

# A Small Step Back, A Giant Step Forward

Gerard V. Bradley

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First, the small step back. In a case from Texas, where (I am told) high school football is a religion, a public school district authorized an student invocation to punctuate the games. A 6-3 majority of the Court threw the yellow flag. Because the practice might include a prayer, and because the schools were someone responsible for this risk, The Establishment Clause was violated. The precise issue is not important. But the reasoning of the majority is. They asserted, once again, that religion was, under our Constitution, an entirely *private* matter. This would have surprised the Framers.

At issue in *Mitchell v. Helms* was instructional material "loaned" by the government to religious schools. By itself, the case is just the latest in a long, wobbly line of "parochial" rulings, starting way back with reimbursement for bus rides in *Everson v. Board of Education*. The Court upheld the benefit in *Mitchell*. So much the better for private schools. The giant step, though, is this: six members of the Court, it now seems, are on a course to validate vouchers. Chief Justice Rehnquist, along with Justices Scalia, Thomas, and Kennedy could hardly have made their intentions clearer in Thomas's opinion for them. The big development is the special concurrence of Justice O'Connor, joined by Justice Breyer. They emphasized the "private" nature of religion in our constitutional order. They made clear, however, that aid to religious schools accomplished by vouchers *could* be traced to the "private" choices of parents and children. That is, government would distribute benefits to parents, who would voluntarily devote that benefit to religion. Like the G. I. Bill, the benefits of which have always been available for religious colleges.

(continued on page 2)

*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*

## Fellowship of Catholic Scholars Quarterly

VOLUME 23, NUMBER 3

FALL 2000

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Look for the case of vouchers for Cleveland's schools to come before the Supreme Court in the next couple years. And look for a happy result when it does.

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# The Secret Presence of God: *The Holy Spirit, the Giver of Life*

James V. Schall, S. J.  
*Georgetown University, DC*

The condescension of the Blessed Spirit is as incomprehensible as that of the Son. He has ever been the secret Presence of God within the Creation: a source of life amid the chaos, bringing out into form and order what was at first shapeless and void, and the voice of Truth in the hearts of all rational beings, tuning them into harmony with the intimations of God's Law, which were externally made to them. Hence He is especially called the "life-giving" Spirit.....

— John Henry Newman <sup>1</sup>

The Triune God, who "exists" in himself as a transcendent reality of interpersonal gift, giving himself in the Holy Spirit as gift to man, transforms the human world from within, from inside hearts and minds.

*John Paul 11, Dominum et Vivificantem, #59<sup>2</sup>*

In explaining our redemption, scripture refers in various ways to three different persons, as they came to be called, involved within the one Godhead — Father, Son, and Spirit. The most enigmatic Person to imagine is the Holy Spirit. To the degree that understanding the Holy Spirit is difficult, to that same degree reflecting on His person is more rewarding. What we know of God is worth knowing, even if it be little. Christians have meditated on this Third Person for centuries. Within the Godhead there is "otherness," that is, God is not alone.<sup>3</sup> Newman called the Holy Spirit "the secret Presence of God within the Creation." What we call "creation" contains within it the presence of more than its own vast variety of finite things. But in calling the Spirit's presence "secret," Newman referred to the being and mission of the Spirit's work which is called after "breath" or "wind." Words, however inadequate, are used in revelation to bring us as close as possible to the mysterious realities that form our own presence in the world.

John Paul 11, in his Encyclical, *Dominus et Vivificantem*, of 1986, organized and re-presented

what we hold about the Holy Spirit. "The Church's mind and heart turn to the Holy Spirit as the twentieth century draws to a close... John Paul II observed. "For according to the computation of time, this coming is measured as an event belonging to the history of man on earth.... For us Christians, this event indicates, as St. Paul says, the fullness of time, because in it human history has been wholly permeated by the "measurement" of God himself, a transcendent presence of the eternal now... (#49). In Aristotle, time is a "measure" of before and after, while St. Thomas called time the *fluxus ipsius nunc*. The Pope remarks that human history is permeated by the "measurement" of God himself. It is a transcendent presence of the "eternal now."

God's purpose in creation is not creation itself minus man. God's purpose is that He freely associate other free beings in His own inner life, but on the condition that they be there only if they so choose. The Word meets our word in our world; freedom meets freedom; eternal now meets passing now. The world is created by God in His Word, redeemed by the same Word now made flesh, all brought about "by the power of the Holy Spirit." The vastness of God more than matches the vastness of His creation with our own histories within it. The complexity of creation, in each of its particulars, is the object of our own intellect, directed to what is. "The cosmos is created by God as the dwelling place of man and the theatre of his adventure of freedom," the Pope observed.

In the dialogue with grace, every human being is called to accept responsibly the gift of divine sonship in Jesus Christ. For this reason, the created world acquires its true significance in man and for man. He cannot, of course, dispose as he pleases of the cosmos in which he lives, but must, through his intelligence, consciously bring the Creator's work to completion (OR, English, August 26, 1998).

This is a remarkably clear statement about the purpose of God in Creation with its relation to man's own destiny. God does not first create the cosmos

and then try to figure out what to do with it. Man is not a happy, or perhaps, unhappy, afterthought. The cosmos exists for man and the ultimate purpose he himself is invited to achieve.

In this Encyclical on the Holy Spirit, the Holy Father recalled the Old and New Testament texts that mention “spirit,” or “fire,” or “gift,” or other images of the Holy Spirit. He likewise explained what meaning the Church and Christian thinkers have found when organizing these references into an intelligible and coherent whole that explains the relational nature of the life within the Godhead. The Holy Spirit is not something that we “make up.” We find the Spirit to be an integral element in the way scripture speaks of God’s relation to us and to our destiny. This Spirit enables us, if we choose, to address God as “Abba, Father.”

We could not have imagined, by our own powers, the presence of the Holy Spirit in the Godhead. Yet, the Spirit is there in the texts. We seek to know as much about this reality within the inner life of God as we can. We seek to know all we can about God even on the basis of what little we do know by our own reason. We know that God is one, with three divine persons — not three gods, not one person. We are also aware, as the Holy Father said elsewhere (July 22, 1998), that our very being is changed, elevated, because of the original purpose for which we are created, that is, to be able, by His grace, to know God as He is. “The Spirit of the Lord not only destroys sin, but also accomplishes the sanctification and divinization of man. ‘God chose us, St. Paul says, from the beginning to be saved, through sanctification by the Spirit and belief in the truth’” (2 Thes. 2:13).

Catholic Christians are often accused of reducing or oversimplifying the mystery of the Godhead by seeking to state in doctrinal terms what this inner life of God might be like.<sup>4</sup> If we did not seek to know and state this reality as best we can, however, something would be wrong with us. We would fail to understand and follow our own nature. To be sure, we seek to know this inner life only because it appears as an essential aspect of how scripture explains God, the world, and the purpose of man within the world and his destiny beyond it. Plato, Aristotle, and other great philosophers wondered about the cause of things and the meaning of man. They often made

profound arguments about the origin and nature of things, including first things. They do not seem to have arrived at a “personal” God or at an adequate notion of our ultimate destiny. Still, they spoke of God as Good, as Intelligence or Mind; they spoke of the immortality of the soul, though not of the resurrection of the body. These aspects are not false.

No contradiction can be found between affirming, in clear and precise terms, what must remain essentially a mystery to the finite mind, namely the inner life of the Godhead as it is revealed in scripture, and stating what we do know in the light of what is revealed about this mystery.<sup>5</sup> If we come across certain data about even the Godhead, it is permitted for us to puzzle out what this data might mean. We are not forbidden to use terms from philosophy or ordinary experience that might aid us in understanding what has been revealed. We find certain unexpected analogies between the intelligence of God and finite intelligence.

Yet, the common accusation against dogmatic religion that charges it of thinking only in terms of “propositions” or “doctrines” seems strange. They are said to reduce our understanding to humanly formulated dogmas or statements, as if such statements, rather than the reality of God to which they refer, were the object of faith even in their correct statements. To set down as clearly as possible what revelation means to human intelligence does not, and cannot, imply that this same human intelligence fully comprehends in the statements themselves the inner mystery of the life of God. If the human intellect could fully comprehend by itself what God is, it would already be God. Correct doctrinal statements of God point not to themselves but to God and are known to do so in their very presentations. Dogmas, as such, however useful, are not “worshipped.” On the other hand, it is possible to understand false or erroneous statements about God and to see how these errant positions interfere with man’s proper relation to God.

Revelation is directed to our intelligence. The Word of God addresses our inner word, the creative word that makes each of us to be uniquely ourselves, in order that we might know as accurately as possible what God is. We naturally seek to know what is and why it is, after the manner of our own knowing. As Plato said, we seek to know of what is, that it is, and

of what is not, that it is not. But we seek to know not as that knowing is directed to itself, to the act of knowing, but to what exists in reality outside our knowing powers — to “the truth of things.”<sup>6</sup> To a Colloquium at Castel Gandolfo on “Time and Modernity,” the Holy Father said that “I have always considered the search for the truth of things as the defining human quality” (17 August 1998). The defining human quality is the search for the truth of things — it is the Pope who tells us this.

We do not think the mind, any finite mind, circles merely around itself, though it is luminous to itself and indirectly knows itself in knowing what is not itself. We do not know ourselves unless we first know something else besides ourselves. We are beings whose very structure, as it were, is to know the truth of both ourselves and what is not ourselves. We can realize the incompleteness of ourselves, our dependence on what is not ourselves. We know that we did not make either ourselves or what it is to be ourselves. We want to know as much as we can about our own relation to the origin of things. Indeed, this accurate knowing is the principal reason why we have intelligence, “the defining human quality,” as the Pope put it. We are made in our very physical and spiritual being to communicate with what has intelligence, even the most exalted intelligence, though we do not easily know by our own powers what this communication might mean or whether we can participate in it.

We really know nothing of the reality of the Holy Spirit by our own intellectual powers. But we add that, once known through revelation, certain other things that we do know make more sense. Are there any consequences to the not knowing of this reality within the Godhead? Do false ideas of God have any notice able human consequences? “When he (Paul) asked (the Ephesians) ‘Did you receive the Holy Spirit when you became believers?’ they answered, ‘No, we were never even told there was such a thing as a Holy Spirit’” (Acts, 19:2). However fascinating it is to think about what God is like, the Jewish and Christian revelation, as it is presented to us, has, not a Greek theoretical orientation, but a practical one. We are to be redeemed in a certain manner, the dimensions of which redemption we do not ourselves establish but receive from the only source that can inform us on the topic, namely, from

God Himself.

We are not forbidden, to recall Trent and Vatican 1, to seek to know as much as we can about God, both with our reason and from deducing things from revelational data or by comparing what we know from reason and revelation. The adventure of knowing God is described often in scripture, and not wholly unlike Plato’s philosophical Eros, as a desire to know Him “face to face,” not just as a desire to have accurate statements about Him. Yet, the having accurate statements about God, or the having wrong statements about Him, directly helps or hinders the adventure of knowing God face-to-face. The Pope recalled, in *Crossing the Threshold of hope*, that the philosophy of “face-to face” is a welcome element in recent philosophy. The Christian philosopher sees some congruence here with the fittingness of the resurrection of the body, the final, almost defiant, “act” of the Father towards the Word made flesh. It is the resurrected Christ who sends His Spirit to remain with us all days, even to the end of the world.

The encyclical on the Holy Spirit is divided into three parts: 1) “the Spirit of the Father and Son given to the Church,” 2) “the Spirit who convinces the world concerning sin,” and 3) “the Spirit who gives life.” The Holy Father devotes twenty two of sixty-three pages to the second question, namely, the function of the Holy Spirit in convincing the world of sin. This emphasis reflects accurately a central purpose of the Spirit in revelational texts themselves. We think, with modern Gnosticism, that we can save ourselves. We accept modern relativism. Nothing that we know or do in our lives is so important as to need a “redeemer.” We in fact deny sin. We think that we will be “saved” no matter what we know or do. Religious “pluralism” wants to by-pass any definite order of redemption, especially one that would follow the path set forth in Christian teachings — to “repent and be baptized.”

In light of his many travels, the Holy Father pointed out that the Spirit is at work in all times and places preparing, in ways we know not, the advent of God’s kingdom as it has been revealed to us. At this point, we are not dealing with sin or the deliberate rejection of God’s word, though even that, as Paul says, also works to the good. “The Spirit of God, present in creation and active in all phases of salvation history, directs all things towards the definitive event

of the Incarnation of the Word,” the Pope remarked (August 12, 1998).

This Spirit is no different from the one who was given “not by measure” (cf. Jn 3:34) by the crucified and risen Christ. The same identical Holy Spirit prepares the advent of the Messiah in the world and, through Jesus Christ, is communicated by God the Father to the Church and to a history. The Christological and pneumatological dimensions are inseparable and not only run through the history of salvation, but through the entire history of the world.

Therefore we can legitimately think that the way to salvation is open wherever there are elements of truth, goodness, genuine beauty and true wisdom, wherever generous efforts are made to build a more human society in conformity with God’s plan. Even more so, wherever there is a sincere expectation of God’s revelation and a hope open to the saving mystery, we can recognize the hidden and effective work of the Spirit of God who spurs man to the encounter with Christ, “the Way, the Truth, and the Life” (Jn 14:6).

