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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.

THE PRESIDENT'S LETTER

Friends:

It is my pleasure to greet you from Washington, DC, where we have just completed our annual convention.

The convention was a marvelous success, with a great lineup of speakers and very high quality papers on the topic of “Science and Religion.” Cardinal Donald Wuerl welcomed us with the opening Mass, and Archbishop William Lori joined us on Friday night to receive the Cardinal O’Boyle Award for his courageous witness to the faith in these challenging times. Stephen Barr received the Cardinal Wright Award, and Hanna Klaus received the Founder’s Award at the banquet. The convention was a good time of fellowship and scholarship.

Please take a moment now to note that next year’s convention, which will be our fortieth, will be held in Arlington, Virginia, on September 22nd through 24th. Our theme is “Social Science and Religion,” and our program committee, headed by our vice president, Susan Traffas, is busy putting the program of speakers together. You will, of course, receive an email with registration information once it is ready.

I would also like to note that we will be presenting the Cardinal O’Boyle Award to the dynamic, scholarly couple, Nick and Mary Eberstadt, and the Cardinal Wright Award to the redoubtable George Weigel. I hope you will all plan to come and to celebrate our fortieth anniversary.

Meanwhile, as I write this, we await the outcome of the elections. Whoever wins, faithful Catholics will face significant challenges at both the state and national levels in 2017. (For instance, the HHS “contraceptive” mandate litigation continues to simmer in the lower levels of the federal courts, but it may come again to the Supreme Court, which will likely have a new member, replacing Justice Antonin Scalia.)

Whatever the coming year brings, the fellowship we share—in our faithful, scholarly service to the Church—will help sustain us.

In Christ,

William L. Saunders

Requiescat in pace—Bernard Dobranski (1939–2016)

Your prayers are requested for the soul of Bernard Dobranski, who died on March 24, 2016 at age 76. He served as the President of the Fellowship of Catholic Scholars from 2005 to 2008. A graduate of St. Justin's High School of Pittsburgh, he received his B.A. from the University of Notre Dame and his J.D. from the University of Virginia. He served as the founding Dean of Ave Maria School of Law as well as the Dean of the University of Detroit Mercy School of Law and the Dean of Catholic University Columbus School of Law. Grateful for Mr. Dobranski's leadership in bringing accreditation to the then new Ave Maria School of Law, Thomas Monaghan observed: "He brought immediate credibility

in the legal community and his extensive experience and reputation in Catholic higher education helped us in countless ways. He was a man with clear vision and deep convictions." He is survived by his wife of fifty-two years, Carroll Wood Dobranski, as well as by his children, Stephanie Hitt, Andrea Dobranski, and Christopher Dobranski, as well as by many grandchildren, nieces, and nephews. The Fellowship of Catholic Scholars stands much in debt to him for his years of service as our President, for his long years of service to the Culture of Life Foundation, and for his courage in defense of Catholic higher education. ✠

Joseph W. Koterski, S.J.

ARTICLES

Alice in Wonderland In Memoriam: Alice Osberger

by *Randall Smith*
Scanlan Professor of Theology
University of St. Thomas, Houston, Texas

Graduate school can be a cold, unforgiving place: rules and standards that change every semester, professors who can scarcely be bothered, and the constant dread that, even were one to navigate successfully all the terrors and obstacles, an actual job would be as illusory as the mirage of water that draws desperate men further and further into the desert.

Sometimes, however, one finds an oasis in the midst of the desiccated wilderness: not one brimming with physical water (although free coffee is nice), but the sort of "living water" that makes one understand what Christ was talking about with the Samaritan woman at the well. "Living water" keeps your spirit alive and gives

you hope, makes you feel "at home" when everything else belittles you, threatens to tear you down and throw you out as "unfit."

"Living water," as Jesus taught the Samaritan woman, does not come from a well, nor does it come from an institution. "Living water" can come only from a person. Christians believe that "living water" always has its ultimate source in Jesus Christ. But we also know that human beings can become—indeed, are created to become—instruments of that grace.

During my graduate school years, the oasis for many poor souls was in the Jacques Maritain Center at the University of Notre Dame, and the "living water" flowed from two souls: the late, great Ralph McInerny and his humble, ever-dutiful, faithful, and loving administrative assistant and partner-in-grace, Alice Osberger, an "adopted mother" to many of us, as well as mother to her own four children. She passed away peacefully

on June 30, 2016.

I write these words knowing that there will be literally hundreds of people who will know exactly who I am talking about, because of her decades-long involvement with Ralph McInerny and his seemingly endless series of projects designed to build up the Church, nurture Catholic faith, and pass on the wisdom of St. Thomas. (Of Ralph, his wife Connie used to say: “he woke up every morning with another plan to save Western Civilization.”) Among Ralph’s projects in which Alice was instrumental were *Crisis* magazine, the Basics of Catholicism summer seminars, *Catholic Dossier*, the Fellowship of Catholic Scholars, the Summer Thomistic Institutes, the International Catholic University, the Notre Dame Medieval Institute, the American Maritain Association, *The Catholic Thing*. The list could go on and on. For years she did all that while serving as secretary of Notre Dame’s Medieval Institute, and later, as secretary of the Jacques Maritain Center.

In every venture in which Ralph McInerny was a part, Alice was at the heart of it, doing the paperwork, filling out the forms, sending out the letters, keeping the books, and dealing with the logistical problems. Ralph McInerny had many gifts, but paperwork and keeping the books were not among them. I can remember him one day hopelessly fumbling with the copy machine and crying out in frustration: “Alice, save my soul!” She came over gracefully, gently took the paper tray from his hands, and righted things. Copies were soon flowing. Ralph would have been the first one to admit that nothing he did would have been possible without Alice.

Each summer for years, I have had the great blessing of returning to the Maritain Center, now under the capable direction of John O’Callaghan, and each time having the joy of being greeted by Alice’s cheery hello. All summer she would look after me, making sure my paperwork was in order so that I could park, use the library, and do all the other essential things one does at a university.

To all those who knew Alice—perhaps having met her at a summer institute or spoke with her on the phone—allow me to put a certain fear to rest. I saw

Alice on Friday when she left work. She was still sharp, took a walk nearly every day at lunch, and still did the work of three secretaries. She smiled and said, “Have a good weekend.” I told her to do the same, just as we had done each day at 4 o’clock for many summers. Over the weekend, she had a stroke and by Monday she was in hospice care with her loving family around her. On the morning of the third day, she died quietly and was received into the bosom of her Lord. She was 87 years old.

You might think that I entitled this article “Alice in Wonderland” to suggest that Alice (Osberger, not Liddell) is now in “Wonderland” (i.e., “heaven”). Not quite. Actually, I’ve always found “Wonderland” to be a rather forbidding place: odd, exciting, bizarrely beautiful, but not a place you’d want to stay for long.

No, I was thinking of “Wonderland” with all its bizarre characters as a metaphor for university life. Each person can make his or her own associations. They’re obvious enough. Dodgson, aka Lewis Carroll, was a university professor, after all. Which professors are “mad as a hatter”? Which administrators are like the Cheshire Cat, a smile with nothing behind it? Which mid-level bureaucrats are white rabbits, always watching the clock and running late? Who among the faculty are Tweedle-Dee and Tweedle-Dum, constantly fighting and contradicting one another? And then there’s Humpty Dumpty, the person—faculty or student—whose life is always falling apart and can never quite “get it together.”

No, this world is “Wonderland”: filled with wonders aplenty, but not home. Our Alice walked through it with good cheer, gentle manners, and concern for all of Wonderland’s bizarre creatures. But dear Alice has gone back now through the looking glass, to a world more real, where she sees her Lord “not as in a glass darkly, but face to face.”

I’m confident that Alice now enjoys the heavenly banquet, but this March Hare’s mad tea parties are never going to be quite as merry without her. ❧

Reprinted by permission of the author from *The Catholic Thing*.

Frenchness: The Wartime Cultural Voice of Jacques Maritain

by John J. Conley, S.J.
Loyola University Maryland

In the wartime essays and addresses collected in *Pour la Justice*,¹ Jacques Maritain speaks in his own voice. He is very much the Thomist defending philosophical realism and the human-rights activist defending democracy, much to the consternation of some of his fellow Thomists.

But the voice of Maritain in these *écrits d'occasion* is also very much a French voice, indeed the voice of a certain France. Throughout these texts Maritain sketches a moral portrait of the French nation and of postwar France where “the two Frances” will be reconciled. This vision of France present and future reflects Maritain’s patriotic nostalgia for the homeland from which he is exiled and his longstanding effort to encourage French Catholicism to embrace a progressive version of democracy.

Yet this vision also has its share of distortion. Many French citizens, including many French Catholics, were not part of the heroic resistance that Maritain celebrates. The contrapuntal passages in the texts themselves indicate that this elegiac view of wartime France may differ from the more complex French cultural situation that Maritain finds difficult to acknowledge.

A Figure of France

A staunch partisan of the Free French movement under General de Gaulle and an opponent of the Vichy regime, Maritain insists that the French people are massively opposed to Vichy and to any form of collaboration with the German occupying forces. France must be considered a victim-nation awaiting liberation from hated foreign and domestic oppressors. “You know very well that the people of France is undergoing Nazi oppression and collaboration with the enemy as a prisoner submits to torture.”² The principles of National Socialism and the Vichy regime, especially in their racist extremes, contradict the basic ideals of the French, whether Christian or anticlerical.

Within the resistant French people the working class holds pride of place. Peasants and industrial workers have shown the greatest opposition to the temptation to collaboration and to neutralism. “Here and there, there are zones of apathy in the French nation. They exist the least among workers and peasants. In general, in the current crisis of civilization, we must make an appeal to the people because it is with them that we can touch the basic givens of our common humanity. They are the ones who preserve the reserves of vitality and creative power which the world needs.”³

If such large sectors of the French population are resisting the occupation and the Vichy government, how does one explain the capitulation of France and the obvious fact that some French men and women are working enthusiastically for Pétain? Maritain argues that the working people have been betrayed by two interlinked French classes.

First, the professional politicians of the Fourth Republic are responsible for the armistice of 1940 and the establishment of the supine Vichy state. Their corruption, their internecine quarrels, and their contempt for the people set the stage for France’s collapse. “The men of the armistice had faith neither in the people of France nor in the vocation of France. Their resentment of the people and their political hatreds played an essential role in this development.”⁴ In this critique of the political class, Maritain joins both the Gaullist and the Pétainist disdain for parliamentary politics.

Second, the bourgeoisie is the social class most tainted by the armistice and collaboration. Tempted by possible financial gain through cooperation with the enemy and desirous of maintaining its wealth and property against further conflict, the business class has chosen venality over the moral imperative of resistance. “I said on the very next day after this disaster [the Armistice] that the French bourgeoisie as a class had collapsed. This collapse has only been confirmed since then. As admirable as the individual conduct of many members of this class has been, the French bourgeoisie as the nation’s governing class has lost its last chance to make unanimity with the people by uniting itself to

the great national awakening which everything points to.”⁵ In this class-based critique of the collaborationist tendencies of the bourgeoisie, Maritain recognizes that some middle-class Pétainists appeal to the ostensibly pro-Catholic policies of the Vichy regime. Maritain dismisses such religiosity as a self-interested sham. “If they invoke religion, it’s as a type of ultimate police force since they are almost as afraid of the gospel as they are of Communism.”⁶

Maritain speaks not only as an advocate for the resistant France. He also speaks as the voice of a certain deeper French culture. According to Maritain, the genius of French culture is its capacity to explore the spiritual depths of the human spirit. “Plunging its roots simultaneously into Greek beauty, Latin order, and the Christian faith, French culture has always been concerned to show the relationship between the things of humanity and the things of God. If you look for the great witness to French culture, think first about the cathedrals.... From Montaigne to Pascal and Bergson, from Racine to Proust, from Villon to Baudelaire, our great writers have always sought to explore these hidden regions where human realities touch the realities of the spirit.”⁷ This perennial French emphasis on spiritual subjectivity has become even more pronounced in contemporary French art’s reflection upon itself. The poetry of Baudelaire, the painting of Cézanne, and the music of Debussy are major witnesses of the spirit’s self-reflection. In the novels of Mauriac and Bernanos, the artistic excavation of the human spirit becomes a prolonged study of the relationship between nature and grace.

Maritain also insists that, despite sociological appearances, French culture remains religious, indeed Christian. The basic principles of the French republic are evangelical in origin. The persistent anticlericalism in France is primarily the result of contingent political issues. “The real basis of the religious problem in France has always been of a practical and temporal order. The anti-clerical trend in the French people does not proceed primarily from an aversion to religion, but from a deep though wrongly directed feeling for personal and temporal freedom, and above all from two dreadful fears—the fear of being constrained in matters of conscience by external force and political pressure; and the fear of being oppressed by a return to power of the former ruling classes and of the reactionary parties which claim to be the defenders of the Church.”⁸

Maritain soberly admits that many recent political moves by prominent Catholic individuals and institu-

tions have only reinforced the old anticlerical contempt. The anti-Semitism stirred up by the Dreyfus affair, the support of Franco during the recent Spanish Civil War, and the endorsement of Vichy by many French bishops are prime contributors to the enduring image of a reactionary political Catholicism. Nonetheless, Maritain believes that such anticlericalism is fading and that the current intellectual and artistic revival of French Catholicism and the emergence of new pastoral methods, notably Catholic Action, promise a greater openness to a churched Christianity in the postwar period.

Maritain’s dream of a liberated France, the Fourth Republic to come, is one of final reconciliation between the two Frances: one Catholic, the other rationalist; one monarchical, the other republican. “We are confident that it [the republic] can accomplish what it wants through the reconciliation—for which we have waited so long—of the democratic impulse with the evangelical impulse. It will promote a heroic ideal of fraternal love extended to all human beings. It is not insignificant that France has two national feasts, Bastille Day on July 14 and the Feast of Joan of Arc.”⁹ According to Maritain, the mission of this reconciling republic will be to proclaim the revolutionary ideals of liberty, equality, and fraternity in the cadence of Joan of Arc as she dies at the stake.

Politically, this reconciling postwar France must attempt to unite all French political factions into a new unity and prevent a resurgence of the corrupt partisan politics of the Third Republic. For Maritain, this clearly means that the French Communists must be included in the new government. For all of its faults, the Communist Party represents the zeal of France’s resistant working class. “By its fire and its discipline it [the Communist Party] represents one of the vital energies of the workers’ world. The creative political work we are involved in cannot exclude or reject its participation.”¹⁰ Maritain explicitly condemns anti-Communism. “It would be disastrous if the new political formations take on the aspect of an anti-Communist front.”¹¹

In this envisioning of a reconciling France, Maritain even revises his view of his old *bête noire*, Descartes. In an essay on Descartes and religion, Maritain criticizes the separation between faith and reason found in Descartes, but he praises the religious sincerity of Descartes. “This man of such a free and curious mind, conscious of having an important intellectual mission to fulfill, and who founds all of his philosophy on a heroic effort of universal doubt.... This founder of modern rationalism never doubted the Catholic credo. We could

just say that he never felt deeply enough the questing and sometime painful anxiety by which faith works in the soul and deepens it.”¹² Maritain criticizes Descartes for having reduced faith to a matter of simple obedience, but he repeatedly praises the “very real and sincere” faith that existed in him. Like Joan of Arc, Descartes can now serve as a symbol of a union between the Catholic faith and rationalism in the same person, even if the theoretical Cartesian efforts at synthesis between the two failed.

It should be noted that this vision of an irenic postwar France, with its generous outreach to rationalists, anticlericals, and Communists, is undercut by other texts in *Pour la Justice*. In the address “World Trial: Its Meaning for the Future,” Maritain condemns Descartes as one of the false philosophers who has poisoned modernity. “We are looking on at the liquidation of that world which Machiavelli’s pessimism has made to take unjust force for the essence of politics...which the rationalism of Descartes and the Encyclopedists has thrown into an illusory optimism, which the pseudo-Christian naturalism of Jean-Jacques Rousseau has led to confuse the sacred desires of man’s heart with the expectation of a kingdom of God on earth secured by the State or by revolution.”¹³ This passage could have walked off the pages of *Antimoderne* (1922), one of Maritain’s earliest and most anti-Cartesian works.

Similarly, in the essay “What Is Humanity?” Maritain condemns Marxism for the false and pernicious theory of human nature it propagates. “This [Marxist] salvation demands the abandonment of personality and the organization of collective humanity into one single body whose ultimate destination is to dominate matter and human history.... Humanity is no longer the creature and the image of God, a person, which implies the existence of free will and responsibility for an eternal destiny, a being who possesses rights and who is called to the conquest of freedom and to a development of a self that consists of love and charity. Humanity now becomes a molecule in a social monism which lives off the collective consciousness of all and whose happiness and freedom consists in serving the work of all.”¹⁴ Throughout *Pour la Justice*, Maritain’s pragmatic promotion of resistance, liberation, and postwar reconciliation, which entails a sympathetic treatment of rationalism and Communism, rests uneasily with his longstanding critique of modern philosophical error in its rationalist and Marxist guises.

Revisions

At a distance of seventy years, certain problematic judgments present in *Pour la Justice* cannot be masked. As many historians of the Vichy regime have argued, Pétain drew wide support from the French population, especially in the government’s early years. “The enthusiasm of the country for the Maréchal was tremendous. He was welcomed by people as diverse as Claudel, Gide, and Mauriac, and also by the vast mass of Frenchmen who saw him as their savior.”¹⁵ Maritain’s argument that a small political class betrayed the people in the establishment of the regime is difficult to accept. It was the elected representatives of the French people in parliament who in 1940 supported the armistice and the grant of full powers to Maréchal Pétain as the head of the new *état français*.¹⁶

Also questionable is the portrait of the French working class as militantly resistant. At the outbreak of World War II, French labor unions, strongly tied to the illegal but still powerful Communist Party, were largely neutralist in fidelity to the Hitler-Stalin pact.¹⁷ They often encouraged draft noncooperation, military desertion, and slowdowns or sabotage in armaments factories. Only the German invasion of the Soviet Union in June 1941 would provoke the massive entry of labor activists and Communists into the ranks of the Resistance. By the end of the war, Communists would play a prominent role in the resistance, and De Gaulle would include Communists in his immediate postwar government, along with Socialists and Christian Democrats (from the *Mouvement populaire républicain*). But the wartime record is decidedly mixed. The militantly Stalinist French Communist Party was severely compromised in the early years of the war and was an unlikely candidate for Maritain’s democratic solicitude.

His article “The Defense of France,” published in 1945 on the eve of his departure from the United States, shows the bitterness of Maritain as he criticizes the widespread American view that the French had largely been opportunists during the war, alternating between collaboration and resistance according to their perceived self-interest.¹⁸ He indignantly attempts to defend the honor of France in her moment of humiliation, but his portrait of a massively heroic resistant France is not consonant with the complex reality on the ground. One might speculate that the embellished portrait of the French Resistance that Maritain provides in *Pour la Justice* is tied to the particular American

audience whom he must address during his years of wartime exile. A patriot who has suddenly become the apologist for a nation viewed with skepticism by an isolationist America, Maritain is not about to dwell on the attraction the Vichy regime exercised over the French public, especially in Catholic quarters. In another wartime work aimed more squarely at a French audience, *A travers le désastre*, Maritain provides a more sober account of the fall of France, the armistice, the inauguration of the Vichy regime, and the popular support for the regime in its early phases.¹⁹

Maritain's effort to depict an essentially Christian France seems built on a missionary hope that discounts the depth and the extent of French religious indifference. Undoubtedly, the political alliances effected by prominent Church members in recent history had made Catholicism unpalatable to certain anticlericals. But the allergy to Christianity is more than political. For many French citizens, especially in the public school network, Christianity's claims were simply not credible in a scientific age. To the children of the Enlightenment, the most progressive political positions adopted by the Church could not alter what appeared to be irrational claims concerning the miraculous, the supernatural, the sacramental, and the revelatory. Maritain was correct in noting the decline of anticlericalism in French society. World War I had created a *union sacrée* where Catholics had finally proved their devotion to the republic. The interwar Catholic intellectual and artistic revival had indeed given the Church a cultural prestige that she had not enjoyed earlier in the century.²⁰ But rather than indicating a new openness to Christianity, this decline in anticlericalism often reflected the weakening influence of the Church on French society. It was pointless to expend much energy attacking an institution that was palpably declining in terms of religious practice, creedal adherence, and vocations.

Conclusion

The idealized portrait of France created by Maritain during the war represents the type of intellectual idealization that wartime often produces. One exaggerates the numbers and fervor of one's allies, as Maritain inflates the effectiveness of the French Resistance. One finds traces of one's faith in a broader apathetic public, as Maritain excavates the anonymous Christianity still allegedly present in the

de-Christianized French working class. Beyond victory one posits the emergence of one's social utopia, as Maritain sketches his vision of a reconciled France soaring under the flag of the United Nations but submissive to her ancient spiritual mother, the Catholic Church. An idealistic will suffuses the description of social fact. Massively *résistante*, Maritain's ideal France involves a noble distortion, born of ardent patriotism and missionary faith. It is a France seen through a glass darkly where the author's political and religious hopes have somewhat downplayed the sobering evidence of collaboration and indifference amidst the very real French saga of heroic resistance. ✘

ENDNOTES

- 1 See Jacques Maritain, *Pour La Justice; Articles et Discours, 1940-1945* (New York: Éditions de la Maison française, 1945), hereafter cited as *PLJ*. All translations from the French are by the author of this article.
- 2 "Message au 17e Congrès International des P.E.N.," in *PLJ*, 45.
- 3 "Le Peuple Fidèle," in *PLJ*, 89.
- 4 "Il faut parfois juger," in *PLJ*, 182.
- 5 "Le Peuple Fidèle," in *PLJ*, 89.
- 6 *Ibid.*
- 7 "L'Espirt de la Culture Française," in *PLJ*, 24.
- 8 "Religion and Politics in France," in *PLJ*, 60.
- 9 "Quatorze Juillet 1943," in *PLJ*, 282.
- 10 "L'unité d'un peuple libre," in *PLJ*, 340.
- 11 *Ibid.*
- 12 "Descartes et la religion," in *PLJ*, 128.
- 13 "World Trial: Its Meaning for the Future," in *PLJ*, 235.
- 14 "Qu'est-ce que l'homme?" in *PLJ*, 103.
- 15 Richard Griffiths, *Marshal Pétain* (London: Constable, 1970), 230.
- 16 After the collapse of the French army in May 1940, Prime Minister Paul Reynaud appointed Philippe Pétain to the wartime cabinet. After the resignation of Reynaud, President Albert Lebrun appointed Pétain as the new prime minister on June 14. On June 15, Pétain announced that his government would negotiate an armistice with the Germans. His decision reflected the majority opinion of his cabinet ministers and of the French parliamentarians gathered in Bordeaux. A small minority of opponents (one senator and twelve deputies) subsequently fled to French Africa to continue the war as an ally of the United Kingdom. Newly installed in Vichy, the National Assembly (the French Senate and House of Deputies meeting in a joint session) on July 10 ratified the armistice that had been signed on June 22 and authorized Pétain to draw up a new constitution for France, thus bringing the Third Republic to an end. The vote was 569 affirmative, 80 negative, and 18 abstentions. On July 11, Pétain assumed virtually limitless powers as the head of state of the new *état français*. Speaking for many Catholic leaders at the time, the preeminent French theologian Réginald Marie Garrigou-Lagrange, O.P. (1877-1964) argued that French Catholics owed allegiance to the Vichy regime as the only legitimate government of France, and that support for De Gaulle constituted a species of mortal sin. The *Révolution nationale* launched by the Vichy regime made a concerted effort to rally Catholic support through its ostensibly pro-Catholic policies: financial aid to Catholic schools, new corporatist economic organizations, and tighter legal restrictions on divorce, contraceptives, and abortion.

17 For critical historical studies of the role of French Communists and their labor union allies during World War II, see Annie Kriegel, *Communismes au miroir français* (Paris: Gallimard, 1974); Stéphane Courtois, *Le PCF dans la guerre: De Gaulle, la Résistance, Staline* (Paris: Ramsay, 1984); and Stéphane Courtois and Marc Lazare, *Histoire du Parti communiste français* (Paris: Presses universitaires de France, 1995).

18 See “In Defense of France,” in *PLJ*, 344-47.

19 See Jacques Maritain, *A travers le désastre* (New York: Maison française, 1941).

20 See Stephen Schloesser, S.J., *Jazz Age Catholicism: Mystic Modernism in Postwar Paris, 1919-1933* (Toronto: University of Toronto Press, 2005).

What a Catholic Education Owes its Students

by David Vincent Meconi, S.J.
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Most professors and teachers at Catholic schools will spend a large chunk of the first day of class relating what it is that these students owe us. The syllabus serves as a sort of contract that binds our students’ time and energies to our expectations. But what is it that we owe them? I would like to offer three broad areas in which a Catholic education owes something to every one of its students. The first is the commonsensical but all too countercultural awareness that things exist. The second is a communal docility in admitting that there is only one true teacher. The third is the cultivation of interiority and conversion.

The average college-aged student sitting in a classroom or lecture hall today will have slept only six hours the night prior. Yet the same student will have spent nearly eight hours on social media that very same day. Out in those desks is a generation of individuals who keep in touch with others 120 times every day, using text messages, email, Instagram, Facebook, Snapchat, and other sites.

Not surprisingly, these interactions do not always effect edification and enlightenment. One recent study plugged the top 225 Billboard songs of the past ten years into a readability calculator. An analysis of the lyrics found that the top songs of the past decade read just slightly behind a third-grade average. The singer with the highest legibility rating was Eminem, with a rating of 3.7!

Yet, in all fairness, this is only a partial demographic of those who make up the students of today’s university. They are extremely bright, and—for the most part—very eager to learn. They bring with them an unmatched global sense of reality and a deep appreciation for difference. They are more likely than previous generations to push the boundaries and take some risks

outside of their usual zones of comfort.

As such, a Catholic education must first and foremost show these young minds that truth is not automatically synonymous with their own opinions, that a world exists that can draw them out of their own selves and upward into a different world—one that is not immediately available to those content on staying within themselves. As Plato knew in his *Republic*, when we are free enough to be honest with ourselves and others, no one is really satisfied with “any possession that is only *apparently* good” (505d). Our minds are made for truth. Our senses were made to encounter and engage a world outside our own necessarily limited perspectives.

The beginning of wild-eyed wonder involves realizing that there is something rather than nothing, a world that I need not create. As Ignatius of Loyola taught in the *Contemplation to Attain Divine Love*, myriad existents surround us as reflections of the one great Existent. Our wonder at this world of men and mountains, ants and angels, is what Aristotle called the beginning of wisdom. Yet at the beginning of the modern era, professional philosophers began telling us that we had to impose our own thoughts on things in order to make them really real. This revolution in perspective was radical: the human person came to be regarded as the center of things—in fact, the final arbiter of what things are.

G. K. Chesterton reacted against the modern turn inward by calling us back to the simplicity of the childlike wonder that we were never meant to grow out of. Referring to strands of post-Cartesian thought, Chesterton writes:

Now what I found finally about our contemporary mystics was this. When they said that a wooden post was wonderful (a point on which we are all agreed, I hope) they meant that they could make something wonderful out of it by thinking about it.... But the

mind of the modern mystic, like a dandy's dressing-room, was entirely made of mirrors. Thus glass repeated glass like doors opening inwards for ever; till one could hardly see that inmost chamber of unreality where the post made its last appearance.... But I was never interested in mirrors; that is, I was never primarily interested in my own reflection...or reflections. I am interested in wooden posts, which do startle me like miracles. I am interested in the post that stands waiting outside my door, to hit me over the head, like a giant's club in a fairy tale. All my mental doors open outwards into a world I have not made.¹

This world in which we find ourselves is a world that none of us made. It stands before us as the first gift of God to those made in his image. It is this visible world that St. Paul invokes as conveying a partial but real knowledge of its invisible Creator.² Encountering existence as it is not only brings human knowers out of themselves but transforms and hopefully elevates them from the truth of creation to a knowledge of its Creator.

This encounter with truth, Pope Emeritus Benedict once said, not only restores the human being's need to know what is but also invites him into a "Mystery that embraces and at the same time exceeds the impulse of his intelligence." That is, in coming to various truths, the human knower is constituted to go beyond partial and refracted truths to know Truth himself. Benedict accordingly maintained:

Indeed, truth alone can take possession of the mind and make it rejoice to the full. It is this joy that increases the dimensions of the human heart, lifting it anew from the narrowness of selfishness and rendering it capable of authentic love. It is the experience of this joy that moves and attracts the human person to free adoration, not to servile prostration but to bow with heartfelt respect before the Truth he has encountered.³

To allow ourselves to be brought out of "the narrowness of selfishness," as Benedict put it, demands that we allow the Creator to speak to us through his creation. This willingness to discover—not to determine—a common world requires a certain meekness. This is the second component that we must model for our students and foster within them.

All who are involved in Catholic education must remember that there is only one Teacher.⁴ The rest of

us make up only various levels of learners. To learn is to come with the teacher to the Truth. In his early work on teaching St. Augustine of Hippo writes:

Who are so foolishly curious as to send their children to school to learn what the teacher thinks?... When the teachers have expounded by means of words all the disciplines they profess to teach (the disciplines of virtue and wisdom), then their pupils take thought within themselves whether what they have been told is true, looking to the inward truth insofar as they are able.... And in this way they learn.⁵

Even one like Bishop Augustine, who made his living from words and moving others by them, realized that he too was learning as he taught. Augustine lectured, wrote, preached, and guided others because he wanted to share with them the encounter that he had experienced with Truth, confident that this same perfect Light would illumine any other mind open to him.

What a joy it would be if one of my undergraduates insisted on hearing not what I know but what the truth itself is. How challenging (and surprising) such a demand would be. It would remind me that while I have my opinions about what I want my students to know, I am fallible and limited. They did not come here to our universities to know only what I do.

Some wag once commented that most college classes are nothing more than the passing on of the professor's notes into the notebooks of his students, without passing through the minds of either one of them. In *Harper's Magazine*, William Deresiewicz has an essay entitled "How College Sold its Soul...and Surrendered to the Market." Deresiewicz makes the point—by now well-rehearsed—that we are no longer training students to think and reflect deeply. Rather, we are showing those who come to the university how best to pad their fledgling resumés and how to jockey for the highest possible paying jobs:

The purpose of education in a neoliberal age is to produce producers.... American universities no longer provide their students with a real education, one that addresses them as complete human beings rather than as future specialists—that enables them, as I put it, to build a self or (following Keats) to become a soul.⁶

If Deresiewicz is right that the Neoliberalism of the Reagan and Bush eras is what made our love of the market possible—crystallized in Ivan Boesky's commence-

ment address at Berkeley, reassuring the graduating class of 1986 that “greed is good”—the Clinton and Obama eras reinforced the notion that the height of university excellence was hours upon hours of social service.

Of course, both have their place. We do in fact have the responsibility of training our young people to be successful and productive in the world, of preparing them to make an honest living for themselves and their families. We also have the responsibility to awaken our students to be mindful of those who live without the advantage and privilege that a college graduate enjoys. But neither of these lessons is primarily what a Catholic education owes its students.

Instead, we need to work to form graduates who are at least professionally competent—and preferably excellent—in their chosen fields. But they also need to realize that this gift is meant not simply for themselves but also for those whom God has put into their lives. St. Ignatius structured his first schools in just such a way. If we can sensitize the leaders of our communities to the plight of the unfortunate, great societal transformation can occur. Such a university is the ideal place for students not just to serve the poor but to reflect deeply on poverty. We do them well to encourage them not simply to picket against injustices but to think seriously about the nature of injustice, and so on. What we must avoid is making success—or even service—absolute ends. Behavior and brains need to inform one another. This is what we in the Jesuit tradition mean by “contemplatives in action.” It leads us to our third and final area: the interiority that we must cultivate in each of our students.

Those choosing to attend a Catholic school should be made aware of their own need for conversion. I do not mean by this phrase some patronizing, moralistic conversion but a deep awareness of the beauty of our own brokenness. To do this, a Catholic education must look for ways to explain and encourage intentional silence in young people. We must get them to turn off their phones and computers, to learn to be quieted and focused. The characteristic sin of our culture is neither pride nor lust, prevalent as they may be. The vice of the twenty-first century is sloth, the classic problem of not being able to stay still. We are in constant demand, incessantly pulled by our calls and texts and emails. They make us available and sought after twenty-four hours a day, seven days a week.

It may surprise many, but the vice of sloth is not laziness so much as the inability to make time for the eternally important matters of human living. Among

the finest reflections on this remains Thomas Aquinas’s question on whether or not sloth is a deadly sin. Writing about the year 1260, Thomas explained: “Since no one can be a long time in company with what is painful and unpleasant, one shuns whatever causes sorrow and passes on to what gives pleasure.”

In his view, those who find no joy in spiritual pleasures will have recourse to pleasures of the body. He defines sloth not as stillness but as a tendency to wander, and he thinks that it can reside in one of four places. If it resides (1) in the intellect when it rushes after various things without purpose, this tendency to wander is called “uneasiness of the mind.” If it is (2) in the imagination, “curiosity.” If (3) in speech, excessive wordiness. And if (4) in the body, restlessness.⁷ It is this restlessness that disallows the kind of flourishing that we really want for our students. They will never realize the greatness of God or the full dignity of all human persons until they can rest and receive. Instead they will only seek but never be satisfied. They will hear but never listen. They will only rush after the shiniest fad and succumb to the loudest voice. The Knowledge that we offer our students should be pleasant, and they should find joy in being consoled by the truth.

That is why Aristotle and Thomas both knew that the happiness that everyone seeks is never directly sought and obtained. It is always the byproduct of true excellence. Or, as Aristotle taught:

Happiness is an activity in accordance with virtue, and therefore in accordance with the highest virtue within us. . . . Whether this be reason or something else that is the element that is thought to be our natural ruler and guide, and to take thought of things noble and divine, whether it be itself also divine or only the most divine element within us, this activity. . . . will be perfect happiness. This activity is called contemplation, as we have already argued.⁸

As such, what we must ultimately offer our students is, in the end, nothing merely human. It needs to be an encounter that forces us to face the fact that our own natural capacities can never suffice before the highest things. In this encounter we can realize the difference between a temporal career and an eternal vocation. It is to realize what in our lives should be used and what should be loved. It means to realize that we will never be wise until our moral lives are in order. What a Catholic education owes its students is the realization that such proper ordering requires a

living gift, a divine indwelling, and it is available only from outside of ourselves. We owe them at least this, to train them not to win arguments or to amass riches, not even to make a commitment to social justice, but an opportunity to come to know the divine.

For our baptized students, their time at a Catholic school should also offer a clear presentation on the incessant choice before them at each stage of their maturation and growth into adulthood, as well as a sense of the choice before them at each moment of their day right now. They need to choose either a humanism, however rich and integrated, in which they nonetheless continue to stand as the measure of what they will consider real and of value, or to allow themselves to be plunged into the great liturgy through which they can be transfigured and divinized, participants in God's own Triune life. This is the drama of every creature made in the image and likeness of God: to seek either the illusory security of self or to enter the riskiness of relationship. While no formal education can make this choice happen, we owe our students at least a clear and unambiguous understanding of what is at stake.

The best of Catholic education has done this never by proselytizing and preaching, nor by measuring the success of our teaching by the number of conversions,

but only by fostering contemplation and the confidence that Christ plays in 10,000 places and will call his children in a myriad of ways. We should educate because we are Catholics who love the Truth. In his "Principle and Foundation" to the *Spiritual Exercises*, St. Ignatius asserts: "All things on the face of this earth have been given to us to attain the sanctity for which we have been created." A Catholic education owes its students the opportunity to come to know God in all of his creatures. In so doing, they will be able to experience the joyful peace and the human flourishing for which every heart has been made. ✠

ENDNOTES

1. G. K. Chesterton, "Wonder and the Wooden Post," 1912.
2. Romans 1:18–20.
3. Pope Benedict XVI, "Address to the Congregation of the Faith," *L'Osservatore Romano* (22 February 2006), 3.
4. Matthew 23:8.
5. Augustine, *De Magistro*, §14.45.
6. William Deresiewicz, "How College Sold its Soul...and Surrendered to the Market," *Harper's Magazine* (September 2015), 26.
7. Aquinas, *Summa theologiae* II-II, q. 35, a. 4.
8. Aristotle, *Nicomachean Ethics* 10.7, slightly adapted from the translation by W. D. Ross in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1941), 1104.

