for a four year term, after which he must step down; he may, after a period of eight years, run for a second term. The Constitution provides for two vice-presidents, both elected, along with the president, for four year terms. The Legislative Assembly is a uni-

cameral body made up of fifty-seven members who are elected by direct popular vote for four year terms, and, like the president, they are not eligible for immediate reelection after their term expires. The Costa Rican Supreme Court, as set up by the 1949 Constitution, was composed of seventeen members, called magistrates, divided into three chambers, each with specialized legal tasks assigned to it, and who are elected by the Legislative Assembly for terms of eight years; a magistrate can be retained for an additional eight year period unless he is opposed by a two-thirds vote of the Assembly. As specified by the Constitution, a two-thirds vote of all seventeen magistrates was required “to declare unconstitutionality of dispositions of the Legislative Branch and decrees of the Executive Branch.” (50) Below the Supreme Court, there are three additional levels of the judiciary branch. In descending order, they are: the Superior Tribunals (usually consisting of three judge panels), district judges, and *alcades*, the last being more or less like justices of the peace. Only the Supreme Court has the power to declare unconstitutionality. Consonant with the Civil Law tradition, juries do not play a part in the Costa Rican legal system.

Habeas Corpus figures prominently in the Costa Rican Constitution, “and habeas corpus petitions take priority over all other matters before the court”; (13) remarkably, the protection afforded by habeas corpus applies to governmental *omissions* that might result in the infringement of individual liberties, as well as to overt acts on the part of the government. A particular interesting feature of the constitution is the *amparo* provision, which might be regarded as a supplement to habeas corpus. *Amparo* (“help,” “protection”) is of Mexican origin, and the relief it provides “usually consists of the *suspension* of the unlawful

conduct” (15). Its particular value consists in the speed with which it can bring relief, and the comprehensiveness of the relief.

A 1989 amendment to the Constitution effected a change in the structure of the Supreme Court by the addition of a fourth chamber, the Constitutional Chamber (*Sala Constitucional*) whose specialized task is to adjudicate all constitutional matters. Decisions of unconstitutionality are made by the absolute majority of this seven member body. The Constitutional Chamber has borne the burden of a heavy case load every since its creation, and the large backlog of cases makes for a continuing problem.

“The present system of judicial review in Costa Rica,” Professor Barker writes, “is the result of a long, and, by Latin American standards, smooth, process of constitutional development” (127). That the country has “one of the most respectable, and respected constitutional traditions in the world” (132) surely has to be attributed in great part to its impressive record of “protecting certain basic human rights that are often ignored or undervalued elsewhere” (132). By way of providing telling illustrations of this last point, Professor Barker, in the final chapter of his book, cites three recent decisions of the Constitutional Chamber which I find to be particularly edifying, and which, because of their inherent importance, deserve ample quotation.

In 1995 the government of Costa Rica issued an Executive Decree regulating “In-Vitro Fertilization and the Transfer of Embryos.” The Constitutional Chamber subsequently nullified that decree, declaring it to be invalid. In its decision we read: “When the spermatozoid fertilizes the egg, that entity is converted into a zygote and from there to an embryo. The most important characteristic of this cell is that *everything that will permit it to evolve to the*

*individual is already there in place*, all the information necessary and sufficient to define the characteristics of a new human being appear united in the meeting of the twenty-three spermatozoid chromosomes and the twenty-three ovular chromosomes.... *In short, what has been conceived is a person*, and we are dealing with a living being, with the right to be protected by the legal order...” (165, emphasis mine).

After noting that “every human being has the right to life, liberty and personal security,” (165) Justice Rodolfo E. Piza Escalante, who wrote the decision, continues: “There do not exist human beings of any other juridical category [i.e., other than “persons”]; we are all persons and the first thing that our juridical personality demands of others is the recognition of the right to life, without which the [juridical] personality cannot be exercised” (165). He goes on to state that, “Every person has the right to have his life respected. This right will be protected by the law and, in general, from the moment of conception” (165-66). As to in-vitro fertilization and embryonic transfer in particular, this technique “is an attack on human life. The human embryo is a person from the moment of conception, and thus cannot be treated as an object for purposes of research...” (166). Had the majority of the members of the U. S. Supreme Court in 1973 possessed the kind of wisdom, not to say the elementary scientific knowledge, displayed by the Supreme Court of Costa Rica, *Roe v. Wade* could never have been decided in the woefully wrong way it was. (The decision was obviously a sin against morals, but it was a sin against science as well.)

