

Assertions and Refutations
An Assessment of Dr Tracey Rowland's
Natural Law: From Neo Thomism to Nuptial Mysticism

By

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PREFACE

Tracey Rowland asserts that “since it is christological, natural law cannot be understood apart from the spousal relationship of Christ with his Church”, which means that both the Divine revelation of the New Testament and the supernatural virtue of Faith received at Baptism are necessary for anyone to understand the natural law: it cannot be understood by itself in the light of reason. To the contrary Pope Benedict XVI teaches that “Christianity has never proposed a revealed law to the State and to society, that is to say a juridical order derived from revelation. Instead, it has pointed to nature and reason as the true sources of law”.¹ There could not be a clearer refutation of what Rowland says. What the pope is saying is that natural law can be understood by itself in the light of human reason alone, without Divine revelation and without the supernatural virtue of Faith received in Baptism.

To bring out the extent and implications of Rowland's contradiction of Papal Teaching a detailed examination of the paper in which she made the above quoted statement is in order. This exposition and analysis of her *Natural Law: From Neo Thomism to Nuptial Mysticism* will examine her statements about Natural Law, Faith and reason, grace and nature in the light of Thomism and the teaching of the Papal Magisterium, with particular emphasis on the teaching of Benedict XVI.

¹ *The Listening Heart: Reflections on the Foundations of Law*. Address of Pope Benedict XVI to the German Bundestag, at the Reichstag Building on September 22, 2011.

A GUIDING PRINCIPLE

To introduce the task at hand we take as a maxim for our work the guiding principle of the greatest philosopher and theologian God has raised up in his Holy Church.²

The study of philosophy does not consist in knowing what others have thought but to know the truth of things.

St Thomas did heed to a remarkable degree what others have thought be they Christian writers, Muslims or pagans, living in cultures outside his own, and in many instances in ages long preceding his own time. In this activity he was always primarily concerned to find the truth of things, and he certainly did find much in the thought of others that expressed the truth of things. He was also concerned to find and expose the errors he found in the thought of others, which activity he saw as a necessity so that truth might be better understood and safeguarded. This twofold work of the true philosopher was well expressed by Pope Leo XIII.³

For surely that is a worthy and most useful exercise of reason when men give their minds to disproving those things which are repugnant to faith and proving the things which conform to faith. In the first case they cut the ground from under the feet of error and expose the viciousness of the arguments on which error rests; while in the second case they make themselves masters of weighty reasons for the sound demonstration of truth and the satisfactory instruction of any reasonable person. Whoever denies that such study and practice tend to add to the resources and expand the faculties of the mind must necessarily and absurdly hold that the mind gains nothing from discriminating between the true and the false.

The extent of the vast enterprise that St Thomas carried out to a unique perfection, and the overwhelming harvest he reaped in return, were beautifully expressed by Pope Leo XIII.⁴

Among the Scholastic Doctors, the chief and master of all towers Thomas Aquinas, who, as Cajetan observes, because “he most venerated the ancient Doctors of the Church, in a certain way seems to have inherited the intellect of all.”[34] The doctrines of those illustrious men, like the scattered members of a body, Thomas collected together and cemented, distributed in wonderful order, and so increased with important additions that he is rightly and deservedly esteemed the special bulwark and glory of the Catholic faith. With his spirit at once humble and swift, his memory ready and tenacious, his life spotless throughout, a lover of truth for its own sake, richly endowed with human and divine

² St Thomas Aquinas, *Commentaria in Aristotelis De Caelo et Mundo* I, 22.

³ *Aeterni Patris*, No 9. August 4, 1879.

⁴ *Aeterni Patris*, Nos 17, 18, 21, 22, 23. References: [34] Cajetan’s commentary on Sum. theol., IIa - IIae 148, 9. Art. 4; Leonine edit., Vol. 10, p. 174, n. 6. [36] Sermo de S. Thoma. [37] Bucer.

science, like the sun he heated the world with the ardor of his virtues and filled it with the splendor of his teaching. Philosophy has no part which he did not touch finely at once and thoroughly; on the laws of reasoning, on God and incorporeal substances, on man and other sensible things, on human actions and their principles, he reasoned in such a manner that in him there is wanting neither a full array of questions, nor an apt disposal of the various parts, nor the best method of proceeding, nor soundness of principles or strength of argument, nor clearness and elegance of style, nor a facility for explaining what is abstruse.

Moreover, the Angelic Doctor pushed his philosophic inquiry into the reasons and principles of things, which because they are most comprehensive and contain in their bosom, so to say, the seeds of almost infinite truths, were to be unfolded in good time by later masters and with a goodly yield. And as he also used this philosophic method in the refutation of error, he won this title to distinction for himself: that, single-handed, he victoriously combated the errors of former times, and supplied invincible arms to put those to rout which might in after-times spring up. Again, clearly distinguishing, as is fitting, reason from faith, while happily associating the one with the other, he both preserved the rights and had regard for the dignity of each; so much so, indeed, that reason borne on the wings of Thomas to its human height, can scarcely rise higher, while faith could scarcely expect more or stronger aids from reason than those which she has already obtained through Thomas.

.... while to these judgments of great Pontiffs on Thomas Aquinas comes the crowning testimony of Innocent VI: "His teaching above that of others, the canonical writings alone excepted, enjoys such a precision of language, an order of matters, a truth of conclusions, that those who hold to it are never found swerving from the path of truth, and he who dare assail it will always be suspected of error." [36]

But the chief and special glory of Thomas, one which he has shared with none of the Catholic Doctors, is that the Fathers of Trent made it part of the order of conclave to lay upon the altar, together with sacred Scripture and the decrees of the supreme Pontiffs, the *Summa* of Thomas Aquinas, whence to seek counsel, reason, and inspiration.

A last triumph was reserved for this incomparable man - namely, to compel the homage, praise, and admiration of even the very enemies of the Catholic name. For it has come to light that there were not lacking among the leaders of heretical sects some who openly declared that, if the teaching of Thomas Aquinas were only taken away, they could easily battle with all Catholic teachers, gain the victory, and abolish the Church. [37] A vain hope, indeed, but no vain testimony.

When one reads Rowland's *Natural Law: From Neo Thomism to Nuptial Mysticism* one reads a script immersed to the point of saturation in people and their opinions. There are about 80 footnotes in marginally more than 20 pages of about A5 size. Names are so liberally sprinkled over and crowded into her text that one gets the impression that one is watching a parade, even if only a 'theological' fashion parade. In this she follows the style of 'scholarship' endemic in modern academia.

Those who take the trouble to wade through Rowland's paper will quickly see that it very much concerns itself with the personalities of people and with their opinions, and not with the truth of what they say.

This exposition and assessment of Rowland's paper will concern itself with the truth of her own statements. It generally isolates her statements from the patchwork of opinions of others that she presents in her survey, so that her statements on her chosen subject stand alone and have to fend for themselves. The sentences extracted from her paper will be numbered R1, R2, R3 etc. After each of these sentences my comment C1, C2, C3 etc will be given so that the order of presentation will be R1, C1; R2, C2; R3, C3 etc. I have numbered the sentences in her paper, but not all will be reproduced herein. Consequently there are some gaps in the numbering. Her subheadings in *italics* will be retained throughout.

EXPOSITION AND ASSESSMENT

1. Introduction: Toward a theological natural law

Right at the start, as the subtitle suggests, Rowland turns the Introduction of her paper into what one would expect to be the Conclusion.

Before embarking on our exposition and assessment, I will bring to the fore a central statement she relegates to the first footnote of her first paragraph.

In this article the work of Jacques Maritain will be treated as the flagship of neo-Thomism.

One would rightfully expect upon reading this proclamation that the reader will be presented with an exposition and analysis of "the work of Jacques Maritain" in regard to her chosen subject matter of Natural Law.

- (R1) For decades now natural law has been presented to Catholic undergraduates as a kind of *lingua franca* for dialogue with non-believers, precisely because it was deemed possible to sever it from its theological roots.

- (C1) Rowland's main mistake, manifested here, lies in thinking that the doctrine of Natural Law is somehow something in the nature of a *lingua franca* lately devised by Catholic scholars to "dialogue" with unbelievers. A *lingua franca* is a third language held in common by people who do not understand each other's mother tongue, and who are therefore only able to communicate with each other by means of this third and foreign

language. She is all at sea here for natural law is not a language at all, but an ordered combination of concepts and propositions that can be expressed in any language.

This ‘catholic’ natural law project has failed in her view so we need to go beyond such a theologically neutered conception. There are two errors here: first the misuse of the phrase *lingua franca*. It assumes that “natural law” is a phrase foreign to Catholic theology. Has she not heard of St. Thomas? It further assumes that “natural law” is a phrase foreign to non-Catholic philosophy. Has she not read Aristotle?

From the outset a necessary distinction needs to be made, a distinction which Rowland fails to make anywhere in her paper. The distinction is between natural theology and supernatural theology. Natural theology is studied as a part of metaphysics in philosophy. The five ways or proofs of the existence of God that St Thomas formulated are studied in natural theology. The starting point for each of these proofs is with our sense experience of the world in which we live, with God’s Creation. Supernatural theology infinitely transcends natural theology because the truths upon which it is based are those divinely revealed truths that are beyond the reach of the human intellect and which are concerned with God’s Redemption revealed in Christ Our Lord. The truths of Supernatural theology are seen only in the light of infused Faith. Upon these truths supernatural theological science rests, and develops under the guidance of right reason or logic. When Rowland talks about ‘theology’ in her paper it is evident that she means ‘theology’ in the sense of supernatural theology, and not natural theology. In other words she refers persistently to that theology where principles are seen only in the supernatural light of infused Catholic Faith, and not to that theology where principles are seen in the natural light of Reason or philosophy and which are consequently accessible to anybody. The absence of the real distinction between natural theology and supernatural theology is the second of the two major errors of her paper.

Natural Law, according to Pope Leo XIII, is “written and engraved in the mind of every man; and this is nothing but our reason, commanding us to do right and forbidding sin”⁵. Its moral precepts are also revealed truths (so that they can be known easily and without error) in the form of the Ten Commandments. The precepts of Natural Law are studied in moral philosophy. The perfection of the Natural Law is part of God’s Redemption revealed in Christ. The perfection of the Natural Law is studied in Moral Theology, which is part of Supernatural Theology. Moral philosophy has a common denominator with natural theology: both are philosophical studies, the principles of which, by definition, are seen in the light of reason.

The ‘theological roots’ that Rowland talks about in this sentence, and thereafter for the remainder of her paper, are the truths of supernatural theology that became known to humanity at the Incarnation. Now it is a fact of biblical history that God spoke to Moses on Mt Sinai, and inscribed the Decalogue on tablets of stone for him without attaching the supernatural ‘theological roots’ in any essential way that Rowland thinks are attached to the natural law, and which she claims it is not possible to sever from the natural law.

⁵ *Libertas praestantissimum*, No 8. June 20, 1888.

From this stark contrast between the Words and Action of God Who identified Himself to the same Moses on Mt Sinai as God discoverable also by Natural Theology “I Am Who Am” “He Who Is” and Rowland’s opinions we are warned from the outset to be on our guard against ignorance and confusion, and the attendant falsehoods these intellectual maladies bring in their train.

- (R2) This is notwithstanding the fact that Protestants have never really been all that keen on it, regarding it as something of Stoic, rather than biblical provenance, and notwithstanding the further fact that it depends on a conception of nature as something stable, and that this has been rejected by most contemporary post-moderns.
- (C2) The Protestant aversion to reference to natural law or the necessity for good works is the practical equivalent of their denial of the value of reason.
- (R3) When one eliminates Protestants and post-moderns, those left standing are usually Liberals. It is largely in order to find a common language with them that attempts have been made to formulate a version of natural law that does not rely on any particular theological framework.
- (C3) The word ‘liberal’ can mean different things to different people. Without a definition the word easily slides into equivocal usage. In Rowland’s text ‘Liberals’ appears to refer to those who are non believers and Rationalists. Here repeated is Rowland’s main error: natural law is somehow something of a *lingua franca*, lately devised to enable Catholics to dialogue with unbelievers.

Historically included amongst those who have taught natural law without supernatural theology are Aristotle, in his *Ethics*; and, when engaging non believers St Thomas and numerous Popes, especially the Popes of the twentieth and twenty-first centuries. We also note that there is no supernatural theology in natural law dialogue in the Old Testament. Has Rowland not comprehended the many implications this vast testimony opposes to the assertions she makes in her paper?

- (R4) However, leaving aside all the theoretical objections that have been raised against this project, the sociological fact is that it has not been a strategic success.
- (C4) St Thomas, Maritain and with them, the Church know and teach that Faith (supernatural or sacred theology, which includes dogmatic and moral theology) is really distinct from Reason (philosophy, which includes natural theology and the natural law studied in moral philosophy). So called “theoretical objections” to the real distinction between Faith and Reason will militate against the truth of this real distinction and the harmony between Faith and Reason in the human intellect, and will consequently diverge to one of two erroneous extremes: to either Fideism, which positively excludes Reason and relies on Faith e.g. Luther; or Rationalism, which rejects Faith and relies on Reason e.g. Descartes and Kant.

Rowland alludes to “theoretical objections” and dismisses them in the same breath to make way for “sociological facts” and “strategic success”, as if circumstances can force

us to change our principles. A correct philosophical analysis and the perennial truth that it would bring to light are rejected by Rowland in favour of a survey of the opinions of others.

Here it is opportune to hear a warning.⁶

If we once grant that the criterion of truth, which ought to be intrinsic evidence deriving from first principles, lies instead in external acceptance by a majority, then we condemn reason to atrophy, to dullness, to self-abdication. Man learns to get along without mental exertion. He lives on a plane of neutral persuasion, led by public rumor. Reason is looked upon as incapable of finding the truth. We might be inclined to trace this abdication to a laudable humility. But, judged by its fruits, it engenders philosophic skepticism, conscious or unconscious, in an atmosphere ruled by mystic sentimentalism and hollow faith.

- (R5) Liberals just don't buy the medicine, even when the theological ingredients have been expressly excluded and the principles have been repackaged in explicitly Liberal idioms.
- (C5) Rowland talks in generalities, the nonsensicality of which becomes evident if one reduces them to specifics or examples. One would really like to see Rowland (i) identify the "theological ingredients" that need to be added to the supposedly unintelligible statement 'do good avoid evil', the first principle of the Natural Law, to make it intelligible; and (ii) show how this fundamental principle was "repackaged in explicitly Liberal idioms". Rowland's *lingua franca* attribution of the natural law would have it, for instance, that Maritain and like minded Thomists had to translate 'murder is wrong' into another language, dialect or idiom to make the moral precept those words convey understandable to Liberals who speak the same language as themselves.

The confusion engendering this claim has its roots in an inability to distinguish between words or voice sounds and concepts that are expressible in any language. A very simple example will make this clear. "Buona sera signore e signori" i.e. "Good evening ladies and gentlemen". Here we have two completely different groups of voice sounds that convey multiple common concepts. The concepts in the intellect are the same for the Italian speaker and the English speaker. The difference is only in the sense perceptible material signs of the concepts (audible signs or language, and visible signs or writing). There is no difference in the concepts expressed by the two systems of different audible signs (languages). This is all very simple and basic. The practical concepts and propositions that constitute natural law, like all our concepts and propositions, can be expressed in any language or sense perceptible system of signs.

The need for humans to communicate, which is the basis of human language, has three principal reasons. These reasons are well expressed by Maritain. Firstly, because man is a rational being and is naturally sociable.⁷

⁶ Fr Reginald Garrigou-Lagrange O.P., *Reality: A Synthesis of Thomistic Thought*, p 295. 1950.

⁷ Jacques Maritain, *An Introduction to Logic*, p 45. 1937.

Man is naturally a 'social' or 'political' animal; he is made to live in society (this is so, as we shall see in *Ethics*, on account of his specific character, a being capable of reasoning, because he cannot make fitting progress in the work of reason except through help and instruction of others). Consequently, the aptitude for acquiring knowledge of things is not enough: he must be able to express his knowledge verbally. From this necessity arose the system of conventional signs, called language, by which men communicate their thought: a wonderful instrument fashioned of articulate sound passing through the air, imparting through the most pliant and subtle of materials our innermost and most spiritual selves.

As we might expect, Maritain's statement conforms to the teaching of St Thomas.⁸

If indeed man were naturally a solitary animal, sufficient for him would be the passions (conceptions) of the mind whereby he would be conformed to things themselves, so as to have knowledge of them in himself; but because man is an animal naturally political and social, it was necessary that the conceptions of one man become known to others, which is done through the voice-sound; and therefore it was necessary that there be significative voice-sounds for this that men might communicate with each other. Wherefore those who are of diverse languages, cannot well communicate with each other.

Secondly and furthermore, our concepts are universals which by their spiritual nature transcend time and space, but in order to make our concepts known to those distant from us in time and space we need writing.⁹

Because man, unlike the animal, is not riveted to the present moment, it is fitting that he should make his thought known to those distant from him in time or space; hence the necessity for a second system of signs, more material and less perfect than the first, which it represents, and this system is called writing.

Again Maritain's statement conforms to the teaching of St Thomas.¹⁰

If man employed sensitive knowledge alone, which concerns the 'here and now', sufficient for him would be the significative voice-sound, just as it is sufficient for the other animals, which through certain voice sounds manifest their conceptions to each other. But because man employs also intellectual knowledge, which abstracts from here and now, he carries with him a solicitude, not only about things present according to place and times but also about those which are distant in place and

⁸ In *Perihermenias*, 1 lect. 2.

⁹ Jacques Maritain, *An Introduction to Logic*, p 45.

¹⁰ In *Perihermenias*, 1 lect. 2.

future in time. Wherefore, that man manifest his conceptions also to those who are distant according to place, and to those who are to come in future time, the use of writing was necessary to him.

Finally all our knowledge comes from the senses. Consequently, Maritain explains, sense perceptible signification (spoken or written) of our thought, by its nature, helps the thought of man¹¹ (*emphasis added*).

Language and writing (oral and written signs) are essentially destined to the social manifestation of thought. However, because our sentient nature is ever in search of material support, these systems of signs offer to thought as their secondary effect the valuable assistance of precision, stability and economy of effort. *But we must beware of thinking that these material signs are absolutely necessary to thought, that they could ever represent it as perfectly as a tracing, or that they could ever act as its substitute and replace it.*

It is evident that with her *lingua franca* attribution of natural law Rowland substitutes the material signs of language for the practical concepts and propositions that constitute natural law, and thereby replaces the concepts and propositions of natural law with words or language. This substitution is plainly illegitimate. Moreover it is completely foreign, as we have just seen, to Maritain her “flagship of neo-Thomism”.

- (R6) This often leads to a situation in which Catholics talk to other Catholics in an idiom which was devised for dialogue with unbelievers, while the unbelievers are either not persuaded or so poorly educated as to be unfamiliar with the idiom.
- (C6) Let us qualify “idiom” in this sentence (R6) with the qualifier “explicitly liberal” specified for “idiom” by Rowland in the previous sentence (R5), and re-write (R6) to see exactly what she is presenting in (R6) as the consequence of (R5).

This (“repackaging” in “explicitly Liberal idioms” of principles of natural law without theology) often leads to a situation in which Catholics talk to other Catholics in an “explicitly Liberal idiom” which was devised for dialogue with unbelievers (i.e. for dialogue with liberals because liberals were the “only ones left standing” after the “elimination of Protestants and post moderns” in (R3)), while these liberals (e.g. modern lawyers, professors, politicians, doctors, etc) are either not persuaded or so poorly educated as to be unfamiliar with their own “explicitly liberal idioms”.

Here repeated as the *idée fixe* upholding this fabulous story is the first major error announced in (R1) above: natural law is an idiom or language, foreign to both Catholic theology and non-Catholic philosophy, hence its incommunicability, it conveys no common concepts, if indeed it conveys any concepts at all being merely an assemblage of words, practically unintelligible to Catholics and unbelievers alike. It would be consistent

¹¹ Jacques Maritain, *An Introduction to Logic*, p 46.

for Rowland to call natural law a cacophony of unintelligible voice sounds akin to the chattering of monkeys.

To straddle this communication impasse of her own imagining Rowland proposes to bring in supernatural theology, for when supernatural theology comes in it supposedly transmogrifies chattering monkeys into articulate theologians speaking intelligibly about natural law.

- (R7) When natural law is marketed as universally reasonable without any accompanying theological baggage, it can begin to sound, in Russell Hittinger's memorable phrase, like "a doctrine for Cartesian minds somehow under Church discipline."
- (C7) St Thomas referred to theology as Sacred Doctrine. St Padre Pio of Pietrelcina used to study Sacred Doctrine (theology) on his knees. Rowland refers to theology (Sacred Doctrine) as "baggage".

God did not write down the precepts of the Natural Law for Moses as a marketable commodity, but to stop people from going to Hell. Neither does the Church market the natural law; she teaches and defends it for the same reason that God revealed it to Moses.

The "memorable phrase" that Rowland quotes is simply another impression that she would like people to have by indicating to her readers that, for her, this is a "memorable phrase". Here the use of reason in Thomism and Catholicism is being made to look undesirable by association with Descartes, the father of modern Rationalism.

On this score let us listen to Fr Reginald Garrigou-Lagrange O.P.¹²

Contradictory views, intellectual and spiritual, of St. Thomas have been handed down to us. The Averroists reproached him as but half-Aristotelian; the Augustinians saw in him an innovator too much attached to the spirit, principles, and method of Aristotle. This second judgment reappeared, sharply accented, in Luther, [1] and again, some years ago, in the Modernists, who maintained that St. Thomas, a Christian Aristotelian, was rather Aristotelian than Christian.

In other words, some scholars saw in the work of St. Thomas "a naturalization of revealed truth", [2] a depreciation of Christian faith, faith losing its sublimity, by a kind of rationalism, by exaggeration of the power and rights of reason. Now this rationalization of faith is indeed found in Leibnitz. [3] It is certainly not to be found in St. Thomas.

¹² *Reality*, Preface, p xi. Notes [1] "Luther even doubted the salvation of the Angelic Doctor"; [2] See *Archivio di filosofia*, July 1933, p. 10 a posthumous article by Laberthonniere; [3] See *Dictionnaire de theologie catholique*, art. "Leibniz" (conclusion).

Note the teaching of Pope Pius XII in the same regard.¹³

How deplorable it is then that this philosophy, received and honored by the Church, is scorned by some, who shamelessly call it outmoded in form and rationalistic, as they say, in its method of thought.

Note also the sobering words of Pope St Pius X.¹⁴

They [the Modernists] recognize that the three chief difficulties which stand in their way are the scholastic method of philosophy, the authority and tradition of the Fathers, and the magisterium of the Church, and on these they wage unrelenting war. Against scholastic philosophy and theology they use the weapons of ridicule and contempt. Whether it is ignorance or fear, or both, that inspires this conduct in them, certain it is that the passion for novelty is always united in them with hatred of scholasticism, and there is no surer sign that a man is tending to Modernism than when he begins to show his dislike for the scholastic method.

Finally from post Vatican II Papal teaching we quote Pope Benedict XVI.¹⁵

Thomas presents to us a broad and confident concept of human reason: *broad* because it is not limited to the spaces of the so-called ‘empirical-scientific’ reason, but open to the whole being.

The distinction the Holy Father Benedict XVI makes here between a “limited ... ‘empiric-scientific’ reason”, and “a broad concept of reason open to the whole being”, is essentially a distinction between Cartesian/Kantian - Rationalism/empiricism and Aristotelian logic, of which St Thomas was a master.

Rowland makes no distinction between the metaphysical logic of Aristotle and St Thomas insisted upon by the Church and the rationalistic logics of Descartes and Kant underpinning modern empiricism. She simply lumps them together under a common label. This confusion of an empirically oriented and limited logic with the metaphysical logic of Aristotle and St Thomas is completely foreign to Maritain (Rowland’s “flag ship of neo-Thomism”) as anyone who has studied his work, and pointedly his *Introduction to Logic* would know.

- (R8) It was perhaps for such reasons that Cardinal Ratzinger, as he was, described natural law as a “blunt instrument” in dialogues with secular society.
- (C8) Now that “Cardinal Ratzinger as he was” has become Pope Benedict XVI (and has taught us that he defends Thomistic reason or logic against Cartesian / Kantian Rationalism) we find that he uses the “blunt instrument” of natural law extensively “in dialogues with secular society”. Here listed in chronological order are seven examples: (i)

¹³ *Humani Generis*, No 32. August 12, 1950.

¹⁴ *Pascendi Dominici Gregis*, No 42. September 8, 1907.

¹⁵ *General Audience* “Saint Thomas Aquinas”, Part 2, 16 June 2010.

Address to The Participants in The International Congress on Natural Moral Law, 12 Feb 2007; (ii) *Address to Members of the International Theological Commission*, 5 October, 2007; (iii) *Address to The General Assembly of the United Nations Organisation*, 18 April 2008; (iv) *Address to the Members of the Pontifical Academy for Life*, 13 Feb 2010; (v) *General Audience* “Saint Thomas Aquinas”, Part 1, 2 June 2010; (vi) *General Audience* “Saint Thomas Aquinas”, Part 2, 16 June 2010; (vii) “The Listening Heart: Reflections on the Foundations of Law”. *Address to the German Bundestag*, at the Reichstag Building, 22 September 2011.

The first three of these Papal Addresses pre-date Rowland’s paper, which was published in the Fall (northern) edition of *Communio*, 2008; the first Address, the *Address to the International Congress on Natural Moral Law*, pre-dates Rowland’s paper by more than 18 months. This Address is entirely at the level of reason (philosophy) and is devoid of any supernatural theology.

- (R9) This was not because he personally rejects belief in natural law, but because he believes that it presupposes a concept of nature in which nature and reason overlap, a view which he further claims was “capsized” with the arrival of the theory of evolution.
- (C9) Here Rowland tells us what she believes Cardinal Ratzinger believed and why he believed it. No actual exposition is provided to allow him to speak for himself. Never mind. More to the point, however, no exposition is given of the Teaching of Pope Benedict XVI on any aspect whatsoever of the Natural Law. Concerning Rowland’s contention, that Natural Law has ‘theological roots’, let us turn to Pope Benedict XVI. Here we will quote from the first Address listed in (C8)¹⁶ (*emphasis added*).

There is no doubt that we are living in a moment of extraordinary development in the human capacity to decipher the rules and structures of matter, and in the consequent dominion of man over nature.

We all see the great advantages of this progress and we see more and more clearly the threat of destruction of nature by what we do.

There is another less visible danger, but no less disturbing: the method that permits us to know ever more deeply the rational structures of matter makes us ever less capable of perceiving the source of this rationality, creative Reason. The capacity to see the laws of material being makes us incapable of seeing the ethical message contained in being, a message that tradition calls *lex naturalis*, natural moral law.

This word for many today is almost incomprehensible due to a concept of nature that is no longer metaphysical, but only empirical. The fact that nature, *being itself*, is no longer a transparent moral message creates a sense of disorientation that renders the choices of daily life precarious and uncertain.

¹⁶ *Address to the Participants in the International Congress on Natural Moral Law*, 12 Feb 2007.

Naturally, the disorientation strikes the younger generations in a particular way, who must in this context find the fundamental choices for their life.

It is precisely in the light of this contestation that all the urgency of the necessity to reflect upon the theme of natural law and to rediscover its truth common to all men appears. The said law, to which the Apostle Paul refers (cf. Rom 2: 14-15), is written on the heart of man and is consequently, even today, accessible.

This law has as its first and general principle, “to do good and to avoid evil”. *This is a truth which by its very evidence immediately imposes itself on everyone.* From it flows the other more particular principles that regulate ethical justice on the rights and duties of everyone. ...

... Natural law is, definitively, the only valid bulwark against the arbitrary power or the deception of ideological manipulation. The knowledge of this law inscribed on the heart of man increases with the progress of the moral conscience.

The first duty for all, and particularly for those with public responsibility, must therefore be to promote the maturation of the moral conscience. This is the fundamental progress without which all other progress proves non-authentic.

The law inscribed in our nature is the true guarantee offered to everyone in order to be able to live in freedom and to be respected in their own dignity. ...

... On this basis it is possible to develop a fruitful dialogue between believers and non-believers; between theologians, philosophers, jurists and scientists, which can offer to legislation as well precious material for personal and social life.

A rather “blunt” Address conveyed without recourse to supernatural theology i.e. without recourse to what Rowland claims as being necessary to make the natural law intelligible. The Papal Address accords with the way God spoke to Moses about the natural law, as indicated above.

The emphasised parts of the Address go to the heart of Rowland’s claim that Natural Law is incomprehensible at the level of reason only. Benedict XVI notes that the modern-day impaired level of comprehension (i.e. “almost incomprehensible”) but not total incomprehension of the natural law is “due to a concept of nature that is no longer metaphysical, but only empirical” which, as we indicated in (C8), is a consequence of reason or rationality being confined, in a world very much shaped by empirical science, to the empirical dimension of matter and cut off from the metaphysics of being. The solution to this problem lies in restoring authentic metaphysics and Aristotelian logic, not in providing impaired minds with supernatural theology. While Faith and reason are distinct from each other there is a natural harmony and unity between them in a healthy human intellect. An intellect that lacks comprehension at the natural level “due to a

concept of nature that is no longer metaphysical but only empirical” is an impoverished intellect: one operating at a level well below what should be its normal everyday working level. In this impaired state such an intellect is not a suitable receptacle for supernatural theology. Due to its own impoverishment it will clash, not harmonise, with supernatural theology which it will consequently see as nonsense. And this is to say nothing of the fact that the virtue of Faith, which is necessary to supernatural theology, has not yet been received.

