

A Good Read

Ralph McInerny

A FEW YEARS AGO Piers Paul Read began his novel *The Third Day* with a scene in which an Israeli archeologist comes upon a burial urn beneath the Dome of the Rock. The urn contains the body of a crucified male of the first century and on the skull are marks that could have been made by a crown of thorns. The novel is every bit as intriguing as this beginning. Particularly delicious is the cardinal who embarks on damage control, arguing that belief in the resurrection is perfectly compatible with the discovery of the remains of Jesus.

In 1991, Read contributed a pamphlet to the Claridge *Blasts* series entitled *Quo Vadis?* It is a gifted Catholic layman's look at the Church in England. The tumultuous wake of Vatican II is laid before us, with particular emphasis on the effect of the sexual revolution on moral theology, the devastating impact of feminism, the confusions of liberation theology, and the notion of an alternative magisterium of theologians. *Quo Vadis?* is a fresh look at a familiar picture, but one that has not lost its power to astonish. Read is particularly good on the confusion in catechetics which prompts him to express a parent's dismay at what his children are taught.

His pamphlet underscores the need for the Universal Catechism, the topic of our Pittsburgh meeting. The catechism is the answer to the plaintive question which provided Read with his title. Here at last, after decades of confusion, is a clear accessible statement of what Catholics believe.

The rival magisterium crowd has already manifested its indocility and unwillingness to heed the voice of the teaching Church. No wonder. The Universal Catechism will make it far more difficult for them to con people into thinking that one can be a good Catholic while rejecting the clear faith of the Church. Christ did not become man in order that man might become a theologian. Nor was he referring to theologians when he said, "...who hears you, hears me."

By contrast to such theologians, I recall the image Maisie Ward gave of Chesterton preparing for entry to the Church, the great hulking man of genius poring over a penny catechism. The faithful, weary of both/and, either/or, and on-the-one hand-this and on-the-other-that, have longed for a catechism with the clarity of the creed, an articulation of our beliefs, those things we accept because their truth is guaranteed by the Church founded by Jesus Christ Our Lord. Now we have it. *Te Deum laudamus.* ☩

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

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CONTENTS

EDITORIAL: A Good Read 1

ARTICLES:

Preparing to Harvest:
Pastores Dabo Vobis 2

May Catholics "Dissent" from
Papal Social Teachings? 4

Clarification to a Review 11

The Impact of Judeo-Christian
Concepts on Western Institutions:
Natural Law vs. Legal Positivism 14

Who Was Hubert Jedin? 19

AROUND THE CHURCH
IN THE '90s 21

FCS NEWS 25

BOOKS RECEIVED 32

RECENT PUBLICATIONS
BY MEMBERS 33

BOOK REVIEW 35

Preparing to Harvest: *Pastores Dabo Vobis*

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JOHN PAUL II'S RECENT Apostolic Exhortation *Pastores Dabo Vobis* is remarkable for its comprehensiveness. Its aim is clearly the fostering of vocations. Declaring that the first responsibility for promoting priestly vocations falls to the bishop (p.78), the Exhortation acknowledges that it is the family which nourishes those virtues which enable the young man to respond to the call. It is the Christian family which provides the spiritual and intellectual milieu, wherein the candidate first acquires the habit of prayer, self-discipline and the willingness to sacrifice himself for others, virtues which are encouraged as he moves through successive stages of his formal training.

While John Paul II does not neglect the ministerial aspect of priestly activity, he does not reduce it to welfare work, psychological counseling or social activism. The priest is first of all an alter-Christus who offers sacrifice on behalf of the people, who binds and loosens in the name of heaven itself. The priesthood is defined by the sacramental character of ordination and by the powers it confers. It is manifest in the awesome power to consecrate bread and wine and in the power to absolve. Yet the priest's role as the dispenser of the sacraments co-exists with an important second function, namely the prophetic obligation to proclaim the Gospel to the world.

To teach effectively requires a superior education, a high level of intellectual forma-

tion. John Paul II is aware of the many intellectual currents which militate against the acceptance of the faith. Some come from within the church, but most from without. The Exhortation insists that the candidate be of sufficient intelligence and learning that he be able to distinguish between the common teaching of the Church and the often deviant opinions advanced by theologians and others not in communion with the apostolic tradition. Many disciplines are mentioned as curricular components of the education of future priests. The special roles of theology and philosophy are acknowledged. The need to study the social sciences and history is also mentioned.

Though John Paul II does not describe the specific roles played by the various disciplines, one may in keeping with the spirit of the document elaborate the key role played by philosophy in the education of future priests. Philosophy not only prepares one for the study of theology, but assists the priest in his later evangelical work. It must be recognized that most opposition to Christianity flows from the intellectual sector where a secular outlook has long been pervasive. The empiricisms and positivisms adopted in the late 19th century have led to the agnosticisms and atheisms of the 20th. The priest who would speak to the contemporary mind is ill-equipped if he is not aware of the metaphysical depth and the historical causes of the secularity which pervades the academy and the

media inspired culture. While in the late 19th century the secular mind was limited to the drawing rooms and salons of the intelligentsia, in the late 20th century it has through the media so permeated Western culture that it threatens the practice of Christianity itself.

The importance of philosophy can hardly be overstated. First, philosophy is indispensable to theology and to the study of Sacred Scripture. At least since Plato, philosophy has provided the language of theology, defining

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the terms employed, making basic distinctions and articulating the rules of inference and analogy. The philosophical outlook which one brings to the scriptures determines the sense one makes of them. The modernist controversy was essentially a philosophical one as the *redaktionsgeschichte* movement led to a purely secular interpretation of the bible, reducing all interpretations to naturalistic ones. Secondly, it must be recognized that most social and political leaders, whatever their family backgrounds and early training, are products of their university education. One could compose a list of prominent 20th century intellectuals, including countless novelists, literary figures, serious scholars and political leaders, who abandoned their faith as a result of their university studies.

The philosophy regnant at the turn of the century has largely been superseded as its inadequacy has been shown time and again. Those empiricisms which deny the reality of natural structures and of causality can no more account for the inferences commonly made in the natural sciences than they can account for inference made to an unseen God. Most of modern physics and chemistry is grounded in the recognition that there are molecules, atoms, protons, neutrons, mesons, quarks, etc., none empirically encountered, all reasoned to on the basis of evidence. That the mind is able to reason from an observed effect to a cause which renders the effect intelligible is a cardinal principle of a realistic philosophy of science. That same realistic epistemology also leads one to the recognition of an unseen God and to the testimony of faith.

The denial that there are natural structures which control enquiry is also the root of various forms of subjectivism. The immediate import of such an outlook is the reduction of faith and morality to a purely subjective stance. Fideism is a characteristic of many forms of Protestantism, but it can never be an acceptable Catholic outlook. To accept the Catholic faith is not to leap into the dark, nor is morality merely the things "we agree not to do." A natural law ethic is contingent on the recognition that there are natural structures

and that from a consideration of human nature we can determine what goals are suitable. The priest must possess a vocabulary suited to explain these tenets as he moves among a people who possess superior technological training but who are often impressionable in matters outside their speciality.

The prophetic mission of the priest demands on his part an awareness of the *Zeitgeist* and a thorough grounding in the Catholic intellectual tradition. That tradition, as John Paul II has noted elsewhere, is anything but homogeneous. Philosophies compatible with the faith are plural in number but not every one serves equally well. It is for that reason that the papacy through the ages has recommended above all the study of St. Thomas whose Aristotelianism is of perennial value. To insist on training in the perennial philosophy is not to idealize a particular period in the history of thought. Philosophy is not static, but open-ended. Yet there are texts to which it profits every generation to return.

It has often been said that Christ came in the fullness of time, that is, when the Mediterranean intellect was positioned to grasp and to amplify the teachings of Christ. The same texts which opened those minds influenced by Greek and Roman thought to the acceptance of the Gospel are as relevant today as they were in the first centuries of Christianity. There is no substitute for the classical learning which tutored first the West and then the East. The ancients, no less intelligent or observant than we, can tell us much about an unchanging human nature. Contrary to what is sometimes thought, we have learned little from contemporary social science that bears in a fundamental way upon the faith, the conditions of its acceptance and its moral implications.

In sum, to fulfill his prophetic mandate, the future priest must be equipped to understand and appropriate the legacy bequeathed by the great teachers of the past. As John Paul II notes toward the conclusion of *Pastores Dabo Vobis*, this is a never-ending enterprise as the priest is called through an "ongoing formation," to maintain a "youthfulness of spirit." ✠

May Catholics “Dissent” from Papal Social Teachings?

K.D. Whitehead

SOME PEOPLE WERE surprised when Pope John Paul II, in his recent encyclical *Centesimus Annus*, strongly insisted that the social teachings of the Catholic Church constituted “an essential part of the Christian message” (#5) and “belong to the Church’s doctrinal patrimony and as such involve the exercise of her teaching authority” (#3).

Following last year’s centennial year of Pope Leo XIII’s *Rerum Novarum*, the famous encyclical on the condition of the working class which inaugurated the great modern tradition of Catholic social teachings, we need to ask how seriously Catholics need to take these social teachings. Are they equivalent to doctrine on faith and morals, or are they merely advisory opinions of the popes which Catholics may follow or not at their own option? Specifically, are Catholics obliged to give these social teachings the same assent which is owed to the Church’s authentic but ordinary teachings on faith and morals?

In other words, must Catholics accept the Church’s social teachings with the same “loyal submission of will and intellect” which Vatican Council II’s Dogmatic Constitution on the Church *Lumen Gentium* (#25) requires for the Church’s ordinary teachings? To put the matter yet another way, can Catholics safely “dissent” from papal social teachings and remain good Catholics?

More than one school of thought in the Church seems to be confused about these questions, or, at any rate, many seem to be confused about what doctrinal weight needs to be accorded to the teachings contained in the papal social encyclicals. In the current era of widespread dissent

from Church teachings on sexual morality, birth control, remarriage after divorce, and the like, we find, for example, dissenters from these particular teachings strongly beating the drum for the Church’s social teachings. In many cases, the Church’s social teachings appear to be the only Church teachings which do interest certain dissenters.

Often where dissent from the Church’s personal moral teachings is taken for granted (as, for example, in the pages of the *National Catholic Reporter*), the social teachings appear to be the whole point of Catholicism; in such quarters scorn is easily heaped on “right-wing extremists,” a term apt to be applied to anyone who subscribes, say, to Pope Paul VI’s Credo of the People of God. How it was that certain Catholic theologians ever came to equate acceptance of the Church’s own authentic integral teaching with holding right-wing political views is a question that we cannot go into here; the fact of it as evidenced by the vocabulary employed by some should be sufficiently manifest, however, as if all Church doctrines were merely opinions on this-worldly matters.

On the other hand, there are also many loyal “orthodox” Catholics around today who not only adhere to the Church’s teachings on sexual morality, for example, but who may even be among those calling upon Church authority to take a stronger stand in curbing dissent from these teachings, something which Church authority has not shown itself to be very good at. At the same time, among these “orthodox” Catholics are some who apparently believe that the teachings embodied in the papal social encyclicals do not really count as Church teachings in the real sense at all. There is an identifiable school of thought, in fact, which would appear to hold that the Church is both out of her depth and out of her element in even attempting to issue teachings pertaining to economic, political, or social matters. This school is particularly vocal when it is a question of such documents as the U.S. bishops’ pastoral letters on war and peace and the U.S. economy (which, of

course, by themselves do not form part of the Church's supreme magisterium); nevertheless, it is not clear that even papal social encyclicals fare very well in those quarters inclined to be critical of bishops' forays into the social sphere.

Then there are those Catholics, usually highly sophisticated and articulate, who may be quite willing to declare their adherence to the general principles embodied in the papal encyclicals from *Rerum Novarum* on, but who also appear to believe that these papal encyclicals are quite limited and one-sided and have failed, for example, to take with sufficient seriousness "the American experience." By such a phrase this school of thought appears to mean this country's relative success and creativity in the political and economic spheres and not, for example, the fact that we now dispose of more than a million and a half American babies each year before they have a chance of being born, that we positively subsidize marital infidelity through some of our welfare and other social arrangements, or that we are currently in the process of converting school classrooms into places where condoms are dispersed to unmarried teenagers; such phenomena as these are not likely to have unduly impressed the popes to the extent that they have even focused on "the American experience." However that may be, we Americans might profitably be slightly more modest in advancing claims to moral leadership considering the disarray in which both the theory and practice of morality currently find themselves in our society — and perhaps at the same time slightly more attentive to just what the popes might have to tell us, even in the social sphere.

Whatever the background and etiology of the various existing approaches to the papal social encyclicals in America, it does seem clear that vari-

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ous schools of thought in the Church here do not treat them consistently with other Church teachings. Competing and even opposing schools of thought treat them with their own kind of selectivity. Some feel free to dissent from regular Church teachings on faith and morals while promoting the social teachings; others affirm the teachings on faith and morals but are skeptical about the social teachings; still others appear to reserve the right to judge and choose among all of the teachings issued by the magisterium. It is hard to understand by what title any of these schools of thought

imagine themselves to be authentically "Catholic" at all, since the essence of the position of all of them is that they themselves are the final judges and arbiters of which Church teachings are to be accepted, thus evacuating the idea of a special Church magisterium, or teaching authority, of any meaning at all.

Yet everybody really knows, at the same time, that the Catholic Church does claim to possess a special magisterium, or teaching authority, whose pronouncements are normally "binding" in various degrees upon Catholics if they are to continue to consider themselves Catholics in the full sense. In no sense does the Church admit the reign of "private judgment" in deciding whether or not the teachings of her magisterium are going to be "received" in the sense and in the degree in which she issues them. The Church claims, indeed, to speak for Christ. To the original members of the hierarchy in which the Church's magisterium resides, Christ said, "He who hears you hears me" (Lk 10:16). Presumably Christ was no more talking just to hear the sound of his own voice than the popes in issuing eight social encyclicals over the past hundred years just to keep the Vatican Polyglot Press occupied, No: Christ was serious;

and the popes have been serious, too.