The U.S. Supreme Court, 2015–2016

by William L. Saunders
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The past two terms of the Supreme Court have been among the most controversial in its history. The Court issued several opinions that, taken together, auger ill for pro-life Americans.

At the end of its 2015 term, the Court issued *Obergefell v. Hodges*.¹ In that opinion, the Court announced an implied right to same-sex marriage. A state must, the Court held, license a marriage between two people of the same sex as well as recognize such marriages that have been licensed and performed in other states.

There are many remarkable things about this holding, which I will review so as to help us understand two important Supreme Court decisions during its 2016 term. First, what is the origin of this right, which overrides contrary state law? Where is it found in the

text of the Constitution? Since it is not in the express language of the text (the words "same-sex marriage" do not appear), it must be *implied* from existing text. Was it implied from the "liberty interest" in the Fourteenth Amendment—that no state may deprive a person of liberty without due process of law? This is the text the Court favors for implying new rights. For instance, in *Roe v. Wade*, the Court believed the right to abortion resided there.² In *Planned Parenthood v. Casey*, the decision that upheld *Roe*, the emphasis was squarely on "liberty," with the plurality of Justices issuing the famous "mystery" passage: "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life."³ An implied liberty right, relying on the mystery-of-life formulation in *Casey*, was the source when the Court struck down laws against homosexual conduct in *Lawrence v. Texas*.⁴

Most observers, then, were surprised that the Court

stated that the implied right to same-sex marriage rested not *solely* on Fourteenth Amendment liberty but also on “equal protection,” also found in the Fourteenth Amendment: no state may “deny any person within its jurisdiction the equal protection of the laws.” The admixture of the two was powerful, if elusive, as the Court stated:

The Due Process Clause and the Equal Protection Clause are connected in a profound way, though they set forth independent principles. Rights implicit in liberty and rights secured by equal protection may rest on different precepts and are not always coextensive, yet in some instances each may be instructive as to the meaning and reach of the other. In any particular case one Clause may be thought to capture the essence of the right in a more accurate and comprehensive way, even as the two Clauses may converge in the identification and definition of the right.⁵

This was a rather novel approach to constitutional analysis. As Chief Justice John Roberts said in dissent, “The majority does not seriously engage with this claim [that the Equal Protection Clause requires States to recognize same-sex marriage]. Its discussion is, quite frankly, difficult to follow. The central point seems to be that there is a ‘synergy between’ the Equal Protection Clause and the Due Process Clause, and that some precedents relying on one Clause have also relied on the other. . . . Absent from this portion of the opinion, however, is anything resembling our usual framework for deciding equal protection cases.”⁶

This novel approach was hardly all that was new or troubling about the *Obergefell* decision – and it is, in fact, an example of the fundamental problem with the Court’s “abortion jurisprudence,” as we will see below. For our purposes, I will note two other troubling points that are particularly relevant to the analysis of the Court’s important decisions in 2016.

First, in *Obergefell* the Court embraced an understanding of the judicial role that is breathtaking. The Court asserted that the Founding Fathers intended for the Court to reveal the meaning of liberty—over the decades—as the Court perceived new insights into its meaning: “The generations that wrote and ratified the Bill of Rights and the Fourteenth Amendment did not presume to know the extent of freedom in all of its dimensions, and so they entrusted to future generations a charter protecting the right of all persons to enjoy liberty as we learn its meaning.”⁷

This arrogates unlimited power to the judiciary. In dissent, Justice Samuel Alito simply but poignantly

stated, “If a bare majority of Justices [5 to 4] can invent a new right and impose that right on the rest of the country, the only real limit on what future majorities [of the Supreme Court] will be able to do is their own sense of what those with political power and cultural influence are willing to tolerate. . . . Today’s decision shows that decades of attempts to restrain [the Supreme Court’s] abuse of its authority have failed.”⁸ To state the obvious, where the power of the Court grows, the power of citizens and voters recedes.⁹

The second point is the implications for religious liberty and conscience protection. What are the consequences of *Obergefell* for those who, through sincere religious or moral conviction, oppose the “marriage right” created by the Court in this decision, much as pro-life Americans oppose the “abortion right” created by the Court in *Roe*? While the majority of five dismissed concerns about religious liberty,¹⁰ the dissent was blunt: “The majority graciously suggests that religious believers may continue to ‘advocate’ and ‘teach’ their views of marriage. The First Amendment guarantees, however, the freedom to ‘exercise’ religion. Ominously that is not a word the majority uses.” It goes on to warn that, while conflicts are bound to arise in the future, “Unfortunately, people of faith can take no comfort in the treatment they receive from the majority today.”¹¹

How then did these two issues so central to *Obergefell*—judicial imperialism and religious liberty—play out in the Supreme Court term that concluded in June 2016?

There are two important cases to consider: *Whole Women’s Health v. Hellerstedt* and *Stormans v. Wiesman*.¹² It is important to note that both decisions were issued at the very end of the Court’s year—on June 27 and 28, respectively. It is well known among those who practice law before the Court, or who follow its operation closely, that the Court issues controversial opinions at the very end of each term, just before the Justices leave for the summer.¹³

Whole Women’s concerned a Texas law (H.B. 2) regulating abortion practice in a variety of ways, including (1) requiring abortionists to have admitting privileges in a hospital within the vicinity of the abortion facility, and (2) subjecting abortion clinics to the same health and safety regulations as other walk-in surgical clinics. The “admitting privileges” and “clinic regulations” aspects of the law were challenged in federal district court, where they were invalidated. On appeal, the Fifth Circuit Court of Appeals reversed the district court. The Supreme Court, however, reversed the Fifth Circuit, and

did so in a way that was, in many respects, a great setback to the pro-life cause.

To understand this, it is helpful to remember another Supreme Court case about abortion, the most recently decided before *Whole Women's*, to wit, *Gonzales v. Carhart*.¹⁴ In that decision, which upheld the federal ban on partial-birth abortion, the Court, in an opinion written by Justice Anthony Kennedy, attempted to clarify issues related to the application of *Casey*. In particular, it was responding to the notion, exemplified by the Court's overturning of state-based bans on partial-birth abortion seven years earlier in *Stenberg v. Carhart*,¹⁵ that legislatures were precluded from regulating abortion.

The *Gonzales* opinion held that laws regulating abortion should be given the same "presumption of constitutionality" that laws on other subjects were routinely given, and that, in the face of medical uncertainty or contested medical claims, the legislature could choose whichever view it found persuasive (as it does with other issues it considers). In light of these principles, and the horrific facts uncovered in the Kermit Gosnell case, which revealed the ugly consequences of an absence of effective regulation, the Texas legislature passed H.B. 2.¹⁶

Nonetheless, the Supreme Court invalidated the Texas law.¹⁷ It is important to note that the case could have been decided on a mundane legal ground, *res judicata*, a judicial doctrine that says, in effect, that a plaintiff cannot bring the same case twice. Once a court has decided a case (and the appellate process has been exhausted), the plaintiff cannot come into court at a later date and make the same complaint. Two bites at the apple are not allowed.

Res judicata is an eminently sensible doctrine: it results in final resolution of the dispute, prevents (future) vexatious litigation, and conserves judicial resources. In Texas, a previous lawsuit had, in fact, raised the same issues as were raised in *Whole Women's*, and the plaintiffs (who complained that H.B. 2 would substantially limit the availability of abortion clinics) had lost in the Fifth Circuit.¹⁸ Nonetheless, the majority in *Whole Women's* found a way around this fact by misapplication of *res judicata*.¹⁹ Furthermore, the majority refused to "sever" the offending aspects of H.B. 2, instead enjoining the law statewide, despite the fact that this is what courts ordinarily do when a law contains language indicating that the legislature intended that offending portions be severed and, hence, the rest of the law preserved.²⁰

Justice Alito subjected the majority to scorching criticism on the misapplication of *res judicata* and

"severability" in his dissent.²¹ The bending, if not breaking, of ordinary rules when they touch on abortion—so as to retain the widest possible "abortion right"—has long been a problem of the Supreme Court.²² As Justice Clarence Thomas said in his *Whole Women's* dissent, "Today's [majority] decision perpetuates the Court's habit of applying different rules to different constitutional rights—especially the putative right to abortion."²³ Justice Alito noted, "The Court's wholesale refusal to engage in the required severability analysis here revives the antagonistic canon of construction under which in cases involving abortion, a permissible reading of a statute is to be avoided at all costs."²⁴

As Justice Thomas and Justice Alito show, the majority in *Whole Women's* did not apply the standard of review from *Casey*, which should be the governing precedent and which would have permitted H.B. 2 to survive. *Casey* introduced an "intermediate scrutiny" test (did the law create an undue burden?) to replace the "strict scrutiny" test that some courts felt was mandated by *Roe*. This is a significant difference, because laws examined by courts under a strict scrutiny test almost never survive.

As the dissents showed, however, the majority in *Whole Women's* so transformed the *Casey* test as to make it the equivalent of the strict scrutiny:

Even taking *Casey* as the baseline, however, the majority radically rewrites the undue-burden test in three ways. First, today's decision requires courts to "consider the burdens a law imposes on abortion access together with the benefits those laws confer." Second, today's opinion tells the courts that, when the law's justifications are medically uncertain, they need not defer to the legislature, and must instead assess medical justifications for abortion restrictions by scrutinizing the record themselves. Finally, even if a law imposes no "substantial obstacle" to women's access to abortion, the law now must have more than a "reasonable relation to...a legitimate state interest." These precepts are nowhere to be found in *Casey* or its successors, and transform the undue-burden test to something much more akin to strict scrutiny.²⁵

The effect of this evisceration of the *Casey* standard is to transfer power from legislatures to courts on the issue of abortion. (How can a legislature determine what law to pass if it cannot know in advance the standard by which the constitutionality of that law will be judged?) Such a radical move, effectively changing the standard of review to the equivalent

of strict scrutiny, seems in line with the hubris shown by the majority in *Obergefell* about judicial activism, for it shall be the Court, not the legislature, that will forever superintend the abortion issue.

Of course, not all the Justices shared this inflated notion of the judicial role. Chief Justice Roberts and Justices Thomas and Alito dissented.

Justice Alito also wrote the dissent from the denial of review in the *Stormans* case, and that dissent brings us to the second point I noted above, religious liberty.

Religious liberty arose in the *Stormans* case in the context of the rights of pharmacists. A state law required pharmacists to fill prescriptions for abortifacients. The state law was upheld by the Ninth Circuit, and the Supreme Court declined to review the case. In a highly unusual move, several justices dissented from the denial of review. Justice Alito wrote the dissent for himself, Justice Thomas and Chief Justice Roberts.

The very first words of that dissent capture the essential point, which should trouble all who support religious liberty: “This case is an ominous sign.”

At issue are Washington State regulations that are likely to make a pharmacist unemployable if he or she objects on religious grounds to dispensing certain prescription medications. There are strong reasons to doubt whether the regulations were adopted for—or that they actually serve—any legitimate purpose. And there is much evidence that the impetus for the adoption of the regulations was hostility to pharmacists whose religious beliefs regarding abortion and contraception are out of step with prevailing opinion in the State. Yet the Ninth Circuit held that the regulations do not violate the First Amendment, and this Court does not deem the case worthy of our time. If this is a sign of how religious liberty claims will be treated in the years ahead, those who value religious freedom have cause for great concern.²⁶

Since the law or regulation at issue was state based, rather than federal, the governing standard is not, as it is in the HHS mandate litigation, the Religious Freedom Restoration Act, which applies to federal law; rather, it is the First Amendment, which provides that government shall make no law abridging the free exercise of religion.²⁷ In the case of *Employment Division v. Smith*,²⁸ the Supreme Court interpreted that provision to mean that free exercise does not relieve an individual of the obligation to comply with a law that applies equally to everyone—that is, in Supreme Court parlance, a law that is “neutral and of general applicability.” But the law in Washington arguably was *not* such a law; there was evidence that it was passed in order to deny religious liberty

to pharmacists, that it targeted the “free exercise” rights of pharmacists. If so, it was not “neutral” and would then be invalid under the First Amendment.

Yet, and this is what troubled the dissent, the other members of the Court did not even think the case merited their review. It could be that, *after review*, the Court would have decided that the law was actually neutral. But if it did not review the case, the outcome was certain: the Washington regulation would become the law and pharmacists would be forced to comply or go out of business. In a nation that so favored the free exercise of religion that it protected it in the very first amendment to the Constitution, such indifference by the Court is deeply troubling.

What triggers review of a case by the Court? It requires four votes of the Justices to do so. Given that the current court comprises eight members and three dissented, none of the other five—Elena Kagan, Sonia Sotomayor, Stephen Breyer, Ruth Bader Ginsburg, and Anthony Kennedy—voted to review the case. When one considers that the same five justices made up the majority in *Obergefell* and that a central remaining issue after that case was whether religious liberty would be respected, one can clearly see why the dissent in *Stormans* found the failure to review the case “ominous” for the future of religious liberty in America.

Of course, one member of the Court when *Obergefell* was decided in 2015 was no longer on the Court when *Whole Women’s* and *Stormans* were decided in 2016: Antonin Scalia, who passed away in the interim. The vacancy caused by his death is why the Court is currently composed of eight rather than nine justices. Every reader will know there has been an intense effort by President Obama to fill that seat with a judge from the District of Columbia Court of Appeals, Merrick Garland, and that Senate Republicans have refused to consider voting on this, taking the position that, since the vacancy occurred during the presidential election season, it is the job of whoever is elected president to fill the seat.

While we will know very soon who the next president will be, it may be worth briefly reflecting on the consequences of the election for the Supreme Court. Donald Trump has announced a list from which he will chose the replacement, a list broadly supported by those who want justices who practice judicial restraint. Hillary Clinton has not announced her list but is expected to choose someone like current Justice Sonia Sotomayor.²⁹ Pro-life readers should recall that Sotomayor was in the majority in *Obergefell* and *Whole Women’s* and did not vote to review *Stormans*. Though

there is much uncertainty in all this, it is clear that the composition of the Supreme Court will play a major role in future decisions on life and conscience/religious liberty issues. Will Scalia's replacement have a judicial activist view of his or her role? Will that person believe the Court, not the people through their legislatures, should regulate abortion? Will that person believe in a broad or narrow view of religious liberty? The consequences will be momentous. For instance, the litigation over the HHS contraceptive mandate is not over. It was simply returned to the lower courts to see if it could be resolved between the parties. It is likely to arise again, and the new Justice sitting in what was Scalia's seat will probably cast the deciding vote as to whether religious organizations must comply with the mandate or go out of business because of devastating fines.³⁰

It is perhaps worth noting that nothing in the Constitution requires that there be nine justices. The Constitution is silent on the number of justices. Thus, if Republicans continue to control the Senate, they could block *all* nominees of a pro-abortion President who do not have a philosophy of judicial restraint. In practice, however, that would require greater party discipline and resolve than has been demonstrated in the past. And even if that happened and the Court were to remain at eight members, pro-life Americans have been disappointed in decisions of this eight-person Supreme Court in *Whole Women's* and *Stormans*, as discussed, and there would appear to be no grounds to expect otherwise in future cases. ❖

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ENDNOTES

- 1 576 U.S. ___ (2015).
- 2 410 U.S. 113 (1973). The Court also mentioned the Ninth Amendment, but subsequent cases laid no weight on the Ninth Amendment.
- 3 505 U.S. 833 (1992), page 851. The vote was 5 to 4 to uphold *Roe*. However, among the five, two voted to uphold *Roe* without refinement, while three, the "plurality," upheld *Roe* while refining, or changing, many of its essential elements. The Justices making up the plurality were Anthony Kennedy, Sandra Day O'Connor, and David Souter.
- 4 539 U.S. 558 (2003).
- 5 *Obergefell v. Hodges*, opinion at 19.
- 6 *Ibid.*, Chief Justice Roberts's dissent at 23.
- 7 *Ibid.*, opinion at 11.
- 8 *Ibid.*, Justice Alito's dissent at 6–7.
- 9 "Those who founded our country would not recognize the majority's conception of the judicial role. They after all risked their lives and fortunes for the precious right to govern themselves. They would never have imagined yielding that right on a question of social policy to unaccountable and unelected judges." See *ibid.*, Chief Justice Roberts's dissent at 25.
- 10 The matter is dealt with in one paragraph near the end of the thirty-page opinion; see *ibid.*, opinion at 27.
- 11 *Ibid.*, Chief Justice Roberts's dissent at 28, internal citation omitted.
- 12 *Whole Women's Health v. Hellerstedt*, 579 U.S. ___ (June 27, 2016). *Stormans v. Wiesman*, no. 12-35221 (9th Cir. July 23, 2015); cert. denied, 579 U.S. ___ (June 28, 2016).
- 13 For instance, the Court issued *Lawrence v. Texas* at the end of its 2003 term.
- 14 550 U.S. 124 (2007).
- 15 530 U.S. 914 (2000).
- 16 See *Whole Women's*, Justice Alito's dissent at 26 and accompanying footnotes. As the reader will know, Gosnell was a Philadelphia abortionist who was convicted in 2013 of three counts of infanticide and the manslaughter of a patient.
- 17 It did so without overruling *Gonzales* directly. Justice Kennedy, the author of *Gonzales*, joined the majority in *Whole Women's*, which was written by Justice Stephen Breyer. One can only conclude that Justice Kennedy regards *Gonzales* as still valid. How to reconcile *Whole Women's* and *Gonzales* so as to craft laws that will survive in the Supreme Court is a significant challenge for pro-life legislators and strategists.
- 18 *Planned Parenthood of Greater Texas v. Abbott*, 951 F.Supp.2d 891 (W.D. Tex. 2013), affirmed in part and reversed in part, 748 F.3d 583 (5th Cir. 2014). There are various nuances of the *Whole Women's* decision that I do not have space to discuss, including the question of whether both the admitting privileges and the clinic regulation issues could be treated under the standards applied to facial, rather than as-applied, challenges.
- 19 Justice Alito's dissent provides a thorough discussion of this point, but I note briefly that if there are changed facts, a new complaint could be made. While the majority said this was the case (some abortion clinics had closed since H.B. 2 was passed), Alito pointed out that the material fact, that some abortion clinics would close, was known at the time the Abbott case was decided.
- 20 "When the Texas legislature passed H.B. 2, it left no doubt about its intent on the question of severability. It included a provision mandating the greatest degree of severability possible." *Whole Women's*, Justice Alito's dissent at 38.
- 21 See *Whole Women's*, Justice Alito's dissent at 40: "[The majority's] main argument is that it need not honor the severability provision because doing so would be too burdensome.... This is a remarkable argument. Under the Supremacy Clause, federal courts may strike down state laws that violate the Constitution or conflict with federal statutes, but in exercising this power, federal courts must take great care.... Federal courts have no authority to carpet-bomb state laws, knocking out provisions that are perfectly consistent with federal law, just because it would be too much bother to separate them from unconstitutional provisions" (citations omitted). See also Alito dissent at 43: "When we decide cases on particularly controversial issues, we should take special care to apply settled procedural rules in a neutral manner. The Court has not done that here."
- 22 See, for example, *Stenberg v. Carhart*, Justice Scalia's dissent at 954–955.
- 23 *Whole Women's*, Justice Thomas's dissent at 1.
- 24 *Ibid.*, Justice Alito's dissent at 42, internal quotation marks omitted.
- 25 *Ibid.*, Justice Thomas's dissent at 6, internal citations omitted.
- 26 *Stormans*, Justice Alito's dissent at 1.
- 27 The First Amendment applies to federal as well as state law. RFRA adds an additional layer of protection regarding only federal law, however.
- 28 494 U.S. 872 (1990).
- 29 Cristian Farias, "Hillary Clinton Has a Vision for the Supreme Court, and It Looks Like Sonia Sotomayor," *Huffington Post*, October 10, 2016, <http://www.huffingtonpost.com/>.
- 30 The next president may nominate more than one Justice. After all, two other members of the Court—Justices Ruth Bader Ginsburg and Anthony Kennedy—are over eighty years old.

Learning the Long View: An Essay on the Liberal Arts

By *Grattan Brown*
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I began to research the liberal arts tradition several years ago when teaching a freshman course at Belmont Abbey College entitled “First Year Symposium.” This course introduces students to the idea of the liberal arts, among other topics. I received a good liberal arts education, but I realized that I would do well to inquire about this topic more comprehensively. I also speculated that our students would perform better if they understood what kind of education they were being offered. For this reason I began to read some of the key texts that explain this tradition and the education it inspires.

This essay outlines the essential goals of the liberal arts tradition and illustrates one of its most attractive (though not often considered) features: its ability to cultivate a “long view” in those who participate in it. One of its essential aims is to help successive generations to develop realistically hopeful views of human life, society, and civilization and to cultivate the wisdom and virtue necessary for realizing those views. Let me illustrate the importance of the tradition and its ability to cultivate a long view with three stories. The first is the story of a young man, the second of an elderly gentlemen, and the third of my grandmother.

The Story of a Would-be Spiritual Counselor

In this story a young man who had become interested in spirituality tried to turn it into a business and made himself perfectly ridiculous.

While on vacation with my family, I happened to meet this strange young fellow in the hotel lobby where breakfast was being served. He stood sipping coffee in the very center of the busy space and seemed to have no intention of sitting down at one of the tables. He looked at all the people preparing their food and especially at the woman responsible for setting out breakfast. I casually observed him but, frankly, paid

more attention to my breakfast.

Ten minutes later, and during a moment when everyone else had left the breakfast area, he abruptly introduced himself to me by saying: “You know, I’m training to be a spiritual advisor.” Curious about what spirituality he was promoting, I asked for his approach.

He responded, “It’s mostly about money.”

“What do you mean?” I asked, hoping that somehow he did not mean what I thought he meant.

He said, “It’s about getting people to pay me.” My worst fears were realized. Perhaps the fellow needed some time to warm up, I thought, so I asked again for his idea of spirituality.

“Well, it’s mostly about entertainment,” he responded. I truly could not believe what I was hearing. Couldn’t he even pretend not to turn spirituality into a business? I tried to inject some seriousness into the conversation and asked: “How would you handle someone with a real spiritual problem?”

“Well, I’d take care of that as quickly as possible so that we can get back to entertainment,” he responded.

We were clearly not going to discuss the spiritual life, so I asked about his business: “What kind of events and activities have you done to build your business?”

In a rather sheepish tone, he said: “Well, the business is still in the ‘entrepreneurial stage.’” I took this response to mean that he had carried out no real events and activities. I was relieved!

Our conversation soon ended, and I wondered how this young man got into this state of mind. I speculated that deep down he yearns for wisdom and a sound spirituality for living it out. But as a young man he realizes the need to work and earn his livelihood. Perhaps he is trying to make a business out of his spiritual search. In his better moments, he desires to think about the soul, but he must think primarily about work. That, at least, is the best possible interpretation that I can think of.

I saw this young man struggling to reconcile spirituality and practicality, but doing it foolishly. This struggle is found more deeply and thoughtfully considered in the liberal arts tradition. For example, the Renaissance humanist Pier Paolo Vergerio distinguished “two kinds of liberal ways of life: one which is totally composed of

leisure and contemplation, and a second which consists of activity and [public] affairs.”¹ Despite this sharp division between contemplation and action, the “liberal way of life” for Vergerio involves both. For example, he writes that the person schooled in great literature (which Vergerio calls “letters”) conducts affairs with greater prudence: “Those who apply their minds to the conduct of affairs (regardless of how important) can become more prudent by reading the precepts and examples found in letters.” Even so, liberal arts education teaches us how to spend “the times and hours...when we must leave such occupations alone...[and when] we can accomplish nothing outside our walls.” Those times, he says, are devoted to “books in which everything is either very pleasant to learn or very effective for a good and holy way of life...[and] in which the deeds of men, unexpected turns of events, unusual natural occurrences, and reflections about all these things...are contained.” The liberally educated have learned how to spend both work and leisure time pursuing goals—contemplative, practical, or both—of real value.

How, then, does the liberal arts tradition approach this struggle to reconcile spirituality and practicality? It does so by forming the person interiorly to perform well in important areas of human life. We sometimes classify these areas into “contemplative” and “active” categories (sometimes it speaks of the “work-life balance”), but in reality all the areas are seen as interrelated. The liberal arts tradition teaches wisdom, promotes spiritual growth and maturity, and exerts great practical influence upon a person’s life. This formation of soul may well promote a person’s success in the various areas of human life, including business or the professions. But the desire to participate in the liberal arts tradition because it brings success, especially material success, could easily tempt us to ignore its most foundational questions and valuable lessons.

The Story of a Retired IMF Economist at Starbucks

The second story tells of a mature gentleman, no longer concerned about his livelihood but intensely interested in the spiritual questions that the liberal arts tradition raises. The gentleman is an intelligent and successful retired economist who nonetheless preserves in his mind a mistake that bedevils his ability to think reasonably about God’s existence.

Once again it took place during a family vacation.

I had parked myself at a café in order to read, and an elderly gentleman at the next table politely asked what I was studying. As our conversation unfolded, I learned that he had served on a team of economists at the World Bank in the 1970s and had pioneered a microcredit program in Indonesia. With sophisticated technical expertise, he and his colleagues spent years developing and refining a program of small loans to poor workers, thereby helping thousands of people rise from poverty.

This gentleman displayed an insight into human behavior as well as a knowledge of economics. He explained that these workers succeeded because they knew better than anyone else what their community needed and how to provide for it. They repaid their loans almost without fail, not only because they understood the value of the money loaned to them and ran viable businesses but also because they formed a community of people who depended upon each other and who knew each other. They understood all the whys and wherefores when a business failed or when someone failed to repay the loan.

Then our conversation turned to my work as a theology professor. Imagine my surprise when this highly intelligent gentleman with a lifetime of experience explained to me that he believed in God and that was true for him, but that others do not believe and that was true for them. I said, “With all due respect, sir, I do not see how that is possible.” I proposed to him that the answer to the question about God’s existence does not depend on anyone’s beliefs. The reality is either that God exists or not, and that no one’s beliefs change that reality. Believers and unbelievers, I told him, can at least agree on that much.

Reflecting on this conversation, I found myself puzzled. This man clearly had an undergraduate education. Had no one helped him think through this question in a way that the contours of the question became understandable to him and a permanent fixture of this thinking?

Perhaps he was simply trying to speak to me in a nonconfrontational way. Not a bad thing. The urge to get along and work together is a powerful one, and it allows neighbors to enjoy the good things of the world and their lives together. On a deeper level, perhaps he was uncomfortable with the idea that he must consider those who disagree with him to be mistaken. His well-founded desire to think well of others, however, seemed to conflict with his intense interest in our conversation and his ability to think well about this important question. The liberal arts tradition raises and explores such

fundamental human questions in meaningful ways so that conversations about them may be carried on across generations.

A Lesson from My Grandmother's Life

The third story teaches a lesson that I learned from my grandmother. She taught me very little directly, but I learned much from understanding her education and from her contributions to my own education. The lesson is this: A liberal arts education equips the mind with the sort of knowledge that the person should still possess late in life and to good effect.

My grandmother was adept with languages. In 1929 she spent one of her college years studying at the University of Fribourg in Switzerland. There she developed fluency in French and studied, among other subjects, philosophy and theology, including a course about the medieval theologian Thomas Aquinas. She then returned to Rosary College in Chicago. Some years after graduation she went back to her hometown of Jackson, Tennessee, where no one carried on conversations in French or discussed Thomistic theology. But that is not the point. The point is that the knowledge she acquired in her twenties remained with her into her eighties, for she could still speak French and recognize virtue. Her education furnished her mind and heart with knowledge, reasoning skills, values, and virtues that remained active and relevant across an adult life spanning from the 1920s to 2008.

She clearly recognized the value of her education. Thankfully, she attempted to pass on this “furniture of the mind and heart” to me. When I was a college student, I did not recognize the value of her education, and so she had to tempt me. If I continued to take French courses until I graduated—so went the deal she proposed—then she would pay for a plane ticket and I too could travel abroad. Her gambit worked as well as it could have, given the material available at the time.

The liberal arts tradition does not necessarily create a great orator or a profound philosopher, neither of which describes my grandmother. Rather, a liberal arts education develops habits of careful thought and fluent speech in the various domains of human life. It provides access to the liberal arts tradition—something to which a person may return as years pass. Its vivid imagination and sound thinking can come to guide exceptional action in ordinary life as well as in unique and challenging circumstances.

The Liberal Arts Tradition and Liberal Arts Education

By the liberal arts tradition, I mean a tradition of learning developed by the ancient Greeks and subsequently adopted and transformed by a variety of Western cultures (Jewish, Christian, Islamic, modern secular). In his introduction to *The Liberal Arts Tradition: A Documentary History*, Bruce A. Kimball outlines six prevailing opinions about the origins and nature of the liberal arts.²

The first (probably the most widely known) holds that ancient Greek culture developed the liberal arts during the fifth and fourth centuries B.C. A second opinion holds that the Greeks initially learned the liberal arts from the ancient Hebrews and that the Hellenistic-Hebraic-Christian conversation engendered a refined liberal arts tradition.³ A third holds that Greek civilization drew its learning from the ancient cultures of the Near East that colonized the Greeks around 1500 B.C., and that Western culture later denied these origins precisely in order to assert its superiority over those cultures in a way that is like some forms of modern racism and colonization. A fourth view holds that Greek culture and learning were refined by Islam, which not only transmitted ancient Greek texts to the West but also gave it “the best of what [Islam] had learned from classical cultures and what it had added by its own creative genius.”⁴ The fifth opinion holds that ancient culture was refined by modernity, whether by the retrieval of classical literature in the period of the fourteenth and fifteenth centuries or by the political philosophy typical of liberalism in the seventeenth century. The final view holds that the liberal arts tradition originates in ancient hierarchical cultures but needs to be refined by the feminist critique of its hierarchical traces. This brief survey certainly shows that the liberal arts are inseparable from Greek thought and culture, even if one also thinks that this tradition originated elsewhere.

What should we recognize as the goal of the liberal arts tradition? At its best, the goal of the liberal arts tradition is to help successive generations develop realistically hopeful views of human life, society, and civilization and to promote the wisdom and virtue that favor their achievement. It develops such views by raising fundamental human questions, proposing a variety of responses, and tracing out the implications for the practicalities of human life. The best of these responses reflect a searching intellectual depth, an imaginative

and critical engagement with prior thought, and an eloquent, persuasive expression. These responses are expressed in a variety of forms, notably music and art, and especially in “classic texts” and “great books.” These great works are well known, not only in the sense that every educated person has heard of them but also in the sense of they have been read, reread, pondered, and discussed across generations by those who choose to participate in this tradition.

One need not have had a liberal arts education in order to participate in this tradition. Yet, without this education and the institutions that provide it, participation would be difficult for many people and the tradition itself could hardly flourish. By a “liberal arts education” I mean an education that begins by teaching children how to read in their native tongue and to use mathematics. It continues by introducing them to great literature in their native tongue and to mathematical systems. It broadens their knowledge by teaching them ancient and modern languages, especially Greek, Latin, and modern European tongues. More importantly, knowing these languages enables the person to explore the breadth of the liberal arts tradition, whose writings reflect many languages, times, and places. In this way students begin to study history, music, science, art, philosophy, and literature of the past. A liberal arts education makes a student literate in the liberal arts tradition. The liberal arts tradition provides a way of exploring the past within the present in order to develop a view of the future.

When people begin to explore the music, science, art, and writings of the liberal arts tradition, they will feel the need to make sense of what they discover and will find some satisfaction in the discipline of philosophical thinking. Plato and Aristotle provide the liberal arts tradition with two strong anchors necessary for any tradition. First, both of these thinkers discuss the vast scope of human questions in impressive depth. Their works show us how themes of lasting importance fit together and the consequences of their interrelations. In the *Nicomachean Ethics*, for instance, Aristotle outlines a wide range of human virtues and offers a compelling view of happiness. Second, these two philosophers provide a kind of standard for evaluating earlier attempts at philosophy as well as a starting point for the later developments. St. Paul, for example, uses the Greek virtue tradition to explain Christian holiness. When tracing the history of ideas, we can discern the origins of various false philosophical turns that have underwritten terrible evil as well as the beginnings of valuable

philosophical insights that continue to offer support for human flourishing. This exercise cultivates realistically hopeful views of the future.

In an ingenious great books course the philosopher Nancy Marcus traces ideas about justice back in time from Martin Luther King through the medieval philosopher Boethius to the ancient philosopher Socrates.⁵ With King’s help students see that their views about justice conflict with their acceptance of moral relativism, and that in fact they are not really the moral relativists they aspire to be. Against moral relativism, the thought of King shows that society and culture do not always have the last word. He proposes that “injustice anywhere is a threat to justice everywhere.” Considering this point forces students to admit that there must be something objective, such as human nature, if we are to be justified in holding that racial discrimination is unjust. Marcus then turns to Boethius’s famous *Consolation of Philosophy* to ask whether human happiness as well as justice is based on something objective. Finally, she has her class encounter Socrates’ argument that a just life is the truly happy life, even at the cost of life itself. At the end of this course of study the students do not have a sure-fire way for resolving every problem, but they no longer think that all ethical judgments are merely subjective. They know to look for some objective principle or idea that makes a particular action good or evil.

The Long View

I have proposed here that the liberal arts tradition and a liberal education help successive generations to develop realistically hopeful views of human life, society, and civilization and to cultivate the wisdom and virtue necessary for realizing those views. All mature views of these three realities—human life, society, and civilization—are necessarily long views. A mature outlook on human life accounts for its requirements across decades. We might take Shakespeare’s famous poem “All the World’s a Stage” as representative of this long view. It is a poem that outlines human life in terms of “seven ages” from infancy to death, each with its own aspirations and vulnerabilities.

A mature view of a society takes stock of what is worth preserving in it, what is not, how to promote the first and not the latter. For instance, Mary Shelley’s novel *Frankenstein* wrestles with the value of science and of its unintended consequences during the Industrial Revolution.

A mature view of civilization seeks the principles and practices that preserve human societies in humane ways. In sixth century, for example, St. Benedict recognized various currents within ancient Roman culture and abandoned them. In their stead he strenuously pursued his own spiritual development, became recognized as a great spiritual master, and founded monastic communities to help others along the path of spiritual growth. His attempt to preserve what he learned, as codified in the Rule of St. Benedict, illustrates guiding principles of community life, of leadership by the abbot, of democratic governance through the practice of counsel, of the rule of law in the Rule itself, of civil corrections in the discipline of faults, and of property management in the role of the cellarer. With texts such as these, the liberal arts tradition promotes the long view necessary for developing a good life, society, and civilization.

I mean “long view” in several senses. First, it is a long view in the usual sense of seeking future benefit through present action, even when the circumstances demand foregoing short-term gain. In a wealthy capitalist culture, efforts to accumulate and maintain wealth can provide conspicuous examples of this sense of the long view. People generate wealth through the short-term activity of work but accumulate wealth by saving some revenue or income rather than spending it all. They maintain wealth by spending investment income rather than capital. These efforts are conspicuous because so many in our society seek to accumulate and maintain wealth. More importantly, they are conspicuous when pursued with a hopeful but realistic long-term goal in view. In other words, virtuous management of property surely involves the view that a family, a business, a religious or a civic institution should still possess that property decades later, even centuries later, in order to sustain and promote the flourishing of its members.