(R10) Without a foundational belief in a divinely created cosmos, the doctrine falls on incredulous ears. It lacks persuasive force.

(C10) To claim that “belief in a divinely created cosmos” is “foundational” to discovering the Natural Law is an error, if we take it as requiring divine Faith. Even belief in a Creator God is not foundational in the natural order, though it is a necessary consequence (“the fool says in his heart there is no God”). The foundational principle of the Natural Law is: “‘do good and avoid evil’. This is a truth which by its very evidence immediately imposes itself on everyone”. And this is so because the first principles of the natural law are inscribed in human nature.

Note that ‘belief’ (Faith) in the Divine Creator is being proposed by Rowland as being foundational for dialogue with those who do not have Faith in the Divine Creator, in order for these non believers (Liberals) to understand the natural law. The only common ground believers have with non-believers is at the level of Reason, not at the higher level of a Faith non-believers by definition do not have.

(R11) Reason has been truncated to finding efficient ways of achieving ends and nature is now subject to scientific manipulation, so neither reason nor nature is a strong foundation upon which to build a bridge to the contemporary Liberal tradition.

(C11) Rowland notes that “reason has been truncated”, but apparently has little understanding of the fullness of reason of which it is a truncation. To note the difference, refer to the Addresses of Benedict XVI quoted in (C7) and (C9) above.

So what are we to do when faced with her bogey man? If we abandon reason we fall into irrationality, and we all know where that leads: to violence, anarchy, slavery, etc. etc. The remedy is to remove the truncation by restoring logic or reason to its full basis in an authentic metaphysics of being, not to abandon the use of reason.

This may come as something of a shock to Rowland. Nature has always been “subject to scientific manipulation” and not just “now” in our era as she has indicated. We recall a divine command from the book of Genesis: humans are to “subdue the earth”. Rowland should note that her metaphor “strong foundation upon which to build a bridge” points to an age-old “scientific manipulation of nature”. Are we to shun Noah for scientifically manipulating gopher wood into a mathematically proportioned ark (the technical end of his work) that saved mankind from the flood (the moral end of his work: an end fully in accord with the natural law)? Are we to eschew the doctor who administers life-saving treatment *in utero* to an unborn child? Without a strong and properly reasoned

commitment to the natural law the doctor soon does the unspeakable to the unborn child, or recommends that another doctor does it.

Rowland asserts that “neither reason nor nature is a strong foundation upon which to build a bridge to the contemporary Liberal tradition”. Pope Benedict XVI teaches the opposite¹⁷ (*emphasis added*).

Christianity has never proposed a revealed law to the State and to society, that is to say a juridical order derived from revelation. *Instead, it has pointed to nature and reason as the true sources of law.*

There could not be a clearer refutation of what Rowland says. If one abandons the principles of “nature and reason”: “the true sources of law” and replaces them with something else, then one is replacing them with entities that are not “the true sources of law” and one consequently falls into error.

- (R12) Nonetheless, Catholic apologists for several decades have been attempting to defend a Catholic view of the good life in the forums of Liberal society using the vocabulary of natural law.
- (C12) Here Rowland repeats again the first of her major errors: natural law doctrine is foreign to both Catholic theology and non-Catholic philosophy; an invention, a vocabulary or idiom devised for dialogue.

Who are these unidentified “Catholic apologists”? We suppose that the Catholic Maritain is included amongst them because he is Rowland’s “flagship of neo-Thomism”. What, may we ask, is a “Catholic view of the good life”? Is it the one to which Jacques Maritain contributed “in the forums of Liberal society”: the United Nations’ *Universal Declaration on Human Rights* (1948)? Here are some of the articles in the *Universal Declaration*.

(Art.3) Everyone has the right to life, liberty and security of person.
(Art.7) All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. (Art.12) No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. (Art.16.3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. (Art.17.1) Everyone has the right to own property alone as well as in association with others. (Art.18) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. (Art.22) Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and

¹⁷ *The Listening Heart: Reflections on the Foundations of Law*. Address of Pope Benedict XVI to the German Bundestag, at the Reichstag Building on 22 September, 2011.

international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. (Art.23.1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (Art.23.2) Everyone, without any discrimination, has the right to equal pay for equal work. (Art.23.3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (Art.25.1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (Art.25.2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

These Articles express the rights and aspirations of any human being, and are readily understood by any person who has the use of reason. They are upheld and defended by the Church.¹⁸ They are grounded in the natural law, and are not specifically “a Catholic view of the good life”. Let us listen to the words of Benedict XVI.¹⁹

The idea of natural law is today viewed as a specifically Catholic doctrine, not worth bringing into the discussion in a non-Catholic environment, so that one feels almost ashamed even to mention the term. Let me outline briefly how this situation arose. Fundamentally it is because of the idea that an unbridgeable gulf exists between “is” and “ought”. An “ought” can never follow from an “is”, because the two are situated on completely different planes. The reason for this is that in the meantime, the positivist understanding of nature has come to be almost universally accepted.

So how is it that Rowland asserts that Maritain and those of a similar mind presented “a Catholic view of the good life in the forums of Liberal society using the vocabulary of natural law” when they did so, as she complains, without attaching the theological roots she thinks are attached to the natural law, and which would make such presentations identifiable as being Catholic? She has swallowed the positivist line because she has little comprehension of the Aristotelian metaphysics of being: the basis of the unity of “is” and “ought”. Consequently, like the rationalists with whom she shuns argument on the basis of reason and nature, she sees natural law “as a specifically Catholic doctrine, not worth bringing into the discussion in a non-Catholic environment”.

¹⁸ This fact can readily be seen by comparing these Articles with the Encyclical of Pope John XXIII, *Pacem in Terris*. 11 April 1963.

¹⁹ *The Listening Heart: Reflections on the Foundations of Law*. Address of Pope Benedict XVI to the German Bundestag, at the Reichstag Building on 22 September, 2011.

The only note of Catholicism in Maritain's presentations of natural law is the fact that his presentations were made by a Catholic. Therefore Maritain presented a Catholic doctrine in speaking about natural law! On this 'logic' we should conclude that the Catholic maths teacher who explains Euclidean Geometry to his students is teaching them Catholic geometry, and the Anglican maths teacher in the class room next door doing the same thing is teaching his students Anglican geometry.

(R13) Many have done so in an almost axiomatic belief that it is a *lingua franca* for dialogue with non-believers.

(C13) It is evident, as was explained above in (C5), that Rowland confuses the material signs of concepts (words) with the concepts themselves for she is the one who claims that natural law is (i) an unintelligible idiom of voice sounds or *lingua franca* (ii) invented for dialogue with non-believers. Maritain, Thomists and the Papacy have never held these ridiculous ideas.

Listen to the words of Benedict XVI.²⁰

With her long tradition of respect for the right relationship between faith and reason, the Church has a critical role to play in countering cultural currents which, on the basis of an extreme individualism, seek to promote notions of freedom detached from moral truth. Our tradition does not speak from blind faith, but from a rational perspective which links our commitment to building an authentically just, humane and prosperous society to our ultimate assurance that the cosmos is possessed of an inner logic accessible to human reasoning. The Church's defense of a moral reasoning based on the natural law is grounded on her conviction that this law is not a threat to our freedom, but rather a 'language' which enables us to understand ourselves and the truth of our being, and so to shape a more just and humane world. She thus proposes her moral teaching as a message not of constraint but of liberation, and as the basis for building a secure future.

The Church's witness, then, is of its nature public: she seeks to convince by proposing rational arguments in the public square. The legitimate separation of Church and State cannot be taken to mean that the Church must be silent on certain issues, nor that the State may choose not to engage, or be engaged by, the voices of committed believers in determining the values which will shape the future of the nation.

This first principle of the natural law is self evident and is intelligible to everyone before any external verbal expression is given to it in whatever language one might speak. Refer again to Pope Benedict XVI quoted above in (C9): "This law has as its first and general principle, 'to do good and to avoid evil'. This is a truth which by its very evidence

²⁰ *Address of His Holiness Benedict XVI to the Bishops of the United States of America on their "Ad Limina" Visit.* Consistory Hall. Thursday, 19 January 2012.

immediately imposes itself on everyone”²¹. The communicability of the natural law is due to its fundamental intelligibility, which intelligibility is independent of all language. Benedict XVI says that the natural law is a ‘language’ because it is based on “our ultimate assurance that the cosmos is possessed of an inner logic accessible to human reasoning”; or, more specifically, as Leo XIII taught, natural law is “written and engraved in the mind of every man”²². It is a ‘language’ “written and engraved” by the Creator, and He does not engrave anything foreign like a *lingua franca* in the human intellect. Consequently, “the Church’s witness, then, is of its nature public: she seeks to convince by proposing rational arguments in the public square.”

(R14) They have been told that this was recognized at the Nuremberg trials and that it was a project promoted by the French Thomist and advisor of Paul VI, Jacques Maritain, who contributed to the drafting of the United Nations’ *Universal Declaration on Human Rights* (1948), which itself is upheld as the project’s greatest achievement, or at least an example of what can be achieved.

(C14) “They have been told that this” meaning Catholics have been told natural law is not what Rowland means by *lingua franca*: Catholics have been wrongly told that natural law is not an unintelligible idiom foreign to both Catholic theology and non Catholic philosophy, but that it is a universally intelligible doctrine understood by everyone. Where has Rowland quoted Papal teaching to show that Catholics have been taught by the Popes the exact opposite of what the Popes have always taught?

The fundamental intelligibility of natural law, as we would expect, is at the basis of the “project promoted by the French Thomist and advisor of Paul VI, Jacques Maritain”. It is with the truth of the fundamental intelligibility of the natural law that Rowland takes issue. Given what we have already heard Benedict XVI teach about the intelligibility to everyone of the natural law, it is clear that Rowland will be unable to provide substantial evidence to support her assertion to the contrary: that the natural law is unintelligible at the level of reason. So she will have to find another way to induce this conclusion in the minds of her readers, and that ‘induction’ is what she now launches into.

(R15) Nonetheless, between 1948 and the first decade of the twenty-first century, Western society underwent a cultural revolution.

(C15) Her focus shifts to the crafting of a dark pessimistic outlook that is being made to look invincible i.e. here begins the accumulation of ‘evidence’ or “sociological facts” to induce a *post hoc ergo propter hoc* ‘conclusion’ down the track at (R21).

The universal preparation for the “cultural revolution” to which Rowland arbitrarily assigns dates was clearly visible to a Pope and Saint long before 1948. In his Apostolic Letter of 1910 Pope St Pius X wrote to the French Bishops about a worldwide

²¹ *Address to the Participants in the International Congress on Natural Moral Law*, 12 Feb 2007.

²² *Libertas praestantissimum*. No 8, 20 June 1888.

movement of apostasy from the Catholic Faith that he could clearly see operating in the world of his day²³ (*emphasis added*).

And now overwhelmed with the deepest sadness, We ask Ourselves, Venerable Brethren, what has become of the Catholicism of the Sillon? (a social organisation composed of well-meaning Catholics in France) Alas, this organisation which formerly afforded such promising expectations, this limpid and impetuous stream, has been harnessed in its course by the modern enemies of the Church, and is now no more than a miserable affluent, feeding the great movement of apostasy, *being organised in every country for the establishment of a One-World Church, which shall have neither dogmas nor hierarchy neither discipline of the mind nor curb for the passions, and which, under the pretext of freedom and human dignity, would bring back to the world (if such a Church could overcome) the reign of legalised cunning and brute force and of the oppression of the weak and of all those who toil and suffer ...* We know only too well the dark workshops in which are elaborated those mischievous doctrines *which ought not seduce clear thinking minds.*

One hundred years later Pope Benedict XVI said much the same²⁴ (*emphasis added*).

The geography of Christianity has changed dramatically in recent times, and is in the process of changing further. Faced with a *new form of Christianity*, which is spreading with overpowering missionary dynamism, sometimes in frightening ways, the mainstream Christian denominations often seem at a loss. *This is a form of Christianity with little institutional depth, little rationality and even less dogmatic content, and with little stability. This worldwide phenomenon* – that bishops from all over the world are constantly telling me about – poses a question to us all: what is this new form of Christianity saying to us, for better and for worse? In any event, it raises afresh the question about what has enduring validity and what can or must be changed – the question of our fundamental faith choice.

The distinguishing marks of this world wide ‘church’ are the same to two Popes separated in time by one hundred years, as can be readily seen when the words of St Pius X are inserted into the emphasised part of the Address of Benedict XVI as follows.

This worldwide phenomenon [being organised in every country] is a form of Christianity [a One World Church] with little institutional depth [a church of no hierarchy], little rationality [a church with no discipline of the mind] and even less dogmatic content [a church of no dogma], and with little stability [no curb on the passions].

²³ *Our Apostolic Mandate*. 1910.

²⁴ *Address at Erfurt*. Meeting with the Council of the Evangelical Church of Germany, 23 September, 2011.

Who is there to argue that the emphasised words of the two Popes have not been realised in modern society, and who has understood and applied the remedy implied by the words of St Pius X: “ought not seduce clear thinking minds”. Same problem identified by Benedict XVI in (C9) above, and same remedy: correct thinking based in true metaphysics, whether applied at the natural level (philosophy) or at the level of infused Faith (supernatural theology).

- (R16) When Maritain was at the height of his academic career in the 1940s there were no contraceptive pills, no IVF babies, no embryo experimentations, no clonings, no internet and space satellites, to name but a few of the socially significant new factors.
- (C16) Rowland should know that a change in “sociological facts” alters nothing of moral principle. However, we should note that artificial contraception was already condemned by Pope Pius XI in the Encyclical *Casti Connubii* of 1930; and that Pope Pius XII condemned artificial insemination in the 1950’s. See his *Discourse to those taking part in the 26th Congress of the Italian Society of Urology*, 8 October 1953: AAS 45 (1953) 678; *Discourse to those taking part in the Second Naples World Congress on Fertility and Human Sterility*, 19 May 1956: AAS 48 (1956) 471-473; *Discourse to those taking part in the 7th International Congress of the International Society of Haematology*, 12 September 1958: AAS 50 (1958) 733.

Those interested to read philosophical exposition and teaching could do no better than read the Addresses of Pope Pius XII. What will become apparent when reading this Holy Father is that he was an outstanding Thomist. Here is a list, though not exhaustive, of the Addresses of Pope Pius XII which are at the level of reason, many of which are about the Natural Law.

1. *The Natural Law and the Divine Government of the World*. Feb. 8, 1948. (Address to the Pontifical Academy of Sciences)
2. *Address to the International Conference of Humanist Philosophers*. Sep. 25, 1949.
3. *Address to Midwives on the Nature of Their Profession*. Oct 29, 1951.
4. *Proofs of the Existence of God in the Light of Modern Natural Science*. Nov. 22, 1951. (Address to the Pontifical Academy of Sciences)
5. *Address to the participants of the World Congress of Astronomy*. Sep. 7, 1952.
6. *Address to the First International Congress on the Histopathology of the Nervous System*. Sep. 14, 1952.
7. *The Technical Age*. Christmas Message, Dec. 25, 1952.
8. *Address to the participants in the Fifth International Congress of Psychotherapy and Clinical Psychology*. April 19, 1953.
9. *Address to participants in the Primum Symposium Internationale Geneticae Medicae*. Sep. 7, 1953.

10. *Allocution to Congress of the Italian Association of Urology*. Oct. 8, 1953.
11. *The Technician*. Oct. 9, 1953.
12. *Television*. Jan. 1, 1954.
13. *Address to participants in the Eighth Assembly of the World Medical Association*. Sep. 30, 1954.
14. *Address to participants of the World Congress for the prevention of workplace accidents*. Apr. 3, 1955.
15. *Address to participants in the Sixth International Congress of the Latin Medical Union*. Apr. 7, 1955.
16. *Modern Science needs Philosophy*. Apr. 24, 1955. (Address to the Pontifical Academy of Sciences)
17. *Radio message on the occasion of the sixtieth anniversary of the discovery of Radiotelegraphy by Guglielmo Marconi*. Oct. 11, 1955.
18. *Address to the General Assembly of the European Union of Broadcasting in Rome*. Oct. 21, 1955.
19. *Address to workers in the field of cinematography participating in the International Congress in Rome*. Oct. 28, 1955.
20. *Address to participants of the Second World Congress on fertility and sterility*. May. 19, 1956.
21. *Space*. Sep. 21, 1956.
22. *Astronomy*. May, 1957.
23. *Automation*. June 7, 1957.
24. *Address to the Brazilian Association for the cure of leprosy*. June. 29, 1957.
25. *Address to members of the "Gregorio Mendel" Italian Institute of Genetics on reanimation and artificial respiration*. Nov. 24, 1957.
26. *Address to the participants in the 13th Congress of the International Association of Applied Psychology*. Apr. 10, 1958.
27. *Radio message to participants in the First World Conference on Health Care*. July. 27, 1958.
28. *Address to the International Society of Blood Transfusion*. Sep. 5, 1958.
29. *Address to the First General Assembly of the Collegium Internationale Neuro-Pscho-Pharmacologicum*. Sep. 9, 1958.
30. *Address to participants in the Seventh International Congress of Haematology*. Sep. 12, 1958.

Note that these Papal Addresses, written, to use Rowland's words, "when Maritain was at the height of his academic career", are not directed specifically to Catholics, but to groups of people who could be of any religion or of no religion; baptised or unbaptised. Consequently these Addresses are at the level of what their various recipients have in common: human reason and the Natural Law. The Addresses are philosophical in nature not theological.

- (R17) Christianity, though divided, and battered on every side by Freudians, Marxists, and Atheistic Existentialists, still provided something of a moral compass for the majority of people who lived and worked outside of intellectual and artistic circles.
- (C17) Obviously Maritain should have caved in and abandoned the futile strategy of reasoning with our separated brethren, and with those who assault Christianity from outside. Rowland's pessimism conforms neither to the mind of the Popes nor to their actions. Our separated brethren, Freudians, Marxists, Atheistic Existentialists and any other group that one may care to name can all find themselves included as recipients of the well reasoned Addresses of Pope Pius XII listed above: Addresses which provide a "moral compass" for those inside "intellectual and artistic circles", as well as for those outside such circles.
- (R18) By 1968, however, in Maritain's twilight years, the various alternative visions of what a human being is, and hence, what the meaning of life is, had captured the imaginations of the post-war generation, and with the expansion of higher education to the lower middle and working classes, an entire anti-Christian cultural revolution was effected.
- (C18) The year 1968 seems to have some special significance in Rowland's mind. She notes two phenomena that for her by 1968 were visible as part of the "anti-Christian cultural revolution" or as part of what Pope St Pius X called "the great movement of apostasy being organised in every country" that was clearly visible to him in 1910 (see C15). The phenomena or "sociological facts" historically visible to Rowland by 1968 that she notes are: "various alternative visions of what a human being is" and "the expansion of higher education to the lower middle and working classes". A description of these same "sociological facts", of supposedly recent origin somewhere in her time frame of 1948 to 1968, was already given by Pope Leo XIII in 1879 ²⁵ (*emphasis added*).

Whoso turns his attention to the bitter strife of these days and seeks a reason for the troubles that vex public and private life must come to the conclusion that a fruitful cause of the evils which now afflict, as well as those which threaten us, lies in this: *that false conclusions concerning divine and human things, which originated in the schools of philosophy, have now crept into all the orders of the State, and have been accepted by the common consent of the masses.*

The words "false conclusions concerning ... human things" readily cover what Rowland describes as "the various alternative visions of what a human being is". Apart from Rowland's historical short-sightedness, the major difference between the two statements

²⁵ *Aeterni Patris*, No 2.

concerns metaphysical first principles. Pope Leo XIII teaches as a Thomist who discerns between true and “false conclusions” whereas Rowland speaks like a relativist with her “alternative visions of what a human being is”. Moreover Leo XIII gives an answer to those who “seek a reason for the troubles that vex public life” i.e. he provides a reason for the “sociological facts” that are visible to him and to those who want to know the root cause of these facts. These visible phenomena or “sociological facts” are the visible effects of an identified cause: “false conclusions concerning human and divine things, which originated in the schools of philosophy”.

The Holy Father notes these evils again later in the encyclical and teaches the whole Church where the remedy to both the cause and its effects is to be found ²⁶ (*emphasis added*).

Many of those who, with minds alienated from the faith, hate Catholic institutions, claim reason as their sole mistress and guide. Now, We think that, apart from the supernatural help of God, nothing is better calculated to heal those minds and to bring them into favor with the Catholic faith than the solid doctrine of the Fathers and the Scholastics, who so clearly and forcibly demonstrate the firm foundations of the faith, its divine origin, its certain truth, the arguments that sustain it, the benefits it has conferred on the human race, and its perfect accord with reason, in a manner to satisfy completely minds open to persuasion, however unwilling and repugnant.

Domestic and civil society even, which, as all see, is exposed to great danger from this plague of perverse opinions, would certainly enjoy a far more peaceful and secure existence if a more wholesome doctrine were taught in the universities and high schools-one more in conformity with the teaching of the Church, such as is contained in the works of Thomas Aquinas.

For, the teachings of Thomas on the true meaning of liberty, which at this time is running into license, on the divine origin of all authority, on laws and their force, on the paternal and just rule of princes, on obedience to the higher powers, on mutual charity one toward another-on all of these and kindred subjects-have very great and invincible force to overturn those principles of the new order which are well known to be dangerous to the peaceful order of things and to public safety.”

A Thomist will understand that those teachings of St Thomas to which the Holy Father refers in the last quoted paragraph have the natural law as their foundation. Those who have studied the United Nations’ *Universal Declaration on Human Rights* (1948) will see that it very much upholds these teachings of St Thomas noted here by Leo XIII in 1879: teachings which are based on the natural law and which, according to the Holy Father, “have very great and invincible force to overturn those principles of the new order which are well known to be dangerous to the peaceful order of things and to public safety”.

²⁶ *Aeterni Patris*, Nos 27, 28, 29.

- (R19) Meanwhile, within the great universities, the Enlightenment project of formulating a universally acceptable ethical framework with recourse to reason alone was of dwindling interest.
- (C19) Rowland's sentence simply conveys an impression: "recourse to reason alone was (and apparently still is for many) of dwindling interest". Her reference to the loss in academia of interest in the "Enlightenment project", a product of Cartesian Rationalism, should not be allowed to evoke in the reader a bad impression of the 'Maritain project' which also has "recourse to reason alone", but reason based in sound metaphysics unlike Rationalism.

The 'Maritain project' and its rational basis in sound metaphysics is completely vindicated by the teaching of Popes Leo XIII, St Pius X, Pius XII and Benedict XVI as can be understood from the Papal Teaching either listed or quoted from above. Further vindication of the correct use of reason is provided by Pope Pius XII in what he taught Catholics. Here we quote from his 1950 Encyclical ²⁷ (*emphasis added*).

It is well known how highly the Church regards human reason, for it falls to reason to demonstrate with certainty the existence of God, personal and one; to prove beyond doubt from divine signs the very foundations of the Christian faith; to express properly the law which the Creator has imprinted in the hearts of men; and finally to attain to some notion, indeed a very fruitful notion, of mysteries. But reason can perform these functions safely and well, only when properly trained, that is, when imbued with that sound philosophy which has long been, as it were, a patrimony handed down by earlier Christian ages, and which moreover possesses an authority of even higher order, since the Teaching Authority of the Church, in the light of divine revelation itself, has weighed its fundamental tenets, which have been elaborated and defined little by little by men of great genius. For this philosophy, acknowledged and accepted by the Church, safeguards the genuine validity of human knowledge, the unshakable metaphysical principles of sufficient reason, causality, and finality, and finally the mind's ability to attain certain and unchangeable truth.

"It is well known how highly the Church regards human reason" ... apparently not as well known now as it was when the Holy Father wrote those words in 1950. ... Note that Catholics are here being taught in an encyclical that "It falls to reason (philosophy) to demonstrate with certainty the existence of God" and "to express properly the law (the Natural Law) which the Creator has imprinted in the hearts of men", but "reason can perform these functions safely and well only when properly trained, that is when imbued with that sound philosophy acknowledged and accepted by the Church, for this philosophy safeguards the genuine validity of human knowledge and the minds ability to attain certain and unchangeable truth".

²⁷ *Humani Generis*, No 29.

The importance and moral obligation to use the God given gift of reason “to attain certain and unchangeable truth” is underscored by Pope Leo XIII.²⁸

For, since it is in the very nature of man to follow the guide of reason in his actions, if his intellect sins at all his will soon follows; and thus it happens that false opinions, whose seat is in the understanding, influence human actions and pervert them.

When one sins, one sins either by commission or omission. To neglect an investigation into the truth or falsehood of things, when it is within one’s capacity to carry out such an investigation, is a sin of omission. The irrational acts of (i) assuming that such an investigation is a mental activity to be associated with rationalism, and (ii) that therefore one is ‘absolved’ from undertaking this study, and then (iii) recommending this state of mental stagnation to others for their imitation is best described by the words of St Paul. “The more they called themselves wise the more foolish they became.”²⁹ To this warning we add the injunction of our Divine Saviour “Thou shall love the Lord thy God with all thy heart, *with all thy mind*, and with all thy strength.”³⁰

- (R20) The project was kept alive in some philosophy and social science departments of British and American universities, particularly in places proud of their eighteenth-century philosophers, like Cambridge and Edinburgh, but nonetheless the ascendant view was that the quest for universal reason was oppressive, indeed it was even maligned as a factor contributing to two world wars.
- (C20) The Maritain project is apparently to be associated with Cartesian rationalism and therefore is to be dismissed. As the fanfare approaches ‘guilt by association’ (with rationalism), has deteriorated to ‘consorting with known criminals’ (two world wars).
- (R21) By the 1990s at least some Catholic scholars were beginning to question whether the Maritainian project and its subsidiaries were still the most strategically viable options. Foremost among them was Alasdair MacIntyre.
- (C21) Now the weight of the accumulated assertion of “sociological facts” from (R15) to (R20) of the supposed failure of the Maritain project to be of sociologically verifiable benefit in its 1948 – 1968 ‘prime of life’ induces the *post hoc ergo propter hoc* fallacy that “by the 1990s” Catholic scholars are finally justified in questioning the ‘Maritainian project’. A change of circumstances ‘therefore’ requires a change in principles. Running apace with the ‘Maritainian project’, and a guiding light for it, and on the same philosophical footing as it, are all those ‘Pius XII projects’ listed in (C16) above.

Post hoc ergo propter hoc (after this therefore because of this) is a logical fallacy. Here is an example. “The sun rose after the rooster crowed. Therefore the sun rose because the rooster crowed.” Rowland applies her version of the Rooster to Maritain as follows. The ‘sun’ of Liberalism rose (the ascendance of all those “sociological significant new factors”

²⁸ *Aeterni Patris*, No 2.

²⁹ Romans 1:22.

³⁰ Luke 10:27; Mark 12:30.

wheeled in at (R16)) after Maritain crowed (a cacophony of unintelligible voice sounds in the *lingua franca* of natural law) to liberals. Therefore the ‘sun’ of Liberalism rose because Maritain crowed. The necessary ‘cause and effect’ relationship thus ‘demonstrated’ it is only right that “by the 1990s at least some Catholic scholars were beginning to question whether the Maritainian project and its subsidiaries were still the most strategically viable options.”

Or again: the fact that a house burned down after the blaze was fought by trained fire fighters may be described by saying that their efforts were “not a strategic success”. The “sociological fact” proves nothing. The effort of the fire-fighters is not the cause of the house being burned to the ground. Yet Rowland highlights irrelevant “sociological facts” to point out that a general decline in morality has occurred after reasoned argumentation with liberals was “not a strategic success”, *ergo* immorality has increased because of the use of reasoned natural law arguments. She obviously does not understand the logical fallacy she has invoked to reach her ‘conclusion’.³¹

Thus Rowland puts the final touches, *post hoc ergo propter hoc*, to the pessimistic theatre she began crafting in (R15) to dismiss the “Maritainian project”, especially Maritain’s contribution “to the drafting of the United Nations’ *Universal Declaration on Human Rights* (1948)”.

On a larger and well illuminated stage, in fact “from this very podium” that his “predecessors Paul VI and John Paul II” addressed the United Nations met in Assembly, Pope Benedict XVI stated the following about the United Nations’ *Universal Declaration on Human Rights* (1948) and the Natural Law³² (*emphasis added*, except for *Universal Declaration of Human Rights* and *De Doctrina Christiana*).