In 2001, Kathia Cecilia Saborio Obando, who was four and a half months pregnant at the time, entered a public hospital following the onset of labor pains. The child died. Kathia

Obando and her husband, quite naturally, then requested that the hospital turn over to them the body of their child so that they could give it a fitting burial. The hospital refused this request, explaining that, “after scientific study by hospital personnel, the remains had been placed in a common burial area.” (167). The Obandos brought the matter before the Constitutional Chamber. In the decision the Chamber made in their favor, Justice Eduardo Sancho Gonzales wrote: “Although that child did not complete its process of formation such as would have enabled it to develop itself as a normal child and to endure, *the certainty is that from the moment in which it was conceived it was a person with rights*” (167, emphasis mine).

The Costa Rican Supreme Court showed its concern for freedom of education in a decision it handed down in 1991. The government had issued an Executive Decree which sought to impose restrictive regulations on private educational institutions. The decree was challenged by the association of Catholic schools and the association of private (non-Catholic) schools. The Court decided in favor of the petitions presented by these organizations, arguing that, though the government had a point in regarding all education, including private education, as being “in the public interest,” this should not be construed as implying that all education, irrespective of by whom it was conducted, is a “public activity or a public service.” (169) The decision declared that “*to be educated, and to educate, is a fundamental right of every human being, and a right precisely ‘of liberty,’ that is, of autonomy or self-determination...*” (170, emphasis in the original text).

In 2006 a Costa Rican male applied for a marriage licence to marry another male. The licence was denied. He appealed to the Supreme Court. In rejecting his appeal, Justice

Calzada Miranda took pains patiently to spell out the obvious: marriage can take place only between a man and a woman.

In reviewing the work of the Constitutional Chamber, Professor Barker describes the Costa Rican Court as *active*, but not *activist*, meaning that the judiciary in that country, unlike what is increasingly the case with the United States judiciary, does not attempt to usurp the prerogatives of the legislative branch. The guiding principle for the Costa Rican judiciary would seem to be that they see it as their task to interpret the constitution as written, and not presumptuously to attempt to rewrite it. The constitutional government of Costa Rica can “be matched by few other countries anywhere,” (174) and its judiciary is admirable for its “defense of such traditional principles as the dignity of human life, the unique status of the family, and the importance of freedom of education” (175). The Costa Ricans, in their judiciary decisions, set examples that this country could very much profit by. Professor Barker is to be commended for the laudable service he has done in making the Costa Rican experience known to the world at large.

***The Order of Things***. James Schall, (San Francisco: Ignatius Press, 2007)  
Reviewed by Roland Millare

The educational landscape continues to be dominated by the disordered “closing” of the mind that Allan Bloom poignantly described a little over twenty years ago: “There is one thing a professor can be absolutely sure of; almost every student entering the university believes, or says he believes, that truth is relative. If this belief is put to the test, one can count on the student’s reaction: they will be uncomprehending.”<sup>1</sup>

Relativism has been inculcated by our schools for a few decades now and this effect on the intellects of countless students has caused catastrophic distortions in modern culture. The antidote to this “dictatorship of relativism”<sup>2</sup> can be found in Fr. Schall’s latest, book, *The Order of Things*.

In merely 234 pages of text Schall is able to accomplish a seemingly impossible feat to write a very dense yet clear and concise book on the order that should govern our minds, our approach to study and even to life itself. As with all of Schall’s books, the treat for any lover of truth is always his lists of books that he inevitably provides.