Benedictine monasteries can provide a good example of long view institutions. Belmont Abbey, which sponsors my own institution (Belmont Abbey College), recently developed some of the property that it has held since the 1870s. In 2005 it leased—rather than sold—some land to Wal-Mart, which then built on the site. The lease agreement required that Wal-Mart’s architectural design include a few Gothic architectural features similar to those of the college and monastery. When I asked the Abbot why they insisted that Wal-Mart include these features, he responded, “Because we intend to be here longer than Wal-Mart.” Founded over a century ago, the monastery took the long view and acted on goals to be realized a century into the future.

Clearly the liberal arts tradition focuses on topics of greater spiritual importance than wealth and property. But the tradition considers them because they provide a necessary support for the pursuit of spiritual and social goods, and because they sometimes provide clarifying analogies to the nature of spiritual and social goods. Consider the investment that a person makes when allowing a few principles to guide important decisions through the decades of adolescent and adult life.

This idea brings us to a second sense of the long view. A view is “long” when it rests on abiding principles of a good life, society, and civilization. If such abiding principles exist, they will influence future ages as they do one’s own. They enable us, in a limited way, to see into the future. Such principles are found in the Greek and Christian virtue traditions, the Ten Commandments, the Universal Declaration of Human Rights, the constitutions of various states, great literature, and the natural moral law. Great texts of the Western tradition raise and explore them in dialogues and stories so that we can work them over in our minds in the context of our own times. These principles appear to us because human matters demand them. People thrive by following them and return to them in times of crisis. They are principles that do not lose their force when a society neglects them and they disappear from view. We can read about the ideas, events, and figures of the past, discern the influence of these principles, feel their force today, know that they will exert influence in future generations, and hope that future generations will recognize their force. Those principles provide starting points for considering solutions of long-term value as well as immediate practical effect.

The liberal arts tradition also cultivates the long view by raising questions that come up again in each generation and offers deeply considered responses. Take, for example, the poet William Blake’s beautiful query about the causes of suffering and death, about the origins and nature of things, and about how experience shapes our perception of them:

Tyger! Tyger! burning bright
In the forests of the night.
What immortal hand or eye
Could frame thy fearful symmetry?
In what distant deeps or skies
Burnt the fire of thine eyes?
On what wings dare he aspire?
What the hand, dare seize the fire?

Blake presents us with the mind in a state of wonder about existence. Was it an immortal hand or eye who created? Was it distant deeps or skies that changed? Was it both? If by a Creator, was it an act of honor or of hubris to create? If there is no Creator but only nature, then is nature a seeming beauty that stalks you to the death? Or is that beauty real despite (or even because of) its link with suffering? How does an innocent mind perceive all these realities, and what should mature human experience say about them?

Within the liberal arts tradition we find a variety of responses to the kinds of questions that this poem suggests. Psalm 8 finds the origin of things in God and wonders at the splendor yet insignificance of humanity before God:

When I look at thy heavens, the work of thy fingers,
the moon and the stars which thou hast established;
what is man that thou art mindful of him,
and the son of man that thou dost care for him?

Yet thou hast made him little less than God,
and dost crown him with glory and honor.
Thou hast given him dominion over the works
of thy hands;
thou hast put all things under his feet.

Here is a different response from the naturalist poet Thomas Hardy. He hopes that, despite its ravages, nature itself holds some reason why humans might rejoice. He pictures a bird singing in the dead of winter:

An aged thrush, frail, gaunt, and small,
In blast-beruffled plume,
Had chosen thus to fling his soul
Upon the growing gloom.

So little cause for carolings
Of such ecstatic sound
Was written on terrestrial things
Afar or nigh around,
That I could think there trembled through
His happy good-night air
Some blessed Hope, whereof he knew
And I was unaware.

These three poems attract attention because they guide our minds through a reflection on perennial questions in beautiful language. They are part of a conversation across generations, and one that promotes a long view. Moreover, the person who ponders them is helped to

develop views about the tradition's responses to these questions over a long period of returning to them over and over again. The exercise is never purely theoretical, but exerts practical influence on one's conduct of life, both in private and in public. An individual's conduct of life tests and refines the long view, especially the principles by which one lives one's life and the way in which one directs one's time and property.

Conclusion

The liberal arts tradition promotes spiritual maturity by drawing our attention to the profound questions running through our ordinary activities. Engaging the tradition begins, however, in the most mundane of activities: learning to read and write. Yet, with these two abilities we may grasp ideas and principles that are adequate to guide decades of career and family life and to explore the tradition's responses to ongoing human questions. It is an approach that favors worldly success but does not guarantee it. Either way, it cultivates and preserves a long view of life, society, and civilization.

One characteristic of a liberal way of life is the presence of an ongoing life-long project. It encourages us to spend considerable time understanding the needs and possibilities of our moment in history and conceiving the beginnings of a plan to address them. A life-long project brings about a new reality that would not and could not exist but for the long view of its protagonist. This long view would be informed by the knowledge gained in adolescence and young adulthood and developed through old age. It would certainly include principles for living a good life, contributing to society, and recognizing the good qualities of a civilization. Building a life-long project requires time and long-standing relationships, parenthood being one of the most common and powerful examples. With the birth of their first child, spouses have the possibility of cultivating a character in a new person. Someone with a long view would establish the kind of relationships needed to share this life project, not only to hand it on but also because of a goodness about it that needs to be shared.

The long view necessary for a life-long project, however, is not long enough. The long view needs to look beyond any project and into the fundamental human questions and responses that the liberal arts tradition explores. These questions and possibilities outlast any particular project, regardless of its longevity. ❧

ENDNOTES

- 1 Pier Paolo Vergerio, "On Noble Character and Liberal Studies of Youth," in *The Liberal Arts Tradition: A Documentary History*, ed. Bruce A. Kimball (Lanham, MD: University Press of America, 2010). This quotation and those that follow come from pp. 162–64.
- 2 *The Liberal Arts Tradition*, 1–12.
- 3 St. Augustine developed this view, recognized the forced nature of its

argument, and later retracted it. But, as Kimball notes, "the argument remains popular for the next 2000 years, partly due to the authority of Augustine's text, and it was still being credited by learned individuals as late as the 15th century in Western Europe" (*ibid.*, 4).

- 4 *Ibid.*, 6, quoting Mehdi Nakosteen, "History of the Islamic Origins of Western Education."
- 5 Nancy Marcus, "Three Philosophical Heroes: King, Beothius, and Socrates," in *ibid.*, 481–84.

The Idea of Representation and the Mission of the Priest

by Leo Cardinal Scheffczyk

Translated by Fr. Michael Duffy, OFM Cap

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The following considerations are meant to bring into focus a theological idea that directly affects the spiritual life of the priest and his spirituality. This is the idea that one person can represent others, can give his life in place of the many, by standing in for the human race before God.¹

In order to gain an appropriate appreciation for the importance of this truth and its dynamic power in the life of the priest, it is necessary first to point out the resistance to the theological idea of representation in the spiritual climate of the contemporary world.

I. The Lack of Appreciation in Modern Times for the Truth of Salvific Representation

As generally understood, the structure of representation affirms that in bringing about salvation, one human being can stand in for others, can act for their benefit, can turn his own action to the advantage of others, and can go so far as to take the place of others. To appreciate that this thought is difficult to grasp, indeed something of a mystical truth, one has only to remember a familiar and contradictory saying that has

emerged from modern subjectivity and from one-sided personalism. A well-known verse from the soldiers' song in Schiller's "Wallenstein" reads: "Nobody stands up for him, so he depends on himself, all alone." Christianity maintains the very opposite, namely, that the Christian and the priest has the power to stand in for others and to stand up for them before God in a manner that is highly important for their salvation. In other words, Christianity has the idea of salvific representation.²

However, one needs to add a reservation, namely, that this idea has never become a vital and strong element of Catholic Christianity, even though this would have been appropriate by reason of its biblical roots alone. In fact, it has been taken seriously only in soteriology and in the doctrine of salvation, where the vicarious satisfaction made by Jesus Christ is presented as an article of faith.

But because this article of faith comes across as unusual and as something that is unprepared for, it has met with fierce opposition in modern times. Among modern theologians, it was R. Bultmann above all who formally maintained that modern man finds it totally impossible to understand the teaching on "vicarious satisfaction by means of Christ's death."³ Bultmann held this idea to be an expression of primitive mythology.⁴ This objection also crops up in a hidden way among those Catholic theologians who maintain that Jesus did not know anything about the salvific importance of his death, and that his desperation about his own fate could be an encouragement for us.⁵ Thus one modern interpreter says: "It is quite improbable that... Jesus had any

intention of saving us by means of his death.” H. Schürmann refuted this opinion very decisively, but this has not stopped it from having continued influence on the climate of thought.⁶

On the other hand, it comes as a surprise when the idea of representation crops up in different garb, namely, with a representative of Christian atheism, Dorothee Sölle.⁷ Sölle believed that the only thing that could take the place of an absent God—now that contemporary man has lost God and faith in God—would be the example of an ideal human being, Jesus of Nazareth. But this is clearly playing with words that were formerly Christian, for a nonexistent God cannot have a representative. And what Jesus in his exemplary devotion to humanity achieves is not a genuine standing-in for them, but only an example of brotherhood and love of humanity that people can emulate.

In present-day discussions about this extraordinary devotion to humanity on the part of Jesus, the concept of “being for others” [*Proexistenz*] has come into use. This term is meant to convey the idea that the entire existence of Jesus consisted in his “being for the other,” that is, in serving *pro omnibus*. This proposal can at first seem like a rediscovery of the original idea of representation. But the phrase “on behalf of” is understood largely as a human affection on the part of Jesus, thereby making him a model on the ethical level, without reaching the ontological and, indeed, mystical level of a real representation of sinful mankind before God, such that man’s guilt is taken away as a consequence. The notion “for mankind” (the “pro” or “hyper”) here thus refers only to good will toward man, something that never has the character of a specific representation (“anti” in the sense of “in the place of”), that is, a real standing in the place of someone. This last point brings into focus that the highest form of representation lies not in acting for the benefit of another person (“pro”), but in taking his place (“anti”).

The real depth and force of the idea of representation can be gleaned only from Sacred Scripture. Here it takes on the character of being a salvific-supernatural structure that defines the entire history of salvation.

2. “Representation” as a Salvation History Structure

The idea of representation is present in such variety within the Old Testament that only a few of the more prominent examples can be taken up here. “Adam,” independently of the question

of the individual and collective meanings of this name, functions (according to Gen 1:26 ff.) as the bearer of sovereignty and thus serves as the representative of the entire creation. This is why Adam’s sin brought about a loss of grace for the entire human race. In addition, the blessing and the grace connected to individual holy men affected various nations and even the entire human race.⁸ Thus, Abraham, the ancestor of the Chosen People, received the promise: “In you all the nations of the earth will be blessed” (Gen 12:3; 18:18).⁹

The idea of a few persons efficaciously standing in for the fate of a whole community takes an especially concrete form in the conversation between YHWH and Abraham before the destruction of Sodom. There is theological significance in this admittedly anthropomorphic conversation (Gen 18:23–33),¹⁰ in which YHWH expresses his readiness to stay his judgment against a multitude of unjust people on account of the lives of only ten just men, and let his grace prevail instead. The significance lies in the disclosure of the mystery of the few being able to stand in for the many and save them. In this way the story—as recognized in the kind of exegesis that pays attention to the inner context¹¹—points to the possibility that even a single individual can bring about salvation and redemption for the many. In the Old Testament we also find this to be the role of the Isaian Servant of God, who vicariously stands in for the sins of the many, who is “wounded for our iniquity” (Is 53:6), and who wins redemption from God for the many sinners by his suffering and death.¹² What happens here is precisely an exchange of place between the one Just Man and the many sinners. The Servant of God, with his existence and his action, steps into the place of the sinner. However, this mysterious exchange is accepted by God and the deed of the One brings about the salvation of the many.

It is true, of course, that mystery remains in such an exchange or place-swap. The mystery here is not explained simply by the fact of its taking place. This point is clear when we recall the remarkable fact that the Suffering Servant of God found no noticeable echo in the Old Testament or in Judaism. It was obviously not grasped. The real understanding of this truth emerged in the history of salvation only at the point when the structure of representation reached its highest expression and found its strongest and most concrete expression in the life and suffering of the God-Man, Jesus Christ.

The story of the pre-Easter Jesus already reveals that in his preaching of the Kingdom of God as well as in his actions on behalf of men, especially for sinners,

he fulfilled in a perfect manner the meaning of salvific representation. In his humanity it also becomes especially clear, that representation—the giving of his life “for” others, his “being for others”—possesses a double significance, a twofold dimension. It includes the “pro” dimension (“on behalf of”) as well as the “anti” dimension (“standing in for”) and thus takes place from God [*von Gott her*] and toward men [*auf die Menschen hin*]. Thus the historical Jesus lets his representation be known through his greatness and his power, through his miracles, and especially through the forgiveness of sins, that he stands in the place of God, that he is present and active as a representative of God. But this standing “in place of God” clearly is equally well a standing in that is for the benefit of man, an acting “for them.” In the death of Jesus this acting for men goes even further; namely, it consists in standing in specifically for them and in their place, as is understood linguistically in the *περί* or *ὑπέρ* πολλῶν.

After the death and resurrection of Jesus it dawned upon the disciples and the Christian community that there was a further dimension to the representation that took place in Jesus. It is something truly original, primary, and essential, because it is given along with the mystery of the Incarnation and is identical with it. For one may explain the mystery of the Incarnation a realization of the structure of representation, but in a unique way, in that God himself enters into the world and into one single man, puts himself in the place of this human person, and does so on his behalf and with him—something that this man alone could never do. In the Incarnation of the Logos, that is, in Jesus Christ and in the Redemption, we see the structure of representation in its most characteristic and, indeed, in its forever most perfect form. As a man Jesus represents God before men and for their benefit. But as the God-Man he is “the place” where God himself in the person of the Son takes upon himself the place of men, representing them, as it were, without interfering with human nature, much less abolishing it.

From this personal unity of human nature with a Divine Person we finally have a complete explanation as to why Jesus was able to live for others in such a unique way. For in him the incarnate Son of God himself took the place of a humanity laden with guilt. As the incarnate Son of God, Christ was capable of representing humanity so effectively and fully before the Father that his dedication to the human race produced a thoroughgoing and universal effect, the salvation of the world, and took away the sins of the world. As a man united

to God, he was in a unique way the representative of God before men. But at the same time he was also, in an all-embracing way, the representative of humanity before the Father. Thus his loving death could, in the most perfect way, convert humanity from its turning away from God and bring it back to God. In the God-Man and his death, what we call representation or being-for-others was brought to its highest revelation and fulfillment. In him the salvation-history idea of representation reached its summit.

And yet, in seeing this line of thought and acknowledging representation as a structure of salvation history, one still has not grasped the inner meaning of this structure, its deeper motivation, or its basis. It raises the question as to whether this arrangement is simply a positive decree of God or even an arbitrary decision, or whether it can be accounted for by some more profound theological explanation. In the last analysis, “theological” signifies “coming from God,” and even more precisely, having its source in the being and life of God. Thus the occurrence of representation in salvation history calls for a deeper theological justification.

3. The Foundation of the Law of Representation in God’s Being and Life

If one looks at Jesus Christ and at various figures in the history of salvation from the time before Christ, one might get the impression that the structure of representation is simply an *ad hoc*, external arrangement by God that becomes effective in individual cases. In reality, the believer can recognize or at least surmise that this structure simply reveals something crucial about the divine being and life, such that to say that God is purely “Love” (1 John 4:6) is a statement of the highest theological relevance and density. But love in its essence is the gift of oneself to another, the taking leave of oneself and entering into the other. Of course, this takes place in such a way that does not damage—much less destroy—the other, but rather lifts him up to his true self and brings to perfection his true reality. In interpersonal love there takes place something like an exchange between the one and the other, between the “I” and the “Thou.”

This love is realized first of all in the Trinitarian life of God. As the Father begets the Son timelessly, he shares his nature with him, he is with him in his nature, and in this way he gives expression to his own nature. As the perfect image of the Father, the Son is a Person distinct from the Father who begets him. Thus the Trinity

exists only in the mutual exchange of the Persons and in their mutual gift of self by which, as it were, they enter into the place of the other and in that way constitute the other Person. The Persons in the Trinity “originate,” if one may use this vivid expression, through a being-given-to-one-another, through an exchange of the divine nature between its different bearers. This process of going out to the other and being there for the other is the eternal process of love, which reflects the original image of all representation, even if we cannot quite penetrate this image with our weak eyes.

It is easier for us to understand that this structure of representation reflects itself in the works of God *ad extra*, first of all and principally in creation. The mystery of creation is not fully described when one merely speaks of a divine action calling the creature out of nothingness. One must also consider that merely on the strength of this unique divine action the creature could not stop itself from being sucked back into nothingness. For this reason God remains constantly with the creature by his creative power. He enters into the creature as the immanent God and brings about the conservation of the creature in its place, something of which the creature of itself would be totally incapable.

Such a standing in for the creature by God through an interior exchange of places is seen also and especially in the imparting of grace to the human person and in the life of grace that springs from it. The gift of grace has its highest effect in the indwelling of God in the human being. From this there follows the actions of response to grace by man that spring from God’s indwelling power and the reality of the divine life. God does something for man and in his place, something that the creature ought to do but of itself would find it impossible to bring about. The same structure is seen also in the perfection of man that is received through faith that will consist in the beatific vision. The beatific vision, however, is only to be explained when “the inaccessible light of God” (1 Tim 6:15) becomes accessible to man, that is, when something of the radiance and glory of God enter into man, so that he can see God perfectly. Here also God comes to dwell in man in a new way and brings about an exchange of love, since by this God establishes something for man’s benefit and brings him to definitive salvation.

When one reflects on these different stages of God’s “being for others” that flow from his love, and on the way in which God steps into the place of man, one sees that all this has its original image in the Trinitarian life and reaches its creaturely summit in the

pro-existence of the God-Man Jesus Christ. Through the Incarnation God entered, in nature and in person, into the place of man, in order to be able, as God-Man, from this very place, to take man’s place in a unique way for his salvation.

When, however, this representation is completed through the God-Man Jesus Christ in this world and its history, the question arises whether after Christ, that is, *post Christum natum*, such representation still holds and can be continued. But the fulfillment of this structure in time and in history does not by any means signify the abolition of the completed order but rather its continuation in another way with a view to the end-time goal. It is now not Christ as an individual who must accomplish the representation; rather, he does it as the “whole Christ” (*Christus totus*, as Augustine says), in his members and together with them, for the ever-wider communication of salvation.

At this point the theological idea of representation leads to the life of the Christian; it achieves its spiritual and ascetic importance, especially for the priest, whose relationship with Christ is special and unique in a quite specific way.

4. Representation: The Inner Element of Priestly Life as His Relationship with Christ

The continued validity of the structure of representation can only be explained in the contemporary world by reference to union with Christ. Thus, it applies to every Christian and not just to the priest alone. Nevertheless, the priest ought not to renounce the specific character of his relationship with Christ out of a false desire to be like everybody else. This would have the consequence of a failure to recognize and realise his representative function for and on behalf of men.

This first specific element here lies in the fact that the priest, because of his sacred Orders, receives a special configuration to Christ. Thus, he ought to present in his life, by the power of the Sacrament, a *significatio Christi mediatoris*, and it is this sacrament that enables him to do so. In addition, through the character of his Orders, which effects in him a permanent calling and authority, he is formally initiated into the priestly office of Christ and receives a lasting share in his responsibilities. Thus, in the priest, the mission of Christ continues in the world in essence and in grace, on the one hand, and in his ministry by virtue of his official authorization from God, on the other.

In this respect the first dimension of representation (“from above”) is realized in the priest, in dependence on Christ, by the way it enables him to stand and to act in the place of Christ. Thus, he becomes a representation of the priesthood of Christ, in accordance with the word of the Apostle: “So we are ambassadors of Christ, since God is making his appeal through us” (2 Cor 5:20). This representation from the vertical direction corresponds to the expression *agere in persona Christi*¹³—occasionally accompanied by the addition of the words *Christi capitis*¹⁴—as found in the Second Vatican Council. In using this expression, the Council is simply following Tradition. It is applied to the priest alone in the Council texts.

Like Christ (but it must be stressed only *like* him) there arises from the vertical direction of the representation of Christ before men also a special horizontal direction by which the priest is capable of acting for the benefit of men (“pro” or “hyper”). Indeed, in a more intense form of this “hyper” he can stand in for every human being so as to promote their salvation.

It is at this point—the point where the official representation of Jesus Christ before men becomes a representation of man before Christ and his Father—that the life-giving mystery of priestly representation comes to light. It is at this point also that the truth of representation fits in as an inner and essential element of priestly spirituality. Again it is St. Paul who touches on this and makes the mystery concrete when he says in a decisive passage (Col 1:24): “Now I rejoice in my sufferings on your behalf. I fill up in my flesh [that is, in my apostolic life] what is wanting in the suffering of Christ for his body, the Church.” Without any doubt the Apostle is convinced that in the service of Christ he can be a bearer of Christ’s salvation through his love and his suffering for the many, and like Christ, he can mediate atonement and salvation by his vicarious action.

Such a possibility of a vicarious saving action for others is thereby opened up to man and yet remains essentially a mystery. Therefore, Pius XII in his encyclical *Mystici corporis* does not neglect to say: “This is an awe-inspiring mystery, and an inexhaustible subject of meditation: namely that the salvation of many depends... on the cooperation that pastors and faithful, ... are obliged to offer to our Divine Savior.”¹⁵ In the foregoing explanations an attempt has been made to throw some light on this mystery by returning to the history of salvation and by showing how it can be derived from the mystery of divine love. This love is such that it is always in

a kind of ecstasy, reaching beyond itself, in order to win a place in the life of the other, and there to stand in for the other. This mystery will, of course, manifest itself in all of God’s creation, above all in the sphere of what is personal and human, where such a personal exchange between the “I” and the “Thou” is already possible on the natural plane.

From this natural-philosophical knowledge we can relatively easily gather that the human person is only fully realized in a “being-with” the other [*Mitsein*] and in being for the other. From this we can understand that concepts like “shared humanity” [*Mitmenschlichkeit*] or “being-for” [*Proexistenz*], which basically have their roots in revelation, often crop up in anthropological contexts and sound quite appropriate. The question, however, is whether they are also filled with content and power in the natural order of things, or whether they are simply invitations and appeals.

In a life consecrated to Christ, especially in the life of the priest, the concepts referred to are filled with the content of supernatural reality (especially the idea of “being-for-the-other”). Because of his mission and grace from Christ, the priest can be there for the other and even stand in his place, in a manner that is fully real and really effective. In the name of and in imitation of Christ he is designated and empowered to a life for the other, both in the sense of a general “for the benefit of” (“hyper”), and in the sense of the specific “anti,” a standing in the space of or in the place of the other.

At this point there arises a whole series of questions concerning the realization of this mystery in practice, questions about the actions by which this priestly “being for others” is realized. But we do well to refrain from such precipitate questions, for spirituality is not primarily a program for action. It is an interior way of being and a spiritual basic attitude, and it is well described in the Rule of Meister Eckhart: “People should not so much think what they ought to do, but rather consider what they are. Were they only good themselves and their ways good, then their works would shine gloriously.” Along the same lines, A. Stifter says: “The best thing one person can do for another is surely what he is *for* him.” In our context this means that the question here is not primarily about actions, about doing or technology, but about being convinced of the truth regarding the reality of representation, for it is by representation that Christ gives an important structure to the life of the priest. The priest needs to have the conviction that he is

there for others and that with his whole life he stands in the place of the other, meaning that he is able to relieve him of his burden, his guilt, and his sins. In a world racked by the question of meaning, such a conviction can give a spiritual strength and a meaning that is found nowhere else in the world. Whoever can say to himself and ever anew convince himself, that in the midst of the most ordinary and the thorniest parts of the daily life of a pastor, with all its disappointments and failures, he stands in the place of countless others to whom his life in the presence of God can bring blessing and grace, that man will actually need no further affirmation, from himself or others. Most people yearn for such affirmation without ever being able to satisfy their craving, because this primitive urge cannot be satisfied by external means. This can only come to the priest from the inside, from a life for others in communion with Christ.

Naturally this mental-spiritual attitude and way of being will then also bring forth its own forms of expression, though it is not possible to make a catalogue of definite activities or behaviors. But there will be certain basic principles according to which the priesthood is lived and assumes concrete forms. Among such forms in today's world there must be counted a sincere solidarity with people, in their needs and questionings, including nonbelievers and sinners. The life for others in union with Christ will express itself also in a special openness to people and in a sense of belonging, in a turning to people as one human being to another. All the detail that still needs to be filled out in the picture can actually be gleaned from the image of the earthly Christ.

But because Jesus as a human person received the authority and intensity of his life for others from his unity with the Divine Person, the priest must also practice in his life this constant turning to God in Jesus Christ and must live in a lasting exchange with God, from whom he receives all his powers of representation. In practice this means that he ought to live out of the spirit and the exercise of ceaseless prayer. Today it is often maintained that a person should experience and realize his way of meeting God in meeting his neighbor, and that he should seek God in this way. However, it is interiorly impossible to obtain the spiritual power needed for the success of this encounter with men—for love of neighbor—from this encounter itself. Moreover, this means that the encounter with the neighbor can never replace the direct turning to God. The behavior

of Jesus as a human person in his life for others proves none other than this priority, which found expression throughout his life, in that he withdrew from the company of people into the solitude of the Father's company and prayed (cf. Mt 14:32; 26:36). Here it will also become clear to the priest that "being for others" can only be lived out of that "being with God" that takes place in prayer.

For Catholic Christians and for the priest there is yet another—indeed the highest—realization of being for the other, for the many, which actually contains all the relevant possibilities. This is the life that originates from the event in which Jesus completed his being for others, an event made present again and again in the Eucharistic sacrifice. In the Eucharist the priest, most unambiguously, takes the place of Christ as well as that of the community and all those who are potentially ascribed to it. Thus, from this position, he can most effectively represent people and at the same time bring them to God along with himself. Here he has the power, in union with Christ, to further the work of atonement and to create over and over again a space for the gracious turning of God to people.

Because the Eucharist is so essential for the realization of the idea of representation, because it presents, indeed, the cutting edge of the whole system of coordinates in which the details of the mystery of being for others are included, it should also constitute a central source of light for the priest, from which he can illuminate his whole attitude and behavior, even outside the celebration of the sacred liturgy.

This means that the idea of representation relies on a spiritual medium and a spiritual space, one in which Eucharistic devotion can develop in an integral manner. This will include especially a veneration of the mysteries of the humanity of Christ; for the humanity of Christ was the very instrument and medium of representation, from the side of God as well as from the side of humanity.¹⁶ Thus it is understandable that the priest in his ever-present human weakness, will receive special impulses for the exercise of his mission of representation from the true humanity of Christ united with the Logos. Just as our faith in the mystery of Christ comes right only in the lasting unity of God and Man, so also the idea of representation will only be fruitful when the divine and human elements are held together. Only in this way can we grasp Paul's teaching about the "breadth and length, height and depth" (cf. Eph 3:18) of representation, this special mystery of Christ. ✠

ENDNOTES

- 1 Cf. also what is probably the newest statement on this theme by N. Hoffmann, *Stellvertretung. Grundgestalt und Mitte des Mysteriums*, in *Münchener Theologische Zeitschrift* 30 (1979): 161–91.
- 2 See also a more extensive treatment in H. Urs v. Balthasar, *Über Stellvertretung in: Pneuma und Institution. Skizzen zur Theologie IV* (Einsiedeln, 1974), 401–09.
- 3 R. Bultmann, *Kerygma und Mythos I* (Hamburg, 1954), 20.
- 4 *Ibid.*, 20.
- 5 Thus H. Kessler, *Die Theologische Bedeutung des Todes Jesu* (Düsseldorf, 1971), 235.
- 6 H. Schürmann, *Jesu ureigener Tod* (Freiburg, 1975), 85.
- 7 D. Sölle, *Stellvertretung. Ein Kapitel Theologie nach dem "Tode Gottes"* (Stuttgart, 1966), 189 ff.
- 8 See also J. Scharbert, *Heilsmittler im Alten Testament und im Alten Orient* (Freiburg, 1964), 319.
- 9 See E. Zenger, *Jahwe, Abraham und das Heil aller Völker – ein Paradigma zum Thema Exklusivität und Universalismus des Heils*, in *Absolutheit des Christentums* (QD 79), ed. W. Kasper (Freiburg, 1977), 39–62.
- 10 G. v. Rad, *Das Erste Buch Moses, Das Alte Testament deutsch 2/4* (Göttingen, 1958), 179–80.
- 11 *Ibid.*, 181.
- 12 L. Winner, *Sühne im interpersonalen Vollzug* (Paderborn, 1978), 147 ff.
- 13 *Sacrosanctum concilium*, 33; *Lumen gentium*, 10, 28.
- 14 *Presbyterorum ordinis*, 2.
- 15 *Mystici corporis* (A. Rohrbasser, *Heilslehre de Kirche* [Fribourg, 1953], 489). Note: The German rendering of the Latin speaks of a “schaudererregendes Mysterium,” a mystery that makes one shudder, awe-inspiring. The official English translation (Vatican website) renders the same text simply as “a deep mystery” (translator).
- 16 For the dogmatic teaching on the veneration of the humanity of Christ, see the 5th General Council of Constantinople of 553: DH 431. See Heinrich Denzinger, *Enchiridion symbolorum, definitionum et declarationum de rebus fidei et morum: Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, Latin-English, 43rd ed., ed. Peter Hunermann, (San Francisco: Ignatius Press, 2012).

NaProTECHNOLOGY[®]: A Remedy for the Injustice of IVF

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Over the years, physicians trained in NaProTECHNOLOGY[®] have raised serious concerns over the endemic practice of *in vitro*² fertilization. What seems to dishearten them and their pro-life colleagues the most is the callous habituation of our culture toward the enormous moral tragedy of IVF. Even among those who recognize the overt evil of its ancillary practices—the intentional destruction and cryopreservation of spare embryos—there is a tendency to lose sight of the fact that something is still *very* wrong with the essential act of producing human life in the laboratory. My focus here is to show the immorality of even the “simple” form of IVF (the production and transfer of a single embryo formed from the couple’s own gametes).

Another source of concern for NaPro physicians is the lack of an effective correction to the evil of technological reproduction. I am *not* proposing that, as an effort to cure the moral sickness of IVF, NaPro

specialists should engage in some sort of activism extraneous to their clinical practice. Quite the contrary, I am inviting them to be consciously aware of the moral power of what they are *already* doing. With the sterling goal of their NaPro approach to infertility (namely, to assist the couple to conceive a child within their marital act of love) NaPro physicians are redressing two evils of IVF. (1) It is immoral to replace the marital act of love with technological reproduction, for this practice unjustly denies the child unconditional acceptance and foundational equality with his parents.³ (2) Collaterally, there is mounting public opinion to impose an unjust condition on the freedom of conscience for clinical practitioners.

The proper approach to the moral analysis of IVF must be within the purview of the virtue of justice, as is the case for any act that involves one’s relationship to another.⁴ Here I will consider various ethics consultations with infertility clients to exemplify my thesis that IVF spawns both essential and accidental evil, but that NaPro infertility practice constitutes a medical-moral remedy for these injustices.

I. A NaPro Practice: A Remedy for the Interpersonal Injustice of IVF

Background

Consider the cases of two couples who resolved their infertility issues by quite different means. The first couple initially contacted me with a question about the ethics of IVF. As a result of our conversation they decided to pursue NaPro technology rather than *in vitro*. Thanks to the assistance of a physician who used NaPro protocols successfully to treat the pathologies causing their infertility, they were able to conceive each of their three children through natural acts of sexual intercourse. The second couple chose to generate a child technologically through *in vitro* fertilization. They opted for the “simple” form of IVF—the production and transfer of a single embryo formed from their gametes—in order to avoid what they thought was immoral about *in vitro*, viz., the deliberate destruction of some human embryos and the cryopreservation of others.

As God would have it, both couples were longtime friends and confidants, and serious Catholics. They exchanged notes (numerous times) explaining the reasoning process behind what they had done to resolve their infertility. Both knew the joys of having a baby. Both seemed satisfied with their treatment choices. But when the IVF couple failed to get pregnant after a second round of *in vitro*, the disquiet that had haunted them during their first attempt returned with a vengeance. This time they were determined to get to the bottom of their moral unease. Was it some sort of misplaced guilt? Or was it an intuitive response to a moral problem they had not articulated but is, I think, intrinsic to even the “simple” form of IVF?

To pursue the question, both couples agreed to study *Donum Vitae* and to refine their insights and questions by discussion with one another and with me. During our first consult I reminded them of the theological template for human *procreation*: the moral and anthropological truths that are revealed in the scriptural account of God’s creation of the human being. In the second consult, I used this template to help them evaluate the morality of the treatments they had chosen, to find the answers to the questions that their discussions of *Donum Vitae* raised, and to identify the basis for the

moral unease that the first couple had begun to experience. Let me turn now to the didactic element that I offer in such consults. Even though an actual consult involves much bilateral discussion, I present it here in the form of a monologue, so as to focus on the moral content that I try to present.

First Consult

Donum Vitae shows us that God’s creation of the first human beings is the Template—the Blueprint, if you will—for human *procreation*.⁵ The opening chapters of *Genesis* present two different narratives describing the creation of the human person.⁶ These chapters are not only a portal through which we can grasp how God provided a way to understand his own nature and the nature of the human being, but also a way to understand and evaluate various fundamental relationships: between God and human beings, between human beings and the natural world, and between one human being and another.

God’s decision to make man *in his image* sets the human being apart from all other created things. In the first creation story we see how he generates the entire spectrum of things in the world—oceans, sun, moon, stars, plants, and animals—all this is done by his command: “Let there be . . .” But to highlight the exceptionality of the human being, God utters words saturated with his love: “Let us make man in our image, after our likeness” (Gen 1:26). Who is the original image of God and thus the pattern for us human beings? St. Paul tells us that Christ “is the image of the invisible God, the firstborn of all creation” (Col 1:15). God the Father loves his Son unconditionally, and Jesus, in turn, reveals to us the meaning of this unconditional love: “No one has greater love than this, than to lay down one’s life for one’s friends” (John 15:13). His unconditional love shows forth the same radically self-giving love that the Trinity shows in creating every human person. When read in the light of the revelation in Christ, *Genesis* teaches that God creates every person in his own image and loves every human person *unconditionally*. This image and this love elevate man above all other created things.

The second creation story confirms the uniqueness of human nature by stressing the powers of knowledge and love that God gave to human persons. The story pictures the Creator scooping up clay from the earth and breathing life into this inert matter. It is a critical point. God shares the breath of his divine nature,

including his wisdom and love, with man and *only* with man. The distinctive human powers of rationality and self-determination, the capacity to know what is true and to choose the true good, are designed to orient the human person to God and to set the human being *above* the rest of the universe. In contradistinction to objects found in the world, the human being is also a subject—an embodied, intelligent, and free person whom God willed to “be left in the hands of his own counsel.”⁷ In this way, Genesis highlights the truth that all human beings can take delight in the fact that they exist simply because God desires, causally wills, and unconditionally loves them.⁸

In a gesture that underscores the uniqueness of man’s rational nature, God immediately assigns to human beings dominion over the various creatures of the earth. He settles the man in the Garden of Eden “to cultivate and care for it” (Gen 2:15). God invites the man to name the animals and thereby makes human beings his agents. He shares his absolute dominion over the universe by assigning man a secondary dominion over the “fish of the sea, the birds of the air, the tame animals, all the wild animals, and all the creatures that crawl on the earth” (Gen 1:26).