Is the kind of selectivity with which papal social encyclicals are too often received in practice in accord with the Church's own interpretation of the weight which the pronouncements of her magisterium are supposed to carry? Is a "conservative" dissenter from Pope John XXIII's *Mater et Magistra* equivalent to a dissenter from Pope Paul VI's *Humanae Vitae*? What about an "orthodox" Catholic who believes that the Second Vatican Council, an authentic general council of the Church, the twenty-first, all of whose acts were duly ratified by a validly elected supreme pontiff, came out with a good deal of fuzzy and dangerous nonsense? Or what about the Catholic comfortable with the Church's regular and consistent condemnation of communism, who suddenly became indignant with John Paul II's "moral equivalence" in condemning Western "consumerism" along with communism in his 1987 encyclical *Sollicitudo Rei Socialis*?

We need to look at what the popes themselves — and Vatican II — have officially said regarding the degree to which the pronouncements of the Church's magisterium on social questions are to be received and accepted and put into practice by the Catholic faithful to the extent that these social teachings pertain to the area of their personal responsibility.

What successive popes have said regarding their own claim to be able to teach authentically in the name of Christ about matters related to the political, economic, and social spheres may be surprising to some; it may even be one of the best-kept secrets about the Church's magisterium.

In the encyclical *Rerum Novarum* itself, for example, Pope Leo XIII declared that the social and economic problems to which he was calling attention were problems "for which no satisfactory solution will be found unless religion and the Church have

been called upon to aid. Moreover, since the safeguarding of religion and of all things within the jurisdiction of the Church is primarily our stewardship, silence on our part might be regarded as failure in our duty" (#24). In other words, Pope Leo believed that he was strictly obliged to teach on social questions, and that failure to do so would have been shirking his plain duty. Indeed, according to Leo XIII, if in the political, economic, and social spheres "the Church is disregarded, human striving will be in vain," a passage John Paul II would prominently quote in *Centesimus Annus*. The reason the Church must not be disregarded is that the Church "strives not only to instruct the mind but to regulate by her precepts the life and morals of individuals," while individuals, of course, make up societies, and societies too will fail to act according to moral precepts in the degree that the individuals making them up fail to do so. And, always according to Leo XIII, it has to be the Church which draws from the Gospel the proper teachings "through which alone political and economic conflicts can find their solution or at any rate their amelioration" (#25). The Catholic tradition has never held that Christian morality is or can be purely individual and private.

In his commemorative social encyclical on social reconstruction, *Quadragesimo Anno*, issued on the fortieth anniversary of *Rerum Novarum* in 1931, Pope Pius XI, with the directness, indeed, bluntness, which was characteristic of that pontiff, not only affirmed the Church's competence to teach on social questions, but set forth with great precision the exact scope of that competence; Pius XI held that the Church was competent and obliged to teach on political, economic, and social questions insofar as these questions touched upon morality:

... We lay down ... principles long since clearly established by Leo XIII, namely, that it is our

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right and our duty to deal authoritatively with social and economic problems. It is not, of course, the office of the Church to lead men to transient and perishable happiness only, but to that which is eternal. Indeed, 'the Church believes that it would be wrong for her to interfere without just cause in such earthly concerns' (Pius XI, *Ubi Arcano*). But she can never relinquish her God-given task of interposing her authority, not indeed in technical matters, for which she has neither the equipment nor the mission, but in all those that have a bearing on moral conduct. For the deposit of truth entrusted to us by God, and our weighty office of propagating, interpreting and urging in season and out of season the entire moral law, demand that both social and economic questions be brought within our supreme jurisdiction, insofar as they refer to moral issues.

On the fiftieth anniversary of *Rerum Novarum*, we find Pope Pius XII, in his Radio Broadcast for Pentecost, 1941, again claiming for the Church "the indisputable competence [to] decide whether the bases of a given social system are in accord with the unchangeable order which God our Creator and Redeemer has fixed both in the natural law and revelation." Most Catholics were disposed to grant this point to the popes, by the way, so long as they were perceived to be applying their condemnations mostly to the communist system.

However, when a Pope John XXIII, in 1961, found "unregulated competition" to be as "utterly opposed to Christian teaching and also to the nature of man ... [as] class struggle in the Marxian sense" (*Mater et Magistra* #23), or, much later, when a John Paul II, criticized what he called "liberal capitalism" and "consumerism" as severely as he did Marxist collectivism (*Sollicitudo Rei Socialis* #21, #28), many Catholics, as well as many observers from outside the Church, were not nearly so well disposed towards, nor so approving of, the papal judgments. Few stopped to reflect that Catholic social teaching in its origins

— originating as it did with Leo XIII's consideration of the condition of the European working class — was in its essence nothing else but a sharp critique of any unfettered *laissez-faire* type of economic system. Certainly Leo XIII and his successors wanted to save Christian civilization from a socialistic type of collectivism; but back in 1891 that was precisely where Leo feared Europe could be heading unless some fundamental reforms could be made.

It was the very prestige and influence of the papal social teaching which Leo XIII inaugurated, of course, which helped change the climate in Western societies in favor of the social reforms which were eventually put in place in most of these same societies.

Moreover, following Leo XIII, Pius XI, back in the depression years, was just as even-handed in his "moral equivalence" as ever John Paul II was to be accused of being. In 1931 Pius XI taught that "just as the unity of human society cannot be built upon class warfare, so the proper ordering of economic affairs cannot be left to free competition alone" (*Quadragesimo Anno* #88). The fact of the matter is that the popes have been remarkably consistent with one another in the matter of "moral equivalence" between competing modern systems; this was not something that suddenly originated with John Paul II.

The popes of the past century have been equally consistent with one another in their common claim of Church competence to teach on social questions. In 1961, Pope John XXIII joined all his predecessors up to that time and made exactly the same claim, not only in *Mater et Magistra* (#239) but also in *Pacem in Terris* (#160) two years later. In both encyclicals John XXIII spoke of what he called the Church's "right and duty" to teach on social questions.

Similarly, in the apostolic letter *Octagesima Adveniens* which he issued on the eightieth anniversary of *Rerum Novarum* in 1971, Pope Paul VI repeated the claim of his predecessors when he wrote that, even if Catholic social teaching "does

not intervene to authenticate a given structure or to propose a ready-made model, it does not thereby limit itself to recalling general principles. It develops through reflection applied to the changing situations of this world, under the driving force of the Gospel as the source of renewal ..." (#42).

At this point, it should no longer be a surprise to anybody that Pope John Paul II, when he came to write his outstanding encyclical on human work, *Laborem Exercens*, which he issued on the ninetieth anniversary of *Rerum Novarum* in 1981, specifically repeated the same claim to the Church's magisterial competence in social questions made by his predecessors. "The Church considers it her duty," John Paul II wrote in *Laborem Exercens*, "to speak out on work from the viewpoint of its human value and of the moral order to which it belongs" (#24). Thus the identical claim made in *Centesimus Annus* by Pope John Paul II is hardly new.

What do all these citations from papal social encyclicals add up to? What do we have here? It turns out that Leo XIII's original claim to be able to teach authoritatively on the moral dimensions of political, economic, and social matters has been pointedly and explicitly reiterated by every subsequent pope who issued a social encyclical — which most of his successors did. Indeed not the least important thing about *Rerum Novarum* has been the extent to which the popes have felt obliged to keep on "commemorating" it. Has any other papal encyclical ever been treated with the same seriousness and respect?

Of course, the fact itself that each pope who issued a social encyclical was doing just that, constitutes an implicit claim to be able to teach authentically on the subject being covered. Nevertheless, it is also highly significant that each pope believed it important to reaffirm specifically the

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Church's continuing claim to be able to teach on social questions, as John Paul II has also done in *Centesimus Annus*.

It would appear from the brief review of the papal social encyclicals which we have essayed here that, whatever others may think about these encyclicals, the popes themselves consider them to be an integral part of the authority they possess to speak and teach in the name of Christ. Those who believe the popes do possess a more than human

authority to speak and teach in the name of Christ should logically hold these papal social encyclicals in high regard. Similarly, those who hold these encyclicals in high regard independently of an affirmation that the popes enjoy a more than human assistance even in their ordinary teaching should perhaps be reexamining the Church's claim to authenticity in the case of her teaching on, e.g., birth control.

As usual it was Vatican II — this will be a surprise only to those who have relied on second-hand account of the Council and have never bothered to find out what the Council itself officially taught — which summed up best the Catholic Church's consistent, constant position on political, economic, and social questions:

... there are close links between the things of earth and those things in man's condition which transcend the world, and the Church utilizes temporal realities as often as its mission requires it. But it never places its hopes in any privileges accorded to it by civil authority; indeed it will give up the exercise of certain legitimate rights whenever it becomes clear that their use will compromise the sincerity of its witness, or whenever new circumstances call for a revised approach. But at all times and in all places the Church should have true free-

dom to preach the faith, to proclaim its teaching about society, to carry out its task among men without hindrance, and to pass moral judgments even in matters related to politics, whenever the fundamental rights of man or the salvation of souls requires it (Vatican Council II, *Gaudium et Spes* #76).

If the papal social encyclicals including and descending from Leo XIII's *Rerum Novarum* constitute an authentic expression of the Church's supreme ordinary magisterium, does it therefore follow that Catholics are obliged to accord to these encyclicals the "loyal submission of will and intellect" mentioned in *Lumen Gentium* #25? This passage specifies that "sincere assent" be given to the decisions of the Roman pontiff "even when he does not speak *ex cathedra*," or infallibly. If "assent" is thus required by the Church, "dissent" would seem to be logically excluded. (We do not here get into the separate topic of the distinction between "dissent" and "withholding assent.")

Lumen Gentium #25 goes on to speak of how authentic Church teaching to which the assent of Catholics is thus necessarily owed is to be recognized. It is to be recognized "either by the character of the documents in question, or by the frequency with which a certain doctrine is proposed, or by the manner in which the doctrine is formulated."

As to the character of the teaching documents in the present case, papal encyclicals, long before Vatican II, were universally recognized to be vehicles of the authentic ordinary teachings of the popes. Writing in 1954, for example, Etienne Gilson expressed the commonly received and understood teaching when he characterized papal encyclicals as "the highest expression of the ordinary teaching of the Church." It is, of course, only too true that since Gilson penned this line the status accorded papal encyclicals has been badly eroded by the widespread and continuing public dissent from Pope Paul VI's *Humanae Vitae*. Nevertheless, although many Catholics have indubita-

bly dissented from and disbelieved *Humanae Vitae*, the fact remains that there is no support in official Church teaching for the proposition that papal encyclicals have in any way been down-graded. On the contrary, the popes, including Paul VI himself, have gone right on issuing encyclicals as teaching documents in the full expectation that the Catholic faithful will "hear the Word of God and keep it" (Lk 11:27).

As for "the frequency with which a certain doctrine is proposed," have the popes in modern times ever reiterated *any* claim more often than their claim to competence in applying Christian morality to economic, political, and social questions? Have they returned to any topic whatsoever in their encyclicals as frequently as they have returned to this question of the social teachings of the Church? As we have seen, nearly every pope who followed Leo XIII in the course of the century just past has weighed in with one or more of his own contributions to the corpus of Church social teachings; some of the popes had to go out of their way to do it, too. Moreover, every pope who did weigh in with his own contribution to the Church's social teachings specifically included language reaffirming his right and duty as the Vicar of Christ to issue this kind of teaching document and "bind" the Catholic faithful thereby (the fact that the present generation of Catholic "faithful" too often don't stay "bound" tells us more about the present generation than it does about the validity of Christ's promise to the Church and the authenticity of the teachings which the popes, in fact, issue from time to time).

Furthermore, the papal claim to competence in issuing social teachings for the benefit of the community of the faithful has always been typically expressed by the popes in plain and unmistakable language, as we have noted; dissenters have to be determined not to get it. Thus, the Church social teachings contained in the papal encyclicals would indeed seem to be included among those authentic teachings of the Church to which Vatican II says assent is owed.

In the summer of 1990, Rome's Congregation for the Doctrine of the Faith issued an Instruction on the Ecclesial Vocation of the Theologian which helps put all this in a proper perspective. This CDF Instruction points out that "divine assistance is also given to the successors of the apostles teaching in communion with the successor of Peter, and in a particular way to the Roman pontiff as pastor of the whole Church, when exercising their ordinary magisterium even should this not issue in an infallible definition or in a 'definitive' pronouncement but in the proposal of some teaching which leads to a better understanding of revelation ..." (#17).

This important Roman Instruction goes on to point out that the pastors of the Church are not deprived of the divine assistance promised by Christ even when, as in the case of the papal social encyclicals, they are applying Christian principles to contingent matters and not simply expounding "faith and morals":

When it comes to the question of interventions in the prudential order, it could happen that some magisterial documents might not be free from all deficiencies. Bishops and their advisors have not always taken into immediate consideration every aspect or the entire complexity of a question. But it would be contrary to the truth if, proceeding from some particular cases, one were to conclude that the Church's magisterium can be habitually mistaken in its prudential judgments or that it does

not enjoy divine assistance in the integral exercise of its mission (#24).

"Divine assistance in the integral exercise of its mission." This is really what it comes down to. The Church has claimed such assistance from the beginning; it was necessarily implicit in the promise of Christ to the Church. This is very mysterious, to be sure, but it is a part of the mystery of faith. To deny it, to treat the teachings of those commissioned by Christ to teach as just another body of more or less expert opinion, subject to analysis and possible refutation based on superior expertise, is to misunderstand an important part of the mystery of the Church established in this world to guide us to sanctification and salvation.