This reference to human dignity, which is the foundation and goal of the responsibility to protect, leads us to the theme we are specifically focusing upon this year, which marks the sixtieth anniversary of the *Universal Declaration of Human Rights*. *This document was the outcome of a convergence of different religious and cultural traditions, all of them motivated by the common desire to place the human person at the heart of institutions, laws and the workings of society, and to consider the human person essential for the world of culture, religion and science. Human rights are increasingly being presented as the common language and the ethical substratum of international relations. At the same time, the universality, indivisibility and interdependence of human rights all serve as guarantees safeguarding human dignity. It is evident, though, that the rights recognized and expounded in the Declaration apply to everyone by virtue of the common origin of the person, who remains the high-point of God’s creative design for the world and for history. They are based on the natural law inscribed on human hearts and present in different cultures and civilizations. Removing human rights from this context would mean restricting*

³¹ In a similar vein many modern day Catholics invoke the *post hoc ergo propter hoc* fallacy to ‘explain’ (some approvingly, others disapprovingly) errors and abuses that have infiltrated the Church since Vatican II: “After Vatican II therefore because of Vatican II”.

³² *Address to the General Assembly of the United Nations Organisation*, 18 April 2008.

their range and yielding to a relativistic conception, according to which the meaning and interpretation of rights could vary and their universality would be denied in the name of different cultural, political, social and even religious outlooks. This great variety of viewpoints must not be allowed to obscure the fact that not only rights are universal, but so too is the human person, the subject of those rights.

The life of the community, both domestically and internationally, clearly demonstrates that respect for rights, and the guarantees that follow from them, are measures of the common good that serve to evaluate the relationship between justice and injustice, development and poverty, security and conflict. *The promotion of human rights remains the most effective strategy for eliminating inequalities between countries and social groups, and for increasing security.* Indeed, the victims of hardship and despair, whose human dignity is violated with impunity, become easy prey to the call to violence, and they can then become violators of peace. The common good that human rights help to accomplish cannot, however, be attained merely by applying correct procedures, nor even less by achieving a balance between competing rights. *The merit of the Universal Declaration is that it has enabled different cultures, juridical expressions and institutional models to converge around a fundamental nucleus of values, and hence of rights.* Today, though, efforts need to be redoubled in the face of pressure to reinterpret the foundations of the *Declaration* and to compromise its inner unity so as to facilitate a move away from the protection of human dignity towards the satisfaction of simple interests, often particular interests. *The Declaration was adopted as a "common standard of achievement" (Preamble) and cannot be applied piecemeal,* according to trends or selective choices that merely run the risk of contradicting the unity of the human person and thus the indivisibility of human rights.

Experience shows that legality often prevails over justice when the insistence upon rights makes them appear as the exclusive result of legislative enactments or normative decisions taken by the various agencies of those in power. When presented purely in terms of legality, rights risk becoming weak propositions divorced from the ethical and rational dimension which is their foundation and their goal. *The Universal Declaration, rather, has reinforced the conviction that respect for human rights is principally rooted in unchanging justice, on which the binding force of international proclamations is also based.* This aspect is often overlooked when the attempt is made to deprive rights of their true function in the name of a narrowly utilitarian perspective. Since rights and the resulting duties follow naturally from human interaction, *it is easy to forget that they are the fruit of a commonly held sense of justice built primarily upon solidarity among the members of society, and hence valid at all times and for all peoples.* This intuition was expressed as early as the fifth century by Augustine of Hippo, one of the masters of our intellectual heritage. *He taught that the saying: Do not do to*

others what you would not want done to you “cannot in any way vary according to the different understandings that have arisen in the world” (De Doctrina Christiana, III, 14). Human rights, then, must be respected as an expression of justice, and not merely because they are enforceable through the will of the legislators.

To any unbiased reader this Papal Address is a resounding endorsement of the United Nations’ *Universal Declaration on Human Rights* (1948) and of the fundamental importance of the Natural Law to human rights, and simultaneously an exhortation to societies and nations of their obligations to protect such rights. Upon reading this Papal Address one can readily see that Rowland’s paper self destructs.

(R22) As a former Marxist, MacIntyre often showed a more acute understanding of the Church’s intellectual enemies than cradle Catholics educated at elite Catholic institutions did.

(C22) Now that the Maritain project has been torn down and ‘proven’ *post hoc ergo propter hoc* to have caused the ascendancy of liberalism (the project is unintelligible at the level of reason according to Rowland’s *lingua franca* thesis), its replacement is to be built up.

Amongst the “cradle Catholics educated at elite Catholic institutions” compared to whom “MacIntyre often showed a more acute understanding of the Church’s intellectual enemies” we find Popes, all of whom in reality have the most “acute understanding of the Church’s intellectual enemies”. You may test this by reading Papal encyclicals e.g. *Aeterni Patris* (Leo XIII), *Pascendi Dominici Gregis* (St Pius X), *Divini Redemptoris* (Pope Pius XI), *Humani Generis* (Pope Pius XII). We also note the witness of Pope John Paul II, who was largely responsible for the collapse of communism in Eastern Europe, having experienced communism first hand for many years. The claim being made for MacIntyre by Rowland is rather over stated, and is irrelevant to the truth or falsehood of what he says.

MacIntyre’s “acute understanding of the Church’s intellectual enemies” has supposedly enabled him to unmask the sophistries and errors of Liberals “who just don’t buy the medicine [Natural Law], even when the theological ingredients have been expressly excluded and the principles have been repackaged in explicitly Liberal idioms” See (R5) above. However, we have to look outside Rowland’s paper on Natural Law to another of her works for a defining statement from her about MacIntyre’s approach to Natural Law. As an entree to this defining statement she first declares that it is Thomistic.³³

The contribution of MacIntyre is undoubtedly seminal for the development of a ‘postmodern’ Thomism that takes into account the importance of culture in moral formation ...

³³ Rowland, *Culture and the Thomist Tradition After Vatican II*, p 5.

She then notes that MacIntyre does more than simply “take into account the importance of culture in moral formation”. He makes it his basic principle.³⁴

MacIntyre’s position may be classified as ‘postmodern’: first, it is constructed from a perspective that views the primary problem as the culture of modernity and its need of transcendence; second, although he has a place for metaphysics within his intellectual framework, this place is not foundational in an epistemological sense – rather the starting point is that of the soul caught within the contradictions of the culture of modernity ...

MacIntyre and Rowland point at “the culture of modernity and its need for transcendence”, as if the people who espouse modernity are riveted like brute animals to the present moment. All human beings are spiritual by nature and thereby transcend the particulars of whatever culture they are born into, or in which they live. Human knowledge, by its spiritual nature, transcends the historical particulars of time and place from which it is abstracted. Doginess is abstracted from this particular dog or that particular dog and made universal in the intellect; whiteness is abstracted from this milk or that snow or that wall painted white and made universal in the intellect. Moreover, the universal is the foundation of judgement: this animal I now know is either a dog or non-dog; this colour I now see is either white or non-white; this mathematical addition I now perform is either two plus two or not two plus two.

The metaphysics of being is the foundation of all human knowledge because the first principle of knowledge we abstracted as infants before we knew what any particular thing is, is that it is: being is and being is not non-being.³⁵

Now a certain order is to be found in those things that are apprehended universally. For that which, before aught else, falls under apprehension, is “being,” the notion of which is included in all things whatsoever a man apprehends. Wherefore the first indemonstrable principle is that the same thing cannot be at the same time affirmed and denied; this is based on the notion of being and non-being, and on this principle all others are based, as is stated by the Philosopher in the Fourth Book of his *Metaphysics*, ch. 3.

To say that for MacIntyre metaphysics (and *ipso facto* “the first indemonstrable principle” upon which “all others are based”) is “not foundational in an epistemological sense” is to say that MacIntyre has no way of knowing anything: not even the meaning of two plus two. His “starting [and finishing] point is [necessarily] that of a soul caught within contradictions”. MacIntyre, whose thinking Rowland declares is “undoubtedly seminal for the development of a ‘postmodern’ Thomism”, departs from St Thomas at the very foundation of St Thomas’ (and Aristotle’s) epistemology!

³⁴ *Op Cit.* pp 5-6.

³⁵ St Thomas Aquinas. *Summa Theologiae* (ST) 1a, 2ae, q. 94, a.2.

If the principle of contradiction is not the first principle of all our intellectual knowledge then Rowland should have written her above quoted paragraph along the following lines as an example of the postmodern ‘logic’ she advocates on behalf of MacIntyre.

MacIntyre’s position may and may not be classified as ‘postmodern’: first, it is and is not constructed from a perspective that views and does not view the primary problem as the culture of modernity and its need of transcendence; second, although he has and does not have a place for metaphysics within his intellectual framework, this place for metaphysics which he has and does not have, is and is not foundational in an epistemological sense – rather the starting point is and is not that of the soul caught and not caught within the non-contradictory contradictions of the culture of modernity ...

MacIntyre’s ‘postmodern Thomism’ is only postmodernism with the irrationality that defines postmodernism packaged under a misleading label.

Ultimately Rowland wants to bring in supernatural theology to provide transcendence to the human intellect, “to a soul caught within contradictions”, to enable it to find its way out of contradictions and discover the meaning of two plus two.

- (R23) He wrote perceptively about the Liberal tradition’s employment of ideological idioms to paper over or mask contentious theological fault-lines, and he was critical of the Kantian turn in Thomism.
- (C23) The “theological fault lines” that Liberals (non-believers who by definition have no theology) were supposedly trying to “paper over or mask” must have been what they perceived to be deficiencies in their own ‘theological framework’ [sic] for their opponent, the ‘Maritainian project’, was presented to them without supernatural theology. This can be seen if one reads the United Nations’ *Universal Declaration on Human Rights* (1948).

Whether or not MacIntyre’s gnoseological non-starter is perceptive and whether or not Rowland read him perceptively may be fascinating hypotheses with which to impress their peers in the worldly marketplace of academic salesmanship. It is evident however that Rowland lacks the metaphysical nous to point up MacIntyre’s fundamental error, and to see where neglect of metaphysics leaves both of them in relation to their understanding of the Natural Law, and in relation to their understanding of the principles of reason. Their joint relegation of metaphysics and its foundational principle of contradiction closes to them the perfectly human and rational path walked by the likes of Maritain in reasoning from Natural Law to a Divine Lawgiver.³⁶

If human beings with their intelligence fail to recognize God as Creator of all, it is not because they lack the means to do so, but because their free will and their sinfulness place an impediment in the way.

³⁶ Pope John Paul II, *Fides et Ratio*. nos 19, 27. 14 September 1998.

Every truth - if it really is truth - presents itself as universal, even if it is not the whole truth. If something is true, then it must be true for all people and at all times. Beyond this universality, however, people seek an absolute which might give to all their searching a meaning and an answer - something ultimate, which might serve as the ground of all things. In other words, they seek a final explanation, a supreme value, which refers to nothing beyond itself and which puts an end to all questioning. Hypotheses may fascinate, but they do not satisfy. Whether we admit it or not, there comes for everyone the moment when personal existence must be anchored to a truth recognized as final, a truth which confers a certitude no longer open to doubt.

So, unlike MacIntyre and Rowland who are still deciding about two plus two, others who dismiss Maritain for his metaphysically sane contribution to the theoretical and practical orders of knowledge in which he excelled do so without lacking the means to understand him.

Let us turn to Rowland's other recommendation of MacIntyre's thinking: his criticism of what she calls a "Kantian turn in Thomism". Though the nature of this "Kantian turn in Thomism" is not identified by Rowland, it can be assumed to be the influence of the severe rationalism of Kant in some strains of modern Thomism. Neither is the basis of MacIntyre's expected non-metaphysical criticism of this "Kantian turn in Thomism" identified by Rowland, so one is left to stare at phantoms. Rather than pursue the ghosts of departed metaphysics it is more sensible and instructive to meditate upon what a truly great metaphysician, Fr Garrigou-Lagrange, says about the assimilative power of Thomism.³⁷ (*emphasis added*)

In Thomism, which is simply a deepened form of perennial philosophy, we find again what is best in the thought of Aristotle, Plato, and Augustine. This philosophy, says Bergson, is nothing but the natural development of ordinary human intelligence. This philosophy, therefore, is open to all genuine progress in science. It is not, like Hegelianism, the huge a priori construction of one bewitching genius, but a temple that rests on a broad inductive base, centuries-old, but perpetually repaired by the most attentive study of all attainable fact, a study strikingly exemplified in the work of Albert the Great, the teacher of St. Thomas.

This inductive basis presupposed, Thomistic metaphysics continues through the ages to scrutinize the relations between intelligible being and becoming, the passage from potency to act, the various kinds of causes. By these two characteristics, one positive, the other intellectual, *Thomism is deeply opposed to Kantianism and its offshoots*. Thomism, because it remains in continual contact with facts, and because it simultaneously studies the laws of being, becoming, and causality, accepts all the genuine elements

³⁷ *Reality*, pp 296-297, p 298.

found in systems otherwise mutually contradictory. This power of absorption and assimilation is a criterion of its validity, both for thought and for life.

We hold, then, that Aristotelian-Thomistic thought, far from being an immature a priori construction, remains always on the alert for every aspect of reality, eager not to limit that reality which dominates our ever-growing sense experience, external and internal, but eager also not to limit our intelligence, intuitive in its principles, discursive in its conclusions. Thus, while it rests on common sense, it rises far above common sense, by its discovery of the natural subordination in which sense knowledge stands to intellect.

From the perspective of two specified characteristics of Thomist metaphysics, “one positive, the other intellectual, Thomism is deeply opposed to Kantianism.” One would expect then that there is little or nothing in Kantianism that could be assimilated or absorbed into Thomism without corrupting the metaphysics of authentic Thomism. Nevertheless that would not prevent some from imbibing Kantian errors and presenting these errors to others as a Kantian form of Thomism. It is to be noted that Thomism “accepts all the genuine elements found in systems otherwise mutually contradictory”. The question is: does Kantian philosophy have any genuine elements within it that can be assimilated into Thomism?

The distinction between a genuine assimilation of Kantian elements into Thomism (if such be possible) and the dressing up of Kantian errors as a variation of Thomism (as in ‘Kantian Thomism’) is not attended to by Rowland. From what we have heard her recommend on behalf of MacIntyre’s epistemology it is evident that Rowland does not understand the basic requirement for a sane metaphysics in both the speculative and practical orders of knowledge. Not surprisingly she simply makes a sweeping generalisation and gives no analysis.

- (R25) In *Jacques Maritain: the Philosopher in Society*, James V. Schall noted that “natural law assumes such importance for Maritain ... because he takes it to be an objective and neutral way of talking about and understanding human activity on a philosophic basis that directly implies no revelational content.”
- (C25) So far as the natural law is concerned Maritain had no need to include “revelational content” because the natural law is objectively known and studied in the light of human reason alone, and does not essentially need “revelational content” for this purpose as anyone who has studied Aristotle’s *Ethics* would know. The qualifier “directly implies no revelational content” is irrelevant in regard to the objective truth of what Maritain was talking about. There is nothing novel in what he did.³⁸

The Acts of the Apostles provides evidence that Christian proclamation was engaged from the very first with the philosophical currents of the

³⁸ *Fides et Ratio*. n 36.

time. In Athens, we read, Saint Paul entered into discussion with “certain Epicurean and Stoic philosophers” (17:18); and exegetical analysis of his speech at the Areopagus has revealed frequent allusions to popular beliefs deriving for the most part from Stoicism. This is by no means accidental. If pagans were to understand them, the first Christians could not refer only to “Moses and the prophets” when they spoke. They had to point as well to natural knowledge of God and to the voice of conscience in every human being (cf. *Rom* 1:19-21; 2:14-15; *Acts* 14:16-17). Since in pagan religion this natural knowledge had lapsed into idolatry (cf. *Rom* 1:21-32), the Apostle judged it wiser in his speech to make the link with the thinking of the philosophers, who had always set in opposition to the myths and mystery cults notions more respectful of divine transcendence.

The qualifier being applied to Maritain has some incidental relevance when one wishes to note that when addressing those who do not have Faith that is required to believe and understand “revelational content”, Maritain adhered scrupulously to the reality that nature and reason are the true sources of law and rightly did not include “revelational content” in his presentations of natural law and ethics “in the forums of liberal society”. Rowland, however, latches onto this qualifier in its irrelevant sense as an entree to expanding the horizon of her assertion that natural law is unintelligible in the light of reason alone.

- (R26) This raises the question, however, of whether there is a theologically neutral account of nature, and it is this aspect of the project which has been receiving the most extensive criticism over the past decade.
- (C26) Where does this criticism of the ‘Maritain project’ come from? It certainly does not come from the Papacy, neither “over the past decade” nor at any previous time. These criticisms of Maritain might well be extensive but they are not intensive, as an examination of Rowland’s apparently representative criticism soon shows.

Now Rowland quietly expands the horizon of her discussion from the moral precepts of the Natural Law, which govern human actions, to a “question of whether [or not] there is a theologically neutral account of *nature*”. On her vague principle of ‘theological neutrality’ we should ask questions like, for example, whether the father of Botany should be called the father of nonsense for failing to deduce sacred doctrine from his classification of plants. Linnaeus’ plant classification is, on Rowland’s principles, an unintelligible *lingua franca* for botanists. She would be forced to conclude that this classification will remain unintelligible until supernatural theology is deduced from it as evidence that there cannot be “a theologically neutral account of nature”.

Readers are highly recommended to study three of the Addresses of Pope Pius XII to the Pontifical Academy of Sciences listed above in (C16): *The Natural Law and the Divine Government of the World*. Feb. 8, 1948; *Proofs of the Existence of God in the Light of Modern Natural Science*. Nov. 22, 1951; *Modern Science needs Philosophy*. Apr. 24, 1955. These Papal

Addresses are all at the level of reason (philosophy, science, natural law, natural theology) and not at the level of Faith (supernatural theology).

- (R27) Note: this is not a statement against the idea of natural law per se, but a recognition that the Maritain project no longer appears viable or, in other words, that natural law is no longer, if it ever was, a *lingua franca* between Catholics and Liberals.
- (C27) First the disclaimer “this is not a statement against the idea of natural law per se”, and then a repetition of what she said at the beginning of her paper. Repetition makes the impression grow stronger!

If the ‘Maritain project’ is, as Rowland claims, not viable then she would logically be forced to claim that the same lack of viability adheres to the Papal Teaching listed and quoted above, extracts of which are repeated here from a number of the Addresses of Pope Benedict XVI.

Firstly ³⁹ (*emphasis added*).

On this basis [of the natural law] *it is possible to develop a fruitful dialogue between believers and non-believers*; between theologians, philosophers, jurists and scientists, which can offer to legislation as well precious material for personal and social life.

Secondly ⁴⁰ (*emphasis added*).

Human rights are *increasingly being presented as the common language and the ethical substratum* of international relations. At the same time, the universality, indivisibility and interdependence of human rights *all serve as guarantees safeguarding human dignity*.

Thirdly ⁴¹ (*emphases added, except for Catechism of the Catholic Church*).

History has shown how dangerous and harmful a State can be that proceeds to legislate on issues which affect the person and society, even claiming to be the source and principle of ethics. *Without the universal principles that permit the verification of a common denominator for all humanity, the risk of drifting into relativism in the area of legislation should not be underestimated* (cf. *Catechism of the Catholic Church*, n. 1959). *The natural moral law, strong in its universal character, makes it possible to ward off this danger and, above all, offers the legislator a guarantee for the authentic respect of both the person and the entire order of creatures. It is, as it were, a catalyzing source of consensus between people of different cultures and religions and permits them to overcome differences*. This is because it asserts the existence of an order impressed within nature by the Creator and recognized as an instance of true rational ethical judgement

³⁹ *Address to the Participants in the Internal Congress on Natural Moral Law*, 12 Feb 2007.

⁴⁰ *Address to the General Assembly of the United Nations Organisation*, 18 April 2008.

⁴¹ *Address to the Members of the Pontifical Academy for Life*, 13 Feb 2010.

in order to pursue good and avoid evil. *Natural moral law belongs to the great heritage of human wisdom.*

(In this third quote concerning natural moral law Benedict XVI refers to an “order impressed within nature by the Creator recognized as an instance of true rational ethical judgement”. Note that he substitutes neither ‘Trinity’ nor ‘Trinitarian-creator’ for ‘Creator’. The reason for drawing attention to this distinction will be exposed below in (C30).)

In her sentence Rowland asserts her “recognition that the Maritain project no longer appears viable or, in other words, that natural law is no longer, if it ever was, a *lingua franca* between Catholics and Liberals”. Rowland is the one who claims that natural law is a *lingua franca*, an assemblage of words practically bereft of meaning. In attributing what in reality is her own misconception about the natural law to Maritain she shows that she has failed to understand him and has effectively eliminated him from her discussion. That is possibly why she does not quote him in her paper despite declaring at the outset that she would treat Maritain as her “flagship of neo-Thomism”.

Contrary to Rowland and in line with Maritain, Benedict XVI refers to natural law as “universal principles that permit the verification of a common denominator for all humanity” and a “common language *and* ethical substratum”. In other words the natural law, the universal principles or ethical substratum as the Holy Father calls it, makes the language used to express the ethical substratum a common language because the natural law or ethical substratum is a universal principle: it “belongs to the great heritage of human wisdom”, it is “strong in its universal character”, and is “a catalyzing source of consensus between people of different cultures and religions and permits them to overcome differences”.

Rowland’s consistent failure to understand Thomism and the ‘Maritain project’ becomes evident again when we again refer to Pope Benedict XVI ⁴² (*emphasis added*, except for *Summa Theologia*).

Thomas presents to us a broad and confident concept of human reason: *broad* because it is not limited to the spaces of the so-called ‘empirical-scientific’ reason, but open to the whole being and thus also to the fundamental and inalienable questions of human life; and *confident* because human reason, especially if it accepts the inspirations of Christian faith, is a promoter of a civilization that recognizes the dignity of the person, the intangibility of his rights and the cogency of his or her duties. *It is not surprising that the doctrine on the dignity of the person, fundamental for the recognition of the inviolability of human rights, developed in schools of thought that accepted the legacy of St Thomas Aquinas, who had a very lofty conception of the human creature.* He defined it, with his *rigorously philosophical language*, as “what is most perfect to be found in all nature - that is, a subsistent individual of a rational nature” (*Summa Theologiae*, 1a, q. 29, a. 3).

⁴² *General Audience* “Saint Thomas Aquinas”, Part 2, 16 June 2010.

Pope Benedict XVI here points to the “not surprising” historical fact “that the doctrine on the dignity of the person, fundamental for the recognition of the inviolability of human rights, developed in schools of thought that accepted the legacy of St Thomas Aquinas, who had a very lofty conception of the human creature”. The ‘Maritain Project’ by its authentically Thomistic nature includes itself in this outstanding “legacy of St Thomas Aquinas” identified by the Holy Father. The burden of proof lies squarely upon Rowland to prove otherwise ... but as we heard her declare above in (R4) she will be “leaving aside all the theoretical objections that have been raised against this project” ... well if all those “theoretical objections” being left aside are as unfounded and confused as Rowland’s own objections they are indeed better left aside.

(R28) Even earlier, in 1969, in his extensive commentary on the notion of human dignity in *Gaudium et spes*, Cardinal Ratzinger described as nothing more than a “fiction” the notion that it is “possible to construct a rational philosophical picture of man intelligible to all and on which all men of goodwill can agree, the actual Christian doctrines being added to this as a sort of crowning conclusion.”

(C28) Rowland does not understand the distinction between *knowable or intelligible in itself*, the objectivity of knowledge, the intelligibility or understandableness of a proposition or argument in itself; and *known or intelligible to us*, the subjectivity of knowledge, or the proposition or argument as it is understood and the degree to which it is understood by a particular mind and in that mind. It is the second part of this Thomistic distinction – which points to the subjective ability or inability of individuals to understand something – that determines who and how many will grasp with certitude any particular proposition or argument. So far as the objective truth of the “philosophical picture of man” is concerned, her reference to what Fr Ratzinger observed in 1969 about the possibility of constructing a “rational philosophical picture of man intelligible to all” is beside the point because that observation is about the subjective ability or inability of individuals to ‘get the picture’ after it has been constructed; and is concerned neither with the objective truth of the arguments constructing the picture nor with the possibility of constructing true arguments because both these are taken for granted in Fr Ratzinger’s observation. If the “picture” could not be constructed then there would be no “picture” for people ‘to get’.

It is no surprise that a “philosophical picture of man”, rightly constructed and objectively true, will be one that is not “intelligible to all and on which men of good will can agree”. People of “good will” can and frequently do disagree over all sorts of things, even things easier to understand than a philosophically correct explanation of human nature, which includes explanation of its faculties, powers and operations, and explanation of what it has in common with other created natures, such as palm trees and giraffes, and how it specifically differs from them.

Rowland apparently sees a solution in the concluding part of her quote of Fr. Ratzinger that will bring intelligibility to the “philosophical picture”. Instead of the “the actual Christian doctrines being added to this as a sort of crowning conclusion”, they are to be considered as the datum or frame work for constructing intelligible pictures because,

according to her, there can be no such thing as a “theologically neutral account of nature”. Pictures constructed on her proposed theological datum will supposedly explain the differences between plants, animals and man, and what they have in common with each other. For instance a theological picture of palm tree, a theological picture of giraffe and a theological picture of man will allow us to understand the differences between palm trees, giraffes and humans and what they have in common with each other by comparing the respective theological pictures of each; but let us leave this nonsense aside and continue with the more mundane “philosophical picture of man” and natural law.

The moral precepts of the natural law are only part of the whole “philosophical picture of man”, and so far as these precepts are concerned the 1969 *observation* of Fr Ratzinger should not be conflated with what Pope Benedict XVI *taught* forty years later about the intelligibility of that one part of the “philosophical picture of man”. His teaching, exposed in (C27) e.g. “natural moral law belongs to the great heritage of human wisdom”, and “it is a catalyzing source of consensus between people of different cultures and religions and permits them to overcome differences” are apposite. To which we add the following ⁴³ (*emphasis added*, except for *Catechism of the Catholic Church*).

Bioethics moreover, *like every discipline, needs a reference that can guarantee a consistent reading of ethical issues that inevitably emerge in the face of the disputes that may arise from their interpretation. In this sphere the normative reference to the natural moral law comes into its own.* Indeed, the recognition of human dignity as an inalienable right is founded primarily on this law, which is not written by a human hand but is engraved in human hearts by God the Creator. *Every juridical order is required to recognize this law as inviolable and every individual is called to respect and promote it* (cf. *Catechism of the Catholic Church*, nn. 1954–1960).

By definition a “normative reference” must be universally intelligible or understandable, *in itself and to us*, in order for it “to guarantee a consistent reading of ethical issues” and to resolve disputes. Here Benedict XVI insists that natural moral law is that normative reference.

(Again Benedict XVI refers to natural moral law as being “engraved in human hearts by God the Creator”. Note that he substitutes neither ‘Trinity’ nor ‘Trinitarian-creator God’ for ‘God the Creator’. The reason for again drawing attention to this distinction as in (C27) will be exposed below in (C30).)

- (R29) While at that time such criticisms sounded like an offkey performance, much contemporary natural law thinking actually begins with the anthropological foundations set down in paragraph 22 of *Gaudium et spes*, the explicitly christo-centric section preferred by Wojtyla and Ratzinger, which renders the Christian doctrine foundational rather than a “crowning conclusion”.

⁴³ *Address to the Members of the Pontifical Academy for Life*, 13 Feb 2010.

- (C29) The Christian doctrine about Christ (one person) is that He is both divine (God) and human (man). Paragraph 22 of *Gaudium et Spes* does not say that Christ's humanity is fundamentally Christian in so far as his human nature is divine, as is being suggested here. Neither does it mean that anthropology is somehow fundamentally Christian in so far as it is graced. The distinction between "foundational" and "crowning conclusion" is beside the point: it suggests that in Christ human nature is something other than human as ordinarily understood, i.e. other than "purely" human.
- (R30) For Ratzinger, and many contemporary Catholic moral theologians, natural law presupposes a trinitarian Creator God.
- (C30) So far as Ratzinger is concerned, this is directly contradicted by the quotations from Benedict XVI about natural law in (C27) and (C28), as foreshadowed by the distinction between 'Creator' and 'Trinity' referred to in the (bracketed paragraphs) of those comments.

The only way we can know that the Creator is a triune God is by Faith in Divine Revelation. We also know by Faith in Divine Revelation that God is one, and that He is the Creator. However we can also prove by reason that God is one, and that He is the Creator, but because the rational proof of these truths is not easy and man is prone to error not all men would attain philosophic certitude of these truths. Consequently they have been revealed by God so that they can be known by everyone with ease and without admixture of error. The same can be said about the more particular moral precepts of the natural law. They are revealed truths so that they can be known easily and without error even though they are within the capacity of reason.

Rowland talks about a "trinitarian Creator God", which blurs the distinction between what can be known about God by reason alone (God the Creator), and what can be known about God only by Faith in Divine Revelation (the Trinitarian God). This blurring is then extended to the natural law because, according to Rowland, "natural law presupposes a trinitarian Creator God". Then she attributes her blurring of the real distinction between Faith and reason to others: "Ratzinger and many contemporary Catholic moral theologians".

