

Securing the Foundations: Karol Wojtyła's Thomistic Personalism in Dialogue with Natural Law Theory

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Introduction

ANY ATTEMPT TO EXHAUSTIVELY present the contributions of Karol Wojtyła's Thomistic personalism as elaborated in his pre-pontifical philosophical writings to the theory of natural law is surely not a task that can be easily reduced to a summary overview of Wojtyła's ready-made arguments. In his writings, John Paul II did not, in fact, reflect extensively on the topic of "natural law" as an immediate object of his philosophical enquiries. We can find only a few explicit references to it in his 1969 magnum opus *The Acting Person*, while a substantial philosophical argumentation on this subject in the immediate textual context of these references is virtually nonexistent. In his only philosophical text explicitly dedicated to the topic of natural law, entitled "The Human Person and Natural Law,"¹ also from 1969, a more extensive elaboration on brief references to St. Thomas Aquinas's definitions of natural law is completely absent. Even in his later pontifical documents, John Paul II hardly ever extensively referred to natural law in its classic Thomistic formulation until his 1993 encyclical letter *Veritatis Splendor*.² However, such a notable absence of explicit refer-

¹ Karol Wojtyła, "The Human Person and Natural Law," in *Person and Community: Selected Essays*, trans. T. Sandok, ed. Andrew N. Woznicki (New York: Peter Lang, 1993), 181–85.

² A reference to the classical Thomistic formulation of natural law is perhaps found to be most notably missing from his 1991 social encyclical *Centesimus*

ences to natural law did not discourage Kenneth L. Schmitz, the author of one of the most significant studies of Wojtyła's philosophical project, from repeatedly highlighting the importance of Wojtyła's "personalist approach to natural law" and of his underscoring the "personal dimension within the metaphysics of natural law."³ How can an author who is so reluctant to avail himself of classical natural law discourse be, at the same time, celebrated as an important contributor to its more adequate comprehension?

In this paper, we will aim to postulate that Wojtyła enters into an enriching dialogue with the Thomistic theory of natural law, in both its classical and its contemporary formulations, on a specific systematic level that does not directly engage the classic elements of natural law theory (such as natural inclinations, first precepts of natural law, etc.). We will show that Wojtyła, rather, grounds his most important contributions to this theory within the framework of his specific methodology of Thomistic personalism,⁴ which he held to be essen-

Annus, to the perplexity of contemporary Thomists, who note how Pope John Paul II addressed human rights issues (and appealed to their foundation) either by relying on the concepts of "correct anthropology" and "natural rights" or by using an innovative personalistic philosophical or theological discourse to engage with these topics without relinking this language to the tradition of using conceptual tools of Thomistic theory when invoking natural law. Such a terminological shift was found even more surprising when set against the historical context of the fact that the encyclical *Centesimus Annus* celebrated the centenary of Pope Leo XIII's encyclical *Rerum Novarum*, which, indeed, represents a systematic pontifical treatise on social doctrine that grafts the idea of natural rights extensively onto the foundations of the Thomistic concept of natural law. See Russell Hittinger, "The Problem of the State in *Centesimus Annus*," *Fordham International Law Journal*, 15, no. 4 (1991): 952–96.

³ Kenneth L. Schmitz, *At the Center of the Human Drama: The Philosophical Anthropology of Karol Wojtyła/Pope John Paul II* (Washington, DC: Catholic University of America Press, 1993), 113 and 137.

⁴ The term "Thomistic personalism" has already taken root in literature as the terminological designation that most accurately encompasses all of the essential characteristics of Wojtyła's philosophical project. The term was coined by Wojtyła himself and used as the title of his 1961 article ("Thomistic Personalism," in Wojtyła, *Person and Community*, 165–75). Thomistic personalism, at least in its Wojtyłan manifestation, would represent a philosophical way of thinking that posits the primacy of the human person and his dignity as the center of the philosophical project by seeking to secure the foundations of this primacy in a Thomistic metaphysical framework, while at the same time qualifying this framework with the categories pertaining to personalistic philosophy. According to some commentators on this philosophical method, this school of thought represents one of the most creative and fruitful areas of

tial to secure more completely the foundations⁵ that natural law and its adequate understanding offer to the moral and legal normative “grammar” of the *humanum*.

The Personalistic Value of the Human Act as the Immediate Conceptual Context of Wojtyła’s Contributions to Natural Law Theory

In order to present Karol Wojtyła’s contributions to natural law theory, we will first have to delimit the immediate conceptual context of his arguments on the topic. In his writings, he touches upon the topic of natural law in three distinctive ways. First, he sometimes only incidentally refers to some general topics of natural law theory while pursuing his personalistic line of argumentation, only to arrive at the already firmly established conclusions within the theory itself.⁶ Second, he sometimes, though seldom, explicitly refers to the concept of “natural law” (Polish: *prawo naturalne*) in order to invoke elements of the classical theory of natural law and to touch upon elements of his philosophical contribution to the theory from the perspective of Thomistic personalism.⁷ Finally, Wojtyła, at times, and without explicitly invoking the

Thomistic thought in today’s philosophical world, and Wojtyła’s thought has signified only a starting point in its development. On the concept of Thomistic personalism and Wojtyła’s role in its definition, see: Adrian J. Reimers, “The Thomistic Personalism of Karol Wojtyła (Pope John Paul II),” in *Atti del IX Congresso Tomistico Internazionale*, vol. 6, ed. A. Piolanti (Vatican City: LEV, 1992), 364–69; Thomas D. Williams, “What is Thomistic Personalism?” *Alpha Omega* 7, no. 2 (2004): 163–97; Matthew Schaeffer, “Thomistic Personalism: A Vocation for the Twenty-First Century,” *American Catholic Philosophical Quarterly* 86, no. 2 (2012): 181–202.

⁵ The idea to use the expression “securing the foundations” in the title of and throughout this article came directly from a subtitle of the first part of George Weigel’s biography of John Paul II, in which Weigel presents the content and context of Wojtyła’s book *The Acting Person*. We also thought Weigel’s general claim that Karol Wojtyła was extremely aware of how anthropology “had to be put on a more secure philosophical foundation” suited some general ideas of this article. See George Weigel, *Witness to Hope* (New York: Harper Perennial, 1999), 172–76.

⁶ Exemplary here is his argumentation on the relationship between freedom and self-determination; see Karol Wojtyła, *The Acting Person*, rev. Anna-Teresa Tymieniecka, trans. A. Potocki (Dordrecht: D. Reidel, 1979), 115–18.

⁷ We can identify at least three relevant textual *loci* where Wojtyła explicitly refers to “natural law” in his writings. The first is his 1969 article “The Human Person and Natural Law” (see note 1 above). Then, in the seventh and final chapter of *The Acting Person*, entitled “Intersubjectivity by Participation”

term, provides arguments that represent his genuine, more developed contributions to the theory of natural law from his own specific philosophical perspective of Thomistic personalism.