Pope John Paul II confirmed all this once again this year when, in his encyclical *Centesimus Annus*, dealing, of course, with the now well-established tradition of Catholic social teachings inaugurated by Leo XIII in *Rerum Novarum*, he said that "it was out of an awareness of his mission as the successor of Peter that Pope Leo XIII proposed to speak out, and Peter's successor today is moved by that same awareness" (#3). Catholics cannot safely dissent from papal social teachings and remain Catholics in good standing. ✠

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Clarification to a Review

Robert A. O'Connor

SINCE DR. MCINERNEY suggests (FCS Newsletter - Sept. 1992) that we not hesitate to write longer pieces, I would like to risk a reply to Dr. May for his review and critique of Janet Smith's *Humanae Vitae: A Generation Later*.

Dr. May complains that Smith (and I) misconstrue the argument of GBFM¹ insofar as they (GBFM) shift "attention from the objective act of contraception to the subjective intention of the agents." They (GBFM), says Dr. May (as accused by Smith), thus fail "to recognize that the external act of contraception is evil because it violates right reason, not because of the intent with which it is done" (p.12). Dr. May defends against Smith that "we (GBFM) ...devoted a major part of our article to demonstrating that an act embodying a contralife will must always be judged morally evil precisely because that kind of human act cannot conform to reason...." By presenting "conform to reason" as the criterion of morality, Dr. May clearly wants to fit the GBFM argumentation within the traditional thought structure and terminology of a speculative metaphysics with moral evaluation flowing from it. He wants to have his "ought" (that the contralife will is immoral) follow on his "is" (that contraception is contralife).

However, Robert P. George, favorable to GBFM, would tend to contradict this attempt by Dr. May since "Grisez and his collaborators reject this approach... (the derivation of ethical good from metaphysical consideration) on a number of grounds. Most importantly, they maintain that it involves 'the naturalistic fallacy' of purporting to infer moral norms from facts about human nature. Logically, a valid conclusion cannot introduce something that is not in the premises."² Grisez, in his foundational article of 1965, in his own words

asserted that "(t)he basic precepts of natural law are no less part of the mind's original equipment than are the evident principles of theoretical knowledge. Ought requires no special act legitimatizing it; ought rules its own domain by its authority, an authority legitimate as that of any is ... one does not derive the principles (of practical reasoning) from experience or from any previous understanding."³ John Finnis, with equal clarity, affirms "Propositions about primary human goods are not derived from propositions about human nature or from any other proposition of speculative reason."⁴

In vain, then, would Dr. May attempt to show "derivation" from "is" to "ought" by asserting that "(o)nly after identifying what contraception is did we then state our thesis, namely, 'that the contralife will that contraception involves also is morally evil' (emphasis added)." The "derivation" is suggested in the word "after." The reasoning seems to be circular in so far as contraception was defined outright by GBFM as a contralife will. Since intending the "goods" is what they understand morality to be, and "(s)ince contraception must be defined by its intention that a prospective new life not begin, every contraceptive act is necessarily contralife."⁵ There was no "derivation" in that. Morality, for GBFM, consists in the intentionality of "underived self evident goods." And in this case the "good" is life. To then take that "definition" and present it as a speculative truth of "reason" from which we will derive "that the contralife will that contraception involves also is morally evil" (FCS p. 12) is to obfuscate what is really going on.

Contrast this with the actual teaching of the Magisterium. It does teach being as the speculative ground for moral determination. But the "Being" that it teaches is the Person of Jesus Christ. And that Being is a "Being-For," a Subsistent Relationality to the Father, and as Incarnate, a Being-for-us. The Magisterium is not teaching an ideology or even a philosophy, not even that of St. Thomas Aquinas. And when it speaks of "interpreting natural law," it expounds upon

“nature,” not in itself, but as integrated in the Person of Christ. Concretely, “(a)ll referrals to the natural moral law in *Humanae Vitae* are ... not to a theory of natural law that is explicitly and exclusively identified with a particular system of philosophical speculation in the history of moral philosophy but pointedly to the existential natural law that is an integral constituent of evangelical morality, the *lex Christi* ...⁶.

The Magisterium establishes a linkage that had not been made explicitly for centuries, viz., that Christ is the revelation to man of what it means to be man (GS #22)⁷. Christology is the speculative grounding for anthropology. Instead of the traditional analysis of man “from below” as *individua substantia rationalis naturae* (this includes St. Thomas), the being of man is now magisterially interpreted “from above” as an intrinsically relational being, a self-determining self-gift. This becomes explicit theoretical doctrine in GS #24 where the human person is defined as “discover(ing) his true self only in a sincere giving of himself.” Let it be noted that this notion of personal being is not static conceptualism but dynamic becoming by self-definition. The theoretical and the practical, being and doing become fused. Being “unfinished,” the human person is self-finishing (self-defining) whereby he “substantializes” himself insofar as he gives himself in act. This is a speculation which is intrinsically practical. In a word, the ethic is embedded in the very being and the “ought” is in the “is” (logically) insofar as the real being is straining to be itself by self gift. This is the revolution that seems to be at work in *Gaudium et Spes* lifting us from a “substantialist” metaphysic which tempts one to develop an auto-nomous theory of the “goods” in order to breathe life into moral theory. That life could be found by a re-reading of GS #22 and #24 together with a phenomenology of the subject turned object (such as Karol Wojtyla)⁸ which would enable us to integrate the objective subject into a new dynamic metaphysic of person as the adequate explanation and ground of “ends” and the “goods.”

This new “definition” of the human person may represent a kind of watershed for moral interpretation since it lifts the understanding of the being of man from the structuralism of substance as the prime instance of being to a dynamic ontological core where he becomes increasingly “substantial” (himself) insofar as he determines himself as self gift (relation) to another.⁹ This ontological dynamic becomes the object of the *ratio* and as such the criterion of moral judgment. It is immediately pressed into service in GS #51 where it says: “When it is a question of harmonizing married love with responsible transmission of life, it is not enough to take only the good intention and the evaluation of motives into account; the objective criteria must be used, criteria drawn from the nature of the human person and the human action, criteria which respect the total meaning of mutual self-giving and human procreation in the context of true love ...” The “objective criteria” of the “ratio” is the subjective dynamic of self-achieving by self-giving. This subjective dynamic is not subjectivistic in the sense of mere consciousness and the relative (as opposed to the absolute). It is the irreducible ontological reality of the person who is the moral object and criterion of all moral judgment.¹⁰ Every concept of “good” or “end” must be defined in function of the “tendencies” or ontological thrusting of this irreducible subject who, being “unfinished,” becomes who he really is by giving himself away to the other; or lamentably, is ontologically diminished as “individual” by failing to give the self as gift and chooses the self for the self instead. The “indissoluble connection” of the tendencies which determine the “goods” or “ends” (love-making/life-giving) is the person himself/herself, one ontological reality, resonating with both dimensions. In this sense, I would appeal to an ontological “grounding” of ethics in metaphysics insofar as the acting person is being-ethically-becoming.

Returning to the point, contraception would be wrong not because it goes against the life of the child and therefore is a species of homicide.

Rather, contraception would be moral evil because it would be a failure of persons to become persons, i.e., to give themselves totally. The withholding of sperm or egg would be a failure to give the whole self since the self is spirit and matter. The "truth of the human body" is the "language" that it speaks, not as an organism of sexual reactions, but as the enfleshment of persons who become who they are by the reciprocal gift of self holistically in matter and spirit.¹¹ John Paul II says that "(t)he human body ... is ... the means of expressing the entire man, the person, which reveals itself by means of the 'language of the body.'"¹²

Thus, according to the Magisterium, the sin of contraception is a failure to be like Christ; i.e., it is a failure to give the whole self to the other person. The focal center is the person and his act, which has intrinsic to it, inscribed in its very being, the finality of life. As the Persons in the Trinity are Relationalities who are life engendering (God the Father is the very engendering of the Son¹³), so also man, not only becomes himself by giving himself, but his giving of self is also destined to the engendering of life. And since the act of the intercouring person is the person himself as gift, and since the person is absolute because he "is the only creature on earth that God has wanted for its own sake" (GS #24), i.e., he alone is self-determining, each and every conjugal act (person) cannot be suppressed without moral violation of the person. Hence, the moral criterion is not taken in any way from the life of the child, but from the being of the person and his act.¹⁴

I rehearse the argumentation of HV and its ancestry in *Gaudium et Spes* #22, #24 and #51 in order to show the rejuvenated metaphysics of person as inspired within trinitarian and christological magisterial sources and the derivation of moral argumentation from that speculation. I would like to contrast it with the "conformity to reason" suggested by Dr. May. ✠

Footnotes

1. I will refer to the authors Germain Grisez, Joseph Boyle, John Finnis and William May as "GBFM" since they collaborate together and assume responsibility for their work as a group.
2. Robert P. George, "Natural Law and Human Nature", pp. 3-4, unpublished.
3. Germain G. Grisez, "The First Principle of Practical Reason: A Commentary on the Summa Theologiae, I-II, Question 94, a., 2," *The Natural Law Forum*, Notre Dame Law School, 1965, p. 195.
4. *Studi Tomistici*, "Freedom and Law According to Thomas Aquinas": Natural Inclination and Natural Rights: Deriving "ought" from "is" according to Aquinas," by John Finnis. *Rolduc*, Nov., 8-9, 1986; ed. L. J. Elders and K. Hedwig. Pontificia Academia de S. Tommaso. *Libreria Editrice Vaticana*, 1987, pp. 45-47.
5. "The Teaching of Humanae Vitae, A Defense," Ignatius, 1988, pp. 41-43.
6. J. Costanzo, S.J., "The Historical Credibility of Hans Kung," The Christopher Publishing House, North Quincy, Mass., p. 339.
7. See Cardinal Ratzinger's remark: "Its (Scholastic theology) defect was that it limited these categories to Christology and to the doctrine of the Trinity and did not make them fruitful in the whole extent of spiritual reality. This seems to me also the limit of St. Thomas in the matter, namely, that within theology he operates, with Richard of St. Victor, on the level of existence, but treats the whole thing as a theological exception, as it were. In philosophy, however, he remains faithful to the different approach of pre-Christian philosophy. The contribution of Christian faith to the whole of human thought is not realized; it remains at first detached from it as a theological exception, although it is precisely the meaning of this new element to call into question the whole of human thought and to set it on a new course." "Concerning the Notion of Person in Theology," *COMMUNIO*, Fall 1990, p. 449.
8. "The Structure of 'Self-Determination as the Core of the Theory of the Person,'" *L'Uomo*, Atti del Congresso Internazionale, Aprile 1974, p. 37-44.
9. This relationality of man would not be an "accident" among the categories but the very self-gift of the person as ontological core. See J. Ratzinger's *Introduction to Christianity*, Crossroad, 1988, p. 132.
10. K. Wojtyla, "Subjectivity and the Irreducible in Man", *Analecta Husserliana*, 1978, Vol. VII, 107-114.
11. John Paul II, "Reflections on 'Humanae Vitae'" DSP, 1984, pp. 30-34.
12. *ibid.*, p. 30.
13. J. Ratzinger, *op. cit.*, p. 131-132.
14. It is significant that, in the opening sentence of TOHV ("The Teaching of Humanae Vitae, A Defense," p. 35), GBFM quote, perhaps, the most critical sentence of HV as their statement of purpose, viz, "Every marital act ought to be open to new life" (HV #11), admittedly omitting the word "transmission of life" or "procreating of human life" or "to generate human life." In such a defining moment, such an omission in such a critical statement embodying the very definition of the magisterial mind in HV means that they are evacuating the ontological dynamic of generating life from the start. It seems to be a useless exercise for Dr. May to suggest that Dr. Smith has misconstrued his argument.

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The Impact of Judeo-Christian Concepts of Justice on Western Institutions: Natural Law vs. Legal Positivism

Patrick Riley

THE ASSIGNMENT is a heavy responsibility, for nothing is more fundamental and vital to Western civilization than law, except religion, and no element of Western civilization has suffered more devastating assault than the law, once again except religion.

To all appearances the attacks have prevailed. The law, which along with religion was the life of our civilization, has been largely distorted and denatured by the powers that be, chiefly the Supreme Court — banished from that same civil society which, with the help of law, it created.

Now it is under such conditions that the role of Natural Law in jurisprudence, that is in the making of laws and in their administration, has come to the fore. Not, however, as a reaction against manifestly unnatural distortions of civil law. And not as a reaction against the exile of religion from civil society, as we might have expected, since historically the Natural Law has been traced to God as the author of justice. In fact most Americans hardly knew there was such a thing as the Natural Law until last year. They became aware of it through happenstance: A judge reputed to be a champion of Natural Law was named to the Supreme Court, and Natural Law very soon became a target of attack.

Why the attack? Because the enthusiasm that Judge Clarence Thomas had shown for Natural Law was seen to imply hostility toward abortion, and toward other vices by now transformed into rights, or about to undergo that astonishing transmutation by a touch of the Supreme Court's magic wand. Hence the seemingly abstruse and arcane theory of Natural Law, and the jurisprudence based upon it, came under fire from the champions of abortion and of other precepts of the new morality. By the same token it came under fresh scrutiny from the beleaguered forces of social sanity.

But among those forces a debate arose. To describe this debate in the broadest possible terms, it revolved around the ultimate standard by which the soundness of our laws should be judged, judged that is by the judges, by the Judiciary, which has been conceded the power to abolish our laws. The central question became, Is that ultimate jurisprudential standard the Natural Law, or the Constitution of the United States?

Let me put your mind at rest: I'm not going to delve into that debate, far less pretend to settle it. Rather I shall deal with some of its elements, elements that lie at the root of Western civilization. I'll touch on the theory most radically opposed to a jurisprudence of Natural Law, the widespread and apparently triumphant theory of Legal Positivism. But I shall deal with these two rival theories of jurisprudence chiefly by examining the role that Natural Law played in the growth of the English Common Law, the law of all English-speaking nations except the Scots, and one of the supreme achievements of Western civilization.