Educators find themselves at the crossroads where they must choose between rival views of order to present to their students. In the end, “order in certain areas of reality must itself be freely chosen. But if order is rejected, as it can be, it is always rejected in the name of another order, even if it be one that has no origin except in ourselves” (p. 11). The vocation of any teacher in our modern culture involves the onerous task of presenting an order that will appeal to their students. While students may freely rebel against such an order, they are in need of it now more than ever, and Schall is the perfect guide to prepare any teacher for that dialogue.

One of the crises in our times is that many people lack the ability to think in an integrated manner. Part of the problem is that most are no longer able to comprehend how ideas connect to one another. It is Schall’s goal in his books to teach how “things are related both to one another and to their origin and destinies” (p. 13). It is part of our human nature to want to know “[i]f things fit together, if they belong together; we want to know how and why.... We seek to know, to know the answers, to know the

truth to things” (*ibid.*). The strength of Schall’s books is that like the great philosopher, Eric Voegelin, he recognizes that, “The reality of order is not my discovery” (p. 232).

The lesson that Schall always seems to be teaching is that our knowledge of truth always finds its roots in the thoughts of others. He is able to draw from the thought of Plato, Aristotle, Cicero, Augustine, Aquinas, G.K. Chesterton, John Henry Newman, Josef Pieper, Samuel Johnson, J.R.R. Tolkien, C.S. Lewis, T.S. Eliot, Walker Percy, Edmund Burke, Eric Voegelin, Wendell Berry, E.F. Schumacher, Etienne Gilson, Jacques Maritain, Pope John Paul II, Pope Benedict XVI and even Charlie Brown. This is an invaluable lesson, seemingly lost on many modern minds, that we need to dialogue with the great books from the past and present in order to better understand life and truth itself. Today’s students need to heed the words of Bernard of Chartres: “We are like dwarves standing on the shoulders of giants, and so able to see more and farther than the ancients.” *The Order of Things* is of the few great books today that reminds its readers of the need and value of continuity.

Schall defines thinking as “separating this thing from that... identifying accurately what each thing is. Relating this thing to that. It means seeing the order of how this thing stands to that thing” (p. 15-16). Yet without a sense of order how could any teacher pass on this process to students that are being bombarded with a “technopoly”<sup>3</sup> that teaches them to “think” passively and uncritically. In the end, “We become what we love. And to love is always to choose, though to choose is not always to love rightly” (p. 20). Schall’s first exhortation in returning to the order of things is to keep company with the “divine and orderly things” (*ibid.*) because we may

begin to reflect this love in our lives (p. 32). It is essential to understand order because the universe itself according to Aquinas is ruled by an internal order of its parts to one another and an order of the whole to some end that accounts for its unity (p. 23).

As for the finite realities, Aquinas offers a vision of a fourfold order that is evident: (1) the order of the world (2) the order of the mind (3) the order of our actions (4) the order of things that humans make through art, craft, technology or rhetoric (p. 24–26). In the end, the mind seeks to know and the teacher must feed (or at least offer) that voracious appetite of his or her pupils with order. This order of the mind will potentially lead to ordered (virtuous) lives for we are a “project to ourselves. We are making ourselves into what we choose to be” (p. 100).

After building the case for the need of the “orderly and the divine,” Schall proceeds to give an ordered series of philosophical meditations on order that flow from this need. He begins with (or rather within) the Godhead and this leads to His creation—the cosmos. The order of the cosmos will lead to the heart of its climax, the order of the soul. This order of the soul is ultimately reflected in our polity (politics). The order of the polity should rightly allow for the order of the mind. The order of the mind will ultimately lead a person to experience either the order of hell or redemption. And the redemption expresses its order in our world ultimately through beauty. The “high cost” of losing Pascal’s wager may have dire consequences for individuals who chose to believe Christianity is not true (p. 228–229). Yet the question not asked often enough is: what is the potential cost for the teacher that leads their students astray from the real order of things either through ignorance or ideology?