St Thomas and the Church teach that the study of the Natural law can be made by believers and unbelievers alike without knowing that God is a Trinity of Persons. Aristotle is the outstanding witness in secular history of the universal intelligibility of the natural law to the human intellect without the benefit of Faith to perfect the intellect. Refer also to Pope Pius XII in (C19), Pope Benedict XVI in (C9), (C10), (C11), (C13), (C21), (C27), (C28) above.

- (R31) The idea that a theologically neutral or merely theistically colored account of human nature and its dignity could provide an adequate foundation for its defense, is being explicitly rejected.

(C31) That which is “being explicitly rejected” here by Rowland is, to the contrary, explicitly accepted and insisted upon by Pope Benedict XVI.⁴⁴

Natural law is, definitively, the only valid bulwark against the arbitrary power, or the deception, of ideological manipulation.

Something that is “definitively, the only valid bulwark against” is something that is *a fortiori* a “foundation for its [own] defense” to the exclusion of all else. Pope Benedict XVI explicitly confirms this function of the natural law, and Rowland explicitly denies it. Her marked contradiction of Papal Teaching is further confirmed by Pope Benedict XVI⁴⁵ (*emphases added, except for Evangelium Vitae*).

When natural law and the responsibility it entails are denied this dramatically paves the way to ethical relativism at the individual level and to totalitarianism of the State at the political level. *The defence of universal human rights and the affirmation of the absolute value of the person's dignity postulate a foundation. Does not natural law constitute this foundation, with the non-negotiable values that it indicates?* Venerable John Paul II wrote in his Encyclical *Evangelium Vitae* words that are still very up to date: “*It is therefore urgently necessary, for the future of society and the development of a sound democracy, to rediscover those essential and innate human and moral values which flow from the very truth of the human being and express and safeguard the dignity of the person: values which no individual, no majority and no State can ever create, modify or destroy, but must only acknowledge, respect and promote*” (n.71).

The cockeyed idea (“that a theologically neutral ... account of human nature and its dignity could provide an adequate foundation for its [own] defense is to be explicitly rejected”) is, in reality, rejected by this, and all the Papal teaching on natural law and human dignity quoted above which contain no supernatural theology. Note well in this context the words of Pope Leo XIII quoted above in (C18) concerning teachings of St Thomas based on the natural law, that these teachings “have very great and invincible force to overturn those principles of the new order which are well known to be dangerous to the peaceful order of things and to public safety”. Rowland has made repeated assertions that oppose Papal teaching.

In a philosophical or theological discussion Rowland’s phrase “theistically colored account of human nature” amounts to gibberish. She might just as well spruik about the theistic colours of a rainbow, and complain that the sacred doctrine supposedly latent therein is not being refracted to her satisfaction by scientific accounts of rainbows that talk unintelligibly in a *lingua franca* about wavelengths in the visible spectrum and correlate the colours conforming to these wavelengths to the colours refracted when white light is passed through a glass prism. Without the supposedly unintelligible science of optics to guide the work of the spectacle maker, those who require glasses to read Rowland’s paper would see only one blur and not the others. They might be better off.

⁴⁴ *Address to the Participants in the International Congress on Natural Law*, 12 Feb 2007.

⁴⁵ *General Audience “Saint Thomas Aquinas”*, Part 2, 16 June 2010.

How are ‘theistic colours’ to be included in an account of e.g. traffic signal design: a design which proceeds from human nature and which is purposed by human nature toward a good of the Natural Law: the safety and preservation of human life. Do the traffic signals have to be explained to motorists in terms of ‘Trinitarian anthropology’ so they finally get it and obey the signals: “Oh! So that’s the meaning of traffic signals. I thought they were there to keep us all safe on the road by regulating traffic flow to a pre-determined plan”. The need for ‘trinitarian explanations’ for such day to day practical affairs of *anthropos* is, if we are to believe Rowland, a topic for serious discussion amongst contemporary theologians who, according to her, explicitly reject theologically neutral accounts of human nature, and *ipso facto* of the acts or operations of human nature.

Apparently encouraged by such novelties Rowland would have the theology of these ‘trinitarian explanations’ imposed upon *Gaudium et spes*.⁴⁶

In addition to the lack of clarity regarding the relationship of anthropology to Christology or, more specifically, of a merely theistically coloured account of creation to an explicitly Trinitarian account [edit. Where have we heard that phrase before!] there is the further problem of the interpretation of Article 36 of *Gaudium et spes*. This article speaks of a *terrenarum rerum autonomia*, which is normally rendered in English (including in the official Holy See English translation) as “the legitimate autonomy of earthly affairs.” ... The paragraph is capable of a non-secularising interpretation, especially if it is read by persons who have studied theology. However a “plain person” reading the phrase “a legitimate autonomy of earthly affairs” is likely to interpret the expression quite differently from a professional theologian.

A simple example of Mr and Mrs “plain person” and their family will show us clearly what is asserted here by Rowland to be the right meaning of “the legitimate autonomy of earthly affairs,” the wrong or “secularising interpretation” of which is attributed by her to Vatican II and to Mr and Mrs “plain person”, but which she proposes to correct by a programme of theological reform.

Mrs “plain” housewife is under no misapprehension about the “legitimate autonomy” she enjoys and exercises in the day to day “earthly affairs” of her household and is blissfully unaware that she apparently needs ‘trinitarian explanations’ in order to understand the purpose of her washing machine, vacuum cleaner, gas cooker and to use these appliances for the benefit of her family. Neither is her “plain person” husband the master-builder in doubt over the “legitimate autonomy” he enjoys and exercises in his day to day “earthly affair” of designing and constructing buildings fit for purpose. He neither draws up ‘trinitarian blueprints’ for buildings nor issues to his team of tradesmen ‘trinitarian instructions’ for the mixing and pouring of cement, brick laying and the sawing and fastening of timber.

⁴⁶ Tracey Rowland. “The World in the Theology of Joseph Ratzinger/Benedict XVI” in *Journal of Moral Theology*, Vol. 2, No. 2 (2013): pp 126-127.

Mr and Mrs “plain person” have three adult children. The first well comprehends the meaning of words and phrases like “the legitimate autonomy of earthly affairs” as she exercises “legitimate autonomy” in the “earthly affair” of teaching English language to her students at grammar school. Neither does she have recourse to a theological lexicon to explain the meaning of words nor the subject and predicate of intelligible sentences (e.g. a son is one who is generated by a father) to her students. The second child is a professional astronomer, but for all that still only a “plain person”. His brilliance in physics and sky geometry accrues to him the “legitimate autonomy” he judiciously exercises in the “earthly affair” of calculating the launch and orbital paths of communications satellites; but alas, up to now no one (including Paul VI with *Gaudium et spes*) has provided him with the ‘trinitarian explanation’ he is supposed to have so that he can understand what he is doing.

The third child is no “plain person” you can be sure. Showing neither interest in nor aptitude for secular subjects this one completed a course in theology, but at the wrong school – a school that understood neither the philosophy of St Thomas nor common sense. To turn the “plain persons” in her family away from their erstwhile “secularising interpretations” of their day to day “earthly affairs” and reorient them to a “non-secularising interpretation” of their respective occupations her post-graduate project has her brow beating them with theology of the “legitimate autonomy of earthly affairs” because up to now they have exemplified how to “interpret the expression quite differently from a professional theologian”. Well they should continue to do so if they don’t want to lose their marbles.

- (R33) The Church cannot ultimately defend her teaching on such subjects as marriage and the reservation of the priesthood to those of the male sex without recourse to trinitarian anthropology.
- (C33) Concerning marriage a fundamental distinction, which Rowland fails to make, is the real distinction between a natural marriage raised to the level of a sacramental marriage within the Church; and a natural marriage outside the Church which remains a natural marriage not raised to the level of a sacramental marriage.

Pope Benedict XVI has devoted much of his teaching to the subject of marriage. Here he speaks of natural marriage.⁴⁷

The natural family, as an intimate communion of life and love, based on marriage between a man and a woman (2), constitutes ‘*the primary place of humanization*’ for the person and society’ (3), and a ‘*cradle of life and love*’ (4).
The family is therefore rightly defined as the first natural society, ‘*a divine*

⁴⁷ *Message for the Celebration of the World Day of Peace*, 1 January 2008. No 2. [Notes in this text follow: (2) Cf. Second Vatican Council, Pastoral Constitution *Gaudium et Spes*, 48.; (3) John Paul II, Apostolic Exhortation *Christifideles Laici*, 40: AAS 81 (1989), 469.; (4) *Ibid.* (5) Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, No. 211]

institution that stands at the foundation of life of the human person as the prototype of every social order’ (5).

Rowland should take note of the expression used by the Pope, “the first natural society”. Natural marriage has its basis in human nature and the natural law, and not in so called ‘theological anthropology’. Otherwise marriage could not have existed until Christ came on earth and gave His Church the Sacrament of Marriage. The Sixth and Ninth Commandments of the Decalogue would have been meaningless to Moses and Israel.

So far as the specific case of an all male priesthood is concerned, the Church has declared that she has no authority whatsoever from the Lord to ordain women. This is based on what the Lord did at the Last Supper where He ordained only men. Pope John Paul II invoked his supreme teaching authority to make this declaration infallible and binding on the consciences of all Catholics. Even here in a matter pertaining purely to the Faith the Pope has made no reference to the Trinity. The Church does not have to defend this teaching to those ‘catholics’ who do not believe it. Neither does she have to defend it to those outside the Church who have not received the gift of Faith. She is answerable only to the Lord, whose Teaching she faithfully transmits.

- (R34) This need not mean, of course, that reason can tell us nothing about human nature; it means, rather, that what reason can tell us is intrinsically open to, and finds its fulfillment in, the revelation of the triune God.
- (C34) This qualification of what she has said is quite gratuitous. She has said that reason alone, i.e. the advocacy of the natural law, can tell us nothing about morality. What is it that is relevant that reason can now tell us about human nature? What she proposes then is an equivocation: that what reason can tell us is intrinsically open to and finds its fulfillment in Revelation. Reason and nature have always been open to the work of God which raises it to a supernatural level. But this is a supernatural fulfillment, not a natural one as is subtly suggested (an idea she has got from de Lubac).
- (R35) The problem is not the idea of a stable, God-created nature; the problem is the de-theologizing construal of that stability as neutral to the Creator.
- (C35) Again she refers to supernatural theology and confuses it with the knowledge of God known to reason as the Creator.

Earlier Rowland told us while colouring in a mural about Thomistic presentations of the Natural law (R2) that such presentations “depend on a conception of nature as something stable, and that this has been rejected by most contemporary post-moderns”. Now we are presented with the contradiction of that statement, for now we are told that “the problem is not the idea of a stable, God-created nature”.

We are further told by Rowland that there is a “problem” with “de-theologizing” nature (I would agree that there is a problem for her); and *ipso facto* with the ‘severance of natural law from its alleged theological roots’. The “problem”, or confusion, is being used to conduct readers into a programme of idiosyncratic theological reform that is initiated by

warning them not to construe “de-theologizing” as being “neutral to the creator”. ‘Neutral’ is a wonderfully vague word for a sophist to use. We are not told to which side of this ‘neutrality’ the Creator is inclined so readers are left stranded on the horns of an implied dilemma. (One wonders if Linnaeus should be considered to have sinned for not deducing theological conclusions from his classification of plants, and likewise Mendeleev for the same deficiency in his table of chemical elements.) The dilemma is seen to be non-existent when we ask ourselves the right questions.

Is the Creator angered or pleased by the fact that He gave the light of reason to man, and that man uses this light as a guide for his actions, and to discover the natural law for himself, and to reason to the existence of the Creator: that man uses the light of reason for the very purposes it was given to man by the Creator? And is He further angered or pleased by the fact that the Papacy gives such high recommendation to this fully human activity of acting in accordance with reason: of attaining firm and unshakeable truth about God, about man himself, and about the society and world in which man lives?

- (R38) Rather than being dressed up as something fashionably Liberal, which will repel evangelical Protestants and almost all post-moderns and convince no Liberals into the bargain, natural law is now more often presented in the context of an explicitly trinitarian and largely christocentric anthropology and the moral theology that flows from it.
- (C38) Without substantial evidence Rowland’s charge of dressing up natural law as something “fashionably liberal” is a calumny against “flagship” Maritain. The required evidence is not presented anywhere in her peer reviewed ‘academic’ paper. Are we to assume that the same calumny is being insinuated “into the bargain” against Papal Teaching on Natural Law, and the documents of Vatican II – specifically *Gaudium et spes* – which dialogue with the modern world at the level of reason.

To persuade her Catholic readers to enlist themselves in her ‘truth by weight of numbers’ consensus of non Catholics supposedly repelled by Maritain’s “fashionably Liberal” natural law doctrine, Rowland goes on to reassure them that “natural law is now more often presented in the context of an explicitly trinitarian and largely christocentric anthropology and the moral theology that flows from it.” This might be true for the narrow circle of theologians in which Rowland moves; but it is true neither for the teaching of Pope Benedict XVI nor for the teaching of his predecessors when addressing secular society. He, as we have seen, like his predecessors presents natural law without sacred doctrine when addressing secular society. Here are his words.⁴⁸

The Church’s witness, then, is of its nature public: she seeks to convince by proposing rational arguments in the public square.

Where is the evidence presented by Rowland to show from Papal Teaching, where the Holy Father is teaching the Bishops, Priests and Faithful that they should in fact dialogue with non believers (those who do not have the Faith) upon the basis of Sacred Doctrine

⁴⁸ *Address of His Holiness Benedict XVI to the Bishops of the United States of America on their “Ad Limina” Visit.* Consistory Hall. Thursday, 19 January 2012.

(which requires Faith to believe and understand) in order for non-believers to understand the natural law?

(R39) The new theological idiom enveloping both is that of nuptial mysticism, which has received its most extensive treatment in the works of John Paul II.

(C39) Now we are to be introduced to “the new theological idiom”: ‘nuptial mysticism’, that is finally going to bring intelligibility to the unintelligibility of the Natural Law.

No definition is given of ‘nuptial mysticism’. We are simply told that it is to be found in the works of John Paul II and that it is a theological “idiom” or language. However none of these works is quoted from to show that Pope John Paul II is teaching Catholics to discuss Natural Law with non believers in this “new theological idiom” as a requirement for making Natural Law intelligible to both the Catholics who are going to hold dialogue, and the non-believers with whom they are to hold dialogue.

Note that here there is no suggestion of a *lingua franca* to describe this “new theological idiom” because, as Rowland sees it, this “idiom” is the natural language of both believers and non-believers alike: it makes Faith in Divine Revelation a prerequisite to both parties before they are able to make rational judgements at the human level and express those judgements to each other in the form of intelligible propositions that can subsequently be agreed upon e.g. good is to be done and evil is to be avoided; two things added to two things are together four things, and not five things nor three things.

When one consults the teaching of Pope John Paul II concerning the relationship between Faith and reason one finds he confirms that reason is indispensable in all spheres of theology, and that without it all theology would be unintelligible, and belief in God would not be possible⁴⁹ (*emphases added*).

Surveying the situation today, we see that the problems of other times have returned, but in a new key. It is no longer a matter of questions of interest only to certain individuals and groups, but convictions so widespread that they have become to some extent the common mind. An example of this is the deep-seated distrust of reason which has surfaced in the most recent developments of much of philosophical research, to the point where there is talk at times of “the end of metaphysics”. Philosophy is expected to rest content with more modest tasks such as the simple interpretation of facts or an enquiry into restricted fields of human knowing or its structures.

There are also signs of a resurgence of *fideism*, which fails to recognize the importance of rational knowledge and philosophical discourse for the understanding of faith, *indeed for the very possibility of belief in God*.

⁴⁹ *Fides et Ratio*. nos 55, 56, 66, 67 and 68. Notes in the text: [77] *Humani Generis* (12 August 1950): *AAS* 42 (1950), 565-567; 571-573. ; [91] John Paul II, *Letter to Participants in the International Congress of Fundamental Theology on the 125th Anniversary of “Dei Filius”* (30 September 1995), n 4: *L'Osservatore Romano*, 3 October 1995, p 8.

Other modes of latent fideism appear in the scant consideration accorded to speculative theology, *and in disdain for the classical philosophy from which the terms of both the understanding of faith and the actual formulation of dogma have been drawn*. My revered Predecessor Pope Pius XII warned against such neglect of the philosophical tradition and against abandonment of the traditional terminology.[77].

In brief, there are signs of a widespread distrust of universal and absolute statements, especially among those who think that truth is born of consensus and not of a consonance between intellect and objective reality.

... Without philosophy's contribution, it would in fact be impossible to discuss theological issues such as, for example, the use of language to speak about God, the personal relations within the Trinity, God's creative activity in the world, the relationship between God and man, or Christ's identity as true God and true man. This is no less true of the different themes of moral theology, which employ concepts such as the moral law, conscience, freedom, personal responsibility and guilt, which are in part defined by philosophical ethics.

It is necessary therefore that the mind of the believer acquire a natural, consistent and true knowledge of created realities -- the world and man himself -- which are also the object of divine Revelation. Still more, reason must be able to articulate this knowledge in concept and argument. Speculative dogmatic theology thus presupposes and implies a philosophy of the human being, the world and, more radically, of being, which has objective truth as its foundation.

Similarly, fundamental theology should demonstrate the profound compatibility that exists between faith and *its need to find expression by way of human reason fully free to give its assent*. Faith will thus be able “to show fully the path to reason in a sincere search for the truth. Although faith, a gift of God, is not based on reason, *it can certainly not dispense with it*. At the same time, it becomes apparent that reason needs to be reinforced by faith, in order to discover horizons it cannot reach on its own”.[91]

Moral theology has perhaps an even greater need of philosophy's contribution. In the New Testament, human life is much less governed by prescriptions than in the Old Testament. Life in the Spirit leads believers to a freedom and responsibility which surpass the Law. Yet the Gospel and the Apostolic writings still set forth both general principles of Christian conduct and specific teachings and precepts. In order to apply these to the particular circumstances of individual and communal life, *Christians must be able fully to engage their conscience and the power of their reason. In other words, moral theology requires a sound philosophical vision of human nature and society, as well as of the general principles of ethical decision-making.*

We have in these extracts from *Fides et Ratio* a complete refutation of what the Dean of the *John Paul II Institute for Marriage and Family* in Melbourne asserts about Faith and Reason throughout her ‘theological’ paper. She inverts the real order, exposed above in the Encyclical of John Paul II, by supposing that theological knowledge is necessary to us before we can understand reality. This, of course, is sheer nonsense.

In light of Rowland’s persistent contradiction of the teaching of Benedict XVI and John Paul II it is apposite to note this Papal condemnation.⁵⁰

Recently what is called “lay theology” has sprung up and spread to various places, and a new class of “lay theologian” has emerged, which claims to be *sui juris*; there are professors of this theology occupying established chairs, courses are given, notes published, seminars held. These professors distinguish their teaching authority from, and in a certain way set it up against, the public Teaching Authority of the Church; at times, in order to justify their position, they appeal to the charismatic gifts of teaching and of interpreting prophecy, which are mentioned more than once in the New Testament, especially in the Pauline Epistles (e.g. Rom. 12:6 f.; I Cor. 12:28-30); they appeal to history, which from the beginning of the Christian religion down to today presents so many names of laymen who for the good of souls have taught the truth of Christ orally and in writing, though not called to this by the Bishops and without having asked or received the sacred teaching authority, led on by their own inward impulse and apostolic zeal. Nevertheless it is necessary to maintain to the contrary that there never has been, there is not now, and there never will be in the Church a legitimate teaching authority of the laity withdrawn by God from the authority, guidance, and watchfulness of the sacred Teaching Authority; in fact, the very denial of submission offers a convincing proof and criterion that laymen who thus speak and act are not guided by the Spirit of God and of Christ. Furthermore, everyone can see how great a danger of confusion and error there is in this “lay theology”; a danger also lest others begin to be taught by men clearly unfitted for the task, or even by deceitful and fraudulent men, whom Saint Paul described: “The time will come when men ..., always itching to hear something fresh, will provide themselves with a continuous succession of new teachers, as the whim takes them, turning a deaf ear to the truth bestowing their attention on fables instead” (cf. II Tim. 4:3 f.).

- (R40) It has as its foundation the theological anthropology of *Gaudium et spes*, 22, which includes within it the notion of an epithalamic relationship between Christ and the human person.
- (C40) Instead of a definition of nuptial mysticism we are told where Rowland thinks it has its foundation: in *Gaudium et spes*, 22. All we are receiving here is a suggestion, but nothing of

⁵⁰ Pope Pius XII. *Si Diligis* – Canonisation of St Pius X. 31st May 1954.

substance. The expression ‘nuptial mysticism’ is not to be found anywhere in *Gaudium et spes*, let alone in paragraph 22 as implied here by Rowland.

We are told that ‘nuptial mysticism’ includes within itself a notion of epithalamia. An Epithalamium is a song or poem in honour of a bride and bridegroom. The romantic atmosphere evoked by “epithalamic relationship” may be applicable to the Song of Songs in the Old Testament, but it is not a suitable basis for a reasoned discussion or exposition of moral philosophy or the natural law. Not surprisingly Rowland’s notion of epithalamia is also not to be found in *Gaudium et spes*, let alone in paragraph 22.

- (R41) This will not make it any more palatable to Liberals, but it may mean that members of the Catholic laity who are not professional philosophers and theologians will be presented with a much more theologically enriched account of what the Church means by natural law in the many magisterial documents in which it appears.
- (C41) Rowland apparently sees herself as being in the position to improve upon the implied deficiency (rank unintelligibility according to her *lingua franca* thesis) in “what the Church means by natural law in the many magisterial documents in which it appears” by adding some ‘theological enrichment’ to the natural law teaching contained in these “magisterial documents” so that all this natural law teaching finally becomes intelligible.

She is apparently aware that the Papacy presents Natural Law (as, for instance, in the Addresses of Popes Pius XII and Benedict XVI above) without theology to audiences that contain both Catholics and non believers. Otherwise there is no reason to propose that all these supposedly unintelligible *lingua franca* Addresses should be made intelligible (both to the Popes who composed the Addresses and the befuddled audiences who received them [sic]) by providing a “much more theologically enriched account of what the Church means by natural law in the many magisterial documents in which it appears”.

- (R42) It may clear up the confusion while Catholic scholars put more energy into unmasking the metaphysical presuppositions of the Liberal tradition, bringing into sharper relief the relentlessly profane, and some would argue androgynous account of human dignity that pervades Liberal theory.
- (C42) The subject “It” of this sentence refers to “the new theological idiom enveloping both” in sentence (R39), which in turn is “natural law ... in the context of an explicitly trinitarian and largely christocentric anthropology” in sentence (R38). Consequently when natural law is presented within this theological framework, the framework will “bring into sharper relief” or make intelligible to “Catholic scholars” the “metaphysical presuppositions of the liberal tradition”.

Rowland’s claim that supernatural theology is necessary for us to understand natural law is extended here to also include our understanding of metaphysics. The ‘logic’ of her position would have it that the human mind has to know sacred doctrine before it knows anything else. In reality we know, as the name indicates, first principles before anything else, and the first principles are metaphysical principles. We are intellectually formed by

reality to know being and to judge that being is not non being before we know anything else; and if we are not so formed we will never know anything else, including sacred doctrine. Rowland confuses what is first in dignity, with what is first in nature, ‘concluding’ that because sacred doctrine is first in dignity it also comes to us first in time and is necessary for us to understand anything else including first principles. This, of course, is patently false. If I were Rowland I wouldn’t speak too loudly about anyone else’s “metaphysical presuppositions”.

- (R43) Schockenhoff suggested that the life of the Christian churches must “bear witness to the inherent rationality of the high ethical teachings contained in the biblical history of revelation” and put them on offer in an “open contest about the *humanum*, where the various world religions, political utopias, and secular humanisms challenge each other.”
- (C43) What type of ‘dialogue’ are we to expect in such a free for all, which according to the claims of Rowland’s paper, can only be intelligibly undertaken within a supernatural “theological framework” ...

Believer: “There are Three Persons in One God, and you must believe that.”

Non believer: “Prove to me that God exists”.

Believer: “It can’t be proved because it’s a matter of Faith.”

Non believer: “So you can’t prove that there is a God after all. And you expect me to believe that there are three Gods.”

Believer: “You must believe it because I’m telling you it’s the right thing to believe, even if you misunderstand it; otherwise you will always be an infidel.”

Non believer: “Not only are you illogical you are also arrogant and rude. Go away.”

Rowland’s proposal that arguments based on Faith (supernatural theology) be used to argue against non believers opposes what was quoted above in (C39) from *Fides et Ratio*. Not surprisingly her proposal is condemned by the teaching of the Dogmatic Constitution *De Filius*, of the First Vatican Council.⁵¹

The preliminary memorandum distributed among the Fathers of the Council, together with the *schema* prepared by the Deputatio de Fide, included this declaration: “The definition that God can be certainly known by the light of natural reason, through the medium of created things, as well as the canon corresponding to this definition, were deemed necessary, not only because of Traditionalism, but also because of the wide-spread error that the existence of God cannot be proved by any apodictic argument, and consequently that by no process of human reasoning can the certainty of it be established”. (Cf. Vacant, *Etudes sur les Const. Du Concile du Vatican*, p. 286, and Document VII, p. 610). Hence it

⁵¹ Fr. Reginald Garrigou-Lagrange. *God, His Existence and His Nature. Vol1* pp 7-8. B. Herder Book Co. 1934.

is heretical to maintain, as do atheists and the Positivists, that there is no way by which we can arrive at the knowledge of God, or to assert with the most advanced of the Traditionalists and Fideists, that we can know God only through revelation or by some positive teaching received by tradition.

In the condemnation of Fideism we can see clearly what is the mind of the Church on this point. Amongst the various propositions which the Congregation of the Index required the Abbe Bautain to accept, in 1840, was one that declared that “human reasoning is of itself sufficient to prove with certainty the existence of God (*ratiocinatio Dei existentiam cum cecitudine probare valet*). Faith, being a supernatural gift, presupposes revelation, and hence cannot be consistently invoked to prove the existence of God against an atheist”. (Denzinger, n. 1622).

“The definition that God can be certainly known by the light of natural reason”, referred to by Fr. Garrigou-Lagrange, is the first definition in “Chapter 2 On revelation” of the *Dogmatic constitution on the Catholic faith*.⁵²

(1) The same Holy mother Church holds and teaches that God, the source and end of all things, can be known with certainty from the consideration of created things, by the natural power of human reason: ever since the creation of the world, his invisible nature has been clearly perceived in the things that have been made. (Rom 1, 20).

And “the canon corresponding to this definition”, referred to by Fr. Garrigou-Lagrange, is the first item in “Canon 2 On revelation” of the *Dogmatic constitution on the Catholic faith*.⁵³

(1) If anyone says that the one, true God, our creator and lord, cannot be known with certainty from the things that have been made, by the natural light of human reason: let him be anathema.

The dogmatic definition specifies exactly what it is that “Holy mother Church holds and teaches”; namely “that God, the source and end of all things, can be known with certainty from the consideration of created things, by the natural power of human reason”, which in order to be defined as dogma has to be traced to the sources of Divine Revelation; the particular source in Divine Revelation here being (Rom 1, 20): “ever since the creation of the world, his invisible nature has been clearly perceived in the things that have been made”. The anathema specifies the penalty to be incurred by anyone who knowingly denies this dogma of Catholic faith. The dogmatic definition is in the theoretical order and cannot be changed because it defines objective truth. The anathema is in the practical order and can be lifted because it imposes a disciplinary measure.

⁵² Vatican Council I. Session 3: 24 April 1870.

⁵³ Vatican Council I. Session 3: 24 April 1870.

Let us see what Rowland does with this Catholic dogma.⁵⁴ (*emphasis added*, except for the titles *Gaudium et spes*, *Dei Filius*, *Dei Verbum*, *Fides et Ratio* which are italicised by her.)

At the time of the drafting of *Gaudium et spes*, however, there was still a strong habit of thinking of faith and reason extrinsically. This was due, at least in part, to the influence of the *first paragraph* of Chapter Two of the document *Dei Filius* of Vatican I. The much quoted “anathema” sentence reads:

If anyone says that the one, true God, our creator and lord, cannot be known with certainty from the things that have been made, by the natural light of human reason, let him be anathema.

That *particular paragraph* was drafted at a moment in time when the Catholic Church was under attack from rationalist philosophers and thus her champions were focused on defending the rationality of the faith.

Precisely how *it* is to be interpreted in the light of later debates and magisterial documents, especially the “Catholic philosophy” debates of the 1940s, the Conciliar document *Dei Verbum*, and John Paul II’s encyclical *Fides et Ratio* (which scholars have argued was at least implicitly Gilsonian), remains a subject of academic dispute.

The first thing to be noted is that the so called “anathema” sentence that Rowland quotes is the canon corresponding to the definition, and is not the definition itself. It is the definition itself that is found in the “*first paragraph* of Chapter Two of the document *Dei Filius*”, not the canon corresponding to the definition. The fact that she has referred explicitly to “the *first paragraph* of Chapter Two of the document *Dei Filius* of Vatican I” indicates that Rowland has read the dogmatic definition and has excluded it in favour of quoting the canon corresponding to the definition in the sentence that immediately follows. The result is that the attention of her readers is being focused on an anathema and drawn away from the more important definition of exactly what it is that “Holy mother Church holds and teaches”, contradictions of which incur the anathema.