The Common Law was fashioned by judges. We Americans may find that paradoxical, for the making of laws by judges has wreaked terrible damage in our day, and is a violation of the Constitution to boot. But when the Common Law was taking shape, in the 12th and 13th centuries, there were no legislatures. Parliaments met, but haphazardly, at the summons of the king, to

give advice, or to consent to new levies, or the like. Lawmaking was the king's job, but in practice was left to local or itinerant judges who dealt out justice by the case, and in the process established precedent. For in England, precedent was incorporated into law.

How did these medieval judges reach their decisions? By what standard, that is, were these precedents established and the Common Law built up into a comprehensive body?

The standard for judging cases not covered by existing law had been enucleated by Cicero a dozen and more centuries earlier: "Right reason in accord with nature." That's hard to beat for it has echoed down the ages: "Right reason in accord with nature."

Now this summary statement of the standard that makes civil law true law, the standard used by medieval judges to create our Common Law, is part of a *locus classicus* in the treatment of Natural Law itself. For it was to natural Law in the sense of "right reason in accord with nature" that the judges of 12th and 13th century England appealed in building up the Common Law.

Let's look at Cicero's phrase in context. Here's his well-known treatment of Natural Law and the nature of law in the *Republic*:

True law is right reason in accord with nature. Changeless and everlasting, it imbues all men. By its commands it summons to duty, by its prohibitions it averts from wrongdoing.... To alter this law, or to repeal any part of it, is forbidden by all that is holy, while to abolish it is impossible. We can be freed from it neither by the senate nor by the people, nor need we look outside ourselves for its expounder or interpreter. Nor will there be one law in Rome and another at Athens, one now and another in ages to come. Rather a single sempiternal and immutable law will hold among all nations for all time.¹

Majestic language, reflecting the majesty of the subject. Moreover every phrase tells. But

Cicero goes on, and the real trouble begins:

And there will be one master and commander over us all, God, the author, promulgator, and enforcing judge of this law.

Well, just imagine the outrage of our secularist masters when they hear that! But among the legal theorists of the Middle Ages, when the law common to the whole kingdom of England was aborning, there could be no doubt about the existence of a supreme lawgiver: God Almighty, the fountain of reason and justice and hence of law. It is true that among them some could be found who thought we need not return all the way to God and His nature to find a satisfactory norm of law: the nature of man, some thought, the notion of natural justice, would suffice. They, however, were exceptions, and the subsequent history of legal theorizing strengthens the notion that a supreme lawgiver is necessary for a jurisprudence of reason and justice rather than of mere will, just as experience confirms the Socratic notion that belief in God is a practical necessity in order to live virtuously.

We've outlined very sketchily the role that Natural Law and belief in God, play in the English Common Law. But for us Americans the most striking indication of the role of Natural Law and of God Himself in civil law is found not in England in the Middle Ages but in Philadelphia in the year of grace 1776, at our own foundation as a nation. We need only look at our foundational document, the Declaration of Independence. In the very first paragraph of that momentous asseveration, the Founding Fathers appeal to "the Laws of Nature and of Nature's God." They appeal to the Eternal Law and the Natural Law as the source of our title to independence, and to equality among the powers of the earth.

We as a nation were born, ladies and gentlemen, as children of God. That is the clear and undeniable story of our birth. Like all healthy infants, we came into the world crying. We cried

aloud to God Almighty, appealing to Him and His law, to the Natural Law.

I know of only two nations that came into being at a stroke, as it were: the American nation and the Jewish nation. Israel was born when those fugitive slaves, those Hebrew outcasts, submitted themselves to the law of God. America was born when the Founding Fathers, those lawyers and businessmen and amateur political philosophers, acknowledged their dependence on God and His law, the Natural Law.

Now the fact that our Founding Fathers drew upon the Natural Law in the very act of founding this nation, the fact that they consecrated the Natural Law in the charter of our existence as a nation, the Declaration on Independence, should confound the claim that the Natural Law is somehow un-American.

Moreover the fact that judges raised the solid edifice of the Common Law with the help of the Natural Law should *in theory*, and *all other things being equal*, lay to rest the fear that a jurisprudence of Natural Law would result in judicial vagaries of the kind that have distorted and denatured our institutions, first of all the judiciary. Yet the very mention of judge-made law is more likely, in our day, to stir those fears to life. And with reason.

We must now ask a question that has momentous implications for our present plight. What was the decisive difference between our modern American judges and the judges of medieval England? What were the forces that kept medieval judges within the bounds of "right reason in accord with nature"?

One such force was a second element in the making of the Common Law, distinct from the Natural Law and complementing and restraining it, so to speak. For even "right reason in accord with nature," given the weaknesses of our human nature, needs complements and restraints. We find that restraining and sobering element in the very title of the most influential work on the Common Law in medieval times, Henry de

Bracton's huge compilation of cases, and magisterial statement of principles, *On the Laws and Customs of England*. The key word is *customs*.

Custom by definition has no truck with novelty. One medieval jurist, asking if a law should be changed when something better is found, put it this way:

A change in the law, since it is a change, derogates to some extent from the common weal, because custom carries great weight in the observance of laws.... So a human law should never be changed unless the weakening on one hand is compensated by gain for the common good on the other.²

Now we might think that the wisdom of this principle is best shown by what happens when it is ignored, for instance by the damage done when lawmakers start improving things right and left, in the manner of modern judges, or of modern standing legislatures, which are to our generation as standing armies were to the generation of 1776. Or we might think the wisdom of this principle is shown merely by the stability that society enjoys when the principle is respected. But I believe that this principle is best proven by what it has helped *to accomplish*. This *seemingly* ultraconservative principle, in fact, helps society to grow. It is not in itself a principle of growth but rather a *condition* for healthy growth. You might call it a *vehicle* of healthy growth.

Allow me for a moment to illustrate this by pointing to one of the monumental achievements of the Christian West. It is, along with lifelong, indissoluble marriage, one of the two unique and utterly distinguishing marks of a Christian society, of Western civilization. I mean the abolition of slavery.

It was through custom that slavery was abolished, an achievement unique in history and something that revolution could never accomplish. The institution of slavery was so universal in the ancient world, so much of the economic life of all classes — including the slaves — depended on it,

that to abolish it at a stroke was seen, even by the enemies of slavery, as inevitably disastrous. But freedom for the slaves was obtained little by little, by gradual changes *in custom* — which by its nature changes only gradually — so that when the Dark Ages dissolve in the bright light of the Middle Ages, slavery is no longer to be seen, or rather is seen to have yielded to serfdom, a wholly different institution in which men were indeed tied to the land but enjoyed rights and privileges *guarded by the stout walls of custom*. Then, again with the evolution of custom, serfdom yielded to yeomanry.

The motive force behind that change — a revolution achieved by evolution — was Christian teaching on equality and liberty. This is signified by an early act of the first Roman emperor to become a Christian. Constantine made it a crime — or we might better say *recognized* it as a crime — to divide the family of slaves. Hear him in promulgating his law: “For who could bear the separation of children from parents, sisters from brother, wives from husbands?”³ It was Christian compassion and the Christian teaching on equality and liberty that worked as a leaven within the political and economic vicissitudes of the Dark Ages, turning the slave into the serf and then the serf into the yeoman, all of them protected by *customs* that became the bedrock of the English Common Law as indeed of law on the European continent. So custom, a *restraint on change*, has paradoxically been a *vehicle of change*, a *vehicle of radical change*.

We got into the role of custom within the Common Law by looking for the forces that kept medieval judges within the bounds of true Natural Law, of “right reason in accord with nature.” We set out to find what kept these judges in line, what restrained them, what made these medieval judges so constructive, so refreshingly different from our modern American judges, who have wreaked

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havoc on the law and hence on our society.

Another restraining force, perhaps more sobering to these powerful judges than the force of custom, was a sense of the limits of law. The arm of the law isn't that long. It cannot reach into men's consciences, except as a teacher. As an *enforcer* of principles it cannot fine-tune society, but can only keep it within the bounds of order necessary if men are to be friends, and together

achieve the common good. Not as an enforcer but *as a teacher* of principles can the law impart the means by which men must rule and temper their relations with one another and become friends.

The principles that the law can *impose* and the principles that it can *teach* are not all the same. The law doesn't, for example, prohibit lying, though lying undermines the very trust necessary to the cohesion of society, undermines friendship, that is, and destroys the character of the liar to boot. But the law does teach that lying is wrong and destructive by prohibiting false witness, as it must if its own courts are to ensure justice and maintain their authority — and maintain order in society itself.

I think the reason for this is given by that same medieval jurist we quoted on the force of custom. St. Thomas, with his usual clarity and concision, echoes the common teaching of the times:

Human law is laid down for the multitude of men, most of them not perfect in virtue. Therefore human law does not forbid all the vices from which the virtuous abstain, but only the more grievous ones, from which most of the multitude can abstain, and especially vices harmful to others, without whose prohibition human society could not be maintained.⁴

Of course there were other restraining forces upon the medieval judges who shaped the Common Law, such as the authority of the king, who in the English constitution was the real lawmaker, such as the consensus of society about right and wrong, and — most sobering of all in those days — the fear of God Almighty. I need hardly say that none of these is conspicuous among our modern American judges, who make and break laws with recklessness and abandon, moreover with an imperturbable air of righteousness.

What, then, is left to prevent our unanswerable judges from following their own fancies in the name of some principle that they call the Constitution but that, in their hands, becomes a normless, bastardized version of the Natural Law? The answer, I believe, is: Nothing that we can see. I'm sorry to be so autumnal, but we are in a sorry state, perhaps a desperate state.

It is vain to urge restraint on men of absolute power. It is vain to invoke the fear of God among judges who dare to ban the name of God from public life. It is vain to appeal to custom when judges see custom as an obstacle to a new and better order. Vain, too, to demand fidelity to the Constitution as intended by the Framers when, according to the canons of Legal Positivism, judges must regard the Constitution and every law as an expression of mere will, and when *their* will — to our shame — is all-powerful and unopposed, unopposed since the death of Abraham Lincoln.

Short of the supreme reality-therapy, which is cataclysm, only another Abraham Lincoln, it seems to me, can wake up our courts, can cut this knot as Lincoln himself cut the knot

that the Supreme Court had attempted to tie around the nation with *Dred Scott*. That would be a true revolution. But remember that Lincoln failed. After his death the Supreme Court moved, however stealthily, to arrogate the supreme political power from which he had interdicted it.

So if the needed revolution in the behavior of our judges is to be achieved, it will have to be achieved gradually, through a change in judicial philosophy. The first step in the abandonment of Legal Positivism must be a recovery of faith in reason. Legal Positivism, lawmaking by mere will, is a resort of intellectual despair, just as dictatorship, government by mere will, is a resort of political despair. So our universities, which have meandered for half a century in a mist of unknowing, a fog of skepticism, a miasma of epistemological defeatism, have to recover a sense of the real. They have to get a grip on reality.

But vastly more important is a recovery of national morality, a reform of the public ethos, for judges are children of their times. And if history offers a lesson here, it is that while change for the worse in a nation's morals can be achieved by many means, change *for the better* is achieved chiefly, perhaps solely, through religion through the worship, the fear, the love of God Almighty. ✠

Footnotes

1. III, 22.
2. Thomas Aquinas, *Summa Theologiae*, I-II, 97, 2.
3. *Codex Theodosianus*, II, 25.
4. *Summa Theologiae*, I-II, 96, 2.

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Who Was Hubert Jedin?

Rev. Brian Van Hove, SJ

LAST NOVEMBER the *Homiletic and Pastoral Review* published a *Memorandum* of Hubert Jedin written in 1968. But many Americans were quite unaware of who this man was and what his contribution to the Church consisted of. What follows is a brief sketch of his life.

Perhaps the most outstanding church historian of the Catholic world died July 16, 1980, in Bonn, then West Germany. He was born June 17, 1900, in Breslau, Silesia. After World War II this became Polish territory and today the city is called Wroclaw. He was ordained a diocesan priest on March 2, 1924.

Since his mother was a Jewish Catholic convert the Gestapo arrested Father Jedin in 1938, but he later managed to get released. He spent the next ten years in Rome, 1939-1949, quietly researching the history of the Council of Trent on which he became an acknowledged expert. He used only the original documents in the archives.

This exhaustive and original study of the primary source materials resulted in the publication of four large volumes of *The History of the Council of Trent*, only two of which have appeared in English. Some smaller studies also came out of his research on Trent and were also published. One of them is his 1947 *Papal Legate at the Council of Trent: Cardinal Seripando*. He was a life-long specialist on councils, and on Trent in particular.

After the announcement (1959) by Pope John XXIII

(Roncalli) that an ecumenical council would be held, Jedin published that same year his *Ecumenical Councils of the Catholic Church: An Historical Outline* (E.T. 1967) and then somewhat later as Vatican II was in session, in 1964, *Crisis and Closure of the Council of Trent* (E.T. 1967). These were prepared for seminarians and other interested students of ecclesiastical history who were in need of some perspective on just what an ecumenical council was supposed to be in the Catholic Church.

For all of this, Jedin was also a generalist. He launched the massive ten-volume series *History of the Church* under his own editorship. The series has been called "the Fliche-Martin of our time,"¹ and is today a standard reference. The tenth volume was at last translated into English in 1981, one year after his death.

Another of the projects which he supervised was the cartographic church history, *Atlas zur Kirchengeschichte. Die christlichen Kirchen in Geschichte und Gegenwart*, published in Germany in 1970.

Jedin had to suspend his work for four years, 1962-1965, in order to serve as *peritus* at the Second Vatican Council. Very few historians of councils actually get to participate in one as he did! I know of no other who had this unique privilege. This also explains the lengthy interval of time between the publication of his first two volumes on Trent (1949, 1957) and the second two (1970, 1975).

From 1949 to 1965 he was professor in Bonn; before and after those years he received many honorary doctorates and other international awards and invitations. In 1970 Pope Paul VI had offered him the position of Prefect of the Vatican Library, though Jedin declined on the grounds of advancing age and infirmity. Poor health during the 1970s prevented him from making the kind of progress he wished, however, but in the end

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pate in one as he did!**

none of his projected works was left incomplete.