Implicit in this passage are the parameters of man’s dominion. The way in which a human person is to exercise his primacy over things is by respecting the nature of each type of creature, and especially his own nature as a person. He must never consider any human being merely at the level of a thing. For this reason, a child⁹ may not be used as an object or a mere instrument for the fulfillment of the desires of his parents. Rather, parents ought to love the children whom they bring into existence in the same way that the Creator loves every human being to whom he gives existence: with an unconditional acceptance. The human being must be recognized as good, independently of the desires of others and independently of acceptance by others.¹⁰ To use the Creator’s declaration, the existence of each person is *very* good.

As *Genesis* shows, the creative love of God bestows on each human being a unique dignity as an *imago Dei*. The fact that God loves every human being unconditionally and creates each person in his image explains why every human being has an innate desire to be accepted as a person and to be loved unconditionally by others. This universal desire to be loved without qualification manifests the equal dignity and worth of all human beings.

This fundamental law of human equality is the basis for the demands of interpersonal justice: that each human being must render to others the unconditional love that is his due. As Jesus teaches: “Do to others whatever you would have them do to you” and “Love your neighbor as yourself.” The Golden Rule is an important way to formulate our duty to render to the other what is his due. I must accept other individuals unconditionally just as I would want to be accepted in that manner.¹¹

We should also consider the scriptural doctrine on procreation. By picturing the creation of the woman from the side of the man, *Genesis* (chap. 2) signifies her equality with him. By virtue of her rational intelligence and freedom, the woman is able to join the man in exercising responsible obedience to God’s commands: “be fertile and multiply; fill the earth and subdue it” (Gen 1:28). In his teaching on divorce,¹² Jesus directs our attention back to the beginning, back to *Genesis* and to God’s original plan for human procreation. By combining what is said about procreation in chapter 1 (“be fruitful and multiply”) with what is said about the unitive dimension of marriage in chapter 2 (“for this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh”), Jesus teaches us why divorce is against the couple’s good. Only the security and commitment of a marriage that lasts unto death can be the proper context for the procreation of a new human being. Just as the married spouses form an unbreakable bond in their two-in-one-flesh union, so too the unitive and procreative meanings of their marital act of love are inextricably linked.

The divine plan for human procreation is this: In the same way that God brings everything into being out of his radical self-giving act of love, so too ought the life of a baby come to be as the result of his parents’ bodily act of self-giving love. Only through their marital love will parents be able to receive a child as he truly is: a gift to be loved unconditionally, that is, just because he exists. Only in the context of their bodily act of love and union are parents able to fulfill the demands of justice: they are to love their child unconditionally as a person equal to them, that is, to recognize the goodness of their child independently of their desires and their will. The existence of their child depends solely on the will of God, the one who fulfills their desire for a child.¹³

Second Consult

The objective of the second consult is to use the moral and anthropological truths about the creation of the human being as a way to evaluate the morality of the treatment choice of each couple: NaProTECHNOLOGY® for the one, IVF for the other. These truths will help to provide answers to questions about *Donum Vitae* and to identify the legitimate basis for moral unease with IVF. God's creation of the human being provides a template against which couples can measure the moral goodness of their choices in regard to procreation. An important passage in *Donum Vitae* reads thus:

In his unique and unrepeatable origin, the child must be respected and recognized as equal in personal dignity to those who give him life. The human person must be accepted in his parents' act of union and love. . . . In reality, the origin of a human person is the result of an act of giving. The one conceived must be the fruit of his parents' love. He cannot be desired or conceived as the product of an intervention of medical or biological techniques.¹⁴

This passage deserves careful consideration for the questions that it raises: (1) Why, precisely, does the Church insist that the generation of a baby within the marital act provides the only way for parents to respect and recognize the child as someone "equal in personal dignity" to them? (2) How, specifically, does the IVF parents' reception of their child deny his dignity and personal equality to them?

We can begin to formulate an answer by reflecting on what an infertile couple means when they say: "If only we could have a baby!" or "We really want (desire) a baby!" Everyone would agree that statements like these express a legitimate desire, for (all things being equal) it is better for a couple to have kids than to be childless. Most people experientially recognize that this desire is a perfectly natural one—living proof, in fact, that the Church is right to insist marital love reaches its perfection in giving life.

But the reason why we think the desire of an infertile couple for a child is a good thing is not simply "because it is good to have desires, and the generation of a child fulfills those desires!"¹⁵ Of course not. We think that an infertile couple's desire for a baby is good by the fact that the object of their desire—the baby—is a good. And the baby is a good, not because he fulfills his parents' desires, but because his existence, entirely

independent of their desires, in and of itself, is a good. According to the demands of justice,¹⁶ a baby must be recognized by his parents as an intrinsic good. The focus of the parents' desires shapes and differentiates the way in which they evaluate their child's existence. When the existence of the baby is a central focus for its parents, they, in effect, say "the fulfillment of our desires is good because now a new life has begun." But when parents place the fulfillment of their desire for a baby at the center, it is tantamount to admitting that what they mean is something like: "it is good for us to have a baby because, by having him, our desire has been satisfied."

What helps us make sense of these opposing parental attitudes is Aristotle's distinction between two ways in which human beings might want something. The first type of wanting takes the form of "to desire" while the second type takes the form of "to intend." My wants as desires do not necessarily lead me to concrete actions. They remain at the level of simple wanting or hoping. Therefore, if I eventually get the thing I was hoping for, I might consider it, not as a product of my own doing or making, but as pure luck or pure gift.

When my wanting, on the other hand, is an intending, it is aimed at something that I am unable to do right now but that I believe I will be able to do as soon as I convert my intention into concrete actions. Hence, when my wanting is in the form of an intention, it directs me to search for a means, that is, to find concrete actions that will realize my intention. I perform these actions deliberately, that is, with the intention of obtaining whatever it is that I want. When I obtain the thing I intended, I accept the wanted thing as the object or product of my own doing or making, as a product of my causative will.

Aristotle's explanation of the two ways in which human beings want something confirms a connection that is consistently observed between the desires of NaPro and IVF parents and the intentional actions that follow from those desires.¹⁷ A NaPro couple takes reasonable steps to remove the disease impediments to their infertility. The typical form of their wanting is the simple wish that a baby might come from their loving act of intercourse as its fruit or its crown. This form of "wanting a baby" inclines them to accept and welcome their child's conception, gestation, and birth as a miracle or a gift. What is more, I have also noticed two additional dispositions in NaPro parents that lend credence to the legitimacy of their desire for a baby. First, they tend to be just as ready to accept the occasions when their desire for a baby is not fulfilled (i.e., when they do

not conceive), and second, they accept and give assent to a child who is either not “planned” or who, because of health or congenital anomalies, did not turn out to be everything they had hoped for.

What is the NaPro couple willing (that is, intentionally, voluntarily, deliberately doing) when they engage in an act of marital intercourse with the strong desire for a baby? Their desire does not direct them to a concrete act with the sole intention of generating a baby. The marital act is not primarily a “means” by which the couple reach the goal of a “child.” Only in its natural or biological structure is there a means-end link between copulation and procreation, and only on that level is the conjugal act a means to generate a baby. But by the fact the NaPro spouses also choose to engage in marital intercourse during times of infertility (and thus to strengthen their union) is a testimony to the transcendent character of the marital act. The marital act is *more* than its procreative meaning. It is a personal act. In its personal structure (rather than being only or primarily an act that is a means for the generation of a child) it is *an act of love*. It is an act in which the spouses integrate their sexual inclinations, passions, and fertility into the level of reason and will, the personal level of love and union.

What the NaPro spouses are *intentionally doing* when they engage in an act of marital intercourse with a strong desire for a child is to *exchange love*—to make a complete, reciprocal gift of self—and to join their embodied selves, one to the other.¹⁸ Their personal act of love becomes the occasion of procreating a new human life with God, so that the life of the new human being originates from the causative act of God’s loving will and arises from within his parents’ act of love. Thus we can see that the marital act is not only carried out with an explicit desire or intention to generate a baby but also to exchange love.¹⁹ The NaPro couple having intercourse with a deep desire for a child are consciously aware that from within their intimate exchange of embodied love a new human life could come. They place their marital acts of love at the service of life.

I observe a completely different intentionality in a couple’s decision for actions of IVF and its execution. As soon as the couple decides to do IVF, their previously legitimate desire (“we wish we could have a baby”) changes into quite a different sort of intention (“we *will* generate a baby, no matter what!”). But this intention reflects the erroneous mentality that a couple has a right to a child. It is easy to lose sight of the reality that a child is a gift, not a piece of property. Although

parents have a right to the marital act, they do not have a right to a child. And if there is no right, there cannot be a legitimate exercise of a means. The intention of the IVF couple to generate a baby, based as it is on this flawed idea that having a child is a right, *does* direct them to find a means to realize that end.²⁰ And the means they choose are the concrete actions of IVF: oocyte collection, fertilization, and embryo transfer. By executing these actions the couple intends to fulfill their desire to generate a baby. Thus, the couple’s sole intention in their choice and execution of the actions of IVF is to fulfill their desire for a child. It is a logical impossibility for a couple to choose and execute the actions of IVF without the intention to generate a baby. Proof of this is the fact that when repeated rounds of *in vitro* are unsuccessful, the couple cease and desist. They stop doing the actions involved in IVF. But, as already noted, NaPro couples who do not get pregnant from their fertile acts of intercourse do not tend to stop having sexual intercourse because of it. They understand that the marital act does not lose its personal essence of love when it does not end in a pregnancy. In contrast to the NaPro couple who place their marital acts of love at the service of life, the IVF couple place their technical actions at the service of the fulfillment of their desire for a baby.

Typically, when husband and wife conceive a child within a bodily act of unitive love that includes the explicit desire for a baby, they recognize that it was not they who “made” or “created” their baby; rather, a Power beyond theirs—God—did it. Although one spouse may have quipped to the other “let’s make a baby,” both recognize that the natural processes of fertilization took place after but independent of their direct control. As a result, they can welcome the new life of their baby only as it truly is: a pure gift, the crowning gift of their marital love. Since their reciprocal act of self-giving love was open to life (that is, the husband and wife provided the human gametic material of ovum and sperm), they were procreators with God by placing their act of love at the service of life, at the service of God’s desire, his causative will, and his love.

The child conceived within his parents’ act of intercourse is not the object of his parents’ making, but the fruit of their love. Since the desire of the NaPro parents did not relate to something that was solely in their power to do (to generate a child), their desire is not the only *cause* of their child’s existence. Oftentimes, the NaPro parents realize the existence of their baby depends not only on their will but on the will of God

who fulfills their desire. Their desire is to respect the child as a gift freely given by God. Hence, the intentionality exercised in the conjugal act by the NaPro couple is unconditional love for the baby. It would make no sense, then, for the NaPro child to say to his parents: “I exist because, and only because, you desired me.” The NaPro parents did not will the existence of their child; they only hoped for it. Therefore, they accept and love their child unconditionally—just because he exists—and value the goodness of his existence independently of their desires, their will, or their love. This provides the NaPro child the perfect opportunity to relate to his parents as an equal, as someone who, like them, desires to be loved in and for himself. Thus, as the NaPro child matures, it would make perfect sense for him to say to his parents, in effect: “I exist because you desired to make a gift of yourselves within a bodily act of union that was engraved with your deep desire for a baby; I came to be as the gift of God and the fruit and the crown of your act of self-giving love.”

The NaPro child, even if only subconsciously, feels gratitude to his parents. He cherishes his parents’ unconditional love. He possesses an existential appreciation for the fact that his parents freely provided the occasion and the gametic material so that God, according to his good design, chose to bring him into being. The NaPro parents, in turn, relate to their child as someone who is their equal, a rationally intelligent and self-determining person who desires to be loved in and for himself, just because he exists. As a result, the NaPro child relates to his parents with a sense of existential independence. He feels free to become, not primarily the person his parents desire him to be, but the person God wishes him to be. The NaPro parents receive and love their baby in the only way they ought to relate to someone who has deliberately been willed by God: as a gift, as an end in himself, as a person in his own right.

By contrast, the actions of IVF—the technical simulations of the mere procreative structure of the marital act—sunder the link between procreation and the act of sexual love. These actions deny a new human being the reciprocal self-giving act of its parents’ marital love. Therefore, the act of generating new human life *in vitro* becomes an artificial technique whose fundamental character is completely different from the natural process of fertilization within the marital act. Separated from the interpersonal communion of spousal love, the fertilization of an embryonic human being in a petri dish becomes nothing more than a rational, productive action oriented to a goal. The parents’ intention to generate a

child by means of IVF treats the child as a product and reduces him to the object of their production.

For this reason, IVF parents make the life of their child depend on their desires, on their will and, therefore, on their power. Such power sets the IVF parents over against their child by creating a relationship riddled by gross inequity. The IVF child could think and, in effect, say to his parents: “I came to be *only* on the condition that your desires for a baby would be satisfied.” The child, once he is old enough to reflect on his beginnings, might also think: “I exist to vicariously fulfill my parents’ hopes and dreams.” But this sort of existential dependence would contradict the child’s fundamental equality with his parents and all other human beings.

What is more, IVF parents and doctors create the child in their own image. They manufacture the child according to their own eugenic and developmental criteria. Instead of saying to the child, “We accept you because and in the measure in which you exist,” they in effect say, “You live because and in the measure that we desired you.” As the product of his parents’ will, the baby becomes a mere means, an instrument, for the satisfaction of their desire for children. There is no other way to put it: the parents *use* the child as an instrument to fulfill their desires. They, in effect, say to the child: “It is good for us to have you because, by having you, our desire for a baby has been realized.” In practical terms, should the IVF parents’ original attitude of instrumentalization continue beyond birth, it could mean they might regard the child, should his mental or physical development be compromised, as a frustration, a disappointment, as someone who falls short of meeting their desires and expectations. In this case, the injustice of the IVF parents’ relationship to the child would pose an even greater threat to his personal equality and dignity.

The distinctive intentional parent-child relation of IVF explains the fundamental immorality of the “simple” form of *in vitro* and the moral significance of the “conjugal love vs. technology” contrast discussed in *Donum Vitae*. The fertilization of a human being in a petri dish is an intrinsically moral evil not only because it circumvents one fact of nature (the natural link between copulation and procreation) but also because it is against the whole of human nature. The will of the parents to generate their baby within an act of production contradicts the unconditional acceptance of the child that alone accords with reason, that is, comports to the child’s nature as a human person. IVF parents deny their child’s fundamental equality with them by

refusing to love the child in the manner in which they (and all human beings) want and need to be loved, that is, unconditionally, just because they exist. As such, the IVF parents' conditional love for their child—accepting him on the condition that he fulfills their desires—contradicts a principal demand of *justice*, the Golden Rule. In this case the parents accept their child in a manner in which they would not want to be accepted. Seen in this way, the will of IVF parents to produce a child technologically opposes reason precisely in its opposition to justice, a basic component of human rationality.²¹ Therefore, the conditional acceptance of the baby that necessarily characterizes the attitude of IVF parents is fundamentally immoral because it is unjust.

Understanding these points has prepared us to answer the first question raised about *Donum Vitae*. The reason why “the Church insists that the generation of a baby within the marital act provides the only way for parents to respect and recognize the child as someone ‘equal in personal dignity’ to them” is this: the act of marital love is the only reproductive context in which parents are able to welcome and love their child *unconditionally*—as a gift—as someone whose mere existence is, already, *per se*, a good. And, loving their baby unconditionally is the only way in which parents are able to accept their child justly, as is his due: as someone equal in personal dignity to them. Hence, the way in which spouses conceive their child is a faithful icon of the way God unconditionally loves the human being into existence.

We are now also able to answer the second question: How, specifically, does the IVF parents' reception of their child deny his personal equality to them? By refusing to love the child in the manner in which they want to be loved, that is, *unconditionally*, just because they exist. In effect, IVF parents deny the child's fundamental equality with themselves. As such, their conditional love for their child contradicts the principal demand of justice, the Golden Rule: The parents accept their child in a manner in which they would not want to be accepted. Hence, the way in which spouses produce their child through IVF is not a faithful icon of the way in which God unconditionally loves the human being into existence.

It follows that the moral unease experienced with the couple's decision to use the “simple” form of IVF is not some sort of misplaced guilt. It is evidence of an inner moral sense that summons a person to the objective truth of loving and pursuing the good and avoiding evil. An intentional choice to undertake the “simple” form

of *in vitro* does not mean that a person has fully understood the objective injustice of this action. A person's moral culpability could be diminished in proportion to one's ignorance. But when one has understood, one needs to take up the cross of infertility and seek treatment that respects the right of every child to be generated in the way that befits his dignity as an image of God. As I see it, seeking the care of a NaPro specialist is a win/win option: It offers a good possibility of resolving an infertility problem, and it optimizes the chances of conceiving a child, as is his due, within a marital act of love.

II. A NaPro Practice: A Medical Remedy for the Social Injustice of IVF²²

Today IVF is rarely, if ever, done in the “simple” form analyzed here. The almost universal inclusion of overtly evil ancillary practices—the deliberate destruction and cryopreservation of embryonic human beings—only serves to compound the injustice of the laboratory fertilization of human life. So, in its normative practice, IVF is a mode of action by which parents and doctors intentionally deny the child not only his fundamental right to be loved unconditionally (i.e., to be conceived, gestated and born into marriage) but also the child's basic right to life.

IVF, with its endemic attack on these two most fundamental of all human rights, slowly but surely, spawns a mentality that, in a viral fashion, infects the way in which people think about every other basic human right. If we can suppress the most fundamental of human rights with impunity (IVF, after all, is almost universally legalized), then what's to stop us from limiting other human rights? The IVF mentality swaps the idea of the unconditional existence and exercise of basic human rights with the notion of a conditioned existence and exercise. As a result, the mindset of our contemporary society favors the idea that all basic human rights ought to be awarded and exercised according to conditions set down by external institutions and authorities.

NaPro physicians are painfully aware of the growing private and public attitude that would favor arbitrary limitations on the basic freedom to exercise their well-formed consciences in the halls of medicine.²³ They witness a cavalier attitude among medical

accrediting agencies, for these external authorities pretend not only to grant the right of religious liberty to NaPro specialists like themselves but also to dictate when, where, and to what extent it may be exercised. Arguably, by means of their serene, persistent, and courageous provision of NaPro care to their infertility patients, NaPro doctors help to inoculate society against the resultant viral injustice of conscience-coercion within clinical medicine. The societal will toward a conditioned practice of the basic right to follow conscience breaks against the medical-moral integrity of their NaPro practice, against the evidence that their infertility protocols are medically successful—promoting the good of women and child-friendly obstetrics and gynecology—and morally valuable—defending the basic human goods of life, procreation, marriage, and family. As such, their NaPro practice, *in se*, stands as a direct challenge to the gross injustice of an IVF mentality that would place political restrictions on their right to practice medicine in accord with a faith-formed conscience.

On this topic *Gaudium et Spes* eloquently teaches:

Through loyalty to conscience, Christians are joined to other men in the search for truth and the right solution to so many moral problems which arise both in the life of individuals and from social relationships. Hence the more correct conscience prevails, the more do persons and groups turn aside from blind choice and try to be guided by the standards of moral conduct.²⁴

Conclusion

Consequently, the NaPro alternative to IVF—the medical facilitation of the conception of new human life within an act of spousal love—constitutes an exact *remedy* for the primary and secondary injustices of IVF. To my mind, that is an *effective* correction indeed! ✕

ENDNOTES

- 1 NaProTECHNOLOGY® is a versatile, universal women's health science developed by Dr. Thomas W. Hilgers and his medical colleagues at the Pope Paul VI Institute. Evolving over four decades of clinical research, Natural Procreative TECHNOLOGY (NaPro for short) utilizes a standardized and prospective system of cyclic charting whose biofeedback is critical in helping women understand their health and fertility. One abiding hallmark distinguishes its forty-year history. The important goals of a woman's healthcare—the regulation of fertility and the identification and treatment of reproductive abnormalities—are realized in cooperation with her natural procreative cycle.
- 2 The term *in vitro* is a Latin phrase meaning in glass. Previously, experiments involving tissue cultures outside of the living organism were done in glass containers such as beakers, test tubes, or petri dishes. Now that these containers are usually made of plastic, the term *in vitro* is used generically to distinguish laboratory simulation of processes that normally occur *in vivo*, or inside the body (in IVF, for example, the fertilization of a human being).
- 3 My analysis of the fundamental immorality of the "simple" form of IVF relies on the arguments developed by Fr. Martin Rhonheimer, "The Instrumentalization of Human Life: Ethical Considerations Concerning Reproductive Technology," in *Ethics of Procreation and the Defense of Human Life* (Washington, D.C.: The Catholic University of America Press, 2010), 153–78. At the outset of his moral analysis of technological reproduction, Rhonheimer makes it clear that his thesis—that the "simple" form of IVF is fundamentally immoral because it is unjust—concur exactly with that of German philosopher Robert Spaemann. Rhonheimer references the conclusion of Spaemann's response article to *Donum Vitae*: "Regarding the baby conceived in a test tube, he is naturally, like every other baby, a creature in the image of God, and must be respected as a person. Nevertheless, the way in which he has been produced is unjust. It violates the fundamental equality of all people, which finds expression in the fact that every person—including the person's parents—owes his life to nature" ("The Instrumentalization of Human Life," 157). I was instinctively drawn to the conclusions of both these scholars and the supporting rationale developed by Rhonheimer because they mirrored perfectly my practical experience in eighteen years of consultations with infertile couples, some of whom had done IVF, others of whom opted for NaPro technology. I depart from Rhonheimer's analysis insofar as he suggests that, because of the immorality of the "simple" form of IVF, the only moral option for infertile couples is adoption. My contribution here is not only to present NaPro infertility protocols as an effective medical and moral treatment option to IVF. But it is also to highlight the fact that, when medical consultants apply NaPro technology to their infertility patients, they are redressing both the fundamental evil of IVF and the secondary evil of the IVF mentality.
- 4 The virtue of justice perfects the will in respect to seeking the good of others. Human beings naturally tend to regard other people as their friends and equals. They consider the natural principles of justice that are summarized in the Golden Rule ("Do unto others what you would have them do unto you") and in "Love your neighbor as yourself" as reasonable and, in theory, as requirements that they can fulfill without the acquisition of the virtue of justice. But when it comes to the level of our habitual dispositions, we humans know, in our wounded, sinful condition, that we habitually tend to seek our own good and to prefer our own good over that of the other person. In other words, our habitual tendency to seek our own good is stronger than that of seeking our neighbor's good. Thus, our reason and our will do need to be habituated by the virtue of justice so that we can seek the other's good as consistently, readily, and joyfully as we seek our own. Conceiving a baby within an act of marital love enables the couple to readily and consistently give their child the unconditional love that is his just due: what is his own, what is his due by right of his person and personal dignity. Producing a baby through IVF—placing the fulfillment of their own desires for a baby over the intrinsic good of the child—disables the couple from giving the child what is his due as a person. "Justice, then, by its very essence has to do with the relationship with one's fellow human being: to the other as a person: to the life, physical integrity, material and spiritual goods that

belong to him.” Cf. Martin Rhonheimer, *ang2057 The Perspective of Morality* (Washington, D.C.: The Catholic University of America Press, 2011), 230–32.

The thesis of this article shows how the will of the IVF couple expressed in its decision for the actions of IVF and its execution is corrupted by the vice of injustice, as it denies the technologically produced child the unconditional love that is the child’s due by right of his dignity and personhood.

- 5 Sacred Congregation for the Doctrine of the Faith, *Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation [Donum Vitae]*, Introduction §1 (Boston, MA: Pauline Books & Media, 2003 [1987]), 17.
- 6 A synthesis of: (1) *Genesis*, chaps. 1–2; (2) Austin Flannery, O.P., ed., *Gaudium et spes: The Church in the Modern World* §11–52, in *Vatican Council II: The Conciliar and Post Conciliar Documents* (Northport, NY: Costello, 1975), 912–57; (3) *Catechism of the Catholic Church* (Chicago: Loyola University Press, 1998), 337–73; (4) John Paul II, *Evangelium Vitae* (Vatican City, 1995), §34–35; (5) USCCB Commentary on the first and second chapters of *Genesis*: <http://www.usccb.org/bibl/scripture.cfm?bcv=01001006>; and (6) Colleen McLean, “A Catholic Commentary on Creation” (May 6, 2013): <http://spokanfavs.com/a-catholic-commentary-on-creation/>.
- 7 *Gaudium et spes*, §17.
- 8 Cf. Rhonheimer, “The Instrumentalization of Human Life,” 171.
- 9 The personhood of the human child, born and unborn, is presupposed throughout this paper. For a detailed demonstration of the personhood of the human embryo, see my discussion in “NBAC and Embryo Ethics,” *National Catholic Bioethics Quarterly* 1, no. 3 (Summer 2001): 163–87.
- 10 Cf. *ibid.*, 170 *et passim*.
- 11 Cf. *ibid.*, 177.
- 12 Cf. Matthew 19:1–9 and Mark 10:1–12.
- 13 Cf. Rhonheimer, “The Instrumentalization of Human Life,” 168 *et passim*.
- 14 *Donum Vitae*, Part II, section B, chapter 4C.
- 15 See “NBAC and Embryo Ethics,” 174.
- 16 See n. 3 above.
- 17 Discussions with our staff psychologist, Dr. Kelly Morrow, and some of our nursing staff made me aware that some NaPro infertility patients also drift into a twisted form of desire that manifests itself—as it necessarily does with the IVF couple—with the intention to have a baby (naturally), no matter what! If so, such desire would shape the intentionality of their marital acts (just like it does the IVF couple’s actions) and result in the same injustice toward the baby, loving him not in and for himself, but because he is the means or instrument of fulfilling their desires for a baby. Although this has not been my experience with my NaPro infertility clients, I can certainly understand how this sort of intentional desire could occur, given the intensity with which some infertile couples desire a child. It is paramount to seek good moral and psychological guidance as the infertile couple attempts to seek infertility treatment.
- 18 Aristotle divides human actions into two kinds, *praxis* and *poiesis*. The first activity, *praxis*, is a doing that is an end in itself; the second activity, *poiesis*, involves a making or producing that is a means to an end, the product. The marital act is of the first variety, *praxis*, i.e., a doing: an activity desired for its own sake: to reciprocally express love. This in contrast to the actions of IVF, a *poietic* activity: the actions of the “simple” form of IVF (oocyte collection, fertilization, and embryo transfer) are not desired for their own sake, that is, they have no intrinsic value, save they are a means to the goal, the product (the child) that is being created or produced. See Oded Balaban, “*Praxis* and *Poesis* in Aristotle’s Practical Philosophy,” *The Journal of Value Inquiry* 24 (1990): 185–98. See also Rhonheimer, “The Instrumentalization of Human Life,” 166.
- 19 I spoke with a woman who used Creighton Model FertilityCare™ System solely to have a baby. Because she despised her husband but did not want to divorce him for the sake of the children, she would only consent to sexual intercourse on her peak day of fertility and only when she wanted another child. She had five children and just about as many times of intimacy with her husband. We spent most of our consult time discussing what it means for a couple to engage in marital intercourse

that is truly human, that is truly marital, as a reciprocal act of self-giving love. As *Humanae Vitae* explicitly states, it is good for couples to engage in intercourse during their infertile times to express and strengthen their bodily union and love. Any act of intercourse that lacks this personalistic dimension of an exchange of love—because it is done only as a means to generate a child—deviates from the true meaning of the conjugal act and fails, proportionately, to help the couple develop a healthy marriage.

- 20 See previous footnote.
- 21 See n. 3 above.
- 22 While Rhonheimer speculates that the practice of IVF could change the way in which society looks at basic human rights generally, I argue that the endemic practice of IVF has changed society’s notions of the exercise and origin of fundamental human freedoms such as the basic right to follow one’s well-formed conscience. Just as there is a contraceptive mentality that has grown out of almost seventy years of widespread use of contraception and sterilization that has neutralized the evil of the direct suppression of the procreative meaning of the marital act, so also is there an IVF mentality that has grown out of almost forty years of IVF (which, in its normative practice includes the direct destruction and cryopreservation of embryos) that neutralizes the suppression of the two most basic of human freedoms: the right to life and the right to be conceived, gestated, and born into marriage. Cf. Rhonheimer, “The Instrumentalization of Human Life,” 174–76.
- 23 Examples of conscience coercion in medical practice are ubiquitous. The following are representative of the problem: In the U.S., the ethics committee of the American College of Obstetricians and Gynecologists published a statement severely conditioning the exercise of conscience among ACOG members. The American Board of Obstetricians and Gynecologists (ABOG), the body responsible for certification of OB/Gyns, joined forces with ACOG to stipulate what constitutes “cause” for revocation of certification: “Cause in this case may be due to, but is not limited to, licensure revocation by any State Board of Medical Examiners, violation of ABOG or ACOG rules and/or ethics principles or felony convictions” (ABOG, 2008, 11). Since the ACOG ethics committee statement on conscience restrictions is labeled as “opinion,” it is difficult to say whether it counts as official ACOG “ethics principles.” If it would, the adverse professional consequences for conscientiously objecting ACOG members could be formidable.
- In Canada, the Ontario College of Physicians and Surgeons is conducting a policy review of their current statement on conscientious objection, which reads: “Doctors have the right to refuse treatments and procedures for religious or moral reasons as long as they communicate their position clearly, advise patients of all potential options, advise patients they can see another physician and treat patients with respect.” In their review of the human rights code, the OCPS are consulting both the public and doctors for their opinions and feedback on the validity of conscientious objection in medicine. As of this writing, results do not augur well for maintenance of OCPS’s current policy. To the poll question “Do you think a physician should be allowed to refuse to provide a patient with a treatment or procedure because it conflicts with the physician’s religious or moral beliefs,” 70 percent of online participants have answered in the negative.
- In Britain, the Royal College of Obstetricians and Gynaecologists Faculty of Sexual and Reproductive Healthcare has ruled that doctors and nurses who object to contraception or the morning-after pill are ineligible for “diplomas in sexual and reproductive health as well as full membership of the faculty.” The *Telegraph* summarized the devastating effect of this ruling: “It bars pro-life doctors from specializing in sexual and reproductive health and also makes it much more difficult for non-specialists to get jobs in family planning or reproductive health.”
- In Poland, Dr. Bogdan Chazan, citing “a conflict of conscience,” refused to refer a woman (carrying a severely deformed baby) to another doctor who would perform the abortion. He suggested that the woman should take the baby to term and then, at birth, give it over to hospice care. The mayor of Warsaw dismissed Chazan as director of the hospital claiming he did not have the right to refuse to refer and that he had not informed the woman of her options for getting an abortion.
- 24 *Gaudium et Spes*, §16.

The Judicial Philosophy of Justice Scalia

by Jude P. Dougherty
The Catholic University of America

In this election season we can appreciate all the more the role that Justice Antonin Scalia played during his thirty years of service on the U.S. Supreme Court. There are many facets to the campaigns waged among the contenders for the presidency of the country, but none is more significant than the appointments that a president makes to the Supreme Court.

In the fifth century B.C., Heraclitus of Ephesus wrote: “The people must fight for their laws as for their walls.” After two and a half millennia, that dictum remains relevant. The rule of law is often at stake in appointments to the nation’s highest court. When it comes to interpretation of the U.S. Constitution, Justice Scalia is associated with the principle of “strict construction.” Others hold to the concept of a “living constitution.” It makes a difference, as we shall show.

In the last half of the twentieth century, the people of the United States have seen the erosion of the rule of law at the level of the federal judiciary, as federal courts, particularly the Supreme Court, have struck down many constitutional provisions and legislatively enacted laws usually associated with the protection of life, liberty, and civility. “To fight for one’s laws” requires that we first understand the source and purpose of law, its feasibility for the promotion of the common good, and its limitations as well.

If Justice Scalia is associated with a strict interpretation of the Constitution, Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit in Chicago, also a Senior Lecturer at the University of Chicago Law School, may be taken as an example of those who favor a so-called living interpretation. Posner holds that a judge has no moral or political duty to abide by the written Constitution.

Until late in the last century, all American constitutionalists treated the authority of the Constitution as axiomatic, even while acknowledging that the Constitution has frequently been rewritten in the guise of interpretation. Posner has argued to the contrary by urging that a judge’s loyalty should be directed to the official practice of the American government. From Posner’s perspective, law is a morally neutral tool for the

achievement of goals set by wholly extralegal considerations. No contested position can be considered right or wrong, better or worse, unless translated into other terms such as economic efficiency or social order.

Furthermore, the argument goes, given the complex, heterogeneous society that is the United States of America today, moral disagreement over a spectrum of social issues is inevitable. The near impossibility of consensus or even broad agreement among factions forces a court to seek a generally accepted solution. Posner will cite the abortion and other decisions of the Supreme Court, favored by the left, as generally acceptable.

Given the chasm between left and right in American politics, Ronald Dworkin, a distinguished professor of law at New York University, before his death in 2014 appropriately raised the question, “Is democracy possible here?” In his Scribner Lecture, delivered at Princeton in 2005, he attempted to identify two principles to which Americans and almost all citizens of other nations with similar political cultures could agree: (1) each human life is intrinsically of equal value, and (2) each person has the responsibility for identifying and realizing that value in his personal life.

Dworkin was convinced that democracy cannot remain healthy with deep and bitter divisions and no real agreement in the populace, for it then becomes vulnerable to a tyranny of numbers. The possibility of democracy rests on a certain unity of outlook in the populace. Although a man of the left and a Jew, Dworkin finds that he cannot ignore the nation’s debt to the Christian sources of its culture, and he even endorses what he calls “a new emphasis on religion in our politics and government.”

It does not take an acute observer of American politics to know that when the left calls for common ground, it is usually a demand for acquiescence on the part of the right, and typically, given the liberal bias of major media, the right will be intimidated and the left is likely to prevail. If following the liberal principle of neutrality between right and wrong, good and bad, means that the court must remain indifferent with respect to majority and minority claims, a new problem arises given the influx of migrants from the Middle East.

It remains for policy makers and intellectuals on the left to show how the principles of liberty and equality can be maintained when addressing the integration

of Islam within Western societies, given the Muslim demand for concessions that will enable them to live in their customary ways under their own law, the law of Shari'a. That Islam may not be commensurate with liberal principles, or that it may pose a threat to liberal societies, is yet to be honestly faced by the left, which is presently working in tandem with Islam to challenge Western society. The problem may signal the death of multiculturalism.

The problem of integrating Muslims into the United States is not confined to the left. The First Amendment to the U.S. Constitution clearly states: "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof."

How is a strict constructionist to deal with that? We look to the political philosophy of Justice Scalia for an answer. Posner and Scalia differ here. Posner would find the answer in his living constitution. Scalia would not.

Scalia would find the answer in what he called a "flexible constitution." That concept goes something like this: If you think the death penalty is a good idea, persuade your fellow citizens and then legislatively write it into law. If you think it a bad idea, persuade them the other way and eliminate it. The result will be a democratically enacted law or policy that the court can interpret without claiming that it is somehow found in the Constitution. The same is true for any other controversial issue, such as abortion, gun control, or same-sex marriage.

The discussion does not end here. What we have is a conflict between two political philosophies. Scholars can trace the origin of those policies to their well-springs in the eighteenth and early nineteenth centuries. Scalia stands in a natural law tradition with roots in antiquity, an outlook that maintains that nature and human nature are purposive in a God-given, intelligible universe. Absent that conceptual grounding, the rule of law is deprived of its rightful anchorage and becomes whatever a legislator or jurist declares it to be. We see this daily as a political class grappling for ever more power enacts laws at odds with common sense and normal human aspiration.

