

Diplomacy and Theology in the Dialogue on Universal Ethics

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I. How to Read the Document

CONSIDERING the International Theological Commission's hope of encouraging broad dialogue between the Church and other parties about the natural law, there is a certain advantage in knowing how an outsider might view its authors' work. Allow me to try. Though Catholic, I am a convert from Protestantism, and before that a convert from secularism. Though a natural law scholar, I have pursued the subject from inside the Church for a smaller fraction of my life than I pursued it from outside. Though I would hope to be considered in a small way a disciple of Thomas Aquinas, I was not introduced to his thought in any of the conventional Catholic ways. I am not "in" on the Church's consultations; the very diction of curial documents still seems a bit strange to me; and the sheer mass of such documentation presents to me the aspect of a labyrinth. Although all these are limitations, sometimes a limitation can be of service, and perhaps this is one of those times.

Having learned the hard way, let me hazard the suggestion that anyone who wishes to engage the documents of the Church—to enter into the spirit of their deliberations and even, perhaps, respond—must keep two points in mind. I apologize to insiders, to whom these points may seem obvious. But others may bring different expectations, such as those formed in Protestantism, other traditions, or secular academia.

The first and most important is that the documents of the Church are not purely works of doctrine, but also works of religious diplomacy. This is most plainly true when their audience lies partly or wholly outside the Church, when they are addressed, for example, to the United Nations

Assembly, to “representatives from the world of culture,” or simply to “all men of good will.” But it is often just as true when they are addressed from one body of the Church to another, as for example in the present case, for the task of the International Theological Commission is to advise the Congregation for the Doctrine of the Faith. In making the ITC statement public—hereafter I will call it simply the Statement—of course the Church knew that the world was looking over her shoulder. More than that, at least in this case she wanted the world to look. Even if this fact could not have been guessed from the Statement’s text, it would have become obvious as soon as she began to call the world’s attention to it. Within a few months, for example, Cardinal Bertone, the Vatican Secretary of State, mentioned it in an address to the Italian Senate, wherein he declared that “it addresses topics of great importance which I wish to point out and to recommend especially in this context of the Senate, that is, an institution whose main function is legislative.”¹ Because the imperatives of such a document are not only theological but diplomatic as well, it may devote greater attention to some points than one would expect, while others may be so delicately understated as to seem almost not stated at all.

The other thing to keep in mind is that the most conspicuous feature of the deliberations of the Church is not hierarchy, as popularly supposed, but massively parallel, massively distributed discussion. Numerous bodies and individuals in diverse places and times consider various facets of each problem. Authority is exercised, but more sparingly than one might expect. Even apart from the protective guidance of the Holy Spirit, this mode of deliberation would be unlikely to produce irreversible mistakes in doctrine. The gears turn too slowly for that. It is much more likely to produce gaffes in diplomacy, gaffes, because history unfolds faster than doctrine. Like a churning sea, the world is always tossing up new challenges to the teaching of the Church, and she reacts much better than she anticipates. When the new war is at hand, she is still rethinking her strategy for the last one—a point to which I will have occasion to return later on.

From what I have already said, it will come as no surprise when I suggest that the Statement has two linked goals, one diplomatic, the other philosophical and theological. Consequently it must be read from both angles.

II. Diplomatic and Theological Aims

The diplomatic goal of the Statement is to encourage dialogue among the various religions and wisdom traditions about the natural moral law. “The

¹ Address of Cardinal Tarcisio Bertone, Secretary of State, During His Visit to the Senate of the Italian Republic, 28 July 2009.

search for a common ethical language concerns everyone," it declares. "Enlightened by the Gospel, engaged in a patient and respectful dialogue with all men of good will, Christians partake in the common search for human values to promote."² One reason to encourage dialogue is to help the various religions and wisdom traditions come to share a deeper understanding and respect for the truth about the human person. These traditions show significant convergence on many of the concrete ethical particulars of this truth. However, they show great differences in the ways that they try to explain these particulars, and this hinders further convergence.

Another reason to encourage dialogue is to reassert and secure the place in public moral discourse of the Catholic Church herself, a place which is presently threatened not only by secularist ideology but by the hostility of some other religions. Yet in protecting her place in the conversation, the Church is not just acting as another interest group, but attempting to follow her vocation. The primary element in her vocation is to be the witness and guardian of the gospel. But the gospel illuminates and fulfills the natural law at the same time that it transcends it; Jesus Christ restores the true nature of man as the image of God, an image which for long was obscured by sin, and goes on to reveal that man's destiny is not merely natural but supernatural. Consequently, the Church also understands herself as the authentic interpreter and guardian of the natural law: "Certainly the natural law is accessible to human reason, common to believers and nonbelievers, and the Church does not have it exclusively, but since revelation takes up the requirements of the natural law, the Magisterium of the Church has been established the guarantor and interpreter of it."³ On the one hand the natural law is "a fundamental link with the new law of the Spirit of life in Christ Jesus," while on the other it "offers a wider base for dialogue with persons of another orientation or of another formation, in view of the search for the common good."⁴

The philosophical and theological goal of the Statement is to restate the doctrine of natural law in such a way as to clear up points which may obscure the hoped-for dialogue and to help it to advance. One of the aims of restatement is to enable non-Catholics to recognize natural law for what it is, as the truth about man, accessible to reason, rather than as a teaching of purely Catholic interest, accessible only by revelation. Another aim is to counsel the Church in her response to the confusions about

² Statement, §3.

³ Statement, §34.

⁴ Statement, §112, quoting John Paul II, Papal Address to the Congregation for the Doctrine of the Faith, 18 January 2002.

natural law which circulate outside her boundaries, especially in the secular world. These confusions are manifold. Among the most prominent are moral relativism and legal positivism. At a deeper level still, they include ideologies which divide reason from truth, divide power from goodness, divide nature from freedom, or deny transcendence, viewing man as a purely material being or a creature of the state. In order to pull up these errors at the root, the Church must see natural law clearly in the context of all three phases of salvation history: Creation, Fall, and Redemption.

The philosophy and theology of the Statement do not contain any obvious errors. In view of the scrutiny that they had already received before publication, one would not expect them to. If its presentation may be said to contain weaknesses, they lie more in overemphasis, underemphasis, and omission. When a document has dual purposes, however, small faults in theoretical presentation may constitute large faults in diplomacy.

III. WHAT Is In and What Is Out

If the Church is serious about dialogue with other religions and wisdom traditions, then she must find ways to show the prospective dialogue partners why dialogue is important. *Why* must we achieve a universal ethics? It isn't enough simply to say that today the human race confronts great ethical problems; other religions may think they have the answers to these problems already. Nor is it enough simply to assert that the global scale of these problems requires consensus; other religions may view their solution as more likely to be found in imposing their answers on the rest of us. What has to be done is to show that natural law is worth thinking about *even from their point of view*.

This would seem to require showing adherents of other traditions that the natural law doctrine begins from the same experiences that all humans share, but provides deeper resources for understanding them, and this seems to be the Statement's intention. Prudently, though, it first tries to foster hope that consensus about ethical norms is even possible. In order to foster that hope, the Statement surveys the great religions and wisdom traditions of the world, calling attention to how much consensus there is already. Not only do the traditions agree that there are universal rules,⁵ they substantially agree about their particulars. In particular, the golden rule is explicitly proposed almost everywhere, at least in its negative form, "Do *not* do unto others what you would *not* wish them to do unto you."

⁵ "[T]hey generally agree in the recognition that the great ethical rules are not imposed by a determinate human group, but are universally valid for every individual and for all people." Statement, §12.