We do not know what plans are in the providence of God and the mission of the Spirit for the redemption of all mankind. We only know that the Spirit is operative in the “entire history of the world” itself.

Two Persons of the Trinity are both at work in the world in different ways, but in ways that are not contradictory to each other, in ways that require one another. The work of the Spirit is directed to the Incarnation; Christ sends the Spirit into the world to baptize in the name of the Father, the Son, and the Spirit. The Pope is not discontent with the ways of the Spirit, yet he also insists on the ways of the Church as the visible society that Christ established on the Rock, guaranteed by the presence of the Spirit within it. The finding the “footprints” of the Spirit outside the Church is not intended to be a substitute for it, but a way towards it.

The Spirit is to convince the world of sin. In our time objective sin abounds but is rarely acknowledged and often denied to be sin. Unacknowledged sin is more dangerous to our kind than sin that is admitted. Nor does anyone want to talk of Hell, the locus of sin’s ultimate consequences. That is, no one wishes to speak of deviant human actions as having any ultimate consequences. The failure to talk of sin, even the calling it good, removes the seriousness of

our existence. In his sermon on “The Gift of the Spirit,” John Henry Newman warned of the consequences of misunderstanding the Spirit who accuses us of sin. Newman pointed out the dangers of misunderstanding the work of the Spirit — which is “unseen, supernatural, and mysterious.” The root of modern ideology is precisely in a claim to produce by our own means, not that of the Spirit, what is promised to us by the unseen, mysterious, and supernatural gifts of grace. This is the most subtle of the political temptations. The rejection of the Spirit appears as a claim to solve, by human effort, the problems of worldly society precisely on the basis of rejecting supernatural criteria..

Why is it necessary to talk about sin, to talk about chosen, internal moral disorder? The Greek notion of sin as missing the mark, though useful, does not reach to the depths of the Christian notion. It seems odd that God would remind us of sin. Obviously, the fact of sin relates to the purpose of creation in the first place, with the possibility of its being achieved even if some reject it. “Christ did not come into the world only to judge it and condemn it: He came to save it,” John Paul explains in *Dominum et Vivificantem*.

Convincing about sin and righteousness has as its purpose the salvation of the world, the salvation of men. Precisely this truth seems to be emphasized by the assertion that “judgment” concerns only the “prince of this world,” Satan, the one who from the beginning has been exploiting the work of creation against salvation, against the covenant and the union of man with God: he is already judged from the start. If the Spirit-Counselor is to convince the world precisely concerning judgment, it is in order to continue in the world the salvific work of Christ (927).

The word “judgment” today has anti-cultural overtones. It implies that a criterion of judgment exists, one that we did not ourselves formulate. When the Pope notes that Satan seeks to “exploit the work of creation against salvation,” he shows a remarkable perception about the condition of modern ideological thought that seeks to pit cosmology or anthropology against redemption.

Sin is seen in the Church in the light of “the redemptive power of Christ, crucified and risen” (#31). The greatest of human sins was precisely “the killing of Jesus, the Son of God, consubstantial with

the Father.... That sin...was committed in Jerusalem on Good Friday — and also (in) every human sin.” Though this greatest sin turned out to occasion the famous “*felix culpa*” by which we are redeemed, redemption is not achieved by denying the greatest sin or any sin. The mystery of sin forces us to search, in the Spirit, “the very depths of God.” That is, we must see both the evil that is sin and how or why it might be forgiven in order to see how the purpose of creation could still be achieved. It is a principle of revelation that certain truths, of which we can have some natural appreciation, are to be seen with more fullness in the context of our revealed destiny. If we are to be “convinced” of sin, we see something worse in our deeds than we ever thought possible. But this “something worse” is itself the other side of the possibility of something more glorious than we ever thought possible.

“The ‘convincing’ is the demonstration of the evil of sin, of every sin, in relation to the cross of Christ,” John Paul writes (932). “Sin, shown in this relationship, is recognized in the entire dimension of evil proper to it, through the “*mysterium iniquitatis*” which is hidden within it. Man does not know this dimension — he is absolutely ignorant of it apart from the cross of Christ. So he cannot be “convinced” of it except by the Holy Spirit: the Spirit of truth, who is also the Counselor.”

John Paul returns to Genesis on Creation and the Fall. The reason sin is so thoroughly discussed is because its confrontation is the work of the Spirit. On being sent among us, the Spirit is to convince the world of its sin. Sin is something that is there, chosen. At the theoretical origin of this sin is the upsetting possibility that man can reject, turn against God, in the name of creation but against redemption.

It is impossible to commit sin without at the same time choosing some real, but disordered good. This is why, as the Pope points out, creation is pitted against redemption. In terms of almost shocking paradox, the Pope shows that God, by the influence of the spirit of darkness and our own cooperation with it, can be seen not as man’s good but as his evil.

The spirit of darkness is capable of showing God as an enemy of His own creature, and in the first place as an enemy of man, as a source of danger and threat to man.... Satan manages to sow in man’s soul the seed of opposition to the one who ‘from the

beginning’ would be considered as man’s enemy — and not as Father. Man is challenged to become the adversary of God (#3 8).

To reject God as Father — the real tendency of the ideologies of our time — we substitute the good that God intends for us, that is, a participation in His own eternal life, for a good that man makes for himself. Man defines his own good and evil. His own will is the sole source of all value and right.

John Paul envisions how God must have reacted to man’s rejection of Him, a reaction, as we might expect, involving, on God’s part, a yet greater love, but a love that does not deny the reality or consequences of sin as such.

In the “depths of God” there is a Father’s love that, faced with man’s sin, in the language of the Bible, reacts so deeply as to say, “I am sorry that I have made him.... But more often the Sacred Book speaks to us of a Father who feels compassion for man, as though sharing his pain.... This inscrutable and indescribably fatherly “pain” will bring about above all the wonderful economy of redemptive love in Jesus Christ, so that through the *mysterium pietatis* love can reveal itself in the history of man as stronger than sin. So that the “gift” may prevail (#39).

God in His perfection cannot properly speaking “suffer” in His own inner life. This incapacity does not mean, as the Pope remarks, that He does not know the pain of sin when it occurs in His creatures. God is not defeated by sin. Something in history is “stronger” than sin. An economy of redemptive love arrives among us not as necessary, but as freely given. This is the presence of the Holy Spirit among us. “Man alone suffers interiorly because of the evil he has committed” (#45). Man suffers “interiorly” because of sin. No sin of thought, word, or deed is without effects on our soul. It also has ramifications for others. God takes our own lives and those of others so seriously that our sins also directly offend Him. This is why each sin must be forgiven not by ourselves, but by God. The Pope intimates that the Father likewise can, so to speak “feel” this inner pain. He thus established an economy of redemption to meet it. Sin is not the last word, at least from the side of Godstion by citing St. Thomas: this particular sin “excludes the elements through which the forgiveness of sin takes place” (#46). What does this imply? “Blasphemy” against the Holy Spirit is not a question

of mere words. Rather “it consists in the refusal to accept the salvation which God offers to man through the Holy Spirit, working through the power of the cross.” This “refusal” is, of course, what disconnects modern culture’s relativist, will based morality from Christianity. If we reject the salvation offered through the Spirit, we spend our lives and form our political institutions precisely to embody this “refusal.” “If Jesus says that blasphemy against the Holy Spirit cannot be forgiven either in this life or in the next, it is because this ‘non-forgiveness’ is linked, as to its cause, to ‘nonrepentance,’ in other words to the radical refusal to be converted” (#46).

John Paul II sees this refusal of conversion to be linked to the “will-rights” on which much of modern social and political discourse is premised. Machiavelli, Hobbes, Nietzsche, and other modern thinkers understand “rights” and “values” to have no content other than what arbitrary human will assigns to them. A political order based on these “will-rights” is closed to the idea of revelation and the notion of forgiveness of sin. “Blasphemy against the Holy Spirit, then, is the sin committed by the person who claims to have a ‘right’ to persist in evil — in any sin at all — and who thus rejects Redemption. One closes oneself up in sin, thus making it impossible for one’s conversion, and consequently the remission of sins, which one considers not essential or not important for one’s life” (#46). The “right” to persist in evil is necessarily directed against God.

The loss of a sense of sin — called by Pius XII “the sin of the century” — is what has trivialized and undermined the meaning of human life in our time. If nothing is important and everything chosen is either permitted or excusable, we have voluntarily closed ourselves off from any transcendent meaning of human life. The Holy Father is aware that our interior lives and the dealings with grace inevitably have exterior consequences.

The resistance to the Holy Spirit which St. Paul emphasizes in the interior and subjective dimension as a tension, struggle, and rebellion taking place in the human heart finds in every period of history and especially in the modern era its external dimension, which takes concrete form as the content of culture and civilization, as a philosophical system, and ideology, a program for action and for the shaping of human behavior (#56).

This remarkable passage links, not unlike Plato, our interior and exterior lives. It reveals a Pauline awareness that once we reject being and grace, we seek to justify our lives on the basis of a philosophy or ideology that will allow us to continue our refusal or rejection.

The Holy Father does not reject all things modern, of course. But he is aware that modern culture and civilization have embraced systems and ideologies that deliberately close themselves off from what the Pope called elsewhere, “the whole truth about man.” Atheism and materialism, which the Pope calls “the striking phenomenon of our time,” are the results of this inner spiritual refusal (#56). “The signs and symptoms of death have become particularly present and frequent” among us (#57). He adds, “on the horizon of our era there are gathering ever darker ‘signs of death’: a custom has become widely established — in some places it threatens to become almost an institution — of taking the lives of human beings even before they are born, or before they reach the natural point of death” (#57). Customs, laws, and institutions can in fact manifest internal actions that will what is contrary to God’s laws and human reason.

*Dominum et Vivificantem*, in conclusion, deals with sin because it explain to us, often unwilling listeners, what we have chosen. The encyclical is primarily interested in what we know of the Holy Spirit. The Holy Spirit in the Godhead is revealed to us as “gift,” as that completion or ending within the life of God from which all that is not God takes its reality, not by necessity, but by something far higher and beyond justice or need. St. Thomas had asked whether the world was created in justice or mercy? (1, 21, 4). That it was created in mercy is the most extraordinary fact about creation itself, that it is suffused by something beyond justice, itself the harshest of the virtues.

In his encyclical, the Holy Father relates the Son and the Holy Spirit to the Father. The mystery of Incarnation “was accomplished by the power of the Holy Spirit<sup>5</sup> — consubstantial with the Father and the Son — who, in the absolute mystery of the Triune God, is the Person-love, the uncreated gift, who is the eternal source of every gift that comes from God in the order of creation, the subject of God’s self-communication in the order of grace”

(#50). This encyclical seeks to make us realize the personhood and reality of the Holy Spirit. “The mystery of the Incarnation constitutes the climax of this giving, this divine self-communication,” the Holy Father explains this “greatest work” of the Holy Spirit.

The conception and birth of Jesus Christ are, in fact, the greatest work accomplished by the Holy Spirit in the history of creation and salvation: the supreme grace — “the grace of union,” source of every other grace, as St. Thomas explains (III, 2, 10-12)... The “fulness of time” is matched by a particular fullness of the self-communication of the Triune God in the Holy Spirit (450).

The Holy Spirit is not an abstraction, but a reality at work even now, even in the present. Newman spoke of the Holy Spirit as the “secret presence of God in creation.” The drama of our lives is not external to our inner acceptance or rejection of the movements of the Spirit in our hearts. The work of preaching, of praying, of conversion, of teaching, of reflecting within ourselves is the first object of the Church’s concern for us. All of the aberrations of the world first through the minds and hearts of especially the dons — “the men of awakened and sensitive minds,” as Newman called them — the spiritual and academic dons, whose acceptance or rejection of the Spirit forms most directly the atmosphere of life or death in which most men of any time or culture live. “The way of the Church passes through the heart of man, because here is the hidden place of the salvific encounter with the Holy Spirit, with the hidden God...” (#67)

*Dominum et vivificantem* remains an instruction in the inner life of God that most directs us to our own inner lives and to their effect on the culture and civilization of our time, our era, The Holy Father says, astonishingly, that it is precisely this time that reveals the author of the work that now guides our redemption, “the person of the Holy Spirit.” In his Pentecost Sermon, 2000, John Paul observed that the Church has a duty to witness to the Gospel in every time and place.

She does so with respect for the dignity of peoples, of their culture, of their traditions.... The divine message entrusted to her is not hostile to the deepest human aspiration; indeed, it was revealed by God to satisfy, beyond every expectation, this hunger

and thirst of the human heart. For this very reason, the gospel must not be *imposed but proposed*, because it can only be effective if it is freely accepted and lovingly embraced” (#3).<sup>6</sup> Looked at from one angle, this insistence on “free acceptance” seems to be a formula for keeping the visible Church smaller in numbers. The dominant doctrine of freedom is “self-autonomy,” not “free acceptance” of revelation. If unwillingness freely to accept the truth is the result, the Pope implies, “so be it.”