I would be amiss if I did not call attention to two scholarly works on the judicial philosophy of Justice Scalia. One is by James B. Staab, professor of political science at Central Missouri State University. He has

entitled his book *The Political Thought of Justice Antonin Scalia: A Hamiltonian on the Supreme Court* (Lanham, MD: Rowman & Littlefield, 2006). He finds many parallels between the personalities, character, and political principles of Hamilton and Scalia. Both favor a strong and independent judiciary that stands to strike down federal and state laws that violate the Constitution. Both advocate a theory of administration that is based on politics, not science. Temperamentally, they are alike in their aversion to compromise. Hamilton regarded compromise as the mark of "either a weak and versatile mind, or of an artificial and designing character." Scalia, as a member of the Supreme Court, has similarly shown an aversion to compromise. Staab says that he "relishes a go it alone attitude in which he sees little use to accommodate the views of his colleagues." Scalia's dis-sents, far from being gratuitous, may offer, he says, guidance to the formation of opinions by future courts.

The most recent book-length examination of Scalia's judicial philosophy is that of Bruce Allen Murphy, a professor in the Department of Government and Law at Lafayette College in Pennsylvania. Entitled *Scalia: A Court of One* (New York: Simon & Schuster, 2014), the book reinforces many of Staab's observations. At more than six hundred pages, it examines more deeply the formation of Scalia's character and philosophy. The book opens with a discussion of the Sicilian origins of Scalia's family and his early education in New York City, where he was first enrolled by his father in Public School 13, in order to be educated in the general population of New York City. His parents hoped that he would interact with many other kinds of students and not simply with fellow Catholic parochial school students. When it became clear that something more was needed if he were to be educated in the faith, he transferred to the Xavier High School, a military school run by the Jesuits on West 16th Street in Manhattan. It was there that he completed his secondary education. Antonin, it should be noted, was not the son of a poor immigrant family. His father was a professor of Romance languages at Brooklyn College. Scalia subsequently earned a B.A. in history at Georgetown University and a law degree at Harvard University. Murphy's detailed examination of the many judicial decisions in which Scalia participated provides the reader with a clear picture of his subject's judicial temperament at work. Both books reinforce the decision of George Mason University to name its law school after this great Justice. ✘

Cicero in an Election Year

by Jude P. Dougherty

The Catholic University of America

In the midst of the turmoil that characterized the mid-decades of the last century, the English jurist Sir Patrick Devlin wrote, “If a society’s laws are based on a particular world view and that world view collapses, the laws themselves will crumble.” His 1965 book, *The Enforcement of Morals*, is still worth reading for its substance, if for no other reason than to see how foresighted he was. Few would contest his thesis that theories of law and practical rationality are but aspects of a larger intellectual perspective, metaphysical at its core.

Christianity was taken for granted in Devlin’s day, as it had been for centuries. Common law was supported by biblical morality and a natural law outlook. With the triumph of British empiricism, it was inevitable that appeals to biblical and natural law morality would soon be eclipsed by opposed theories that were often grounded in the utopian ideas of the academy. Whereas as legislation is apt to be the result of mutual concessions, social policy that is fabricated by intellectuals is compelling in its clarity and can easily be translated into law by an activist judiciary. We can see the effects of judiciary activism in two areas that will be briefly examined here, (1) the tendency to transform civil regulations into criminal law and (2) the effect of judicial rulings with respect to the rights of property.

Attitudes with respect to the acquisition, use, and protection of property are but manifestations of one’s unexpressed philosophy of human nature. It goes without saying that, absent personal property (be it real, intellectual, or monetary), one’s scope of activity is limited, if not nonexistent. In this election year, the press and other media remind us of that reality daily. At a deeper level, ownership is closely tied to one’s personal identity. A person is known by his holdings, by the land that he owns, by the home in which he lives, by the things he has acquired. These in turn are often expressions of his creativity, intellectual power, and work ethic. Property gives him a sense of independence and enables him to act in a multiplicity of ways that otherwise would not be possible. Recreation, travel, the expansion of social contacts, the support of social and political activity, and the furtherance of one’s own education or that of his

children become possible.

Discussions of the rights and duties of property date to antiquity. Property is so bound to considerations of human nature that the ancients speak to us across the ages. Plato had argued in the *Republic* that communal ownership—or the leveling of property generally—would be conducive to peace, for then no one would be envious of another. Aristotle responded to the contrary while noting that, in general, the prospect of living together and sharing in common in all matters is difficult, most of all with regard to possessions. In any communal endeavor, human nature being what it is, some people are likely to work less than others and yet claim the same entitlement as those who work harder. To impose communal property on society, he says, would disregard the record of human experience. It can lead only to discontent and fractional conflict. Aristotle was also convinced that only private property enables us to practice the virtues of benevolence and philanthropy. Communal property would abolish that opportunity.

Plato and Aristotle apart, the most famous treatise on property from the ancient world is that of Cicero. His treatise *On Duties* begins with the declaration that there is no such thing as private ownership established by nature: “Property becomes private either through long occupancy (in the case of those who long ago settled in unoccupied territory) or through conquest (as in the case of those who took it in war) or by due process of law, bargain or purchase, or by allotment. . . . Therefore, inasmuch as in each case some of the things that had been by nature common property became the property of individuals, each one should retain possession of that which has fallen to his lot, and if anyone appropriates to himself beyond that, he will be violating the laws of human society.” Property, however acquired, is increased largely by wisdom, industry, and thrift, and it belongs to its holder. Yet, says Cicero, in agreement with Plato, we are not born to ourselves alone. Our country and our friends make claims upon us. Fellowship requires that we help one another: “In this direction we ought to follow Nature as our guide, to contribute to the general good by an exchange of acts of kindness, by giving and receiving, and thus by our skill and industry, and our talents to cement human society more closely together, man to man.”

“Assistance to others must be rationally grounded,”

he continues, “for many people often do favors impulsively for everybody without discrimination, prompted by a morbid sort of benevolence or by a sudden impulse of the heart, shifting with the wind. Such acts of generosity are not to be so highly esteemed as those that are performed with judgment, deliberation and mature consideration.” Those who follow American politics can easily identify concrete examples of impulsive, ego-driven generosity and the advantage of wealth in the electoral process.

In speaking of the duties of a man in an administrative position, Cicero says that he “must make it his first care that everyone shall have what belongs to him and that private citizens suffer no invasion of their property rights by an act of the state..., for it is the peculiar function of the state and the city to guarantee every man the free and undisputed control of his own particular property.” Cicero speaks of destroyed harmony when property is taken away from one party and given to another, or when officials intervene to cancel debt.

Although he speaks of the obligations of property holders, Cicero is clear that someone’s need does not automatically create an entitlement. Even so, he says, “let [property] be made available for the use of many, if they are worthy and be at the service generosity and beneficence rather than sensuality and excess.” One should acquire, use, enjoy, and dispose of property—but rationally—this is his time-transcending advice. Cicero’s distinction between the “deserving poor” and

the undeserving came to be adopted by St. Jerome and St. Augustine and other Fathers of the Church. In common they affirm that charity, to be efficacious, cannot be mindless.

Ancient theories of property cannot effortlessly serve as a guide to the formation of legislation that affects property rights today, especially intellectual property, and yet the principles that Cicero enunciated remain.

Cicero, of course, does not address the expropriation of property by taxation, nor the peculiar form of property-taking that is common to the regulatory state of the current era. Today the state often employs complex regulations, rule-making, and unilateral administrative interpretations to penalize financially businesses and private individuals. These are the fruits of aspirational laws that are often poorly drafted and poorly understood. They transfer enormous discretionary power to the bureaucratic apparatus, which employs the zeal of ideological prosecutors to seize property and holdings and to punish political or cultural “enemies.” More than one legal commentator has noticed the growing tendency of the modern state effectively to transform regulatory violations into criminal matters that do not even require evidence of malicious intent or awareness of the conditions giving rise to the alleged offense. To the modern regulatory state, traditional notions of “what is mine and what is yours” are secondary to the act of expropriating property in order to grow and empower the state. ✘

Deliberate Ambiguity

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

Anyone who raises children is aware that they have little tolerance for uncertainty. Children have a hunger to know and to understand rules, and they are equally keen to understand when and why things will happen. Confronted with uncertainty, children lose their innate confidence. They become confused and unhappy.

Ambiguity is defined as “uncertainty or inexactness of meaning in language.” To make an ambiguous remark in the presence of a child is to invite a barrage of questions, for the child wishes to know and understand. While adults are far better adapted to ambiguity,

they still dislike it. When government authorities enact or administer imprecise laws leading to uncertain outcomes, adults question the intelligence and motives of their government and seek to change the laws. Failing that, they want to replace those who brought about the uncertainty.

Human beings require those in leadership positions to display conviction about whatever enterprise or institution they represent. That is why public oath-taking is so central a feature of installing a new leader. A president is expected to defend and uphold the constitution of his country. A Catholic cleric is expected to “firmly accept and hold each and everything definitively proposed by the Church regarding teaching on faith and morals” when taking office.¹

This brings us to the apostolic exhortation *Amoris Laetitia* (“The Joy of Love”) that was released by Pope Francis in April. In that document §305 and n. 351 together assert that believers who are living in “an objective situation of sin” but who may not fully understand their condition due to “conditioning and mitigating factors” may continue to receive the support of the Church through the sacraments.²

This instruction was accompanied by aggressive language directed at priests, stating that moral laws are not “stones to throw at people’s lives” by “the closed heart of one used to hiding behind the Church’s teachings,” that not “everything is black and white,” and that priests are to be reminded “that the confessional must not be a torture chamber.”

One may be excused for thinking that this sort of language is exhibiting a passive-aggressive teaching style. In the words of one consultant to the synod that produced it, *Amoris laetitia* was misunderstood by some Catholics to say that “in some cases the divorced and civilly remarried can be admitted to receive the Eucharist.”³ Numerous clerics, including Cardinal Gerhard Müller, Prefect of the Congregation for the Doctrine of the Faith, found it necessary to assure Catholics that the dogmatic teaching of the Church concerning the reception of Communion for the divorced and remarried had not changed. In voicing this clarification, Cardinal Müller was fulfilling one of the duties imposed on the Congregation by Pope Paul III in 1542, namely, to spread sound Catholic doctrine and to defend those elements of the Christian tradition which were endangered by new and unacceptable doctrines.

Despite such assurances, Archbishop Bruno Forte, who was appointed by Pope Francis as the Special Secretary to the synod that generated *Amoris Laetitia*, said in May that the pope had told him: “**If we speak explicitly about communion for the divorced and remarried, you do not know what a terrible mess we will make. So we won’t speak plainly, do it in a way that the premises are there, then I will draw out the conclusions.**”⁴

So, where does that leave the divorced and remarried Catholic who wishes to conform to the Church’s teaching, which is based on Christ’s unequivocal words that “whosoever shall put away his wife...and shall marry another, committeth adultery”? Catholic journalist Damian Thompson of *The Spectator* observes: “In the end, the chief effect of *Amoris Laetitia* is to ensure that waters Pope Francis deliberately and foolishly muddied will stay muddy. Since he first raised the

subject, divorced-and-remarried Catholics haven’t known where they stand vis-à-vis Communion.”⁵ *Amoris Laetitia* is similarly burdensome on the priest-confessor, whose customary role is to educate the penitent on the teachings of the Church and to guide him through a process of reform. At what point is the penitent told that he must refrain from Holy Communion?

Ambiguity in the service of a private, unspoken agenda is a postmodern tendency. It must not be understood as either *teaching* or as *leadership*, for teachers and leaders seek to clarify things for the benefit of their listeners, to advance understanding by using distinctions to educate and persuade. The postmodern is generally not so much interested in what is true as motivated more by a particular mood or theme, even though that view itself may be biased, inaccurate, ahistorical, or even mythological. The postmodern mind is relativistic. It blurs distinctions in order to confound opponents, and takes pleasure in undermining the settled expectations of others. Behind this is a peculiar form of vanity in which the postmodern perceives himself as intellectually and morally superior to the ordinary people around him. It does not think that they are owed a full understanding of his objectives because they would maliciously or stupidly oppose him. Hence, postmodernists think that they must advance incrementally and in secret. The postmodern narrative, for all its intellectual fuzziness, is very clear about its heroes, villains, and victims.

The political world abounds with examples of the postmodern mentality. Unfortunately we also see strains of it in *Amoris Laetitia* as it heckles priests and in the pope’s recent interview with *La Croix*, in which he appears to equate Christian evangelization with “a colonial enterprise.” In that interview he even remarked that Christ’s sending his disciples to all nations might be interpreted as comparable to the Muslim war of conquest.⁶

In a recent interview Munich professor Robert Spaemann (who holds an honorary degree from The Catholic University of America and who lectured briefly in its School of Philosophy) expressed the sentiments of many of his colleagues here and abroad when he said of *Amoris Laetitia*: “Every single cardinal, but also every bishop and priest, is called upon to preserve uprightly the Catholic discipline of the sacraments within his realm of responsibility and to confess it publicly. In case the Pope is not ready to make corrections, it remains reserved for a later Pope to officially make things right.”⁷ ✠

ENDNOTES

1. https://w2.vatican.va/content/john-paul-ii/en/motu_proprio/documents/hf_jp-ii_motu-proprio_30061998_ad-tuendam-fidem.pdf.
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“Amorous Fear” (*crainte amoureuse*) in Francis de Sales’s *Treatise on the Love of God*

By Father Alexander Pocetto, OSFS

To ally fear with love seems to be counter-intuitive. These two emotions appear to be in irreconcilable conflict with one another in the minds of most people. Fear, especially when considered as a passion, appears to drive love away and thus to be a major obstacle to loving, especially to loving God. Yet, sacred scripture is replete not only with encouragements to love God but also with warnings to fear the Lord, especially in numerous psalms.

Francis de Sales (1567-1622), known as the Doctor of Love, follows a long tradition of the Fathers and Doctors of the Church when he reflects on the inescapable relationship between fear and love in his *Treatise on the Love of God*.¹ On the occasion of the 400th anniversary of this book’s publication, we do well to give this book special attention. This study argues that through his creative and ingenious use of sacred scripture and biblical imagery, De Sales can deepen our understanding of the interaction between fear and love by viewing it from the perspective of spousal love. He proves to be a reliable and faithful expositor of the Word of God and not merely someone, as Antanas Liuima asserts, who uses scripture simply to embellish his thought. His reliance on the spiritual senses does not undermine or negate the literal meaning but shows a way in which it can enrich the historical-critical method.

De Sales on the Uses of Sacred Scripture²

Francis de Sales sets forth his approach to scripture and his exegetical principles in a letter to a rather young and still inexperienced archbishop who has sought his advice on preaching.³ He explains his understanding of the four levels of meaning in scripture in continuity with many medieval theologians and preachers: the literal, the allegorical, the anagogical, and the tropological. The latter three, taken together, yield the spiritual meaning of the text. He describes their relationship in this fashion: “The literal teaches the facts, the allegorical what we believe, the anagogical what we hope for, and the tropological what we must do.”⁴ De Sales strongly espoused these levels as particularly helpful for preaching. He states that they “make [us] marvelously understand the teaching.”⁵

The relationship of the spiritual levels to the literal level is fittingly described in this way by Henri de Lubac: “We need both the learned, in order to help us read scripture historically, and the spiritual men (who ought to be ‘men of the Church’) in order to help us arrive at a deeper spiritual understanding of it. If the former delivers us from our ignorance, the latter alone have the gift of discernment, which preserves us from interpretations that are dangerous to the faith.”⁶

De Sales was fully aware of the range of abuses that preachers of his day sometimes committed when

they explained the scriptures. So he set down several guidelines for the proper use of scripture in preaching. These principles can be found in the *Treatise*: (1) With regard to the literal meaning, utilize the commentaries of the Doctors: “It is up to the preacher to affirm it by weighing the words, their appropriateness, and their emphasis.”⁷ (2) “When there is a difference of opinion among the Fathers and the Doctors, one is not to preach on the opinion to be refuted,”⁸ for preaching is not intended to show the disputes among the Fathers and the Doctors. We should overlook their human shortcomings. (3) When there are several worthwhile interpretations, one should praise each of them and put them to good use as best one can. One must, of course, use one’s critical judgment when some interpretations are manifestly inaccurate or inappropriate. (4) When using the allegorical, the anagogical, and the tropological levels of meaning, the relevant rules are as follows: (a) Do not utilize an allegorical meaning that is forced; rather, let it be solidly based on the literal meaning, as St. Paul does by allegorizing the meaning of certain Old Testament figures in Romans 9:11, Galatians 4:25, and Hebrews 12:22. (b) When it is not apparent that one thing is the figure of another, do not treat it as such but simply make a comparison between them; any allegory must be in good taste (*bienséant*). (c) The articulation of some point based on one of the spiritual levels of meaning must not be too drawn out or else it will lose its effectiveness and could manifest affectation. (d) The application must be done clearly and with great prudence, so as to relate the parts to each other skillfully.

In the Preface of the *Treatise* De Sales specifically alerts the reader to his reason for using the Vulgate bible and for using more recent editions. For centuries the Vulgate had great authority in the Catholic Church and hence had to be treated with great care, lest one be accused of deviating from it:

I sometimes cite Sacred Scripture in words that are not found in the ordinary edition [the Vulgate].... But do not for this reason believe that I am departing from this edition. Not at all, for I know that the Holy Spirit has authorized it by the sacred Council of Trent, and consequently we ought to all abide by it. On the contrary, I only resort to other versions when they serve this version to explain and confirm its true meaning.⁹

Although the saint had a great appreciation for the Vulgate, he was aware that at times it was deficient, but

wanted to give assurances that he was not downplaying the great reverence in which it was held in those days. He relies occasionally upon the Hebrew Scriptures and the Septuagint. Certain passages of the latter version, he felt, lent themselves to better explicate the spiritual sense, while the former “brought more realism, more vigor and warmth to the expression of love.”¹⁰

In a “Note to the Reader” within the *Introduction to the Devout Life*, he unapologetically admits: “When I use the words of Scripture, it is not always to explain them but rather to explain my own meaning by them as being more agreeable and venerable.”¹¹ This admission gives us a window into his soul and shows how intimately intertwined the words of scripture were with his thoughts, images, and ruminations. They gave to his writings a richness that made them more pleasurable and more worthy of regard and seriousness. To some biblical scholars, this statement may appear to be unacceptable, for it risks corrupting the texts of sacred scripture or being simply naïve.

Liuima does not consider De Sales to be a reliable biblical exegete and theologian. He asserts that Francis’s approach to scripture is not that of “an objective commentator,” but solely that of “a lover of beautiful images and as a poet.” Liuima further indicts him for not approaching sacred scripture so as “to study the inspired words and draw from them ideas, but solely...as dressing for his own ideas.”¹² This unflattering view, however, is challenged by Thomas Dailey, who convincingly demonstrates “that the theology expounded by Francis de Sales, especially in his ‘Mystical Exposition [of the Canticle of Canticles],’ can qualify him as a biblical scholar in his own right and can inspire a renaissance of his biblical spirituality today.”¹³ This opinion is strongly confirmed by Pope Pius XI when he writes:

Nor should we overlook that, in Francis’ studies and especially in his interpretation of the Canticle of Canticles, many scriptural mysteries concerning moral and spiritual questions were solved; many problems were explained, and many obscure points were exposed to new light. From this it is fair to conclude that God, with an abundance of heavenly grace, enlightened the understanding of this holy man so that he might interpret the scriptures and make them understandable for both the learned and the unlearned.¹⁴

De Sales had a prodigious knowledge of sacred scripture. He demonstrates this in the *Treatise*, which contains over 1,200 biblical citations almost equally

divided between the Old Testament and the New Testament.¹⁵ The most numerous are from the Psalms and from the Cantic of Canticles. His preference for this little book shaped the *Treatise*. It “was conceived by its author as an original commentary on the Cantic.”¹⁶ St. Bernard of Clairvaux greatly influenced his understanding of this book as a nuptial love song, for Bernard understood that “in this marriage-song it is not the words that are to be pondered, but the affections behind them.... And love speaks everywhere; if anyone desires to grasp these writings, let him love. It is vain for anyone who does not love to listen to this song of love, or to read it, for a cold heart cannot catch fire from its eloquence.”¹⁷ To ponder the affections behind the words of the Cantic allows one to discover not only their emotional power but also their effective or active power. This is a power that rests not on what Francis calls affective love but on effective love, a love that moves us to loving actions or manifestations of this love.¹⁸

St. Vincent de Paul characterized Francis de Sales as “*l’Évangile parlant*” (the Gospel Speaking): “Viewing the Gospel as the fulfillment of the whole history of the Old Testament, the Law and the Prophets, Francis was possessed by the Bible more than he possessed it. He had read and reread it and was imbued with it right up to the very fibers of his being, of his heart; he lived the Bible.”¹⁹

Liuiima rightly notes that De Sales had a great penchant for biblical narratives, especially those of the book of Genesis, which was a very rich source for him.²⁰ He criticizes De Sales for reading the Old Testament through the lens of the New.²¹ Yet this is what is a venerable technique in biblical interpretation. Its goal is to grasp the *sensus plenior* (the fuller meaning), as explained by the noted biblical scholar Raymond Brown, who describes it in this way: “The *sensus plenior* is that additional, deeper meaning, intended by God but not clearly intended by the human author, which is seen to exist in the words of a biblical text (or group of texts, or even a whole book) when they are studied in the light of further revelation or development in the understanding of revelation.”²² This is precisely the way in which many Fathers of the Church approached the reading of the Old Testament.²³

Fear and Spousal Love

Some discussion of spousal love is found on practically every page of the *Treatise*, as Liuiima observes when considering the frequent allusions to the Cantic of Canticles.²⁴ De Sales explains the relationship between the will and emotions or affections in nuptial terms. Just as a woman who becomes someone’s wife changes her status in relation to her husband, so “the will changes its quality according to the love that it espouses.... All of the emotions of desire, joy, hope, fear, and sadness are like children born of the marriage between love and the will; they receive their quality as a consequence of their love.”²⁵ Like other emotions, fear too can be born of spousal love. He calls divine love itself a “miraculous child” that is born within us not by the power of our will but by the Holy Spirit who espouses us. Among other places, one finds this exemplified by the story of Jacob’s love for Rachel.

De Sales found the narratives of the book of Genesis particularly rich for conveying his thought and meaning. For example, he utilizes the story of Eliezer, Abraham’s servant, in search of a suitable spouse for his son Isaac to explain the relationship between servile fear and divine love.²⁶ Eliezer manifests the emotion of servile fear while the chaste Rebecca stands for sacred love: “God often sends servile fear [to the soul] like another Eliezer (which means ‘help from God’) to arrange the marriage between the soul and sacred love. Even though the soul comes under the guidance of fear, this does not happen because it wants to espouse fear. In fact, as soon as the soul meets with genuine love, it unites itself to it, forsaking fear.”²⁷ But like Eliezer, who remains as a servant in Abraham’s household, servile fear still dwells in our hearts as a way to serve love when it is assaulted by temptations and finds itself not strong enough to resist.

The idea that servile and mercenary fear remains in us and serves to guard God’s love in our hearts is very strikingly and cleverly expressed by the image of a woman embroidering a design of beautiful flowers on a piece of silk cloth with silver and gold thread:

The needle is placed in the [silk], not to be left there but only to draw in the silk, the silver, and gold, making way for them. When these things are in place, the needle is drawn out. In the same way when the divine Goodness wishes to place a great variety of virtues in the human soul and then enrich them with his sacred love, he makes use of the needle of servile

and mercenary fear with which our hearts are first pricked. But this needle is not left there. As the virtues are drawn in and placed in the soul, servile and mercenary fear go out, according to what is said by the beloved disciple: *Perfect charity casts out fear* (Jn 4:18).²⁸

In the following chapter, using the same imagery, De Sales says that a woman may leave the needle in the embroidery so as to take it up again later. By this image he points out that this work of divine love is never completed in this life. For this reason servile and mercenary fear continue to assist us in deepening our love for God.²⁹ This analogy of embroidery makes us better understand the scriptural verse about perfect love casting out fear.

The story of Jonathan who wanted his armor-bearer with him as he boldly attacked the Philistines at night³⁰ also serves to demonstrate the same point, namely, that “love, wanting to carry out some bold enterprise, uses not only its own motives but also the motives of servile and mercenary fear.”³¹ These types of fear strengthen and support love when it is attacked. Neither of these narratives, when taken in the literal sense, appear to show any connection between fear and love, but De Sales uses them very adroitly to express in a concrete way that servile and mercenary fear are at the service and assistance of love.

The Interplay of Fear, Love, and Zeal/Jealousy³²

De Sales also sees the interplay of fear, love, and zeal, seen from God’s perspective.³³ Zeal engenders a relentless fear of anything that distracts the soul from an unadulterated love of God: “Its function is to hate, flee from, prevent, detest, reject, fight against and destroy all that is against God, that is against his will, his glory and the sanctification of his name.” For him, jealous spouses reflect this fierceness and protectiveness, as may be seen in crimes of passion. Furthermore, “zeal makes us extremely jealous for the purity of souls who are espoused to Jesus Christ.”³⁴ To make his point he calls attention to Paul’s jealousy for the Corinthians, for they are promised in marriage to Christ.³⁵ In an imaginative and creative fashion he reshapes the story of Eliezer and Rebecca in such a way as to explain what St. Paul wanted to say to the Corinthians:

Eliezer would have been extremely stung by jealousy had he seen the beautiful, chaste Rebecca in danger of being violated. He was leading her to be married to the son of his Lord (Gen. 24). Doubtless he might have said to this holy maiden: “I am jealous of you with the jealousy that I have for my master. For I have betrothed you to a man to present you as a chaste virgin to the son of my lord Abraham.”³⁶

By refashioning Eliezer’s words as if they were Paul’s, De Sales describes the power that jealousy has for keeping us faithful to our spousal commitment. This is an example of the way in which Francis uses the words of one part of scripture to express his own meaning when commenting on another. The method does not corrupt the sacred Word but expresses a great richness when deftly handled by a metaphorical mind and a heart steeped in the spiritual senses of scripture.

To show more clearly the role of fear in jealousy, he contrasts human jealousy with real zeal for God: “In human jealousy, we are afraid of someone else taking possession of the thing loved. The zeal we have for God, on the contrary, makes us fear, above all things, that we may not be completely his own. Human jealousy makes us fear of not being loved enough. Christian jealousy causes us pain by being afraid of not loving enough.”³⁷ De Sales then buttresses this observation by citing from the Song of Songs a verse that he interprets as expressing the fear of the shepherdess that she does not completely belong to her sacred Shepherd.³⁸ This same verse also helps him express the great purity of spousal love as something engendered by the fear of seeking after the gifts and consolations of the beloved rather than after the spouse himself: “Ah, show me, my beloved, where you feed and where you rest at noon, *so that I may not wander* after pleasures which are outside of you.”³⁹

This spousal love is a gift of the Holy Spirit that confers on the faithful an “amorous fear” (*crainte amoureuse*) “so that they may fear God in piety, as their Father and Spouse.”⁴⁰ The phrase *crainte amoureuse* expresses the nuptials of fear and love of God. The adjective *amoureuse* is used specifically to characterize the highest form of the fear of God as a spousal love and as a pure and totally disinterested love of God. And yet this highest form of love for God is not without the admixture of servile and mercenary fear “as an aid to the more excellent [fear].”⁴¹ De Sales briefly illustrates this point by alluding to the story of Joseph: “Thus, Joseph, in sending to his father several loads of all the riches of Egypt as principal presents, but also donkeys to carry them.”⁴²

Jacob's Ladder

The gift of fear also comes up in De Sales's discussion of Jacob's ladder.⁴³ Upon the rungs of this ladder, "men will ascend from earth to heaven to be united to...God" and then "descend from heaven to earth to take their neighbor by the hand to lead him to heaven."⁴⁴ He envisions the seven gifts of the Holy Spirit as being the seven rungs on this ladder. These gifts are the characteristics of charity, and he notes the association here between fear and love: "Fear is nothing other than love in so far as it makes us flee and avoid whatever is disagreeable to the divine Majesty."⁴⁵ Surprisingly, he includes servile fear as a gift of the Holy Spirit and sees fear as a property of charity, for it works to preserve love when love alone is not a sufficient motive.⁴⁶ He positions servile fear on the first rung of Jacob's ladder since it makes us abandon evil on the ascent. He situates piety on the second step. At the summit stands the ineffable nuptial embrace or kiss of God. Receiving that embrace imbues us with the desire to bring to our neighbor the happiness that we ourselves experienced. On the descent from the ladder of charity, we are to exhort our neighbor on the sixth step to piety, which he equates to filial fear. On the last step, we are to urge our neighbor to fear the punishments of the Lord and to mingle this servile fear with filial fear. He explains his reason for this ordering in this way:

Thus, I place this twofold *Fear* on the two lowest steps in order to harmonize all the translations with the holy and sacred ordinary [Vulgate] edition [Is 11:23]. If in the Hebrew the word *fear* is used twice, this is not without a mysterious meaning. It is to show that there is a gift of *filial fear* that is nothing else but the gift of piety; and there is a gift of *servile fear* that is the beginning of all our progress towards the supreme *wisdom* [Ps 111:10].⁴⁷

Fear as a Passion or an Emotion⁴⁸

In the scholastic tradition it is sometimes said that "fear is born of love."⁴⁹ Schooled in this tradition, De Sales firmly subscribes to this position. In the opening chapters of the *Treatise*, he asserts that all the passions proceed from love:

Love is the first [delight] that we have in the good.... It goes before desire. Indeed what do we desire except what we love? It comes before [enjoyment]. How can we rejoice in the enjoyment of a thing if we do not love it? It comes before hope because we do not hope for the good that we do not love. It goes before hatred because we hate evil only because we love good.... It is the same...concerning all other passions and emotions, for they all have the same source and root, namely love.⁵⁰

For De Sales, the quality of a passion or an emotion depends on the quality of the love from which it proceeds.⁵¹ This idea is more dramatically expressed when he speaks of the wound of love. The nature of the emotions of the soul depends upon the nature of the love that pierces the heart: "Sorrow, fear, hope, hatred and other emotions of the spirit enter into the heart only if love draws them there after it.... We fear a future evil only because it will deprive us of the good we love."⁵²

De Sales cites approvingly Augustine's description of fear as a kind of love: "[Love] is called fear when it flees from what is opposed to it."⁵³ This idea is reflected by Aquinas when he states: "Love causes fear, since it is through loving a certain good, that whatever deprives a man of that good is an evil to him, and that consequently he fears it as an evil."⁵⁴ The emotion of fear is one of the five irascible emotions. They arise when the pleasure-seeking (concupiscible) passions are hindered by some difficulty. Once "the difficulty has been resolved, the irascible emotions settle and fade away, having served their purpose."⁵⁵ Aquinas viewed fear as a special emotion because it has a special object: "For just as the object of hope is a future good, difficult but possible to obtain; so the object of fear is a future evil, difficult and irresistible."⁵⁶

De Sales also makes a distinction between a passion and an affection. Despite the connection suggested by the term being used here, the passions are not passive. Both the passions and the affections are reactions to stimuli, the former as movements of the sentient appetite, the latter as movements of the intellectual or rational appetite, that is, the will.⁵⁷ In describing the various passions, De Sales notes that they involve not only a sentient aspect but a cognitive one as well.⁵⁸ This makes it difficult to see and appreciate a clear difference between a passion and an affection. There are instances, for example, where certain passions like fear appear to arise unreflectively as phobias, without any rational basis. But in the make-up of the human psyche, the

spontaneous is not readily separated from the reflective. This is particularly evident with the passion of fear. Aquinas notes that the irascible passions are more susceptible to “rational considerations than ...the concupiscible. Desire and aversion, pleasure and sadness are difficult to summon or disperse by rational argument, but persuasion can elicit or dissipate fear, courage, and anger, typically, by ‘showing’ these passions that the concerns of the concupiscible are either safe or in danger.”⁵⁹

The passion of fear is one of the most fundamental experiences that all human beings have. We share this with animals on account of the common possession of a sentient appetite, and we experience it especially in natural occurrences such as during earthquakes and thunder and lightning storms.⁶⁰ For De Sales, this lowest level of fear “is not praiseworthy nor blameworthy because it does not proceed from choice but from instinct.” Nevertheless, it has a good effect because it naturally turns our thoughts to God: “it arises from the natural knowledge that God gives us of his providence and makes us understand how we depend on his sovereign omnipotence, inciting us to implore it.”⁶¹ The cognitive aspect plays an important role. This natural fear is instinctive, but given the natural knowledge we have of God, it causes us to implore his help. In this regard, some psychologists use the word “valence,” that is, “a basic invariant building block of emotional life that derives from the human mind’s capacity to engage in the process of valuation (or judging whether something is helpful or harmful).”⁶²

Phobias initially appear to be instinctual or natural fears. One writer notes: “People with social phobia do not fear physical harm from others. They fear experiencing embarrassment, shame, and rejection by others.”⁶³ This observation ties in nicely with De Sales’s teaching on loving our abjectness.⁶⁴ When we accept both our gifts and our deficits, we are less inclined to be paralyzed by shame, and if we do feel shame, we learn to deal with it as one of our limitations or imperfections. Furthermore, self-acceptance makes us readily realize that others also experience the same kind of embarrassment, shame or rejection. This realization makes us less likely to become overly conscious of our shortcomings. Basically, self-acceptance, that is, loving even our lowliness and our social ineptitude is grounded in the legitimate love we have of ourselves because of the love that God has for us.⁶⁵ Seen in this way, self-acceptance makes us less fearful or less likely to become fearful in social settings.

Gradations or Levels of Fear

In the *Treatise*⁶⁶ De Sales also states that there are as many emotions as there are passions. The two can be distinguished by the way in which they are formed and by the kind of reasoning with which they are associated. Natural emotions emerge as the result of sense experience, while rational emotions arise as the result of knowledge. Christian emotions come from reasoning about revealed truth, and supernatural come about when infused by God. We can thus speak of natural, rational, Christian, and supernatural emotions.⁶⁷ In a parallel fashion we can speak of natural fear, rational fear, Christian fear, and supernatural fear.

Later in the book De Sales examines the way in which love for God makes use of natural, servile, and mercenary fear. The chapter in which this material appears could easily have been entitled “The Various Levels of Fear” or “The Gradations of Fear in Relationship to Love.”⁶⁸ He first speaks of an instinctual fear of those natural occurrences that threaten our lives or safety and that draw us naturally to turn to God to be delivered.

The next level of fear is grounded in faith, that is, in the belief that the unrepentant sinner will suffer many great and frightful torments. This servile fear is rooted in faith and has the power to help us overcome an attachment to sin. In fact, the Lord himself inculcates this fear, which is a gift of the Holy Spirit: “Our Savior, who came to bring us the law of love, does not cease to inculcate this fear: ‘Fear,’ he says, ‘the one who can cast the body and the soul into Gehenna.’”⁶⁹ ... This fear is contained in the gifts of the Holy Spirit, as several ancient Fathers have noted.⁷⁰ If this servile fear does not turn us away from sin and the affection to sin, then it is evil. If this fear does not lead to repentance, we should ask: “What good is it to fear evil if by this fear one does not resolve to avoid it?”⁷¹

De Sales introduces this admonition by the Lord with a verse from the prophet Isaiah⁷² in the Septuagint version, which reads: “We have conceived, O Lord, because of thy fear, and have been in pain, and have brought forth the breath of thy salvation.”⁷³ The Vulgate simply says “We have conceived” but does not explain what we have conceived. This is a clear instance in which De Sales uses the Septuagint to clarify the Vulgate’s meaning in his mind.

If this fear of the torments of hell makes us observe God’s commands, then it is good. But mercenary fear is better, for it values the joys of heaven. This mercenary

fear would be blamable, however, if it desired to exclude love of God and served God only because of the reward that he promises.⁷⁴ When we fear offending God not because of punishment nor because of any recompense but solely because we are afraid of offending God as a loving father, then it becomes filial fear. Finally, when filial fear is mingled with servile and mercenary fear, De Sales calls it initial fear, “a fear of beginners.”⁷⁵ This initial fear emerges from true love, but it does not have a very solid or firm love. It exhibits an admixture of filial, servile, and mercenary fear.⁷⁶

Conclusion

What this study shows is that the deeper we delve into fear, the deeper becomes our understanding of God’s love. Love needs fear in order to be love. As noted above, fear is born of love. We can also posit that love, in a certain way, is born of fear. This seems to be the sense of what De Sales says about Moses and Aaron, whom he uses to personify servile and mercenary fear. They do not enter the promised land, that is, heaven, but “their posterity and works do.”⁷⁷ These offspring, so to speak, are the many facets of amorous love, of *la crainte amoureuse*. Their posterity and works can be seen in the ways in which love makes use of servile and mercenary fear. He describes several ways in which this takes place.