Moreover, the ethical precepts of two traditions, Hinduism and Islam, can be brought into correspondence with the precepts of the Decalogue.⁶

Therein lies the first surprise. Just Hinduism and Islam? I am a little surprised by the understatement. Catholic tradition has long considered the Decalogue an unparalleled summary of the natural law written universally on the hearts of man, even though universally obscured by the evasions and subterfuges of men. Despite the prevalence of sin, don't all peoples reprobate murder and theft? Doesn't every great wisdom tradition approve honor to parents? Isn't greed held universally in dishonor? Even where devotion to the One High God is obscured by the cult of lesser gods, isn't reverence for deity commended everywhere?⁷ Pope Benedict XVI had far more warmly emphasized the universality of the precepts of the Decalogue in his address to the ITC three years previously:⁸

The contribution of the International Theological Commission, aimed above all to justify and describe the foundations of a universal ethic that is part of the great patrimony of human knowledge which in a certain way constitutes the rational creature's participation in the eternal law of

⁶ "Different precepts of the Hindu tradition can be put in parallel with the requirements of the Decalogue" (Statement, Section 13). "From the prescriptions of [the] positive divine law [of Islam] many persons regain the great elements of the moral patrimony of humanity and they can be set in relation to the Decalogue" (Statement, §17).

⁷ As anthropologist Clyde Kluckhohn wrote during the previous generation's debate over relativism, "Every culture has a concept of murder, distinguishing this from execution, killing in war, and other 'justifiable homicides.' The notions of incest and other regulations upon sexual behavior, of prohibitions upon untruth under defined circumstances, of restitution and reciprocity, of mutual obligations between parents and children—these and many other moral concepts are altogether universal." Still earlier John M. Cooper had spoken of a "universal moral code" which "agrees rather closely with our own Decalogue taken in a strictly literal sense." Clyde Kluckhohn, "Ethical Relativity: Sic et Non," *Journal of Philosophy*, 52 (1955): 663 (article reprinted in *Ethical Relativism*, ed. John Ladd [Lanham, MD: University Press of America, 1985], 78–95). John M. Cooper, "The Relations Between Religion and Morality in Primitive Culture," *Primitive Man* [now *Anthropological Quarterly*] 4 (1931): 36. Interest in moral universals seems to be increasing among contemporary anthropologists, albeit largely under the influence of evolutionary psychology rather than the doctrine of natural law.

⁸ Benedict XVI, papal address to the members of the International Theological Commission, 5 October 2007. See also the remarks on natural law in his previous address to the ITC on 1 December 2005, and his address to the participants in the International Congress on Natural Moral Law on 12 February 2007. See also the papal addresses of John Paul II to the ITC on 7 October 2004, and to the Congregation for the Doctrine of the Faith on 18 January 2002. The relevant encyclical letters of John Paul II include *Veritatis Splendor*, 6 August 1993, *Evangelium Vitae*, 25 March 1995, and *Fides et Ratio*, 14 September 1998.

God, is eagerly awaited. It is not, therefore, a theme of an exclusively or mainly denominational kind, although the doctrine on natural moral law is illuminated and developed to the full in the light of Christian revelation and the fulfillment of man in the mystery of Christ.

The Catechism of the Catholic Church sums up well the central content of the doctrine on natural moral law, pointing out that it “states the first and essential precepts which govern the moral life. It hinges upon the desire for God and submission to him, who is the source and judge of all that is good, as well as upon the sense that the other is one’s equal. Its principal precepts are expressed in the Decalogue. This law is called ‘natural,’ not in reference to the nature of irrational beings, but because reason which decrees it properly belongs to human nature” [CCC 1955]. With this doctrine two essential goals are reached: on the one hand, it is understood that the ethical content of the Christian faith does not constitute an imposition dictated to the human conscience from the outside but a norm inherent in human nature itself; on the other hand, on the basis of natural law, in itself accessible to any rational creature, with this doctrine the foundations are laid to enter into dialogue with all people of good will and more generally, with civil and secular society.

Compared with the Pope’s remarks about the Decalogue, the Statement’s sparse references give a certain impression of retreat. I hope I am not reading too much into them. If I am, my excuse must lie in the importance of the point in question. Concerning the Decalogue’s relationship with the golden rule, two common misconceptions must be discouraged. One is that its precepts are obscure—that although they may follow from the golden rule, they are at best remote rather than proximate implications. On the contrary, “there are certain things which the natural reason of every man, of its own accord and at once, judges to be done or not to be done: e.g. ‘Honor thy father and thy mother,’ and ‘Thou shalt not kill, Thou shalt not steal: and these belong to the law of nature absolutely.’”⁹ The opposite misconception is that the golden rule generates the precepts of the Decalogue all by itself, without help, as though he who said the former said the latter. But the golden rule concerns only the second tablet of the Decalogue, duties to neighbor, and it generates these

⁹ Thomas Aquinas, *ST* I-II q. 100, a. 2. The point of St. Thomas’s apparently contrary remark that “formerly, theft, although it is expressly contrary to the natural law, was not considered wrong among the Germans,” I-II, q. 94, a. 4, is not that the Germans did not know the wrong of theft in the abstract, but that when they raided other tribes they did not recognize *this* theft as wrong, because they did not recognize it as theft. St. Thomas knew that the Germans punished private theft. For discussion, see J. Budziszewski, *The Line Through the Heart: Natural Law as Fact, Theory, and Sign of Contradiction* (Wilmington, DE: ISI Books, 2009), 45–46.

duties only in the light of right desire. Imagine a man reasoning, "I wouldn't mind if that fellow slept with *my* wife; fidelity is boring, and possessiveness is old-fashioned anyway. Therefore, he shouldn't mind if I sleep with *his*." In fact, the Decalogue and golden rule co-illuminate each other, and a certain perception of both is found universally.

IV. WHO Is In and Who Is Out

Surprises lie too in what is and is not included in the Statement's survey of religions. Separate sections are allotted to Hinduism, Buddhism, Islam, African religions, and Taoism and Confucianism, the latter two treated together. The weight given to African religions is surprising, because although they are "traditional" in the sense of being passed on from generation to generation, they do not constitute a "tradition" in the sense of a self-conscious, developing, coherent inquiry into the truth with which one might enter into dialogue. Rather we are speaking of various animistic observances which happen to be widespread on the African continent. The treatment of animism is surprising in another way too:

The human being, microcosm within the macrocosm, lives intensely the drama of the clash between life and death. The task that falls to him, of assuring the victory of life over death, orients and determines his ethical action. Thus man should identify, in a consequent ethical horizon, the allies of life, gaining them to his cause and thus assuring his own survival which is at the same time the victory of life. This is the profound meaning of the traditional African religions.¹⁰

I think this language might startle African Christians, who would instantly recognize phrases like "identifying the allies of life" as euphemisms for the placation of good and evil spirits, both human and nonhuman, by means of witchcraft and necromancy. Of course the authentically religious longings of all people should be treated with respect. Surely, though, it passes beyond respect to describe soul-enslaving practices as though they were somehow humanizing. If we are to speak so flatteringly about witchcraft in the global South, then why should we not speak that way about, say, abortion in the global North? Radical feminists do. Ginette Paris writes, "Our culture needs new rituals as well as laws to restore abortion to its sacred dimension, which is both terrible and necessary." She considers abortion "a sacrament for the gift of life to remain pure."¹¹ But complicity with this sort of speech in no way contributes to real dialogue.

¹⁰ Statement, §16.

¹¹ Ginette Paris, *The Sacrament of Abortion*, trans. Joanna Mott (Dallas: Spring Publications, 1992), 92, 107.

In charity, I do not think the authors of the Statement were trying to be complicit with it. Perhaps they meant only that like other traditional cultures, African cultures contain “cultural capital” which can serve as a *praeparatio evangelica*¹²—such things as the cherishing of children, the honoring of parents, and the veneration (I do not say propitiation and worship) of ancestors. This is certainly true, but if that was their intention then they should have written with greater attention to necessary distinctions. In speaking of animism and paganism, a better tone was struck by then-Cardinal Ratzinger in his book *Introduction to Christianity*, where he wrote that in ancient times, “in an environment teeming with gods,” when Christians were asked to which god their God corresponded, “the answer ran: to none of them. To none of the gods to whom you pray but solely and alone to him to whom you do not pray, to that highest being of whom your philosophers speak.” He rightly remarks, “The choice thus made meant opting for the *logos* as against any kind of myth.”¹³ Surely this must be the answer not only of Christians but of all who adhere to natural law.