The fact that since Vatican II the Church does not bother to attach anathemas to contradictions of her teaching is fairly well known. It would be a serious error to conclude that such teaching is therefore open to new interpretations that contradict its essential meaning. Such an erroneous conclusion seems to be behind the *non sequitur* (supposedly about the anathema which she has put in inverted commas as if it is no longer to be taken literally, but ultimately about the definition which also is no longer to be taken literally) that Rowland immediately introduces: “Precisely how *it* is to be interpreted in the light of later debates and *magisterial documents*, especially the ‘Catholic philosophy’ debates of the 1940s, the Conciliar document *Dei Verbum*, and John Paul II’s

⁵⁴ Tracey Rowland. “The World in the Theology of Joseph Ratzinger/Benedict XVI” in *Journal of Moral Theology*, Vol. 2, No. 2 (2013): p. 120.

encyclical *Fides et Ratio* (which scholars have argued was at least implicitly Gilsonian), remains a subject of academic dispute.”

“Precisely how *it* (a dogma) is to be interpreted” is specified by the same Vatican Council in “Chapter 4 On Faith and reason” of its *Dogmatic constitution on the Catholic faith*.⁵⁵ (*emphasis added*)

(14) Hence, too, *that meaning of the sacred dogmas is ever to be maintained which has once been declared by Holy mother Church, and there must never be any abandonment of this sense* under the pretext or in the name of a more profound understanding.

May understanding, knowledge and wisdom increase as ages and centuries roll along, and greatly and vigorously flourish, in each and all, in the individual and the whole Church: but this only in its own proper kind, that is to say, in the same doctrine, the same sense, and the same understanding.

From this declaration Rowland could have learned that a definition is to be interpreted as *it* was defined: “The same Holy mother Church *holds and teaches* that God, the source and end of all things, *can be known with certainty* from the consideration of created things, *by the natural power of human reason*”. She would then have had a secure basis for understanding that the absence of a reference to an anathema in any subsequent repetition by any subsequent Pope of the Vatican I dogma is irrelevant because the repetition is clearly not the repetition of a disciplinary measure, but a repetition of “the same doctrine, [in] the same sense, and [with] the same understanding”.

The upshot for Rowland is that she puts a Dogmatic definition in the same category as opinions that are the subject of “debates” and ongoing “academic disputes”, which according to Pius IX are only a “pretext”. This leads her into the extremely fragile and dangerous position of playing off the teaching in a Dogmatic Constitution (*Dei Filius*) of one Vatican Council against the teaching in a Dogmatic Constitution (*Dei Verbum*) of another Vatican Council so that what is being presented is a caricature: a contradictory church that teaches contradictory truths by the mouths of Popes who contradict each other in their respective “magisterial documents”. So far as the part of Blessed Pius IX in this implied contradiction is concerned we have already quoted the definition he promulgated in *Dei Filius*. So far as the part of Blessed John Paul II in this implied contradiction is concerned, we have already quoted in (C23) an extract from *Fides et Ratio*, that is appropriately repeated here.⁵⁶

If human beings with their intelligence fail to recognize God as Creator of all, it is not because they lack the means to do so, but because their free will and their sinfulness place an impediment in the way.

This statement from John Paul II confirms the Dogmatic truth defined by Pius IX: that the existence of God, and that He is the Creator, can be proved objectively in the light of

⁵⁵ Vatican Council I. Session 3: 24 April 1870.

⁵⁶ Pope John Paul II, *Fides et Ratio*. nos 19, 27. 14 September 1998.

natural reason. Neither the dogmatic definition nor the recent Papal confirmation of it should be interpreted to mean that each individual human will actually prove these truths by the light of natural reason for himself or herself. Rowland apparently does not understand this crucial distinction, concluding that because there are so many atheists in the world who apparently have not subjectively proved these truths for themselves that therefore these truths are not provable in the light of reason. In order that *all* (which includes those who can prove these truths for themselves and those who cannot prove these truths for themselves) may know these truths with ease and without admixture of error, these truths have been freely and graciously revealed to the human race by God; and that is precisely what is declared by the First Vatican Council in “Chapter 2 On revelation” of its *Dogmatic constitution on the Catholic faith*.⁵⁷ (*emphasis added*)

(3) It is indeed *thanks to this divine revelation*, that those matters concerning God which are *not of themselves beyond the scope of human reason*, can, even in the present state of the human race, *be known by everyone* without difficulty, with firm certitude and with no intermingling of error.

Consequent upon her failure to see the distinction between a truth that can be objectively proved and the subjective failure or inability of a large number of people to prove it leading her to think that said truth is therefore not objectively provable she relies on the need for Faith and Divine Revelation for anyone to know truths that are provable in the light of reason; but when her need for Divine Revelation in this instance has been met by Vatican I so that she could understand the exact meaning and exact sense of the dogma we have been discussing she still thinks that this dogma has different meanings according to which Pope initially proclaimed it or to which Pope subsequently taught the Church about it. Rowland needs to take to heart this general warning of Pius IX from the *Dogmatic constitution on the Catholic faith*.⁵⁸ (*emphasis added*)

(8) With this impiety spreading in every direction, it has come about, alas, that many even among the children of the Catholic Church have strayed from the path of genuine piety, and as the truth was gradually diluted in them, their Catholic sensibility was weakened. Led away by diverse and strange teachings [see Heb 13, 9] and *confusing nature and grace, human knowledge and divine faith, they are found to distort the genuine sense of the dogmas which Holy mother Church holds and teaches, and to endanger the integrity and genuineness of the faith*.

The “*confusion of human knowledge and divine faith*” is here identified as the root cause of the “debates” and ongoing “academic disputes” in which Rowland and others of the *Nouvelle Theologie* and *Radical Orthodoxy* circles indulge, and in which “*they are found to distort the genuine sense of the dogmas which Holy mother Church holds and teaches, and to endanger the integrity and genuineness of the faith*”. One could hardly imagine anything more foolish for a Catholic to take pride in.

⁵⁷ Vatican Council I. Session 3: 24 April 1870.

⁵⁸ Vatican Council I. Session 3: 24 April 1870.

- (R44) In such a contest, it becomes your god against our god, your vision of human dignity against our vision.
- (C44) In other words reason and the search for truth go out the window and relativism and confusion reign supreme.
- (R45) The intellectual shadow-boxing is over and the practical consequences of the acceptance of different theological starting points can be pushed to the center of the debate.
- (C45) A non believer by definition has no “theological starting point”. That is why he or she is called a non believer.

How far St Thomas removed himself from arguing on the basis of supernatural theology (Faith) with non believers is well described by Chesterton.⁵⁹

Thomas Aquinas understands what so many defenders of orthodoxy will not understand. It is no good to tell an atheist that he is an atheist; or to charge a denier of immortality with the infamy of denying it; or to imagine that one can force an opponent to admit he is wrong, by proving that he is wrong on somebody else’s principles, but not on his own. After the great example of St. Thomas, the principle stands, or ought always to have stood established; that we must either not argue with a man at all, or we must argue on his grounds and not ours. We may do other things instead of arguing, according to our views of what actions are morally permissible; but if we argue we must argue “On the reasons and statements of the philosophers themselves”.

Rowland’s assertions oppose this rational common sense age-old principle, which on the argument of her paper, is a futile exercise in unintelligibility.

2. Natural law and theo-drama

- (R54) ...“ultimately the work of Christ and the Holy Spirit fulfills the natural law in us and elevates us to Communion with the Trinity.” This last principle sits well with the classically Thomist definition of natural law as a participation of the rational creature in the eternal law, a doctrine that opens natural law, in turn, to theological anthropology and nuptial mysticism.
- (C54) Whilst what is quoted is true, as it is used by Rowland it is equivocal. The supernatural end to which we are ordered positively by God is not known by the natural law nor can it be aspired to without grace. St Thomas many times explains what is the end to which the natural law orders us: it is the common good of all, God, but as naturally known. The manner of participation by the natural law in the eternal law will be further explained now.

To understand the teaching of St Thomas on law we turn to Fr. Garrigou-Lagrange.⁶⁰

⁵⁹ G. K. Chesterton. *Saint Thomas Aquinas: The Dumb Ox*, p 54.

St. Thomas now turns to the extrinsic principle, to God who causes human acts by His law and His grace.

Law is “a regulation of reason in favor of the common good, promulgated by the ruler of the community.” [1077] Its violation deserves punishment, to re-establish the law. [1078] There are many kinds of law. The highest kind, whence all others are derived, is the eternal law, “the plan by which divine wisdom rules all creatures.” [1079] Natural law, a direct derivation from the eternal law, is imprinted on our rational faculties, inclining them to the end willed by the author of nature. It is immutable, like nature itself. Its first precept is: Do good, shun evil. From this principle follow other natural precepts, relative to the individual, to the family, to social life, and to the worship of God. [1080].

Positive laws, human or divine, presuppose the eternal law and the natural law. Divine positive law is either the Old Law or the New. The New Law is inscribed in our souls before it is inscribed on parchment. It is identified with grace and infused virtue. [1081] It brings the Old Law to perfection. It is the law of love, since it continually recalls the pre-eminence of charity, with its two grand precepts of love for God and neighbour. [1082].

Human laws, coming from human authority, must conform to natural law and to divine positive law. [1083] They must be morally good, just, suited to people and time. They bind in conscience, as derivations from the eternal law. Unjust laws do not bind in conscience, unless their observance is necessary to avoid a greater evil. In such cases we may yield on our rights, but not on our duties. But we may not obey a law which is manifestly against a higher law, especially if the higher law is a divine law. [1084].

On the immutability of the natural law Scotus maintains that the only necessary precepts are those relating to the service of God, whereas God could revoke the precept “Thou shalt not kill,” and then murder would no longer be sin. Thus all relations of man to man would depend, not on God’s natural law, but on His positive law. Occam goes still further, saying that God, being infinitely free, could have commanded us to hate Him. God might thus be, comments Leibnitz, [1085] the evil principle of the Manichaeans rather than the good principle of Christians. This nominalistic doctrine brings forth complete juridical positivism, since it leaves no act intrinsically either good or evil. Gerson [1086] approaches this position, saying there is only one act intrinsically good, namely, the love of God. St. Thomas, on the contrary, holding the natural law to be

⁶⁰ *Reality*, ch 48. pp 247-248. Notes in the text are as follows: [1077] ST Ia IIae, q. 90, a. 4; [1078] q. 92, a. 2; [1079] q. 93, a. 1; [1080] q. 94, a. 2; [1081] q. 106, a. 1; [1082] q. 107; [1083] q. 95, a. 3; [1084] q. 96, a. 4; [1085] Theod: II, 176; [1086] See Dict. De theol. Cath. s. v. Gerson.

as immutable as human nature itself, establishes on high a luminary to guide all legislation worthy of the name.

The eternal law, as we see in this exposition of the teaching of St Thomas, is the “plan by which divine wisdom rules all creatures”; both irrational and rational creatures. The participation of rational creatures, or the natural law, is a rational participation of the rational creature in a law that is fundamentally intelligible to the rational creature, and not an irrational participation of the rational creature in something that is unintelligible as Rowland maintains with her *lingua franca* attribution of natural law that needs, according to her, “theological anthropology and nuptial mysticism” to make natural law intelligible.⁶¹

Further to pinpoint the errors in Rowland’s assertion that Natural Law cannot be understood without a ‘theological framework’ made known by Divine Revelation, the above quoted exposition from Fr. Garrigou-Lagrange of the teaching of St Thomas on Law is profitably supplemented with the following extract from the great Australian Thomist Dr. Woodbury.⁶² (Notations in Woodbury’s text have been retained.)

161. FIDEISTIC ETHICS IN GENERAL: Fideistic ethics may be called theological moral positivism.

A. Fideistic ethics is based upon denial of the powers of human reason to distinguish without divine revelation between the morally good and the morally evil; which denial may follow:

a. Either from denial of the powers of human reason to know the natures of things;

al. wherefrom would follow impotence of human reason to know:

ala. whether the natural end of things. e.g. of man,

alb. or their natural ordinations, e.g. any natural order of man to an end,

alc. or any natural befittingnesses or suitabilities of things, e.g. natural befittingness to man of speaking truthfully or of abstention from homicide,

b. Or from a moral positivism which assigns the foundation of morality in the divine free will, - whose ordinances escape our natural knowledge,

bl. which is to assign divine positive law as the foundation and supreme rule of morals,

⁶¹ One conclusion to be logically drawn from Rowland’s assertion is that God would be a capricious tyrant who inscribes an unintelligible natural law on the rational faculties of human beings (created in His own image and likeness) to enforce them to grope hopelessly in the dark regarding the morality of their actions. This would be like a judge who enforces a law decreeing that motorists are allowed to drive on the road only if they wear a blindfold while doing so.

⁶² Dr A. M. Woodbury, S.M. *Ethics*. pp 134-135.

b2. so that all natural morality is excluded:

b2a. no action being bad except because God freely prohibits it,

b2b. and no action being good except because God freely commands, or at least permits, it.

B. Wherefrom it follows that we can know only from divine revelation, THROUGH FAITH, the moral value of actions.

162. PROPONENTS OF FIDEISTIC ETHICS: Fideistic ethics have been propounded in diverse degrees:

A. By Ockham (1295-1350) and the Mediaeval Nominalists:

a. who:

al. both denied that we can know the natures of things, - since they denied that the universals which we know are real,

a2. and:

a2a. assigned the divine free will as the foundation of morality,

a2b. so that the free decrees of God are even the constitutive rule of morals.

b. Indeed Ockham:

bl. both denied that human reason from itself alone can know the moral goodness of loving God even as author of nature,

b2. and affirmed that the precept of loving God above all things is a contingent precept, in such wise that God, if he had willed, could have commanded that we hate him.

B. Luther (1483-1546) also, being a Nominalist and a Fideist, also adhered to moral fideism.

C. Descartes (1596-1650) taught, more or less explicitly, a most radical theological moral positivism.

a. For he taught that the essences of things depend upon the divine free will.

b. Wherefore upon the divine free will depends:

bl. both the truth of the speculative principles even of the supreme principle (of non-contradiction) - which state the essences or nature of things,

b2. and likewise:

b2a. the essence of moral good and of moral evil.

b2b. and the distinction between these.

D. Fideistic ethics was revived in the nineteenth century by Fideists and Traditionalists such as Bautin and Bonnetty.

E. A partial fideistic system was taught by Scotus (1270-1308):

a. not indeed as regards the moral value of acts towards God (e.g. loving God and worshipping God),

b. but as regards the moral value of acts towards men;

bl. wherefore according to Scotus:

bla. the precepts prohibiting homicide, theft, fornication etc, are not necessary and immutable,

blb. but these acts are bad only because they are prohibited - by divine positive law, which can be known only from revelation.

(R58) [Footnote] Lorenzo Albacete has described moralism as a modern form of Pelagianism, a belief in salvation through good works and obedience which he suggests can only be overcome by a “proper theology of grace in which grace is not presented as something added to and external to the natural law itself, but rather as the possibility of a personal encounter with Jesus Christ.”

(C58) Here it is stated that a “proper theology of grace” is a theology of grace “in which grace is not presented as something added to and external to the natural law”. Rowland misconceives the common theological understanding of the relation between grace and nature. To understand Catholic Teaching concerning the real distinction between nature and grace we return to Pope Benedict XVI. ⁶³ (*emphasis added*).

This fundamental agreement between human reason and Christian faith is recognized in another basic principle of Aquinas’ thought. *Divine Grace does not annihilate but presupposes and perfects human nature.* The latter, in fact, even after sin, is not completely corrupt but wounded and weakened. Grace, lavished upon us by God and communicated through the Mystery of the Incarnate Word, is an absolutely free gift with which nature is healed, strengthened and assisted in pursuing the innate desire for happiness in the heart of every man and of every woman. All the faculties of the human being are purified, transformed and uplifted by Divine Grace.

⁶³ *General Audience* “Saint Thomas Aquinas”, Part 2, 16 June 2010.

If grace presupposes human nature how is it not added to it? Does a person before baptism not have human nature? What is it that is received (added) on baptism? In reality grace is a supernatural participation in the divine nature, distinct from human nature, which is added to human nature as a free gift; and a proper theology of grace, one in line with the teaching of St Thomas highlighted here by Benedict XVI, will lead us to understand that the real distinction between nature and grace is the only foundation for explaining correctly the meaning of a “personal encounter with Jesus Christ”, which encounter begins definitively when a soul without grace first receives grace at baptism.

In Rowland’s quotation of Albacete it is advocated that “grace is rather presented as the possibility of a personal encounter with Jesus Christ”. “Possibility” is used here equivocally. It is possible for all spiritual beings to receive grace, and possible for human beings because all humans have a spiritual soul, which is the only kind of entity that has the capacity or potential to receive a spiritual gift (we do not baptise monkeys or rose bushes because their souls are material and incapable of receiving grace – ‘what is received is received according to the capacity of the receiver’). The possibility, or rather more correctly, the ontological receptivity of a human soul to receive grace is not grace itself, as is being stated here in Rowland’s quotation of Albacete as grace being “the possibility of a personal encounter with Jesus Christ”. It is a fallacy to present grace as the potential to receive grace. Try telling the starving poor of third world nations that their potential to be nourished by food and the food that is being withheld from them by the affluent west are one and the same thing and therefore they are not really starving to death at all.

- (R62) Against the neo-Thomist tendency to mute the theological dimensions of the doctrine of natural law, Pinckaers emphasized that Catholic ethics transforms Aristotle, since “the advent of divine revelation has occasioned a profound transformation in the doctrine of virtue according to which the first source of moral excellence is ... located in ... God through Christ.” [Footnote follows]
- (C62) Here again we have an equivocation. This time the equivocation is with the notion of “transforms”. The Aristotelian sense would be that it changes the natural form to a supernatural one, i.e. it changes natural ethics into a supernatural ethics. Though this is in fact implied by the way Rowland is arguing, a wider use of the term would allow not a change of essence or form but only a change of state or existence, from our elevation to the level of divine existence. One can see that when Fr Pinckaers emphasised that “Catholic ethics transforms Aristotle” he did so from the perspective of supernatural theology, which by definition is “located in ... God through Christ”. This perspective of Fr Pinckaers which Rowland reveals so as to oppose it “against the neo-Thomist tendency to mute the theological dimensions of the doctrine of natural law” is a false opposition because a statement about the perfection of natural law at the level of supernatural theology in the light of Faith is being opposed to a purely philosophical treatment of natural law in the light of reason alone. A valid comparison would compare moral theology as taught by Fr Pinckaers with moral theology taught by neo Thomists, and with moral theology taught by St Thomas.

Rowland fails to discriminate between Faith and Reason and what is proper to each. This becomes very evident when we consider what in reality is meant by “theological dimensions of the doctrine of natural law”. The natural law is part of God’s creation, and as such it is finite and purely human in the nature in which it is inscribed, but Rowland is proposing that natural law is of an infinite and unlimited supernatural theological dimension. Human nature is either being equated with divine nature or is being confused with divine nature. Here we see the extent of confusion and error carried by her use of ‘theological anthropology’, as she sometimes calls her ‘theological framework’.

- (R63) [Footnote] Of course, one must add that there is a case to be made that Aristotle, too, connects ethics and the divine, since, even for Aristotle, nature depends on God.
- (C63) But Aristotle, as must be obvious to Rowland, is not theologising human nature in the sense in which she uses “theology”. The connection, to use Rowland’s words, that Aristotle made between ethics and the divine is at the level of reason, and obviously not at the Supernatural level of Faith which Aristotle did not have. Her recognition of the fact that “even for Aristotle nature depends on God” should have made it clear to Rowland that there is a real distinction between natural theology and supernatural theology by which she could have corrected one of the major errors of her paper.
- (R70) Pinckaers’ fundamentally trinitarian framework for moral theology and the treatment of natural law within it thus provides an alternative from within the Dominican tradition to various currents of neo-Thomism.
- (C70) The philosophical quest of the natural law as St. Thomas says repeatedly is for a natural end (imperfect from the theological viewpoint). God by a free gift positively “completes” it, without any denial of the end in the natural order (nor of its “completion” should God have freely not given grace). Pinckaers is speaking as a theologian.

This is what he said about the natural law.⁶⁴

Let us note that the natural law does not appear as a barrier to freedom but, in St Thomas, possesses a basically dynamic nature: it proceeds from the natural inclinations and yearnings for the preservation of being, the gift of life, the good, truth, and life in society, which are already found in Cicero’s *De Officiis* (bk. 1, ch. IV). These inclinations will be developed through the virtues. As for the negative commandments, they forbid actions incompatible with the formation of the virtues and thus lay the groundwork for them. In this way, the natural law and the Decalogue can be ordered to the Gospel Law as to a higher perfection, a total fulfilment. Here as well, theology takes up and completes the philosophical quest.

Quite clearly Fr. Pinckaers distinguishes between natural law at the level of reason “already found in Cicero” and in the Decalogue, and the higher perfection of the Gospel law, where “theology takes up and completes the philosophical quest”. So Rowland does

⁶⁴ *Reflections on Fides et Ratio*. L’Osservatore Romano, 16 June 1999, p 14.

not have Fr. Pinckaers on side after all with her claim that the natural law is only a *lingua franca*, and an unintelligible one at that. Here Fr. Pinckaers is perfectly in line with St Thomas, Maritain and Garrigou-Lagrange.

What Rowland fails again to distinguish is whether she means the “various currents of neo-Thomism” are neo-Thomistic presentations to non-believers of Natural Law in the light of reason alone as per the ‘Maritain Project’, or neo Thomistic presentations to Catholics of Moral Theology, which include and perfect understanding of Natural Law in the light of Faith and supernatural truth. The same illegitimate comparison is being suggested here as was suggested in (R62) above. The answer given in (C62) above is again applicable.

To amplify the distinction between Faith and reason in reference to the moral theology of St Thomas and natural law we turn to Pope Benedict XVI ⁶⁵ (*emphasis added*, except for *Summa Theologiae*).

An important application of this relationship between nature and Grace is recognized in the moral theology of St Thomas Aquinas, which *proves to be of great timeliness*. At the centre of his teaching in this field, he places the new law which is the law of the Holy Spirit. With a profoundly evangelical gaze he insists on the fact that this law is the Grace of the Holy Spirit given to all who believe in Christ. The written and oral teaching of the doctrinal and moral truths transmitted by the Church is united to this Grace. St Thomas, emphasizing the fundamental role in moral life of the action of the Holy Spirit, of Grace, from which flow the theological and moral virtues, makes us understand that all Christians can attain the lofty perspectives of the ‘Sermon on the Mount’, if they live an authentic relationship of faith in Christ, if they are open to the action of his Holy Spirit. However, Aquinas adds, “Although Grace is more efficacious than nature, yet nature is more essential to man, and therefore more enduring” (*Summa Theologiae*, Ia-IIae, q. 94, a. 6, ad 2), which is why, in the Christian moral perspective, there is a place for reason which is capable of discerning natural moral law. Reason can recognize this by considering what it is good to do and what it is good to avoid in order to achieve that felicity which everyone has at heart, which also implies a responsibility towards others and, therefore, the search for the common good. In other words, the human, theological and moral virtues are rooted in human nature. Divine Grace accompanies, sustains and impels ethical commitment but, according to St Thomas, all human beings, believers and non-believers alike, are called to recognize the needs of human nature expressed in natural law and to draw inspiration from it in the formulation of positive laws, namely those issued by the civil and political authorities to regulate human coexistence.

⁶⁵ *General Audience* “Saint Thomas Aquinas”, Part 2, 16 June 2010.

Rowland failed to make the distinction, demanded here by St Thomas, concerning her “various currents of neo-Thomism”: the distinction also demanded by Benedict XVI in his brief overview of St Thomas; the distinction between Faith (moral theology) and reason (natural law).

- (R72) In particular he believes that the ultimate foundation for Aquinas’s account of natural law is precisely his understanding of the internal life of God as self-communicative love even if the trinitarian accent is not strong in his direct references to natural law. [Footnote follows]
- (C72) Here we have Rowland telling us about what someone else [Thomas Hibbs] believes about St Thomas’ teaching on natural law, as some sort of support for her own belief about St Thomas’ teaching on natural law. We should rather turn to the actual teaching of St Thomas. Here is St Thomas’ magnificent metaphysical analysis of Natural Law.⁶⁶

As stated above (Question 91, Article 3), the precepts of the natural law are to the practical reason, what the first principles of demonstrations are to the speculative reason; because both are self-evident principles. Now a thing is said to be self-evident in two ways: first, in itself; secondly, in relation to us. Any proposition is said to be self-evident in itself, if its predicate is contained in the notion of the subject: although, to one who knows not the definition of the subject, it happens that such a proposition is not self-evident. For instance, this proposition, “Man is a rational being,” is, in its very nature, self-evident, since who says “man,” says “a rational being”: and yet to one who knows not what a man is, this proposition is not self-evident. Hence it is that, as Boethius says (*De Hebdom.*), certain axioms or propositions are universally self-evident to all; and such are those propositions whose terms are known to all, as, “Every whole is greater than its part,” and, “Things equal to one and the same are equal to one another.” But some propositions are self-evident only to the wise, who understand the meaning of the terms of such propositions: thus to one who understands that an angel is not a body, it is self-evident that an angel is not circumscriptively in a place: but this is not evident to the unlearned, for they cannot grasp it.

Now a certain order is to be found in those things that are apprehended universally. For that which, before aught else, falls under apprehension, is “being,” the notion of which is included in all things whatsoever a man apprehends. Wherefore the first indemonstrable principle is that “the same thing cannot be affirmed and denied at the same time,” which is based on the notion of “being” and “not-being”: and on this principle all others are based, as is stated in *Metaph. iv*, text. 9. Now as “being” is the first thing that falls under the apprehension simply, so “good” is the first thing that falls under the apprehension of the practical reason, which is

⁶⁶ *Summa Theologiae* (ST) I-II, q. 94, a. 2., “Whether the natural law contains several precepts, or only one”.

directed to action: since every agent acts for an end under the aspect of good. Consequently the first principle of practical reason is one founded on the notion of good, viz. that “good is that which all things seek after.” Hence this is the first precept of law, that “good is to be done and pursued, and evil is to be avoided.” All other precepts of the natural law are based upon this: so that whatever the practical reason naturally apprehends as man’s good (or evil) belongs to the precepts of the natural law as something to be done or avoided.

Since, however, good has the nature of an end, and evil, the nature of a contrary, hence it is that all those things to which man has a natural inclination, are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance. Wherefore according to the order of natural inclinations, is the order of the precepts of the natural law. Because in man there is first of all an inclination to good in accordance with the nature which he has in common with all substances: inasmuch as every substance seeks the preservation of its own being, according to its nature: and by reason of this inclination, whatever is a means of preserving human life, and of warding off its obstacles, belongs to the natural law. Secondly, there is in man an inclination to things that pertain to him more specially, according to that nature which he has in common with other animals: and in virtue of this inclination, those things are said to belong to the natural law, “which nature has taught to all animals” [Pandect. Just. I, tit. i], such as sexual intercourse, education of offspring and so forth. Thirdly, there is in man an inclination to good, according to the nature of his reason, which nature is proper to him: thus man has a natural inclination to know the truth about God, and to live in society: and in this respect, whatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination.

This classical passage of St Thomas defining and explaining the natural law is entirely philosophical and makes no appeal to any theological argument or “trinitarian accent” whatsoever.

- (R73) [Footnote] Hibbs laments the eclipse of the more Platonic and Dionysian dimensions of Thomist metaphysics in neo-Thomism. Indeed he argues that “misconceptions of the nature of metaphysical enquiry have infected certain strains of Thomism for many centuries” and in particular, that “there has been an eclipse of the erotic appeal of metaphysics and its pervasive deployment of aesthetic language.”
- (C73) That “certain strains of Thomism” are a corruption of Thomism as suggested here by the words “misconceptions” and “have infected” should have alerted Rowland to the fact that she needs to discriminate between what is truly Thomistic and what only has an appearance of being Thomistic, and that it is therefore unjust and misleading to label that

which is a corruption of St Thomas with the hallowed name of 'Thomism'. The following warning from Pope Leo XIII will make the distinction spoken of abundantly clear.⁶⁷

Let the universities already founded or to be founded by you illustrate and defend this doctrine, and use it for the refutation of prevailing errors. But, lest the false for the true or the corrupt for the pure be drunk in, be ye watchful that the doctrine of Thomas be drawn from his own fountains, or at least from those rivulets which, derived from the very fount, have thus far flowed, according to the established agreement of learned men, pure and clear; be careful to guard the minds of youth from those which are said to flow thence, but in reality are gathered from strange and unwholesome streams.