When many of their students are “lost in the cosmos,”<sup>4</sup> educators need to be a beacon of order. Plato rightfully asserted that the “order of our polity reflects the prior order (or disorder) of our souls” (p. 86). The order or disorder that is fostered in the minds and hearts of future generations will ultimately steer the course of modern history. G.K. Chesterton’s prophetic voice should not fall on deaf ears for teachers that bear a great moral responsibility: “In the end it will matter to us whether we wrote well or ill; whether we fought with flails or reed. It will matter to us greatly on what side we fought” (p. 87). The side that Schall exhorts all people to be on is one of redeemed and virtuous order. The loss of a sense of the transcendent God has led to a loss of an ordered education, a just polity, and in many cases a virtuous life. In the end the Second Vatican Council was prophetic: “Without the Creator, the creature vanishes”.<sup>5</sup> Schall’s book is summed up by Yves Simon, “Order alone can be the essential cause of order” (150). Teachers need to pass on to their students as their predecessors have done before the order they have received. Many should not ignore this text from Fr. James Schall if they wish to be able to have an order to hand on to their pupils. So begin by reading *The Order of Things* and then proceed to read the books on his select bibliography. Fr. Schall’s virtual classroom found in this small book will help many understand that their lives are “in fact out of order,” but even better he gives us a philosophical guide in “setting things out-of-order aright” (9).

**Endnotes**

- 1 Cf. Allan Bloom, *The Closing of American Mind*. (New York: Simon and Schuster, 1987), 25–26.
- 2 Homily given by Joseph Cardinal Ratzinger (Pope Benedict XVI) on April

18, 2005 prior to the conclave that elected him as the 265<sup>th</sup> Bishop of Rome (Pope). See [http://www.vatican.va/gpII/documents/homily-pro-eligendo-pontifice\\_20050418\\_en.html](http://www.vatican.va/gpII/documents/homily-pro-eligendo-pontifice_20050418_en.html)

- 3 See Neil Postman *Technopoly: The Surrender of Culture to Technology* (New York: Vintage Books, 1993).
- 4 See Walker Percy *Lost in the Cosmos: The Last Self-Help Book* (Picador 2000).
- 5 *Gaudium et Spes* no. 36

***A Brief Inquiry into the Meaning of Sin and Faith, with “On My Religion.”*** Rawls, John. Edited by Thomas Nagel with commentaries by Joshua Cohen and Robert Merrihew Adams. Cambridge: Harvard University Press, 2009. 275 pp. \$27.95 (Cloth).

*Reviewed by Jude P. Dougherty  
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One would not ordinarily take seriously the senior-year thesis of a 21-year old Princeton undergraduate or give much attention to an unpublished memoir found on the computer of a deceased author. But the author in question is John Rawls, the political philosopher known widely for his celebrated volume, *A Theory of Justice*. Clearly Rawls was a serious, albeit somewhat brash student. He begins his thesis with a set of “fundamental presuppositions.” The first: “It is assumed at the outset that there is a being whom Christians call God and who has revealed Himself in Christ Jesus; as to what sort of being God is — that is, whether He possesses all the metaphysical attributes assigned to him — we do not presume to know. It is doubtful whether natural theology can tell us very much. The Bible has told us all we need to know about Him... We assume then that God is, and He is the sort of God that the Bible



says He is and that He revealed His nature in Christ Jesus.” In a “Preface” to the thesis, he writes, “I do not believe that the Greek tradition mixes very well with Christianity, and the sooner we stop kow-towing to Plato and Aristotle the better. An ounce of the Bible is worth a pound (possibly a ton) of Aristotle.” The passages is worthy of Tertullian declaiming “wretched Aristotle” or of Luther denouncing “fetid” or “putrid” Aristotle. Tertullian had asked, “What does Athens have to do with Jerusalem?” and that question has resonated throughout the centuries. The early Christian Fathers, steeped in the Hellenistic learning of their day, for the most part regarded revelation as complementing what they already knew from philosophical sources. Tertullian was an exception. Justin Martyr, Clement, the two Gregories, Marius Victorinus, Jerome and Augustine, to be sure, were all indebted to Athens in their attempts to understand the “Memories of the Apostles,” as the Gospels were first known.

Though he once considered studying for the Anglican priesthood, the fundamentalism that Rawls embraced at this early stage of life failed him in moments of perplexity, especially when he entered military service in the early years of World War II. Although he put his youthful Christianity aside, he never lost belief in God. Belief for him was a kind of Kierkegaardian leap into the dark, one which he happily took. “My fideism,” he writes in, “On My Religion,” “remained firm against all worries about the existence of God.”