Another odd thing about the survey of world wisdom traditions is that it omits Judaism. To be sure, ancient Jewish writings are respectfully discussed in a later section, in the context of Sacred Scripture. But they appear in that section because they are part of Christian Scripture, not because they make up Jewish Scripture. Certainly the Jewish and Christian religions grow from the same root. To Christianity, Judaism is an older brother. But this does not make Judaism and Christianity the *same* religion, and the omission of Judaism from the Statement’s survey of wisdom traditions gives the disquieting impression that Jews are not partners in the intended dialogue, that they come into the picture only as precursors to Christianity. I am sure that this impression was not intended. No doubt the authors of the dialogue were trying to emphasize the very closeness of the bond between Jews and Christians, not to shut them out. Nonetheless the impression is hard to resist, and it is a diplomatic gaffe. Judaism has a natural law tradition of its own, the rabbinical tradition of the Seven Commandments given to the “Sons” or descendants of Noah, who include all humans now living. The fact that the Statement relegates the tradition of Noahide Commandments to a footnote is a scandal.

¹² A point the Statement makes, not about cultures, but about wisdom traditions, in §12.

¹³ Joseph Cardinal Ratzinger, *Introduction to Christianity*, trans. J. R. Foster (New York: Herder and Herder, 1970), 94–95.

V. What Happened to Protestantism?

Protestants are omitted from the survey too, probably for similar reasons. The problem is not that they are too far away, but that they are too close; in the eyes of the Church they are not exactly an independent tradition, or even a disputatious family of traditions, but another group of separated brothers. Yes, they have certain difficulties with natural law, but the diplomatic strategy seems to be to minimize these differences, as though the differences were all a misunderstanding which is clearing itself up. Not until later in the Statement, in an otherwise admirable discussion about the damage sustained by natural law tradition in modern times, are Protestants even mentioned. We meet in one section the observation that “several factors led to the secularization of the notion of natural law. Among these, one can recall the growing divorce between faith and reason which characterizes the end of the Middle Ages, or some aspects of the Reformation[.]”¹⁴ A footnote maintains that Protestant hostility to natural law arose no earlier than the nineteenth century:

The position of the Reformers as regards the natural law was not monolithic. More than Martin Luther, John Calvin, basing himself on St. Paul, recognizes the existence of the natural law as ethical norm, even if it is radically incapable of justifying man. ‘Nothing, indeed, is more common, than for man to be sufficiently instructed in a right course of conduct by natural law, of which the Apostle here speaks [. . .]. The end of the natural law, therefore, is to render man inexcusable, and may be not improperly defined as: the judgment of conscience distinguishing sufficiently between just and unjust, and by convicting men on their own testimony, depriving them of all pretext for ignorance.’ In the three ages following the Reformation, for the Protestants the natural law served as the foundation for jurisprudence. Only with the secularization of the natural law, in the 19th century, has Protestant theology distanced itself from it. Only from this period has there been opposition between Catholic and Protestant opinion on the question of the natural law. But today the Protestant ethic seems to manifest a new interest in this notion.¹⁵

That’s all; no more is said. There is no greater scandal to Christian natural law tradition than that even some Christians reject it, and I wonder why the Statement gives it so little attention.

Many Protestants do show greater interest in natural law today than formerly; the Statement is not wrong about that. However, the multiplicity of voices in Protestantism, some for the natural law and others against, makes

¹⁴ Statement, §31.

¹⁵ Statement, §36.

natural law diplomacy harder, not easier. The problem is not that there will be no one on the other side to talk to, but that no one on the other side speaks for the other side as such. Not only do some of the voices react against the Catholic Church, they react against each other, so that the Church may meet stumbling blocks even when she does everything right. Consider for example the agreement on the doctrine of justification achieved between the Church and the Lutheran World Federation in 1999, one of the greatest triumphs of the Church's interreligious diplomacy in modern times.¹⁶ At the time, when I was still firmly Protestant, the Joint Declaration struck me like a thunderclap. Reading it, recalling Luther's words that justification was the article on which the Church stands or falls, I thought to myself, "The Reformation is over." Reaction among well-informed Protestants whom I knew was quite different. Most were simply indifferent; intuitively if not theoretically congregationalist, they viewed all faith as local. Among those who did take an interest, some held that the agreement was merely verbal, a trick of ambiguous wording, signifying nothing. Others held that it was real but unimportant, because the article on which the Church stands or falls is really the sovereignty of God (what has Wittenburg to do with Geneva?) Still others held that it was real, but that the liberals in the Lutheran World Federation did not represent their views. A sizable group conceded that the Declaration would be important if the Catholic Church meant what she said, but this would have required renunciation of the Council of Trent, therefore the Church must have been lying.

My point is not that dialogue with such a fractured, multifarious world as Protestantism is impossible—on natural law or any other topic—but that it requires much greater energy and much more explicit attention than the Statement gives to it. One must not simply assume that Protestants will come around on their own.

A still deeper complication of dialogue about natural law with Protestants is that even if it were true, as the Statement suggests, that Protestant theology began to distance itself from natural law only in the nineteenth century—a claim which is at least debatable—the roots of this hostility go all the way back to the Reformers. They lie in suspicion of reason and nature *as such*, the former a "whore,"¹⁷ the latter depraved beyond recognition. To be sure, not even Luther denied the reality of the natural law; in

¹⁶ Joint Declaration on the Doctrine of Justification by the Lutheran World Federation and the Catholic Church, 31 October 1999.

¹⁷ "As a young man must resist lust and an old man avarice, so reason is by nature a harmful whore. But she shall not harm me, if only I resist her. Ah, but she is so comely and glittering." Martin Luther, "Last Sermon in Wittenberg" (Second Sunday in Epiphany, 17 January 1546), in *Luther's Works*, Vol. 51, ed. and trans. John

fact he insisted on it strongly, a point which cannot be emphasized enough. The problem is that no such endorsement could continue to survive in the soil of such awful qualms. Calvin's theology is quite favorable to natural law doctrine. In various works, he finds a basis in natural law for the ordinance of marriage, the condemnation of fornication, the esteem due to the capable, the honor due to the old, the prohibition of incest, the help given to the needy, the affection of fathers for their children, the duties of sons toward their fathers (more generally of children toward their parents), and the even greater duties of husbands toward their wives. More fundamentally, he understood—something Luther did not—that nature could not actually be bad. What he held was that our good nature is in a bad *condition*, which is exactly correct. Nor, unlike some of his followers, did he hold that no good is left in us; what he held was that each good is injured. But the extremity of some of Calvin's language, and his denial of free will, led some of his would-be heirs to different conclusions, thinking that we have altogether lost our nature and received in its place something else, a "sin nature"—an idea Calvin himself would have viewed as Manichaeism.¹⁸

Present-day hostility to natural law among Protestants comes in several varieties, some of which are losing influence, but some of which are gaining. To speak just of the North American continent, the first branch—what is left of it—is rooted in the liberal Protestantism of the nineteenth and twentieth centuries. In reaction to the Reformers' suspicion of unredeemed reason, these liberals defended a certain understanding of reason, but a diminished understanding which set itself against revelation; the Catholic understanding of reason and revelation as complementary to each other was as foreign to its thought as it was to Luther's. Having relativized Scripture, they have now gone on to relativize nature and reason as well, so that liberal Protestantism looks more and more like secular relativism with a Christian veneer. The second branch is a reaction to the reaction. In my country, its strongest representatives are neo-Calvinist.¹⁹ They draw from a strong intellectual tradition, but this tradition is primarily exegetical. Viewing itself as

B. Doberstein, gen. ed. Helmut T. Lehmann (Philadelphia: Muhlenberg Press, 1959), 371–80, quoting from 376, emphasis added.