The first approach to the concept of natural law is not taken into consideration in this paper, while the second has already been thoroughly researched at length by other authors.⁸ Instead, this paper seeks to present the key elements of Wojtyła's third approach to the understanding of natural law—namely, his arguments on the enriching potential of viewing natural law from the perspective of the analysis of the personalistic value of the human act as the immediate object of philosophical analysis.

We have elaborated at greater length on Wojtyła's concept of “the personalistic value of the human act”—as, indeed, one of the fundamental and unifying concepts of his philosophy—elsewhere.⁹ Here it is sufficient to note that he attributes to the human act a specific and distinctive value that is not exclusively reflected in the realization of a *moral* good through an act—that is, through acting in accordance with the relevant intrinsic moral norm (he has in mind, of course, the precepts of natural law). Rather, he relocates the fulcrum of his analysis to a different axiological level and postulates the simultaneous existence of a *personalistic* value that is essentially connected to the fact that *the act is performed*, and performed in such a way that, through it, man acts in a way that is *proper to him as a person*.¹⁰ The personalistic value of the human act, therefore, is structurally posited as a substratum inherent to moral values, one upon which they take root and are developed,¹¹ indeed, as their structural “cocoon” that reveals and

(261–300), he only incidentally refers to the concept of “natural right” within the context of “acting together with others.” Finally, there is the third part of his work *Man in the Field of Responsibility*, entitled “The Natural Law and the Personalistic Norm”; see Karol Wojtyła, *Man in the Field of Responsibility*, trans. and ed. Kenneth W. Kemp and Zuzanna Maślanka Kieroń (South Bend, IN: St. Augustine's Press: 2011), 57–79.

⁸ For an exhaustive analysis of Wojtyła's article “The Human Person and Natural Law,” a view of his concept of natural law within the context of “acting together with others,” and a general overview of the place of natural law in Wojtyła's writings gathered from explicit textual *loci* in his works, see Jerzy W. Galkowski, “Prawo naturalne w ujęciu Karola Wojtyły—Jana Pawła II,” *Roczniki Filozoficzne* 39/40, no. 2 (1991–1992): 85–110.

⁹ Piotr Maj and Petar Popović, “The Personalistic Value of the Human Act in the Philosophy of Karol Wojtyła,” *Anthropotes* 32, no. 2 (2016): 357–84.

¹⁰ Wojtyła, *The Acting Person*, 320.

¹¹ *Ibid.*, 322.

confirms them while, at the same time, allowing us to understand them better in their strict correspondence with the person.¹² The specific structures of the personalistic value, Wojtyła argues, have been unable to come to the forefront in the Thomistic, predominantly metaphysical method of observing the human philosophical reality, at the possible cost of a failure to provide a deeper insight as to whether, and how, the objectivity of moral values is linked to the “lived experience” of the human person in his consciousness.¹³ In this sense, Wojtyła explicitly affirms that his philosophical view seeks to complement (or, as he says, “to supplement it and in a way to rethink it to the end”) the traditional metaphysical postulate of the reality of the person and his act.¹⁴

Wojtyła does not, therefore, directly contextualize his argumentation as systematic apologetics of natural law *ad extram* in response to those among his contemporaries who declare themselves completely unconvinced of the possibility of predicating normativity to nature.¹⁵ He does not enter into a direct dialogue with his other contemporaries who are prepared to subscribe only to a “minimalist natural law” that could or should be accepted through a kind of overlapping consensus by all participants of various debates on the foundations

¹² Ibid., 323.

¹³ See Wojtyła, “Thomistic Personalism,” 170–71.

¹⁴ Wojtyła, *The Acting Person*, 322.

¹⁵ See, for example, these clusters of arguments put forth only a decade before Wojtyła started his first year as a Professor of Catholic Social Ethics at the University of Lublin: “There is no end set for the human race by an abstraction called ‘human nature.’ There are only ends which individuals choose, or are forced by circumstances to accept. There are none which they must accept. . . . In short, ‘natural rights’ are the conditions of a good society. But what those conditions are is not given by nature or mystically bound up with the essence of man and his inevitable goal, but is determined by human decisions. . . . Assertions about natural rights, then, are assertions of what ought to be as the result of human choice” (Margaret MacDonald, “Natural Rights,” in *Proceedings of the Aristotelian Society* 47 [1946–1947]: 225–50, at 237–38 and 242). See also the following statements by Karl Popper: “By saying that some systems of laws can be improved, that some laws may be better than others, I rather imply that we can compare the existing normative laws (or social institutions) with some standard norms which we have decided are worthy to be realized. . . . Nature consists of facts and of regularities, and is in itself neither moral nor immoral. It is we who impose our standards upon nature, and who introduce in this way morals into the natural world, in spite of the fact that we are part of this world” (Popper, *Open Society and Its Enemies*, vol. 1, *The Spell of Plato* [London: Routledge, 1945], 52).

of rights.¹⁶ Nor does he explicitly address the claims put forward by certain reformers of the *lex naturalis* tradition that natural law has been broadly conceived in a way that is too distant from and extrinsic to the concrete experience of the human person, while human nature has, at the same time, been understood as too “static” to be adequately linked to the moral “ought.”¹⁷ There is no evidence that Wojtyła had direct insight into all the texts of the authors we quote here at the time that he wrote his main philosophical works. Nevertheless, in his writings from the 1960s and 1970s, while developing his studies on the acting person, he did collaterally address most of the *ad extram* claims put forth by the aforementioned authors. On the other hand, beyond the particular *ad intram* Thomistic disputes of the time, Wojtyła tried in his writings to show to what extent any contemporary position on classic natural law theory could benefit from the integration of the personalistic level, or suffer from the lack of such an integration:

¹⁶ See, for example, the following views on natural law from one of the prominent proponents of the “minimalist natural law”: “Indeed, the continued reassertion of some form of Natural Law doctrine is due in part . . . to the fact that despite a terminology, and much metaphysics, which few could now accept, it contains certain elementary truths of importance for the understanding of both morality and law. These we shall endeavour to disentangle from their metaphysical setting and restate here in simpler terms. . . . Such universally recognized principles of conduct which have a basis in elementary truths concerning human beings, their natural environment, and aims, may be considered the minimum content of Natural Law, in contrast with the more grandiose and more challengeable constructions which have often been proffered” (H. L. A. Hart, *The Concept of Law* [Oxford: Clarendon Press, 1961], 188 and 193). On the variety of attempts (and their systematic critique) to reform classical Thomistic natural law by reducing its foundations to “some minimal goods which are not reducible to conventions and individual decisions, and which provide a common source for deriving reasons and precepts for law” in order to present the theory of natural law in a way that could somehow secure a broader consensus on its basic ideas, see Russell Hittinger, “Varieties of Minimalist Natural Law Theory,” *American Journal of Jurisprudence* 34 (1989): 133–70, at 148.

¹⁷ Some of the first critiques of the Scholastic tradition of the presentation of natural law and attempts to reform this understanding by relinking the concept of natural law from “static” nature back to the concrete moral experience of the person date from the years when Wojtyła was writing *The Acting Person*. See Germain Grisez, “The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1–2, Question 94, Article 2,” *Natural Law Forum*, 10 (1965): 168–201 (an explicit mention of “static” nature at 182).