The real danger with the desire to import "aesthetic language" into the metaphysics of St Thomas is ultimately that the clear cut meanings and distinctions inherent in this metaphysics will be blurred and misconstrued by the multiplication of useless and irrelevant words. What "aesthetic language" will correct "misconceptions" about the principle of contradiction? The danger inherent with multiplying words, and the absence of this foolishness in St Thomas was well noted by that sagacious Thomist G. K. Chesterton.⁶⁸

There is no thinker who is so unmistakably thinking about things and not being misled by the indirect influence of words, as St. Thomas Aquinas. It is true in that sense that he has not the advantage of words, any more than the disadvantage of words. Here he differs sharply, for instance, from St. Augustine who was, among other things a wit. He was also a sort of prose poet, with a power over words in their atmospheric and emotional aspect; so that his books abound with beautiful passages that rise in the memory like strains of music; the illi in vos saeviant; or the unforgettable cry, "Late I have loved thee, O Ancient Beauty!" It is true that there is little or nothing of this kind in St. Thomas; but if he was without the higher uses of the mere magic of words, he was also free from that abuse of it, by mere sentimentalists or self-centred artists, which can become merely morbid and a very black magic indeed. And truly it is by some such comparison with the purely introspective intellectual that we may find a hint about the real nature of the thing I describe, or rather fail to describe; I mean the elemental and primitive poetry that shines through all his thoughts; and especially through the thought with which all his thinking begins. It is the intense rightness of his sense of the relation between the mind and the real thing outside the mind.

⁶⁷ *Aeterni Patris*, No 31.

⁶⁸ *Saint Thomas Aquinas*, pp 181-182.

The contrived and useless importation into St Thomas, especially into his metaphysics, of words such as “erotic” in its modern liberal “atmospheric and emotional aspect” would be a “very black magic indeed” that does not flow from the Angelic doctor’s own fountain, but “in reality is gathered from strange and unwholesome streams”.

- (R77) Hibbs argues that “even where there is the possibility of derivation of human laws from the natural law, Aquinas does not advocate anything like the abstract, context-free model of practical reasoning found in twentieth-century decision-making models.”
- (C77) To draw any valid conclusion about his teaching on “practical reasoning” it is insufficient to know what “Aquinas does not advocate”. To draw a valid conclusion we need to be told what Aquinas actually does advocate, but that is not spelled out. The said “abstract, context-free model of practical reasoning found in twentieth-century decision-making models” is a model ultimately based in Cartesian rationalism, and that is not spelled out either.
- (R78) Rather “for Aquinas, the inherent deficiencies in any deductive model of morality underscore the indispensable role for prudence even in natural law.”
- (C78) Here what “Aquinas does not advocate” about “practical reasoning” in the rationalistic context of the previous sentence is being extended to include “any deductive model of reality” whatsoever. Rowland is plainly confusing “deductive” with “theoretical”. Practical reasoning is deductive also up to the point where prudence is needed to deal with the contingent reality that reason encounters in all matters pertaining to human behaviour.

We need to understand what is meant in reality by “deficiencies in deduction”. The form of an argument or syllogism: major premise and minor premise must be correct; the form of each premise must be correct. Then will the argument be correct in form. Incorrect form is one deficiency in a deduction or syllogism or argument. The other deficiency concerns the matter of the argument or deduction: the matter or content of each premise must be true. One can have a correctly formed logically rigorous argument that leads to a false conclusion simply because one or more of the premises is false. Deficiencies in deduction are only overcome when both the form of the argument is correct and the premises are true. Rowland seems to think that “the indispensable role for prudence even in natural law” dispenses one from applying reason to moral questions because of “deficiencies in deduction”. This mistaken notion about how natural law becomes known leads into her thoughts about prudence.

3. The recovery of prudence

- (R79) The recovery of prudence that is currently underway signals another area in which the classical natural law tradition can be integrated into the notion of theo-drama.
- (C79). Instead of right reason being applied to moral questions under the guidance of prudence, Rowland seems to think that deficiencies in deduction call for the removal of reason altogether from moral questions, rather than correcting the deficiencies in one’s

reasoning so that it becomes right reasoning. Thus being unshackled or recovered from the influence of reason (the “recovery of prudence”) prudence can now be anchored to “theo-drama” to determine the morality of practical applications of natural law. This is consistent with her claim that natural law is unintelligible without a ‘theological framework’ to make it intelligible.

The dismissal of reason from moral questions, or “recovery of prudence” as Rowland would have it, is far removed from St Thomas who teaches that reason is a necessary part of prudence⁶⁹ (*emphasis added*).

prudence above all requires that man be an apt reasoner, so that he may rightly apply universals to particulars, which latter are various and uncertain.

On this question of reason being a part of prudence, what Rowland apparently thinks are deficiencies in deduction are in reality the variability and uncertainty of particulars, about which one needs to rightly reason in order to be guided by prudence to reach the correct conclusion in each instance. If there are any deficiencies in deduction they are to be corrected by correcting one’s reasoning before one can prudently apply reason to particulars.

St Thomas’ reply to an objection here clearly teaches that without the universal, the objective moral law, right reason has nothing upon which to base itself in order to be applied to particulars which are “various and uncertain” and will consequently never arrive at right conclusions about particulars. Furthermore even with the universal being rightly understood as the basis from which to reason and reach conclusions about particulars, reason will not arrive at true conclusions about particulars unless it is rightly applied with true premises.

Rowland has the double misfortune of making two elementary mistakes. She fails to understand the nature of universal, which to her in regard to the natural law is unintelligible. This error leads her to see supernatural theology as a substitute for the natural law on the natural level, which it is not. She persistently bewails the use of reason and confuses the metaphysical logic of St Thomas with Cartesian / Kantian rationalism. Consequently she brings in ‘theo-drama’, ‘nuptial mysticism’, as the filler for both voids; firstly to provide intelligibility to the supposedly unintelligible universal of the natural law; and secondly to reach conclusions based upon the now intelligible universal by the process of quasi mysticism, by irrationality and feelings, or as Fr. Garrigou-Lagrange called it “mystic sentimentalism”.

- (R80) St. Thomas identified no fewer than eight quasi-integral parts of prudence: memory, understanding, docility, ingeniousness, reason, foresight, circumspection, and caution.
- (C80) St Thomas divides prudence into three parts: ‘integral’, ‘subjective’ and ‘potential’.⁷⁰ The part known as ‘integral’ is further divided into eight parts, which are the parts listed in (R80), except that she mistranslates *solertia* as ingeniousness. It is something more subtle

⁶⁹ ST II, II q. 49, a. 5, “Whether reason is a part of prudence.” Reply to objection 2.

⁷⁰ ST II, II q. 48, a. 1, “Whether three parts of prudence are fittingly assigned.”

than that. Regarding the ‘integral’ part called ‘understanding’ St Thomas teaches the following.⁷¹

Understanding denotes here, not the intellectual power, but the right estimate about some final principle, which is taken as self-evident: thus we are said to understand the first principles of demonstrations. Now every deduction of reason proceeds from certain statements which are taken as primary: wherefore every process of reasoning must proceed from some understanding. Therefore since prudence is right reason applied to action, the whole process of prudence must have its source in understanding. Hence it is that understanding is reckoned a part of prudence.

Again we see that St Thomas clearly teaches that “deduction of reason” is required for the “whole process of prudence”, because to reason rightly allows one to move from self evident principles to a conclusion that prudence then directs to right action. This further exposes the error introduced in (R78) above, which would empty prudence of its rational basis; and which was indicated by Rowland as being the teaching of St Thomas, whereas in reality St Thomas teaches that “prudence is right reason applied to action”. *Right* reason is applied to action when there are no “inherent deficiencies in deduction”: when both the form of deduction, the syllogism, is valid; and the matter of deduction, the premises, are true.

- (R81) Pamela Hall argues that this catalogue shows that for the making of a prudential judgment, Aquinas required not merely deliberative skills but also an experience-gathering ability, and Kenneth L. Schmitz has drawn attention to the fact that not all experience is of the same wisdom-inducing quality.
- (C81) What is here being called an “experience gathering ability” in regard to prudence is better referred to as memory. Concerning memory, one of the eight ‘integral’ parts of prudence, St Thomas teaches this.⁷²

Prudence regards contingent matters of action, as stated above (Question 47, Article 5). Now in such like matters a man can be directed, not by those things that are simply and necessarily true, but by those which occur in the majority of cases: because principles must be proportionate to their conclusions, and “like must be concluded from like” (Ethic. vi [Anal. Post. i. 32]). But we need experience to discover what is true in the majority of cases: wherefore the Philosopher says (Ethic. ii, 1) that “intellectual virtue is engendered and fostered by experience and time.” Now experience is the result of many memories as stated in Metaph. i, 1, and therefore prudence requires the memory of many things. Hence memory is fittingly accounted a part of prudence.

⁷¹ ST II, II q. 49, a. 2, “Whether understanding is part of prudence.”

⁷² ST II, II q. 49, a. 1, “Whether memory is part of prudence.”

St Thomas defines experience as the reasoned ordering of one's memories, and as such, it falls under that integral part of prudence called memory. The type of wisdom attained through practical experience derived from one's memories is practical wisdom, or wisdom about suitable morally good means of attaining a perceived morally good end concerning particulars "which latter are various and uncertain". Those who are young and inexperienced in this regard have special need of the 'integral' part of prudence called docility.⁷³

As stated above (2, ad 1; 47, 3) prudence is concerned with particular matters of action, and since such matters are of infinite variety, no one man can consider them all sufficiently; nor can this be done quickly, for it requires length of time. Hence in matters of prudence man stands in very great need of being taught by others, especially by old folk who have acquired a sane understanding of the ends in practical matters. Wherefore the Philosopher says (*Ethic. vi, 11*): "It is right to pay no less attention to the undemonstrated assertions and opinions of such persons as are experienced, older than we are, and prudent, than to their demonstrations, for their experience gives them an insight into principles." Thus it is written (*Proverbs 3:5*): "Lean not on thy own prudence," and (*Sirach 6:35*): "Stand in the multitude of the ancients" (i.e. the old men), "that are wise, and join thyself from thy heart to their wisdom." Now it is a mark of docility to be ready to be taught: and consequently docility is fittingly reckoned a part of prudence.

Again the experience and wisdom being spoken of here is of a practical nature being concerned with "particular matters of action", of acquiring "a sane understanding of the ends in practical matters" which of themselves can be of "infinite variety".

- (R82) Some experiences are sapiential, while others can be destructive of the soul's capacity to recognize the beautiful, the true, and the good and to be attracted to them.
- (C82) Experiences being of the order of sense are not of themselves intelligible let alone sapiential. Neither can they be destructive of the spiritual soul's capacity which is "destroyed" only by bad will. Experience as referred to by Rowland is sense experience, internal and collected from sense memories. This is made intelligible only by intellect in the same way as all knowledge gained by our senses is abstracted from individual sense impressions and images. The object of our senses as such is the sensible; the intelligible is the object of our intellect only. We can say that what we sense is potentially intelligible (a double potency) but it is evident that Rowland is not making this kind of point. Rowland is using words here that she does not understand.

In the metaphysics of St Thomas and Aristotle truth, good and beauty are shown to be transcendental properties of being. The word 'sapientia' in Thomism in relation to the transcendentals refers to the highest wisdom of metaphysics. Rowland seems to confuse the experiences or memories associated with practical wisdom and the morality of

⁷³ ST II, II q. 49, a. 3, "Whether docility is part of prudence."

individual acts with metaphysics, which is concerned with first propositions and first concepts. The first proposition or judgment is the principle of contradiction (being is not non-being) and it follows immediately upon the first apprehension: the apprehension of being. The first concepts unity, truth and goodness are immediately known when being is known because they are immediately convertible with being. They are simply different modes of being. There is no doubt, that our understanding of these transcendentals may be affected by other factors but not essentially. This understanding is fundamentally independent of one's moral state or lack of prudence, or of one's ability to remember past experiences good or bad. The transcendental modes of being are implicitly known to everyone from the saint to the basest criminal. Hitler knew that it was true that the Jews existed and that it was true that their existence was simultaneously not the non existence to which he tried to reduce them as a 'good' to be acquired in practice.

Rowland's confusion of the true, the good and the beautiful, which are transcendental modes of being, with practical wisdom, prudence and the morality of individual human acts inevitably inhibits her ability to comprehend the teaching of St Thomas on the Natural Law, to which we now return.⁷⁴

As stated above (4,5), there belong to the natural law, first, certain most general precepts, that are known to all; and secondly, certain secondary and more detailed precepts, which are, as it were, conclusions following closely from first principles. As to those general principles, the natural law, in the abstract, can nowise be blotted out from men's hearts. But it is blotted out in the case of a particular action, in so far as reason is hindered from applying the general principle to a particular point of practice, on account of concupiscence or some other passion, as stated above (Question 77, Article 2). But as to the other, i.e. the secondary precepts, the natural law can be blotted out from the human heart, either by evil persuasions, just as in speculative matters errors occur in respect of necessary conclusions; or by vicious customs and corrupt habits, as among some men, theft, and even unnatural vices, as the Apostle states (Romans 1), were not esteemed sinful.

It is neither the metaphysical concepts of truth, good and beauty (as already stated above) nor the first general precepts of the natural law (as stated here by St Thomas) which are completely blotted out by immoral acts. What can be blotted out is the general principle's application concerning particular acts "in so far as reason is hindered from applying the general principle to a particular point of practice".

(R100) Thus, while the natural law is written on the hearts of the gentiles, as St. Paul observed, the spiritual condition of their hearts, which ebbs and flows in response to the movements of grace and the experience of love and evil, can make the natural law more or less legible.

⁷⁴ ST I, II q. 94, a. 6, "Whether the law of nature can be abolished from the heart of man."

(C100) That is not what St Paul said in the applicable passage from the letter to the Romans. This is what St Paul said.⁷⁵

Indeed, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law. They show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts sometimes accusing them and at other times even defending them.

What Rowland vaguely describes as “the natural law” being “more or less legible” implies the entire natural law including the most general precepts. The corrective to be made here is given in the quote from St Thomas in the previous comment.

(R101) This awareness is often lost in neo-Thomist accounts from which one derives the impression that the human mind is something like a computer into which one can plug an ethical hypothetical and series of questions in a logical sequence.

(C101) Here again there is no discrimination between the system of reasoning limited to the empirical which is used in science and technology and the metaphysical reasoning of St Thomas in what she says about the “neo-Thomist accounts” from which she has ‘derived her impression’. In regard to this assertion one wonders if Rowland has actually even read what Maritain “the flagship” of these “neo-Thomistic accounts” said about this type of approach to natural law. Here is a typical passage in which Maritain explicitly rejects this rationalistic computer like application of logic to the natural law.⁷⁶ (*emphasis added*)

To sum up, the fundamental rights, like the right to existence and life; the right to personal freedom or to conduct one’s life as master of oneself and of one’s acts, responsible for them before God and the law of the community; the right to the pursuit of perfection of moral and rational human life; (38) the right to the pursuit of eternal good (without this pursuit there is no true pursuit of happiness); the right to keep one’s body whole; the right to ownership of material goods, which is a safeguard of the liberties of the individual; the right to marry according to one’s choice and to raise a family which will be assured of the liberties due to it; the right of association, the respect of human dignity in each individual, whether or not he represents an economic value to society – all these rights are rooted in the vocation of the person (a spiritual and free agent) to the order of absolute values and to a destiny superior to time. The French Declaration of the Rights of Man framed these rights in the altogether rationalist point of view of the Enlightenment and the Encyclopedists, and to that extent *enveloped them in ambiguity*. ...

⁷⁵ Rom 2:14-15.

⁷⁶ Jacques Maritain, *Natural Law: Reflections on Theory and Practise*. St Augustine’s Press, 2001. pp 77-79. Note in the text: [38] “In this above all consists the pursuit of happiness: the pursuit of happiness here on earth is the pursuit, not of material advantages, but of moral righteousness, of the strength and perfection of the soul, with the material and social conditions thereby implied.”

The rationalism of the Encyclopedists, *making of natural law no longer an offspring of creative wisdom* but a revelation of reason unto itself, *transformed natural law into a code of absolute and universal justice inscribed in nature* and deciphered by reason as an ensemble of geometric theorems or speculative data; and *into the code of nature this same rationalism absorbed every kind of law which hence forth became as necessary and universal as nature itself*. It is doubtless because of this false rationalist perspective, but it is also because of the corruption of Christian principles within the social and political life of the ancient regime, that the affirmation of rights themselves based on Christian principles appeared revolutionary with regard to Christian tradition. ... The consciousness of the rights of the person really has its origin in the *conception of man and natural law* established by centuries of Christian philosophy.

What Maritain has stated in these paragraphs should be meditated upon, and is profitably to be compared to what Pope John XIII taught the entire Church.⁷⁷ (*emphasis added*).

That a marvelous order predominates in the world of living beings and in the *forces of nature*, is the plain lesson which the progress of modern research and the *discoveries of technology teach us*. And it is part of the greatness of man that he can appreciate that order, and devise the means for harnessing those forces for his own benefit.

But what emerges *first and foremost from the progress of scientific knowledge and the inventions of technology is the infinite greatness of God Himself*, who created both man and the universe. Yes; out of nothing He made all things, and filled them with the fullness of His own wisdom and goodness. Hence, these are the words the holy psalmist used in praise of God: “O Lord, our Lord: how admirable is thy name in the whole earth.” [1] And elsewhere he says: “How great are thy works, O Lord! Thou hast made all things in wisdom.” [2] Moreover, God created man “in His own image and likeness,” [3] endowed him with intelligence and freedom, and made him lord of creation. All this the psalmist proclaims when he says: “Thou hast made him a little less than the angels: thou hast crowned him with glory and honor, and hast set him over the works of thy hands. Thou hast subjected all things under his feet.” [4]

And yet there is a disunity among individuals and among nations which is *in striking contrast to this perfect order in the universe*. One would think that the relationships that bind men together could only be governed by force.

But the world’s Creator has stamped man’s inmost being with an order revealed to man by his conscience; and his conscience insists on his

⁷⁷ Pope John XIII, *Pacem in Terris*. 11 April 1963. Nos 2, 3, 4, 5, 6. References in the text are as follows: [1] Ps. 8:1; [2] Ps. 103:24; [3] Cf. Gen. 1:26; [4] Ps. 8:5-6; [5] Rom. 2:15; [6] Cf. Ps. 18:8-11.

preserving it. Men “show the work of the law written in their hearts. Their conscience bears witness to them.” [5] And how could it be otherwise? All created being reflects the infinite wisdom of God. It reflects it all the more clearly, the higher it stands in the scale of perfection. [6]

But the mischief is often caused by erroneous opinions. *Many people think that the laws which govern man’s relations with the State are the same as those which regulate the blind, elemental forces of the universe. But it is not so; the laws which govern men are quite different. The Father of the universe has inscribed them in man’s nature, and that is where we must look for them; there and nowhere else.*

Rowland’s “impression that the human mind” is being treated as “something like a computer” by the likes of Maritain (and supposedly also by John XXIII) is simply another impression that she conveys to her readers for them to associate with neo Thomistic accounts of natural law and neo Thomists, so that they too can have the same impression. She gives no exposition or analysis of any “neo-Thomistic account” in her paper. She simply makes suggestions about St Thomas and Thomists to her readers. In light of her persistent practice it is appropriate to return to that most astute Thomist and student of human nature G.K. Chesterton.⁷⁸

On a great map like the mind of Aquinas, the mind of Luther would be almost invisible He was the first man who ever consciously used his consciousness or what was later called his Personality. He had as a fact a rather strong personality. Aquinas had an even stronger personality; he had a massive and magnetic presence; he had an intellect that could act like a huge system of artillery spread over the whole world; he had that instantaneous presence of mind in debate, which alone really deserves the name of wit. But it never occurred to him to use anything except his wits, in defense of a truth distinct from himself. It never occurred to Aquinas to use Aquinas as a weapon. There is not a trace of his ever using his personal advantages, of birth or body or brain or breeding, in debate with anybody. In short, he belonged to an age of intellectual unconsciousness, to an age of intellectual innocence, which was very intellectual. Now Luther did begin the modern mood of depending on things not merely intellectual. It is not a question of praise or blame; it matters little whether we say that he was a strong personality, or that he was a bit of a big bully. When he quoted a Scripture text, inserting a word that is not in Scripture, he was content to shout back at all hecklers: “Tell them that Dr. Martin Luther will have it so!” That is what we now call Personality. A little later it was called Psychology. After that it was called Advertisement or Salesmanship. But we are not arguing about advantages or disadvantages. It is due to this great Augustinian pessimist to say, not only that he did triumph at last over the Angel of the Schools, but that he did in a very

⁷⁸ *Saint Thomas Aquinas*, pp 194-195.

real sense make the modern world. He destroyed Reason; and substituted Suggestion.

(R102) Such an approach, which explicitly ignores the condition of the heart, is in fact a very liberal-rationalist sort of approach and it is not surprising, therefore, as Levering observes, that it was precisely a rejection of the Thomist metaphysics of participation (which involves one's whole being) that has been the recurring motif in Liberal theories of natural law.

(C102) Rowland gratuitously equates the approach of Neo-Thomists such as Garrigou-Lagrange with this liberal-rationalist approach which is equated with the mathematico-empirical methodology of modern science and technology. It is this mathematicist logic which "ignores the condition of the heart". Such a methodology however is quite foreign to that of the likes of Garrigou-Lagrange as anyone minimally familiar with his work would know.

Liberal theories of natural law are in the practical and ethical order. The metaphysics of participation belongs to the order of metaphysical truth, as is evident from the third thesis of the 24 Thomistic theses approved by the Sacred Congregation for Studies in July 1914 ⁷⁹ (*emphasis added*).

(3) ... the one God, unique and most simple, subsists in the absolute reason of His existence. *All other things that participate in His existence*, have a nature which restricts their being, and *they consist of essence and existence as of really distinct principles*.

Rowland simply uses Aristotelico-thomistic words here with little understanding of their significance. All she needs to refer to here is the practical logic of ethical thinking.

Nonetheless, Metaphysics has relevance generally in every question of the theoretical and practical order. We should take note of the words of Pope St Pius X. ⁸⁰

We admonish professors to bear well in mind that they cannot set aside St Thomas, especially in metaphysical questions, without grave disadvantage.

4. *Natural Inclinations and the ecstatic.*

(R122) Moreover, since it is christological, natural law cannot be understood apart from the spousal relationship of Christ with his Church.

(C122) Rowland's fundamental error and initial assumption that natural law is an unintelligible *lingua franca* is at last explicitly drawn out as a 'proven conclusion': "*natural law cannot be understood apart from the spousal relationship of Christ with his Church*", which explicitly means that natural law of itself is unintelligible. One would be hard pressed to find a

⁷⁹ *Decree of Approval of some theses contained in the Doctrine of St Thomas Aquinas and proposed to the Teachers of Philosophy*. July 27, 1914.

⁸⁰ *Pascendi Dominici Gregis*, No 45.

clearer refutation of what Rowland says, and indeed of the arguments of her paper, than in the following extract from the teaching of Benedict XVI ⁸¹ (*emphasis added*).

In history, systems of law have almost always been based on religion: decisions regarding what was to be lawful among men were taken with reference to the divinity. *Unlike other great religions, Christianity has never proposed a revealed law to the State and to society, that is to say a juridical order derived from revelation. Instead, it has pointed to nature and reason as the true sources of law – and to the harmony of objective and subjective reason, which naturally presupposes that both spheres are rooted in the creative reason of God. Christian theologians thereby aligned themselves with a philosophical and juridical movement that began to take shape in the second century B.C.* In the first half of that century, the social natural law developed by the Stoic philosophers came into contact with leading teachers of Roman Law. Through this encounter, the juridical culture of the West was born, which was and is of key significance for the juridical culture of mankind. *This pre-Christian marriage between law and philosophy opened up the path that led via the Christian Middle Ages and the juridical developments of the Age of Enlightenment all the way to the Declaration of Human Rights and to our German Basic Law of 1949, with which our nation committed itself to “inviolable and inalienable human rights as the foundation of every human community, and of peace and justice in the world”.*

For the development of law and for the development of humanity, it was highly significant that Christian theologians aligned themselves against the religious law associated with polytheism and on the side of philosophy, and that they acknowledged reason and nature in their interrelation as the universally valid source of law. This step had already been taken by Saint Paul in the Letter to the Romans, when he said: “When Gentiles who have not the Law [the Torah of Israel] do by nature what the law requires, they are a law to themselves ... they show that what the law requires is written on their hearts, while their conscience also bears witness ” (Rom 2:14f.). Here we see the two fundamental concepts of nature and conscience, where conscience is nothing other than Solomon’s listening heart, *reason that is open to the language of being.*

Rowland’s assertion would probably sound so very orthodox and ‘catholic’ to many Catholics that they would hardly even consider questioning it, let alone consider that it is completely erroneous. It contradicts reason, God’s dealing with Moses and Israel, Papal Teaching, St Thomas and his entire school, and the pagan Aristotle who understood and explicated the Natural Law hundreds of years before Christ came upon earth. It contradicts the common and authentic experience of humanity. Her statement also

⁸¹ *The Listening Heart: Reflections on the Foundations of Law.* Address of Pope Benedict XVI to the German Bundestag, at the Reichstag Building on September 22, 2011.

contradicts the passage in St Paul's letter to the Romans that she cited above (R 100) but did not quote.⁸²

Indeed, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law. They show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts sometimes accusing them and at other times even defending them.

There is a fundamental confusion of Faith and reason, and the inter relation between them, in Rowland's claim that "since it is christological, natural law cannot be understood apart from the spousal relationship of Christ with his Church". Natural law, being for her unintelligible in the light of reason, will remain unintelligible when Faith is brought to bear on it because Faith perfects reason, it does not replace it. No intelligible perfection can be given to something that is unintelligible in itself by adding Faith or anything else to it. To claim, as Rowland does, that natural law of itself is unintelligible is to say that natural law does not exist, it is non-being. No perfection can be received by non-being because non-being does not exist.

Notwithstanding overwhelming evidence to the contrary, Rowland boldly maintains that "natural law [e.g. 'do good avoid evil, 'murder is wrong'] cannot be understood apart from the spousal relationship of Christ with his Church". Eh, sorry, that's baloney.

5. Political implications: Eros is not democratic

(R130) Maritain's project has been turned against the Church by contemporary liberals who argue that the attempted baptism of American-style liberalism inherent within it was but the first stage in what should be a more total democratic revolution encompassing the areas of sexuality and ecclesiology.

(C130) There is no attempted baptism of American-style liberalism by Maritain. Rowland does not know the difference between the deficient Liberal notions of liberty and democracy and the proper thomistic notions promoted by Maritain and used by the Church. Neither does the proper philosophical notion of democracy apply to the government of the Church which is of an entirely different (supernatural) order.

For all the accusations she levels against Maritain the one thing that we don't see in her paper is the actual 'Maritain project'. At this late stage in her paper she has still not provided any internal evidence for what she contends about the 'Maritain project' her "flagship of neo-Thomism".

(R133) However, whereas Kraynak has generally looked to the Augustinian tradition to provide antidotes for the political influence of Maritain, McAleer recommends the thought of Aurel Kolnai (1900–1973), whose anti-utopian disposition and concerns about totalitarian tendencies within the liberal tradition resonate well with the Augustinian reserve toward the notion of a perfect social order.

⁸² Romans 2:14-15.

(C133) “To provide antidotes” indicates something poisonous, like a snake bite, against which one is providing antidotes. Dr Rowland arrives with her medicine bag of “antidotes for the political influence of Maritain”. She has already said in (R14) that “the French Thomist and advisor of Paul VI, Jacques Maritain, who contributed to the drafting of the United Nations’ *Universal Declaration on Human Rights* (1948), which itself is upheld as the project’s greatest achievement”. So are we to understand that Maritain’s contribution to the *Declaration* is poisonous and the *Declaration* in need of antidotes? We refer to Pope Benedict XVI, quoted in (C21) above, and what he stated about the United Nations’ *Universal Declaration on Human Rights* (1948) in that Address, a short extract from which is reproduced here ⁸³.

The merit of the *Universal Declaration* is that it has enabled different cultures, juridical expressions and institutional models to converge around a fundamental nucleus of values, and hence of rights. Today, though, efforts need to be redoubled in the face of pressure to reinterpret the foundations of the *Declaration* and to compromise its inner unity so as to facilitate a move away from the protection of human dignity towards the satisfaction of simple interests, often particular interests.

Not surprisingly the first sentence gives to the *Universal Declaration* a Papal clean bill of health. We can recommend to Rowland that she meditates on the second sentence of the extract from the Papal Address.

(R136) When placed within the framework of nuptial mysticism, morality becomes a matter of desiring to be more like Christ.

(C136) Without the framework of nuptial mysticism (which is a supernatural consideration) natural morality can see its natural perfection in the human nature of Christ. At this late stage in her paper she has still not defined ‘nuptial mysticism’, but whatever it is supposed to be, it carries no connotation of being a subject of political theory or practice, the subject matter of this sub-section.

6. *Conclusions*

(R137) The conclusion to be drawn from the above brief survey of recent scholarship on natural law doctrine is that Catholic scholars need to go beyond a theologically neutered conception of natural law as a *lingua franca* with which to engage proponents of hostile traditions.