The autobiographical book, *Lebensbericht*, appeared posthumously in 1984. This work outlines his professional career and productivity rather than primarily providing us with a spiritual "journal of a soul." Nonetheless it received negative reviews in the United States from those who said Jedin had become too alarmed and saddened toward the end of his life because of his conviction that Vatican II had been either tragically misunderstood or, even worse, betrayed. He communicated his frank opinion on the matter in 1968 to the West German bishops shortly after the annual "Catholic Day" ("Katholikentag"²) held at Essen that year. The event seemed to promote opposition to "Humanae vitae" more than anything else. He drew upon his knowledge of Trent and the Reformation process to illustrate for them a similar process underway in the postconciliar 20th century. The translation of this *Memorandum* appeared for the first time, perhaps belatedly, to benefit an American readership.³ It was an unusual "activist's intervention" from a man who had been all his life a pure and almost reclusive professional. ✠

Footnotes

1. See Augustin Fliche and Victor Martin, *Histoire de l'Église depuis les origines jusqu'à nos jours*, vols. 1-21 (Paris: Bloud & Gay, 1934-1952); E.T. *A History of the Catholic Church* (London-St. Louis, 2nd ed. 1956). This series was originally planned in 26 volumes, but was never completed. Martin died in 1945 and Fliche in 1951. Between the appearance of the first volume in 1934 and the year of Fliche's death, only 20 volumes had been published, of which Fliche personally edited 15. The editorship was continued by J.B. Duroselle and E. Jarry, and volume 20 was written by Roger Aubert. In 1952 Aubert published volume 21. Some years later an Italian team published volume 22 which is not available in French or English. Works of this scope are so ambitious as to be nearly impossible in our age of specialization. Nevertheless, as a general church history, the collection "Fliche-Martin" is considered a classic.

2. The first meeting of a national assembly of German Catholics, the *Katholikentag*, had taken place in Mainz during 1848. This congress had opposed the last remnants of Josephinism or any movement toward establishing a national Church in Germany, while demanding the freedom 'to implant Catholic principles in life as a whole and to work for a solution to the social problem.' German Catholics at the time were becoming more conscious of their rights and their strength and more Ultramontane, but not more clerical. The *Katholikentag*, which eventually met annually, provided an obvious forum for the discussion of social issues and this emphasis on social problems was further stimulated by the formation of the *Volksverein* or meetings of Catholic workers. See J. Derek Holmes, *The Triumph of the Holy See: A Short History of the Papacy in the Nineteenth Century* (London: Burns and Oates, 1978) p. 174.

3. At least once, though, it had been referred to in print, without the full text given. See Robert A. Graham, SJ, in his "Vatican" column written for the Knights of Columbus magazine *Columbia* as "Byproducts of Vatican II: Is There Apostasy Ahead?", vol. LXV, no. 7 (July 1985) p. 4.

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Something Like a Defender.

Father Richard Neuhaus's *First Things* (September 1992) reports that the Jesuit superior, Father Hans Kolvenbach, in writing to all his Major Superiors, said the following: "Now that a certain form of communism has lost its credibility, the poor, who may be a whole world — the Third World — may have lost something like a defender and are exposed, with no defense, to forms of new capitalism, such as an unlimited free market economy." The editor thought that this statement — communism as a defender of the poor — was a little muddle headed. *Au contraire*. Communism loves the poor: it created so many of them.

Perish the Parish. *AD 2000* reports that in the Diocese of Townsville, Australia, an experimental plan is underway "to move away from the geographical parish system." The term "parish" will gradually be dropped from diocesan usage in favor of a new basic unit — a network of small christian communities. This planned new form of ecclesiastical organization from the grass roots will have lay presidents —if priests are unavailable. It was unclear how Mass would be celebrated. (September 1992)

Clark on Covenant Community.

Stephen B. Clark, author of the classic *Man and Woman in Christ*, a Christian study of the complementarity of the sexes in family and social affairs, is also a leader in *The Sword of the Spirit*, an international grouping of "covenant communities." In recent years controversy has arisen within these communities about their internal mode of

operation and their relations with the Catholic Church, especially with bishops. Mr. Clark has now put together *Covenant Community and Church* (Servant Press), a summary of what a covenant community in the Catholic Church should be. Fellowship members will find its 81 pages illuminating.

Kippley to Rome. John Kippley has been invited by the Vatican to an international leadership conference in Rome on Natural Family Planning on December 9-11, in preparation for the 25th anniversary of *Humanae Vitae* (July 25, 1993).

Missing Janet. Janet E. Smith, the historian of *Humanae Vitae*, is spending the year in Rome on the overseas program of the University of Dallas.

A Catechetical Suggestion from Chardon, Ohio. Bernard Overberg was from 1783 until his death in 1826 the leader of the catechetical renewal in the diocese of Muenster, Westphalia, Germany. A perusal of his works, which include a catechism and a religion handbook, even with the frequent assistance of a German-English dictionary, leaves the impression that he has much to offer catechists today. Overberg's catechesis seems to spring from a joyful, theocentric creation spirituality that is thoroughly Catholic and thus stresses redemption in Christ. Appealing both to the mind and the heart of the child, Overberg is doctrinal without being abstract. He presents the truth in a simple way that makes God attractive, drawing the child into a loving relationship with Him. Inte-

grating faith and life, Overberg seeks to further moral and spiritual formation in a way that is rooted in the truth of God while at the same time completely in touch with the concrete, everyday experience of the child. Overberg wants children, within the limits of their age and capacity, to think, to understand, and freely to choose those things that will bring them closer to the beloved God.

Key works by Bernard Overberg are available in the United States, but in German. Someone interested in research in catechetics at the graduate level and well versed in German could find in Overberg a fruitful source of material, perhaps even a dissertation topic. A "rediscovery" of Overberg, bringing him out of the shadows created by time and language, could be a genuine service to catechists, Perhaps best of all might be a translation of his works into English, accompanied by a commentary which would enable the modern reader to distinguish what is dated from what is perennially relevant.

Anyone in whom these remarks have sparked interest may contact Sister Mary Jessica Karlinger, S.N.D., Notre Dame Educational Center, 13000 Auburn Road, Chardon, OH 44025. Tel. (216) 286-7101.

Sister Joanne Brummel, IHM.

The Sisters of the Immaculate Heart of Mary of Wichita rejoice to announce the entrance into eternal life of Sister M. Joanne Brummel, IHM on November 10, 1992. Born May 23, 1912, Sister Joanne made her first profession on April 9, 1932. She was Mother Superior of the Wichita community.

Hitchcock's Magazine. *Women For Faith and Family* has a fascinating issue of its magazine *Voices*, August 1992. Its entire coverage deals with the Women's Pastoral and the explicit views of approximately 30 bishops.

Incidentally, WFF could use some financial contributions from Fellowship members. Write Women For Faith and Family, P.O. Box 8326, St. Louis, MO 63132.

Infidelity in the Ranks.

The Catholic Historical Review (July 1992) has an interesting article on rural parish life in Michigan 1923-1928, a part of the Catholic story rarely told. Mrs. Leslie Tentler, of the University of Michigan, Dearborn, tells a good story beginning with the founding of the Catholic Church Extension Society and its work on behalf of evangelization in rural America. Among the interesting tidbits: Detroit's Caspar Borgess suspended one of his Louvain-trained priests (c. 1886) for using "the altar of God" to laud people like Herbert Spencer and Charles Darwin, men whom the bishop called "the leaders of the rankest infidelity."

Upsidedown. Down under, in the Diocese of Hobart, a newly-ordained priest (September 20, 1992), John Roach by name, capsulated his idea of the priesthood: "I left for two and a half years, but when I came back I took it more seriously. I no longer saw the priest up on a pedestal, but I saw his role as more of service within the Church. I think one of the saddest things is that there are people for whom being on a pedestal is very attractive and they have difficulties. The seminaries are open to criti-

cism because they don't produce priests in collars. They don't produce priests who are Captain Catholic, who have got all the answers and 'if in doubt throw in a sacrament.' The sort of image of priests where 'I am Father and I've got all the answers' I find very sad because there's a security thing in that. You've got a role; you've got all the answers; you don't need to be human; you don't need to be a person," he said.

While Waiting for the Sanctioned Clandestine Eucharist.

"Seize the Power" has long been the cry of those who would overturn any status quo. Columnist Richard McBrien has this advice for women:

...women should act now as if their baptismal dignity and ministerial equality were already acknowledged.

They should take pastoral initiatives and assume leadership roles that are consistent with their gifts and with the call of their faith-community.

I don't mean that women should preside at clandestine Eucharists before church law allows it (*sic*), but they should do just about everything else short of that."

From *The Green Bay Catholic Compass* (spinning out of control) August 28, 1992.

Blood on the Hands. The St. Antoninus Newsletter (Summer 1992) contains a revised list of corporations funding abortions which includes Chase Manhattan, Chemical, Chicago Sun-Times, General Foods, General Mills, Honeywell, Manufacturers Hanover, Metropolitan Life,

Pillsbury, Quaker Oats, State Farm, etc.

Tube E or not Tube E. The Diocese of Providence has guidelines for the so-called "Living Will" which permit the patient to decide for himself whether "feeding tubes" should not or may not be used.

High Tech. Father John Hardon, S.J. and several close friends, through the instrument of *Trinity Communications* are launching what they call *Catholicism 2000* to disseminate information about the Catholic faith using telecommunications. For further information write P.O. Box 3610, Manassas, VA 22110. Call (703)-791-2576, FAX 791-4250. They have already invested \$50,000 but could use donations to expand their network. To preview what they are doing, telephone (703)-791-5581 or (703)-791-6974 between 7:00 p.m. and 8:00 a.m.

The Wrong Target. Father Ronald Lawler, O.F.M. Cap., the Fellowship's first president and author of the highly praised *Catholic Sexual Ethics* has been attacked in *The Wanderer* (September 10) for his sex education program in the Diocese of Pittsburgh. Father Lawler says the attacks "represent a sad kind of journalism."

Gem of the Ocean. *Columbus, America and the World*, edited by Anne and Henry Paolucci of St. John's University, New York, is a multifaceted approach to the man and the literary aspects of his adventure and times. The editors open with a study of Columbus and the idea of America and close

with a view of Columbus' scholarship. Published by Griffon House, New York, 240 pp., \$23.00.

A Second Look. Rabbi Samuel Dresner, of the Jewish theological Seminary, commenting on a *New York Times* editorial on sex, wrote: The great religions of Judaism, Christianity and Islam all emerged as religions of restraint. They understood that beneath normal human behavior boils a network of underground impulses that each age described in its own fashion — the Dionysian frenzies of the Hellenistic world, the Manichean rumblings of Rome, the holiness of sin of the Sabbatian and Frankist heresies of the Jews — and that the subterranean forces continue to beat against the mighty walls of religious restraint. The attempt to curb, sublimate and socialize those passions within society is, in good measure, what civilization is all about. Adolf Hitler released the passions of aggression to the point of bringing the world to the brink of disaster, while we seem to be playing the equally dangerous game of setting loose the passions of lust at the cost of our personal lives. 'Some people,' remarked Abraham Herschel, 'think only once. It is time the editor of the *New York Times* considers the position of his forebears in taking a second look.' (*Washington Times*, July 12, 1992)

Open Line Morality. The following counsel from a pastor in up-state New York in his weekly parish bulletin (August 23, 1992): "...the Church looks with disfavor on artificial methods of birth control ("contraception") because these methods interfere with a natural process

and/or may be injurious to the health of the woman. Ideally Catholics ought to be able to use natural family planning to determine the size of a family. I need remind no one, however, that we live in a less than ideal world where many factors influence decisions about the size of a family. In my opinion, so long as a couple are willing to discuss these factors honestly and prayerfully and come to a mutually agreeable decision, they make a morally acceptable choice, even if that choice involves contraception. Of course, should circumstances change, the discussion must be renewed and the decision reviewed.

In short, I believe it is possible for a couple to practice contraception and continue to receive Holy Communion without any sin being involved as long as their lines of communication with God and with each other remain open."

Let's Discuss Your Sins. A newsletter called *Explorations* (1992, no. 2) devoted to rethinking relationships among Jews and Christians, interviews Hans Knight about anti-Judaism in the New Testament, and explores the "anti-Jewish polemic of John's Gospel." *Explorations*, in its sixth year, is published by the American Interfaith Institute of Philadelphia.

Strict Deconstruction. Judie Brown's summer 1992 newsletter, commenting on the Supreme Court's reaffirmation of *Roe v. Wade* in the June 29th Casey decision, reports one of its reasons for reaffirming *Roe* is "...that an entire

generation has come to rely on abortion as birth control," and that this particular rationalization is based on the Constitution's service to human values. The president of the America Life League thinks our founding fathers would be surprised to learn that.

What Went Wrong? A study entitled "Future of Religious Orders in the United States," has been published in *Origins* (September 24, 1992) with substantial insights into the declines of the past 25 years and the obstacles in the way of rebirth. Completed under the direction of Vincentian Father David Nygren and St. Joseph of Carondelet Sr. Miriam Ukerites, both psychologists, the study suggests that "Fidelity to the spirit of the founder and responsiveness to critical and unmet human needs are basic to the ongoing mission of religious communities." The conclusions themselves are worth the reading because they capsule in social science language what actually has been going on. Little attention is given, however, to the de facto, if not judicial, break between many religious congregations and the magisterial authority of the Church which created them in the first place.

The authors have chosen Elizabeth Johnson, CSJ, of Fordham and John Padberg, SJ, of St. Louis University to round out their psychological analysis with a historico-theological postscript on the general subject. Whether they will relate solutions to the problems acknowledged in this study to the virtues of poverty, chastity and obedience specified in Church teaching and Church law, remains to be seen.