We can see . . . how very objectivistic St. Thomas's view of the person is. It almost seems as though there is no place in it for an analysis of consciousness and self-consciousness as totally unique manifestations of the person as a subject. . . . In any case, that in which the person's subjectivity is most apparent is presented by St. Thomas in an exclusively—or, almost exclusively—objective way. He shows us the particular faculties, both spiritual and sensory, thanks to which the whole of human consciousness and self-consciousness—the human personality in the psychological and moral sense—takes shape, but that is also where he stops. Thus St. Thomas gives us an excellent view of the objective existence and activity of the person, but it would be difficult to speak in his view of the lived experience of the person.¹⁸

Wojtyła's insistence on bringing the Thomistic concept of natural law closer to the personalistic ground of philosophical argumentation indicates his certainty that such conceptual proximity would contribute to a more accurate, integral, and existential comprehension of natural law. We will now present the structural *loci* where, in his opinion, the natural juridicity of the human person is theoretically and experientially better secured if the Thomistic teleological "intrinsicity" of natural law is underscored by the perspective of man's distinctive "personalistic" structures.

The "Subjectivation" of Natural Law in the Personal Structure of the Cognition of Natural Law

What we call here the "subjectivation" of natural law in the personal structure of its cognition originates in Wojtyła's analysis within the broader context of what he understands to be the revelatory aspect of personal agency and of the personalistic value of the human act: "The title itself of this book, *The Acting Person*, shows that it is not a discourse on action in which the person is presupposed. We have followed a different line of experience and understanding. For us, the action *reveals* the person and we look at the person through his action. For, it lies in the nature of the correlation inherent in the experience, in the very nature of man's acting, that action constitutes the specific moment whereby the person is revealed."¹⁹

¹⁸ Wojtyła, "Thomistic Personalism," 170–71.

¹⁹ Wojtyła, *The Acting Person*, 11 (italics original)

The whole of his analysis within this context shows that what Wojtyła understands as the revelatory aspect of the action (whereby the person is “revealed” in action) is more than just a theoretical abstraction or a purely methodological choice arising from his continuous reference to the phenomenological method.²⁰ Rather, it is the philosophical result of his investigations. The revelatory aspect of the human act is essentially twofold, following two main directions: personal agency reveals the person to himself, and at the same time, but with a different mode of insight, it reveals the person as such to the external world—to other persons. As we focus here only on the first mode of this revelatory aspect of human agency, on the concrete existential and personal content of the experience that the person has of himself,²¹ Wojtyła brings us to the junction where this experience parts ways with the experience a person has of the *other* person. He highlights that this revelatory aspect of a person’s experience of himself does not render the experience “transferable by and out of the ego”²² because in no other object of experience are the elements of subjectiveness given in such a direct and evident way as within my own “ego.”²³ This incommunicable experience, as Wojtyła under-

²⁰ The fundamental postulate of phenomenology, the methodological approach of Wojtyła’s personalistic philosophy, is to be understood along the following lines: by concentrating on the phenomenon, and through a method of critique and constantly repeated verification, a philosopher of the phenomenological approach seeks to reveal the essence of the phenomenon, as well as, if possible, its whole reality. The basic methodological tool of this approach is the so-called method of *epoché*, which consists in suspending all philosophical and personal presuppositions at the beginning of the cognitive process in order that the phenomenon alone may “speak to the person.” For a synthetic overview of Wojtyła’s incorporation of the phenomenological postulates within his own postulate, see Jarosław Kupczak, *Destined for Liberty: The Human Person in the Philosophy of Karol Wojtyła/John Paul II* (Washington, DC: Catholic University of America Press, 2000), 6–24 and 58–65.

²¹ For the revelatory aspect of human agency that reveals the person to the world of other persons and the qualification of the possibility of having the experience of other persons, see Wojtyła, *The Acting Person*, 7–8. For a synthesis of the effect of this revelatory aspect, which Wojtyła sometimes speaks of in terms of a specific “personalistic imprint,” see Maj and Popović, “The Personalistic Value of the Human Act,” 362–63.

²² Wojtyła, *The Acting Person*, 7.

²³ This is not to say that Wojtyła intends to establish an argument for the “subjectivation” of natural law by isolating the experience of oneself as the exclusive source of his analysis of the personal structure of the cognition of natural law, detached from the experience the person has of other persons or of external

stands it, consists in a “subjectivation” of the revealed reality of the person. By the term “subjectivation,” he does not in any way imply some process of subsuming the personal reality under a relativistically construed concept of subjectivity, but, on the contrary, he delineates a *subjective* “lived experience” of one’s *objectivity*, made possible by an experiential and “essential ability of an object to manifest or visualize itself.”²⁴

In order to better understand the full meaning and significance of what we here term the revelatory aspect of human agency, and to grasp Wojtyła’s argument on the “subjectivation” of natural law as an essential element of the personal structure of its cognition, we now turn to the moment of his philosophical project in which he begins to develop his argument containing an important contribution for the theory of natural law. The person is revealed to himself in a structural *locus* that our author highlights as the subjective element of *consciousness* of an action: “Whereas in the Scholastic approach, the aspect of consciousness was on the one hand only implied and, as it were, hidden in ‘rationality’; . . . on the other hand it was contained in the will (understood as *appetitus rationalis*) and expressed by *voluntarius*. The task set out in this investigation is to go farther and to exhibit consciousness as an *intrinsic and constitutive aspect of the dynamic structure*, that is, *of the acting person*. Indeed, . . . [man] has the awareness of the action as well as of the person in their dynamic interrelation.”²⁵

A significant aspect of consciousness consists in its “accompanying presence,” through which man *internally experiences* his agency.²⁶ This is very significant with regard to a specific kind of human agency, which Wojtyła calls acts of “self-cognition.” The acts of self-cognition are acts through which the person cognitively penetrates the object that “I am for myself.” The dynamics of the acts of self-cognition are not as clearly distinguished and integrally structured as those of other types of human acts on a lower and more delimitable scale of complexity, such as, for example, drinking a glass of water. This

reality. On the contrary: “[Although] I experience my own self as existing and acting differently from how I experience others, . . . when I construct an image of the person as subject on the basis of the experience of the human being, I draw especially upon the experience of my own self, but never in isolation from or in opposition to others” (Karol Wojtyła, “The Person: Subject and Community,” in Wojtyła, *Person and Community*, 221).

²⁴ Wojtyła, *The Acting Person*, 6–7 and 10.

²⁵ Ibid., 30–31 (italics original).

²⁶ Ibid., 31.

is because the structural unity of these acts “proceeds as if in cycles”; it is simply more *disperse* and consists in constantly moving from the personal “I” to the person as the object of self-cognition, and then back to the “I.”²⁷ Still, self-knowledge introduces “a specific continuity to the diverse moments or states in the being of the ego” in order to grasp what constitutes the primary unity of these moments.²⁸ In short, acts of the cognition of natural law surely fall within the scope of what Wojtyła here analyzes according to the rubric of acts of self-cognition. In these acts, therefore, the human person enters into cognitive contact with himself, and the objective givenness of his ontic structure not only enters within the reach of the cognitive powers of his intellect but also, through the role of consciousness, becomes an object of his *concrete experience of himself*.