Although deeply concerned with religion in his college years, Rawls’s interests lay primarily in the moral order, not in doctrinal issues, such as original sin, heaven and hell, salvation by belief, priestly authority, and predestination. All these doctrinal elements he found “repugnant.” His interests were both moral and social.

One can find in the senior thesis the seminal outlook that governs much of *A Theory of Justice*, notably his altruistic concern for the material needs of others and the primacy he gives to community

“If our culture,” he writes in the senior thesis, “is to solve the problem of individual and society. . . we must realize that the individual is not merely an individual, but a person, and that society is not a group of individuals but a community. Once we realize this fact, any solution which advocates a balance between independence and absorption is seen to be false. It is false because there is no such thing as independent personality free of community, and further, community as such does not absorb personality but creates and sustains it. The problem is. . . one of controlling and ridding the world of sin.” Sin, he concludes, is the separation from and destruction of community and therefore of personality, whereas faith is the integration and reconstruction of community. The result and consequence of sin is “aleness.” “The problem of ethics,” he writes, “like the problem of politics, is how to establish community in the face of sin in the world.”

One may find in some of Rawls’s later work, particularly when he is defending his theory against critics, that this ardent foe of “naturalism” surreptitiously embraces an Aristotelian notion of natural law. And yet Rawls never strays far from his youthful beginning. On the last page of “On My Religion,” the text found posthumously on his computer, Rawls wrote. “It is this peculiarly Christian love (agape) which growing from faith, binds the Christian community together under God. It is this love which looks up to God in faithful thanksgiving, which knows the full structure of its obligations and its duties, which has accepted full responsibility of its communal nature, and which gives

itself to others in the way the Son of God gave Himself to suffer on the Cross.” One is tempted to say of Rawls something that Petrarch could say of Cicero, “One could sometimes fancy that it is not a pagan philosopher but a Christian apostle who is speaking.”

***Basile Moreau and The Congregation of Holy Cross.*** James T. Connelly, C.S.C., Portland: University of Portland, Garaventa Center for Catholic Intellectual Life and American Culture, 2007. 83 pp. Paper.

*Reviewed by Raymond W. Belair  
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**H**oly Cross priest James T. Connelly makes clear that while there are many biographies attesting to the zeal and holiness of Basile Moreau, the founder of the Congregation of Holy Cross, his own purpose is to explain why the virtues of Fr. Moreau took so long to be recognized, “especially among his spiritual sons and daughters.” Although the Congregation of Holy Cross is best known in America for the “Fighting Irish” of the University of Notre Dame, which it founded in 1842, much of the history of the Congregation, and its founder Very Rev. Basile Antoine Marie Moreau, C.S.C., could be described as the struggles of the “Feuding French.” This history includes the aftermath of the French Revolution, anti-religious and anti-clerical bias, the opposition of successive governments, ecclesiastical roadblocks and internal strife within both the embryonic and established Congregation. Many of the early successes of Fr. Moreau and his order were achieved outside of both Moreau’s own Diocese of Le Mans and France itself.

Moreau was the founder not only

of the Congregation of Holy Cross, but also of the Marianites of Holy Cross, the Sisters of the Holy Cross and the Sisters of Holy Cross. The statue of Moreau which stands today in Le Mans incorporates a stylized three-branched tree, symbolizing the Brothers, Sisters and Priests whom Moreau was able to unite in his vision as the Congregation of Holy Cross. The story is told by Fr. Connelly in a well documented, detailed and dispassionate narrative, which quietly constructs a compelling read about a determined man of faith whose journey was never easy. His original sources include *Circular Letters* written by Moreau and other Holy Cross superiors to their Congregation and correspondence held privately for years by Moreau's nephew, also a Holy Cross priest, who resigned from the Congregation following the forced resignation of his uncle. The nephew's biography of his uncle, which was published in 1900 after the nephew's death, was also among the sources relied upon by Fr. Connelly in his reconstruction of a conspiracy against Moreau which is in some ways reminiscent of the intrigues of an Alexandre Dumas novel.