¹⁸ As Calvin wrote against the Manichees, "it is not admitted that there is any thing naturally bad throughout the universe; the depravity and wickedness whether of man or of the devil, and the sins thence resulting, being not from nature, but from the corruption of nature; nor, at first, did anything whatever exist that did not exhibit some manifestation of the divine wisdom and justice." John Calvin, *Institutes of the Christian Religion*, Book 1, Chapter 14, Section 3, trans. Henry Beveridge (public domain; online version at www.ccel.org).

¹⁹ Foundational to this school of thought is the work of the Dutch Reformed thinker Abraham Kuyper. See especially "Calvinism and Politics," one of the

rooted in Scripture rather than in autonomous reason, which it regards as the wisdom of men in opposition to “the foolishness of God,”²⁰ it is deeply suspicious of philosophical articulations of natural law. The third branch, I am tempted to say, is a reaction to this reaction to the reaction. Surprisingly, its sources lie largely in the Anabaptist world, small in numbers but growing in influence. Suspicious not only of philosophy but even of systematic theology, neo-Anabaptists—I will call them that—emphasize the necessity of maintaining the purity and integrity of the Church against the powers and principalities of the world, recalling St. Paul’s affirmation that “our commonwealth is in heaven.”²¹ In their view these powers and principalities include not only human authorities, but even the dynamisms implanted in Creation itself, so irredeemably damaged by the Fall that they are actually hostile to man.²²

Although both neo-Calvinists and neo-Anabaptists are suspicious of natural law (though for different reasons), neo-Calvinism has a certain conflicted attraction to the doctrine. One might go so far as to say that while pushing it out through the front door, neo-Calvinism invites it in again through various back doors, such as the idea of “common” or “preserving” grace, which sustains the structures of Creation even in the face of sin. Both Lutheran and Reformed historians have lately rediscovered the natural law theologies of such thinkers as Vermigli, Althusius, and Turretin.²³ In the meantime, interest in natural law has grown strongly among Evangelicals,²⁴ despite their biblicist leanings, because as biblical literacy vanishes among the

Stone Foundation Lectures that Kuyper delivered at Princeton University in 1898. All six lectures are available at www.kuyper.org. For discussion, see J. Budziszewski, *Evangelicals in the Public Square* (Grand Rapids, MI: Baker Academic, 2006), 55–72.

²⁰ 1 Cor 1:25.

²¹ Phil 3:20. All scriptural quotations are from the RSV.

²² Illustrative of this tendency is the thought of the Mennonite theologian John Howard Yoder, whose influence on American Protestants has been strong but mostly indirect. For critical discussion of his views of natural law, focusing on his book *The Politics of Jesus: Vicit Agnus Noster*, 2d ed. (Grand Rapids, MI: Eerdmans, 1994), see J. Budziszewski, *Evangelicals in the Public Square*, 87–119.

²³ See, e.g., *A Preserving Grace: Protestants, Catholics, and Natural Law*, ed. Michael Cromartie (Grand Rapids, MI: Eerdmans, 1997) and Stephen J. Grabill, *Rediscovering the Natural Law in Reformed Theological Ethics* (Grand Rapids, MI: Eerdmans, 2006).

²⁴ In the U.S., the expression “Evangelical” has different connotations than in Europe, having to do with the movement and culture—today the largest among American Protestants—which descends from the Great Awakenings and preserves some of its revivalistic characteristics. Evangelical historian Mark A. Noll observes that the Evangelical style of communication is “direct,” “personal,” and “popular,”

citizens, there no longer seems to be a common language in which Christians can address non-believers.²⁵

To capitalize on these openings, I wish the Statement had said more about what it means for nature to serve as a norm in the face of the Fall. Natural law theorists do not imagine that nature is *not fallen*, but they seek to view the Fall in right perspective. We have not ceased to be human and become something else; we have not lost our nature and acquired a wicked nature, as though there could be such a thing as an evil substance; but our nature is disordered. Even though it preserves the same intelligibility, our vision of it is obscured and our power to follow it impaired; we are at odds with ourselves. As Joseph Cardinal Ratzinger once remarked in an interview, “[C]reation has been damaged. Human existence is no longer what was produced at the hands of the Creator. It is burdened with another element that produces, besides the innate tendency *toward* God, the opposite tendency *away from* God. In this way man is torn between the original impulse of creation and his own historical inheritance.”²⁶

Such is the Church’s teaching. But let us be frank: Don’t some statements by officials of the Church seem to run from it? If Protestants sometimes dwell on the Fall so obsessively that natural law is obscured, don’t Catholics at times seem afraid to speak of it at all, and isn’t this a diplomatic failing too? The deposit of faith is all one piece; the schism of 1517 did not divide the Christian patrimony; yet one of its tragic consequences is that both sides sometimes speak as though it did. According to some Protestants, the doctrine of the Fall belongs to them. According to some Catholics (though not the Church herself), they can have it. I do not think the authors of the Statement are running from the doctrine of the Fall, but I wish they had said more about it.

One more point about Protestants—at any rate conservative Protestants. Although they accommodate themselves to the secular world much more than they realize, they dreadfully fear a religious syncretism which would sell the Christian birthright for a mess of pottage, obscuring the Gospel merely to win agreement to glib platitudes, like the dictum of the Parliament of the World’s Religions in 1993 that “[e]very human being

depending more than anything else on a speaker’s “ability to draw a crowd.” It attempts to “simplify the essentials of religion in a way that gives them the widest possible mass appeal.” The result is that Evangelicals are “intuitionist,” trusting their “sanctified common sense,” but mistrusting the work of the intellect. Noll offers these observations in the context of an internal critique in *The Scandal of the Evangelical Mind* (Grand Rapids, MI: Eerdmans, 1995).

²⁵ For discussion, see J. Budziszewski, *Evangelicals in the Public Square*, 15–37, 119–21.

²⁶ Joseph Cardinal Ratzinger, *God and the World: A Conversation with Peter Seewald* (San Francisco: Ignatius Press, 2002), 51.

must be treated humanely.” It must be conceded that the Statement’s discussion of other religions and wisdom traditions does little to calm this fear. Its authors do recognize the danger. For example, though guardedly remarking that projects like the Parliament are “worthy of interest,” they warn, “But can the purely inductive search, on the parliamentary model, of a minimal already existing consent, satisfy the requirements to base law on what is absolute? Further, does such a minimal ethic not perhaps lead to the relativization of the strong ethical needs of every particular religion or wisdom tradition?”²⁷ But there is a problem even here.

The first of the sentences just quoted is profoundly important, because natural law is not universal in the sense of being a least common denominator. To put it another way, there are two universals, not one. Although the law is written everywhere on the heart of man, it is everywhere entangled with the evasions and subterfuges of men. Yet there is something odd about the second sentence. If the natural law doctrine is correct, then people of different religions and traditions do not have authentically different “ethical needs”; as human beings they have the *same* ethical needs, albeit differently interpreted by their traditions. Of course differences of interpretation must be respected. Even so, some interpretations must be more adequate than others, for if not, then why bother to have a dialogue? Strangely, then, the language of the Statement seems to make room for ethical relativism even while criticizing ethical “relativization.” I am sure this was not the intention of the authors, but many Protestants who share its concern about relativism will find such language unsettling.

One must not be ungenerous, for the authors of the Statement were threading the eye of a needle. They had to be open enough to other traditions to encourage a genuine conversation in which each could hear all the others, yet not so open as to plaster over divisions and forget what they had to say. It is so hard to strike the right balance. The very attempt to avoid offense in one quarter may give offense in another. Even so, if the diplomacy of natural law is so much more difficult than the authors of the Statement seem to realize even as regards Protestants, who are “separated brethren,” then how much more difficult will it be among the adherents to other religions and wisdom traditions? Consider just the response to the Holy Father’s lecture in Regensburg,²⁸ in which Islamic mobs in various parts of the world turned to violence to prove that their religion was

²⁷ Statement, §6.