To give more detail on how this objective givenness (i.e., the normative content that can be predicated of nature) “enters” the structural realm of consciousness, Wojtyła distinguishes two functions of consciousness as aspects of its “accompanying presence” to human agency, and in a particular way to acts of self-cognition. The first—*reflecting*—function of consciousness consists in its reflecting the objective givenness grasped through acts of self-cognition; indeed, in its *mirroring* and safeguarding this givenness as a permanent presence.²⁹ Consciousness, then, does not cognize by itself; nor is it understood by Wojtyła as similar to a hypostatic or substantive mode of predicating an autonomous subjectivity to consciousness (as conceived by the philosophical current of idealism and the whole stream of the so-called philosophy of consciousness). It is rather conceived from the point of view of the person and his agency as a structural terrain where the person, cognized in his objective givenness, “subjectivizes” the content (i.e., natural law) provided to him by acts of self-cognition, and possesses this content in the form of a mirrored image, unified under the structure of “this is the truth of who I am.”³⁰

²⁷ Ibid., 50.

²⁸ Ibid., 36.

²⁹ Ibid., 34–43.

³⁰ Ibid., 33–34 and 42. It is hard to find a harsher critic of the philosophy of consciousness than Wojtyła. As is well known, he dedicated his *habilitation* thesis to the discernment of the possibility of constructing a Christian ethics upon Max Scheler’s system of values, a system that embodies all the ontological errors of the philosophy of consciousness. It is our strong belief that precisely his analysis of the twofold function of consciousness reveals the definitive results of this discernment. On the one hand, it constitutes his

Closely attached to and inseparable from this function is the second—*reflexive*—function of consciousness. Within this function of its actualization, consciousness interiorizes the objective givenness it previously mirrored and incorporates it into the experience of the subjective “I” in such a way that what was mirrored as “the cognized truth of who I am” now becomes “mine”: it becomes a part of the “I.” If we focus on the elements of the acts of self-cognition that have as their immediate object the cognizing of natural law, the person will mirror in his consciousness this normative givenness and “permeate” it reflectively as the manifestation of the normative dimension of “the truth of who I am.” Furthermore, in its reflexive function, consciousness will constitute the givenness of natural law in its entirety as the subjective “I,” as the person’s “lived experience” of this givenness as *his own self*—“this” (normativity—moral and juridical—pertaining to the givenness of my ontic identity) “is *me*”: “Hence not only am I conscious of my ego (on the ground of self-knowledge) but owing to my consciousness in its reflexive function I also experience my ego, I have the experience of myself as the concrete subject of the ego’s very subjectiveness. Consciousness is not just an aspect but also an essential dimension or an actual moment of the reality of the being that I am, since it constitutes its subjectiveness in the experiential sense.”³¹

Consciousness, in its twofold function, illuminates how natural

strongest structural critique of any form of the hypostatization of consciousness that, in all its manifestations, destroys the unity of the human person and, in Scheler’s case, reduces the person to a mere dynamic unity of living ethical experiences without any reference to the person’s underlying ontic structure (including any reference whatsoever to natural law). On the other hand, Wojtyła’s analysis of consciousness includes a strong recognition of the necessity to develop Scheler’s intuition on the *experience* (or “co-experience”) *that the person has of himself* in every experience of the act in order to include this structural moment within a broader Thomistic metaphysical framework. Harvested from Scheler’s erroneous ontology and grafted onto Thomistic metaphysics, Wojtyła’s development of the concept of the “experience a person has of himself” is central to his philosophical project: “First of all, Max Scheler helped me to discover that specific experience which lies at the basis of the concept ‘actus humanus,’ and which must be identified there always anew. The entire exposition of mine is also a certain attempt at identification of this experience. Is this identification phenomenological? I believe that it is, and at the same time I am convinced that this experience ‘carries being within itself,’ if it can be expressed that way” (Karol Wojtyła, “The Intentional Act and the Human Act, that is, Act and Experience,” *Analecta Husserliana* 5 [1976]: 278).

³¹ Wojtyła, *The Acting Person*, 45–46.

law, already cognized as an *intrinsic* givenness of the nature of the human person, is being *perceived* by the person as the normative—moral and juridical—dimension of the being that I am, the being that is *me*. It explains how a person can have a “lived experience” of the normative dimension of his nature, first by “inwardly disclosing” through the reflective function of consciousness the cognized elements of natural law, and then, owing to the reflexive function of consciousness, by the constitution of this objective content as the subject that “I am.”³² Without including a reference to the personal structure of the cognition of natural law through this distinctive role of consciousness, the person would appear deprived of such an experience. At the same time, the person would be left with only intellectually cognized, objective manifestations or actualizations of the normative dimension of his ontic givenness, intrinsic but not lived experientially as constituting the subjectivity of his “I.”³³ Because of its specific “accompanying presence” of the acts of cognition of the natural law and its becoming “modified” as the subject cognizes, consciousness, in its unique role of constituting the person as the concrete “I,” interiorizes the normative reality of the person that is objectively inherent in his ontic substantiality.³⁴ Its specific experiential structure accompanies the acts of the cognition of natural law in the following way: the person reaches from “inside” himself toward the discovery of the normative truth of his ontic reality, mirrors the discovered content along the way, and then brings this specific uniqueness of self-knowledge, untouched, back to the personal “I,” where it reflexively becomes a subjective “lived experience” of his own objective *self*.³⁵ This is exactly the *experience* that, as Wojtyła says, *carries being within itself*.

**The “Lived Experience” of the “Moment of Truthfulness”
of the Norm of Natural Law as an Essential Element of the
Personal Structure of Cognition of the Natural Law**

It is not only the objective givenness of ontic normativity (i.e., natural law) to be “subjectivized” within the constitution of the concrete “I”

³² Ibid., 46.

³³ Ibid., 47.

³⁴ See also Josef Seifert, “Truth and Transcendence of the Person in the Philosophical Thought of Karol Wojtyła,” in *Karol Wojtyła: Filosofo—Teologo—Poeta* (Vatican City: LEV, 1984), 101.

³⁵ Wojtyła, *The Acting Person*, 50.

that the person is. “Subjectivation,” in a certain way, also reaches the very *structural modality* through which the natural law is cognized as an integral whole within the person. When the object of self-cognition is the normative—moral and juridical—dimension of the givenness of nature, the personal “I,” by acts of self-cognition later processed through “subjectivation” in consciousness, not only grasps specific content of the natural law as cognitive axiological material detached from his person, but also structurally grasps, in and through this axiological data, *the basic value of his person*.³⁶

Here we reach the core of Wojtyła’s underlying preoccupation regarding the contemporary problem of natural law. In an important personal letter to his theologian friend Henri de Lubac, from the time when he was finishing the first draft of *The Acting Person*, Wojtyła states that, in his view, the true philosophical “debate today is being played out” on the level of the “metaphysical sense and mystery of the person”: “The evil of our times consists in the first place in a kind of degradation, indeed in a pulverization, of the fundamental uniqueness of each human person. This evil is even much more of the metaphysical order than of the moral order.”³⁷ Within the domain of natural law theory, this debate does not just regard academic and cultural dissenters or skeptics as regards the existence of natural law, to which one could then respond with an adequate natural law apologetics, reaffirming the concrete content of natural law. A significant part of the problem lies also, according to Wojtyła, in the fact that human persons in the contemporary age live mostly in a realm of true cultural obliteration regarding the very possibility of having *the concrete lived experience* of the content of natural law as a normative reality of *their own selves*, as something that belongs to their own fundamental personal structure.