Commitment. At its 1992 meeting in Pittsburgh, the Catholic Theological Society of America presented the John Courtney Murray Award to Margaret A. Farly of Yale Divinity School. She was celebrated for her commitment to social justice and to feminist theology. She has served as President of *Network*, a lobbying group for these causes.

Volte Face on Feminism. Msgr. Francis Mannion, Rector of Salt Lake City's Cathedral, reflected on women's ordination in the June 28, 1992 issue of *Our Sunday Visitor*. After summarizing the arguments in favor, he cites Sister Sarah Butler of Mundelein College, once a proponent of the idea, who now sees women's issues in the Church, not in terms of ordination and

priesthood, but rather in terms of more fundamental male-female relationships, mother, family, and the culture-building role of women. Sister Sarah marvels at her own naive assumption in 1977 that the unbroken tradition of 2000 years could be overturned in 10.

DO YOU HAVE A DIFFICULT MORAL QUESTION?

Every conscientious person sometimes has a moral question to which he or she cannot find a satisfactory answer. I do not mean problems about resisting temptation or living up to one's clear responsibilities. Rather, I have in mind difficulties in figuring out what is the right thing to do. And sometimes nothing in the Church's teaching provides an answer (See *Gaudium et Spes*, 43).

A selection of difficult questions of this sort will be discussed in volume three of my ongoing work in moral theology. But I do not yet know what questions to work on and need help in finding them. Those who suggest appropriate questions will help me plan the book and thereby help anyone who eventually finds it of some use in thinking through a difficult moral question.

A just-completed volume of my work — *The Way of the Lord Jesus*, vol. 2, *Living a Christian Life* (Quincy, Ill.: Franciscan Press, coming in 1993) — deals with the moral responsibilities common to all or most lay people and those common to all members of the Church. Most such matters, of course, have been addressed by the Church's teachers. And the same is true of many topics to be discussed in a projected fourth volume on the special responsibilities of priests and religious. But neither of those volumes concerns other difficult questions which lay people encounter, especially in their work, but also in other areas of their lives.

Some questions of the sort I wish to treat in volume

three might be dealt with in a treatise on medical ethics, legal ethics, or business ethics. May a physician who judges a laboratory test unnecessary order it, despite its cost and burden on the patient, in order to lessen the risk of being sued for malpractice? May a lawyer handle cases in which clients seek something legally available but, by their admission, unfair? May the manager of a business close a deal, otherwise morally unexceptionable, by paying the bribe demanded by the other company's purchasing agent?

I will welcome questions from physicians, lawyers, and managers, but other laymen and laywomen surely have difficult and important moral questions. Indeed, I am especially eager to learn of questions which do not belong to any of the usual fields of moral theology.

I will acknowledge and carefully consider each question received. Also, while I cannot promise a prompt reply, much less an adequate answer to every question, I will do my best to provide correspondents with any help I can toward thinking through their questions.

Of course, what I need is not a bare question, but the question accompanied by a sketch of the relevant circumstances as well as of the sender's own moral reflections on the matter. Please address:

Germain Grisez
Mount St. Mary's College
Emmitsburg, MD 21727

A Word from Our Founder: The Fellowship— Yesterday and Tomorrow

George A. Kelly

IT SEEMS ONLY yesterday that Father Ronald Lawler, our first president, opened our first convention in Kansas City. The year was 1978. Archbishop Daniel Sheehan of Omaha joined in the discussion after the meeting at the Ramada Inn, the topic — the state of the Church. We were only a year old then, with less than 300 members. When we met in Pittsburgh in 1992 there were more than 1000 members of the Fellowship, there were five bishops in attendance and a cardinal closing out the convention, and the topic was still the state of the Church. The great question was: What can we do to help promulgate in the most effective way “The Catechism of the Catholic Church,” the textbook of what Vatican II was all about.

The Fellowship has acquired a few medals between Kansas City and Pittsburgh, but our proudest boast is the fidelity of the membership to the teaching of the Church as manifested, for instance, in the scholarly production of its latter day Catholic apologists. I have tallied more than 400 volumes produced in 15 years — all oriented in one way or another to the Catholic cause. Some of the works are at least minor classics. The best known are surely Germain Grisez’s *Christian Moral Principles*, Donald Keefe’s *Covental Theology*, Ronald Lawler’s (in collaboration with Brother Tom and Bishop Wuerl)

The Teaching of Christ, William May’s *Introduction to Moral Theology*, and Bertrand de Margerie’s *Introduction à l’histoire de l’exegèse*, and so forth. The historical research of James Hitchcock and Glen Olsen, the legal scholarship of William Bentley Ball III and Charles Rice, and front line work on natural family planning of John Kippley, Father Paul Marx and Henry Sattler, Sister Miriam Paul Klaus, Dr. Herbert Ratner and Thomas Hilgers. In psychology, there is the work of Paul Vitz. Joseph Nicolosi and Father Jordan Aumann, in Scripture that of Fathers James Turro, William Most and Paul Mankowski, in philosophy Elizabeth Anscombe, John Finnis, Jude Dougherty, Ralph McInerney, and Father Paul Quay, Robert Brungs and Stephen Barr on science, with theology benefitting from the work of Monsignors William Smith, Daniel Hamilton and James O’Connor, and Robert Faricy, Thomas O’Donnell, Giles Dimock, Brian Benestad, John Hardon, Joyce Little and Donald DeMarco. In Catechetics, Monsignors Francis Kelly, George Graham and Michael Wrenn — I could go on and on. But surely this sample highlights the scope of the Fellowship’s outreach on behalf of the Church. And I haven’t even mentioned the arts, literature, Church-State questions, ecumenism and orthodoxy, education and society, Mariology and spirituality, music, medicine, Women’s issues.

The work of the Fellowship has shored up the Gates of Heaven, even under assault from the Gates of Hell. And the contributions go beyond private enterprise. John Finnis and William May are mem-

bers of the Pope’s International Theological Commission. Germain Grisez wrote what may well be the most complete evaluation of the original draft of the Universal Catechism this side of the Atlantic. Donald Keefe, S.J. does the most profound critique of publications of the ICEL and USCC. Monsignor Michael Wrenn and Father Ronald Lawler are masters at piecing together the catechetical difficulties of our time for this bishop or that, Monsignor William Smith is vitally important to the Right-to-Life movement, Monsignor James Cassidy will assist the Roman Curia on the Church’s world-wide medical apostolate, Father Robert Faricy, S.J. is also in Rome, a professor at the Greg, Father Paul Mankowski is headed for the *Biblicum* there....

IN ADDITION, Fellowship members have been founders, co-founders, or guiding spirits in ancillary movement that support the magisterium. Carl Anderson and the *John Paul II Institute on Marriage and the Family*, Kenneth Baker, S.J., editor of *Homiletic and Pastoral Review*, Warren Carroll founded *Christendom College* of which Timothy O’Donnell has just been named president, Rodger Charles S.J. is at the *Catholic Institute of Social Ethics* (London), Sister Bernadette Counihan, OSF, and the Franciscan Sisters of Christ, Drs. Herbert Ratner and Eugene Diamond of the *Catholic Physicians Guild*, Joseph Fessio, S.J. redoubtable founder of *Ignatius Press*, and John Hardon, S.J. and the *Institute on Religious Life*, John Harvey, OSFS and *Courage*, Dr. Thomas Hilgers and the *Paul VI Institute for the Study of Human Reproduction*,

Helen Hull Hitchcock and *Women for Faith and Family*, John Kippley and the *Couple to Couple League*, Father Robert Levis and the *Pontifical Catechetical Institute* at Gannon University, Paul Marx, OSB and *Human Life International*, John Miller, CSC and *Social Justice Review*, Michael Scanlon, TOR and the *Franciscan University of Steubenville*, Father Brian Tierney and the *Cardinal Newman Catechetical Center* (Australia), Joseph Varicalli and the newly formed *Society of Catholic Social Scientists*, Thomas Weinandy, OFM Cap. and the *Mother of God Community* (Maryland), Chris Wolfe and his Political Science group at Marquette.

BESIDES THESE co-relationships, the Fellowship has fraternal groups in Ireland, Australia and now Canada (see separate article), as well as members in Rome, continental Europe, Central and South America and as far away as Japan.

The billowing effect of the Fellowship's existence was not appreciated in all quarters of the Church, no more today than at the beginning. "The Learned Societies," representing the Washington, D.C. theological complex, doubted the Fellowship's qualification for membership and a USCC official cautioned that the first press release announcing the creation of the Fellowship be

made by Cardinal Carberry's St. Louis press office rather than NC News, to ensure a fair announcement. Early on, because of the atmosphere in Catholic academia, some members chose to keep their affiliation private, while others lost promotions, pay raises and assignments because of their public commitment to the magisterium.

LATELY THE FELLOWSHIP had come under renewed attack. On September 20, 1991, at a *Times Consultants* meeting in the national capitol, Richard McBrien accused Pope John Paul II, Cardinals Ratzinger and O'Connor and the Fellowship, of conducting a coup against the reforms of John XXIII. In the same year, Thomas Reese, SJ, whose well-publicized 1990 *non placet* to the Universal Catechism was an attempt to scuttle John Paul II's project before the text was readily available, went out of his way to suggest (*Living Light*, an official publication of the USCC, Winter 1991) that the Fellowship of Catholic Scholars opposed this papal effort! As a matter of fact, the Fellowship was in the

vanguard of those proposing the idea of such a catechism. It was Reese and the Woodstock Center that tried to undermine the Universal Catechism.

William M. Shea, the Jesuits' choice as chair of the theology department at St. Louis University, observed in *Commonweal* (January 31, 1992) that "we are witnessing a breakdown of ecclesial life," in part because groups like the Fellowship of Catholic Scholars oppose the lucubrations of the Catholic Theological Society of America. By the time of the Fellowship's founding, CTSA had already published its notorious book *Human Sexuality*. Shea calls the Fellowship "the haven of right-wing theologians and intellectuals" represented, in his view, by "Von Balthasar, Ratzinger, Muggeridge, James Hitchcock and George Kelly." This same Shea, formerly of CUA, wrote a 1976 article for the *Anglican Theological Review* in which he said, "The fact that something is believed is no evidence of its truth. Nor can any authority be allowed to vouch for the truth of beliefs, whether the authority be the Bible,

credal expressions or an office in the Church.")Vol. 58, p. 267). *Ipse dixit*.

Here is the nub of the Church's contemporary problem and, a fortiori, the Fellowship's — a theology department in the hands of one who denies the determinative role of the magisterium in

FROM THE PASTORAL GUIDE OF
SAINT GREGORY THE GREAT

"A Spiritual Guide should be silent when discretion requires, and speak when words are of service. Otherwise, he may say what he should not or be silent when he should speak. Indiscreet speech may lead men into error and imprudent silence may leave in error those who could have been taught. Pastors who lack foresight hesitate to say openly what is right because they fear losing the favor of men. As the voice of truth tells us, such leaders are not zealous pastors who protect their flocks, rather they are mercenaries who flee by taking refuge in silence when the wolf appears."

(*Liturgy of the Hours, 27th Sunday of Ordinary Time.*)

proclaiming Catholic truth. Given such a position, all creeds are relativized and doubt among Christians replaces "I believe." If there is no place in Catholic theology for the Pope and the bishops in union with him, except as holders of other opinions, there is no place for Catholic apologists. There is no "right-wing" or "left-wing," let alone room for the hilarious assertion that Fathers McBrien and Reese and Mr. Shea represent the "center." Catholic theology in any serious sense would cease to exist.

As always, during a revolutionary period in Church history, doubters, certain of their uncertainties, claim the right to disseminate within the Church as a viable option their teaching, claim to be a second and equal magisterium and thereby contest the right of Pope and bishops to do anything about the dissenters' control over the formation of the young and of the religious instruction of the Catholic masses. Under Mr. Shea's rubric, what begins as a scientific effort to "develop doctrine" ends by explaining away or eviscerating Church teaching. Absolute moral norms, especially those having to do with sexuality, are the first casualty of the revisionists liberated from faith convictions. Questioning this or that article of the creed or the validity of any creed swiftly follows. St. Thomas Aquinas predicted this sequence of events in the *Summa theologiae*, IIaIIae, q. 153, a. 5.

NOTICE HOW QUICKLY during and after Vatican II scholars went from disseminating doubts about Church strictures on sexual behavior to questioning papal authority; from leveling papal

primary to episcopal collegiality to doubt as to whether the pope had universal jurisdiction at all; from developing the community aspects of the Eucharist to questioning whether the priest at Mass is Christ's delegate or the people's; asking whether Christ is really present by the action of the priest or as a result of the congregation's faith; indeed it was soon asked whether Christ really intended a separate church or a distinct priesthood, whether Jesus is to be looked on as the Son of God or the Son of Man, whether his living words were doctored to fit the evangelist's beliefs rather than reported historically, whether in any case anything he said is now relevant and indeed whether Christianity itself, as an historic phenomenon has a meaning that can, by authoritative teaching, be confidently heard as objectively true by anyone.

IN THE DOUBTERS' scenario there is no role for John Paul II or Cardinal Ratzinger or Cardinal Balthasar or Malcolm Muggeridge or members of the Fellowship of Catholic Scholars. The nay sayers have benefitted from a good press but a smaller and smaller audience. Members of the Fellowship are thought of as bit players, on the margin of the action, comic relief in the lobby between the acts. The triumphal cries grow hollow, our enemy grows older, the attacks however will grow fiercer. But what is needed, in the houses of religious orders and congregations, in Academe, in the headquarters of dioceses, is another script, based on eternal verities, under the direction of those ordained for the purpose.