²⁸ Benedict XVI, “Faith, Reason and the University: Memories and Reflections.” Papal Address to representatives of science at University of Regensburg, Regensburg, Germany, 12 September 2006.

not violent, this despite the fact that Pope Benedict had studiously avoided saying that it was.

VI. Secularism and Freedom

I can imagine someone wondering why modern Western secularism is not included in the survey of wisdom traditions. Certainly its intellectual program has been running for quite a while, and one would find it difficult to deny that at least in its very early phases it constituted a seriously reasoned inquiry into the truth about man.

Yet the Statement is right to leave secularism off the list, for secularism is no longer what it was. Today it is less like a wisdom tradition than an assault on the possibility of wisdom. During the course of several centuries, Western reason finally became so convinced of its doubts that it clipped its own wings, binding itself with fierce oaths not even to think about flying. It tends to deny that there is a truth about man, or at least that such a truth could be discovered. The Statement does not ignore it; far from it. But instead of including it in the survey of wisdom traditions it discusses it in other places—as a series of misadventures, such as voluntarism, which pushed the early modern doctrine of natural law in the wrong direction; as a series of confusions, such as moral relativism and legal positivism, which obscure clear thought today; and as the *cause* of the crisis which makes the search for a universal ethics so crucial today.

Not that the Church has no interest in talking with secularists, and not that she just wants to scold. On the contrary, the Statement takes secularist confusions about natural law with the greatest seriousness, especially the mistaken view that freedom competes with the immanent law of our nature and with the transcendent God in whom this law finds its source. The true nature of freedom receives more intense and sustained attention in the Statement than any other theme in the doctrine of natural law.

While admitting that the commands of God are authoritative, the Statement is careful to avoid voluntarism, the view that He is an arbitrary tyrant whose commands are right “just because He says so.” What voluntarism overlooks is that the will and power of God are united with His goodness and wisdom. But the problem of arbitrariness has another face too; showing that God’s commands are wise and good is not enough. Even wise and good commands, if they were merely imposed from outside, would seem to deprive us of our freedom. This is the problem Kant called heteronomy. Its solution is not what he called autonomy, which makes God and nature irrelevant, but participated theonomy.²⁹

²⁹ Statement, §63, quoting John Paul II, Encyclical *Veritatis Splendor*, §41.

God does not rule by jerking us around, but by drawing us as participants into His own Providence. The way this works is that when we follow the natural law by employing our powers of reason, we fulfill the inbuilt potentialities of our own created nature more and more.³⁰

Rather than seeing the sovereignty of God, and the dignity and freedom of man, as enemies, this way of thinking unites them. Man cannot displace God, because he cannot reinvent his humanity. We already have a nature; we already are as He created us. But God is not a tyrant, because our freedom lies in becoming *more fully* what we are, and in order to humanize ourselves, we must cooperate with the divine creative act, the *fiat* by which God made us in His image.

I don't disagree with the teaching that I have just paraphrased; I do think the Statement could have explained it more clearly. The problem is not theological but diplomatic. It lies in the placement of the accent. Rather than giving equal emphasis to divine authority and human freedom, the Statement lays its stress on human freedom. If I were trying to make a case for this difference in emphasis, I might argue as follows. Those whom the Church would like to draw into dialogue include, among others, both secularists and members of other monotheistic traditions. All too many in both categories see the sovereignty of God as contradicting the liberty of man. Those in the former category need to be *reassured* about freedom, because they see divine authority as endangering it. Those in the latter category need to be *taught* about freedom, because they see it as a challenge to divine prerogatives. The point this hypothetical argument misses is that the former group cannot be reassured about freedom unless they are also *taught* about authority, and the latter cannot be taught about freedom unless they are also *reassured* about authority. So greatly does the discussion of freedom emphasize immanence that it comes close to obscuring transcendence; so greatly does it stress human freedom that some readers, both secularist and religious, may be left wondering what God has to do with the matter at all—in what sense His commands are really commands.

To be sure, even in the discussion of freedom, the note of transcendence is not lost, and it rings more sonorously later in the Statement. But shouldn't it be more resonant in this part too? Isn't there something to be said just for the trembling gladness of crying to God, "Command me"? Does it make us voluntarists to obey Him, not "just because He says so," but just because He is the good and glorious God? To put it another way, doesn't it also belong to the law within ourselves that we are most ourselves when

³⁰ The natural law is "nothing else than the rational creature's participation in the eternal law." Thomas Aquinas, *ST* I-II, q. 94, a. 2.

we get out of ourselves, when we forget ourselves in Him? He is greater than we are; it is not as though when He poured good into creatures, He somehow drained Himself of uncreated Good. Our freedom and glory are to look up. We were made to sing with the hosts of heaven, "Worthy art thou, our Lord and God, to receive glory and honor and power."³¹

In another sense, the Statement doesn't say *enough* about human freedom. I said a few paragraphs above that we cannot displace the Creator because we cannot reinvent our humanity. But the transhumanist asks: Why can't we? With help from nanotechnology, biotechnology, and the cognitive and information sciences, why can't we provide ourselves with an improved human nature, not this old paleolithic hand-me-down, but one we make for ourselves?³² The authors are at least partly aware of the danger, remarking that "rapid developments in biotechnology," such as "genetic manipulation and cloning, "threaten the very identity of the human being," requiring an "ethical and political reflection of universal breadth." In the same vein, they warn against "accept[ing] as legitimate everything that is doable in the sphere of biotechnology," and insist that "the legislator cannot give up the distinction between what is human and what are extrinsic and superficial criteria."³³ But the problem is greater than not knowing where to say "No" to biotechnological innovations. We face a ramifying transhumanist ideology driven by a strange combination of industrial competition, military planning, scientific hubris, and eschatological dreams. As in the days of Babylon on the plain of Shinar, men have begun to murmur among themselves, "Come, let us build ourselves a city, and a tower with its top in the heavens, and let us make a name for ourselves."³⁴

One version of the dream envisions adjusting people to their particular lots in life in order to "enhance" their performance and satisfaction. We could have soldiers who don't need to sleep, file clerks who never get bored, laborers who never go on strike, miners who prefer the heat and dark, abortionists who don't have bad dreams. Perhaps it is not difficult to see that such manipulations would not enhance but diminish us. Then again, some people do find the point difficult. Why should anyone have to be a square peg in a

³¹ Rv 4:11a.

³² Such dreams are no longer limited to the readers and writers of science fiction: See for example Mihail C. Roco and William Sims Bainbridge, eds., "Converging Technologies for Improving Human Performance: Nanotechnology, Biotechnology, Information Technology and Cognitive Science" (National Science Foundation and U.S. Department of Commerce, June 2002), also called the NBIC Report. This document is readily available on the internet.

³³ Statement, §§1, 7.

³⁴ Gn 11:4.

round hole? I wish the Statement had taken more time to explain what ought to be obvious but isn't. Better to make the hole square. Better even to be a square peg in a round hole, than to have all our corners cut off.

Another version of the dream is more difficult to answer. In this version, which is more egalitarian, everyone is re-engineered the same way (except perhaps the engineers), so that life is more to our liking. Everyone could be smarter. Everyone could be stronger. Everyone could be more musical. And why stop there? Everyone could live forever, even if this meant putting an end to children, a point Europe has almost reached anyway. No one need ever become depressed, even if he had something to be depressed about. No one need ever suffer pangs of conscience, no matter what he had done. No one need ever go mad from not knowing the meaning of his life, for our minds could be readjusted so we thought we knew already, or just didn't need to know. War would come to an end, because nations would peacefully submit to whatever their programmers decided to have them submit to. My language may seem tendentious, and I admit that I am painting the portrait of the Next Man in the hues of the Last Man. But has the Next Man ever been more than a mask for the desires of the Last?