It is precisely this structural moment—the quality of having a “lived experience” of the truthfulness of the norm within the personal structure of the cognition of natural law—that represents the second contribution of Wojtyła’s Thomistic personalism to natural law theory. This structural moment is located in the context of Wojtyła’s textual analysis of “transcendence” as a specific value included in the personalistic value of the human act (along with the values of self-determination and integration). By “transcendence,” to

³⁶ Ibid., 161.

³⁷ Wojtyła’s personal letter to Henri de Lubac, cited in Weigel, *Witness to Hope*, 173–74.

summarize at least one fifth of *The Acting Person* in one sentence,³⁸ our author understands the grasping of the aspect of *the fulfillment of the person* as a constitutive element within the dynamism of the cognition of a moral value as true.³⁹ With this context in mind, we can delve into the structural moment where he formulates an enriching contribution to natural law theory. When developing an argument on how the person cognizes values (i.e., natural law) as something constitutive of his own fulfillment, a cognition that he structurally situates under the dynamism of “moral conscience,” identified entirely with the traditional Thomistic concept of *synderesis*,⁴⁰ Wojtyła analyzes what he calls “the creative role of moral conscience.” We will follow our author in leaving a more detailed determination of what is meant by the concept “moral conscience,” or *synderesis*, outside of the scope

³⁸ “Transcendence” is a recurring concept in almost all of Wojtyła’s texts. With this in mind, we can only conditionally attempt to delimit the exact textual place in his writings that he dedicates exclusively to this concept. See Wojtyła, *The Acting Person*, 119–86.

³⁹ Wojtyła would continue to develop his understanding of the value of “transcendence” in the subsequent years of his pontificate. In an earlier formulation of the implementation of this value in natural law theory, from his 1978 article, he claims: “The indispensable objectivism of the ethical order . . . must be . . . essentially united with the dimension of personal subjectivity, such that man can see himself as the author of his act and of its meaning, that is, of its significance.” See Karol Wojtyła, “The Anthropological Vision of *Humanae Vitae*,” trans William E. May, *Nova et Vetera* (English) 7, no. 3 (2009): 731–50, at 742. In a later, more detailed view on the same argument, he affirms: “It is in the light of the dignity of the human person—a dignity which must be affirmed for its own sake—that reason grasps the specific moral value of certain goods towards which the person is naturally inclined,” and especially, “to give an example, the origin and the foundation of the duty of absolute respect for human life are to be found in the dignity proper to the person and not simply in the natural inclination to preserve one’s own physical life. Human life, even though it is a fundamental good of man, thus acquires a moral significance in reference to the good of the person, who must always be affirmed for his own sake” (John Paul II, *Veritatis Splendor* [1993], §§48 and 50). For a more extensive overview of Wojtyła’s value of “transcendence,” see Maj and Popović, “The Personalistic Value of the Human Act,” 373–78.

⁴⁰ Wojtyła, “The Person: Subject and Community,” 234. Still, Wojtyła, in his analysis of the function of moral conscience in *The Acting Person*, does not repeat the traditional course of the Thomistic approach in its teleological perspective of the epistemology of moral value (although he presupposes it in his argumentation). Rather, he concentrates on the dynamism of moral conscience within the aspect of transcendence in the personalistic perspective. See Wojtyła, *The Acting Person*, 152–53.

of this analysis while embracing his own complete subscription to the classic Thomistic doctrine on the conceptual identity, structural place, and role of *synderesis* within the cognitive structure of natural law. We shall concentrate exclusively on the line of arguments moving within the personalistic level, as he does.

Wojtyła holds that moral conscience is not legislative in the sense of creating norms. Rather, it discovers and recognizes them in the objective order of morality or law. He warns against the advocates of the opposite view on account of their attempt to introduce, by “rejecting the natural law” (one of the truly rare instances where he explicitly uses the term), a module of arbitrary individualism into the way in which the person cognizes the moral and juridical dimension of his ontic structure.⁴¹

Even if the whole of the cognitive structure of natural law (“moral conscience” or *synderesis*) does not create normative, moral or juridical, content predicable of nature, Wojtyła highlights that the personal aspect of this structure is still not reduced to a purely mechanical deduction or to the mere automatic application of norms perceived as “abstract formulas.” Already in the first sentence of his brief line of argumentation on the creative role of moral conscience, he introduces the very core of his argument: “For all the fitness and adequacy of the attributes *right* and *wrong* with reference to norms, it seems that they tend to leave in the shadow the moment of truthfulness, of the experience of truth as value, and (as associated with this experience) the transcendence of the person in an act of conscience.”⁴²

The cognitive structure of natural law thus includes *a special experiential dynamic* that pertains to the “moment of truthfulness” of the norms as principles that form “the objective core of morality or law.”⁴³ This dynamic inhabits a distinctive, personalistic aspect of the cognitive structure of natural law (“the creative role of the conscience coincides with the dimension of the person”). It consists

⁴¹ Wojtyła, *The Acting Person*, 165. The warning is very significant in this context, because it seems that Wojtyła is aware of the possibility of not only an academic but also an existential substitution of a “lived experience” of the natural law norm with a module of a radically different and anthropologically erroneous content that, regardless of its being defective, could also be “subjectivized” in the constitution of the personal “I,” and of which a person could have some type of defective “lived experience.” The drama is parallel to that of human freedom.

⁴² Ibid.

⁴³ Ibid.

in the fact that moral conscience “shapes the norms into that unique and unparalleled form they acquire within the experience and fulfillment of the person.”⁴⁴ In the whole of the structure of the cognition of natural law, the truthfulness of the norm sufficiently elaborated within the Thomistic tradition is, as Wojtyła says, molded within the personal dimension through the “lived experience” of the norm as an intrinsic expression of the fulfillment of the human person.⁴⁵ To summarize: when the Thomistic natural law theory presents the realization of the normative dimension of nature as “perfective” and “fulfilling” of human nature itself, this “truthfulness” of the personal normative identity is cognitively experienced (“lived experience”) on a personalistic level, through what Wojtyła calls “the creative role of moral conscience,” as the person’s fulfillment.