The Holy Father intimates that, at times, the only thing that Christians can do is live a quiet, visibly worth life before others who will not for the present change. “If the proclamation is to be effective, a *lived witness* remains crucial. Only the believer who lives what he professes with his lips has any hope of being heard. One must bear in mind that circumstances at times do not permit an explicit proclamation of Jesus Christ as Lord and Saviour of all” (44). The Pope acknowledges here the force and power of hostile religions, philosophies, and governments. Yet, he concludes, recalling the many martyrs of recent decades, that in the lives of each faithful believer, “it is the spirit who continues to speak to our contemporaries in the language and life of those who are Christ’s disciples today” (45). The Holy Spirit is still the man “Advocate” who seeks to accomplish in our time, in any time, God’s primary purpose in the Creation of men and angels, that they freely choose to accept the gift of eternal life from the Father through Christ in His Church.

## Notes

1. John Henry Newman, “The Indwelling Spirit,” Sermon 19, Feast of Pentecost, *Parochial and Plain Sermons* (San Francisco: Ignatius Press, 1987), 39<sup>1</sup>@.
2. John Paul II, *Dominum et Vivificantem*, May 18, 1986, in *The Pope Speaks*, 31 (#3, 1986), 252.
3. See James V. Schall, “The Trinity: God Is Not Alone,” *Redeeming the Time* (New York: Sheed & Ward, 1968), Chapter III.
4. See James V. Schall, *What Is God Like?* (Collegeville, @.: Michael Glazer/Liturgical Press, 1992).
5. See Robert Sokolowski, *The God of Faith and Reason* (Washington: The Catholic University of America Press, 1996).
6. See Josef Pieper, *The Truth of All Things* (San Francisco: Ignatius Press, 1989).

# A Catholic View of Criminal Justice

Gerard V. Bradley

To talk about the Catholic view of how political societies should respond to crime, one must distinguish between the genesis of the view and its grounds. There certainly is a view of crime that originated among Jews in Old Testament times and was developed further in the common Christian tradition. To a great extent it was shared by most all Christians until recently, and still is Catholic teaching. As children we imbibed it from the ambient culture. I remember well when popular entertainment never “glorified criminals”, as the common expression put it. In those days (the early sixties) criminals were staple characters on TV and in the movies. They were not misunderstood or justified. They rarely were psychotic. Criminals were people possessed of ordinary faculties who *chose* to do wrong. And they eventually paid for it. Criminals were, in other words, bad people. Call this a moralistic view of crime, if you like. It is the lynchpin of what, I submit, is a Catholic view of crime.

When we propose a Catholic view as a sound view, and argue that the view of crime implicit in our law and public policy should conform to it, we need not, and probably should not, try to ground the case in our religious tradition and personal faith. Rather, we can and probably should ground it in rational considerations we think are accessible to anyone.

Why? Because, for one thing, revelation and religious authority are unconstitutional bases for public policy according to the present judicial reading of the Establishment Clause. Such appeals would have a limited receptive audience in our religiously diverse society anyway. Besides, appeals to revelation and authority are unnecessary: nothing pertinent to criminal justice is unknowable by reason alone. Many truths pertinent to criminal justice have, to be sure, been revealed. It is impossible to understand the genealogy of our criminal law, for instance, without reference to the Ten Commandments. But many revealed truths are also accessible to reason. One does not need to read about Moses to know

that murder is wrong. In truth, it is sometimes revealed that some revealed truths are also knowable by reason. And so St. Paul speaks of the law written on the heart of even those who do not have the law.

But note well: in every case Catholics must not act contrary to the truth, as they believe it to be, even if the only basis upon which they hold it is the authority of the Church. So, for example, Catholics who adhere to the Pope’s teaching on capital punishment in *Evangelium Vitae*, even if they do not understand the Pope’s arguments but accept the teaching as a matter of faith, must in no circumstance immorally cooperate with the imposition of the death penalty.

Many Catholics today unfortunately treat some fact as if it is a terminal point in reasoning about what he or she should do. The fact may be what the positive law says, or the fact may be what a poll shows Americans think about some issue, say the death penalty or abortion. There *is* an important but limited place for such facts in the deliberations of conscientious Catholics facing the problem of crime. What a jury comprised of a cross section of the community is likely to do in a given prosecution is a relevant fact, for prosecutor and defense attorney alike, in plea negotiations. Popular approval or, at least, the absence of popular disapproval, of certain immoralities, such as prostitution or drug use, must be taken into account by prosecutors, too. Otherwise they might bring the criminal law and its enforcement into disrepute by trying to enforce an unenforceable law, one which is inescapably destined to be openly flouted.

There is a point of view from which we can see, more or less easily, the uprightness of forcibly apprehending criminals, and subjecting them to punishments as grievous as life imprisonment. It is the retributive view of crime and punishment. The moral justifying aim of punishment – and hence the whole criminal justice system—is retribution, not deterrence, rehabilitation, or anything else. Deterrence and rehabilitation are legitimate secondary ends of punishment. No more than that. I believe the Holy Father expresses this view (the view that retribution

is the moral justifying aim of punishment) when he says, in *Evangelium Vitae*, that the point of criminals' punishment is to "redress the disorder caused by the offense." Or, as the Catechism states: "Punishment has the primary aim of redressing the disorder introduced by the offense." [2266].

What can this mean? How could it be that inflicting unwelcome deprivations on an offender—starting tomorrow—"redresses" the "disorder" caused by the crime he committed yesterday, or last month, or last year?

Why are the "People"—or the "State" or the "Commonwealth"—the complaining party in every criminal case? (It is always "The People v. John Criminal", and never, in a criminal case, "Jane Victim v. John Criminal".) In what way is the entire community aggrieved by, say, a purse snatcher from this particular old woman victim?

The best answer to these questions is supplied by keeping in view the essential injustice which occurs, on the retributive view, when a crime is committed. This injustice is the criminal's selfish, and therefore unfair, usurpation of a liberty to pursue his interests, contrary to the common boundaries for doing so marked out by the law. Punishment aims to restore the order of justice, to put (as it were) the entire community back on track, aright, with regard to that distribution of liberty. And this is accomplished by depriving the criminal of his ill-gotten gain. Though punishment *may* include restitution or some other act of reparation to the person specifically harmed by the criminal act, the essence of punishment is simply imposing upon the criminal's will, to make him suffer some deprivation of liberty to do as he pleases or to be entirely the author of his own actions. In doing that, the bold assertion of will which constituted the criminal act is remedied, undone. Viewed over the course of the punishment, it is finally effaced.

The aim of punishment is to bring the entire society, over a period of time, into a state of equilibrium. When one takes in the long view of the political community, including law abiding folks, the law-breakers and the punishment imposed upon them, no one is objectively disadvantaged for having obeyed the law. Those who take more liberty than the norm allows and than others take will, finally, be disgorged of their loot. Crime does not pay; observ-

ing the law does.

Now, punishment thus described, explained, and justified is *possible* only where the criminal is taken to be a free actor, someone who has consciously and voluntarily preferred his own interests above those of other people in society. (Just like in the popular culture in my youth) Punishment can make no sense in a therapeutic culture, where people are ill rather than bad, or where "punishment" is necessary to maintain social hygiene—by isolating bad genes.

The retributive understanding of crime and punishment ought to be abandoned if it is in fact true that people are either always, or characteristically, incapable of free choice. I think it useful to point out that most "sciences" of human behavior—almost all psychology and sociology, including criminology—deny free choice. We should defend a strong notion of personal responsibility, while clearly recognizing that not all behavior originates in free choices and that behavior that does originate in free choices can have limited culpability due to defects in practical insight about options and/or the limited live options one has available, especially taking into account one's emotional state and the moment of choice. So, we should not think of crime—basically and centrally—as a social problem or plague that can be fixed or cured. Yet we recognize very well that health and welfare measures might be able to help considerably to reduce temptation and so reduce crime, as well as to reduce deviant behavior that does not flow from free choice anyway. Thus, the conclusions of legal scholar and Seventh Circuit Judge Richard Posner, and many others, that people *are* cause and effect all the way down, *and* that we still usefully (uprightly) retain the language and practices of punishment, must be rejected as, at best, noble lies and, at worst, ruling class propaganda.

This is what I meant previously when I said that a Christian view of crime and how to deal with it developed in the Bible as a whole, not in particular treatments here and there. The Bible does not somewhere set out an explicit teaching about crime and criminal justice. Jesus never really addressed the matter head on. But the Bible does provide a metaphysical, anthropological, and ethical basis for a specific understanding of crime and for certain strategies for dealing with it. The Bible makes it clear that wrong-

doing is a matter of carrying out bad free choices. So, the notion of personal responsibility is gradually clarified; crime is distinguished from making mistakes, from being socially maladjusted, and so on. In this framework, though not all immoral acts are crimes, crimes are (typically) immoral acts that threaten the common good. The basis for criminal

law is transcendent—God and natural law. It is not just a matter of “what we do in this society” or the interests of the stronger. Retribution is, I think, implicit in all this.

*I thank Germain Grisez for a careful reading of a draft of this article, and for many helpful suggestions for improving it.*

## The Freedom of the Human Person: Connection or Disconnection?

Elizabeth Fox-Genovese

**T**he concept of the person and the concept of freedom have both had a long and complex history with roots in Classical culture, Judaism, and early of Christianity. Both concepts underwent a radical transformation in conjunction with the emergence of modern individualism, which, although deeply indebted to (and arguably inconceivable without) them, has ultimately succeeded in appropriating them to its own purposes. Indeed, today the radical individualism of our postmodern culture has so fully colonized both the understanding of the person and the understanding of freedom as to erase their older and independent meanings. The broad contours of this trajectory merit attention, but since no brief account could capture the complexity, I shall beg indulgence for what must, perforce, be a crude simplification.

The main import of the early invocations of person and freedom lay in the attention they drew to the claims—and responsibilities—of a singular consciousness within the context of a discursive or imaginative universe that preeminently emphasized the claims and responsibilities of the collectivity. In such a system, specific persons figured as articulations of the whole, without which their existence would have had no meaning and—under most conditions—without which they could not have existed. These were systems in which our modern conception of the individual as the center and origin of conscious-

ness and sovereignty was literally unthinkable.<sup>1</sup> In this context, the related notions of personhood and freedom preeminently evoked the ability of the individual consciousness to resist or withstand the (illegitimate) dominance of the collectivity. For Christians specifically, they legitimated and sanctified resistance to persecution, sanctifying that resistance as fidelity to Christ. Even for Christians, however, personhood and freedom primarily signified the person’s commitment to live in accordance with Christian precepts and to bear witness to that faith. The freedom of the Christian that they defended did not represent a political challenge to the authority of the secular order (“Render unto Caesar the things that are Caesar’s...”), but a spiritual challenge to secular authorities that presumed to dictate religious conviction or to proscribe specific forms of religious devotion. This was the situation that often prevailed during the centuries immediately following the Resurrection and that resulted in the martyrdom of innumerable Christians, who like the Saint Sixtus II and his companions were killed for having, in defiance of an imperial decree, celebrated the Mass. Notwithstanding the political circumspection and limitations of the early Christian notion of freedom, it made an inestimable contribution to the Western conception of political freedom, which would not likely have developed without it.<sup>2</sup>

With the spread of Christianity throughout Europe, the assumption emerged that ruler and subjects would share one faith, initially that French and British kings like the Holy Roman Emperors, would

share and support the Catholic faith of their subjects, and subsequently, following the Protestant Reformation, that the faith of subjects would follow that of their monarch. The inescapable intertwining of religion and politics fortified the idea that the freedom of the Christian might require resistance to illegitimate authority, and Protestant theology restated in more radical form idea that the conscience—and the consciousness—of the person constituted the primary locus of faith. But neither of these developments directly endorsed a modern secular view of the person as an independent political and social agent, nor even as the ultimate repository of sovereignty. At most, they may, retrospectively, be seen to have contributed to the gradual disembedding of the individual from the collectivity.

That disembedding portentously rode the crest of the political and economic developments generally known as the rise of capitalism and political liberalism. At an accelerating pace during the seventeenth and eighteenth centuries, prevailing attitudes toward the interdependence of persons within social, political, and spiritual webs gave way to early versions of the modern notion of the political, economic, and cognitive independence of the individual, whose consciousness was increasingly regarded as the locus of self-sovereignty. At the core of this conception of the individual lay the conviction that, by definition, the individual should acknowledge no man as master, for the absence of a master constituted the essence of his freedom, which itself constituted the essence of his status as an individual. Under these conditions, freedom came pre-eminently to mean freedom from restraint. In the early stages, the shackles from which the individual sought freedom were mainly the formal political and economic structures that impeded the free circulation of goods, the free disposition of private property, and the free expression of political opinion. These objective goals were, nonetheless, accompanied by an epistemological, metaphysical, and ideological revolution that tended to view much previous knowledge as nothing but an accumulation of prejudice and superstition. And, for the pioneers of this secular quest for enlightenment, Christianity assumed growing importance as the custodian of imposed ignorance and bigotry.