In this short three chapter book, the first begins circa 1820, when the Church was still recovering from the Revolution's dissolution of religious congregations and when public education was virtually nonexistent. Fr. Jacques Francois Dujarie, a 50 year old diocesan pastor of Le Mans, was designated by his bishop to organize a group of teachers, the Brothers of St. Joseph, to address rampant ignorance by restoring elementary education. Dujarie, driven from priestly formation when his seminary was dissolved under the Reign of Terror, witnessed the execution of one of his professors. Ministering to Catholics underground, he was ordained by an underground bishop and survived. Dujarie held the Brothers'

property while simultaneously managing the finances of the independent Sisters of Providence, viewing the two groups as being responsible for each other. By 1831 Dujarie's seriously deteriorating health, renewed anti-clericalism, conflict with civil authorities, defections from the Brothers' ranks and the Sisters' desire to secure greater financial separation from the Brothers had produced a crisis.

The Brothers' annual retreats in 1831 and 1832 were preached by Fr. Basile Moreau, a 32 year old diocesan seminary professor of Scripture and dogma. As more Brothers began to profess fidelity to Dujarie, he sought permission for Moreau to take over as superior of the Brothers, which permission was withheld until 1835. Moving the Brothers to the Le Mans suburb of Sainte-Croix, Moreau then obtained approval for a new society of Auxiliary Priests of the Diocese of Le Mans, whose work would be the preaching of parish retreats and missions, along with substituting for sick priests and understaffed parishes. In 1837 the *Fundamental Act of Union* united contractually, but not civilly or ecclesiastically, the Brothers with the Auxiliary Priests as a diocesan association under Moreau's leadership.

The second chapter covers the period after the *Fundamental Act*, when Moreau unsuccessfully sought his bishop's approval for papal recognition of his order in 1843 and 1844. By then Moreau's group was involved in missionary work in France, North Africa and North America, winning praise from many French Bishops and the approval of its constitutions by the Bishop of Vincennes, Indiana. Moreau again asked for his bishop's approval in 1845, which was again refused on the basis of the Congregation's short duration. Worse, his repeated requests, as well as other organizational activities, prompted his bishop to

send an unfavorable report to Rome. When his bishop died in 1856, the association still lacked approval of its constitutions.

Moreau had by 1841 also organized a sisterhood, known as the Marianite Sisters of Holy Cross, also without formal ecclesiastical sanction. Two of the sisters were sent to the group's new foundation at Notre Dame du Lac in Indiana in 1843. Though still lacking formal approval, Moreau had by then realized the general plan of the future Congregation, with three separate societies under Moreau, who was elected Superior General in 1843 and 1846. In 1849 he was elected Superior General for life. But he still faced opposition, as his schools were seen as competitors by local school boards. His bishop also viewed Moreau's educational work as competing with the latter's seminaries and colleges. However, as education law was reformed, Moreau was viewed as a leader in the fight for educational freedom in France. He was asked by the Bishop of Orleans to take over the minor seminary there. By then, the Indiana Legislature had granted a college charter to the "University of Notre Dame du Lac." Similar successes followed in Canada. Moreau's patrons in the Vatican's Congregation for the Propagation of the Faith then suggested he pursue approval of his group as a missionary institute, with the implicit blessing of Pius IX. He agreed, and accepted an offer from an Indian Bishop to take over pastoral work in East Bengal. By 1858 the first Holy Cross priest to become a Bishop was installed as Vicar Apostolic of East Bengal. By 1857 his bishop had died and, the new bishop being favorably disposed, Rome approved the Congregation's constitutions. But all was not resolved. He had been forced to agree that the Marianite Sisters of Holy Cross would form a separate congregation. In Canada the separation of property

between the men and women of Sainte-Croix was easily done. Not so in America, and this was a harbinger of problems to come.