Love employs fear in its struggle against severe temptations. In alluding to Jonathan’s daring attack on the Philistines at night with the aid of his armor bearer, De Sales observes: “When love desires to carry out some daring undertaking, it uses not only its own motives, but also those of servile and mercenary fear; and the temptations that love cannot overcome, fear of damnation conquers them.” In some ways, servile and mercenary fear can be more powerful than a weak love of God and by implication can help to make our love of God stronger since such fear assists us to overcome the “temptations that love does not put to flight.”⁷⁸ In this fashion they purify love. Even though servile fear, with respect to love, has very little value, it can be useful in preserving love amid the vagaries of our earthly life.⁷⁹

Furthermore, servile fear serves as a guide to love by keeping it on the right path: “The same thing happens with love when it wishes to go forward according to God’s will of consolation. It is always afraid of making the wrong turn.”⁸⁰ We need to continually prick

the flesh of our heart with the needles of servile and mercenary fear. Fear works in tandem here with love to guide it just as the fear of losing our way on a hike makes us go carefully so that we do not miss the signs that keep us on the right path. Fear has the power to make our love more attentive. In this regard, Aquinas notes the role of the gift of fear with regard to wisdom and the affections: “The gift of wisdom orders the affections through mediation of the gift of fear, in so far as the gift of fear flows from wisdom’s consideration of divine excellence.”⁸¹ De Sales points out that sacred scripture tells us that servile fear is the beginning of wisdom. Since it is a virtue of the Holy Spirit, it is enabled to assist in harmonizing our disparate desires. It holds them together by charity, which he describes as being like mortar of a building or the nerves, muscles and tendons of the body.⁸²

De Sales’s commentary on the Cantic of Canticles can be useful in strengthening the renewal of the spiritual sense of biblical exegesis. Given his hermeneutical principle that we should accept all worthwhile interpretations, he would have readily utilized the findings of the historical-critical method, but not uncritically. He certainly insisted on the importance of the literal meaning when utilizing the three spiritual levels. The compatibility of these two methods rests on the harmony that should exist between faith and reason. He describes this harmony between faith and reason as “beloved daughters of the same father.”⁸³ He was particularly enamored with the spiritual senses because they “make [us] marvelously understand the teaching” and enabled him to “elevate himself from history to mystery,” as Gregory the Great observed.⁸⁴ The spiritual senses allowed him and his readers to savor the affection or the love behind the words that Bernard of Clairvaux so eloquently expressed. In acknowledging the recent advances in biblical scholarship, Pope Benedict XVI stresses the hermeneutical validity of the spiritual senses: “The doctrine of the multiple senses of Scripture...is recognized again today as being scientifically appropriate, given the nature of this unique structure of texts.”⁸⁵

The fascination of the Doctor of Love with the interplay between love and fear gives his readers much to ponder. The fear and dread of being predestined to perdition that he personally experienced during his student days in Paris profoundly and lastingly affected him. We might want to remember the soul-searing words that he uttered during this excruciating ordeal: “At least in his life, I will love you, if it is not given me to love you in eternity.”⁸⁶ The experience radically shaped

his personality and his teaching. We find echoes of this experience in the *Treatise*, especially in his treatment of mercenary fear, of what a great loss it would be not to love and be loved by God in eternity.⁸⁷ De Sales clearly understood that the fear that is common to all ages and all cultures is the fear of not being loved. This seems to be what most people dread—the experience of being disconnected, of being unwanted, unloved. He conceives of the great pains of hell as based on utter lovelessness, a terrifying place where no love exists: “Hell is full of terror and wickedness. Not even a mixture of love is found there.”⁸⁸

De Sales insists that Jesus himself wanted to inculcate in us a servile fear, but it was because of his great love for us. His whole approach can be summed up by saying that he wanted us to understand and to accept the affection, the love behind the words of sacred scripture, and he achieves this goal by his intriguing approach and use of the Bible and engaging images. ✠

ENDNOTES

- 1 See Wendy Wright, “The Doctor of Love and Fear of the Lord,” paper delivered at the Salesian Scholars Seminar at Stella Niagara, NY, October 22–29, 2014.
- 2 Some works that treat his approach to sacred scripture and his use of it: Charles Béné, “*Exégèse et traductions de la Bible dans le Traité de l’amour de Dieu*,” in *Théorie et pratique de l’exégèse: Actes du troisième colloque international sur l’histoire de l’exégèse biblique au XVI^e siècle* (Genève: Droz, 1990), 429–42; André Brix, *François de Sales: Commente le Cantique des Cantiques* (Craponne, France: André Brix, 1985); Anthony R. Ceresko, *St. Francis de Sales and the Bible* (Bangalore: S.F.S. Publications, 2005); Thomas Dailey, “A Song of Prayer: Reading the Canticle of Canticles with St. Francis de Sales,” *Studia Mystica* 15 (1992): 65–82, accessible at: <http://web1.desales.edu/assets/salesian/PDF/DaileyStudiaMystica.pdf>. This paper was originally presented in the Salesian Studies section of the Fifteenth International Conference on Patristic, Medieval and Renaissance Studies, held at Villanova University in September 1990. See also Philippe Legros, *François de Sales, une poétique de l’imaginaire: Étude des représentations visuelles dans l’Introduction à la vie dévote et le Traité de l’amour de Dieu* (Tübingen: Gunter Narr Verlag, 2004), 199–241; Antanas Liuima, S.J., *Aux sources de l’Amour de Dieu de Saint François de Sales*, deuxième partie (Rome: Librairie de l’Université Grégorienne, 1960), 516–679; M. Panthalam, “St. Francis de Sales’ Use of the Old Testament,” in *Spirituality of St. Francis de Sales: Its Sources and Influences*, ed. Antony Kolencherry (Bangalore: S.F.S. Publications, 1985), 25–35; André Ravier, “Saint François de Sales et la Bible,” in *Le Grand Siècle et la Bible*, ed. Jean-Robert Armogathe (Paris: Beauchesne, 1989), 617–26; J. Strus, “Francesco di Sales et la Bibbia,” *Parole de Vita*, 27 (1922): 290–97.
- 3 Letter 29, *Oeuvres de Saint François de Sales*, édition complète, 27 vols. (Annecy: J. Niérat et al., 1892–1964), 12:299–325. The *Treatise on the Love of God* is contained in volumes 4 and 5. Hereafter *Oeuvres*.
- 4 *Oeuvres* 12:308. Unless otherwise indicated, all translations are the author’s.
- 5 *Oeuvres* 12:311.
- 6 Henri de Lubac, *Medieval Exegesis*, vol. 1: *The Four Senses of Scripture*, trans. Mark Sebanc (Grand Rapids, MI: Eerdmans, 1998), 267. Originally published as *L’Exégèse médiévale, 1: Les quatre sens de l’écriture*, Éditions Montaigne, 1959.
- 7 *Oeuvres* 12:308. To underscore the importance of the literal meaning, he gives a specific example of each part of the Latin text: *Diliges Dominum tuum ex toto corde tuo, ex tota anima, ex tota mente*. [Deut. 6:5; Mt. 22:37]. He emphasizes the importance of the verb *diliges* by noting that it derives from the Latin *eligo*, denoting that we must freely chose and prefer God’s love above all things, for it “is the true appreciative love as the theologians interpret these words” (*Oeuvres* 12:308–09).
- 8 *Oeuvres* 12:309.
- 9 *Oeuvres* 4:9.
- 10 Béné, “*Exégèse et traductions*,” 441–42.
- 11 Francis de Sales, *Introduction to the Devout Life*, trans. with an introduction and notes by John K. Ryan (New York: Doubleday, 1966), “Note to the Reader,” 2.
- 12 Liuima, *Aux sources*, 526.
- 13 Dailey, “Song of Prayer,” 3.
- 14 Pope Pius XI, “*Dives in Misericordia Deus*” (16 November 1877), trans. Daniel Gambet, accessible at: <http://web1.desales.edu/assets/salesian/PDF/PiusIX-Dives.pdf>.
- 15 See Ravier, “Saint François de Sales,” 625; Liuima, *Aux sources*, 515.
- 16 Dailey, “Song of Prayer,” 2.
- 17 Sermon 71:1, cited by Dailey, “Song of Prayer,” 6.
- 18 See *Oeuvres* 4:301–02.
- 19 Ravier, “Saint François de Sales,” 617.
- 20 See Liuima, *Aux sources*, 532.
- 21 Liuima, *Aux sources*, 518.
- 22 Raymond Brown, *The Sensus Plenior of Sacred Scripture* (Baltimore: St. Mary’s University, 1955), 92. See Brent Parker, “The Roman Catholic Debate Over *Sensus Plenior*,” accessible at: <http://www.credomag.com/2011/09/24/the-roman-catholic-debate-over-sensus-plenior/>.
- 23 A good example of this is De Sales’s understanding of the mystery of the Blessed Trinity revealed in the words of Genesis (1:26): “Let us make man to our image and likeness,” following the interpretation of the Fathers of the Church. See Alexander Pocetto, “An Introduction to Salesian Anthropology,” *Salesian Studies* 6 (1969): 36–62, accessible at: <http://www4.desales.edu/~salesian/anthro.html>.
- 24 See Liuima, *Aux sources*, 551.
- 25 *Oeuvres* 4:33.
- 26 See Gen 24.
- 27 St Francis de Sales, *Treatise on the Love of God*, trans. and ed. Antony Mookenthottam et al. (Bangalore: SFS Publications, 2012), 608. Hereafter *Treatise*.
- 28 *Treatise*, 607.
- 29 See *Oeuvres* 5:297.
- 30 See 1 Sam 14:13.
- 31 *Treatise*, 609.
- 32 Although Francis makes a clear distinction between zeal and jealousy in the *Treatise*, bk. 10, chap. 12, he uses them interchangeably in this context.
- 33 See *Oeuvres* 5:214.
- 34 *Treatise*, 531.
- 35 See 2 Cor 11:21.
- 36 *Treatise*, 532.
- 37 *Treatise*, 533.
- 38 See Song 1:7.
- 39 *Treatise*, 606.
- 40 *Oeuvres* 5:299.
- 41 *Ibid.*
- 42 *Oeuvres* 5:299. See Gen 45:23.
- 43 See Gen 28:12.

- 44 *Oeuvres* 5:292.
- 45 Ibid.
- 46 See *Oeuvres* 5:298.
- 47 *Treatise*, 605.
- 48 In bk. 1, chap. 5 of the *Treatise*, De Sales makes a very clear distinction between a passion as a movement of the sense appetite and an affection as a movement of the intellectual appetite or of the will. In this study, the word “emotion” will sometimes be used in place of “affection.”
- 49 Stephen Loughlin, “The Complexity and Importance of *timor* in Aquinas’s *Summa Theologiae*,” in *Fear and its Representations in the Middle Ages and Renaissance*, ed. Anne Scott and Cynthia Kosso (Turnhout: Brepols, 2002), 2.
- 50 *Treatise*, 29.
- 51 See *Oeuvres* 4:33.
- 52 *Treatise*, 318.
- 53 *Oeuvres* 4:33.
- 54 Thomas Aquinas, *The Summa of St. Thomas Aquinas*, trans. Fathers of the English Dominican Province, 3 vols. (New York: Benziger Brothers, 1947), I-II, q. 43, a. 10. Hereafter ST.
- 55 Loughlin, “Complexity and Importance,” 7.
- 56 ST I-II, q. 42.
- 57 See *Oeuvres* 4:35.
- 58 See Alexander Pocetto, “The Sternness of the Gentle Francis de Sales (1567–1622),” in *All By Love: New Vistas in Theological Spirituality* (Bangalore: Tejas Vidya Peeth, 2011), 10. For example, he states: “If a good is considered in itself as to its natural goodness, it arouses love, the first and principal passion. If a good is considered as something absent from us, it arouses us to a desire for it.... If we decide that we can obtain it, we begin to have hope. If we think we cannot obtain it, we experience despair.” The verbs “consider,” “decide,” and “think” quite obviously are acts of the intellect or of reason. Accessible at: <http://web1.desales.edu/assets/salesian/PDF/ATP-Sternness.pdf>.
- 59 Nicholas Lombardo, O.P., *The Logic of Desire: Aquinas on Emotions* (Washington, D.C.: The Catholic University of America Press, 2011), 236–37.
- 60 Francis speaks of this natural fear in *Treatise*, bk. 11, chap. 18.
- 61 *Oeuvres* 5:301.
- 62 Richard J. McNally “Fear, Anxiety, and their Disorders,” in *Fear Across the Disciplines* (Pittsburgh: University of Pittsburgh Press, 2012), 27.
- 63 McNally, “Fear,” 27.
- 64 See *Introduction to a Devout Life*, pt. 3, chap. 6.
- 65 See Alexander Pocetto, “Self-acceptance Not Self-esteem as a Basic Principle of Salesian Pedagogy,” *Indian Journal of Spirituality* 21 (2008): 235–51.
- 66 Bk. 1, chap. 5.
- 67 See *Oeuvres* 4:37. Translating the French word “affection” as “emotion” causes some difficulty when we speak of supernatural emotions since the word emotion is commonly associated with our natural faculties and does not ordinarily have a transcendent connotation.
- 68 Bk. 11, chap. 18.
- 69 Mt 10:28.
- 70 *Oeuvres* 5:302
- 71 *Oeuvres* 5:303
- 72 Is 26:18.
- 73 *Oeuvres* 5:302.
- 74 See *Oeuvres* 5:304.
- 75 *Oeuvres* 5:305.
- 76 See *Oeuvres* 5:295–96.
- 77 *Treatise*, 610.
- 78 *Oeuvres* 5:298.
- 79 *Oeuvres* 5:299.
- 80 *Oeuvres* 5:115–16.
- 81 ST I-II, q. 68, a.4, ad 5. See Lombardo, *Logic of Desire*, 167 n.
- 82 See *Oeuvres* 5:266.
- 83 *Oeuvres* 1:330–31.
- 84 In *Ezech* 1:6,3, as cited by Dailey, “Song of Prayer,” 16.
- 85 Joseph Ratzinger, *On The Way to Christ* (San Francisco: Ignatius Press, 2004), 150ff.
- 86 *Oeuvres* 22: 19–20; E. J. Lajeunie, *Saint Francis de Sales, the Man, the Thinker, his Influence*, trans. Rory O’Sullivan, OSFS, 2 vols. (Bangalore: S.F.S. Publications, 1986), 1:71.
- 87 *Treatise*, 528.
- 88 Ibid.



Cyberwarfare: Some Catholic Moral and Prudential Reflections

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Cyberwarfare and its related offshoots—cyberespionage and cybercrime among them—are now often something that policymakers say “keeps them up at night.” But our vulnerability to these kinds of attacks—whether they come from hostile state actors, terrorist groups, or so-called lone wolf hacktivists—should keep all of us up at night.¹

What is Cyberwarfare?

One of the difficulties in discussing cyberwarfare is the lack of a common definition.² As we know, definitions both describe and circumscribe for us the nature of *what it is* that we are talking about. Without a clear and agreed upon definition of cyberwarfare, however, it is hard to address the problem adequately. One of the best definitions that I have seen is the one that Claire O. Finkelstein and Kevin H. Govern offer, where they quote from a November 2010 Department of Defense memorandum: “[t]he employment of cyber capabilities where the primary purpose is to achieve objectives in or through cyberspace.” The memorandum goes on to say that such operations “include computer network operations and activities to operate and defend the Global Information Grid.”³

Cyberwarfare is not only a relatively recent *form* of war. It is also (or at least it names) the *weapon itself* that wages this clandestine form of war.⁴ We usually see cyberwarfare listed as distinct from weapons of mass destruction (WMD), but in truth, cyberwarfare *is* a WMD.

The Just War Theory

My concern in this brief article is primarily to offer a few comments on some of the central ethical challenges that cyberwarfare presents. As we would expect, these are many, and they are complex: from human rights and privacy concerns, to safety and security issues, to the protection of such goods as human life, health, and the natural and artificial environment.⁵ However much we may need to “stretch” the traditional just war theory to handle these challenges, we should nonetheless look to it for guidance. In other words, even if we have to adapt its general framework and broad principles for our novel twenty-first-century purposes, just war theory is still indispensable.

First, let us take the criterion of *discrimination*. A cyberattack carried out to delay, disable, or destroy a nefarious nation’s illegal nuclear weapons program seems perfectly morally legitimate.⁶ But what about a precise targeting of that same rogue nation’s power grid? Here I would suggest that the principle of double effect might be useful to our moral reasoning, just as it is when applied to actions in wars fought on land, sea, air, and space. Although the attack is intentionally directed at a physical structure and not at human persons *per se*, the inevitable result of taking out the electric grid would involve a massive loss of human (and animal) life by way of the loss of power.⁷ As more things—from cars to medical devices to household appliances—are brought online and (inter)connected, the more vulnerable these things are to computer attacks and/or hacking of one sort or another.⁸

Let me give a fictional example to illustrate. I think that most ten-year-old boys in the early 1970s, myself included, were fans of the television show *The Six Million Dollar Man*, starring Lee Majors. The show was based on the 1972 Martin Caidin novel *Cyborg* and focused on the former astronaut and test-pilot, Steve Austin. As a cyborg, he would have been vulnerable to a cyber hacking. But Col. Austin’s bionic limbs and eye were self-contained technologies, that is, they were not

on the grid. This is, of course, unlike the interconnected world of today, where anything that is online is a potential target for hacking.

A second key point: One of the most difficult criterion in the just war theory for cyberwarfare to satisfy is *legitimate authority*. In cyberwarfare, it is possible for states to wage war on other states, but also for states to wage war on hostile nonstate actors, such as terrorist groups, or even anonymous individuals—whether they intend us (immediate) harm or not. In cyberwarfare, however, we do not necessarily have a situation where one state formally and publically declares war on another state. Whatever the case, these operations are often conducted secretly and in shadowy fashion and their outcomes (good and bad) can sometimes take years to emerge.⁹ Other questions arise: When in fact does a cyberwar officially begin and end? And how do we judge other just war conditions such as possibility of success and proportionality?

As we confront the many threats to our nation's existence posed by cyberwar, I agree with Donald Rumsfeld that our national security challenges “represent intricately combined diplomatic, military, intelligence, economic, and other considerations.”¹⁰ There is no magic bullet for ending the cyberwar threat. At least, I am not aware of one! We may well need to explore whether a cyber shield of some sort—one analogous to a ballistic missile defense system (aka President Ronald Reagan's SDI)—is a possibility. I know that this proposal may seem like a longshot. But our country's self-defense is not only a basic right; it is also a grave responsibility of our government officials.¹¹ I believe that part of this self-defense involves our government finding and hiring the best professional hackers to work on behalf of our nation.¹² This is a necessity—even with its risks—as we engage in this war and defend ourselves against attacks.¹³

The Virtues We Need

In nearing the end of the Jubilee Year of Mercy, we can look around us and see that our world does not display much in the way of mercy. The world of cyberwarfare and terrorism is a world devoid of charity, kindness, compassion, and tenderness—precisely the virtues our Christian faith (and the pope's Year of Mercy)—exhorts us as a Church and as individual Catholics to develop if we are to have a “civilization of love.”

But we also need to face both the old and the new

threats with the cardinal virtues of prudence, justice, temperance, and fortitude—especially prudence and fortitude. Prudence is required so that we may be wise in our offensive and defensive strategies. Fortitude is required that we may have the courage to maintain our resolve before and after an attack. That should be obvious. God forbid the United States be a victim of a catastrophic cyberattack. It would not be an attack that damaged only our computers while leaving our people and our buildings standing.¹⁴ A massive cyberattack would take out people precisely because it would take out our infrastructure. And such an attack need not be confined within physical national borders.

Even in war, as St. Augustine and the entire just war tradition with him have held, we are to *aim at peace*—an authentic peace, not a “shadow peace,” as he would say. Indeed, as George Weigel reminds us (and maybe even surprises us), St. Thomas Aquinas places his treatment of war in his *treatise on charity* in the *Summa Theologiae*.¹⁵ Weigel notes further that the great Protestant theologian Paul Ramsey (1913–1988) described the just war tradition “as an explication of the public implications of the Great Commandment of love-of-neighbor (even as he argued that the commandment sets limits on the use of armed force).”¹⁶

The moral theologians and moral philosophers of today need to do more thinking in the area of cyberwarfare. The threats are not going away anytime soon. Indeed, they are increasing in both their frequency and magnitude. ✕

ENDNOTES

- 1 This article was originally given as a response to Professor Kevin H. Govern's paper, “Cyberwarfare,” for the Mercy and Justice Conversation Series, On the Occasion of the Jubilee Year of Mercy, cosponsored by Ave Maria School of Law (Naples, FL) and Sacred Heart Major Seminary (Detroit, MI), on September 7, 2016. It has been slightly revised and updated for publication.
In his *Known and Unknown: A Memoir* (New York: Sentinel, 2011), the former Secretary of Defense Donald Rumsfeld (1932–) mentions cyberwarfare only three times and information warfare once, but at his 2001 confirmation hearings, he said what he fears most is his “concern about the quality of our intelligence” (288).
- 2 Benjamin Wittes and Gabriella Blum note this lack of an agreed-upon definition in their book *The Future of Violence: Robots and Germs, Hackers and Drones: Confronting a New Age of Threat* (New York: Basic Books, 2015), 242.
- 3 See Claire O. Finkelstein and Kevin H. Govern, “Introduction: Cyber and the Changing Face of War,” [file:///C:/Users/Mark/Downloads/SSRN-id2598671%20\(1\).pdf](file:///C:/Users/Mark/Downloads/SSRN-id2598671%20(1).pdf) (p. ix). The authors' introduction appears in *Cyber War: Law and Ethics for Virtual Conflicts*, ed. Jens David Ohlin, Kevin Govern, and Claire Finkelstein (New York: Oxford University Press, 2015), ix–xx.

- 4 It seems to me that propaganda wars were early forms of information warfare. We still have propaganda, but now of course that information is in *digital* form and is communicated and spread electronically across the globe almost instantaneously. Finkelstein and Govern observe, “The techniques of cyberwar are a subset of a broader approach to national defense technology, one that involves the use of the electromagnetic spectrum. The more general category might aptly be called ‘Electromagnetic Warfare’ (EW), of which both cyber and electromagnetic activities are a part” (x). Thus, as the authors note, we can actually trace the cyber revolution as it pertains to war all the way back to the precomputer age: to the use of the telegraph—as both instrument and target—in the U.S. Civil War (xi).
- 5 Interestingly, in this Year of Mercy (December 8, 2015 – November 20, 2016), Pope Francis recently extended the traditional corporal and spiritual works of mercy to the environment, what he calls “our common home.” On the controversy it has caused, see Phil Lawler, “The Pope’s shocking statement on the environment,” September 2, 2016, <http://www.catholicculture.org/commentary/otn.cfm?id=1173>.
- 6 For example, Israel’s use of the Stuxnet computer worm to attack Iran’s nuclear program. This malware has a secret and fascinating history that also involves the United States in its creation. See <https://en.wikipedia.org/wiki/Stuxnet>.
- 7 And crucial to waging a just war is the absolute moral norm against the direct or intentional targeting of the innocent, that is, noncombatants.
- 8 We sometimes speak in this regard of the “Internet of Things.” Jeffrey Pawlick has noted that “cybersecurity is no longer a thing of zeros and ones, bytes and email accounts. Hacked databases are not the most dangerous threat. Instead the danger is the imminent threat of cyber attacks—as they say—‘going kinetic.’ That’s military jargon which means ‘having physical effect.’ These are attacks on what researchers call ‘cyber-physical systems:’ power plants, the traffic grid, irrigation systems, etc. It is not hard to imagine really bad cyber-physical systems attacks, and some have already happened.” He goes on to describe “five relatively little-known cyber-physical systems attacks.” Jeffrey Pawlick, “When cyber gets physical: why we need the NSA,” <http://www.mercatornet.com/connecting/view/when-cyber-gets-physical-why-we-need-the-nsa/18736>. See also Elizabeth Weise, “What a real cyber war would look like,” <http://www.usatoday.com/story/tech/news/2016/09/27/what-real-cyberwar-retaliation-could-look-like/91177096/>. Interestingly, she notes that an “advantage of cyber warfare is that it’s reversible, [according to] ... experts. In a traditional war the only way to incapacitate an enemy’s electric grid or transportation system is to physically destroy them. With cyber you can take them down but once the conflict is over they can be brought brought back online.”
- 9 Although WikiLeaks is described as “an international non-profit journalistic organisation that publishes secret information, news leaks, and classified media from anonymous sources,” the results of its work can have effects not dissimilar to those engaged in cyberwarfare, for example, putting innocent lives in danger or influencing elections (See <https://en.wikipedia.org/wiki/WikiLeaks>).
- 10 Rumsfeld, *Known and Unknown*, 318. He argues that our various governmental agencies are less adapted to these “more intertwined” challenges than they were in the mid-1940s.
- 11 See *Catechism of the Catholic Church*, Revised Edition, no. 2265, <http://ccc.usccb.org/flipbooks/catechism/index.html#439/z>. In the *Catechism*’s treatment of what it calls the just war “doctrine” (see nos. 2302–2317) one will find no mention of cyberwarfare. Since the *editio typica* was published almost twenty years ago, in 1997, however, one would probably not expect to find a reference to it.
- 12 See, for instance, the following articles: <https://www.washingtonpost.com/news/the-switch/wp/2015/10/24/how-the-government-tries-to-recruit-hackers-on-their-own-turf/> and <http://www.cbsnews.com/videos/60-minutes-shows-how-easily-your-phone-can-be-hacked/>. This work would include both offensive and defensive cyber activity.
- 13 Jeffrey Pawlick has written: “At the national level, the US and other countries have mandates to protect their citizens. The mission that the NSA, the FBI, the CIA carry out is critical. It would be only too comfortable to sit back and ridicule the intelligence agencies without considering their real responsibilities.... Cyber ethics requires professionals who can navigate legal, ethical, and political questions. This will certainly be a challenge that accompanies the technical ones. The takeaway from these attacks is not a utilitarian justification designed to allow national security agencies to deceive citizens or operate without bounds. But it is a claim that there is a definite responsibility for a nation to protect its infrastructure and ultimately its people. Otherwise, we will get burned.
- At the national level, the US has a mandate to protect its citizens. At the individual level, it is easy to discern a call for ethical and competent cyber experts.” “When cyber gets physical: why we need the NSA.”
- 14 The respected military historian John Keegan (1934–2012) remarks how the Great War, in comparison with World War II, “did little material damage. No large European city was destroyed or even seriously devastated during its course, as all large German cities were by aerial bombardment during the Second World War.” John Keegan, *The First World War* (New York: Vintage Books, 2000), 7–8.
- 15 George Weigel, *Against the Grain: Christianity and Democracy, War and Peace* (New York: The Crossroad Publishing Co., 2008), 209; cf. Thomas Aquinas, *Summa Theologiae* II-II, q. 40, a. 1.
- 16 Weigel, *Against the Grain*, 209. See also Weigel’s accompanying note 10 on p. 319.

Steven K. Green. *Inventing a Christian America: The Myth of the Religious Founding*. New York: Oxford University Press, 2015. xi + 295 pp. \$29.95 cloth.

Reviewed by Thomas W. Jodziewicz
University of Dallas

Despite its title, this marvelous book is not a denial of the significance of Christianity, particularly of the Reformed sort, in the founding of the American republic. Self-conscious Christians, with self-conscious Christian beliefs and hopes, were present at the creation of the United States and active participants in the process. But, practicing a well-informed (and heavily annotated) historiographical approach, Steven K. Green takes issue with the self-contained interpretation of America's founding as a Christian nation. He carefully and fairly examines the colonial and early republican historical record, with an appreciation for its own historical context along with sensitivity to its contemporary rhetoric. His conclusion is that "the idea of America's Christian origins appears less factual and more aspirational" (243). Just what does he mean?

The proponents of the Christian origins position contend for a fairly exclusive Christian inspiration for the republic's founding (see David Barton, for example). This inspiration features the guiding impulses of Scripture—the Ten Commandments in particular—and the direction of a sovereign God in the creation of the New World republic. To the contrary, Green argues that "few in the first [national] generation would have viewed America as a 'Christian nation,' insofar as that term implied that the government was specially ordained by God or founded on Christian principles" (198).

Looming large in the Christian-origins story are seventeenth-century New Englanders seeking liberty, including religious freedom, and ever thankful for the Lord's various bounties in the new land. Green carefully documents a tendency often found in the late eighteenth and early nineteenth centuries to offer a historical celebration of this supposed Pilgrim and Puritan proto-republicanism, seasoned by latent

democratic social and political impulses. This constructed narrative contends for a subsequent (but critically unexamined) connection of these early (Holy Spirit animated) settlers to the Founders and Framers. The latter were alleged to have brought liberal energies to their successful Constitutional consummation (1787) in a self-conscious Christian nation.

The story is a neat explanation, but open to question as too simple, ahistorical, and marked by a selective use of texts from significant figures, that is, with scant critical attention to historical context, to early modern rhetorical fashions, and to the figure's complete biographical record. On the other hand, as Green reveals, modern scholarship is often decidedly secular in its intellectual leanings and does not give a ready pass to any uncontested Christian-origins narratives.

The historical record does not easily support the supposed liberality (of whatever flavor, including religious) of the early New Englanders, nor does it so easily discount the formative effects of the Enlightenment, English Whiggery, and classical republicanism on a Founding generation that Green labels "theistic rationalists." The easy conflation of a Christian tradition in which individual human dignity and worth were regarded as divinely revealed, together with an Enlightened appreciation of human reason's unaided *observation* of the works of "Nature's God," was not unusual among such "sainted" figures as Franklin, Jefferson, Washington, and Adams. A selective, nondoctrinal Christianity of an ethical or moralistic flavor was not uncommon in the Founding generation, but the sinews of this triumphant worldview were heartily *scientific* and *rational*. Any traditional Christian "imperialism," by which God was seen as the inspiration and actual architect of the republican project (surely the view of some) cannot be regarded as historically determinative, even though this viewpoint is certainly complementary to other perspectives that have been given scholarly recognition.

Green argues that whether the subject is covenant or compact, town meetings, latent democracy, religious liberty over tolerance, or the like, Enlighten-

ment thinkers like Locke, along with the contemporary articulation of a more mechanistic and intelligible natural reality, were ultimately foundational. Claims by current "religious nationalists" and conservatives as to the predominant and exclusive priority of Christian beliefs and traditions are countered by Green, but not always simply dismissed. He counsels a humility as to the claims of priority. For Green, to deny any Christian involvement in the Founding would be dishonest and incoherent, but to accept uncritically this Christian founding as "a leading theme in our nation's historical narrative, frequently intertwined with expressions of patriotism and American exceptionalism" (1) is needlessly to damage and narrow the narrative of a contemporary democratic, and religiously pluralistic, project, and thus to do damage to a more accurate and helpful appreciation of the historical record and reality.

Green also raises a perhaps more interesting issue in his consideration of the "reality" of myth. Myth, of course, is not simply a descriptive for the imaginary. In his own words, Green makes excellent and measured use of Robert Bellah's discussion of "myth" as a narrative of ostensibly historical events that seeks to infuse those events with greater meaning. Myths are essentially identity-creating narratives. Myths provide explanations for events not personally remembered, and they legitimize the past while they provide a unifying narrative for a distinct people. They are simplified and digestible versions of historical events that frequently reinforce popular aspirations. All nations and peoples have myths that help explain their origins, distinguish them as a group, and legitimize their heritage. (15)

The myth of the Christian founding of America, strongly promoted after the American Revolution and particularly so in an unsettled and divisive antebellum America, and especially so by commanding New England figures, is not then necessarily an unnatural or illegitimate aspiration. The search is for meaning, for a transcending meaning. This topic brings us briefly to Andrew Delbanco, whose book can help us to approach Green's argument in another

way. In a wonderful little book, *The Real American Dream: A Meditation on Hope* (1999), Delbanco offers a provocative division of American history into three parts, with a dominating narrative—or myth (in Bellah’s sense)—present in each.

From its origins to the mid-nineteenth century, God provides the unfolding story’s ballast. Not all the actors are believers, nor are they all New Englanders, but the construction of the grounding narrative of the American project comes from a transcendent God, as does the consequent economy of salvation within which one moves and has one’s being. The deity is not forgotten in the midst of the Civil War and its aftermath. The Biblically saturated expositions of Abraham Lincoln saw the nation as working to be rid of its original sin. This concern extended the purpose of the original project, for a vision of an America more fully the universal champion of equality and justice and freedom took shape. In this second phase, the “Nation” came to be seen as the “Redeemer Nation.” Since the 1960s, the notion of “Self” has become prevalent. This third phase often seems to present an unsatisfactory and debilitating nonnarrative and a chaotic aspiration to self-creation and self-definition.

According to Delbanco, the first two parts of the story had provided a healthy sense of communal transcendence, and ultimately hope. Part three, with its individualistic and ironically self-suffocating tendencies, and the attendant lack of any apparent transcendence for a national narrative, provides the opposite of hope: melancholy. And so it might be.

This thought allows us to return to Green’s conclusion that “the idea of America’s Christian origins appears less factual and more aspirational” (243). The facts revealed by Green’s scholarly effort are obviously significant and should be taken into account in the origins debate. But if the Enlightenment project, which is seen as normative in the American story, seems now to be a casualty to a modernity of melancholy rather than hope, as Delbanco suggests, one can understand the persisting quest for a satisfying myth, the unifying aspiration that Green carefully highlights in his

own revisionism. We aspire to a transcendent meaning, even as a nation, even if the historical facts do not always support (conclusively or exclusively) the details of any particular aspiration. Then, again, certain readers might just be able to fit this human aspiration, this myth-making, into an enduring metanarrative that is not at all dependent on, or to be reduced simply to, any nation’s recognition of this perennial, communal, *human* need for meaning, transcendent meaning.

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Robert Tombs. *The English and Their History*. London: Penguin, Random House, 2015. xii + 1012 pp. \$45.00 cloth.

Reviewed by Jude P. Dougherty
The Catholic University of America

Robert Tombs is a distinguished professor of French history at Cambridge University. He describes himself as an Englishman with Irish connections who has spent most of his life studying France. His knowledge of French history gives him a kind of outsider’s perspective. He couples that with a propensity to place his history of England in the context of European history as a whole and often in the context of contemporaneous international events.

He opens his book with a question (“Who do we [English] think we are?”) to which there is no short answer. Any attempt at an answer must begin with the acknowledgment that there was a people who sometime in the sixth century took the name English, set up an English kingdom, and subsequently named their country England.

The book is focused on two connected themes: the concept of the “nation” and the manner in which a nation’s events are recalled and presented in the memory of a people. Tombs asks rhetorically: Does a nation, ancient or modern, have some organic existence, a cultural, genetic or geographic entity, or is it rather a political or ideological fiction, or maybe a mixture of all of these? “My view,” he says, “is that most nations and their shared identities are modern creations.” He

grants as true that some of the world’s oldest nations do exist on the fringes of modern Europe. Of the 11,500 years of settlement on the archipelago that exists off the northwest coast of Europe, only some 1,300 can be described as English. It is a unique island. All of it is inhabitable, suitable for various kinds of agriculture, with few natural barriers and long fully settled.