In retrospect, it is difficult to separate the revolt against absolute monarchs and corporatist restrictions upon property from the brewing revolt first against established Christian churches and eventually against God Himself. Not that a revolt against God was intended at the outset. But the terms in which the claims of the individual were framed virtually guaranteed its eventual appearance. In the initial phases, the prophets of freedom and individualism did not repudiate all interdependence among persons; they simply repudiated the acknowledged dependence of the individual upon any other person. Willy-nilly, the individual thus became the man upon whom others depended: wife, children, servants, and, in some cases, slaves.<sup>3</sup> By this logic, the freedom of the individual depended upon his denial of his own dependence upon others, including those whose dependence upon him underwrote his individualism.<sup>4</sup> After two or three centuries, the ultimate consequences of this reification of freedom as the antithesis of dependence has resulted in a disastrous radicalization of individualism and what I am tempted to call the public execution of personhood.

We must, therefore, distinguish between the notion of the individual and that of the person. And a proper understanding of the notion of freedom helps to clarify the distinction. At an accelerating rate since the late eighteenth century, freedom has gained ideological pride of place as the justification for the repudiation of all binding interdependencies, which is to say all authority external to the individual, including religious and moral authority. The progress of feminism, especially in its more radical and ideological guises, provides a clear example of this process. In the hope of forestalling misunderstanding, permit me to insist: 1) that many women throughout history have indeed suffered injustice, oppression, and even abuse at the hands of men; 2) that the progress of modernity has only made those injustices more palpable and galling; and 3) that the improvement of women's situation indisputably became imperative. Here, however, I am not so much concerned with the substance of women's legitimate claims as with the ideological justification for meeting those claims. From modern feminism's origins in the eighteenth and nineteenth-centuries, it has relied heavily upon the rhetoric of freedom and rights that

had so effectively advanced the cause of individualism.<sup>5</sup> In effect, the cutting edge of the women's movement has especially fought to secure the full status of individualism for women, even when it was most hostile to individualism as embodied in and practiced by men.<sup>6</sup>

Initially, feminist struggles for women's full status as individuals coexisted with more traditional views of women's distinct nature and social roles. Acquisition of the right to vote, for example, did not necessarily lead women to repudiate their roles and responsibilities as wife and mother. Nor did a married woman's right to hold property in her own name, divorce an abusive husband, gain custody of her children in the wake of divorce, establish credit in her own name, or earn equal pay for equal work. Each step towards women's independence did subtly transform women's relations with others, including the members of their immediate families, primarily by giving women the legal and economic independence to defend their conception of those relations or, at the extreme, to leave. But it was neither necessary nor inevitable that the growing equality of spouses result in the undermining of marriage as a binding covenant or as a foundational social institution. Reigning understandings of freedom and individualism nonetheless resulted in a growing proclivity to view marriage as a (temporary) contract between sovereign individuals rather than as a (sacred) covenant that imposed distinct responsibilities upon both parties while it transcended individual claims and recognized the obligation of both parties to society.<sup>7</sup>

The emphasis upon self-sovereignty further led the women's movement to insist upon abortion as a woman's fundamental right, namely a woman's right to be free from the unintended consequences of the individual pursuit of sexual pleasure. And the defense of abortion, perhaps more sharply than any other feminist position, exposes the impoverishment of individualism as a substitute for the person or as a conception of the self. For the defense of a woman's right to abortion carries the vision of the masterless individual to its logical nihilistic extreme: Not merely must the individual be free from the domination of the strong, she must also be free from the claims of the weak. Seen at this extreme, the indi-

vidual may be recognized as the ideological abstraction it always has been—as a unit of sovereignty or of consciousness rather than a person enmeshed in variegated and shifting relations with others. The suggestion that the defense of abortion embodies the ultimate selfishness enrages pro-choice advocates, who insist that women should have a choice of when to bear a child in order that each child may be loved. Unfortunately this logic, which many find comfortably seductive, makes mockery of the understanding that it is not our subjective choice or convenience that enjoins love but the existence of the other. The reduction of love, which should represent the essence of mutual recognition and engagement, to personal choice amounts to the virtual sanctification of narcissism, for it effectively erases the consciousness—and, in the case of abortion, the very being—of the other.<sup>8</sup>

The sexual revolution of the last thirty plus years bears heavy responsibility for the declension of individualism from the (always elusive) ideal of the responsible, autonomous political and economic agent—the citizen in the full sense of that word—into the rampant personalism of our times. For unleashed sexuality, promoted and justified by important tendencies within postmodernism, led to the canonization of desire as the irreducible essence of the individual and to the reinterpretation of freedom as the license of desire. In postmodern thought, desire figures simultaneously as infinitely mobile and plastic and as the authentic determinant of individual action. The freedom of sexuality had been brewing in Western culture at least since Freud, but only during the waning decades of the twentieth century did it secure its claims to define the meaning of human life and, hence, the nature of true freedom. It does not require much imagination to grasp that this canonization of desire necessarily signaled the demise of conventional restraints upon desire's pursuit of its objects. In this regard, the "objects of desire" merit special attention, for they confirm the reductionism inherent in desire's pursuit of its pleasure: In an economy of desire, persons figure only as objects, possible means to the end of satisfaction, never as subjects.

The triumph of desire thus confirms the proliferation of the disturbing sociopathy, which, in other

circumstances characterizes the children who shoot other children to secure one or another commodity or to exact “respect.” Among more affluent people, its evidence may be found in such disquieting stances as the defense of pedophilia as another of freedom’s “rights.” The examples could be multiplied, but for present purposes these should suffice to introduce the related arguments: 1) that the sanctification of desire represents the ultimate disembedding of the individual from all social and moral restraints; 2) that the triumph of this narcissistic and sociopathic individualism exposes the underlying contradiction between the construct of the individual and the substance of the person; and, 3) that the celebration of unqualified freedom as an individual right must inevitably result in the denial of the existence of others. None of these arguments necessarily deny the positive value of individualism as an objective category, especially in the political realm. But they should compel us to exercise caution in mindlessly expecting the objective category to provide an adequate model for subjective experience or for the bonds of mutuality without which no society may hope to survive.

For at least the past century, countless theorists have, in various ways, pressed the claims of individual fulfillment. In many instances these apostles of fulfillment have been reacting against what they perceived as the outmoded and illegitimate prescriptions for individual self-sacrifice or repression in the service of one or another purported larger good. Considered in this light, the campaign for individual fulfillment may be recognized as a campaign against the ideal of any larger good: In the measure that the individual—ultimately, individual desire—assumes primary importance, the restrictions upon the freedom of the individual lose validity. To be blunt, the unqualified celebration of the individual necessarily triumphs at the expense of other people, of all forms of legitimate authority, and, ultimately, of God. This logic has fueled the claims of radical feminism, the gay rights lobby, and all other groups that protest any attempt to discipline the ambitions individual desire. Initially, these campaigns tended to focus upon the genuine injustices that social and moral conventions had inflicted upon the specific group. But they have rapidly discovered that the more effective strategy

consists in the discrediting of social and moral convention *per se*. For once one establishes that no “received” knowledge or authority is binding or legitimate, the group is free to pursue whatever goal it chooses. Dostoevsky, in *The Brothers Karamazov*, posed the question, “If God is dead, is not everything lawful?” Today’s postmodern radicals, followed by the culture at large, have simply translated the insight into ideological policy: For everything to be lawful, God must be killed.

In epistemology, ontology, and metaphysics, these assumptions reemerge in the guise of standpoint and social construction theories that locate valid knowledge in the perceptions and experience of the individual and reduce all purported authority to an artifact of language or a product of unspecified social forces. Both strategies aim to discredit various forms of logocentrism and objective knowledge, including religion and the scientific secularism of the Enlightenment. The full claims of postmodernism exceed this core, but for present purposes the core will have to suffice. Here, we need only note that in eliding “traditional” religion and the Enlightenment critique of it under the rubric of authority, the postmodernists tend to neglect the inherent conflict between the two. Those who remain committed to the quest to understand the nature and legitimate claims of authority, whether divine or human, may nonetheless resist that confusion and recognize that the postmodernist critique of the Enlightenment opens important new intellectual and theological paths that have fruitful implications for our understanding of the person’s relation to freedom.

None has more forcefully seized upon these new openings than Karol Wojtyła, now Pope John Paul II. Throughout his philosophical writing and, since his ascension to the Papacy in his encyclicals and letters, he has explored the idea and substance of the person as necessarily a product of subjective perception and objective position. In particular, he has countered the inherent abstraction of the concept of the individual with an insistence upon the centrality of action and choice to the development of the person. In these elaborating these arguments, Wojtyła drew heavily upon existentialism, albeit in a theological rather than a secular spirit.<sup>9</sup> He thus consistently argues that “an existential metaphysics of ac-

tual being (*esse actu*) is required to situate the moral agent in the actual context in which one acts.”<sup>10</sup> The twin emphasis upon action and its context underscores Wojtyła’s understanding of the embodiment of the person and his or her moral and social connection to others. In this respect, the person must be understood not as pure idea or intent—or by extension, desire—but as idea or intent (or desire) in action. The focus upon the person as manifest in action tellingly underscores the myriad ways in which each person remains hostage to the interdependency and mutual responsibility of all persons and, accordingly, highlights the limitations upon individual freedom that adhere to the very notion of person. But if the identification of the person with action constrains absolute freedom, the in-the-world consequences of action release us from the autistic prison of megalomaniac fantasy in which self is confused with desire. Above all, it offers a new standard for the understanding of freedom, namely the inherent respect for human dignity that dictates that each person be viewed as an end and never as a means.<sup>11</sup>

Wojtyła draws upon traditional Catholic concern with the significance of embodied being to elaborate a complex understanding of moral authority, and although during the main philosophical stage of his career he was not specifically arguing with the extreme postmodernist claims of our immediate times, he offers a series of principles with which to counter those claims. For one may plausibly argue that the most deadly implications of postmodernism lie in its implicit and explicit denial of reality, or rather of any reality extrinsic to the individual. Permit me to suggest that the extreme expressions of postmodernist demands for freedom or license depend upon a denial of the reality of other persons. Even when postmodernists insist upon the individual’s “right” to the freedom to kill a baby in the womb, to terminate a “flawed” or painful life, or to subject a child to sexual exploitation, they are focusing upon the freedom of the subject (the individual) rather than upon the actions to which exercise of that freedom would lead. And, in denying the reality of the consequences of the subject’s action, they are denying the reality not merely of the persons whom the actions would affect but the reality of the subject as person.

The moment one grasps that the essence of the

human person conjoins action to intent—makes subjective consciousness palpable in embodied action—one must acknowledge that the reality of the person depends upon and cannot be understood or lived without the limitations upon individual freedom imposed by the co-existence of other persons. Thus does a proper understanding of the human person’s relation to freedom return us to the realm of moral authority or, to borrow from John Finnis, “moral absolutes.”<sup>12</sup> In this perspective, one must conclude that the human person is constituted by moral imperatives—by the independent reality of others upon which the very existence of the person depends.

### Notes

1. One version of the argument that unbelief was simply unthinkable during the Renaissance and the Middle Ages has been developed by Lucien Febvre in *Le problème de l'incroyance aux XVIème siècle, la religion de Rabelais* (Paris: A. Michel, 1947); trans. By Beatrice Gottlieb as, *The Problem of Unbelief in the sixteenth century, the religion of Rabelais* (Cambridge, Mass: Harvard Univ. Press, 1982). See also, David M. Whitford, “Sin Boldly: Why Historians Need Martin Luther Now More Than Ever ,” forthcoming in *The Journal of The Historical Society* I, no. 2 (December 2000). Some historians have argued that signs of modern individualism did emerge during the Middle Ages, but, in my judgment, these arguments present serious problems, and I will not engage them here. See, for example, Colin Morris, *The Birth of Individualism in the Twelfth Century*. For a convincing version of the argument that the notion of self remained subordinate or hostage to the claims of family or community, see Natalie Zemon Davis, “Ghosts, Kin, and Progeny: Some Features of Family Life in Early Modern France,” *Daedalus* 106, no. 2 (Spring 1977): 87-114.
2. For a general discussion of the conception of freedom, see Orlando Patterson, *Freedom: Freedom in the Making of Western Culture* (New York: Basic Books, 1991).
3. The case of slaves is especially complicated since economically they were viewed as property, but ideologically they were frequently represented as dependents.
4. Hegel provided the classic analysis of these relations in his “Dialogue of the Master and the Slave.” G. W. F. Hegel, *The Phenomenology of Mind*, trans. J. B. Baillie, 2nd ed., rev. (New York: Humanities Press, 1931).
5. The words “feminism” and “feminist” did not come into general use until the end of the nineteenth century, but here, for purposes of clarity, I am using them anachronistically. For a discussion of the meaning of freedom in relation to American women’s experience, see my “Contested Meanings: Women and the Problem of Freedom in the Mid-Nineteenth-Century United States,” *Historical Change and Human Rights: The Oxford Amnesty Lectures 1994*, ed. Olwen Hufton (Basic Books, 1995), 179-216.
6. For a full development of these arguments, see my *Feminism Without Illusions: A Critique of Individualism* (Chapel Hill, N.C., 1991).

7. For an illuminating discussion of the evolution of marriage with a slightly different emphasis than mine here, see John Witte, *From Sacrament to Contract: Marriage, Religion, and Law in the Western Tradition* (Louisville, KY: Westminster John Knox Press, 1997).