Wojtyła’s Contribution to the Natural Law Theory and the So-Called “New Natural Law Theory”

According to Wojtyła, the objective content of natural law—norms instilled in the order of human nature and their structural relation to the person’s fulfillment—is not the only element that forms a person’s perception of the normative dimension of his own ontic givenness. Consciousness also mirrors and permeates, in its reflexive function, *the specific quality of the very acts of self-cognition*. Although the structure of natural law ontologically precedes human choice (the classic theory of natural law has already sufficiently replied to those who claim the exact opposite, like Margaret MacDonald and Karl Popper), its cognition does not precede agency as such. The significance of the acts of self-cognition is not exclusively attached to their objects, to the sole data of the person’s ontological and normative identity. The acts of self-cognition also have their own specific relevance, owing to the very fact that they are “human acts” and, indeed, specific types of “acts of objectivizing penetration of the ego with all its concreteness and its concomitant detailedness” with “direct orientation” to the “cognitive intention” of the personal “I.”⁴⁶

Writing about “the creative role of moral conscience,” Wojtyła affirmed with sufficient clarity that, in experiencing the moral values, the person is not a mere recipient, or a passive mechanical observer. On the contrary, the dynamism included in “the creative role of moral

⁴⁴ Ibid. (italics original).

⁴⁵ Ibid., 165–66.

⁴⁶ Ibid., 40–41.

conscience” has the structure of a particular “agency” that surely does not amount to creating the normative content in any way, but rather, is limited only to “what concerns the truthfulness of norms” for the person’s “lived experience” of it.⁴⁷ This shows how *the very modality*, and not just the resulting content, of the cognitive structure of the natural law constitutes an important element of the person’s normative self-knowledge. If the content of natural law and the imperative of its realization depend upon a cognitive dynamism that is wholly imparted through a structure that is essentially a “non-agency” or “passivity,” more resembling the structure of “something happens in man” than “man acts,” then the person could have only an *a posteriori* experience of the content of natural law—no “lived experience” of its cognition or “moment of truthfulness” whatsoever. The structure of self-cognition would then be dynamized without any participation in the personalistic value of the human act.

Within the structure of each act, Wojtyła generally identifies the specific moment—he calls this “the experience of efficacy”—in which the person has a “lived experience” of his own acting as an “I-act” dynamism while, at the same time, also experiencing himself as the agent responsible for this particular form of the dynamization of himself as subject.⁴⁸ With regard to the cognition of natural law, this would mean that the structure of agency in self-cognition is not transformed into the pure passivity of a “something happens in man” structure only because the content is not chosen, but “discovered.” The “experience of efficacy,” and generally the “lived experience” of the “moment of truthfulness” that is dynamized alongside the “discovery” of the normative content is completely absent in the opposite “something happens to man” structure, which Wojtyła calls “activation.”⁴⁹ In short, according to Wojtyła, “the moment of truthfulness” in the discovery of the moral value (of the content of natural law) has an essential structural place in the “lived experience” of the person only if the person’s agency is not cancelled out. If someone were to postulate that “the moment of truthfulness” of the moral value occurred in a structural context that fell outside of personal agency, the direct consequence would be that this moment would have to be relocated into a structure of which the person has no “lived experience.” According to our author, this simply cannot

⁴⁷ Ibid., 165.

⁴⁸ Ibid., 66–67.

⁴⁹ Ibid., 69.

be the case, because, as said before, “the creative role of conscience consists in the fact that *it shapes the norms into that unique and unparalleled form they acquire within the experience and fulfillment of the person.*”⁵⁰ In other words, the “lived experience” of the person’s agency is an essential element in shaping the “subjective conviction” and the personal “certitude” of the truthfulness of the norm.⁵¹ A theory of the cognition of natural law that adopts the cancelling out of such a “lived experience” brings its author to the threshold of postulating a deprivation of the “lived experience” to the “discovery” of the content of the person’s normative ontic identity and of evacuating the “moment of truthfulness” of natural law to some other structural moment.

Somewhat surprisingly, it seems that one particular theoretical attempt to relocate the content of natural law to the person’s experiential realm makes a similar move. John Finnis, an Oxford philosopher of law, moving along the theoretical proposals of Germain Grisez within the philosophical framework later labelled as the “new natural law theory,”⁵² seems to interpret Aquinas’s understanding of the first principles of practical reasonableness (which he takes to be the root of the cognitive structure of the precepts of natural law) as “self-evident” in a way that resembles introducing into the personal structure of the cognition of natural law a module of dynamics very similar to Wojtyła’s concept of “something happens in man.” Finnis’s argument, by which he interrelates his claim that Aquinas’s practical reasoning begins not by understanding human nature “from the outside, as it were, by way of psychological anthropological or metaphysical observations and judgements defining human nature, but by experiencing one’s nature, so to speak, from the inside, in the form of one’s inclinations,” with the claim that “by a simple act of

⁵⁰ Ibid., 165 (italics original).

⁵¹ Ibid.

⁵² This term, which delineates a main cluster of ideas shared by various authors (a cluster to which some of the authors usually associated with the “new natural law” theory subscribe in a lesser degree than others as regards particular issues of the natural law theory), was coined by Professor Russell Hittinger. See Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame, IN: University of Notre Dame Press, 1987), 5. The proposed common term was rejected on various occasions by proponents of the theory, perhaps most notably by John Finnis in “Reflections and Responses,” in *Reason, Morality and Law: The Philosophy of John Finnis*, ed. John Keown and Robert P. George (Oxford: Oxford University Press, 2013), 468n31.

non-inferential understanding one grasps that the object of the inclination that one experiences is an instance of a general form of good, for oneself (and others like one),”⁵³ has already been extensively criticized from within the Thomistic tradition itself. In his important 1987 book *A Critique of the New Natural Law Theory*, devoted entirely to the critique of the Finnis–Grisez philosophical framework of the cognitive structure of natural law, Russell Hittinger indicates that Finnis and Grisez introduce into the cognitive structure of natural law elements resembling “natural categoricals” in a way that hopes to “overcome the limitations of the conventional natural law theory (which stressed the ‘natural’), the utilitarian tradition (which stressed the goods, but shortchanged them), and the deontological tradition (which had the categoricals, but an insufficient appreciation of the goods).”⁵⁴ While advocating results of a natural law theory, Hittinger insists, Finnis and Grisez alter the theoretical apparatus classically considered necessary to sustain it. That is, they fail to take into consideration what the contemporary Thomist Stephen L. Brock elsewhere identified as the understanding that the natural inclinations actually *follow upon* the understanding of the true human good and are indeed movements of man’s rational appetite—that is, the inclinations of the will—and not prerational dynamisms.⁵⁵ Such classical Thomistic structure of the cognition of natural law allows one to postulate, as did professor Henry B. Veatch, that “the very ‘is’ of human nature has been shown to have an ‘ought’ built into it.”⁵⁶ Grisez and Finnis, however, wholly replace this element of the classic Thomistic natural law theory with, according to Hittinger, a Kantian account of practical reasonableness built into the structural *locus* of Aquinas’s understanding of the self-evidence of the first principles of natural law,⁵⁷ almost entirely sidestepping the theoretical insight into human nature in normative moral epistemology.

We wish to highlight here that the “new natural law theory” might not take into sufficient consideration the personalistic implications of the inclusion of a module that Hittinger labels “natural

⁵³ John Finnis, *Natural Law and Natural Rights* (Oxford: Oxford University Press, 1980), 34.