The final chapter, entitled “A Time of Trial,” covers the period from the Order’s formal recognition through a period of financial crises and internal revolt against Moreau. Since he was in formal control of the entire Congregation, financial problems not under his direct supervision were depicted by his detractors as his personal failures. While he addressed and corrected these problems, the issues supplied fodder for his former confidants who accused him of running an absolutist administration. They argued both for participation in defining the location and composition of the subordinate provinces

of the Congregation and for greater autonomy in these provinces and for themselves. Charges and counter-charges were exchanged, with repeated referrals for adjudication to Rome. Though he enjoyed the Congregation’s general support, the last of his many offers to resign for the good of the order resulted in the acceptance in 1866 of his resignation as Superior General of the Congregation he founded. The loss of both the Congregation’s mother house and conventual church was followed by Moreau’s death in 1873.

The brief Epilogue covers Moreau’s eventual posthumous rehabilitation, which began in 1893. After acquisition of new documents and following research and re-examination of the events which lead to

his ouster in 1866, he was regarded much more favorably. It is perhaps not without irony that the motto of the Congregation of Holy Cross, appearing in its seal on the cover of Fr. Connelly’s book, is “*Veritas Vos Liberabit*”: The Truth Shall Make You Free.

In this very readable and careful study Fr. Connelly appears to have achieved his purpose of explaining why Fr. Moreau’s virtues were not recognized or appreciated sooner. His thoroughly documented book followed some 25 years of research on the history of the order and coincided with the beatification of Basile Moreau, who entered the rolls of the Blessed at a ceremony in Le Mans on September 15, 2007.

## BOOKS RECEIVED

Our *Books Received* shelf is bare this month, but if you have read a recently published book that you think other readers of the FCS Quarterly would want to know about, please write a review of it and send by email to Alice.F.Osberger.1@nd.edu. If you know of a new book that should be reviewed, let us know and we will request a copy from the publisher for you to review.”

## NOTICES

### \$10,000 Challenge Grant

I am happy to inform our membership that the Fellowship has recently received a challenge for a matching grant of \$10,000, intended for the purpose of supporting the travel and lodging arrangements for speakers at our future conferences. Receiving these funds is contingent on raising \$10,000 from other sources for these purposes. I would be very happy to hear of anyone who might be able to assist us with this challenge and with our other development needs.

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### Wanted: New Members

As we move ahead in the work of the Fellowship, it is very important that we reach out and invite others to join our ranks. Let me take this occasion to encourage you to recommend to interested colleagues that they join the Fellowship. I would be very happy to contact personally anyone whom you would care to recommend to me. Please feel free to send me the name and contact information of anyone whom you think might be suitable.

Fr. Joseph W. Koterski, S.J.  
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# Fellowship of Catholic Scholars

## *32nd Annual Convention Schedule*

Providence Marriott Downtown, Providence, RI  
September 25-27, 2009

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## “The Thought of Joseph Ratzinger-Pope Benedict XVI”

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**Most Reverend Thomas J. Tobin, D.D.**  
*Bishop of Providence*

will be the principal celebrant and homilist for Vigil Mass Saturday at 5:00 p.m.  
at the Cathedral of Sts. Peter & Paul

*Program Chair, William E. May,*  
*has announced the following presenters and topics:*

- Vincent Twomey, SVD, “An Introduction to Ratzinger’s Theology of Political Life”
- Tracey Rowland, “Evangelization in the Thought of Benedict XVI”
- Sister Timothy Prokes, FSE, “The ‘Body’ in the Thought of Ratzinger-Benedict XVI”
- Rev. Francis Martin, “Sacred Scripture in the Thought of Joseph Ratzinger-Pope Benedict XVI,”  
with Rev. Joseph Rogers responding
- Joseph Fessio, S.J., Helen and James Hitchcock, “Benedict XVI, the Mass, and the Liturgy”
- E. Christian Brugger with William E. May, “Benedict XVI and Moral Theology”
- Professor Scott Hahn, “Benedict XVI on Covenant Theology”
- James Schall, S.J. “Eschatology and Hope in the Thought of Joseph Ratzinger-Pope Benedict XVI”
- Keynote Address: John Michael McDermott, S.J., “Benedict XVI and the Faith-Reason Relation”