8. Among the many disturbing arguments in favor of abortion as a woman's "fundamental" right, those of Cynthia Daniels merit special attention. See her *At Women's Expense: State Power and the Politics of Fetal Rights* (Cambridge, Mass: Harvard Univ. Press, 1993). For my criticism of these views, see, "How Abortion Has Failed Women," *Crisis: Politics, Culture & the Church* 18, no. 3 (March 2000): 32-37.

9. For a thoughtful introduction to Karol Wojtyla/John Paul II's thought, see Kenneth L. Schmitz, *At the Center of the Human*

*Drama: The Philosophical Anthropology of Karol Wojtyla/John Paul II* (Washington, DC, 1993). See also, Rocco Buttiglione, *Karol Wojtyla: The Thought of the Man Who Became Pope*, trans. Paolo Guietti and Francesca Murphy (Grand Rapids, MI: Eerdmans, 1997) and George Weigel, *Witness to Hope: The Biography of John Paul II* (New York: Cliff St. Books, 1999).

10. Schmitz, *At the Center of the Human Drama*, 126.

11. For the development of Karol Wojtyla's thought on these questions during his years as a professor at the University of Lublin, see his *Person and Community: Selected Essays*, trans. Theresa Sandok, OSM (New York: Peter Lang, 1993).

12. John Finnis, *Moral Absolutes: Tradition, Revision, and Truth* (Washington, DC, 1991).

## John Rawls and Jacques Maritain on the Law of Peoples

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In a commencement address delivered at the University of Notre Dame in May 2000, U.N. Secretary-General Kofi Annan said, "It is particularly shameful that the United States, the most prosperous and successful country in the history of the world, should be one of the least generous in terms of the share of its gross national product it devotes to helping the world's poor." He admitted that the United States is the second highest contributor in foreign aid after Japan in absolute terms, spending close to \$9 billion a year, but he called for debt relief and for volunteers to train groups of people in poor nations in the use of information technology. Kofi Annan offered no description, let alone justification of principles that would require such a financial commitment on the part of the United States. Seemingly, justice, not charity, demands it. Kofi Annan cited John Paul II's "burning desire to see the benefits of human progress more widely and equitably shared," concurring with John Paul II in the hope that given the world's increasing interdependence, individuals and peoples will accept "responsibility for their fellow human beings, for all the earth's inhabitants."

John Paul II has frequently urged rich nations to assist poor ones. His appeal is made both within a theological context and within the natural law tradi-

tion and its concept of the brotherhood of mankind. John Paul II prefers the term "human solidarity."

In the largely secular world of the West, distinctively Christian morality has lost some of its efficacy as a motivator. But certain principles remain difficult to ignore or repudiate. Since the Enlightenment, philosophers have attempted to justify, on purely secular grounds, principles grounded in Christianity. This is reflected in the plethora of metaphors suggesting responsibilities heretofore unacknowledged. We speak of a "global village," and the responsibility of the "international community" to "underdeveloped countries." John Paul II himself speaks of the "rich North" and "impoverished South." A cosmopolitan outlook is thought to trump national concerns. No program, national or international, is proposed without moral justification. Often that justification is advanced without any reference to a supporting concept of nature and human nature, and often in contravention to the otherwise purely materialistic philosophy of the proponent. Echoing Hobbes and Rousseau, John Dewey, for example, assumed it to be one of his tasks to provide a pragmatic or naturalistic justification of those values formerly supported on "supernaturalistic" grounds, grounds critical intelligence can no longer accept.

One of the most recent attempts in the tradition of Dewey to justify global concerns is that of John Rawls. The parameters of discourse have shifted somewhat. Dewey had to contend only with West-

ern modes of thought, working within an inherited Western culture, in which traditional morality was more or less intact. Rawls has to contend with “multiculturalism” and “procedural democracy,” the latter barring governing authorities from favoring any one concept of the good. Dewey’s task was to defend traditional morality on purely materialistic grounds. Now with that morality having virtually disappeared, Rawls has to start from scratch, so to speak. One can appreciate the enormity of his task, deprived of the natural law tradition and unable to acknowledge the biblical roots of Western culture.

In reading John Rawls’s recently published volume, *The Law of Peoples*<sup>1</sup> and Christopher Morris’s *An Essay on the Modern State*<sup>2</sup>, I noted with some interest that the issues these authors consider were addressed by Jacques Maritain in the Walgreen Lectures that he delivered at the University of Chicago in 1949 and published as *Man and the State*. On the surface the pragmatic naturalistic approach of Rawls would seem to be the antithesis of the natural-law approach of Maritain, although in the last analysis Rawls comes close to a natural-law justification of his distributionist policies. Morris, like Maritain, challenges the notion that nations are sovereign entities.

Rawls is perhaps the best-known and most-often quoted contemporary philosopher in North America. No graduate student of philosophy in any Western university is unaware of his seminal work, *A Theory of Justice* (1971). The James B. Conant Professor Emeritus of Harvard University has in *The Law of Peoples* expanded his theory of justice from that of a single, liberal, democratic society to “the global network of nations,” extending the idea of justice as fairness developed in *A Theory of Justice* to “the society of peoples.” Within the context of modern constitutional democracy, Rawls strives for principles which may underlie political consensus among citizens of different political, religious, and philosophical outlooks. On what can citizens of different ideological commitments agree? This is not a question easily answered by Rawls as he seeks to construct principles of justice which permit men of rival moral traditions to co-exist in peace. Given Rawls’s basic philosophical commitments, his comprehensive theory of justice must be construed with-

out reference to any one conception of the good. moral diversity and competing claims with respect to the good are taken as a basic fact.

Recognizing that a liberal society requires virtuous conduct on the part of its citizens, Rawls identifies those basic virtues as “political cooperation,” “a sense of fairness,” “tolerance,” and “a willingness to meet others half way,” yet it is obvious that for Rawls justice is not just a moral virtue to be acquired but a political program to be achieved. In extending the idea of a social contract to the “society of peoples,” Rawls is admittedly indebted to the liberal conception of justice grounded in Locke, Rousseau, and Kant and to Mill’s utilitarianism. The law of peoples that Rawls envisions is explicitly an extension of the liberal conception of justice grounded in Locke, Rousseau, and Kant. His aim is to articulate a set of universally acceptable principles applicable to the regulation of mutual political relations between peoples. The conditions under which this might be attained are constitutional liberties, i.e., religious freedom, liberty of conscience, political freedom, and equal justice for women.

Rawls counts on those who hold different and irreconcilable comprehensive doctrines to be of common mind in supporting the idea of equal liberty for all. Wary of according religion the role of moral tutor, he invokes the partisan doctrine of separation of church and state, relegating religion to the purely private sphere.

In *Man and the State*<sup>3</sup>, Maritain recognizes that men possessing quite different, even opposite, metaphysical and religious outlooks can reach a *modus vivendi*. We may recognize, writes Maritain, a distinction between a practical creed which lies at the root of common life and the theoretical justification of such proffered by different philosophical and religious systems. The body politic has the right and duty to promote this practical creed among its citizens, mainly through education, for on it depends national communion and civil peace. To continue with Maritain, the state has no right to impose on its citizens or to demand from them a rule of faith or a conformity of reason, or impose a philosophical or religious creed which would present itself as the only possible justification of the practical charter. Rawls would agree that the philosophical and religious

creeds are important, although he would make them a purely private affair.

Rawls's society of peoples depends on a common reverence for truth and intelligence, human dignity, freedom, brotherly love, and the value of moral good, but the wellsprings of this reverence are not addressed. If Rawls has a major oversight, it is his failure to explore the roots of a Western culture he seems to take for granted. A society that does not recognize and promote the public culture on which it is grounded is not likely to foster the social stability which Rawls deems a condition for his "realistic utopia" (his words). Social stability cannot be merely a *modus vivendi* but must be rooted in a shared conception of rights and justice. Acknowledging that religious, philosophical, and moral unity are not possible, Rawls discounts their necessity provided a reasonable idea of toleration prevails. Of course when nothing is prized, as in Rawls's procedural democracy, everything can be tolerated. It may be easier to make the case that tolerance is a vice than to justify its putative status as a virtue. No society can tolerate disrespect for its laws; no state, anarchy. Any institution must preserve its unity to preserve its very existence. Until recently this was understood as a basic principle of good government, be it in the intellectual, moral, ecclesiastical, or political realm. Roget's English Language *Dictionary of Synonyms and Antonyms* under "tolerance gives as synonyms leniency, clemency, indulgence, laxity, sufferance, concession, and permissiveness, terms generally regarded as designating questionable behavior. Of course, certain technical meanings of the term may be identified. "Tolerance" in biology, for example, is the ability of an organism to endure contact with a substance or its introduction into the body without ill effects. "Tolerance" in the industrial order is the range within which a dimension of a machine part may vary. "Religious tolerance," which Rawls principally has in mind, is the intellectual and practical acknowledgment of the right of others to live in accord with religious beliefs not accepted as one's own.

Discounting the role of religion in society, Rawls envisages a thoroughly secular state. His commonwealth is solely concerned with the material well being of its citizens. Spiritual well being is the burden of the individual. Ignored is the role which religion has played in the West, indeed in creating the great civili-

zations of the world. No philosophical system has yet surpassed religion as a moral tutor. In fact, Western man, in spite of contemporary trends, has no experience of living in a purely secular society.

Turning now to Maritain's reflections on the possibility of global unity, Maritain is convinced that the interdependence of nations is essentially an economic interdependence, not something politically agreed upon, willed, and built up'. It has come to be by virtue of a merely technical or material process, not by virtue of a simultaneous political or rational process.

Economic interdependence alone, Maritain continues, is not likely to produce international accord, given the rival needs and prides of nations. The question our civilization is facing now is whether human conscience and moral intelligence will be able to direct technological achievement to the service of mankind as a whole, countering man's instinctive greed. Unfortunately, we live in a world more and more economically one and more and more divided by the pathological claims of opposed nationalisms.

Paul VI claimed Maritain as his teacher; John Paul II may well be a second-generation student. Speaking on the occasion of the reception of the new Greek Ambassador to Vatican City, John Paul II noted: "Diplomacy must face the challenges presented by globalization." Only in this way will it be possible "to overcome threats to peace and development, such as the poverty of countless human beings, social inequalities, ethnic tensions, environmental pollution, and respect for human rights and political freedom." John Paul II emphasized that in order to avoid anarchy, this globalized world needs "an objective criterion of moral accountability." Thus, John Paul II spoke of an ironic paradox. on one hand, the "effort to establish an international court of justice for crimes against humanity is an expression of the demand for such a criterion in international public opinion. Yet, ironically, the call for an objective criterion of moral accountability is, in many cases, accompanied by the spread of a relativistic approach to truth, which effectively denies any objective criterion of good and evil." John Paul II believes that the "root of this dilemma, with its serious consequences for the life of society, is the tendency to exalt indi-

vidual autonomy at the expense of the bonds that unite us and make us responsible for one another. Society needs a coherent vision that embraces both the dignity and inalienable rights of each individual, especially the weakest and most vulnerable, and a clear consciousness of the fundamental values and relationships that ultimately constitute the common good.” To this, John Rawls and Maritain would both agree. But with the justification of such, Rawls would likely abandon the company of John Paul II, who goes on to speak of “a humanism that flows from the truth of the human person, created in the image of God and, therefore, possessing an inviolable dignity and inalienable rights, including the fundamental right to religious freedom.” John Paul II continues, “From this vision of the human person there rises that true and noble concept of human society, which recognizes that we are responsible for one another, and which, therefore, demands an ethic of solidarity. This is why it becomes especially urgent to construct an ever more deeply rooted ethic of solidarity and culture of dialogue, since these alone are the path of a peaceful future.”

Both Rawls and Maritain recognize that world government subject to what Rawls calls “the law of peoples” is utopian. Maritain wrote at the time that Robert M. Hutchins, Mortimer Adler, and Stringfellow Barr were absorbed in the Chicago discussions on world government. Maritain himself took part in the drafting of the United Nations Universal Declaration of Human Rights in 1948. The European Union was yet to come; so, too, the United Nations

Tribunal on War Crimes. Maritain and his Chicago colleagues were right in foreseeing their necessity. In spite of this and other international cooperation on many fronts, world government remains as utopian as ever. within the European Union itself, where a shared cultural heritage might be expected to promote unity, present conflict suggests almost insurmountable difficulties. How much more difficult would it be to unite Islamic, Chinese, Hindu, and Buddhist cultures. On a purely theoretical level, one may discern a common quest for human fulfillment, but the cultural and political barriers are deep and undermine the basic insights that should promote cooperation if not unity. Solidarity is elusive.

Maritain in the work under discussion recognized as much.

The United Nations, he was convinced, can only reflect the policies of the sovereign states whose decisions it merely implements. Maritain speaks of the need to sweep away the obstacles caused by the myth of States as sovereign persons. Christopher Morris, in his study of the modern state acknowledges Maritain’s assessment in a footnote, “For a Catholic argument against sovereignty, see Jacques Maritain, *Man and the State...*” Like Maritain, Morris criticizes Hobbes and Rousseau as he builds his case against sovereignty. Morris is convinced that the notion of sovereignty is of little use in understanding the nature and jurisdiction of modern states.” “[I] believe,” he writes, “that our discussion of ‘international’ questions might be helped by abandoning it. Instead of talking about sovereignty, we might examine the sorts of independence that states and peoples currently possess and determine which kinds are worth preserving and strengthening, and which should be weakened...”