(C137) Conclusions are drawn from arguments not from surveys. All that the survey tells us is what other people think. In the true sense of the word ‘conclusion’, a conclusion is demonstrated to be true by the truth of the premises from which it is deduced according to correct form: the syllogistic form of reasoning. No conclusion can be drawn from a survey: from an opinion poll; which is effectively all that Rowland has presented as the

⁸³ *Address to the General Assembly of the United Nations Organisation*, 18 April 2008.

product matter of her paper. All that one gets from a survey is a head count and an idea of what different people think.

The so called “conclusion” now being presented is simply another bold reassertion of an erroneous assumption Rowland began with and has asserted continually throughout and which she asserted as her desired ‘conclusion’ in (R122), two sections before the current “conclusions” section: “since it is christological, natural law cannot be understood apart from the spousal relationship of Christ with his Church”.

(R138) However, nothing in the above should be construed as a call to abandon the Church’s mission to those whom Alasdair MacIntyre calls “plain persons,” who tacitly adopt the attitudes of the elite as they filter through and undergird the practices of the institutions in which they live and work.

(C138) Who are these “elite”? Surely they are the select group of academics whose opinions Rowland has just surveyed for our benefit. What then about the difficulty of communicating with “plain persons” of different traditions? In her *Culture and the Thomist Tradition After Vatican II* (p 122) Rowland tells her readers that Alasdair MacIntyre argues that to “abstract any type of concept ... from the traditions which they inform is to risk damaging misunderstandings”. According to this ‘principle of knowledge’ an uneducated aboriginal living in the outback must have a concept of say ‘rain’ or ‘flood’ or ‘drought’ or ‘sun’ or ‘moon’ or ‘day’ or ‘night’ different from that of a university professor because they live and learn in different social conditions, or traditions! If one speaks to the other about the meaning of these entities he “risks damaging misunderstandings” because he is speaking to someone outside the tradition or culture which formed his own knowledge. Thus if the uneducated denizen of the outback asks the professor if it will rain today the professor has a hard time understanding the question.

On MacIntyre’s ‘principle of knowledge’ a mathematician from a Greek tradition or culture and a mathematician from an Egyptian tradition or culture have different concepts of the meaning of two plus two because to “abstract any type of concept ... from the traditions which they inform is to risk damaging misunderstandings”. When asked for the reason why such nonsense is being seriously proposed all we seem to hear Dr Rowland say is “tell them that Dr Alasdair MacIntyre will have it so”. Still one could bet ‘London to a brick’ on the fact that MacIntyre and Rowland would quickly become very Thomistic if an Athenian greengrocer handed them two cucumbers instead of three cabbages, and ten pounds change in Monopoly money instead of the twenty drachma owed them.

If Rowland’s paper and MacIntyre’s tradition constituted theory of knowledge are examples of what the “elite” are filtering down for the tacit adoption of “plain persons” then they are filtering error and falsehood down from a modern Tower of Babel where they speak high sounding nonsense to each other and are unable, even on their own principles, to communicate with the real world outside. These “attitudes of the

[supposed] elite” will be ignored by clear thinking “plain persons” who are naturally attuned to the common sense wisdom of the *philosophia perennis*.⁸⁴

Ordinary knowledge consists for the most part of mere opinions or beliefs, more or less well founded. But it implies a solid kernel of genuine *certainties* in which the philosopher recognises in the first place data of the senses (for example, that *bodies possess length, breadth, and height*), secondly, self-evident axioms (for example, *the whole is greater than the part, every event has a cause*, etc.), and thirdly, consequences immediately deducible from these axioms (proximate conclusions). These certainties which arise spontaneously in the mind when we first come to the use of reason are thus the work of nature in us, and may therefore be called an endowment of nature as proceeding from the natural perception, consent, instinct, or natural sense of the intellect. Since their source is human nature itself, they will be found in all men alike; in other words, they are common to all men. They may therefore be said to belong to the common perception, consent, or instinct, or to the *common sense of mankind*.

The great truths without which man’s moral life is impossible - for example, knowledge of God’s existence, the freedom of the will, etc. - belong to this domain of common sense, as consequences immediately deducible (proximate conclusions) from primary data apprehended by observation and first principles apprehended by the intellect. All men, unless spoiled by a faulty education or by some intellectual vice, possess a natural certainty of these truths. But those whose understanding has never been cultivated are not able to give any account or at least any satisfactory account of their convictions; that is to say, they cannot explain why they possess them.

These certainties of common sense, conclusions of an implicit reasoning, are as well founded as the certainties of science. But their possessor has no knowledge, or an imperfect knowledge, of the grounds on which he bases them. They are therefore imperfect not in their value as truth but in the *mode* or condition under which they exist in the mind.

Of the self-evident truths (*the whole is greater than the part, every event has a cause*, etc.) which are the object of what is termed the *understanding of principles*, and whose certainty is superior to that of any conclusion of science, common sense possesses a knowledge whose mode is equally imperfect, because it is confused and implicit.

Common sense therefore may be regarded as the natural and primitive judgment of human reason, infallible, but imperfect in its mode.

⁸⁴ Jacques Maritain. *An Introduction to Philosophy*. Sheed and Ward. New York 1937. pp 134-135.

What Maritain says in this passage about common sense is echoed by Pope John Paul II, but in different terminology. The Holy Father speaks about a spiritual heritage of humanity, an implicit philosophy common to all.⁸⁵

Although times change and knowledge increases, it is possible to discern a core of philosophical insight within the history of thought as a whole. Consider, for example, the principles of non-contradiction, finality and causality, as well as the concept of the person as a free and intelligent subject, with the capacity to know God, truth and goodness. Consider as well certain fundamental moral norms which are shared by all. These are among the indications that, beyond different schools of thought, there exists a body of knowledge which may be judged a kind of spiritual heritage of humanity. It is as if we had come upon an *implicit philosophy*, as a result of which all feel that they possess these principles, albeit in a general and unreflective way. Precisely because it is shared in some measure by all, this knowledge should serve as a kind of reference-point for the different philosophical schools. Once reason successfully intuits and formulates the first universal principles of being and correctly draws from them conclusions which are coherent both logically and ethically, then it may be called right reason or, as the ancients called it, *orthos logos*, *recta ratio*.

On her part, the Church cannot but set great value upon reason's drive to attain goals which render people's lives ever more worthy. She sees in philosophy the way to come to know fundamental truths about human life. At the same time, the Church considers philosophy an indispensable help for a deeper understanding of faith and for communicating the truth of the Gospel to those who do not yet know it.

(R139) Rather, what is being argued is that the Church's scholars should not waste their energies performing all manner of linguistic gymnastics, transposing her teachings into the idioms of hostile traditions, in order to entice neopagan elites to buy their intellectual package.

(C139) The real problem then for the Catholic elites is communicating with neo-pagan elites. Has Rowland not noticed that it is the post-moderns with whom she sympathises who are "performing all manner of linguistic gymnastics". She introduces the label 'neo-pagan elites' for those who carry the 'liberal' label. Two labels on one can of sardines will not sell the sardines.

(R140) The movement from a neo-Thomist account of natural law to one that explicitly acknowledges its trinitarian context is unlikely to make the notion of natural law any less acceptable to such elites.

(C140) Why, yes! It is more sensible to argue from Faith with those who do not accept the Faith! Why has that not been thought of before? Three serious errors are here rolled up into

⁸⁵ *Fides et Ratio*, nos 4,5.

one: firstly that natural law is unintelligible as natural law; secondly that natural law is Trinitarian in nature; thirdly that natural law becomes intelligible only when its alleged Trinitarian nature is made manifest.

(R141) If they oppose a more Liberal-sounding version of it, then one might as well drop this project and concentrate on making the teaching more comprehensible and attractive to the Catholic faithful and plain persons of good will, especially Protestants. [Footnote follows]

(C141) Ah, well, perhaps such a Faith-based project of convincing those who reject the Faith is not feasible after all. In any case, if one tries to make a “more Liberal-sounding version of it” as advocated here⁸⁶, where “it” includes Catholic Teaching on the Trinity (R140), then one is tampering with dogma. The teaching of Pope St Pius X condemns in no uncertain terms any tampering with dogma, here by the use of erroneous philosophy.⁸⁷

St. Thomas perfected and augmented still further by the almost angelic quality of his intellect all this superb patrimony of wisdom which he inherited from his predecessors and applied it to prepare, illustrate and protect sacred doctrine in the minds of men (*In Librum Boethii de Trinitate*, quaest, ii, 3). Sound reason suggests that it would be foolish to neglect it and religion will not suffer it to be in any way attenuated. And rightly, because, if Catholic doctrine is once deprived of this strong bulwark, it is useless to seek the slightest assistance for its defence in a philosophy whose principles are either common to the errors of materialism, monism, pantheism, socialism and modernism, or certainly not opposed to such systems. The reason is that the capital theses in the philosophy of St. Thomas are not to be placed in the category of opinions capable of being debated one way or another, but are to be considered as the foundations upon which the whole science of natural and divine things is based; if such principles are once removed or in any way impaired, it must necessarily follow that students of the sacred sciences will ultimately fail to perceive so much as the meaning of the words in which the dogmas of divine revelation are proposed by the magisterium of the Church.

Who could argue that this Papal warning, about students of the sacred sciences “failing to perceive so much as the meaning of the words in which the dogmas of divine revelation are proposed by the magisterium of the Church”, has not been fulfilled to the letter within the modern ‘catholic’ education system. Students and apologists of ‘theological anthropology’ and ‘nuptial mysticism’ note well that you are being warned

⁸⁶ One is astonished (not really) at the flight from reality here in the form of a king-sized self-contradiction. While pillorying the likes of Maritain for allegedly plying liberals with an “explicitly liberal” version of Natural Law, the unflappable Rowland indicates that a “more liberal-sounding version of it” is to be used in the “new theological idiom” of ‘nuptial mysticism’ as an “antidote” to Maritain. She should go on the comedy channel.

⁸⁷ *Doctoris Angelici*. Motu Proprio. June 29, 1914.

that “it is useless to seek the slightest assistance for your defence in a philosophy whose principles are either common to the errors of materialism, monism, pantheism, socialism and modernism, or certainly not opposed to such systems”. MacIntyre’s theory of tradition constituted knowledge contradicts at least one of the capital theses in the philosophy of St Thomas referred to by the Holy Father and thereby finds its place amongst the erroneous philosophical systems identified by the Holy Father, and disqualifies itself from being a suitable philosophical foundation upon which to erect theology.

(R142) [Footnote] ... the work of David Novak on Old Testament ethics exhibits a significant interest in natural law from within the Jewish tradition, which, though obviously not linked to a trinitarian anthropology, at least shares some of the elements of a Christian cosmology.

(C142) What is a Christian cosmology? Indeed, what does Rowland think cosmology is? Is the Christian’s view of the universe not that of the scientist? Should we retry Galileo?

Rowland is right to say that the work of Novak on Old Testament ethics is “obviously not linked to Trinitarian anthropology”. She is right because the doctrine of the Trinity is not explicit in the Old Testament. Contrary to what she thinks, she is also right because anthropology is not Trinitarian in nature. Human nature is not divine nature: even in the person of Jesus Christ, in the hypostasis there is a real distinction between human nature and Divine Nature.

In noting that interest in natural law amongst Jews is “obviously not linked to a Trinitarian anthropology” we find Rowland contradicting the initial assumption and final conclusion of her paper: that natural law is unintelligible when severed from its alleged theological roots. According to her erstwhile assertion Novak is engaged in a futile exercise trying to decipher an unintelligible *lingua franca*. Linking this unintelligibility to “Christian cosmology” in order to bring intelligibility to the natural law in the absence of ‘theological anthropology’ (her usual provider of intelligibility to the natural law) fails to save Rowland’s bacon, for cosmology is a philosophical/scientific study of the physical universe as a whole. On Rowland’s claims cosmology must also remain unintelligible until Christian Doctrine is added to it to make it “Christian cosmology” for there is, according to her, no theologically neutral account of nature.

From what Rowland has briefly said about him, it looks as if Novak is engaged in an occupation having much in common with the ‘Maritain project’: studying the natural law and its precepts from the perspective of human nature and reason alone. Rowland gives the impression that she is rather taken with the ‘Novak project’. No antidotes to be provided here.

(R143) Further work also needs to be done in recovering lost ground with those who are nominally Catholic and have never been presented with a comprehensive account of morality as filial participation in the life and love of the Trinity.

(C143) Doctrinally that which would most benefit Catholics, especially nominal Catholics, is a thorough and systematic catechesis. The proposal to present anyone (not only nominal Catholics) with the *nouvelle theologie*, of which Rowland's paper is apparently representative, could suitably be appraised by these words of one of the great theologians of the twentieth century, Fr Reginald Garrigou-Lagrange.⁸⁸

Many a theologian, on reaching the next world, will realize that here below he failed to appreciate the grace which God bestowed on His Church when He gave her the Doctor Communis.

In these late years one such theologian has said that speculative theology, after giving beautiful systems to the Middle Ages, does not today know what it wants, or whither it is going, and that there is no longer serious work except in positive theology. He is but repeating what was said during the epoch of modernism. In point of truth, theology, if it disregarded the principles of the Thomistic synthesis, would resemble a geometry which, disregarding Euclidean principles, would not know whither it is going.

(R144) The work of providing a richer account of the natural law doctrine from within the nuptial mysticism framework may also have the effect of reconciling tensions between the younger generation of Catholic scholars working within the Thomist and Balthasarian traditions.

(C144) If natural law is unintelligible in itself as Rowland has repeatedly asserted then "the work of providing a richer account" of it could only produce an account of richer unintelligibility.

To introduce out the blue, in the concluding section of her paper, the suggestion of tension between young Thomists and young Balthasarians is likely to cause more confusion. To ward off misapprehension about St Thomas these encouraging words of Pope Benedict XVI are offered.⁸⁹

In 1269 Thomas was recalled to Paris for a second cycle of lectures. His students understandably were enthusiastic about his lessons. One of his former pupils declared that a vast multitude of students took Thomas' courses, so many that the halls could barely accommodate them; and this student added, making a personal comment, that "listening to him brought him deep happiness".

(R145) In particular, it has been suggested above that the work of Servais-Théodore Pinckaers might stand as a bridge uniting the efforts of younger Thomists and Balthasarians because of its accent on the theo-dramatic nature of moral life and also because of Pinckaers' sympathy to the work of de Lubac which one finds in his licentiate dissertation and several subsequent essays.

⁸⁸ *Reality*, p 314.

⁸⁹ *General Audience* "Saint Thomas Aquinas", part 1, 2 June 2010.

(C145) Note the suggestion to be sympathetic to the work of de Lubac. The truth of anyone's statements or propositions is not determined by sympathy, but by judgment, wherein the persons statements and propositions are compared with objective truth, with reality.

(R146) The future direction of natural law scholarship would thus seem to be framed by the question: In what way(s) do the differences between Baroque Thomist and Lubacian-Balthasarian accounts of the trinitarian relationships and the grace-nature relationship bear upon the development of an account of natural law rooted within the theological anthropology of *Gaudium et spes*. [Footnote follows]

(C146) Rowland wants to shore up her own erroneous proposition about natural law with the more general error of de Lubac about human nature itself in relation to the reception of grace. So now de Lubac is being smuggled onto the Balthasarian side of the supposed tension between young Thomists and young Balthasarians and the 'Baroque' label is being attached to the Thomist side, so that the supposed tension now becomes tensions between "Baroque Thomist and Lubacian-Balthasarian accounts of the trinitarian relationships and the grace-nature relationship".

Rather than pursue what seems to Rowland to be the "the future direction of natural law scholarship" we turn instead towards the direction clearly pointed to by Pope Benedict XVI.⁹⁰

I hope these days of study will bring not only a greater sensitivity of the learned with regard to the natural moral law, but will also serve to create conditions so that this theme may reach an ever fuller awareness of the inalienable value that the *lex naturalis* possesses for a real and coherent progress of private life and the social order.

To which may be added this exhortation ⁹¹ (*emphasis added*).

When the fundamental requirements of human dignity, of human life, of the family institution, of a fair social order, in other words, basic human rights, are at stake, no law devised by human beings can subvert the law that the Creator has engraved on the human heart without the indispensable foundations of society itself being dramatically affected. *Natural law thus becomes the true guarantee offered to each one in order that he may live in freedom, have his dignity respected and be protected from all ideological manipulation and every kind of arbitrary use or abuse by the stronger. No one can ignore this appeal.* If, by tragically blotting out the collective conscience, scepticism and ethical relativism were to succeed in deleting the fundamental principles of the natural moral law, the foundations of the democratic order itself would be radically damaged. *To prevent this obscuring, which is a crisis of human civilization even before it is a Christian one, all consciences of people of good will, of lay persons and also of the members of the different Christian*

⁹⁰ *Address to the Participants in the International Congress on Natural Moral Law*, 12 Feb 2007.

⁹¹ *Address to Members of the International Theological Commission*, 5 October, 2007.

denominations, must be mobilized so that they may engage, together and effectively, in order to create the necessary conditions for the inalienable value of the natural moral law in culture and in civil and political society to be fully understood. Indeed, on respect for this natural moral law depends the advance of individuals and society on the path of authentic progress in conformity with right reason, which is participation in the eternal Reason of God.

One reasonably concludes that these words of Benedict XVI are indeed an emphatic guide for the “future direction of natural law scholarship”, and it is in the same direction as the direction of the ‘Maritain project’.

Leaving to her own bemusement what Rowland sees as “the future direction of natural law scholarship”, we turn to the assertions in her sentence concerning supernatural theology. Again we note the attaching of the label, ‘Baroque’ (made much use of by de Lubac) to Thomists as a substitute for analysis and exposition of the “grace-nature relationship”.

Rowland sees “differences” between the school of St Thomas and others she mentions in their “accounts of the trinitarian relationships and the grace-nature relationship”, but makes no effort to get to the root of these differences. It is appropriate here to continue the quote of Fr Garrigou-Lagrange commenced in (C143) above.⁹²

Another theologian of our own time proposes to change the order among the chief dogmatic treatises, to put the treatise on the Trinity before that of De Deo uno, which he would notably reduce. Further, on the fundamental problems relative to nature and grace, he invites us to return to what he holds to be the true position of many Greek Fathers anterior to St. Augustine. The labors of Aquinas, the labors of seven centuries of Thomists, are either of no value or of very little value.

Alongside these extreme and idle views, we find an eclectic opportunism, which strives to reach a higher level between positions which it regards as extreme. But it is destined to perpetual oscillation between two sides, since it cannot recognize, or then cannot appreciate, that higher truth, which, amid fruitless tentatives, the Church unswervingly upholds and opportunely repeats, as she has done in our own time by approving the twenty-four theses.

(R147) [Footnote] The term “Baroque Thomist” refers to contemporary Thomists who continue to accept as authoritative accounts of the grace-nature relationship as presented by Cajetan and Thomists of the sixteenth-century Salamanca School.

(C147) There are certain glaring incongruities in Rowland’s labelling of modern neo-Thomists following Cajetan and the sixteenth century Salamanca School as “Baroque”. Cajetan died in 1534. The Baroque period is dated from about 1600, i.e. the beginning of the

⁹² *Reality*, p 314. 1950.

seventeen century. In literature baroque style is characterised by metaphor and allegory; in architecture and music by a love of ornamentation. How this floridity of style comes to be equated with the severe rationalism of Kant in neo-Thomism (its major fault it seems) is not made clear. Perhaps some fault lies in those who invented the label.

From the perspective of the grace-nature relationship, the signification of the label 'Baroque' being attached here to Cajetan and those who follow him in interpreting St Thomas is a misnomer that was long ago discredited by Fr Garrigou-Lagrange.⁹³

An historian of medieval philosophy has recently said that Cajetan, instead of limiting himself to an excellent commentary of the *Summa*, was rather bound to follow the intellectual movement of his time. The truth is that Cajetan did not feel himself thus called by Him who guides the intellectual life of the Church on a higher level than that of petty combinations, presumptions, and other deviations of our limited intelligences. Cajetan's glory lies in his recognition of the true grandeur of St. Thomas, of whom he willed to be the faithful commentator. This recognition was lacking in Suarez, who deserted the master lines of Thomistic metaphysics to follow his own personal thought.

It should be noted that Cardinal Cajetan's Commentary on the entire *Summa theologiae* appears by order of Pope Leo XIII in the critical edition of Aquinas' *opera omnia* – the Leonine Edition.

If by use of the phrase "continue to accept as authoritative" Rowland means to insinuate that the teaching of St Thomas on "the grace-nature relationship", faithfully taught by Cajetan and 'Baroque' Thomists, is no longer authoritative then the burden of proof falls upon her to prove that the voice of authority in the Church has stated that this teaching of St Thomas is no longer to be considered authoritative, which amounts to having to show from Papal Teaching that St Thomas' teaching on "the grace-nature relationship" has been rejected by a Pope because it is in error. This Rowland has not done and will never to be able to do. The real distinction between grace and nature taught by St Thomas and all true Thomists has recently been upheld by Pope Benedict XVI ⁹⁴ (*emphasis added*, except for *Summa Theologiae*).

This fundamental agreement between human reason and Christian faith is recognized in another *basic principle* of Aquinas' thought. *Divine Grace does not annihilate but presupposes and perfects human nature*. The latter, in fact, even after sin, is not completely corrupt but wounded and weakened. Grace, lavished upon us by God and communicated through the Mystery of the Incarnate Word, is an absolutely free gift with which nature is healed, strengthened and assisted in pursuing the innate desire for happiness in the heart of every man and of every woman. All the faculties of the human being are purified, transformed and uplifted by divine Grace.

⁹³ *Ibid.*

⁹⁴ *General Audience*, "Saint Thomas Aquinas". Part 2, 16 June 2010.

An important application of this relationship between nature and Grace is recognized in the moral theology of St Thomas Aquinas, which proves to be of great timeliness. At the centre of his teaching in this field, he places the new law which is the law of the Holy Spirit. With a profoundly evangelical gaze he insists on the fact that this law is the Grace of the Holy Spirit given to all who believe in Christ. The written and oral teaching of the doctrinal and moral truths transmitted by the Church is united to this Grace. St Thomas, emphasizing the fundamental role in moral life of the action of the Holy Spirit, of Grace, from which flow the theological and moral virtues, makes us understand that all Christians can attain the lofty perspectives of the ‘Sermon on the Mount’, if they live an authentic relationship of faith in Christ, if they are open to the action of his Holy Spirit. However, Aquinas adds, “Although Grace is more efficacious than nature, yet nature is more essential to man, and therefore more enduring” (*Summa Theologiae*, Ia-IIae, q. 94, a. 6, ad 2), which is why, in the Christian moral perspective, there is a place for reason which is capable of discerning natural moral law.

The real distinction between grace and nature upheld here by Benedict XVI is taught by St Thomas, Cajetan, Garrigou-Lagrange and the Church. A possible ancestry of the error that de Lubac held in regard to the real distinction between nature and grace can be identified in this passage from Fr Garrigou-Lagrange ⁹⁵ (*emphasis added*).

According to St. Thomas and his school, then, the creature’s natural impossibility to see God, does not arise, as Duns Scotus maintains, from a decree of divine liberty, but from the unchangeable transcendence of the divine nature. According to Scotus, God could have willed that human intelligence could see Him naturally, that the light of glory and the beatific vision be properties of created nature, human or angelic, but that in fact God did not so will. Thus the distinction between the order of nature and the order of grace would be, not necessary, but contingent, resting on a decree of God’s free will. [318] Hence, according to Scotus, there is in our soul an inborn natural desire for the beatific vision. [319] A vestige of this Scotistic doctrine appears in the ‘active obediential potency’ of Suarez. [320].

Thomists reply as follows: An inborn natural appetite for the beatific vision, and also an active obediential potency, would be, on the one hand, something essentially natural, as being a property of our nature, and, on the other hand, simultaneously something essentially supernatural, as being specifically proportioned to an object which is essentially supernatural. Thomists in general say further that the natural desire to see

⁹⁵ *Reality*, Ch 8, pp 72-73. References in the text are as follows: [318] C.f. Scotus, In Iam Sent.: q. 3, nos. 24, 25; [319] Prolog. Sent.; q. 1 and In IV Sent.: dist. XLIX, q.10; [320] De gratia, VI, 5; [321] Ia, q. 12, a. 1; [322] C.f. Denz.: no. 1021.

God, of which St. Thomas speaks, [321] cannot be inborn. It is, they say, an elicited desire, that is, a desire which presupposes a natural act of knowledge, and that, as elicited, it is not an absolute and efficacious desire, but one that is conditional or inefficacious, to be realized in fact only on condition that God freely raises us to the supernatural order. *Let us recall that, in 1567, the Church condemned the doctrine of Baius which admitted desire of such exigence that elevation to the order of grace would be due to our original nature and not a gratuitous gift. Thus he confounds the order of grace with the order of nature.* [322] Any efficacious natural desire would be exigent, grace would be due (debita) to nature.

This desire to see God, natural but inefficacious, arises thus: Our intelligence seeks naturally to know the essence of the First Cause. But its natural knowledge of this cause rests on analogical concepts, many indeed, but all imperfect, which cannot make manifest the nature of that First Cause as it is in itself, in its absolute perfection and supreme simplicity. In particular, these limited concepts (justice, say, as contrasted with mercy) cannot show us how in God infinite mercy is identified with infinite justice, or omnipotent goodness with permission of evil. Dissatisfaction with our limitations leads to a natural inefficacious desire to see God without medium, if He would deign, gratuitously, to elevate us to see Him face to face.

Further to be noted about the error of “confounding the order of grace with the order of nature” is the solemn teaching of the first Vatican Council in the *Dogmatic constitution on the Catholic faith*.⁹⁶ (*emphasis added*)

(8) With this impiety spreading in every direction, it has come about, alas, that many even among the children of the Catholic Church have strayed from the path of genuine piety, and as the truth was gradually diluted in them, their Catholic sensibility was weakened. Led away by diverse and strange teachings [see Heb 13, 9] and *confusing nature and grace, human knowledge and divine faith, they are found to distort the genuine sense of the dogmas which Holy mother Church holds and teaches, and to endanger the integrity and genuineness of the faith.*

(R148) Can indeed one have an account of natural law linked to the theological anthropology of *Gaudium et spes*, 22, without adopting at least some of the elements of de Lubac’s criticisms of Baroque Thomism?

(C148) The theological anthropology of *Gaudium et Spes*, 22, does not convert human nature (anthropos) into something itself divine, as is insinuated. This is an interpretation imposed upon that paragraph of the document by Rowland in order to make it conform to de Lubac’s mistaken view of the relation between grace and nature. Putting theological and anthropology together does not make what is human become itself divine.

⁹⁶ Vatican Council I. Session 3: 24 April 1870.

In light of what we have just quoted in (C146) and (C147) from Pope Benedict XVI, Fr. Garrigou-Lagrange and the First Vatican Council it is clear that “de Lubac’s criticisms of Baroque Thomism” which Rowland sees as a linchpin to link natural law to her so called “theological anthropology of *Gaudium et spes* 22” amounts to a futile exercise of basing theology on a fundamental error. We need pursue this lost cause no further.

Rowland asks “can indeed one have an account of natural law linked to ... *Gaudium et spes* 22”? Indeed one can because one already has an account of Natural Law in *Gaudium et spes* itself, linked not only to no 22, but to the whole of the Conciliar document of which it is a natural part.⁹⁷

In the depths of his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience when necessary speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged. Conscience is the most secret core and sanctuary of a man. There he is alone with God, Whose voice echoes in his depths. In a wonderful manner conscience reveals that law which is fulfilled by love of God and neighbor. In fidelity to conscience, Christians are joined with the rest of men in the search for truth, and for the genuine solution to the numerous problems which arise in the life of individuals from social relationships. Hence the more right conscience holds sway, the more persons and groups turn aside from blind choice and strive to be guided by the objective norms of morality. Conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience which by degrees grows practically sightless as a result of habitual sin.

As we would expect this teaching of Vatican II is completely in harmony with the teaching of St Thomas. Like the ‘Maritain project’, the Addresses of Popes Pius XII and Benedict XVI, and the teaching of St Thomas on Natural Law, paragraph 16 of *Gaudium et spes* is at the level of philosophy. There are many paragraphs in *Gaudium et spes* that are at the level of reason or philosophy. Here is another, fully in line with the teaching of Popes Leo XIII, St Pius X, Pius XII, John Paul II and Benedict XVI quoted earlier⁹⁸ (*emphasis added*).

In her loyal devotion to God and men, the Church has already repudiated and cannot cease repudiating, sorrowfully but as firmly as possible, *those poisonous doctrines and actions which contradict reason and the common experience of humanity*, and dethrone man from his native excellence.

⁹⁷ *Gaudium et spes*, No 16.

⁹⁸ *Gaudium et spes*, No 21.

Further confirmation of the Thomistic nature of *Gaudium et spes* and of its conformity with the pre Vatican II Church in distinguishing between Faith and Reason is manifested in the following ⁹⁹ (*emphasis added*).

Man judges rightly that by his intellect he surpasses the material universe, for he shares in the light of the divine mind. By relentlessly employing his talents through the ages he has indeed made progress in the practical sciences and in technology and the liberal arts. In our times he has won superlative victories, especially in his probing of the material world and in subjecting it to himself. Still he has always searched for more penetrating truths, and finds them. For his intelligence is not confined to observable data alone, but can with genuine certitude attain to reality itself as knowable, though in consequence of sin that certitude is partly obscured and weakened.