⁵⁴ Hittinger, *A Critique of the New Natural Law Theory*, 163.

⁵⁵ Stephen L. Brock, “Natural Inclination and the Intelligibility of the Good in Thomistic Natural Law,” *Vera Lex* 6, no. 1/2 (2005): 57–78, esp. at 59–65.

⁵⁶ Henry B. Veatch, “Natural Law and the ‘Is’–‘Ought’ Question,” *Catholic Lawyer* 26 (1980–1981): 258.

⁵⁷ Hittinger, *A Critique of the New Natural Law Theory*, 27–30.

categoricals” in the cognitive structure of natural law. To postulate such a Kantian-like module in the cognitive structure of natural law amounts to, as we saw earlier, the cancelling out of personal agency in acts of self-cognition, consequently depriving the person of a “lived experience” of the normative dimension of his ontic identity (“the moment of truthfulness”) in its discovery. In other words, on the level of the classical Thomistic approach, Grisez’s and Finnis’s philosophical framework amounts to, for example, considering contraception as something wrong not because it involves the perversion of a biological function, but solely (and strangely) because it is a deliberate suppression of the procreative good, and hence a “volitional absurdity”—the act is practically irrational because practical reason violates itself.⁵⁸ Transposed to the specific personalistic level, wherein Wojtyła makes his own contributions to natural law theory, however, the person is simply “struck” by the existence of values that are truly good but has absolutely no “lived experience” of the dynamics of the rational and volitional process of “discovering” this normative dimension of his ontic identity. The structure he experiences is equivalent to “something happening in him,” and his agency did not accompany this discovery through what Wojtyła calls the “creative role of conscience.”

Professor Hittinger, in his above-quoted book on the “new natural law theory,” hints at the existence of a problematic aspect in some of the Finnis-Grisez claims in a way that is very congenial to our own presentation of Wojtyła’s line of argumentation. Throughout his study, Hittinger repeatedly criticizes one aspect (among others) of the new natural law theory, Finnis-Grisez’s systematic “shifting of the focus from persons to goods,” and identifies the problem when he affirms:

Is moral agency, for instance, something more than the sum of the parts of the goods with which practical reason is interested? In other words, is there something of value to personhood that needs to be affirmed in terms quite different from merely our

⁵⁸ Ibid., 163. In a similar way, to give another example, Hittinger wonders whether it corresponds to the correct personal structure of cognition of natural law if “a person who grieves over a departed loved one is described as focusing upon the good of life rather than upon the person who is loved” (ibid., 72 and 77).

concern for goods which fulfill persons?⁵⁹

In summary, we will not find in Grisez's anthropology a coherent explanation of how to speak of a teleological and ontological unity of the human being. There is a teleology for each basic good, to which the moral self is obligated, *but there is no corresponding teleology of the moral self*. Put more sharply, we are dealing with a *homo absconditus*.⁶⁰

Hittinger diagnoses the problem of the "new natural law theory" as, among other aspects, its focusing primarily on basic goods as "natural categoricals," as finalities in themselves, rather than working out how to present *persons* as finalities. From the perspective of Wojtyła's Thomistic personalism, such an anthropology is inadequate and reveals insufficiencies regarding the personalistic structure of the cognition of natural law. Hittinger himself comes very close to what we postulate in this article when he highlights that, in the Finnis-Grisez account of natural law, "the self is bound to certain goods before we have an adequate idea of what the self is, in terms of its structure, meaning, and value," and that "the dimension of human subjectivity is immediately bound to the axiological dimension in order to generate a system of obligations."⁶¹

Wojtyła's Contribution to Natural Law Theory and "Integration"

There is yet another important topic pertaining to the personal structure of the cognition of natural law that represents our author's genuine contribution to this theory and possesses what we might call the value of pointing out the inadequacies of certain approaches to natural law and constituting an enriching element to the classic natural law theory in its contemporary reaffirmation. Wojtyła's thoughts on the topic, which we are about to present, are not contributions in that sense of the newness and originality of his two above-presented contributions—namely, the "subjectivation" of person's normative reality and "lived experience" of the "moment of truthfulness" of the norm. Rather, in this case, Wojtyła approaches a topic that is already a thoroughly debated and well-explored area within natural law theory, adding his own distinctive arguments to the subject, from the stand-

⁵⁹ Ibid., 29–30.

⁶⁰ Ibid., 74 (italics original).

⁶¹ Ibid., 186.

point of Thomistic personalism, in order to get a deeper glimpse of the inside of the human subject and to secure even more comprehensively the foundations of normativity predicated to nature.

The topic centers on the value of the so-called pre-rational structural realities and dynamisms of human nature for the cognition of the precepts of natural law. In order to grasp Wojtyła's contribution to the subject, we could again take as a starting point Finnis's position expressed in the claim that the role of the so-called "natural inclinations" and their connected physical, biological, and psychological preconditions in the cognitive structure of natural law is no more than that of "facts" or "factual possibilities," an "assemblage of reminders of the range of possibly worthwhile activities and orientations open to one," of which the person has "an awareness" as a "necessary condition for a reasonable judgment." From these "facts," or "factual possibilities," the person in no way "derives" or "infers" the precepts of natural law,⁶² but merely and necessarily receives the experiential "data" to grasp the basic goods.⁶³ On the other side of the debate, Stephen L. Brock holds that the "natural inclinations" *are* structurally rational and that they have quite a different identity from the one assigned to them by the proponents of the "new natural law theory." According to Brock, reason does not engage in the dynamism of the natural inclinations as pre-rational data. He argues that Aquinas distinguished, from the group of nonrational inclinations (e.g., physiological inclinations), inclinations that he labeled "natural inclinations" because they are derived from reason's *previous* apprehension of their object as good and are, thus, as we summarily

⁶² Finnis, *Natural Law and Natural Rights*, 65–66, 73, and 81. Elsewhere, Finnis will clarify that the structural realities and dynamisms of natural inclinations and their factual substructure, indeed, are ontologically "more proximate to nature," because we come to know nature "by knowing its potentialities and capacities." But on the cognitive, epistemological level, a full knowledge of human nature is derived from a "self-evident" knowledge of the human goods—this is what Hittinger calls "natural categoricals." The natural inclinations, according to Finnis, are not merely "a rabble waiting for a leadership to be imposed upon them *ab extra*," nor are they more than "experiences" that "include not only the stirrings of desire and aversion, but also an awareness of possibilities, likelihoods, *ut in pluribus* outcomes." See John Finnis, "Natural Inclinations and Natural Rights: Deriving 'Ought' from 'Is' According to Aquinas," in *Lex et Libertas: Freedom and Law According to St. Thomas Aquinas*, ed. L. J. Elders and K. Hedwig (Vatican City: LEV, 1987), 44–47.