It may have been Gregory the Great who gave England its name by referring to its inhabitants as *Angli*. In 576, Gregory sent a mission of forty monks under Augustine, prior of a Roman monastery, with the charge to convert the *Angli* from German paganism. Under Augustine’s leadership, there came into being a single church with two provinces, Canterbury and York. Their great cathedrals, constructed in the Middle Ages, are testimony to Augustine’s success and remain inspiring to tourists. Two hundred years after Augustine’s arrival, England was no longer pagan but Christian.

No historian can avoid paying tribute to the Venerable Bede’s *Ecclesiastical History of the English People*. In this volume, written near the end of his life, Bede (Beda), a Benedictine monk (672–735) at the Abbey of Jarrow, summed up his learning and experience. From multiple sources, Bede is known not just as the father of English history but also as a linguist and a scriptural scholar. He was the first historian to date events from the birth of Christ, *anno domini* (A.D.). Approximately six hundred titles are attributed to him. One of the most famous is *The Reckoning of Time*, which is concerned mainly with the reckoning of Easter.

Well into his narrative Tombs surprises his reader with a section entitled “Shakespeare and Lesser Historians.” The reference is to Shakespeare’s ten history plays. “No other country has had its past so dramatized or exposed to large audiences, except the United States through Hollywood Westerns.”

The Reformation and its aftermath are treated at some length. This persecution resulted in the deaths of about a thousand people, distributed more or less equally between Protestants and Catholics. Thomas More and John Fisher are venerated as canonized

saints by Catholics. Ridley, Latimer, and Cramer are comparably venerated by Protestants, e.g., in Foxe's *Book of Martyrs*.

A chapter is devoted to the "Age of Elizabeth," beginning in 1558 when Elizabeth at age twenty-five ascended the throne. Another is given to the creation of the United Kingdom in 1707.

In the chapter entitled "King George III," the king is described as a devout Anglican, "the most high-minded, determined and disastrous of monarchs." Other chapters follow in chronological order: "Defeating Napoleon," "Dickensian England," "Victorian England," "Imperial England," "The Twenty Years Truce," "An Age of Decline," "England's Cultural Revolution," and "Things Can Only Get Better." For Tombs, the nineteenth century is "the English century," much as the twentieth is sometimes called "the American century."

Although Tombs did not predict the outcome of the Brexit vote, he certainly saw it coming: "Though long passive about their rights within a devolving if not dissolving United Kingdom, the English are uniquely sensitive to the encroachments of the European Union."

Philosophers such as John Locke, Thomas Hobbes, John Stuart Mill, and John Maynard Keynes are given their due. So too, Lord Shaftesbury.

The English and Their History is richly illustrated. One hundred pages of documentation reinforce the text. A mature reader will find this book both informative and stimulating. Most Americans are likely to have some knowledge of the events described, given that English and American history are intertwined. Yet there is always something new to be found in this narrative. Tombs may be a professional historian, but not a dry one. His style is captivating, inducing the reader to turn the page for the next revelatory insight. Given the size of the volume no one is likely to read the book straight through, but the reader is likely to return time and again to the text until he has mastered the whole.

Robert Tombs is an infrequent guest on French television. His rich persona matches the eloquence of his prose.

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Mary Eberstadt. *How the West Really Lost God: A New Theory of Secularization*. West Conshohocken, Pa.: Templeton Press, 2014. 268 pp. \$16.95 paper.

Reviewed by John C. Chalberg
Normandale Community College,
Bloomington, MN

With this book Mary Eberstadt offers a variation on a theme that G. K. Chesterton insisted upon nearly a century ago. As Chesterton put it, without the family we are helpless before the state. As Eberstadt has it, without the family God is not helpless, but he is more likely to be forgotten.

Put simply, it is Eberstadt's contention that the decline of the family has been the crucial factor in helping to power the decline of religion in the West. The result is a vicious circle—and one that is not unrelated to Chesterton's original concern. Family decline has fueled the rise of the state and what she properly calls "statism." In turn, statism has worsened the state of the family.

And speaking of circles, perhaps it can be argued that Eberstadt completes what Chesterton began. If the family is weak, the state will swoop in. And the more the state does by way of swooping and intruding, even assuming the best of intentions, the weaker the family will become.

Eberstadt extends her argument to another sphere of great interest to Mr. Chesterton, namely, the state of religious faith in the West. In truth, this sphere gets at the heart of her book. But it doesn't go to its heart. Notice the title: *How the West Really Lost God*. It's eye-catching, even grabbing. It's at once analytical and worrisome. But it's also something less than doomsdayish.

She is not asking Nietzsche's question: Who or what *killed* the Christian God? Instead she is asking: Who or what is it that *is killing* that God? It's not that God is dead. Rather, it's that God has been shoved aside. Perhaps not coincidentally, this modern shoving aside of God began in earnest during the near-simultaneous heydays of Chesterton and Nietzsche.

In making her case for what she calls the "family factor" (by way of explaining

why God has been shoved aside), Eberstadt is also making a separate, if related, argument. Secularists would have us believe that the decline of Christianity is inevitable and permanent. It's apparently all part of what progressives like to call "the arc of history."

Eberstadt decidedly dissents from that point of view. Writing more for the informed reader than for the scholar, she provides an important overview of the recent historical literature to refute the dual notions that (a) there was ever a golden age of belief, and (b) Western man has been gradually—and permanently—evolving away from religious belief.

She would certainly concede that the West has been experiencing a long slide in the direction of secularism. At the same time she also disagrees with those who contend that the West is simply diversifying spiritually rather than growing less religious. It's as though she seems to be saying, "Let's not kid ourselves, the Christian West is facing a very real—and really serious—problem, but not necessarily a fatally serious problem."

At the same time she doesn't want to kid about a few other matters as well. People who are drawn to "alternative" forms of spirituality are, in all likelihood, inspired by "earthly desires." There should be little doubt that this is most often the case. To be sure, those very desires exert a powerful attraction, an attraction that Eberstadt is never tempted to kid about or minimize.

All of that stipulated, she firmly aligns herself with the critics of secularization theory, critics who in her view have performed a "real service" by pointing out that, historically speaking, religious practices and beliefs do not follow any straight downward trend. Instead, they wax and wane at different times and in different places.

Along the way she also debunks "conventional story lines" that would purport to explain the West's loss of God. There is, for example, the comfort theory, which holds that people have stopped needing the comforts that religion allegedly provides. Eberstadt asks such theorists to read the Bible. When finished and still unpersuaded, they might then turn to biographies of

Christian saints and martyrs.

Well then, perhaps wealth and wars account for the rise of secularism. Not so, Eberstadt contends. This time she has both history and sociology on her side. In the eighteenth century the elites were more likely to be rational Christians than free thinkers. Today the likes of Robert Putnam and Charles Murray tell us that the upper 20 percent of Americans is more likely to believe in God and attend church than the bottom 30 percent. And in the aftermath of World War II (but not the Great War that preceded it), there was a return to religion in both Europe and America.

To be sure, that return proved to be short-lived in western Europe. But Eberstadt's larger point still stands: there is no straight line of religious decline from the Enlightenment to today.

All of this is prelude to her emphasis on the "family factor" and her larger argument that family decline has accompanied religious decline in the West. In making her case Eberstadt adds a third "f" to family and faith. That would be fertility. If there is a tight connection between family and faith, there is also a tight connection between faith and fertility.

As Eberstadt would concede, a fourth "f" has been a major factor in contributing to falling birth rates. That would be the factory. Throughout the West, industrialization has led to urbanization, which in turn has been the scene of those falling birth rates throughout the Western world in the nineteenth and into the twentieth century.

Then came the post-World War II American baby boom. Will that be an aberration and nothing more? As of this historical moment (that is, the time between the end of that boom and now) it appears that such may very well be the case. Eberstadt, however, is not so sure.

She will also concede that religiosity in the West went over "some kind of a cliff" in the 1960s. Why? In two words, the pill. But she also insists that the road to that cliff had long been greased, smoothed, and otherwise streamlined by virtually every Western religious denomination. She indicts some denominations more than others, but she exempts none.

In one way or another, to one degree or another, churches in the West have ignored the "family factor." Therefore, in one way or another, and to one degree or another, those churches have participated in their own decline.

Is that decline permanent? There certainly is a case to be made for pessimism on this very point. In fact, Eberstadt devotes an entire chapter to making that very case. And a powerful case it is.

Has Mary Eberstadt persuaded herself of its validity in the process? In a word, no. The current evidence would suggest otherwise. But Eberstadt has history and the future on her side. That would be the history that militates against secularism. If today's secular thinkers can't explain why people believe in God in the first place, how can they assure us that people will lose that belief in our time or at any time?

And the future? Here we are all on inevitably shaky ground. But the ground that Mary Eberstadt has chosen is far less shaky than that of her secular critics. With history as her guide, she assures us that there will be calamities ahead. Their exact nature remains unknown, but they will be severe, and they will set in motion countervailing social forces. They may well be the *sine qua non* for religious revivals.

The calamities and revivals may in turn trigger the end of the welfare state and the rise of a postwelfare state world in the West, or a world in which the family has been restored and is once again valued. The family, after all, is the "natural enemy of collectivism." So is the atomized individual. Eberstadt might have done more to point to the unholy alliance between the all-powerful state and the isolated individual. But she is surely right to zero in on the family as both the logical and crucially important counterbalance to the state.

Is her hopefulness about its future in the West a pipe dream? Not at all — especially if we experience a nightmarish calamity or two first.

Dario Fernandez Morera. *The Myth of Andalusian Paradise*. Wilmington, DE: ISI Books, 2016. 358 pp. \$29.95 cloth.

Reviewed by Jude P. Dougherty
The Catholic University of America

In the opening pages of this book we read: "On the intellectual level Islam played an important role in the development of Western European civilization." Further: "In the Middle Ages there emerged two Europes: one, Muslim Europe, secure in its defenses, religiously tolerant, and maturing in cultural and scientific sophistication. The other, Christian Europe, an arena of unceasing warfare in which superstition passed for religion and the flame of knowledge sputtered weakly." Also: "Muslim rulers of the past were far more tolerant of peoples of other faiths than were Christian ones."

James Reston, a prominent American journalist, long associated with *The New York Times*, is quoted as saying: "In the arts and agriculture, learning and tolerance, Al-Andalusia was a beacon of enlightenment to the rest of Europe.... Among its finest achievements was its tolerance." Reston, no Islamic scholar, was simply reflecting the fashionable mythology of the day, if not the editorial policy of his paper.

Fernandez uses these and other epigraphs to introduce what he takes to be the conventional view of Islam as found in mainstream academic and popular writings. He then counters the conventional view by examining what was actually the case. He finds that in the spirit of Voltaire and Edward Gibbon, university presses have tended to perpetuate the myth of a benevolent Islam against all evidence to the contrary. The book's focus is Andalusian Spain. It aims to "demystify" Islamic Spain by questioning the romantic version of Spain exemplified by the epigraphs cited and prominent in the nineteenth century.

This book is not presented as a history of Islamic Spain, but it comes close to being one. Fernandez's chronicle begins in the second half of the seventh century when the Caliph Abu Bakr's armies from Arabia and the Middle East began their sweep across North African coastal

areas held by the Christian Byzantine Empire. North Africa had been largely Christian since the early fourth century. This was the land of Tertullian, Cyprian, Athanasius of Alexandria, and Augustine of Hippo. Some historians present this conquest as a migration of peoples. To the contrary, Fernandez shows beyond doubt that Islam emerged from Arabia as a conquering nation with world domination as its ultimate aim. He has the texts to prove it.

Led by Musa ibn Nusayr, governor of North Africa, Berber armies crossed the straits of Gibraltar in 711. The subsequent Islamic conquest of Spain took only ten years. Three hundred and fifty years of Gothic rule were brought to an end. The Arabs were to stay until the end of the fifteenth century.

Musa ibn Nusayr gave the defeated Hispano Visigoths three options: (1) convert to Islam, (2) submit as *dhimmi*s to Islamic supremacy and pay tribute, or (3) be killed (in the case of men) or enslaved (in the case of women). The invaders burned cities, wasted the land, destroyed churches, and sacked diocesan libraries and treasuries for booty. Fernandez draws upon multiple primary sources, both Muslim and Christian, that chronicle the brutality of the Islamic conquest. Jewish communities, he finds, typically sided with the invaders and were given the role of guardians over major cities after they had fallen to Muslim armies. A case in point: Toledo, the Visigoth capital, offered no resistance. Musa nevertheless executed seven hundred notables and then left the Jews in charge as he moved on to Guadalajara.

Fernandez is particularly incensed by Houghton Mifflin's *Across the Ages*, a book that teaches children that *jihad* is an "inner struggle" that urges the faithful "to do one's best to resist temptation and overcome evil." Nonsense, he shows. The legal texts of the Maliki School of Islamic Law do not speak of "spiritual inner struggle." Rather, they speak of a theologically mandated war against infidels, a "sacred combat" or Holy War. The respected fourteenth-century historian and philosopher, Ibn Khaldun, quoted by Pope Benedict XVI in his Regensburg address, has acknowledged the

indivisibility of the religious and secular motivation of those who exercise power at the highest level within Islam.

The book, Fernandez is careful to say, does not pass judgment on today's Muslims, Jews, or Christians. It does not speak of a clash of cultures, even though one would think that a clash is amply demonstrated by the brutality of the Islamic conquest. Fernandez's cautious approach may be governed in part by the recognition that after hundreds of years of enforced coexistence, it may be difficult to determine in the culture what came from what. This is so, in part, because of the conqueror's technique of rule. It often allowed communities of Jews or Christians to live within their own conclave under their own laws, although as *dhimmi*s, humiliated and subject to taxation.

In a chapter entitled "The Truth about the Jewish 'Golden Age'" Fernandez debunks the claim that Islam granted to Spain's Jewish communities (composed largely of Sephardic Jews) a substantial degree of liberty and tolerance. There is another chapter (innocently entitled "Women in Islamic Spain") that does not make pleasant reading. That chapter, following Fernandez's usual practice, opens with an epigraph: "In Christian Europe ninety-nine percent of the people were illiterate and even kings could neither read nor write, [whereas] in Islamic Spain there were Moorish women who were doctors and lawyers and professors." The subtitle of that chapter ("Female Circumcision, Stoning, Veils, and Sexual Slavery") suggests the direction of Fernandez's critique of an exaggerated claim.

One can only imagine the years of scholarship that are reflected in this volume. Fernandez has, in his own words, examined "synchronically [the successive cultures that constitute al-Andalusia] by focusing on literary, historical, legal, religious, biographical, and archeological data in order to show humanity both suffering and inflicting suffering." That he has convincingly done.

Glenn B. Siniscalchi. *Retrieving Apologetics*. Eugene, OR: Pickwick Publications, 2016. vii + 287 pp. \$35.00 paper.

Reviewed by Steven J. Meyer
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at St. Mary's Seminary, Houston, TX

In recent years, Glenn B. Siniscalchi has emerged as a passionate defender of the classic discipline of apologetics.¹ The main contention of his first book, *Retrieving Apologetics*, is that the Church can and should be currently engaging in the task of apologetics, for we are facing a de-Christianization in Western culture. He defends the discipline of apologetics (Part I) and then does the work of apologetics (Parts II-V). His approach combines the "classic method" with the "evidentialist method."

The classic method, as I understand it, consists in three stages: (1) showing that it is reasonable to believe in the existence of God; (2) showing that God has revealed himself, and that this message is especially found in the person and works of Jesus Christ; and then (3) showing that the Catholic Church is founded by Jesus Christ and authentically interprets and continues his work for salvation. The evidentialist method would be to show the reasonableness of God through signs. This claim would be highly compatible with the classic approach and with the works of Christians in history. These combined methods serve as the structuring principle for most of Siniscalchi's book. He acknowledges that the book is not an "experientialist method" or one that gives a personal testimony as to why one believes in God, in Jesus Christ, and in the Church. Many of the ideas found in the book can be found in his journal articles, but the book offers them all in one place.

Dr. Siniscalchi is a member of the Fellowship of Catholic Scholars and currently an assistant professor in systematic theology at Notre Dame College in South Euclid, Ohio. *Retrieving Apologetics* was originally prepared as the author's doctoral dissertation. But one can tell that he has worked hard to make this a readable, informative, well-researched, and well-argued scholarly book that has benefitted from the help

of many others along the way. His passion and urgency for defending the Catholic faith seem evident throughout the text. For this review I would like to briefly outline the book and then make a few observations.

Part I addresses the rationale for apologetics in three chapters. Chapter 1 shows that the discipline is grounded in the teachings from the Second Vatican Council documents *Lumen Gentium*, *Gaudium et Spes*, *Dei Verbum*, *Dignitatis Humanae*, and *Ad Gentes*. Chapter 2 shows how popes from St. John XXIII to Pope Francis engage in apologetics in their encyclical letters. Chapter 3 argues for the relevance of metaphysics for the discipline of apologetics and shows the negative effects of Enlightenment rationalism on traditional apologetics. Here the author argues for a retrieval of first principles in a postmodern world as well as for the correspondence theory of truth. At this point one notices a key theme emerging that is repeated throughout the text: faith is reasonable, responsible, and not a blind leap. He writes, “Catholic faith is all about responsible thinking, personal freedom, and common sense. Faith is a rational step into the light, demanding responsible thinking; it is not a credulous leap in the dark” (60).

Part II argues for the existence of God from Thomistic principles but does so in a creative way by critiquing contemporary atheistic philosophers, on the one hand, and contemporary Christian theologians, on the other. Chapter 4 shows how retrieving the teaching of *Dei Filius* from Vatican I can prophetically address the challenges of contemporary atheism and can correct certain Catholic theologians who think it impossible to prove the existence of God.

Chapter 5 builds on the moral argument for the existence of God as found in St. Thomas. Here the author engages atheistic moral realism. This would be put forth by such authors as Erik Wielenberg, Paul Kurtz, Bertrand Russell, and Richard Dawkins. Siniscalchi then turns to correct those advocating for a modern Divine Command theory against atheism (the view that a morally good act is one commanded by God) as found in works by J. P. Moreland and

William Craig. Through the works of Ralph McInerney, Etienne Gilson, and John Rziha, Siniscalchi shows the connections among human nature, objective morality, and the existence of God.

Chapter 6 considers the seeming impasse resulting from modern physical cosmology in regard to determining whether the universe is teleological or dysteleological. The author argues that the fifth way of Thomas, the argument from design, when properly understood, is more convincing than atheists give it credit for being.

Part III examines the question of how God reveals himself in Jesus Christ. Chapter 7 examines types of revelation in general and then revelation in the monotheist religions in particular, and shows how Catholic Christianity has the most satisfactory answers to the most meaningful questions of human existence and purpose. Along the way Siniscalchi employs insights from the works of René Latourelle, Avery Dulles, Gerald O’Collins, David Bentley Hart, and Charles Morerod. Chapter 8 addresses contemporary historical exegetical scholarship about the Gospels and Jesus. It concludes with some suggestions about how apologists may benefit from this research.

Chapter 9 begins by reviewing the “minimal facts approach” of Gary R. Habermas for claims about the Resurrection of Jesus. Siniscalchi then considers the best attested evidence for the Resurrection in light of the method of critical historiography. Chapter 10 assesses the evidence for the Resurrection of Jesus and defends against the major objections to it. For example, he refutes the arguments that the testimonies to the Resurrection are contradictory, that oral traditions are unreliable, that the authors were not eyewitnesses, that evidence for the Resurrection is itself biased, that the Resurrection parallels others historical resurrections, that there needs to be multiple causes for the Resurrection, that historians do not deal with “miracles” today, and the like. He also addresses contentions that the postmortem appearances of Jesus can be explained by psychology in terms of hallucinations, brought on by such factors as the crisis of bereavement. I fully

agree with his conclusion: “All historians are inevitably influenced by the social sciences, philosophy, and even religious commitments. There is no such thing as the historical method apart from the influence of presuppositions. In sum, the skeptics’ case against the resurrection of Jesus is inadequate. The rationality of the resurrection should be upheld over its rival (rational) hypotheses” (194).

Part IV addresses the question of how Catholicism is unique in its fostering of proper morals and relationships. The Church, he shows, has had such positive impact on the history of Western structures. Chapter 11 looks at prospects for developing a *via empirica* (that is, an argument of the benefits of the Church on society using the four marks of the Church). It also takes into account the ecumenical and less triumphalistic teachings about the Church from Vatican II. Chapter 12 addresses the issue of Christianity and violence as it relates to prospects for a proposed *via empirica*.

Part V addresses Jesus Christ as universal Lord and Savior and the plurality of world religions. It begins with examining the problem of the “scandal of particularity” (that is, the problem of how everyone is saved through Jesus Christ when only certain portions of humans have ever heard the Good News). Chapter 14 addresses a faulty worldview, as found in those theologians who deny the necessity of Jesus Christ as universal savior and who question the teaching “outside the Church, no salvation.” Chapter 15 takes on Paul Knitter’s pluralism and defends Jesus Christ as the one redeeming mediator of all.

The book shows that Siniscalchi has a wide command of the contemporary arguments against belief. It is not for the beginner in apologetics, for the author assumes a moderate amount of theological sophistication with names, vocabulary, and ideas. He also assumes the patience of the reader to work through quite a number of different arguments on different fronts. These last two observations are, in my opinion, generally a problem for the classic method. In my own experience as a teacher, however, I have found that many students are interested in what the classic method of apologetics offers. Many today seek

some philosophical and empirical arguments for God. Many are looking for solid and reasonable arguments that engage modern atheist critiques of faith. The Catholic faith should be explained for its benefits amid a pluralism of religions. The reasonableness of God's existence and actions can be explained, even in a world marked by real evil.

I find myself in full agreement with Siniscalchi's case for apologetics. It is not about winning an argument at all costs. It is about a passionate and reasoned explanation for faith, for hope, and for giving answers to the deepest questions about human existence. If I may be allowed to adapt a line from G. K. Chesterton to the effect that if philosophy is "thought that is well thought out," apologetics might be defined as thought about faith that is well thought out. A thoughtful apologist can meet the culture where it is by operating from within it. Apologetics can assist in the task of the new evangelization and in the inculturation of the Gospel. It can give a powerful witness for faith by removing obstacles that people may have for not believing, and it can be a benefit for baptized practicing Catholics in their faith. Siniscalchi joins a chorus of voices in calling for a retrieval of apologetics, and then proceeds to commit to doing it through his writings.

ENDNOTES

1. For a few examples, see Glenn B. Siniscalchi, "Evangelization and the New Atheism," *American Theological Inquiry* 2, no. 2 (2009): 29-41; "In Defense of Christian Theistic Metaethics," *American Theological Inquiry* 3, no. 1 (2010): 81-98; "Prospects for Developing a *Via Empirica* in a Post-conciliar Church," *Heythrop Journal* 54, no. 2 (2013): 181-96; "Modified Divine Commands, Atheistic Moral Realism, and Thomistic Natural Law," *New Blackfriars* 96 (2015): 419-44; "Retrieving Apologetics," *Crisis Magazine* (Jan. 29, 2015), available at: <http://www.crisismagazine.com/2015/retrieving-apologetics>, last accessed May 26, 2016; "Fundamental Theology and the Historical Jesus," *Fellowship of Catholic Scholars Quarterly* 38, no. 3-4 (2015): 34-40.

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John T. McGreevy. *American Jesuits and the World: How an Embattled Religious Order Made Modern Catholicism Global*. Princeton, NJ: Princeton University Press, 2016. vii + 315 pp. \$35.00 cloth.

Reviewed by Jude P. Dougherty
The Catholic University of America

Dissolved as a religious order by Pope Clement in 1773, the Society of Jesus was restored forty-one years later by Pius VII. At the time of its restoration the order had only six hundred aged members, and yet a century later the Jesuits numbered some 17,000 men. They came to be at the vanguard of the Catholic Church's expansion around the world.

The story is admirably told by John T. McGreevy, dean of the College of Arts and Letters and professor of history at the University of Notre Dame. In recounting how the Jesuits were first viewed in North America, McGreevy brings to light some interesting correspondence between John Adams and Thomas Jefferson. Adams wrote: "If any Congregation of Men could merit eternal Perdition on Earth or in Hell, it is the Company of Loyola." Jefferson replied: "I dislike, with you, the restoration because it marks a retrograde step from light to darkness." Adams later wrote: "The Society has been a greater Calamity to Mankind than the French Revolution or Napoleon's Despotism or Ideology." The year was 1816.

Politicians and intellectuals around the world worried that the Jesuits would curtail the enlightened progress of that century. They had been expelled from many countries in Europe and in Latin America. Such hostility prompted Jesuits, their episcopal friends, and other allies to accelerate the building of what became a dense subculture of parishes, schools, associations, colleges, and journals, all connected in reciprocal relationships that existed until the 1960s and the emergence of a more global Church in the aftermath of the Second Vatican Council.

Soon after the restoration of the Society of Jesus, the civic leaders of Fribourg, Switzerland, arranged for the return of the Jesuits to one of their oldest colleges. They had been forced

by the suppression to abandon it decades earlier. It was in Fribourg that an early skirmish in the battle for the soul of Europe took place. There was no doubt that modern philosophy and the French Revolution had placed Catholics and modern liberals on opposite sides of an unbridgeable chasm. French students studying at Fribourg would later become among the leading opponents of the secular republic. The fact that the student body and the faculty at Fribourg came from a dozen countries irritated Swiss nationalists, who were later held responsible for a series of attacks on the Jesuits in the 1830s and 1840s. Even a leading French Catholic intellectual, Charles Montalembert, while defending the right of Jesuits to have their schools, regarded their view of the modern world as "false, narrow and unfortunate." That, of course, was to change dramatically.

McGreevy devotes one of his chapters to describing the Jesuit promotion of devotion to the Sacred Heart of Jesus and other forms of Catholic piety in the nineteenth century. He illustrates the nature of their work in promoting these practices with the story of Mary Wilson, who entered the convent of the Society of the Sacred Heart at Saint Louis in 1866. Already unwell when she joined the order, she fell desperately ill after beginning her training at Sacred Heart Convent north of New Orleans. Her superior moved her to another convent at Grand Couteau. As her illness advanced, Wilson took little food and water and could swallow the Communion host only with agonizing difficulty. After extended treatment, her doctor gave up hope that she would survive. After examining the report of her symptoms, a doctor today might diagnose her as suffering from tuberculosis.

On December 5, 1866, the Society of Sacred Heart began a novena, invoking the intercession of John Berchmans, a seventeenth-century Jesuit who was beatified by Pius IX only the year before. Even as she was orchestrating the novena, the Mother Superior asked the convent handyman to begin preparing a coffin. On December 14th, she placed a picture of Berchmans on the sick woman's lips. The saint then appeared to her

and whispered, “Open your mouth,” and touched her tongue. “I come by order of God, he said, your suffering will come to an end.” Although some in the convent were skeptical, news of the miracle reached the archbishop of New Orleans, who began an investigation. He asked those close to the event to write an account of what they had seen. Wilson’s 42-page handwritten account and other accounts have survived.

To show another side of Catholic piety in the nineteenth century, McGreevy writes in detail about the French Revolution and its aftermath. The Revolution had been responsible for the deaths of an untold number of priests and nuns. Yet, the period between 1800 and 1860 saw the foundation of some four hundred new orders of women religious in France alone, with over 200,000 women entering religious life. The Society of the Sacred Heart itself numbered 3,000 women by 1865. Catholics who were opposed the devotion called it “fantastic,” “reeking of baroque excess,” and “an offense to all learned theologians.” In its defense, Archbishop Carroll of Baltimore (himself a Jesuit) equated enemies of the Jesuits with the enemies of the Sacred Heart.

Eventually news of the Louisiana miracle reached Rome, and a formal enquiry was instituted by Leo XIII. For evidence of his sainthood, a miracle attributable to Blessed John Berchmans was required, and Wilson’s recovery seemingly provided that. A fact that was omitted in the report to Rome, however, is that Marie Wilson died eight months later. Miracle or not, John Berchmans was recognized to have been a holy man. After some hesitation Pope Leo canonized Berchmans on December 15, 1888. Doubters still persisted, and some pointed out that Leo himself was educated by Jesuits and may have been unduly influenced by his brother, a Jesuit. Privately, Leo acknowledged that he proceeded with the canonization out of respect for the Jesuit order.

The final portion of the book recounts the support of various recent Jesuits for a certain vision of a “more global” Church. In the period after the Council the idea was advanced by such figures as the Jesuit theologian Karl

Rahner, the former Jesuit Hans Urs von Balthasar, and the current Jesuit General, Father Adolfo Nicolas. But, in fact, a truly global ethos on the part of the Jesuits was been in place long before. An early example is found in the career of Fr. Carmelius Polino, a Jesuit who was expelled from Sicily in 1848, who moved to Ireland, then to Spain, then to the Philippines where the Jesuits had an important and lasting presence, and then to France, before ending his career in New Mexico.

In McGreevy’s judgment, one of the most important Catholic intellectuals of the twentieth century was John Courtney Murray, S.J. Father Murray urged interreligious cooperation, grappled with the notion of “civic faith” advanced by John Dewey, and took up the defense of religious freedom using as a model the church/state relationship that prevailed in the United States at the time. In addition to his professional work as a theologian, Murray lectured widely and published extensively on church/state issues and on religious freedom. His 1960 volume, *We Hold These Truths: Catholic Reflections on the American Proposition*, contains much of his political thought. The book was widely reviewed in both Catholic and major secular media. *Time* magazine placed him on the cover of its December 12, 1960 issue and called attention to his impact on Vatican II. Murray’s *The Problem of God*, first published in paperback in 1965, was known by Catholic students nationwide.

While McGreevy cannot be faulted for his exclusive focus on the Jesuits, it would have been interesting to learn how he sees the relation of Jesuit missionary and educational activity to that of the Franciscans, Dominicans, and other groups with similar missionary outreach.

James Papandrea. *The Earliest Christologies: Five Images of Christ in the Postapostolic Age*. IVP Academic, 2016. 144 pp. \$18.00 paper.

Reviewed by John Gavin, S.J., College of the Holy Cross

Once there were no new heresies. Now there are no heresies at all. Contemporary scholars no longer gaze upon the history of Christianity and witness the triumph of orthodoxy. Rather, they reduce orthodoxy to one of many “Christianities.” According to this contemporary view, the victors of the early dogmatic debates declared their views “orthodox” and their opponents’ “heretical” only through a combination of political machinations, intimidation, and just plain luck. Thus many scholars like Elaine Pagels and Karen King have made careers by rescuing and promoting the “lost Christianities,” the losers in the dogmatic wars of antiquity. The oppressive normativity of preceding views must be now replaced by liberating fluidity: ancient Christianity simply consisted of varying styles of following Christ that appealed to the adherents’ needs and tastes.

James Papandrea’s *The Earliest Christologies* does not ignore the variety of ideas in the Church’s first centuries, but he clearly shows that some ideas have consequences—both good and bad. His focus upon the early developments in Christology reveals that the triumph of *Logos* Christology did not come from intimidation but from its evident *truth*. The demonstrable advantages and veracity—not to mention the guidance of the Spirit—resulted in hard-won dogmatic expressions that would enter into the Church’s creedal faith.

Papandrea’s book summarizes and evaluates five images of Christ from the postapostolic age. He divides the traditional category of adoptionism into two kinds: spirit adoptionism, or Christ as prophet, and angel adoptionism, or Christ as angel. The former image portrays Christ as a mere human who, through obedience to the law, received unique guidance from the Spirit. Followers of this Christology like the Ebionites led lives of strict legalism and

mild asceticism. The latter image understands Christ to be a mere man but posits the indwelling of a spirit or angel in Jesus as a reward for his obedience to the divine law. Papandrea asserts that the Elkasaites fell under this category, and their emphasis upon obedience to the law led once again to a life of mild asceticism. Both views failed to posit a genuine unity of divine and human natures in Christ and thereby led to such legalism and asceticism.

The second traditional category of docetism uses two distinct images: docetic Gnosticism, or Christ as phantom, and hybrid Gnosticism, or Christ as cosmic mind. Docetic Gnosticism resolves the paradox of the Incarnation by teaching that Jesus was a lesser deity who only appeared in human form. This Christology's rejection of a human body for Christ inspired a radical asceticism and a denigration of the material among its adherents, as demonstrated in such works as "The Acts of Andrew" and "The Testimony of Truth." Hybrid Gnosticism asserts that a lesser deity appeared with a non-human, ethereal body. This position, infused with a spiritualism that discounted the significance of material acts, led such followers as the Carpocratians to a form of hedonism. In general, both of these Christologies scorned material creation and concluded in the abuse of the human body.

In the end, only *Logos* Christology provided the essential paradoxical dogmatic expression that both preserved the dynamic mystery of the Incarnation while also maintaining the authenticity of Christ's humanity and divinity. Papandrea traces the development of this Christology in the writings of such Christian saints and theologians as Justin Martyr, Irenaeus of Lyons, Tertullian, and Novation. In particular, the orthodox position established its credibility within the scope of soteriology: the theology emerging from the truth that the Word became flesh points to the radical salvific love of God for humanity.

Papandrea's short volume has much to recommend it. It offers a concise overview of a complex period in the history of doctrinal development. His clear exposition of the failures of certain Christological images and the justifi-

able dominance of the orthodox position—illustrated in a helpful chart in an appendix—serves as a useful reminder in a time when the attraction of "lost Christianities" has permeated the culture through such popular works as *The DaVinci Code*.

Yet some criticisms are in order. First, as Papandrea admits, the reduction of such a complex array of beliefs to five images risks an oversimplification of the actual debates and can lead to misreading of surviving sources—something that contemporary scholars assiduously seek to avoid, though often with limited success. Furthermore, though we possess some significant primary sources such as the *Nag Hammadi* library, our knowledge of these early Christologies often comes from the orthodox victors. Papandrea does indeed rely very much on the accounts of such figures as Irenaeus and Epiphanius. Given then the limited sources, can we ever really be sure that we are getting at the genuine beliefs of these obscure groups? Finally, his book engages very little with the ever-growing secondary literature and therefore lacks the depth that would make this a useful volume for scholars. In fact, one sees Papandrea's own writings appearing most often in the footnotes.

Despite these criticisms, this book would work well in undergraduate courses and can be recommended to a popular audience. It clearly shows that *what* Christians profess makes a difference.

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Russell Shaw. *Catholics in America: Religious Identity and Cultural Assimilation from John Carroll to Flannery O'Connor*. San Francisco: Ignatius Press, 2016. 141 pp.

Reviewed by Jude P. Dougherty, School of Philosophy, The Catholic University of America

This is a delightful book, to say the least, in part because Russell Shaw has a way of uncovering facts that you wish you had known all along. The book follows upon and reinforces Shaw's previous work, *American Church*.

In the preface to this volume, Shaw suggests that the Church may need to reassess its former policy of unconditional assimilation into American secular culture. The cost of assimilation, he believes, has grown unacceptably high as secular culture has become increasingly hostile to Catholic life. He was not the first to pass such a judgment.

Orestes Brownson, subsequent to his conversion in 1844, expressed a similar thought: "There is scarcely a trait in the American character that is not more or less hostile to Catholicity." Shaw muses that the phrase "My country right or wrong"—words associated with the naval hero Stephen Decatur—may need to be a thing of the past.

In his effort to consider the question of Catholic identity, Shaw investigates the lives of fifteen remarkable men and women. In chronological order, he begins with John Carroll.

John Carroll was carefully chosen to become the first bishop in the United States, and subsequently the first archbishop of Baltimore. He was a member of a wealthy and respected Catholic family of southern Maryland. Ordained a Jesuit priest in 1773 after studying at St. Omer College in what is now Belgium, he was chosen to lead the fledgling church in America because officials in the Vatican were desirous of "selecting a man who was neither headstrong nor weak."