The intellectual nature of the human person is perfected by wisdom and needs to be, for wisdom gently attracts the mind of man to a quest and a love for what is true and good. Steeped in wisdom man passes through visible realities to those which are unseen.

Our era needs such wisdom more than bygone ages if the discoveries made by man are to be further humanized. *For the future of the world stands in peril unless wiser men are forthcoming.* It should also be pointed out that many nations, poorer in economic goods, are quite rich in wisdom and can offer noteworthy advantages to others.

It is, finally, through the gift of the Holy Spirit that man comes by faith to the contemplation and appreciation of the divine plan.

(R149) The strategic/political question also remains of how to engage intellectually with proponents of the Liberal tradition.

(C149) The question of how to engage intellectually with Liberals (non believers) has long been known to St Paul, St Thomas and the Church. It is not a matter of politics or strategy (which are peripheral and arbitrary) as is being claimed here by Rowland, but has its *raison d'être* in the truth about the nature and dignity of the human person: which perennial truth is repeated and upheld in paragraphs 16 and 21 of *Gaudium et spes* which we have just quoted.¹⁰⁰

⁹⁹ *Ibid.*

¹⁰⁰ Paragraphs 16 and 21 are in Chapter 1 'The Dignity of the Human Person', which runs from paragraph 12 to paragraph 22.

Here is an exhortation from *Gaudium et spes* concerning engagement with those who do not share our Faith,¹⁰¹ (like the “neo-pagan elites” Rowland characterised above).

Respect and love ought to be extended also to those who think or act differently than we do in social, political and even religious matters. In fact, the more deeply we come to understand their ways of thinking through such courtesy and love, the more easily will we be able to enter into dialogue with them.

This love and good will, to be sure, must in no way render us indifferent to truth and goodness. Indeed love itself impels the disciples of Christ to speak the saving truth to all men. But it is necessary to distinguish between error, which always merits repudiation, and the person in error, who never loses the dignity of being a person even when he is flawed by false or inadequate religious notions. (Cf. John XXIII, encyclical letter: *Pacem in Terris*, AAS 55 (1963), p. 299 and 300.) God alone is the judge and searcher of hearts, for that reason He forbids us to make judgments about the internal guilt of anyone. (Cf. *Luke* 6:37-38; *Matt.* 7:1-2; *Rom.* 2:1-11; 14:10, 14:10-12).

Anyone who has seriously studied the life of St Thomas, and the controversies in which he was engaged, will see that throughout he adhered to both the letter and spirit of this exhortation. Indeed this exhortation may be said to have a wonderful exemplar in St Thomas.

(R150) The argument presented in this paper is that whatever the answer to that question, the attempted transposition of natural law into liberal idioms favored by Maritain and others in his tradition should be reassessed against the empirical sociological data and legal and political history of the past four decades.

(C150) Re-assessment of one’s philosophical position in the light of changing “data” and “history” (since Maritain’s time) regarding social moral matters is something all should do including Rowland. It is not something to be peculiarly recommended to followers of Maritain. Why pick his position out? Does it not suggest that it is only his position which would benefit?

Indeed, the Church herself is happy to take advantage of such continuing re-assessment in the light of changing circumstances, as stated in Vatican II.¹⁰²

Just as it is in the world’s interest to acknowledge the Church as an historical reality, and to recognize her good influence, so the Church herself knows how richly she has profited by the history and development of humanity.

¹⁰¹ *Gaudium et spes*, No 28.

¹⁰² *Gaudium et spes*, No 44.

The experience of past ages, the progress of the sciences, and the treasures hidden in the various forms of human culture, by all of which the nature of man himself is more clearly revealed and new roads to truth are opened, these profit the Church, too. For, from the beginning of her history she has learned to express the message of Christ with the help of the ideas and terminology of various philosophers, and has tried to clarify it with their wisdom, too.

This “practice of the Church from the beginning of her history” is exemplified by St Thomas who ‘baptised’ Aristotle. Against the glowing historical evidence supplied by this 2000 years old practice in the Church, a practice vindicated by the permanent validity of metaphysical truth and the natural law, Rowland opposes “empirical sociological data and legal and political history of the past four decades” as if changes in social and political circumstances might force the Maritainians to change their principled position.

CONCLUSION

As a conclusion and summary of this analysis and exposition of Rowland’s opinions and assertions about Natural Law, and of her persistent contradictions of Papal teaching and St Thomas, I reproduce a major part of an Address of Pope Benedict XVI ¹⁰³ [emphases added].

Allow me to begin my reflections on the foundations of law [Recht] with a brief story from sacred Scripture. In the First Book of the Kings, it is recounted that God invited the young King Solomon, on his accession to the throne, to make a request. What will the young ruler ask for at this important moment? Success – wealth – long life – destruction of his enemies? He chooses none of these things. *Instead, he asks for a listening heart so that he may govern God’s people, and discern between good and evil* (cf. 1 Kg 3:9). Through this story, the Bible wants to tell us what should ultimately matter for a politician. His fundamental criterion and the motivation for his work as a politician must not be success, and certainly not material gain. Politics must be a striving for justice, and hence it has to establish the fundamental preconditions for peace. Naturally a politician will seek success, without which he would have no opportunity for effective political action at all. Yet success is subordinated to the criterion of justice, to the will to do what is right, and to the understanding of what is right. Success can also be seductive and thus can open up the path towards the falsification of what is right, towards the destruction of justice. **“Without justice – what else is the State but a great band of robbers?”**, as Saint Augustine once said. We Germans know from our own experience that these words are no empty spectre. We have seen how power became divorced from right, how power opposed right and

¹⁰³ *The Listening Heart: Reflections on the Foundations of Law*. Address of Pope Benedict XVI to the German Bundestag, at the Reichstag Building on September 22, 2011.

crushed it, so that the State became an instrument for destroying right – a highly organized band of robbers, capable of threatening the whole world and driving it to the edge of the abyss. To serve right and to fight against the dominion of wrong is and remains the fundamental task of the politician. At a moment in history when man has acquired previously inconceivable power, this task takes on a particular urgency. Man can destroy the world. He can manipulate himself. He can, so to speak, make human beings and he can deny them their humanity. How do we recognize what is right? How can we discern between good and evil, between what is truly right and what may appear right? **Even now, Solomon's request remains the decisive issue facing politicians and politics today.**

For most of the matters that need to be regulated by law, the support of the majority can serve as a sufficient criterion. Yet it is evident that for the fundamental issues of law, in which the dignity of man and of humanity is at stake, the majority principle is not enough: **everyone in a position of responsibility must personally seek out the criteria to be followed when framing laws.** In the third century, the great theologian Origen provided the following explanation for the resistance of Christians to certain legal systems: "Suppose that a man were living among the Scythians, whose laws are contrary to the divine law, and was compelled to live among them ... such a man for the sake of the true law, though illegal among the Scythians, would rightly form associations with like-minded people contrary to the laws of the Scythians".

This conviction was what motivated resistance movements to act against the Nazi regime and other totalitarian regimes, thereby doing a great service to justice and to humanity as a whole. For these people, it was indisputably evident that the law in force was actually unlawful [edit. Something incomprehensible to the positivist legal philosopher]. Yet when it comes to the decisions of a democratic politician, the question of what now corresponds to the law of truth, what is actually right and may be enacted as law, is less obvious. In terms of the underlying anthropological issues, what is right and may be given the force of law is in no way simply self-evident today. The question of how to recognize what is truly right and thus to serve justice when framing laws has never been simple, and today in view of the vast extent of our knowledge and our capacity, it has become still harder.

How do we recognize what is right? In history, systems of law have almost always been based on religion: decisions regarding what was to be lawful among men were taken with reference to the divinity. **Unlike other great religions, Christianity has never proposed a revealed law to the State and to society, that is to say a juridical order derived from revelation. Instead, it has pointed to nature and reason as the**

true sources of law – and to the harmony of objective and subjective reason, which naturally presupposes that both spheres are rooted in the creative reason of God. Christian theologians thereby aligned themselves with a philosophical and juridical movement that began to take shape in the second century B.C. In the first half of that century, the social natural law developed by the Stoic philosophers came into contact with leading teachers of Roman Law. Through this encounter, the juridical culture of the West was born, which was and is of key significance for the juridical culture of mankind. **This pre-Christian marriage between law and philosophy opened up the path that led via the Christian Middle Ages and the juridical developments of the Age of Enlightenment all the way to the Declaration of Human Rights** and to our German Basic Law of 1949, with which our nation committed itself to “inviolable and inalienable human rights as the foundation of every human community, and of peace and justice in the world”.

For the development of law and for the development of humanity, it was highly significant that Christian theologians aligned themselves against the religious law associated with polytheism and on the side of philosophy, and that they acknowledged reason and nature in their interrelation as the universally valid source of law. This step had already been taken by Saint Paul in the Letter to the Romans, when he said: “When Gentiles who have not the Law [the Torah of Israel] do by nature what the law requires, they are a law to themselves ... they show that what the law requires is written on their hearts, while their conscience also bears witness ... ” (Rom 2:14f.). Here we see the two fundamental concepts of nature and conscience, where conscience is nothing other than Solomon’s listening heart, **reason that is open to the language of being.** If this seemed to offer a clear explanation of the foundations of legislation up to the time of the Enlightenment, up to the time of the Declaration on Human Rights after the Second World War and the framing of our Basic Law, **there has been a dramatic shift in the situation in the last half-century. The idea of natural law is today viewed as a specifically Catholic doctrine, not worth bringing into the discussion in a non-Catholic environment, so that one feels almost ashamed even to mention the term.** Let me outline briefly how this situation arose. Fundamentally it is because of the idea that an unbridgeable gulf exists between “is” and “ought”. An “ought” can never follow from an “is”, because the two are situated on completely different planes. The reason for this is that in the meantime, **the positivist understanding of nature has come to be almost universally accepted.** If nature – in the words of Hans Kelsen – is viewed as “an aggregate of objective data linked together in terms of cause and effect”, then indeed no ethical indication of any kind can be

derived from it. **A positivist conception of nature as purely functional, as the natural sciences consider it to be, is incapable of producing any bridge to ethics and law, but once again yields only functional answers. The same also applies to reason, according to the positivist understanding that is widely held to be the only genuinely scientific one. Anything that is not verifiable or falsifiable, according to this understanding, does not belong to the realm of reason strictly understood. Hence ethics and religion must be assigned to the subjective field, and they remain extraneous to the realm of reason in the strict sense of the word. Where positivist reason dominates the field to the exclusion of all else – and that is broadly the case in our public mindset – then the classical sources of knowledge for ethics and law are excluded. This is a dramatic situation which affects everyone, and on which a public debate is necessary. Indeed, an essential goal of this address is to issue an urgent invitation to launch one.**

The positivist approach to nature and reason, the positivist world view in general, is a most important dimension of human knowledge and capacity that we may in no way dispense with. **But in and of itself it is not a sufficient culture corresponding to the full breadth of the human condition.** Where positivist reason considers itself the only sufficient culture and banishes all other cultural realities to the status of subcultures, **it diminishes man, indeed it threatens his humanity.** I say this with Europe specifically in mind, where there are concerted efforts to recognize only positivism as a common culture and a common basis for law-making, **reducing all the other insights and values of our culture to the level of subculture, with the result that Europe vis-à-vis other world cultures is left in a state of culturelessness and at the same time extremist and radical movements emerge to fill the vacuum.** In its self-proclaimed exclusivity, the positivist reason which recognizes nothing beyond mere functionality resembles a concrete bunker with no windows, in which we ourselves provide lighting and atmospheric conditions, **being no longer willing to obtain either from God's wide world.** And yet we cannot hide from ourselves the fact that even in this artificial world, we are still covertly drawing upon God's raw materials, which we refashion into our own products. The windows must be flung open again, **we must see the wide world, the sky and the earth once more and learn to make proper use of all this.**

But how are we to do this? How do we find our way out into the wide world, into the big picture? **How can reason rediscover its true greatness, without being sidetracked into irrationality? How can nature reassert itself in its true depth, with all its demands, with all its directives?** I would like to recall one of the developments in recent

political history, hoping that I will neither be misunderstood, nor provoke too many one-sided polemics. I would say that the emergence of the ecological movement in German politics since the 1970s, while it has not exactly flung open the windows, nevertheless was and **continues to be a cry for fresh air which must not be ignored or pushed aside**, just because too much of it is seen to be irrational. **Young people had come to realize that something is wrong in our relationship with nature, that matter is not just raw material for us to shape at will, but that the earth has a dignity of its own and that we must follow its directives.** In saying this, I am clearly not promoting any particular political party – nothing could be further from my mind. **If something is wrong in our relationship with reality, then we must all reflect seriously on the whole situation** and we are all prompted to question the very foundations of our culture. Allow me to dwell a little longer on this point. The importance of ecology is no longer disputed. **We must listen to the language of nature and we must answer accordingly.** Yet I would like to underline a point that seems to me to be neglected, today as in the past: there is also an ecology of man. Man too has a nature that he must respect and that he cannot manipulate at will. Man is not merely self-creating freedom. Man does not create himself. He is intellect and will, but he is also nature, and his will is rightly ordered if he respects his nature, listens to it and accepts himself for who he is, as one who did not create himself. In this way, and in no other, is true human freedom fulfilled.

Let us come back to the fundamental concepts of nature and reason, from which we set out. The great proponent of legal positivism, Kelsen, at the age of 84 – in 1965 – abandoned the dualism of “is” and “ought”. (I find it comforting that rational thought is evidently still possible at the age of 84!) Previously he had said that norms can only come from the will. Nature therefore could only contain norms, he adds, if a will had put them there. But this, he says, would presuppose a Creator God, whose will had entered into nature. “Any attempt to discuss the truth of this belief is utterly futile”, he observed. Is it really? – **I find myself asking. Is it really pointless to wonder whether the objective reason that manifests itself in nature does not presuppose a creative reason, a Creator Spiritus?**

At this point Europe’s cultural heritage ought to come to our assistance. **The conviction that there is a Creator God is what gave rise to the idea of human rights, the idea of the equality of all people before the law, the recognition of the inviolability of human dignity in every single person and the awareness of people’s responsibility for their actions. Our cultural memory is shaped by these rational**

insights. To ignore it or dismiss it as a thing of the past would be to dismember our culture totally and to rob it of its completeness. **The culture of Europe arose from the encounter between Jerusalem, Athens and Rome – from the encounter between Israel’s monotheism, the philosophical reason of the Greeks and Roman law. This three-way encounter has shaped the inner identity of Europe. In the awareness of man’s responsibility before God and in the acknowledgment of the inviolable dignity of every single human person, it has established criteria of law: it is these criteria that we are called to defend at this moment in our history.**

As he assumed the mantle of office, the young King Solomon was invited to make a request. How would it be if we, the law-makers of today, were invited to make a request? What would we ask for? **I think that, even today, there is ultimately nothing else we could wish for but a listening heart – the capacity to discern between good and evil, and thus to establish true law, to serve justice and peace.** I thank you for your attention!

In this Address we find no reference to *supernatural* theology. Everything is at the level of reason and of what is attainable by reason alone. Hence the Holy Father consistently refers to God in terms of God the Creator, and uses the word ‘monotheism’, and does not use the word ‘Trinitarian’. He emphasises the overriding importance of recovering the full scope of reason anchored in the wholeness of being as the effective means of overcoming the truncation of reason now widely being imposed by positivism or empiricism in practically every sphere of human activity. He urges people to meditate on creation and the message it contains, as if to say with Aristotle and St Thomas, that what is in the intellect comes from our sense experience of the world in which we find ourselves. The first truth which we grasp, deriving from our sense knowledge, is that Being IS, which carries with it our first judgement that Being is not non-Being. This basic truth of reality and thought, so fundamental and implicit in the Holy Father’s Address, needs to be meditated upon in some depth. As an aid to such meditation I will quote two outstanding Thomists. Firstly, from the genius of G.K. Chesterton.¹⁰⁴

St. Thomas Aquinas closely resembles the great Professor Huxley, the Agnostic who invented the word Agnosticism. He is like him in his way of starting the argument, and he is unlike everybody else, before and after, until the Huxleyan age. He adopts almost literally the Huxleyan definition of the Agnostic method; “To follow reason as far as it will go;” the only question is--where does it go? He lays down the almost startlingly modern or materialist statement; “Everything that is in the intellect has been in the senses.” This is where he began, as much as any modern man of science, nay, as much as any modern materialist who can now hardly be called a man of science; at the very opposite end of

¹⁰⁴ *Saint Thomas Aquinas*, pp 160-163; pp 164-167.

enquiry from that of the mere mystic. The Platonists, or at least the Neo-Platonists, all tended to the view that the mind was lit entirely from within; St. Thomas insisted that it was lit by five windows, that we call the windows of the senses. But he wanted the light from without to shine on what was within. He wanted to study the nature of Man, and not merely of such moss and mushrooms as he might see through the window, and which he valued as the first enlightening experience of man. And starting from this point, he proceeds to climb the House of Man, step by step and story by story, until he has come out on the highest tower and beheld the largest vision.

In other words, he is an anthropologist, with a complete theory of Man, right or wrong. Now the modern Anthropologists, who called themselves Agnostics, completely failed to be Anthropologists at all. Under their limitations, they could not get a complete theory of Man, let alone a complete theory of nature. They began by ruling out something which they called the Unknowable. The incomprehensibility was almost comprehensible, if we could really understand the Unknowable in the sense of the Ultimate. But it rapidly became apparent that all sorts of things were Unknowable, which were exactly the things that a man has got to know. It is necessary to know whether he is responsible or irresponsible, perfect or imperfect, perfectible or unperfectible, mortal or immortal, doomed or free, not in order to understand God, but in order to understand Man. Nothing that leaves these things under a cloud of religious doubt can possibly pretend to be a Science of Man; it shrinks from anthropology as completely as from theology. Has a man free will; or is his sense of choice an illusion? Has he a conscience, or has his conscience any authority; or is it only the prejudice of the tribal past? Is there real hope of settling these things by human reason; and has that any authority? Is he to regard death as final; and is he to regard miraculous help as possible? Now it is all nonsense to say that these are unknowable in any remote sense, like the distinction between the Cherubim and the Seraphim, or the Procession of the Holy Ghost. The Schoolmen may have shot too far beyond our limits in pursuing the Cherubim and Seraphim. But in asking whether a man can choose or whether a man will die, they were asking ordinary questions in natural history; like whether a cat can scratch or whether a dog can smell. Nothing calling itself a complete Science of Man can shirk them. And the great Agnostics did shirk them. They may have said they had no scientific evidence; in that case they failed to produce even a scientific hypothesis. What they generally did produce was a wildly unscientific contradiction. Most Monist moralists simply said that Man has no choice; but he must think and act heroically as if he had. Huxley made morality, and even Victorian morality, in the exact sense, supernatural. He said it had arbitrary rights above nature; a sort of theology without theism.

.... I have pointed out that mere modern free-thought has left everything in a fog, including itself. The assertion that thought is free led first to the denial that will is free; but even about that there was no real determination among the Determinists. In practice, they told men that they must treat their will as free though it was not free. In other words, Man must live a double life; which is exactly the old heresy of Siger of Brabant about the Double Mind. In other words, the nineteenth century left everything in chaos: and the importance of Thomism to the twentieth century is that it may give us back a cosmos. We can give here only the rudest sketch of how Aquinas, like the Agnostics, beginning in the cosmic cellars, yet climbed to the cosmic towers.

Without pretending to span within such limits the essential Thomist idea, I may be allowed to throw out a sort of rough version of the fundamental question, which I think I have known myself, consciously or unconsciously since my childhood. When a child looks out of the nursery window and sees anything, say the green lawn of the garden, what does he actually know; or does he know anything? There are all sorts of nursery games of negative philosophy played round this question. A brilliant Victorian scientist delighted in declaring that the child does not see any grass at all; but only a sort of green mist reflected in a tiny mirror of the human eye. This piece of rationalism has always struck me as almost insanely irrational. If he is not sure of the existence of the grass, which he sees through the glass of a window, how on earth can he be sure of the existence of the retina, which he sees through the glass of a microscope? If sight deceives, why can it not go on deceiving? Men of another school answer that grass is a mere green impression on the mind; and that he can be sure of nothing except the mind. They declare that he can only be conscious of his own consciousness; which happens to be the one thing that we know the child is not conscious of at all. In that sense, it would be far truer to say that there is grass and no child, than to say that there is a conscious child but no grass. St. Thomas Aquinas, suddenly intervening in this nursery quarrel, says emphatically that the child is aware of *Ens*. Long before he knows that grass is grass, or self is self, he knows that something is something. Perhaps it would be best to say very emphatically (with a blow on the table), "There is an Is." That is as much monkish credulity as St. Thomas asks of us at the start. Very few unbelievers start by asking us to believe so little. And yet, upon this sharp pin-point of reality, he rears by long logical processes that have never really been successfully overthrown, the whole cosmic system of Christendom.

Thus, Aquinas insists very profoundly but very practically, that there instantly enters, with this idea of affirmation the idea of contradiction. It is instantly apparent, even to the child, that there cannot be both

affirmation and contradiction. Whatever you call the thing he sees, a moon or a mirage or a sensation or a state of consciousness, when he sees it, he knows it is not true that he does not see it. Or whatever you call what he is supposed to be doing, seeing or dreaming or being conscious of an impression, he knows that if he is doing it, it is a lie to say he is not doing it. Therefore there has already entered something beyond even the first fact of being; there follows it like its shadow the first fundamental creed or commandment, that a thing cannot be and not be. Henceforth, in common or popular language, there is a false and true. I say in popular language, because Aquinas is nowhere more subtle than in pointing out that being is not strictly the same as truth; seeing truth must mean the appreciation of being by some mind capable of appreciating it. But in a general sense there has entered that primeval world of pure actuality, the division and dilemma that brings the ultimate sort of war into the world; the everlasting duel between Yes and No. This is the dilemma that many sceptics have darkened the universe and dissolved the mind solely in order to escape. They are those who maintain that there is something that is both Yes and No. I do not know whether they pronounce it Yo.

Now a selection from the great, but greatly neglected, Australian Thomist, Dr A. M. Woodbury S.M.¹⁰⁵

Standing on the bank of a river in which boys are swimming, I have before my eyes a vast and varied spectacle. In this sight various things are to be distinguished:

The very act of vision itself, which is a sensation, and which is accompanied by other sensations, such as those by which I hear the shouts of the boys, and the noise of the waters as they are splashed. These sensations are distinct from one another, yet by me they are perceived united. These sensations and perceptions are knowledges of the senses. But my knowledge goes beyond these. Along with the sensations and perceptions, concepts arise in my mind: e.g. concepts of the immensity of the river, of the beauty of the panorama, of the life and vitality of the boys. From these concepts I pass to concepts of the immensity, of the beauty, of the life, of God. Moreover, these concepts give rise to a cry that bursts from my lips in the words of the psalmist: "O Lord, wonderful is Thy name upon the whole earth!" These concepts, and the judgement expressed by these words, pertain to intellectual knowledge.

Sensitive knowledge and intellectual knowledge constitute *the twofold source of all our knowledge*. The former we have in common with the brute

¹⁰⁵ *Introduction to Philosophy*, p 6, pp 7-8, pp 12-13.

animals; the latter is proper to man, and accordingly is specifically distinct from the former. Intellectual human knowledge admits degrees. For we do not, by a single intuition, perfectly know anything; rather, we proceed, little by little, from a very imperfect knowledge to a more perfect knowledge. We know things first in a common-sense manner. We know something of them without properly knowing their nature, without knowing the laws by which they are governed, without knowing whence they come or whither they go. In a word: we do not know their causes. Such is pre-scientific, or common-sense knowledge, employed in the daily conversation of men.

All human science, insofar as it is concerned with necessities, must be UNIVERSAL. For the singular (at least among material things, of which it is here question,) is contingent. In order to understand this, let us distinguish: On the one hand, what is universally true of a subject; and on the other hand, what is true only of this individual subject. Thus, that the sum of its angles equals two right angles, is *universally true of triangle*. But that this triangle was drawn by me yesterday on this paper, is true only of this triangle. In other words, the former proposition is true of triangle AS TRIANGLE. The latter proposition is true, not of triangle as triangle, but of triangle AS THIS.

Now what is universally true of a subject can be known scientifically for it can be demonstrated (i.e. proved with certitude) from its causes, since it is a necessary effect of necessitating causes. But what is true only of this subject, cannot be scientifically demonstrated, because it is a contingent effect (i.e. an effect that can be and can not-be). Of singulars, knowledge is gained by experience or observation - not by scientific demonstration.

THE LAWS OF THINGS: By the principles of reason we mean the basic laws of reality, understood by our mind, and consequently fulfilling the office of the basic laws of thought. Let us try to get this clear. Everything real is bound by certain laws, whose observance or fulfilment is the condition of its being real. Thus, if a thing is to be, it can do so only on condition that it does not together be-not: if, for example, a tree exists, it does so only on condition that at the same time it is not non-existing. Again, if a thing is to be a whole, it can be so, only on condition of being greater than its own part. Further, if two things are added to two things, they are added only on condition that they all together are four things; they cannot, if they so please, or if someone else pleases, be nine things. Yet again, if a figure is a square, it is so only on condition of not being a circle.

Another example: there are some things that of themselves are indifferent to whether they exist or not; like heat in the kettle; it can exist there; it

equally can be non-existent there; if it does exist there, it does so only on condition that it be made to exist there by something else, such as fire; in other words, if a contingent thing is, it is, only on condition of having an efficient cause (that is, a cause which is responsible for its existence by acting unto its existence). There are many other laws of reality besides these, but these examples suffice to give us an idea of what we mean by the laws of *things*. Note well that they are absolutely necessary laws; they are not just generalities which are usually true, but in certain cases may be false; not just general statements stating what is usually observed by things, but which occasionally things may escape. And since they are *absolutely necessary*, they are *absolutely universal*. Not even by a miracle of God are they escaped or suspended.

THE LAWS OF THINKING: Such are the laws of *things*. These very same laws are the laws of *thinking*. Just as a *thing* cannot together be and be-not, so I cannot *think* that a thing together is and is-not. Just as a *thing* cannot together be a circle and a square, so I cannot *think* that a thing is together a circle and a square. Just as two *things* and two *things* must be four *things*, so I must *think* that two things and two things are four things. Just as a contingent *thing*, in order to be, must have an efficient cause, so I must *think* that a contingent-thing, if it is, has an efficient cause. For *think* follows *thing*. The very laws that govern *things*, those very same laws govern *thinkings*. The reason for this is easy to grasp. Whenever we know a thing that thing comes into our mind. Thus do we say that this or that “came into my mind”; we tell one another to “bear this in mind” or “keep that in mind”; we say of something that we have ceased to know; “it slipped out of my mind”; we say of something that we were knowing: “I had it in mind”. But not only does the thing that we know come into our mind; our mind even *becomes* that thing; to *know* a thing is to be *that thing*, not indeed physically but in a higher manner than physically, a manner that we can call super-physically, or cognoscitively. Hence when a knowing thing knows a known thing, the knowing and the known are identified: to *be-known* is, indeed, in a certain manner to *be*, and it is to *be-knowing*, for *thing-known* and *thing-knowing* are in knowledge made one and the same. Since, when I know things, my intellect (that is my power of thinking), becomes those things, it follows that the laws which govern those *things*, begin also to govern my power of *thinking*. Which means that the laws of *thing*, become the laws of *think*. It follows too that just as these laws are absolutely necessary and absolutely universal as laws of *things*, so also they are absolutely universal and absolutely necessary as laws of *thinking*. We are now in a position to understand what is meant by the expression: “Principles of reason”. It means the absolutely necessary and absolutely universal laws of *things*, inasmuch as those laws are the laws governing *thinking*, or *reasoning*.

Notice here that in order to understand these concepts and principles of reason we are not having to bring in truths of Faith, such as the Trinity. The same applies in principle in regard to our understanding of Natural Law.

The reader who would like to understand more about the philosophy of St Thomas might like to do a little homework and meditate seriously upon the above quoted passages from Chesterton and Woodbury, and to see how what is being stated in these passages accords with the last quoted Address of Benedict XVI.

The examination of Rowland's paper has been rather long, and considerably longer than really necessary, for she simply repeats her *idée fixe*, in one way or another, throughout. A few quotes from Papal Teaching or St Thomas would have been sufficient. However her repetitiveness and confusion of different subject matters opened up an opportunity to give lengthy expositions of Papal Teaching, St Thomas and some outstanding Thomists, and that hopefully will be to the good of those who read this refutation of her paper. As a fitting epitaph for her work we may quote St Thomas.¹⁰⁶

A small error in the beginning is a large one in the end ...

Frank Calneggia

March 25, 2012

Feast Day of The Annunciation

First Revision

January 1, 2013

Solemnity of the Mother of God

Second Revision

March 25, 2014

Feast Day of the Annunciation

¹⁰⁶ St Thomas Aquinas. *De Ente et Essentia* (On Being and Essence). n 1.