The authors of the Statement know about transhumanist dreams but seem to view them solely from the angle of the misconception that freedom and nature are opposed.³⁵ Surely the authors are right that this misconception has deep historical roots and has not yet run its course. Indeed hostility to nature has entered a vicious and virulent phase.³⁶ Even so, I wonder whether the ITC, like armies everywhere, is preparing to fight the last war all over again. The next one will not be the same. Having opposed nature for all these generations, we moderns or post-moderns have at last become so confused about what a nature is that we have actually come to think that we can make one.

VII. Transhumanists and Freedom

I think a transhumanist challenged by the Church would carry the ball to his opponent's territory. I imagine him arguing like this:

You say freedom lies not in denying but in following our nature—in humanizing ourselves, becoming more what we are, fulfilling our inbuilt potentialities, our

³⁵ Statement, esp. §71.

³⁶ See for instance Warren M. Hern, M.D., "Is Pregnancy Really Normal?" *Family Planning Perspectives* 3:1 (January 1971), wherein the author argues that pregnancy "may be defined as an illness" which "may be treated by evacuation of the uterine contents."

*“immanent intelligibility.”*³⁷ *Very well, I concede—so it does! But what you call a human being is just a sophisticated mechanism; what you call its nature is its operating system; what you call its subjectivity or consciousness is its executive function; what you call its immanent intelligibility is the objectives built into its program; and what you call desires are their internal representations. Fulfilling our immanent intelligibility can therefore mean nothing more than becoming more successful in attaining what our programming leads us most strongly and persistently to desire.*

What then is our longest and strongest desire? Preeminently, the increase of our power, or the power of our descendants, with whom we are programmed to identify. If so, then to act on this desire simply is to act freely, simply is to follow nature, simply is to humanize ourselves.

*Suppose the greatest step we could take to increase the power of our descendants were to make them something different than we are—to free them from human limitations. You might say that by taking such a step, we would not humanize ourselves but only abolish humanity.*³⁸ *Say rather that in this case, the highest expression of our freedom is also its terminal expression—that abolishing humanity is the most humanizing act we can perform. What parent would not sacrifice himself for his children?*

You might also object that even if we expressed our own freedom by reinventing humanity, we would destroy the freedom of our descendants—we would be turning them into artifacts, treating them as things. Perhaps you imagine them complaining that they didn’t ask to be transhuman! But I notice that you don’t level the same accusation against the Creator, for after all, we didn’t didn’t ask to be human. Well, our descendants haven’t asked to be human either. Why should we force them to be? You say that created nature isn’t a limitation on our freedom, but the divine gift that makes it possible. So be it! Then we will be as gods to them—dying gods, burdened with our sins—and their reinvented nature will be the gift from us that makes their freedom possible.

There are no two ways about it. If our freedom is following our nature, then their freedom is following theirs. To go with their new nature, they will simply have a new freedom. And wouldn’t it be a lot more fun?

Dialogue with transhumanists—and make no mistake, there will have to be dialogue with transhumanists—will require considerably more equipment than the Statement provides, and will require it at several different levels. At the level of discursive reason, the metaphysics lesson must be prolonged. The differences between substances and mechanisms, between natures and programs, between the immanent intelligibility of our nature and what we strongly want, these things and others must be made more

³⁷ Statement, §23.

³⁸ Alluding to C. S. Lewis, *The Abolition of Man: or Reflections on Education with Special Reference to the Teaching of English in the Upper Forms of Schools* (New York: Macmillan, 1947).

clear, or the dialogue will go nowhere. The whole ontology of modernity must be called into question, a stupendously formidable task. At the level of simple insight, the power of the mind by which it sees what it understands, the matters we are discoursing about must be brought closer to the eye, made accessible to intuition. One thing that needs to be “seen” before it can be understood is the sheer horror of the transhumanist ambition. The danger is not that proponents of this ideology could achieve what they desire, but that they might do great damage by trying. An even more important thing to be “seen,” or at least glimpsed, is divine transcendence. If we think that just because secular people are afraid of God, they must have no longing to see Him, we are mistaken. Under every disguise, that desire remains real and powerful, and must be offered the hope of satisfaction.

VIII. Politics

The Statement devotes an entire chapter to the implications of natural law for policy and statecraft. The chapter contains much good. I am especially glad to see its insistence that the common good is real and not just an aggregate of private goods. Yet in other ways, the chapter underwhelms.

At a pivotal point in its exposition, the Statement declares that the common good which society should pursue has four contours. “[T]hese are: freedom, truth, justice, and solidarity. These four values correspond to the requirements of an ethical order in conformity with the natural law.” As a political and ethical theorist I must confess that such language makes me cringe, not in the least because I disagree, for I don’t. The problem is that the expressions look suspiciously like platitudes. The Church knows quite well that no profit will be made from clichés. I mentioned earlier that the Statement is critical of the minimalist, least-common-denominator approach to dialogue which leads to ponderous platitudes like the principle of the Parliament of the World’s Religions in 1993 that “Every human being must be treated humanely.” Yet at points like this, it gives the strong appearance of following a similar approach.

The problem is not just that the language of freedom, truth, justice, and solidarity is so vague, but that its vagueness makes it so perilously easy to hijack. Secular precedents are innumerable. I cannot help but think of the unholy trinity of values in contemporary secular bioethics, “autonomy, beneficence, and justice,” where all too often autonomy means that the patient may kill himself, beneficence means that his caretakers may kill him when doing so is judged to be “in the best interests of all concerned,” and justice means that John Rawls would approve.

The Church’s invocations of freedom, truth, justice, and solidarity are saved from platitudininess, if I may coin a word, by the fact that an immense

depth of discussion lies behind each one, a deep, murmuring background of thought and commentary. One who expects definitions to be provided on the spot will usually be disappointed. Instead they are meant to serve as placeholders for that vaster literature which is tucked away almost out of sight. This fact excuses a great deal of writing which would otherwise seem to mean nothing. In fact it means a great deal. On the other hand, it cannot be said to make the doctrine of the Church clear to outsiders, a diplomatic essential which I think she may underrate.

Considering each of these four bland expressions in turn, let us grade the risk of hijacking. "Justice"—here the risk of hijack is very great, because liberal theories of justice have almost completely obscured the classical insights to which the natural law tradition is committed, and the Statement says far too little about these errors. "Solidarity"—the intention of this term is to warn us against selfish individualism and remind us that each bears responsibility for the common good. However, the Statement provides too little armament to guard against authoritarian and collectivist distortions of the idea. Nor can it be protected merely by invoking other generalities such as "human dignity" or "subsidiarity," because if not fully explained, these too can be hijacked. All claim to believe in human dignity; they cannot all be right. The principle of subsidiarity, one of the most profound contributions of Catholic social doctrine, declares that the purpose of larger, stronger, more extensive forms of association such as states and transnational organizations is not to destroy or absorb smaller, weaker, more local forms of association, but to help them. Yet in the administrative state, subsidiarity is commonly invoked precisely to justify shoving smaller associations aside. "We are not destroying or absorbing them, we are helping them," say the bureaucrats, as they take over their functions and deprive them of anything to do.

What about the other two expressions? "Truth"—one might think that here the risk is small, because the secular world is less concerned to capture the term "truth" than to deny that truth exists. The premise is true but the conclusion does not follow. "Freedom"—here the risk is diminished by the Statement's vigorous effort to restate what freedom means; as I have explained, the thrust of its efforts is to rescue the term from its previous hijackers and restore it to its proper meaning. Grave danger persists, however, and not just for the reasons already discussed. Let me explain. Every view of freedom is *some* view of freedom—some view of what it is for, in what it consists, and what political and moral conditions it requires. To safeguard freedom one must have true answers to these questions. But this means that in order to exercise freedom, one must

already be confident about at least part of the truth, even if one is still in search of the rest. Freedom and truth are intimately joined.