The modern state, he observes, has grown inevitably stronger in supervising national life. Its external relations and foreign policy are relations between supreme entities in their harsh mutual competition. Returning to Maritain, he believes that two main obstacles prevent the establishment of lasting peace: 1) the absolute sovereignty of modern states, and 2) the fact that no world political organization corresponds to the material unification which is the result of economic interdependence.” It must be realized that nations are no longer autonomous in their economic life; they are even only half autonomous in their political life because their political life is impaired by the lasting threat of war and, Maritain adds, also by the interference in domestic affairs by the ideology and pressure of other nations. Modern bodies politic have ceased in actual fact to be sovereign; they are no longer fully autonomous. Particular nations or states are no longer perfect societies in the Thomistic sense. only an international community politically organized can claim to be the perfect society. By virtue of natural law and *jus gentium* or the common law of civilization, nations and states can fulfill their obligation to the community of the whole world.”

Particular bodies politic, our so-called nation states, have grown incapable of achieving self-sufficiency and ensuring peace. It is the international society not the particular state which fulfills the traditional definition of perfect society, that is, a self-sufficient body.

Once particular bodies politic have become parts of a politically organized whole, they will have to fulfill their obligations to the whole, not only by natural law and *jus gentium*, but also by virtue of positive laws which the politically organized world society will establish. Such a world state will require legislative, executive, and judicial power with the coercive power necessary to enforce the law. Wary of a “dangerous utopia,” Maritain says of himself that as an Aristotelian he is not much of an idealist, yet he holds the world society proposed in Hutchins’s ‘Preliminary Draft for a World Constitution’ to be “a great idea, a sound and right idea.””

But is world government possible? If the basic political reality is, as Maritain insists, the body politic, not the state, can there be a passage from the present state of affairs to world government? A state without a body politic or a political society of its own is “a world brain without a world body,” a veritable super-state superimposed on and interfering with the life of particular states. It is not through the delegation of the various governments, Maritain says, it is through the free suffrage of men and women that the world state is to be founded and maintained. If a world political society is some day founded, it will be the result of an uncoerced common will to live together, something freely chosen not imposed by force, not out of fear of danger. “Fear of war is not and never has been the reason men have wanted to form a political society.”

When men acquire the will to live together in a worldwide society, it will be because they will to have a will to achieve a worldwide common task. What task indeed? “The most significant synonym of living together is suffering together,” writes Maritain. “The very existence of a worldwide society, writes Maritain, will also imply a certain—relative no doubt, yet quite serious and appreciable—equalization of the standards of life of all individuals.” People of the Occidental nations would have to accept a lowering of their standards of life.”

This would require a kind of moral heroism for which they are badly prepared. It will be necessary for them to assume new obligations and sacrifices. But this is the price of peace. The criterion of material success would have to yield to the criterion of the common good.

One body politic is one organized people. But the unity of a world body politic cannot be the unity which characterizes nations. “It would be not even a federal unity, but rather. . . a pluralist unity taking place through the lasting diversity of the particular bodies politic, and fostering that diversity. A society of free men implies common tenets which are at the core of its very existence. “A genuine democracy implies a fundamental agreement between minds and wills on the basis of life in common.” It must be aware of itself and its principles, and it must be capable of defending and promoting them. The intellectual commitment which democracy requires is not a religious one but a civic or secular faith, a common human outlook. “A genuine democracy cannot impose on its citizens or demand from them as a condition of their belonging to the city any philosophic or any religious creed. To those who suggest that the independence of nations would be jeopardized by a world society, Maritain responds that independence is better assured by the creation of a world political society than by its absence. “The States would have to surrender their privilege of being sovereign persons, that is, a privilege which they never possessed.” They would have to give up their full independence, something they have already lost. “Yet in their mutual interdependence the nations could achieve a degree of real, though imperfect, independence higher than any they possess now, from the very fact that their inner political life, being freed from the threat of war and from the interference of rival nations, could become more autonomous in actual fact than it is at present. . .”

Rawls says much the same. The global society envisaged by Rawls will be that of a group of satisfied peoples. “In view of their fundamental interests being satisfied, they will have no reason to go to war with one another. The familiar motives for war would be absent: Such peoples do not seek to convert others to their religions, nor to conquer greater

territory, nor to wield political power over another people.”

At the time that Maritain wrote, McGeorge Bundy disagreed. A world state, Bundy thought, would result in the extension of bureaucratic power from a central office to all aspects of national life. McGeorge Bundy had a point. Europeans today complain of Brussels and a bloated bureaucracy which determines aspects of life in even rural France and Spain.

The commonness of international travel and global television have driven home for all to see the diversity of the world’s peoples, their beliefs, cultures, and living standards. Western respect for the rule of law, the sanctity of human life, and the rights of private property, although eroding even in the West, is not shared universally. Utopian hopes of a global unity of outlook, even in the minimal sense identified by Rawls is not likely to be forthcoming in the foreseeable future. Should we be driven to despair? only if we are hopelessly utopian.

This brief comparison of Rawls and Maritain, separated by fifty years, has clearly shown that men of different intellectual traditions can recognize com-

mon social, indeed global, needs and achieve a *modus vivendi* in an attempt to meet those needs. In the work-a-day world of global politics, the two are not far apart. Western culture, admitted or not, provides the backdrop, but in spite of economic interdependence and the commercial success of Western media and the marketing of Western products, is a world culture possible?

Maritain at one point says that sooner or later “states will be obliged to make a choice for or against the Gospel.” That may be true. The prospects either way are awesome. Short of the unity which only Christ can provide, the concept of a world government based on a universal subscription to the law of peoples may serve a useful heuristic role. Perhaps it has already done so. We have come a long way since the founding of the United Nations at San Francisco a mere half-century ago.

1. John Rawls, *Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999).

2. Christopher Morris, *An Essay on the Modern State* (Cambridge: Cambridge University Press, 1998).

3. Jacques Maritain, *Man and the State* (Chicago: University of Chicago Press, 1950).

## Tolerance as Virtue and Sin

Virgil Nemoianu

**C**an we speak about tolerance as about a human virtue? My answer, surprising to many perhaps, is that I doubt it. Most major religions (including emphatically Christianity) do not say so. Equally emphatically, classical philosophical systems, from Plato and Aristotle to Marx and Nietzsche do not even dream of such a suggestion. On the contrary, they underline their certainties and provide more or less severe penalties for dissenters.

Is such a majoritarian and severe position absurd and wrong? I counter-question: are the much-touted “willing executioners” not perhaps the typical example of tolerant human beings? If tolerance is abso-

lute, than surely, surely, tolerance must be extended to evil and oppression (Attorney General Reno, kidnapper of Cuban children and object of high praise by communist dictators, could argue this much more brilliantly and eloquently than I could ever hope of doing it!) The absolutism of this new “virtue” would have to be crystallized, nay, it is being shaped under our own eyes. This anti-dogmatic position, it may be convincingly argued, is the high-road that leads us on the slippery slope from tolerance to relativity, indifference, and apathy: ultimately towards the acceptance and commission of evil.

Well, as in most human events and activities, it may be the case here that there are two sides of the coin. Can we not highlight any positive sides? If so, our main choice would have to be to look at toler-

ance as a side effect of such classical virtues as temperance, moderation, balance.

Tolerance then would have to be regarded not as an autonomous virtue, but more likely as a social strategy: an important and a beneficial one, a help for all of us to live together in reasonable harmony. It would be placed on a lower rung of the ethical ladder, but it would still deserve our respect and interest, it would still maintain some stature in our societies and gain some attention.

Inevitably, there is at least ONE condition at play here: tolerance must be a two-way street. Nowadays it is taken almost for granted (and very wrongly so!) that majorities (or established traditions) are the only ones that must exercise tolerance. Under this decree, any kind of minority, any kind of challenge, any kind of negativity is entitled to abstain from tolerance, indeed to be aggressive, even destructive.

Personally I am convinced (and I believe that anybody endowed with a minimum of moral imagination will agree with me) that this position is entirely wrong in that it infringes the fundamental value and virtue of *gratitude*. In my own version of the *Inferno*, I place (much like Dante) treason at the bottom of the vilest sins. I would add to this however that I consider that quite close to treason we ought to place *ingratitude*.

What follows? A minority of whatever kind (ethnic, linguistic, class, ideological, religious and so forth) must be grateful for the kind of tolerance it receives and must in turn be deeply tolerant toward the principles and practices of either granting majority or of peaceful age-hallowed tradition.

In a word, toleration without respect is an impossibility. If such a disrespectful tolerance is exercised by the majority, it resembles the contemptuous throwing of crumbs to some impotent beggar. By the same token, a claim of toleration on the part of a minority or of a dissenting group devoid of due respect for the surrounding majority tends to degenerate into adversity and deserves nothing but adversity

and punishment as a response. In both cases we record, instead of tolerance, insolence and cruelty.

An anecdotal digression here. I remember vividly a meeting of an important literary organization in the United States where the basic theme was that “majorities” should be silenced and that “minorities” should be the only ones allowed to speak. A distraught colleague (a meritorious younger scholar, Jewish and male) plaintively rose and asked what he should do, since he did not “belong to any of these peripheries”. He ended up by reaching his own conclusion: he declared himself a homosexual (which he was not!) in order to be acceptable to the (by now) oppressive “minorities”. Perhaps an extreme case, you will say: so be it, but unfortunately not an entirely rare one!

What is then the answer to the conundrum of tolerance and of reverse intolerance? in my opinion the answer is that a social strategy such as tolerance (and I repeat: I am convinced it is nothing more) can only function if it is surrounded and imbued by true, real and substantial ethical virtues: gratitude, dignity, temperance, mutual compassion, full understanding and acceptance of the imperfect and sinful nature of all human beings, whether they are more or less numerous.

Why not illustrate this? Turn to the specific case of “racism”, which is so often discussed in our age. I still regard as the supreme argument against it the words spoken by the American satirist Mark Twain over a hundred years ago: “How can I be a racist? It is enough to say that somebody is a human being. Can I say anything worse?” I am sure that Karl Krauss would have agreed with these words. I am sure St Augustine would have agreed also. This is the lowest common denominator from which any sound and rational toleration ought to begin.

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# Thomism and the Philosophy of Science at the End of the Second Millennium: *Introducing the Society for Thomistic Natural Philosophy*

*The following remarks were presented to the inaugural meeting of the Society for Thomistic Natural Philosophy held in conjunction with the 1999 Annual Meeting of the American Catholic Philosophical Association in St. Paul, Minnesota.*

Michael W. Tkacz

In his recent magistral survey of the origins of western science in the ancient and medieval worlds, noted historian David C. Lindberg responsibly begins with the definition of science.<sup>1</sup> Immediately, however, a problem confronts him, for he finds that there is no general consensus today about the nature of science. Indeed, he briefly investigates no fewer than eight distinct definitions only to conclude that it is futile to settle on one. Some, he notes, have attempted to define science as distinct from or foundational to its technical applications. Others have defined science in terms of the universal law-like form of its theoretical statements, and others in terms of its experimental or other methodology. Some have insisted on a certain kind of epistemological warrant for making a belief scientific (empirical rather than dogmatic) while some have understood the scientific in terms of the content of belief (material objects rather than spiritual objects). Still others determine the scientific character of a belief in psychological terms (perception of clarity or rigor) or in social terms (accordance with current social conventions). Lindberg realizes that each of these proposed definitions is, in one way or another, problematic: each is ultimately either too restrictive (science is only a matter of quantitative laws), or too vague (science is the theoretical knowledge which underlies the practical arts), or too arbitrary (science is a body of beliefs based on empirical

evidence rather than authority), or too trivial (science is what those whom we call “scientists” say it is). Yet, each of these definitions has had its proponents. This is why Lindberg fails to settle on a definition: no one of these proposed definitions will satisfy everybody and, therefore, the diversity of meaning is irreducible. Apart from the serious difficulties this presents to the historian of science, this confusion is symptomatic of the state of the philosophy of science at the end of the second millennium.

Since the advent of the Philosophy of Science Movement among positivists of the early twentieth century, such a multiplicity of definitions have been proposed, evaluated, rejected, and reformulated that many philosophers have come to the conclusion that the best we can say is that we know science when we see it. This is hardly satisfying, of course, because some see science where others do not. Indeed, many have felt forced to the position taken by Lindberg that science means different things to different people. What seems scientific to a twelfth-century Christian monk, may very well look like imprecise reasoning to a seventeenth-century member of the Royal Academy, or like mere superstition to an eighteenth century philosopher. More recently, this irreducible-diversity view has even taken on a theoretical status with the introduction of paradigms and social construction into the philosophy of science.