The First Convention of the Canadian Fellowship of Catholic Scholars

Toronto Canada

October 17, 1992

George A. Kelly

THE FELLOWSHIP OF Catholic Scholars grew out of the search for the answer to several questions asked in 1974 by the Cardinal Prefect of the Congregation of Catholic Education in Rome. "Is there no voice in American Catholic Higher Education than the National Catholic Educational Association or the presidents of Notre Dame and Georgetown Universities?" As is well known, by that time the Church was wracked by unusual dissent from Catholic teaching and by extraordinary disobedience in religious communities, those which sponsored practically all the colleges where Catholics of the future were being trained. With the encouragement of Father Joseph Cahill, C.M., then President of St. John's University in New York, the search for an answer began, and in 1977 the Fellowship came into existence.

Sixteen years after its founding, when you read attacks on the teaching policies of John Paul II, on Cardinal Ratzinger and the Pope's Curia, on Cardinal Balthasar or Cardinal O'Connor, you will usually find the Fellowship of Catholic Scholars on the list of unappreciated friends of the magisterium. We must be doing something right.

However, let us not forget why and how we came to life.

1. The Fellowship is a conditional organization

The Fellowship would not exist if the pre-Vatican II scholarly organizations had remained faithful to their commitment to Catholic truth as understood by the Church's tradition and magisterium. What began during the Council, and was nurtured afterwards, has become something of a scandal. Permit me to give you a few examples.

- While the highest teaching officers of the Church worked to express better the moral teachings of the Church, including those on marriage and sexuality, the Catholic theologians published a book like *Human Sexuality*, which equivalently said the Church's moral teaching was untenable and the faithful were free to disregard it.
- When the Vatican Council decided to complete Vatican I by complementing papal primacy with episcopal collegiality, Catholic historians began to find reasons in the Church's past to question the need of a Pope having jurisdiction over the universal Church, except as a matter of historic usurpation by Rome, not a matter of biblical intent or apostolic practice.
- Recently, I fell upon a new book called *Jesus* by an English biographer named A.N. Wilson (Norton and Co.), which avers that Christ saw himself merely as a Jew of the First Century, whose public life was dedicated to revitalizing Judaism, not to founding a new Church, and whose infancy narratives are fairy tales. This kind of pabulum has been fed to our young by bible teachers in our schools since 1965 — conclusions which, we are told, are justified by scien-

tific studies of the New Testament, but effectively create the impression that the Church's understanding of the Jesus of history is wrong.

- Many of us have had experience with liturgical aberrations, even we who thought that the first document to come out of the recent Council — *Sacrosanctum Concilium* (1963) — was a great blessing. This historic effort to make worship and sacramental reception more meaningful became the occasion to water down Catholic Eucharistic doctrine.

A few nights ago I re-read *The General Instruction on the Roman Missal*, issued by the Holy See as an introduction to the Vatican II update of St. Pius V's post-Tridentine Massbook of 1570. Here's what Rome's 1970 instruction said: "In those troubled days, St. Pius V was unwilling to make any changes in the rites except minor ones: he was intent on preserving more recent tradition because, at that time, attacks were made on the doctrine that the Mass is a sacrifice, that its ministers are priests, and that Christ is really and abidingly present under the Eucharistic species." Here we are in 1992 and, I submit, the same attacks made four hundred years ago are quite popular in elite Catholic circles. Bishops today are coming to see that even approved attempts to retranslate classic English in old biblical or sacramental rites into popular contemporary English, can really become unacceptable revisions of Catholic doctrine and theology.

- When magisterium decided the time had come to deal more effectively with broken Catholic marriages and to reach proper judicial decisions on the original invalidity

of such unions, the canonical establishment, in short order, helped turn many diocesan marriage tribunals into annulments mills. There would be no need of a Fellowship if those denigrations of our teaching, our worship, our moral life, and of our discipline, were not widespread among those who teach our young and represent the Church before the media.

2. The Fellowship is a fraternity of intelligent and high-minded companions united in the noble cause of proclaiming Catholic truth.

Let differences of opinion, as there will be — in perspectives, competencies and practical judgments — be subordinated to the Church's greater need.

Let civility prevail in public discourse, especially as it pertains to counsel given to pastors of the Church, but even toward the Church's enemies.

Choose friends and allies carefully, and eschew the mean-spirited whose good intentions are often belied by their conduct.

Yet, be courageous in propounding Catholic doctrine, in dissecting the truly evil, in criticizing those who do harm to soul and to the Church. It is easy to let the modern age or one's nation have its head, to be a modernist or a heretic, to follow the lead of lustful or earth-bound men and women. But in the immortal words of that consecrated wizard of the West, Archbishop John Ireland: "The timid move in crowds, the brave in single file."

So, we must help maintain the Church's priorities since the contemporary "pick and choose Ca-

tholicism" has its devilish attraction. Heresy, you know, is not absolute error but a distorted truth a claimed effort to round out earlier deficiencies in Church understanding, but really a man-made choice against the Word of God. Today's "pick and choosers" seek to reorder the Church's God-given priorities.

- If you come across scholars teaching the faithful that they can take Christ without taking the Pope, tell them what Christ said to Peter, as distinguished from what he said to Judas.
- If they would have Christ's teaching without his moral code, remind them of the Ten Commandments and the Fifth Chapter of Matthew.
- If they look upon their First Commandment as doing good to others, recite the story of Martha the waitress and Mary the prayer; have them read the Nicene Creed and its implications for authentic Christian life.
- If they would pray at home, send them to Sunday Mass.
- If they value Holy Communion, make sure they know about the Sacrament of Penance.
- If they want your help on how to make it in this life, help them to prepare for the final judgment and eternal life.
- If the preferential option for the poor is their exclusive priority, read them the Sixth Chapter of St. John on the Bread of Life, and of the worship it connotes.
- If they would have sex without marriage, marriage without priest, marriage without children, fidelity, or the worthy reception of the

Sacraments, tell them Christ's dictum that we become His disciples by living according to His teachings and by obeying his Commandments (Lk 10:16; John 8:31-32).

- And if they want to be truly free, let them enjoy the freedom of the Sons of God, well defined in the Our Father and the dying words of Christ on the cross: "Not my will but Thine be done."

3. The Fellowship is an association of Catholic apologists.

A noble profession to be sure, given dignity in Christian circles as far back as St. Paul in the First Century and St. Justin, who imitated the age of the apologists in the Second, both of whom were martyrs for the faith. Many of you will be, too, no longer by a sword driven into your heart, but by the disdainful words of the Church's critics denigrating your scholarly credentials. "Orthodoxy," i.e., rightly stated doctrinal propositions, is today looked upon as a "mad" way of thinking or speaking religiously. In truth, to believe and worship as the Church does both, is the only sanity for a believer.

So let Fellowship members speak out in a clear and informed fashion, may they publish reasoned and scholarly papers, and be helpmates of bishops to the extent that they are needed or invited.

Fellowship members should speak as the Church speaks, and of the Church's contemporary difficulties in the way John Paul II does. Let them not aspire to be bishops, to whom alone is consigned the solution of ecclesial shortcomings. Understand, too, that it is the Pope's responsibility,

not theirs, to forge unity among bishops.

The Fellowship of Catholic Scholars was not founded to serve professional ends, nor to promote academic careers, nor to think that sages and scholars are the final, or even the more important, judges of Catholic truth or Church policy.

Let us keep in mind the words of St. Cyprian, a Catholic apologist of the Third Century, and another martyr of the early Church, executed because he confessed before a Roman governor that he was the Catholic Bishop of Carthage, whose people would not render to Caesar what belonged to God. Here is what Cyprian said:

"There must be heresies, that those approved may be manifest among you. Thus are the faithful proved, thus the faithful discovered; thus, too, even before the day of judgment, already here below, the souls of the just and unjust are distinguished, and the wheat is separated from the chaff. This explains why certain people, backed by their hot-headed associates, seize authority for themselves without any divine sanction, making themselves into prelates regardless of the rules of appointment and, having no one to confer the episcopate on them, assume the title of Bishop on their authority. In the Psalms, the Holy spirit describes these men as sitting on the chair of pestilence, skilled corruptors of the truth, spewing deadly venom from their poisonous fangs, whose speech spreads like a canker; whose preaching injects a fatal virus in the hearts and breasts of all." (*Unity of the Catholic Church*, No. 10.)

What more can I say? Except perhaps to note how forthright, yet

cultivated, were the apologists of the early Church.

May the Fellowship in Canada do as well.

May God bless you and your mission for Mother Church.

1993 Fellowship Meeting

1993 CONVENTION September at the Doubletree Hotel, 100 The City Dr, Orange, CA 92668 to promote the absolute norms of Catholic family life. The Convention will be organized by Mr. Jack Rook, Franciscan University at Steubenville, Steubenville, OH 43952 (614) 283-6318; (614) 283-6442 FAX. He will be assisted by Father Anthony Mastroeni, same address, different phone: (614) 283-6493; same FAX. Dr. Richard Geraghty, St. John's Seminary College, 5118 E. Seminary Rd., Camarillo, CA 93012 (805) 486-8614, (home tel.) will be the local contact. Orange, Calif. has its own John Wayne Airport, five minutes from the Doubletree Hotel. The program will have five sessions (rather than the usual six). The program is under the directorship of Dr. Carl Anderson, John Paul II Institute, 2900 N. Dinwiddie St., Arlington, VA 22207. 1994 Convention in Corpus Christi, TX (202) 526-3799.

Society of Catholic Social Scientists

THE INAUGURAL meeting of the SCSS was held at the Pittsburgh Hilton Hotel on September 17, 1992 immediately following the conclusion of the annual convention of the Fellowship of Catholic Scholars. The SCSS, which is fully committed to the teachings of the Catholic Church as defined by magisterial teaching, is composed of Catholic scholars, professors, teachers and others in the social sciences or related disciplines whose intellectual activity is tied to public and social issues. The primary aim of the group is to produce objective knowledge about the social order which can assist the Catholic Church in fulfilling her various apostolic efforts and which can bring the Church's teaching to bear on problems of modern society.

The mission of the SCSS should not be seen in narrowly scholarly terms. The Society has taken upon itself the task of helping to rebuild the institutional infrastructure of Catholic higher education and sees itself also as a vehicle for evangelization.

At the meeting the following officers were elected. Stephen Krason of Franciscan University of Steubenville, president; Robert George of Princeton University, first v.p.; Alberto Piedra of Catholic University, second v.p.; Gerald Bradley, University of Notre Dame, treasurer; and Joseph A. Varacalli of Nassau Community College - SUNY, executive secretary.

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BOOKS RECEIVED

God, Time and Being, Ghislain Lafont, O.S.B., Petersham, MA: St. Bede's Publications, April 1992, pp. 348, \$34.95.

Search for the Absent God, William J. Hill, edited by Mary Catherine Hilker, New York: Crossroad, September 1992, \$27.50.

Theological Investigations XXIV: Final Writings, Karl Rahner, New York: Crossroad/Ungar/Continuum, June 1992, \$29.50.

John Courtney Murray and the Civil Conversation, Robert P. Hunt & Kenneth L. Grasso, editors, Grand Rapids: Wm. B. Eerdmans Publishing Co.

The Last Ugly Person and Other Stories, Roger B. Thomas, San Francisco: Ignatius Press, March 1992, \$9.95.

Edmund Campion, Hero of God's Underground, Harold C. Gardiner, S.J., San Francisco: Ignatius Press, March 1992, \$9.95.

Love is Stronger Than Death, Peter Kreeft, San Francisco: Ignatius Press, March 1992, \$8.95

Abuse of Language—Abuse of Power, Josef Pieper, San Francisco: Ignatius Press, March 1992, \$5.95.

Newman, Towards the Second Spring, Michael Ffinch, San Francisco: Ignatius Press, March 1992, \$12.95.

Paul Struggles with His Congregation, Hans Urs von Balthazar, San Francisco: Ignatius Press, March 1992, \$6.95.

Reading John, Charles H. Talbert, New York: Crossroad, August 1992, \$23.95.

Francis Janssens, 1843-1897, A Dutch-American Prelate, Annemarie Kasteel, Lafayette, LA: The Center for Louisiana Studies, PO Box 40831, 403 pp., \$30.00.

Salt, Leaven and Light: The Community Called Church, T. Howland Sanks, New York: Crossroad/Ungar/Continuum, September 1992, 251 pp, \$21.95.

A Democratic Catholic Church: The Reconstruction of Roman Catholicism, Eugene C. Bianchi & Rosemary Radford Ruether, eds., New York, Crossroad/Ungar/Continuum, September 1992, 262 pp., \$23.95.

Thomas Merton: Spiritual Master, Lawrence S. Cunningham, ed., Mahwah, NJ: Paulist Press, 1992, pp. 347, \$14.95.

And So to God, Hubert Van Zeller, Petersham, MA: St. Bede's Publications, 1992, pp. 133, \$9.95.

In Defense of Philosophy, Josef Pieper, San Francisco: Ignatius Press, 1992, pp. 127.

Desire and Delight: A New Reading of Augustine's Confessions, Margaret R. Miles, New York: Crossroad, 1992, pp. 144, \$15.95 hardcover.

Beyond the Constitution, Hadley Arkes, Princeton, NJ: Princeton University Press, 1992, pp. 278, \$14.95.

The Doctor and Christian Marriage, H. P. Dunn, MD, Staten Island, NY: Alba House, pp. 157, \$9.95.

"Abba Father": *We Long to See Your Face*, Jean Galot, S.J., Staten Island, NY: Alba House, pp. 234, \$12.95.

The Paths of Life: Reflections on the Readings for Sunday and Holy Days, Ernest Ferlita, S.J., Staten Island, NY: Alba House, pp. 189, \$9.95.

What Catholics Really Believe, Karl Keating, Ann Arbor: Servant Publications, 1992, pp. 155.

To Know Christ Jesus, Frank Sheed, San Francisco: Ignatius Press, 1992, \$9.95.

Edith Stein, Waltraud Herbsrith, San Francisco: Ignatius Press, \$11.95.

Co-Workers of the Truth, Cardinal Joseph Ratzinger, San Francisco: Ignatius Press, 1992.

The Quotable Johnson, Stephen C. Danckert, San Francisco: Ignatius Press, 1992.