The authors of the Statement know all this. Unfortunately, they fail to develop the political implications of denying it. This is a serious flaw, because contemporary secular polities do deny it. It seems to them that the only thing reason can tell us with confidence is that *nothing else* can be known with confidence. If secularists reasoned coherently, then at this point they would simply abandon the ideal of freedom; surely, if the faculty of reason is too weak to find out what freedom is, then the idea of freedom is incoherent. That is not what happens. Instead, diminished reason is set to work inventing rationalizations for the indulgence of whatever passions and appetites men happen to have, and “freedom”—redefined—is one of these rationalizations. Notice, though, that in order to ground the polity on this sort of “freedom,” it is not enough to be agnostic and say “We do not know the truth.” One must be antinoetic, one must say “We *cannot* know the truth,” and one way or another, this must become a public creed. The details are unimportant. Perhaps we will say that public policy must be “ethically neutral”; perhaps we will say that legitimate, nonauthoritarian dialogue requires “bracketing” the claims of conscience; perhaps we will say that the state must be “political, not metaphysical.” Such notions never mean that the state has no metaphysical commitments. What they mean is that it has ardent metaphysical commitments, but they are all negative: Any conception of reality which proposes that truth can be discovered must be viewed as an enemy. In such a world, the Church itself is held in deep suspicion, just because she does make this proposal. Never mind that she believes in freedom; the freedom she proposes is a deeper freedom than secularists desire, and threatens the foundations of their polity. Nor is only the Church held in suspicion. Psychological training for secularist citizenship must begin in childhood; consequently, even the institution of the family comes to be viewed as illiberal and dangerous. Parents inevitably teach their children what they believe, but this forms children in such a way that they may not be sufficiently antinoetic when they grow up.

A point in defense of the Church’s readiness to use overgeneral expressions is her view of how the human mind comes to know things. As I hinted earlier, not only in her thought, but also in her mode of expression, she relies not just on discursive, logical reasoning, on abstraction and inference, ratio, but also on purely receptive, intuitive understanding, “that simple vision to which truth offers itself like a landscape to the eye,”³⁹ *intellectus*. Discursive reasoning is the way of knowing most characteristic

³⁹ Josef Pieper, *Leisure: The Basis of Culture*, trans. Alexander Dru (San Francisco: Ignatius Press, 2009, orig. 1952), 28.

of human beings. Direct vision is more properly angelic; today the secular world does not even believe in it. Yet in reality, the two processes interpenetrate and depend on each other, for mind does not live on definitions alone. So, when the Church directs man's attention to "human dignity" or asks him to look into his "conscience," she views herself as pointing to realities into which anyone may see at least partly, if only he is willing to look. Indeed, the fact that human beings have some small share in pure receptive insight is the only reason we can improve a definition, for in the end, each definition refers to a real thing, seen by the mind as the eye sees the object of sight. For the same reason, even if the thing is not seen in clear focus, nevertheless we can talk about it. Each eye can compare what it seems to see with statements from all the other eyes in play.

This is a lofty hope but a right one, and the diplomacy of the Church depends on it. It is also a chancy one, inasmuch as it depends on pure eyes among all those who join in the seeing, and our age is not known for purity. "When your eye is sound, your whole body is full of light; but when it is not sound, your body is full of darkness."⁴⁰

One more point needs to be made about the Church's engagement with the world of politics. Governments must often base policy on the advice of scientific experts. In order to protect the environment, for example, one must know what is happening to it. Is the global atmosphere actually warming? If so, is such warming a cyclical event or a long-term trend? Is it influenced by human activity, and can anything be done about it? In the meantime, whatever may be happening to the climate of the earth, the climate of debate passes through swings of its own; we tend to forget that a scant two generations ago, the great concern among scientists was global *cooling*.

Although the Church speaks with authority about morals and doctrine, she knows she has no special competence in science. In the popular view, she is antiscientific. On the contrary, all too often Church officials jump on the latest scientific bandwagon just because the scientists whom she consults have jumped onboard already. At various times she has been assured by penologists that prisons rehabilitate, by psychologists that sexual abusers who have undergone therapy can be safely returned to active ministry, by biologists that the hypothesis of natural selection explains macroevolution, by political scientists that simple transfer of wealth to the governments of poor nations will make poor nations richer, and by economists that forgiveness of debt on a huge scale would not cause moral hazard. Each of these matters is at least open to question, but the Church

⁴⁰ Luke 11:34.

too quickly accepts the confident pledges of her expert advisors that they are beyond debate.

A case in point: The Statement goes beyond calling for the protection of the environment. It takes planetary warming so much for granted as to cite it as one of the reasons for the search for a universal ethics: "The good of the species appears as one of the fundamental aspirations present in the person. We are particularly conscious of it in our time, when certain perspectives such as global warming revive our sense of responsibility for the planet as well as for the human species in particular."⁴¹ This incautious endorsement of the global warming scenario was composed before the explosion of the "Climategate" scandal at the Climatic Research Unit of the University of East Anglia, England, in which the content of leaked email messages gave strong reason to believe that researchers at the CRU had colluded to manipulate data, interfere with the peer review process, and punish outside scientists who dissented from their conclusions. Though official investigators drew milder conclusions, even they criticized the University for a "culture of withholding information."⁴² In the meantime it has become clear that the much-vaunted "consensus" of the scientific community concerning the warming of the planet is more like a powerful but contested opinion.

What actually happened at the CRU may take years to sort out, but the event is a salutary reminder that communities of experts are much like little polities, with their own gatekeepers, their own ways of withholding and distributing resources, their own publicity machines, their own ways of policing consensus, and their own ways of punishing dissent. This is especially true in fields like climatology, where the data are messy, the modeling methods highly sensitive to minute changes in assumptions, emotions run high, and the distinction between scientific theory and political ideology is easily blurred. Scientists themselves—except when they hold minority opinions—are often remarkably oblivious to the possibility of bias and runaway groupthink, viewing their disciplines as immune to the foibles of the world, perfectly in harmony with the ideal of rational inquiry.

⁴¹ Statement, §49. In §1, the Statement more obscurely includes "the climate" among the "pressing concerns, which call upon all humanity and whose solution goes quite beyond national boundaries." Insofar as this is listed *in addition* to "ecological equilibrium," "protection of the environment," and "natural resources," it is probably another endorsement of the hypothesis of worldwide climate change, but in this case the intention is less clear.

⁴² James Randerson, "Climate Researchers 'Secrecy' Criticised—But MPs Say Science Remains Intact: Leaked Emails from UK's Climate Research Unit Show Scientists Withheld Information—But Inquiry Blames University." *The Guardian*, 31 March 2010, retrieved 29 July 2010.

The members of the Church do well to remember that just as there are fads, prejudices, and irrational convictions in the nonscientific world, so there are in science. “[I]n the course of history,” the ITS remarks, “Christian theology has too easily justified with the natural law anthropological positions which, consequently, have appeared conditioned by their historical and cultural context.”⁴³ Just so, but the error is not confined to anthropology.

IX. *Praeambula amicitiae cum natura*

Natural law cannot be properly appreciated except in the context of salvation history. The authors get this capital point exactly right when they remark that although the pagans were already aware of natural law, from the moment it was taken up by the Fathers it was “apprehended in the environment of a history of salvation that leads one to distinguish different states of nature (original nature, fallen nature, restored nature), in which natural law is realized in different manners.”⁴⁴ Thus natural law must be viewed from three perspectives: Creation, Fall, and Redemption.

On Creation depends the inner coherence of the natural order, including the nature of man. It is “the act by which God structures the whole universe, giving it a law”⁴⁵—not just bringing it into existence, but making it reflect His wisdom.

From the Fall comes man’s difficulty in recognizing the work of Creation, for he “has removed himself from the source of wisdom. Thus acting, he has falsified the knowledge that he was able to have of the objective order of things, even on the natural level. Men, knowing that their works are bad, hate the light and elaborate false theories to justify their sins. Thus the image of God in man has been gravely obscured. Although their nature still refers them to a fulfillment in God beyond themselves (the creature cannot pervert itself to the point of not recognizing any longer the testimonies that the Creator offers of himself in the creation), in fact men are so gravely harmed by sin that they do not recognize the profound meaning of the world and interpret it in terms of pleasure, money or power.”⁴⁶

By Redemption our nature is restored, and this in two ways. In the first place, “Jesus Christ manifests in his own person . . . an exemplary human life, fully conforming to the natural law. For that reason he is the ultimate criterion for correctly deciphering the authentic natural desires of man

⁴³ Statement, §10.