The young Carroll was called "a gentleman of learning and abilities" by no less a person than John Adams, who was to become the second president of the United States. Franklin concurred and took the French-speaking Carroll on a mission to Canada that was intended to persuade French Catholics to join the thirteen colonies in their struggle against Great Britain. The Quebec Act, voted by the British Parliament in 1774, was specifically cited by the Continental Congress in the Declaration of Independence as one of the colonists' grievances against King George III. The Act had granted the free exercise of religion to French-speaking Catholics, against opposition by the thirteen colonies. Later, when Franklin was serving as ambassador to the French Court, he was asked by authorities at the Vatican's

Propaganda Fide for his opinion, and he recommended Carroll. Appointments to bishoprics in those days were usually vetted by secular authorities.

Among his many accomplishments, Carroll founded the school that was to become Georgetown University. He selected the architect and laid the cornerstone of the first cathedral in the United States. Later he appointed bishops for the four new dioceses created under his tenure.

A subsequent chapter examines the career of Archbishop John Hughes (1779–1864) of New York, who is described as a politician as well as a priest. Clearly as a member of the “church militant,” he was responsible, in the face of opposition, for the planning and construction of St. Patrick’s Cathedral.

In researching his subject, Shaw has a penchant for the obscure but often relevant fact as he weaves together these brief biographies. At age nineteen Hughes decided to study for the priesthood. He applied for admission to the seminary at Mount St. Mary’s in Emmitsburg, Maryland. He was turned down because he was judged to be academically unprepared and was hired as a gardener instead. Fortunately, he had become acquainted with Mother Elizabeth Ann Seton, who recognized his ability and used her influence to get him accepted as a student.

Elizabeth Ann Seton, a pious Episcopalian from New York, came into the Church as a result of an experience in Italy. She was attending Mass with Catholic friends when a boorish English tourist *sotto voce* expressed his contempt for the congregation who obviously by their piety believed in the Real Presence. That got her thinking and led her to examine why Catholics held this belief. She was eventually received into the Church in 1805. Archbishop John Carroll confirmed her. Elizabeth married William McGee Seton in 1794. Upon his death four years later she was obliged as a result of a family tragedy to care for her husband’s younger siblings whom she later referred to as her children.

Encouraged by Louis Dubourg, a priest of the Order of St. Sulpice, she created not only a school for her children and those of others but also a

Women’s Institute, modeled after the Daughters of Charity of St. Vincent de Paul. First housed in the lower chapel of St. Mary’s Seminary on Paca Street in Baltimore, she later moved to Emmitsburg, where she opened St. Joseph’s Free School and St. Joseph’s Academy. The order flourished and established hundreds of schools across the country. Shaw provides some amazing statistics. Today Mother Seton is commemorated as the foundress of the Catholic parochial school system.

Orestes Brownson, also a convert to Catholicism, became the foremost Catholic intellectual of his period. An ardent advocate of the Union during the American Civil War, he hoped for a post-war reconciliation with the South and was disgusted by the vindictive policy pursued by Congress after the death of Lincoln. When John Henry Newman was preparing to establish a Catholic university in Dublin, Brownson was the first person he invited to join the faculty. The appointment was vetoed by the Irish bishops because Brownson was considered too controversial.

During the First Vatican Council Brownson was identified with the “Ultramontanists” for strongly supporting the doctrine of papal infallibility. He never wavered. Another fact: Brownson was instrumental in the conversion of his friend Isaac Hecker, who became the founder of the Paulist Fathers.

Subsequent chapters examine the careers and contributions to the American character by Fr. Michael McGivney, James Cardinal Gibbons, St. Frances Xavier Cabrini, Al Smith, Francis Cardinal Spellman, Archbishop Fulton Sheen, John F. Kennedy, Dorothy Day, and Fr. John Courtney Murray.

The volume ends with a tribute to the saintly Flannery O’Connor. She was not an evangelist in the same sense as many in this volume were but an artist. Writing from the standpoint of Christian orthodoxy, she said of her work: “All my stories are about the action of grace on the character who is not very willing to support it.” Commenting on her own life, she also said: “The meaning of life is centered in our Redemption by Christ. What I see in the world I see in relation to that.”

As a child, she attended a parochial school in Savannah until her father’s failing health forced a move to her mother’s home in Milledgeville. There she attended Peabody High School and later George State College for Women. A career opportunity occurred in 1946, when she was accepted as a participant by the prestigious Writers Workshop at the University of Iowa. There she became acquainted with Robert Penn Warren and John Crowe Ransom of Southern Agrarian fame. It was at the workshop that she began writing fiction and acquired the habit of attending daily Mass. Diagnosed with lupus in 1950, the disease that killed her father, she accepted her illness with admirable courage and continued to write and publish. Before her death, she had published two novels—*Wise Blood* (1952) and *The Violent Bear It Away* (1960)—and thirty-two short stories. A collection of her stories was published posthumously.

Russell Shaw’s dry humor pervades the volume—already ready to amuse those who are attentive.

R. R. Reno. *Resurrecting the Idea of a Christian Society*. Washington, D.C.: Regnery Faith, 2016. 215 pp. \$27.99 cloth.

Reviewed by Thomas W. Jodziewicz
University of Dallas

It is not unusual today to suggest that America is in crisis. A presidential election year generates a great deal of smoke as the party out of power looks to return to office in order to effect its reform agenda. But aside from election noise, one can see slow economic growth and numbing unemployment, the ever-present danger of terrorism, failing public education, racial animosities, conflicts over immigration, ever more intrusive statism, and so on.

The litany of woes in 2016 is formidable and difficult to deny. It appears to be a moment when the traditional American dream of ordered liberty and equal opportunity is more of a bit-sweet rumor than a reality for many Americans. The specific historical details

would obviously be quite different, but these depressing circumstances of the present time might call to mind various moments when the community of the Chosen People, while veering away from their special relationship with God, were encountering their own—mostly self-inflicted—ordeals, only to be called back by an earnest prophet. Enter R.R. Reno, the editor of the well-regarded *First Things*.

At the risk of a reductionism that is innocent of many important distinctions, one still might usefully argue that there is a parallel here. Reno's basic contention is that Americans today are far too independent and far too little aware of man's inescapable dependence on transcendent norms. Being true to the kind of creature we are requires a recognition of the Two Great Commandments and a commitment to practicing them: to love God with all one's mind and heart and strength, and to love one's neighbor as oneself. Correctly understood, we must be our brother's keeper. This axiom is familiar for those deeply imbued with the Judeo-Christian tradition, and yet its meaning is easily forgotten. To use the words of Augustine, it is a truth "ever ancient and ever new."

Working from the scaffolding offered by Charles Murray in his *Coming Apart: The State of White America, 1960-2010* (New York: Crown Forum, 2012), Reno provides a sketch of America by a comparison of two towns: Belmont and Fishtown. The elite minority (perhaps 20 percent of the population)—the leaders and trend-setters in business, the media, the arts, academe, etc.—populate Belmont and proclaim an ethic of social and intellectual experimentation that celebrates moral relativism and sexual (and now gender) freedom. Reno christens this viewpoint a "non-judgmental materialism" that demands complete personal human freedom to determine the importance of the self, the meaning of life, and the demands of morality. It celebrates diversity, multi-culturalism, and toleration (except ironically for anyone who would resist this new order of things). And yet, according to Murray's research, certain aspects of this Edenic

temptation come to be resisted by the citizens of Belmont, for they actually value stable marriages, good education for their children, and more local order than their Bohemian rhetoric would ever suggest. Reno identifies these progressive secular folks as the post-1960s cohort of those who set the moral tone for American society, much as their WASP forbears had done in earlier generations.

And, Fishtown? Unprotected by disposable income and high walls (figuratively and literally), often unemployed, victimized by shallow education and an even shallower popular culture, the citizens of racially-integrated Fishtown lead "lives of quiet desperation." They are dispirited and suffer daily in the backwash of the debilitating relativisms popularized by the elite. Our modern prophet does not shrink from the challenge: "A preferential option for the poor demands 'judgmentalism,' which is to say, the courage to speak forthrightly about right and wrong" (72). There may be some post-modern resistance to such a traditional sentiment—even a stiff neck or two, and much murmuring! The alternative to moral chaos, a lack of viable community, and to many forms of social and personal pathology is the further incursion of ever more intrusive bureaucratic, therapeutic, and secular government. Moving beyond the re-imagining of marriage and gender-identity independence, the next hurdle to the complete secularist takeover of Eden will be the abolition of religious liberty, for the idea will be redefined and condemned as the safe haven of bigotry and superstition.

Re-echoing Christopher Lasch's trenchant indictment of the global elite that formed during the late twentieth century, Reno calls for a remnant to challenge this modern American malaise. In *The Revolt of the Elites and the Betrayal of Democracy* (1996), Lasch attempted to activate the consciences of those who might lead a renaissance of American community that was grounded in an acceptance of perennial truths and traditions, including religion. Reno is far more specific in his own prescription: the response to the contemporary American (and, more generally, human)

crisis, the charitable and hospitable answer to the politicization of everything in a culture that less and less recognizes transcendent norms and reality is Jesus Christ! Reno does not envision any resurrection of Christendom in the United States. But he urges that, beyond any utilitarian advantage offered by a Christian sense of human dignity and human solidarity, the witness and leaven that committed followers of the Lord can bring to the public conversation is life-giving because it is true! The Message is not simply the neutered Golden Rule of niceness but a true tale of the Incarnation of the God-man, his teachings, his salvific suffering and death, and the Resurrection, for all of this has come about in God's extraordinary and gratuitous desire to save us from our selfishness, pride, and misplaced sense of autonomy. Here is the complete truth of the human proposition. It requires committed and humble souls who embrace, however imperfectly, their fundamental dependence on God. Reno is certainly aware of the challenging but graced obligation to proclaim Christ. In Reno's own words:

We too are in danger of dhimmitude [a term describing the interiority of subordination by non-Muslims in Islam-controlled areas], an internalized submission to the progressives' claim that they control the future, a mentality based on the illusion that worldly powers are history's master and that they set the ultimate conditions for our freedom. The seductions of this illusion are powerful, but historical reality testifies otherwise. (190)

Reno is on the mark in a timely and accessible argument for authentic discipleship and evangelization. Amid the current misunderstanding prevalent in America about the nature of true freedom, he urges a renewed declaration of dependence: *Christ* is the way, the truth, and the life! Be not afraid, as we have so recently been reminded!

Randy J. Boyagoda, *Richard John Neuhaus: A Life in the Public Square*. New York: Image Books, 2015. xix + 459 pp.

Reviewed by Christopher H. Owen
Northeastern State University

In *Richard John Neuhaus: A Life in the Public Square*, Randy Boyagoda has, somewhat surprisingly, created a scholarly gem. The element of surprise in this achievement arises from a couple of factors. First, the narrative appears to be a fairly comprehensive account of its subject's life and achievements, even though Fr. Neuhaus died only seven years ago. Furthermore, as Boyagoda himself notes, "a Sri-Lankan novelist and English professor living in Toronto" would not appear at first glance to be "the most obvious choice to write about a Canadian-born Lutheran pastor turned Catholic priest and conservative New York intellectual" (401). Boyagoda did know Neuhaus and had published in his flagship journal *First Things*. Perhaps this combination of chronological nearness, distance in perspective, and loose engagement with Neuhaus's circle is what has allowed Boyagoda to get at the heart of his subject in a powerful way.

In completing the biography, Boyagoda used an impressive array of sources. Of paramount importance for the book are Fr. Neuhaus's published works. Even apart from his numerous books, Neuhaus worked prolifically as a writer. During his days at *First Things*, he produced a minimum of 10,000 words every month, particularly for his famed "While We're at It" summary of current events. Neuhaus desperately wanted his opinions to be known and thus left a rich body of work spanning five decades of engaged public life. Another source is the set of interviews with his friends and associates, including his siblings and colleagues like George Weigel and Michael Novak. Boyagoda also delved into the personal papers stored at the offices of the Institute for Religion and Public Life in New York City.

In the first six chapters Boyagoda walks his readers through Neuhaus's life from his birth in 1936 to his graduation from seminary in 1960. These chapters lay the necessary groundwork for understanding Neuhaus's later accomplish-

ments. Known as Dickie (and later as Dick), Richard John Neuhaus was an unusual child, not gifted at sports but an intellectual prodigy. Always possessing the gift of gab, he was very much the "preacher's kid" and often presided at make-believe religious rituals, such as marrying playmates and burying deceased pets. His father, Clemens Neuhaus, was a pastor in the Lutheran Church, Missouri Synod, a denominational body strongly committed to upholding what it saw as the pure version of Martin Luther's teaching. As portrayed by Boyagoda, Rev. Clem Neuhaus was a strong-willed leader, authoritarian in style, and deeply committed to serving his denomination and his congregation in Pembroke, Ontario. His son Richard craved his father's approval but seldom received it. Clem and Dick possessed "shared penchants for stubbornness and dispute" (20).

In 1951 his parents sent Richard to a Lutheran boarding school in Nebraska. Here the young man demonstrated such ebullience and rebelliousness that he was forbidden to return the next year. He then moved to Cisco, Texas, to live with his mother's relatives and attend a small Lutheran school. In Cisco he sought various outlets for his enormous energy, started his own small business, and frequently disputed points of theology with his teacher and with the pastor of the local church. The next year, at the suggestion of friends and family, Richard moved to a somewhat more stimulating intellectual milieu at Concordia Lutheran College in Austin. There, pursuing a college curriculum without having graduated from high school, he began more seriously traveling toward his ultimate career as scholar and pastor. Among the student body he made some life-long friends, including the historian Robert Wilken.

In 1955, along with several other high-achieving graduates of Concordia-Austin, Neuhaus moved on to the yet more academically challenging environment of the Missouri Synod's most prestigious seminary, Concordia-St. Louis. There Neuhaus found himself at the vortex of denominational politics and discovered profound teachers who pushed his thinking in new directions.

Most vital for Neuhaus was the influence of Professor Arthur Carl Piepkorn. An engaging teacher and proud World War II veteran, Piepkorn taught that Lutheranism was meant to be a reform away from it. Seeing their teacher in his Roman collar, students normally addressed him as Fr. Piepkorn, a title they used for no other professor. In St. Louis Richard also met a long-term nemesis in fellow student Herman Otten. Inclined, like many in the Missouri Synod, to a version of Protestant fundamentalism, Otten regarded Neuhaus's seminary mentors as too ready to compromise denominational teachings. Troublesome toward his teachers as a student, Otten eventually (in 1973) helped engineer the ouster of Piepkorn and other denominational moderates from the seminary. These experiences and associations at Concordia-St. Louis "marked [Neuhaus] as a liberal by rigid Missouri standards" (77).

After graduation Neuhaus briefly returned home in 1960 to receive ordination as a Missouri Synod minister from his father at the church in Pembroke. For the year after graduation he pastored a church in a small town in New York state, but wanting to be where the action was, Neuhaus accepted a call in 1961 to serve in New York City as the pastor of St. John the Evangelist Lutheran Church in Brooklyn. There he joined a congregation in transition. Challenged by white flight and surrounded by housing projects, the church had reached out to the local minority population and was, even before Neuhaus's arrival, attracting locals with a combination of high church liturgy and cultural openness. Neuhaus avidly embraced the challenges of urban ministry. Adding his own great preaching gifts to the mix at St. John, he strongly appealed to Lutheran seminary students by offering opportunities for service, daily prayer, and fellowship. Meanwhile he had to earn his salary through outside employment because the church, ministering to the poverty-stricken, offered him none. Working as a hospital chaplain "exposed him to some of the darkest realities of urban life and human suffering, while also revealing the surprising dignities of

birth and death in a place where a great deal of both look place” (95).

Neuhaus soon threw himself into Civil Rights activism. He preached the righteousness of this struggle from the pulpit, attended such landmark protests as the 1963 March on Washington and the Selma March of 1965, and worked actively with the Lutheran Human Relations Association of America in various nonviolent protests. At this task he worked side by side with such prominent East Coast clergymen as Henry Sloane Coffin, Jr., and with such eager college student activists as future colleague James Nuechterlein. Unlike many in the Missouri Synod, Neuhaus argued that the church had to work consciously to promote social justice and that the “Two Kingdoms” of God and Caesar should not be “kept artificially separate” (109). As Boyagoda perceptively notes, this view about the necessity for Christian social action envisioned a linkage rather than a separation of religion and government. It remained a central point for Neuhaus to the end of his days—even as his political views veered rightward.

Soon the young Lutheran pastor began to attract public notice as an opponent of the Vietnam War. In October 1965, as part of an ecumenical gathering of peace activists, he was quoted by *The New York Times* for criticizing President Lyndon Johnson’s denunciation of antiwar dissent. The next year Neuhaus helped found Clergy and Laity Concerned about Vietnam (CALCAV), the most influential of American Christian antiwar groups, and served, at age twenty-nine, as its youngest member. Fasting in a July 1966 protest, he called for the Johnson administration “to turn away from the madness” of seeking victory in the war (125). In 1968 the idealistic minister-activist attended the Democratic National Convention in Chicago as an antiwar delegate, only to be expelled from the floor by the police, then arrested for protesting outside.

About this time, as 1960s radicalism reached its pinnacle, Neuhaus began to have second thoughts. Together with Socialist leader Norman Thomas, he pondered the ominous meaning of protestors burning the American flag, and

he noticed that movement leaders were scandalized when he asked them to sing “America the Beautiful” (134–35). For some time afterward, however, Neuhaus attempted to keep up his radical reputation. In one book he affirmed the right to armed revolution, and in 1970 Neuhaus ran for Congress on a peace platform. He hoped to unseat a hawkish Democrat incumbent but failed miserably. It was in these years, says Boyagoda, that the Lutheran social activist developed a “double persona” (148) in which he would publicly comment on events in which he himself participated.

In the early 1970s, Neuhaus’s attitudes began to diverge from the radical left consensus. His 1971 book *In Defense of People*, for example, took environmental activists to task for trying to force birth control on the Third World while maintaining their own profligate lifestyles. In this same period he was appalled to hear a medical proponent of abortion suggest that “it would have been better for [American slum dwellers] not to have been born.” Indeed, just at the time the *Roe v. Wade* decision was imposing legalized abortion upon the country, Neuhaus came to see his own commitment to the poor and oppressed as connected to defending “the rights of the unborn” (162–63). In 1974 he broke with CALCAV because the group refused to condemn Communist human rights abuses, and he also expressed grave concern that radicals were more interested in libertine sexuality than in justice.

A break with the Left of even higher profile came in 1975 with the Hartford Appeal for Theological Affirmation. Together with friend and associate Peter Berger, the famous Lutheran sociologist, Neuhaus initiated this declaration. Hammered out by twenty-four leading American theologians and urged on by Neuhaus, the document excoriated mainline Protestant churches for abandoning Christian traditions, doctrines, and notions of transcendence for the pursuit of social reform. Such liberal and neo-Marxist ideas too often subordinated theology to politics and amounted to “cultural capitulation” (185). Pushback against this document ended the friendship between Neuhaus and William

Sloane Coffin. Hartford also signaled Neuhaus’s disenchantment with the Protestant mainline churches, which he saw as meekly surrendering their theological heritage for a mess of trendy political pottage. Meanwhile Neuhaus was able to move forward with two passions. In 1976 he helped found Lutherans for Life and in the late 1970s he started to work as a writer and editor for *Worldview* magazine, a publication dedicated to reporting and analyzing world events from a Judeo-Christian perspective. In this position he avidly supported Jimmy Carter for president against Gerald Ford precisely because Carter tried to bridge the religious-secular divide in a way that Neuhaus liked.

From 1975 to 1977 Neuhaus published three books. In *Time Toward Home* he articulated a notion fundamental to his thought, namely, that “‘politics is a function of culture’ and ‘at the heart of culture is religion.’” Neuhaus also noted that when he met God, he expected “to meet him as an American” (197–98). His *Christian Faith and Public Policy* was not very successful, but in *To Empower People*, coauthored with Berger, Neuhaus made an impact on public policy. In this short book the authors coined the later commonly used term “mediating structures” to describe their underlying theme (202). These key social structures were families, churches, neighborhoods, and voluntary associations. Strengthening and working through these institutions, they argued, would provide a counterweight to the “mega-structures” of large-scale, centralized government. The authors readily acknowledged their intellectual debt to such forbears as Burke, Durkheim, and Pope Pius XI. Indeed, their ideas strongly resonated with the Catholic notion of subsidiarity, especially as laid out by Pius XI in the 1931 encyclical *Quadragesimo Anno* (205–06). Amid this success, however, Neuhaus remembered that his primary role was as a Christian minister and that his primary focus should be on eternity. He reminded Lutheran seminary students that “there is no promised land short of the Promised Land” (210).

Leaving his ministry at St. John the Evangelist in 1978, Neuhaus moved to Manhattan. He also left the Missouri

Synod to join the larger and more mainline (that is, less fundamentalist) Evangelical Lutheran Church in America (ELCA). In Manhattan he preached on Sundays at Trinity Lutheran Church. There, says Boyagoda, Neuhaus had “self-consciously situated [himself] near the summits of worldly power” (220). In this position he wrote regularly for various religiously oriented publications and served as a public commentator on religious issues for secular publications. Dabbling with public initiatives on the family, he became disillusioned that his traditionalist perspective was being side-tracked by Democratic Party politicians. Then in 1981 Neuhaus, together with anticommunist Catholic intellectuals George Weigel and Michael Novak, founded the Institute on Religion and Democracy in Washington, D.C. Convinced that American churches were giving aid and comfort to the Cold War enemy, these men set out to expose the pro-Soviet actions of the Protestant mainline. In the Reagan years, as the country appeared increasingly amenable to his ideas, Neuhaus’s influence grew. In 1984, he became the director of the well-funded, New York-based Center on Religion and Society, funded by the Rockford Institute of Chicago, thereby scandalizing the American Left with his final transformation from McGovern Democrat to Reagan Republican.

That same year Neuhaus published his most famous book, *The Naked Public Square: Religion and Democracy in America*. Written in an elegant and persuasive manner, Neuhaus here made the case for the value of including religious perspectives in the sphere of political decision-making. In the book, drawing much inspiration from the ideas of American Catholic thinker John Courtney Murray, Neuhaus decried both Christian fundamentalism and militant secularism. Both groups wrongly separated church and state, with the fundamentalists clinging to such doctrines as scriptural inerrancy, which those outside their circle would not accept, and secularists wanting completely to exclude religiously grounded discourse (that is, God) from political discourse, thus creating the eponymous “naked

public square” (234–35). Neuhaus, on the other hand, sought to develop a public philosophy open to religious reasoning and to the religious values held by most Americans as something that might be persuasive to the voting public. Reagan’s triumph, he hoped, signaled “a sharp challenge to the naked public square” (242–43). Meanwhile, in this very eventful year for Neuhaus and his work, he developed a close friendship with Cardinal John O’Connor, the new archbishop of New York.

Increasingly, Neuhaus felt pulled toward Catholicism. He also found himself in considerable demand as a speaker. At this time he edited and wrote for three publications: *This World*, *Lutheran Forum Letter*, and *Religion and Society Report*. He also served as the religion editor for William F. Buckley’s *National Review*. In his 1986 book, *The Catholic Moment*, the Lutheran minister argued that the Roman Catholic Church was the single most important institution for putting global affairs aright. A strong admirer of Pope John Paul II and Cardinal Joseph Ratzinger, he also believed that the Church and the country should work in tandem to promote freedom and democracy. Though he specifically denied what was apparent to many readers of the book, Neuhaus was gradually becoming ready “to do a Newman,” that is, to leave Protestantism for Catholicism (258–61).

In 1989 Neuhaus experienced a professional trauma that threatened his career. Fired suddenly as director of the Center on Religion and Society and removed from his leading role in *This World*, Neuhaus used this crisis to clarify his vision of social conservatism. He emerged more powerful and influential than ever. As Boyagoda notes, this struggle involved two distinct visions of conservatism. Allan Carlson, the Chicago-based chief of Rockford, grounded his views in traditional “small-town life and cultural homogeneity.” Neuhaus’s vision was more oriented to change, cities, and demographic diversity. Before his dismissal, Neuhaus had berated Rockford leaders for publishing views that he considered anti-Semitic and for favoring ethnically based restrictions on immigration. An “amicable separation”

had been arranged, but Carlson sped up the process with a “raid” on the New York office, in part because of financial complications (271–72). The story stayed in the papers for months. By the end of the year, however, Neuhaus had obtained significant funding to create the new Institute on Religion and Public Life in New York City. In 1990 he initiated a new journal, *First Things: A Journal of Religion and Public Life*. This journal promoted religiously informed, neoconservative views, and in editing it Neuhaus came to the pinnacle of his public influence.

In September 1990 Neuhaus joined the Catholic Church. Pope John Paul II, who saw him as a personal friend, was “delighted” (290). A year later Neuhaus was ordained a Catholic priest and quickly threw himself into public controversy by defending President George H. W. Bush’s 1991 decision to wage war against Iraq in Operation Desert Storm. Drawing on just war theory, he used *First Things* to berate both the National Council of Churches and the American Catholic bishops for what he saw as their overly pacifist responses to the conflict. Using the encyclical *Centesimus Annus*, he asserted that the pope was fully on board with modern-day capitalism. In 1992, writing for the *Wall Street Journal*, he lambasted the Supreme Court for *Planned Parenthood v. Casey*, a decision that strengthened the almost unlimited American abortion license as the “Dred Scott of Our Time” (303).

The next year Neuhaus almost died. In January 1993 he reluctantly went to the hospital and fainted in the emergency room. After having a large tumor removed from his colon, he had to undergo more surgery when a nicked spleen caused dangerous internal bleeding. As concerned friends and family gathered around, Neuhaus awoke—as he told it, at the spoken command of Cardinal O’Connor. Typically for Neuhaus, he later wrote a book about this experience. In *As I Lay Dying*, his most personal and spiritually daring work, Neuhaus recounted an out of body, “near-life” experience. From his hospital bed he sensed two Divine “presences” and distinctly heard from them the message “Everything is ready now” (308).

Neuhaus spent months in the hospital even though he decided to leave before he had completely recovered.

Much of his attention in the mid-1990s focused on such issues as abortion and euthanasia. Neither Catholic traditionalist Joseph Sobran nor Lutheran traditionalist Herman Otten was impressed. From quite different perspectives, both labeled Neuhaus an unprincipled schemer. In 1995, along with reformed Watergate figure Charles Colson, Neuhaus put together the group Evangelicals and Catholics Together. Its founding statement, which dozens of prominent Catholic and Evangelical leaders signed, envisioned cooperation against the “encroaching culture of death.” Although this effort had political implications, it was mainly intended as an “ecumenism of the trenches” between sets of believers who were, in many ways, like-minded on social issues.

In November 1996 Neuhaus found himself again at the center of a political maelstrom. That month a special issue of the journal appeared whose theme was “The End of Democracy? The Judicial Usurpation of Politics.” Provocatively, a symposium of prominent scholars asked whether there might come a time when, because of court edicts on life issues, American citizens could no longer “give moral assent to the existing regime” (324). Many neoconservative intellectuals, including Peter Berger and Norman Podhoretz, editor of the journal *Commentary*, expressed fury. Some called Neuhaus and associates “theocons” who believed American democracy was special mainly because of its Christian character. Extensive coverage of the controversy appeared in the mainstream press. As a result of these events, however, the circulation of *First Things* actually increased. Publicly Neuhaus never backed down from the view that the federal courts had usurped the democratic process, but he did later occasionally express private anxieties about how he had treated the subject.

Unfriendly toward the Clinton administration, Neuhaus got on board with George W. Bush even before the presidential election of 2000. Although he sometimes felt misgivings that his social witness was taking precedence

over his liturgical and sacramental duties, Neuhaus certainly expressed satisfaction at Bush’s triumph, particularly relishing evidence that religiously active Christians had overwhelmingly voted Republican. On 9/11, however, Fr. Neuhaus was astute enough to recognize immediately that “[t]his changes everything” (348). Indeed, the *First Things* offices offered an eye-witness view of the carnage. He strongly supported the ensuing War on Terror. He believed that this war had to be fought justly but noted that the war was real, no more “metaphorical” than the planes which had crashed into the towers. His long-time associate Stanley Hauerwas, a peace-oriented Methodist theologian, resigned from *First Things* because of the magazine’s “muscular” support of Bush’s foreign policy. For better or worse, Neuhaus and *First Things* were linked in the public mind to the success or failure of the War on Terror. Meanwhile, as America’s most famous convert, Neuhaus immediately recognized the severity of the priestly abuse scandal that began to wrack the U.S. Church in 2002. He later he labeled it the “Long Lent.” This crisis presented, he thought, a grave challenge to the Church in America and worldwide, the very institution to which, after long deliberation, he had chosen to devote his life. In 2004 President Bush publicly credited “Fr. Richard” with having helped formulate his own pro-life position. *Time* magazine recognized the priest-convert as one of the most influential “evangelical leaders” in America.

Shaken by the death of John Paul II, Neuhaus was frequently interviewed in the American media during the interregnum and was quite pleased with the election of Cardinal Ratzinger as Pope Benedict XVI. He saw this choice both as “a personal victory” and as a “victory of theological orthodoxy within the universal Church” (369). With his influence riding high, Neuhaus would receive increasingly nasty attacks in the media, including from former associate Damon Linker and from liberal Catholic gadfly Garry Wills. Under the new pope, Neuhaus continued to defend Vatican initiatives, including the controversial Regensburg Address of 2007, against what he considered tepid support from

the American bishops. Neuhaus remained a powerful speaker and debater, always arguing that the influence of religion on public life was inevitable and needed to be approached intelligently. By 2008 Neuhaus was losing friends and associates to death. That year he concelebrated memorial Masses for both William J. Buckley and Cardinal Avery Dulles. As the presidential election of that year proceeded, Neuhaus expressed some admiration for the political gifts of Barack Obama but would ultimately support his Republican opponent. Almost on the eve of the election, Neuhaus was diagnosed with lymphatic cancer. On January 8, 2009, shortly after the inauguration of the new Democratic president, he died in the hospital. Among the last people he saw there were a husband and wife from his St. John the Evangelist days, an interracial Lutheran couple whom he had married decades before.

Boyagoda’s work in *Richard John Neuhaus: A Life in the Public Square* is an admirable piece of scholarship. Certainly, a biography completed so soon after the demise of its subject is not likely to be comprehensive or to serve as the final word on its subject. More sources on Neuhaus’s life and work will surely become available for future researchers. Events yet to come will put the accomplishments of the famous convert into clearer focus. Nevertheless, any future biographers and historians focusing on Neuhaus and his circle will have to reckon with his narrative and analysis.

Like many biographers, Boyagoda claims to treat his subject dispassionately, that is, writing neither a “hatchet job” nor “hagiography” (401). Unlike many biographers, he appears successfully to have accomplished this task. The author’s admiration for his subject is clear, as when he notes that Neuhaus wanted most of all “to do something beautiful for God” (xix). Throughout the book he credits as sincere Neuhaus’s belief that the “first things” of life were religious, not political, and he does not doubt the sincerity of Neuhaus’s transformation from radical activist to neoconservative stalwart. Boyagoda recognizes Neuhaus’s great power as a writer, thinker, and conversationalist, but he also shows

how overbearing he could be even to family and close friends. The biography demonstrates that Neuhaus's drive to be at the center of power was, if not "naked" ambition, certainly a quite evident characteristic of the man.

Boyagoda is balanced in his treatment of Neuhaus and his opponents, even while treating the many public controversies in which his subject engaged. As regards the 1975 Hartford Declaration, for example, the author clearly lays out Neuhaus's views and then shows how and why mainline Protestant leaders broke with them, not judging who was right or wrong. Similarly, he analyzes the Rockford raid of 1988 in a mostly objective manner, showing how the conservative visions of Allan Carlson and Dick Neuhaus differed, without declaring which vision was correct. There even appears to be balance in the treatment of those Neuhaus critics whom Boyagoda judges most severely. One leaned right—Herman Otten of the Missouri Synod—and one leaned left—former friend Damon Linker who denounced Neuhaus as a power-hungry theocrat.

Boyagoda also shows himself to be an accomplished stylist. His vignettes are usually carefully chosen and evocative and help illuminate Neuhaus as a person. In the preface, for example, the biography first shows Neuhaus in 1967 defying expectations by asking antiwar radicals gathered at his church to sing "God Bless America," and then in 1994 again defying expectations by urging a Christian Coalition crowd not to confuse their political ideas with God's own plans. The preface thus provides a powerful beginning to the book. A reader might normally expect the first chapters of a biography to read slowly, as the biographer recounts the subject's childhood, and this book seems, at first, to follow that pattern. But by book's end, even that slow start appears to be a successful artifice. The book builds its pace slowly, *sotto voce* at first, from boyhood hijinks in rural Canada, to collegiate engagement, radical activism, reconsidered maturation, the climb to influence, and ending with the crescendo of Neu-

haus's death in Manhattan when he was at the height of his social importance and political power. That Boyagoda sweated long and hard on his biography of "Father Moo Cows," as his daughters put it (404), is obvious and will be much appreciated by his readers.

There are issues and questions that a reviewer can raise about the book. Although the biographer delves into a fair amount of detail about Neuhaus's private life, for example, this book to a great degree is about a public life, that is, it is focused mostly on its subject's work in the public sphere. That emphasis is understandable and appropriate given the importance that Neuhaus himself gave to his work in that sphere. Still, the reader at times wishes for further insight into the deep psychology of its subject. Boyagoda does reveal a mischievous and talkative boy who badly wanted, but seldom received, words of love from his father. For Neuhaus as an adult, however, readers are left wondering a bit about Neuhaus's inner life. He loved to talk, drink, smoke cigars, and talk some more. He was extremely ambitious but sincere in his religious convictions. It is not clear to this reviewer, however, *why* Neuhaus was so driven, that is, why he chose to live as a public intellectual rather than as a conventional minister. Boyagoda suggests but does not explicitly say that Neuhaus subconsciously desired to please his father even while engaging him in heated arguments on political and theological subjects. One also wonders why Neuhaus chose to remain celibate, even when living as a Lutheran pastor. Was it simply that he took St. Paul's admonition about the value of celibacy for Christians to heart? Or, perhaps, was Neuhaus roiled by internal conflict regarding issues of sexuality? Boyagoda does not say. Perhaps such issues are irrelevant for evaluating Neuhaus's public importance, but readers will, I think, be left wondering about them.

At times, the reader might like Boyagoda to make his evaluation of Neuhaus's place in American history more explicit. Certainly, he chronicles Neuhaus's rise, his influence, his powerful

connections, both in church and state, quite effectively. The biographer also is clear in showing the nature of Neuhaus's changing ideology. Yet it seems to this reviewer that it might be possible to link these biographical details more explicitly to the ebbs and flows of American historical developments. Neuhaus lived through the apparently complacent religiosity of the 1950s, participated avidly in the upsurge of 1960s radicalism, and embraced the anticommunism of the Cold War while upholding the social conservatism of orthodox Christianity. By opposing communism and the sexual revolution, by embracing the Republican Party and the Catholic Church, he rode these historical forces of conservatism to the top, at their highest points of social and political influence.

But then, just as he died, this historical wave crested. Neoconservatism fell into disrepute because of public disapproval of the Iraq War. The priestly abuse crisis badly wounded U.S. Catholicism. Just scant years after the death of Fr. Neuhaus, the causes that he had so forcefully championed appear to have been routed. The Supreme Court has mandated the legality of homosexual marriage. The abortion license continues unabated. The War on Terror has not seen American victory. A new pope makes pronouncements against capitalism and waffles on questions of traditional Christian morality. A nativist/nationalistic conservatism rejecting the neoconservative cosmopolitanism championed by Neuhaus has emerged powerfully among Republican voters. It is not clear how all of these developments will play out, but their emergence so soon after Neuhaus's death give his story the character of classical tragedy. He devoted much of his life—his intelligence, zeal, and élan—to causes so quickly lost. Neuhaus lived as an American, died as an American, and, hopefully, met God as an American. But the America he knew has, even since his death in 2009, changed rapidly and drastically. Selfishly perhaps, one wishes Neuhaus were alive to provide his astute commentary on these vast social changes and their import for American society and its future.

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