A History of Christianity in the United States and Canada, Mark A. Noll, Grand Rapids: Eerdmans Publishing Company, 1992, 576 pp. Cloth, \$39.95; paper \$29.95.

Back to Virtue: Traditional Moral Wisdom for Modern Moral Confusion, Peter J. Kreeft, 185 pps. \$9.95.

In Search of a National Morality, ed. William Bentley Ball, San Francisco: Ignatius Press, 1992, pp. 298. Many Catholics and Evangelicals have arrived at clear and identical positions on many issues of law and public policy, especially regarding freedom of religion, secularization of society, and matters of morality. William Ball addresses the most important issues of law and public policy based on their common beliefs.

The Mind and Heart of the Church, edited by Ralph McInerney, Publication of the Wethersfield Institute, San Francisco: Ignatius Press, 1992, 130 pps. \$7.95. Addresses a variety of topics: the Catholic university, academic freedom, Thomism, the Church's worship, the dignity of woman, etc.

The Alba House Gospels: So You May Believe, Mark A. Wauck, Translator, \$12.95, 282 pp.

A fresh new translation of the Gospels from the Greek reflects the spirit and style of the original. This version of the sacred text has as its one overriding concern to render the Good News as faithfully as possible in a manner which will be readily grasped by the ordinary reader. The English employed, therefore, is basically contemporary American English.

Lifting the Veil of Choice: Defending Life, Drew DeCoursey, Huntington, IN: Our Sunday Visitor Books, \$4.95.

St. Francis de Sales: Introduction to the Devout Life, Translated by E. J. Carney, O.S.F.S., edited and abridged by Msgr. Charles Dollen, 185 pp., \$10.95

First published in 1609 and given its definitive form in 1619, St. Francis de Sales' Introduction to the Devout Life was an immediate and universal success.

Ordained to Preach: A Theology and Practice of Preaching, Charles E. Miller, C.M., \$12.95, 236 pp. Each of the book's 21 chapters ends with a summary of the contents and an exercise for practical application.

Integral Formation of Catholic Priests, Marcial Maciel, L.C., \$12.99, 250 pp. A book recommended by Anthony J. Cardinal Bevilacqua, Pio Cardinal Laghi, Bishop Wuerl, and written by Fr. Marcial Maciel, L.C., General Director of the Congregation of the Legionaries of Christ.

World Religions: Beliefs Behind Today's Headlines, John J. Catoir, \$7.95, 122 pp. This volume provides a brief summary of the beliefs of Buddhism, Christianity, Confucianism, Taoism and other major world religions.

"I Will Follow You" Meditations on Jesus, the Divine Master, the Way, the Truth and the Life, Fedele Pasquero, S.S. P., \$9.95, 182 pp.

Mary in the Mystery of the Covenant, Ignace de la Potterie, S.J., \$15.95, 266 pp. Fr. de la Potterie, a Fellowship member of Rome's Biblical institute for 30 years, analyzes the Gospel texts which relate the "facts" of Mary's life in the light of the whole of Scripture and the living Tradition of the Church.

Books

Sr. Mary Ann Follmar, *The Marian Spirit in the Church*, Crestwood, NY: Peace through Mary Publications, October 1991.

John F.X. Knasas, *The Preface to Thomistic Metaphysics: A Contribution to the Neo-Thomist Debate on the Start of Metaphysics*, New York: Peter Lang, 1990, pp. 193.

James V. Schall, S.J., *Reason, Revelation, and the Foundations of Political Philosophy*, Baton Rouge: Louisiana State University Press, 1987.

James V. Schall, S.J., *Another Sort of Learning: Selected Contrary essays on How Finally to Acquire an Education While Still in College or Anywhere Else*, San Francisco: Ignatius Press, 1988.

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James V. Schall, S.J., *Religion, Wealth, and Poverty*, Vancouver, B.C.: Fraser Institute, 1990.

James V. Schall, S.J., *What is God Like?*, Collegeville, MN: The Liturgical Press, 1992.

Fr. Anthony Zimmerman, S.V.D., S.T.D., *The Religion of Adam and Eve*, New York: Vantage Press.

Fr. Anthony Zimmerman, S.V.D., S.T.D., *Original Sin: Where Doctrine Meets Science*, New York: Vantage Press.

Essays

James V. Schall, S.J., "The Altar as Throne," in *Churches on the Wrong Road*, edited by Stanley Atkins and Theodore McConnell, Chicago: Gateway, 1986, pp. 193-238.

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James V. Schall, S.J., "The Law of Superabundance," *Gregorianum*, Vol. 72, No. 3, 1991, pp. 515-42.

James V. Schall, S.J., "Truth, Liberty, and Law," Catholic Commission on Intellectual and Cultural Affairs, *Annual*, Vol. 8, 1989, pp. 59-74.

James V. Schall, S.J., "'Dedicated to a Universal Purpose': The Antiquity of the New World," *World & I*, Vol 9, April 1992, pp. 590-609.

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James V. Schall, S.J., "'The Call Contained in the Being of Things'" The Import of John Paul's Centesimus Annus," *Vital Speeches*, LVIII, January 15, 1992, pp. 213-17.

James V. Schall, S.J., "The Unexpected Encyclical: On the Extraordinary Uniqueness of Centesimus Annus," *Social Justice Review*, Vol. 82, September - October, 1991, pp. 143-49.

RECENT PUBLICATIONS BY MEMBERS

James V. Schall, S.J., "On the Teaching of Political Philosophy," *Perspectives on Political Science*, Vol. 20, Winter, 1991, pp. 5-10.

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James V. Schall, S.J., "The Person from Within: the Foundations of Social Teachings," *Christian Order*, Vol. 33, February, 1992, pp. 108-114.

James V. Schall, S.J., Two Monthly columns: "Sense and Nonsense," *Crisis*, 1511 K St., NW, Washington, DC 20005, "Schall on Chesterton," *The Midwest Chesterton News*, 740 Spruce Road, Barrington, IL 60010.

Joseph A. Varacalli, "Sociology,

Catholicism, and Andrew Greeley," *Lay Witness*, Vol. 13, #9, June 1992.

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Phyllis Rodriguez-Peralta, "Tres poetas cumbres en la poesia peruana", Madrid: Playor, 1983.

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Philosophic Expression in Dario's Poetry," *Kentucky Romance Quarterly*, Vol. 32 (1985), 429-444.

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Phyllis Rodriguez-Peralta, "Early Novels by Prose Modernists: Continuation and Transition," *Revista de Estudios Hispánicos*, (Jan. 1986), 59-75.

Phyllis Rodriguez-Peralta, "Las ultimas paginas en la creacion poetica de Ruben Dario," *Revista Iberoamericana* (Jan-June, 1989), 395-414.

Phyllis Rodriguez-Peralta, "The Subjective Narration of Bryce Echenique's *La vida exagerada de Martín romana*," *Hispanic Journal*, Vol. 10 (Spring 1989) 139-151.

Mary Elizabeth and Leon J. Podles, "*Babette's Feast*: Feasting with Lutherans," Lutheran Eucharistic symbolism in Gabriel Axel's film, *Antioch Review*, Vol. 50, No. 3 (Summer 1992), pp. 551-65.

HONORIS CAUSA

June 11, 1992. Sophia Institute Press. Fellowship member Sophia Institute Press was recently awarded the most prestigious award given to small presses. The Benjamin Franklin Award of the Publishers Marketing Association was given for Sophia Institute's recent beautiful edition of *Holy Thursday: An Intimate Remembrance* by Nobel Laureate Francois Mauriac. This beautiful meditation on the Eucharist triumphed over two other finalists: one by the Swami Sivananda Radha and

another on reincarnation! It's refreshing to see orthodoxy receive the attention it deserves! Congratulations to Dr. John Barger and Sophia Institute Press. To order, call (800) 888-9344.

James J. Carberry, professor of chemical engineering at Notre Dame and member of the Fellowship, has received the E. V. Murphree Award in Industrial and Engineering Chemistry sponsored by Exxon. Carberry, a Life Fellow at Clare Hall in Cam-

bridge, is the recipient of a string of honors and awards.

Rev. Lawrence Dewan, O.P., The American Catholic Philosophical Association, The Catholic University of America, Washington, DC 20064-0001, 9202) 319-5518 informed **Ralph McInerny** that he will be awarded the Association's Aquinas Medal in St. Louis, Mo, at the annual convention, March 26-28, 1993.

Avery Dulles, S.J., *The Craft of Theology: From Symbol to System*. New York: Crossroad Publishing Co., 1992. x + 228 pp. \$22.95.

THIS IS, IN MANY ways, a marvelous book. Written by a venerable figure in North American Catholic theology, about subjects on which he has published some 15 books, it is a book that provides both information and analysis useful to the general reader and professional theologian alike. It should have a place on the bookshelf of any serious Catholic reader.

The book is actually a compilation of some 12 previous articles or lectures by Dulles, appearing in journals like *The Thomist* and *First Things*, or given at conferences at the Gregorian University or at Franciscan University at Steubenville. But for all that the book enjoys an impressive unity, attributable not only to Dulles's general theological demeanor, but also to some savvy cross-referencing in the papers themselves, which constitute the 12 chapters of the book. These chapters in turn seemingly cover the entire range of systematic theology: method in theology, faith, the use of scripture, the role of tradition, the Magisterium and dissent, the relationship between philosophy and theology, theology and science, university theology, academic freedom, and ecumenism. It is no small thing to have command of such topics, but Dulles does, and the resulting orchestration is impressive for both its thoroughness and, frankly, for its prudence. Dulles is a model citizen,

I believe, in an enterprise that is nowadays political by definition. To deal with sensitive topics, to say what he says, while never once sounding pig-headed, arrogant, or scornful of others past or present, is very welcome. This is a serious piece of theology from a master who should be imitated.

So, what does Dulles say? In the Introduction he points out that while before Vatican II theology suffered from perhaps an excessive uniformity, today we are faced with a problem of the opposite extreme: too many theologies and no common ground. "Theologians lack a common language, common goals, and common norms" (p. viii). Dulles's remedy, in part, is a greater emphasis upon the ecclesial character of theology: "Theology must serve the Church and be accountable to it." Dulles grants that there must be a "certain measure of autonomy" for theology, but immediately adds that theology loses its identity when it ceases to be a reflection on the faith of the Church. It is the interplay between the disciplinary exigencies of theology and its debt to the Church that characterizes the book.

Dulles suggests that of all the various modes of 'critical' theology, perhaps a 'post-critical,' understood rightly, will function well. The difficulty with a thoroughly critical method in theology is both that it begins with a 'hermeneutics of suspicion,' where Dulles would counsel a hermeneutics of trust, and that the critical method ignores the fiduciary basis of all our knowledge, even the knowledge upon which we base our doubts about particular, received theological items. Nor does it acknowledge the social or even the tacit dimension of knowl-

edge. Dulles would instead urge that theology be in constant touch with its sources, not as objects to be validated before the theological enterprise can begin — much less can the theological enterprise be just the mere scrutinizing of theological sources — but rather as the various conduits from which the lived faith of the Church draws its lifeblood.

Throughout the book Dulles takes care to draw upon the theological tradition of the Church, even while attempting to incorporate modern interests into his total theological vision. This is true both for his description of scholasticism and for his attitude towards ecumenism. He is not one who wants to abandon his heritage, but one who wants to bring that heritage forward to present-day concerns, and to a present-day audience unaccustomed, it goes without saying, to the Aristotelian language of scholasticism. Indeed, Dulles's language, though indebted in many ways to the continental philosophical tradition, always has a familiar ring to Catholic ears, and that is because behind the theological lucidity there is a man who is profoundly committed to Christ and his Church.

In reading a book of this sort one is always tempted to seek out passages where the author tips his hand on issues of currency. The reader of this book will go away disappointed if that is his goal. The only chapter approaching an encounter with a juicy, hot topic, is his very level-headed discussion of the Magisterium and theological dissent in chapter 7. To paraphrase the chapter would be a disservice to Dulles's well-crafted presentation, which bears reading and re-

reading. But it can be said that Dulles shows a characteristic sensitivity to both sides of this issue, to the point that, while the chapter contains a lengthy examination of recent Vatican documents of the *missio canonica* and the rest — with which he is in sympathy — he supplements that consideration with some prudential norms that could be used by Church officials dealing with theologians, in order to ensure no abuse of authority, on the one hand, and in order to guarantee theologians a certain freedom, on the other.

Different readers may have their own, differing hesitations about this or that feature of Dulles's book. For me, 'native' Thomist that I am, I would like to see Dulles have a greater appreciation for the vast power of St. Thomas's philosophical and theological thought. To be sure, Dulles is aware of the Magisterium's continuing recommendation of Tho-

mas, in particular to theologians. And in fact he deals directly with the issue of the on-going discussion between philosophy and theology in chapter 8. But those whose priestly training was within the stilted scholasticism of the manuals, and this would include Dulles, often bear with them the conviction that the method through which they received the teaching is indicative of the doctrine itself, but with the best of medieval philosophy and theology, and for sure with Thomas, this cannot be true. Thomas's thought can be dynamic, forward-looking, and subjective and inter-subjective when done right, with the best of modern philosophical movements that have captured the interest of current theologians. His doctrine also has as its salutary point of departure our sense experience of the world in which we live, a most ecumenical item, when one thinks about it. It seems to me that Dulles's inclina-

tion to speak in terms of 'models,' and his desire for philosophical categories that allow for non-western experience, is an implicit embracing of philosophical phenomenology, a method of thinking that to my mind does not yield an epistemological unity appropriate for Catholic theology.

But to complain like this is really to expect Dulles to be even more generous than he has already been in producing the kind of book that opens such questions. His goal in the book was to bring theologians into a discussion about the nature of theology that can result in a real consensus as to what it is, and how it functions. And in this Dulles has succeeded admirably. That we might want to address further some of his claims, or even his method, is also a success of this very invigorating book.

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