⁴⁴ Statement, §26.

⁴⁵ Statement, §22.

⁴⁶ Statement, §104.

when they are not concealed by distortions introduced by sin and disordered passions.”⁴⁷ In the second place, the Holy Spirit becomes for us the principle of life, freeing us from the power of sin, so that we begin to have not only the desire for good, but the ability to do it. Thus the New Law “gives man the effective capability of overcoming egoism by fully actualizing the humanizing demands of the natural law.”⁴⁸ In the third place, the Holy Spirit reveals that we are ordained to a *supernatural* end, an end that does not destroy our natural powers but exceeds them. Man is “called by God to a destiny that transcends the finality of physical nature.”⁴⁹

All this the Statement explains clearly and beautifully. One might only wish that it had explained more fully how it all bears on the prospects and conduct of dialogue about natural law with nonbelievers. Isn’t a certain change required in the angle of vision? Traditionally the Church has viewed the doctrine of natural law as one of the *praeambula fidei*, “preambles” of faith, and certainly it is. But if it is true that the natural law can be clearly viewed only in the light of salvation history, then shouldn’t we also call faith one of the *praeambula amicitiae cum natura*, “preambles” of friendship with nature? Declarations about natural law address themselves to “men of good will,” but the gospel came to us “while we were yet sinners.”⁵⁰ These two addresses must cooperate.

I should not wish to be misunderstood, for I am far from suggesting that faith is a preamble and the natural law is *not*. What I am suggesting is that the relationship between the two preambles is, so to speak, dialectical. They co-illuminate each other; each becomes more clear when they are seen together. Nor am I suggesting that dialogue about natural law is futile before all of our dialogue partners have been converted; what I am suggesting is that the dialogue is unlikely to achieve its ends unless we are explicit not only about our philosophy but also about our theology.

How does failure to appreciate the difference among the created, fallen, and redeemed states of nature impede dialogue? By way of analogy, suppose everyone was born with broken hands, and no one had ever seen an unhurt hand. Hands would still have the purposes given to them by the order of creation, but because the use of the hands to grasp, to gesture, to caress would cause pain, it would be difficult for anatomists to recognize these purposes. Some might even deny that hands do have purposes. Though some of our powers are more broken than others, our

⁴⁷ Ibid.

⁴⁸ Statement, §102.

⁴⁹ Statement, §66.

⁵⁰ Rom 5:8.

case is much the same. If I ask my students the purpose of the respiratory powers, they answer without hesitation, "To take in oxygen"; of the ingestive powers, "To nourish us"; of the visual powers, "To show us the physical world." But if I ask them the purpose of the sexual powers, they become confused. By far the greatest number reply, "To give pleasure," ignoring the fact that the exercise of every voluntary power is pleasurable, and if the production of pleasure were the criterion of function, then the purpose of breathing, eating, and seeing would be pleasure too. The immanent intelligibility of sex is so obscured by concupiscence that we imagine concupiscence *to be* its intelligibility.

Another result of the failure to distinguish the three states of nature is despair. The Statement rightly declares:⁵¹

The search for a common ethical language is inseparable from a hope of conversion, with which individuals and the community detach themselves from the forces that seek to imprison the human being in indifference or drive him to raise walls against others or against foreigners. The heart of stone—cold, inert and indifferent to the lot of one's neighbour or of the human race—must be transformed, under the action of the Spirit, into a heart of flesh, sensible to the calls of wisdom, to compassion, to the desire for peace and to hope for all. This conversion is the condition for a true dialogue.

But conversion requires grace, which we are helpless to supply to ourselves. Our helplessness in the face of the disorders of fallen nature, our inability to cure them by powers of our own, the chasm that divides us from ourselves, all these things stun and dismay an honest mind and heart. The hope of redemption gives us the confidence to be honest, to meet the eye of conscience steadily without flinching. If we know nothing of this hope, it is excruciatingly difficult to be honest. Whether by denying the natural law, or by pretending that we fulfill it, we avert our gaze.

The final result of failure to view nature in the light of salvation is that when the Godward impulse is denied, it turns elsewhere; when Christian eschatology is denied, rather than evaporating, it spills. The Church has had long experience with diverted spiritual longings and spilled eschatology. Some are mentioned in the Statement, such as the ideology by which the State "raise[s] itself as the bearer of ultimate meaning." But newer and stranger manifestations are even now appearing on the horizon. Perhaps the most bizarre example is the argument of Tulane University physicist Frank J. Tipler that through the advance of science, intelligent species will

⁵¹ Statement, §4.

literally evolve into God.⁵² The idea that dependent being could turn into absolute Being is so muddled that one hardly knows how to argue with it, yet arguments of this sort are taken seriously by serious people.

In a dialogue about natural law, the introduction of salvation history might seem to be an impudence. Shouldn't it be left alone? As I read them, the authors of the Statement hold a different view. They insist on introducing salvation history, and I think they are right. It might be objected that in the context of natural law, such matters cannot be raised at all. After all, don't they lie beyond the province of natural reason? Yes, but that does not get us off the hook. Perhaps a contrast will be helpful. One of the things embedded in human nature is the love of self; another is the impulse toward transcendence, like a ghostly preparation for the spiritual virtue of hope. Those who do not know what they truly are by nature cannot love themselves properly, but at least the knowledge of what they are by nature is accessible apart from revelation. Those who do not know what the object of transcendence is cannot hope properly either, but alas, that knowledge is not accessible apart from revelation. The unfulfilled longing for such knowledge drives otherwise reasonable people either to despair or to *false* objects of transcendence, bewitching sirens, luring them to destruction. What is to be done?

The paradox is that not all of the questions that vex dialogue about natural law are contained within natural law. On the one hand the reality of natural law can be grasped by every person of good will; on the other hand, its contours will seem cloudy apart from the light of grace, and the stirrings it awakens may madden us. About problems like this, we scarcely yet know what to do.

X. Conclusion

As I close this response to the "The Search for Universal Ethics," I am painfully aware that although I have tried to address not only the philoso-

⁵² In several books, beginning with *The Physics of Immortality* (New York: Doubleday, 1994), Professor Tipler tries to prove that the laws of physics require the existence of God and the resurrection of the dead. What he means by these terms, however, is not what they mean in the Creed. He expects intelligent species to develop their scientific abilities at an exponentially increasing rate of growth, until eventually they evolve an unlimited intelligence which uses all of the resources of the universe. He identifies this intelligence with God. Because its computational speed will increase faster than the universe can collapse, in "experiential" terms its life will have infinite duration. This deathless intelligence would run simulations of every intelligent being that has ever existed. Consequently, all the dead will all live again forever in virtual reality, which will be indistinguishable from ordinary reality. Tipler considers the argument a confirmation of Christianity, a supposition about which, perhaps, nothing more need be said.

phy and theology of the document, but also its diplomacy, my own diplomacy is maladroit. If, while trying to dance, I have succeeded only in bruising toes, I hope that my clumsiness will be pardoned. The more I study the Statement, the more impressive it seems to me. Yet when I try to approach it as an outsider might, I cannot help but feel that it should have been more attractive on the first reading, perhaps even on the second.

The Church has immensely long experience in her diplomacy, and the authors of the Statement are far better dancers than I will ever be. Yet in the presentation of the doctrine of natural law, it seems to me that their adroitness too could be improved. Insofar as nature and grace are the two proper foundations of the Church's entire approach to the world, perhaps the discussion of this difficulty is important enough to risk the appearance of an ingratitude which is far from my intention. **N-V**