The confusion generated by this state of affairs is nowhere more evident than in the so-called “demarkation problem.” For the past century, philosophers of science have strenuously attempted to outline a set of criteria clearly distinguishing the scientific from the non-scientific. The results have been something less than satisfying. Not only has there been a failure of consensus among philosophers on this issue, but some have even begun to think that we have been

barking up the wrong tree all along. In a paper devoted to “The Demise of the Demarcation Problem,” Larry Laudan has pronounced a postmortem on the history of demarcation efforts, concluding that we ought to abandon the demarcation project altogether and focus instead on discovering what makes beliefs “heuristically fertile.”<sup>2</sup>

Not surprisingly, such suggestions have largely led to an academic stampede toward social constructivism. Each scientific community has its standards through which their enterprise is demarcated from what is not acceptable. While there is some overlap between historically, theoretically, or culturally, delineated communities, they are ultimately incommensurate. The “heuristically fertile” is defined in terms of the reigning paradigm and one either accepts the paradigm (becomes a member of the community) or one does not. This has hardly ended the debate or dispelled the confusion. This claim that the reason why we cannot define science is because there is no science, only many “sciences,” does not accord well with human expectations—even those of philosophers. Our way of life is too closely tied to the expectation that scientific research provides us with more or less reliable information on the way things are. Partly for this reason, most of us really do think that we know science when we see it, at least roughly. Certainly, most scientists think they do. Moreover, most of us, whether professionally engaged in scientific research or not, believe that knowing science when we see it is a matter which goes beyond social convention. No one argues for the significance of one’s research on the basis of social convention in one’s funding application to the National Science Foundation. When it comes to a question of resources, the tendency toward scientific realism is very strong.

Such flippancy, of course, does not help us toward a solution, but it can help us to focus on the character of the problem. Granted Laudan’s thesis that the demarcation project has been a bust, what are the options? Is the only possible alternative a reductionistic postmortem pragmatism which, at the end of the day, leaves us with a sophisticated *argumentum ad populum* as the last word on the nature of science? For those of us who are living at a time in history and in a society in which science is presti-

gious and powerful, this is a crucial question. Indeed, from our perspective standing on the threshold of the new millennium, expectations regarding the continued importance and even dominance of science certainly seem well-founded. In such a situation it is not only unrealistic, but even unwise, to conclude that the demarcation problem will fade away. How, then, do we respond?

If the demarcation project was a failed attempt at the discovery of the definition of science, perhaps we might alternatively seek to rediscover an adequate definition. A certain irony arising out of Lindberg’s discussion of the nature of science underlines the provocativeness of this suggestion. In the course of his discussion of the eight proposed definitions of science, Lindberg never once refers to the conception of science common to the ancient and medieval naturalists who are the subjects of his book. This, of course, is the conception of science articulated in Aristotle’s *Posterior Analytics*.<sup>3</sup> The educated of the Middle Ages did, indeed, recognize science when they saw it, for they understood that it must be knowledge of the best kind—knowledge of the causes of phenomena.<sup>4</sup> Any sort of cognition falling short of such knowledge was understood as something less than truly or fully scientific knowledge. The Aristotelian naturalist has available to him a clear criterion by which the dialectical procedures of a program of research can be properly designated “scientific.” Insofar as such procedures are designed to approach the ideal of true causal demonstration, they are to that extent scientific. Might not a rediscovery of this conception of science take us some way toward a solution to the demarcation problem? Might a critical articulation of this definition of science help us make progress toward understanding the character and purpose of scientific research while avoiding the reductionism of social constructivism?

For those who believe that this Aristotelian approach might have some serious value as an answer to the demarcation dilemma, there is a place to begin building an alternative philosophy of science. For, as it turns out, this approach is not simply a dusty artifact of the medieval schools. It is alive and well and, indeed, has been so for some time as a minority position in the discipline. Neo-Thomists of the twentieth century have, in fact, applied themselves to the

problem and valuable contributions to the discussion have been made by likes of Philip Selvaggi, Jacques Maritain, Etienne Gilson, Charles DeKoninck, and Joseph Owens, to mention only a very few.<sup>5</sup>

Beginning with the efforts of Thomas Aquinas himself, each of these thinkers developed distinctive approaches to the problems of the philosophy of science that have not had the impact in the discipline they deserve. In addition, philosophers associated with the so-called “River Forest School” of Thomism have done extensive work in both the history and philosophy of science. These include such important scholars as William Kane, Benedict Ashley, James Weisheipl, Vincent Smith, and William Wallace among others.<sup>6</sup> Many of these philosophers have contributed greatly to discussions of the demarcation problem and the nature of science, but again their work is not generally known.

Today, philosophers of science working in the Thomistic tradition constitute a minority school indeed. This is true despite the potential their work has for providing answers to the vexing questions of demarcation and definition. Recently, a group of scholars trained in the Aristotelian/Thomistic tradition have organized to promote efforts in making the alternative approach to these questions better known within the disciplines of philosophy, history, and the natural sciences. This effort is aimed at supporting historians and philosophers of science who look to the classical critical realism of Aristotle, Albertus Magnus, and Thomas Aquinas for their philosophical inspiration. Discussions held in connection with a series of summer Thomistic Institutes devoted to natural philosophy hosted by The Jacques Maritain Center at the University of Notre Dame eventually led to the establishment of the Society for Thomistic Natural Philosophy. The Society is an international association of philosophers, historians, and research scientists who are interested in bringing the distinctive approach of the Thomistic tradition to bear on contemporary problems of the philosophy of science. This association was formed in the conviction that Thomists have made and will continue to make important contributions to philosophical discussions of the nature and methodology of the natural sciences—

not the least of which is some clarity on the demarcation problem.

William Wallace recently characterized the late twentieth century as the period in which men have become oblivious to nature.<sup>7</sup> The confusion and skepticism of the recent past has dulled philosophical appreciation for the intelligibility of nature, leading many to abandon the notion of science as an investigation of the truth of nature. At the same time, the end of the second millennium brings an opportunity for philosophers of science to take a new approach to critical issues such as the demarcation problem. Those who have devoted their time to the establishment of the Society for Thomistic Natural Philosophy have done so in the conviction that a reassertion of an Aristotelian/Thomistic philosophy of science constitutes a step back toward the recovery of that profound appreciation for the intelligibility of nature which gives meaning to scientific research.

## Notes

1. *The Beginnings of Western Science: The European Scientific Tradition in Philosophical, Religious, and Institutional Context, 600B. C to A.D. 1450* (Chicago: University of Chicago Press, 1992), 1-4.
2. *Physics, Philosophy and Psychoanalysis*, ed. R. S. Cohen and L. Laudan (Dordrecht: D. Reidel, 1983), 111-127.
3. William A. Wallace makes this point in his review of Lindberg's book in *Speculum* 69 (1994): 1211-13.
4. *Posterior Analytics* 71b8-12.
5. For a brief history of Thomistic philosophy of science see William A. Wallace, “Defining the Philosophy of Science,” in *From a Realist Point of View: Essays on the Philosophy of Science*, second edition (Washington, DC: University Press of America, 1983), 1-21.
6. For a history of the River Forest School see Benedict M. Ashley, “The River Forest School and the Philosophy of Nature Today,” in *Philosophy and the God of Abraham: Essays in Memory of James A. Weisheipl, O.P.*, ed. R. James Long (Toronto: Pontifical Institute for Mediaeval Studies, 1991), 1-15.
7. “The Intelligibility of Nature: A Neo-Aristotelian View,” *Review of Metaphysics* 38 (1984):33.

*Michael W. Tkacz is Associate Professor of philosophy and Director of the Institute for Christian Philosophy and the Natural Sciences at Gonzaga University. He currently serves as Secretary of the Society for Thomistic Natural Philosophy.*

Dear Editor,

We have failed the children. Kenneth Woodward, a senior editor at *Newsweek*, points this out. He wrote that the greatest challenge facing the Church in the next decade is (the same challenge it failed to meet in the 90s and 80s) to pass on the faith to the next generation. Are we going to fail them again? He wrote that someone must show youth

that adulthood requires self-discipline. The things they say they want—friendship, creativity, family—don't just happen. They have to be worked for. He wrote, "To grow up Catholic, you first have to grow up."

To grow up Catholic you have to know Christ. Too many parishes fail the children by teaching them a Pollyanna Christ. It is self-defeating. No teen will ever follow a wimp. They turn off and

drop out. Christ was both a lamb and a lion and to present the one and not the other is to cheat the children, giving them a false Christ. A feckless Jesus has no appeal to teens, not to anyone else who thinks.

Regards,

Fr. Rawley Myers  
Colorado Springs

### VICE PRESIDENT FOR ACADEMIC AFFAIRS

The University of St. Thomas (Houston) invites applications for the position of Vice President for Academic Affairs, effective July 1, 2001.

Founded in 1947 by the Basilian Fathers, the University of St. Thomas is a private co-educational institution committed to the liberal arts and to the religious, ethical and intellectual tradition of Catholic higher education. According to *U.S. News & World Report*, UST is a "more selective institution" and is ranked in the top tier of regional universities in the West. Located in the Museum District near downtown Houston, the University currently enrolls approximately 2,900 full- and part-time students, of whom more than 40% are minorities: 2000 are pursuing undergraduate degrees (BA, BBA, BS, BTh) in twenty-nine majors, and 900 are seeking graduate degrees: accounting (MSA), business administration (MBA), education (MEd), information systems (MSIS), international business (MIB), liberal arts (MLA), philosophy (MA, PhD) and theology (MA, MDiv, MAPS). There are 113 full-time and more than 100 part-time faculty in the four Schools: Arts and Sciences, Business, Education and Theology.

**Responsibilities:** As chief academic officer, the Vice President for Academic Affairs reports directly to the President, sits on the President's Administrative Council and is the ranking administrator in the President's absence. He or she is responsible for the planning, administration and evaluation of all graduate and undergraduate programs, supervises five academic Deans, two Library Directors, and oversees academic advising, undergraduate research and the Learning Resource Center.

**Qualifications:**

—practical and intellectual commitment to the Catholic

mission of higher education

—earned doctorate and distinguished record of teaching and of scholarly achievement commensurate with appointment at the rank of full professor

—demonstrated dynamic leadership in positions of academic responsibility, including the level of Dean or its equivalent

—articulated vision for promoting excellence in undergraduate and graduate scholarship and teaching, and for setting up innovative academic programs

—proven experience in working with liberal arts education, interdisciplinary programs, instructional technology, strategic planning, evaluation and assessment, budget management and resource allocation, and procuring grants

—commitment to working collegially with other administrators, faculty and staff, and to communicating the University's mission to the public

**Application Process:** The review of applications will begin on November 15, 2000 and will continue until a qualified candidate has been identified. Please submit a letter of interest addressing how you meet the qualifications and how you would foster the highest levels of academic excellence in a University committed to Catholic higher education, a comprehensive resume, and the names, phone numbers, emails and addresses of five references, in confidence, to:

Chair, VPAA Search Committee  
University of St. Thomas  
3800 Montrose Boulevard  
Houston, Texas 77006  
www.sthom.edu

Salary is commensurate with qualifications and experience.

## Membership Matters

Rev. Thomas F. Dailey, OSFS  
Executive Secretary

**A**s we prepare for another national convention, we are happy to announce the election of four new members of the Board of Directors:

**Prof Elizabeth Fox-Genovese**  
(*Eleanore Raoul Professor of History at Emory University*)

**Rev. J. Michael Miller, CSB**  
(*President of the University of St. Thomas in Texas*)

**Dr. Christopher Janosik**  
(*Vice-President for Student Life at Villanova University*)

**Sr. Mary Judith O'Brien, RSM**  
(*Professor of Canon Law at the St. John Vianney Theological Institute in Denver*)

Congratulations to these members, who will be installed as Directors at the September board meeting. And a hearty “thanks” to all who voted in the election process!

A new edition of the *Membership Directory* is currently being prepared in preparation for the convention. At this time, our Fellowship boasts the following numbers:

- 687 active members in the USA
- 125 active members in other countries
- 28 new applications for membership
- 148 inquires pending application

The continued growth and development of the Fellowship depends on the initiative of ALL the members, so please encourage folks to join! (Contact the Executive Secretary for more information.)

Members of the Fellowship continue to be engaged in a variety

of activities that promote Catholic scholarship. Some of the more recent include:

*The Ever-Illuminating Wisdom of St. Thomas Aquinas* (Papers presented at a conference sponsored by the Wethersfield Institute). Among the active members contributing to this new publication are Marie George, John Haas, Ralph McInerney.

*Beauty, Art, and the Polis* (CUA Press). This work, edited by Alice Ramos, features the work of the following active members:

Desmond J. FitzGerald, Donald Haggerty, Gregory Kerr, Joseph Koterski, SJ, Daniel McInerney, Ralph McInerney, and James Mesa. F.F. Centore, from our Canadian chapter, has published a new book called *Two Views of Virtue: Absolute Relativism and Relative Absolutism* (Greenwood Press).

Rev. John Kohler, C.P. continues his prolific writing with an article entitled “Can Secular and Religious Managers Build a Better Future Together?” published in the *Social Justice Review*.

Pat Metress, of the Catholic Research Center, has published articles in the *Catholic Library World* and in *Serials Review*.

Thomas Wetzel recently won an award from the Society for the Study of Midwestern Literature for an outstanding essay entitled “A ‘Graveyard’ of the Midwest: Unearthing Soren Kierkegaard’s Influence in Midwestern Immigrant Communities.” The article was published in *MidAmerica*.