*The titles of the presentations are subject to change.  
The order in which presentations are listed here is not necessarily the order in which they will be given.  
Fathers Twomey and Fessio were both students of Joseph Ratzinger.*

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# Pope Benedict XVI on the Proper Way to Read the Bible

In the fall of 2008 the Synod of Bishops met to discuss “The Word of God in the Life and Mission of the Church.” On the morning of October 14 Pope Benedict gave a brief extemporaneous presentation to the bishops that in the long run could have a deep and lasting impact on the reading and study of the Bible, and even on the mission of the Church. Echoing Vatican II’s *Dei verbum*, he first confirmed the necessity of Scripture scholars using the historical-critical method in their work. This necessity is a consequence of the Incarnation, so movingly described in John 1:14 as *Verbum caro factum est*. “Historical fact is a constitutive dimension of the Christian faith.” After a long preparation for his coming described in the Old Testament, God became man, died on the cross and rose from the dead at a particular time in history. “The history of salvation is ... a true history, and is therefore to be studied with the methods of serious historical research.” The pope mentions that he benefitted from such scholarship in preparing his *Jesus of Nazareth*.

Since God is acting in history and speaking through the human words of the Biblical writers, Biblical scholarship has to take this divine dimension of the Bible into account by making use of a “second methodological level” of interpretation. This entails following the three rules of interpretation indicated by *Dei verbum*, 12: 1) to keep in mind that Scripture is a unified whole; 2) to embrace “the living tradition of the whole Church”; and 3) “to observe the analogy of faith.” The last rule, the pope explains in a speech to the Pontifical Biblical Commission (April 23, 2009), means that the interpreter is to keep before his eyes “the cohesion of the individual truths of the faith

with one another and with the overall plan of revelation and the fullness of the divine economy contained in it.” To be cohesive the truths of the faith cannot contradict one another. To respect tradition means, for example, that a Biblical scholar would not come up with an interpretation that contradicts the Nicene Creed. A proper attention to the unity of Scripture would lead exegetes to interpret some individual passages in the light of others, while attending to the central word of Revelation that God loves his people. Augustine once said that any Biblical interpretation that contradicts charity must be wrong.

Pope Benedict next notes that while biblical scholars have brought the historical-critical method to a very high level, they have paid almost no heed to the theological elements contained in *Dei verbum*’s three interpretive criteria for reading the Bible as God’s word. The consequences have been grave. First, exegesis “is no longer truly theological, but becomes pure historiography, the history of literature.” The second consequence is even worse. When the hermeneutic of faith is absent, a secularized hermeneutic fills the void with the conviction “that the Divine doesn’t appear in human history.” Biblical scholars then come up with interpretations “that deny the historicity of the divine elements.” As examples, the pope mentions that the “mainstream” of German biblical exegesis denies both the institution of the Eucharist by Jesus as well as his Resurrection. The corpse never left the tomb, they argue! If German exegetes took the three theological criteria of *Dei verbum* seriously, they could never have proposed such interpretations. A third consequence of an exegesis divorced from the life of the Church is

the creation of “a profound gulf between scientific exegesis and *lectio divina*.” When exegesis lacks the theological dimension, “Scripture cannot be the soul of theology, and vice versa, where theology is not essentially the interpretation of Scripture within the Church, this theology no longer has any foundation.”

What are the consequences of this crisis in Biblical scholarship for the life of the Church? Without explanation Pope Benedict affirms that the salvific mission of the Church and the future of faith depends on overcoming “this dualism between exegesis and theology.” Therefore, he calls for educating future Biblical scholars to do both historical and theological exegesis. They are to see themselves not only as members of the scholarly fraternity, but also as

members of “the community of believers of all times” (speech to Pontifical Biblical Commission, April 23, 2009). If Catholics are successful in this educational endeavor, then the “treasures of Scripture” will be opened to all.

It is not surprising that Pope Benedict believes that the preservation of a sound theology is crucial for the Church and its individual members. When theology doesn’t directly or indirectly (say, through religious education) clarify and deepen the faith of all Catholics, then the prospects for integrating faith into every aspect of people’s lives will grow ever more dim. ✠

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