And Fr. Anthony Zimmerman now has his library of writing available on the Internet (at [hU://www.hvri.catholic.ac/zimmertnan.httn](http://www.hvri.catholic.ac/zimmertnan.httn)). — which comes

to us from Japan!

Finally, an editorial note that is also an advertisement! On January 1, 2001 Allentown College of St. Francis de Sales (Center Valley, PA) will become DeSales University! In this time of renewed emphasis on Catholic higher education, this change in name and status better reflects the Catholic mission of the institution and its heritage in the spirituality of St. Francis de Sales. To date, this new university has the highest number of members in the Fellowship!

Questions about any Membership Matters, or information about activities, should be directed to the Office of the Executive Secretary (call 610-282-1 100 ext. 1464 or fax to 610-282-2254 or send email to: [tfdO@email.allencol.edu](mailto:tfdO@email.allencol.edu)).

## The Afterthoughts of Father Greeley: A Review Essay

Msgr. George A. Kelly

Andrew M. Greeley, *Furthermore: Memories of a Parish Priest* (rhonias Doherty Aswdates LLC, 175 Fifth Avenue, New York, NY 100 10, 363 pp., \$24.95)

**A**ndrew Greeley has spent his adult life analyzing the thinking, behavior and social situation of the Catholic community empirically. Furthermore, it is precisely what the publisher says it is—a collection of autographical memories, a second volume to his *Confessions of a Parish Priest*, a search by him for love, understanding and forgive-

ness. The book's purpose, like that of religion itself, is to renew hope in its readers. God is the symbol of hope. And of goodness. The eighteen chapters cover wide territory, reflect large learning, reveal Greeley as a mystic in search of meaning, see religion as poetry, and explain the philosophical underpinnings of Greeley's novels, indeed of his own personality. It is also sort of an *apologia pro vita mea*, testimony to his great faith in sociology.

But, by his own admission, it is Don Quixote Greeley tilting at windmills that has provided the Chicagoan with his self-proclaimed "hell of a good time"—taking on his Ordinary, Cardinal Cody, excoriating the cover-up by his Archdiocese of priest pedophiles, defending the rights of old laity against neo-authoritarian laity on new parish staffs.

Important to Greeley's understanding of the contemporary Church is his distinction between "the Confident Church" and "the Confusing Church" separated by Vatican II, one flushed with success, the other in a state of collapse. (Greeley prefers the latter.) The Confident Church centralizes power in the Vatican, maintains a post-Tridentine understanding of sin, has the answer to all human problems, and is an immutable Church. The Confident Church assumed that the primary goal for a good Catholic was the salvation of his or her soul, a goal that could be attained by avoiding sins, or confessing them in species and number (p. 260). If, today, "a large majority of both priests and lay people reject the Church's official teachings on the ordination of women, birth control, premarital sex, in utero

and in vitro fertilization, oral sex, and the legality of abortion under certain circumstances — along with a strong movement in the direction of toleration for homosexuality" (p. 265), the Confusing Church is still Catholic. Greeley himself thinks that a marriage becomes sacramental when it reaches a state of existential indissolubility, not when it is celebrated in Church (p. 247). Catholic belief in central truths still exists, he thinks — in God's existence, Christ's divinity, his Resurrection, and the Real Presence (p. 266).

Andrew Greeley is more than a writer, of course, and he makes as many headlines by his ecclesiastical politics as he does by his novels. Furthermore provides his side of some bad press he received when he became involved in ecclesiastical battles for which Chicago is famous. His fight with his own Chancery Office over priest pedophilia was one such, The "plot to get (Cardinal) Cody" was another, not orchestrated by him, Greeley insists, but it sure brought him front and center into the public media. A journalist made it appear that he and Archbishop Bernardin (then in Cincinnati) were involved in a scheme to get Cody out of Chicago in favor of Bernardin. Greeley may have looked upon Cody as a "psychopathic paranoid," but it was a journalist from Notre Dame who misused the sociologist's archives to spread the tale. This embarrassed everybody. Greeley now insists that Rome wanted Cody out of office four years before he died (1982), with Bernardin predestined as successor. Cody refused to retire and John Paul II capitulated to the older man's wishes, thereby leaving the

Cody matter in limbo for four more years. To outsiders the whole affair looked like a grab for power, and the embarrassed Bernardin became quite angry with his friend Greeley.

One day in 1992 Greeley stormed into Cardinal Bernardin's residence to confront his Archbishop over a subpoena which required him to testify in a pedophile case, one engineered by Archdiocesan lawyers. Here is the sociologist's description of the confrontation:

"The Cardinal walked down the stairs. He seemed nervous even perhaps a little frightened, which under the circumstances was an appropriate response.

"I threw the subpoena at him and shouted something like, 'If it's a public fight you want, Joe, it's a public fight you'll get.

"I don't remember whether he caught the papers or picked them up.

"I didn't know about this till after it was sent,' he said tentatively. 'They are not our lawyers after all...

"Don't try to tell me that,' I shouted 'Your lawyer devised the strategy in this case and you're paying the bills!'

"He looked at the offending paper. 'I'll see what I can do,' he said softly.

"You'd better,' I said and turned to storm out, a blast of winter cold preparing to exit.

"Don't go,' he pleaded, 'Sit down and let's talk for a few moments.

"So I sat down. He was my bishop after all. I knew what to expect and made up my mind how to react to it.

"I pray every day, Andy,' he said his voice uncertain, 'that we be reconciled. Can we be friends again?'"

What makes the book interesting are the pungent judgments he makes on the state of the Church:

*I. On the Catholic Catechism*

“Even if the Catechism of the Catholic Church were not poorly written, even if it did not misuse scripture texts, even if it were only marginally influenced by the Second Vatican Council, even if it were not an attempt to restore the rigidities of the preconciliar Church, it would still be too long and too dull, a useful reference book on occasion, perhaps, but also a wonderful cure for insomnia” (p. 38).

*2. On Priests and their Bishop*

“Most priests refused to follow his leadership (Bernardin), and some even tried to sabotage it. In fact, in the present chaos and alienation in the Church, I'm not sure that priests would follow the leadership of anyone” (p. 93).

*3. On Catholic Schools*

“Catholic schools were anti-intellectual (1950s) in part because they valued obedience and faith more than critical thinking and the quest for truth. Monsignor John Tracy Ellis' work had shown, had it not, that those who went to Catholic schools were not part of the intellectual life in America” (p. 112).

*4. On the Appointment of Bishops*

“The Holy See has a policy these days of appointing bishops men whose IQ and administrative abilities are at least half a standard deviation below the mean” (p. 187).

*5. On Obedience*

“The other day the pope went over to the Jesuits and told them that the most important virtue was obedience. What, I wonder, gave the pope the right to repeal St. Paul's teaching that the greatest virtue is charity” (P. 303).

Of all the letters of St. Paul, the Epistle to the Romans, written

within thirty years of Christ's death, holds pride of place. It is an appeal to new Christians to hold fast to their faith, and a warning to them not to exaggerate their freedom to the point where God's law is repudiated. In his opening paragraph, St. Paul identifies Christians by their “obedience of faith for the sake of Christ (1, 5).

The author's passing opinions are sometimes more fascinating than his studied observations. For example, the leadership of the Catholic Church “has improved enormously since the time of Peter and his bunch.” Adding: “Peter wasn't a sacred person. The popes of the 20th century have become sacred persons. Is this an improvement?” (pp. 268–269). Cardinal Ratzinger will be surprised to know that “the brightest men in the German hierarchy do battle in Rome over communion for the little comfort in the fact that the chaplain Enda McDonagh, whom Greeley thinks the premise of secularism is the “religion of humanity,” which dominates modern culture, and many Catholics with it. The Catholic Theological Society of America, for example, no longer wants its members to make a profession of Catholic faith as the underpinning of their doctrinal speculations. While a Society of Catholic Social Scientists is a Johnny-come-lately, it exists mostly as a reaction to the secularism of contemporary sociology.

Sociology is really the offspring of post-Revolutionary France (1789), where Enlightenment elites were looking for a way to keep their country unified, once the Ancien Regime and the Bourbon monarchy had been put out of their misery. For centuries, the Catholic Church (with the King)

had been “the glue” which kept Frenchmen together, but Encyclopedists hated the Church, which they hoped to bury, too. Buried for good, even if by 1800 Jansenists and Gallicans had more influence on Catholic conduct than the pope. Encyclopedists had an instinct that religion did bond society, hopefully this time around their “religion of humanity.” This could be accomplished, they thought, by a scientific study of what keeps people together, what drives them apart, and how society moulds people from the cradle to the grave. God's activity in the world is excluded from its ken. The “obedience of secular faith” became the study's starting point.

Eventually, such scientific enquiry became sociology, which entered the American mainstream for the first time as an academic discipline when the University of Chicago opened in 1892 (Andrew Greeley's alma mater). Social theories of all kind developed, and remain hotly debated to this day because they are hard to prove. Still, “the science” has acquired respectability, if one notices how readily contemporary politicians rely on “social facts” as determinators of public and private right and wrong, even if collected by George Gallup and Elmo Roper.

The Chicago priest has enacted what he calls “Greeley's first law”: “When everyone else discovers something, the Catholic Church has just abandoned it.” About the time he was in the eighth grade, there was another law running around the Archdiocese of New York: When the world has tested a bad idea and finds it wanting, important Catholics pick it up to the harm of Christ and the Church.

**Thomas Aquinas. Selected Writings.** Edited and Translated with Introduction and Notes by Ralph McInerny. Penguin Books, London/New York, 1998, pp. xxxviii + 841 pp. \$14.95.

There are other readers of Aquinas' works, but this Penguin one surpasses all by its sheer size, the very representative choice of texts, the excellent translations, and scholarly, informative introductions. McInerny chose to present his selections in a chronological order, allowing the persevering reader to witness St. Thomas at work in Paris, Italy, again in Paris and in Naples. In the introduction the reader finds a survey of Thomas' life, pertinent remarks on the relationship of philosophy and theology, on Thomas and Aristotelianism and an enumeration of some key Aristotelian doctrines. "In learning from Aristotle Thomas does not of course think of himself as conforming his mind to another's, but rather as conforming his mind to the way things are" (xx). McInerny also mentions the controversies after Thomas' death and the revival of Thomistic studies.

The selection comprises seldom read texts such as the Sermons on the place and use of Holy Scripture, pronounced when Thomas became a master in sacred theology they open the series of translations questions about the nature of theology and the Six Days of Creation from the Commentary on the Sentences, the admirable Prefaces to the commentaries on several works of Aristotle and on the *De divinis nominibus*; sections from the exposition on the Liber de causis, the Peri Hermeneias, Paul's Letter to Philemon and the commentary on

the Angelic Salutation, which closes the book. The Summa contra Gentiles provides texts on the proofs of God's existence and the human good, — the Summa theologiae on goodness and the goodness of God, creation, angelic knowledge, on man's ultimate end, the morality of our actions, on law and natural law, the virtues, the active and contemplative lives, the logic of the incarnation and the reasons why sacraments are needed. The *De veritate* is present with its questions on truth, the teacher and conscience, the *De potentia* with a question on divine simplicity. Questions, articles, chapters and lessons are always translated in their entirety.

McInerny's option in favor of a chronological ordering of the numerous questions, articles, chapters and lessons he translated yields a division of the contents into five sections: Thomas as a student, as a master at Paris, the nine years in Italy, the second stay in Paris and the last period in Naples. However, it has a drawback he is well aware of, namely, the order of the subjects does not follow the way in which the subject matters of philosophy and theology should be treated systematically according to Aquinas. Nevertheless McInerny has succeeded in presenting texts about several of the more important positions of Thomas in philosophy, although the latter's accomplishments in theology receive less attention.

The editions of the Latin texts used are not indicated. Presumably the translations are from works published in the Leonine and by Marietti. The translations are excellent: they render the original very precisely and are pleasant to read.

Dr. McInerny's complaint that the critical Leonine edition is so slow in achieving its aim witnesses to the value of Aquinas' works: the great number of manuscripts and enormous amount of sources referred to and texts quoted by Thomas involve an incredible amount of research. However grateful we are to Penguin Books for publishing this hefty work in its series of Penguin Classics and however magnificent and helpful an introduction this volume is to the thought of Aquinas, it is still far from presenting all the treasures of wisdom and knowledge of this most admirable and amazing of philosophers and theologians.

*Leo Elders. Institute of Philosophy "Rolduc", Kerkrade (Netherlands).*

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## Ave Atque Vale

**W**hen I assumed the editorship of this publication some years ago it was a newsletter, and a very lively one at that, thanks to the redoubtable Monsignor Kelly. It has been said that if you're not the lead horse the view never changes, but following in the steps of Monsignor Kelly has been, in the phrase, a learning experience. Let me add one

more tribute to the many he has justly received.

On my watch, this publication became a quarterly — not only a more impressive setting for contributions, but a challenge to live up to the more lofty designation. Thanks to the contributions, I think we have done that. In any case, it is time for new blood. This is my last issue as editor. I thank you for your trust and wish my successor all the best. ✠

*Ralph McNerny*

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