⁶³ For a synthesis of this argument as presented in the Finnis-Grisez approach, see Brock, "Natural Inclination and the Intelligibility of the Good," 59–60.

mentioned before, “movements of man’s rational appetite,” inclinations of the will.⁶⁴

We have no intention to enter here into further details of this dispute within the Thomistic tradition of natural law theory; what is summarily presented above should be sufficient to engage with Wojtyła’s argumentative position in the debate. His texts provide insight into his understanding of the significance and role within the cognitive structure of natural law of those *elements* (and *not*, therefore, the *whole structure*) of the natural inclinations that certainly pertain to the pre-rational level, such as physical, biological, and psychological personal substructures. In his brief article “Human Person and Natural Law” (published in 1970; original not only for its singular ideas but also because of its almost complete lack of the classic natural law discourse), he outlines how his contribution to this particular debate is moving on a separate, personalistic level in order to enter into dialogue with the Thomistic tradition. In this article, he dismantles the arguments for the existence of putative conflicts between the concepts of “nature” (when understood exclusively as the basis for “instinctive actualization” of pre-rational human dynamisms) and “person,” conflicts that, transposed to an erroneous understanding of natural law, attempt to claim that the “natural” structures of the human person (which he will later refer to as the “pre-rational personal sub-structure”) are in no way interrelated with the concept of the “person.”⁶⁵

In *The Acting Person*, Wojtyła addresses the issue within his philosophical treatment of a concept he calls “integration,” which he understands as a specific aspect of the personalistic value of the act, realized when nature—embracing the whole of the dynamization proper to man, both “operative” (“man acts”) and “activational” (the “pre-rational personal sub-structure” that has a “something happens in man” structure)—is *integrated*, in the act, into *the dimension of the person*.⁶⁶ He understands the dynamisms that possess the “activational” structure of “something happens in man” as the already “prepared” reality of man caught in the moment of pre-operative

⁶⁴ Ibid., 61–62. Professor Hittinger explicitly acknowledges Brock’s view in this particular matter. See Russell Hittinger, “Legal Renaissance of the 12th and 13th Centuries: Some Thomistic Notes,” *Doctor Communis* 7, no. 1/2 (2008): 61–87, at 79n34.

⁶⁵ Wojtyła, “The Human Person and Natural Law,” 182.

⁶⁶ Wojtyła, *The Acting Person*, 83–84.

givenness. What he adds to the traditional Thomistic account of this pre-operative givenness is the claim that the final dimension proper to pre-rational dynamisms is not situated exclusively on the teleological level of their natural ends,⁶⁷ but rather, these dynamisms are also essentially *integrated* into the level of the *person*, where the *personalistic value* is realized.⁶⁸ According to Wojtyła, then, these dynamisms are *integrated* precisely as essential components of nature, which is not, at this pre-rational level, merely factual and value-neutral, but rather represents the natural potential of the human person,⁶⁹ *ordered* to be integrated. The “activational” structure represents, therefore, “a basis, an underlayer, or a sub-structure for what determines the structure of the person,” and it “by no means contradicts man’s personal unity; on the contrary, in its own way it is a characteristic of this unity.”⁷⁰

On the other hand, in the “operative” (“man acts”) moment of his dynamization—whereby the value of self-determination is realized—the person consciously “posits” himself into the integrated substructure of these dynamisms.⁷¹ Wojtyła thus restates the traditional Thomistic account by including an analysis of the *integration* of both “operative” and “activational” levels of personal dynamisms into the dimension of the *person*.⁷² Integration, of course, includes the whole process of the origination of the inclinations of the will, as described by Brock. Wojtyła affirms that the appetitive act of reason in which it

⁶⁷ Professor Brock recognizes in these pre-rational dynamisms the essential (surely not exclusive) elements of the necessary substructure of rational apprehension of the good. When speaking about “pre-rational sense-appetite” (or “pre-rational desire”), for example, Professor Brock very precisely shows that Aquinas is very clear in his claims that the experience of sense appetite does not provide the sole basis for grasping the good but does pertain to the cognition of natural law inasmuch as this experience is penetrated by reason to discern and discover a natural order and to form natural inclinations as inclinations of the will. This is surely more than merely ascribing to this pre-rational substructure an “assemblage of reminders” in the cognition of natural law. See Brock, “Natural Inclination and the Intelligibility of the Good,” 67–68. See also Stephen L. Brock, “Natural Law, Understanding of Principles and Universal Good,” *Nova et Vetera* (English) 9, no. 3 (2011): 688n34 and 699n60.

⁶⁸ Wojtyła, *The Acting Person*, 197–98.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, 211.

⁷¹ *Ibid.*, 212.

⁷² For a more complete account of the value of “integration” in Wojtyła’s philosophical project, see Maj and Popović, “The Personalistic Value of the Human Act,” 378–82.

grasps the *ratio boni* is not a subjective interference of reason in objective reality in the sense that “reason would impose its own categories on reality, as was ultimately the case in Kant’s anthropological view” but, rather, bespeaks a completely different orientation of discovery and comprehension in relation “to an order which is objective and prior to human reason itself.”⁷³

Conclusion

Throughout this article, we have sought to present how Wojtyła’s writings reveal his philosophical preoccupation that securing the anthropological foundations of the mystery of the human person should include an adequate presentation of the moral and juridical dimension of natural law. At the same time, Wojtyła was convinced that these foundations include a clear reference to a distinctive, personalistic level of this normative dimension of a person’s ontic “identity,” where the “subjectivation” and “lived experience” of the truthfulness of this “identity” take place in its cognitive structure. It is sufficiently clear that Wojtyła understood the crisis of the understanding of the human person, a crisis he mentions in his letter to de Lubac, and which exists to this day (though in metamorphosed manifestations), to be devastating to the theoretical presentation of the reality of natural law. However, having inherited Aquinas’s conceptual approach to natural law in its entirety, along with its central claim that this normative dimension of the person’s ontic “identity” cannot be altogether obliterated (because it is the law “higher” than the sole personal reality and, indeed, participative of its divine source),⁷⁴ Wojtyła focused his philosophical attention on a distinct feature of the reality of natural law—namely, the possibil-

⁷³ See Wojtyła, “Human Person and Natural Law,” 184. As a further line of development of John Paul II’s argument, there is a very pertinent admonitory note in the 2009 document of the International Theological Commission, according to which some contemporary natural law theories have wrongfully neglected or altogether rejected the moral significance of the pre-rational natural dynamisms and identified, once again, wrongfully, the rationality of the natural law with a univocal ideal of rationality generated by practical reason alone without taking into account the rationality immanent in nature. See International Theological Commission, *In Search of a Universal Ethic: A New Look at the Natural Law* (2009), §79, especially footnote 75.

⁷⁴ Wojtyła, “Human Person and Natural Law,” 184. On the impossibility of the “obliteration” of natural law within the human person, see Russell Hittinger, *The First Grace: Rediscovering the Natural Law in a Post-Christian World* (Wilmington, DE: ISI Books, 2003), 10–11.

ity that the person's "subjectivation" and "lived experience" may be interfered with or completely distorted by defective anthropologies, with the most tragic of consequences. Leaving the discussion of the classic features of the Thomistic natural law theory to its contemporary proponents, Wojtyła understands that part of the retrieval of the natural law theory, from his philosophical standpoint, includes as its central thesis the reaffirmation of a systematic openness of natural law to subjective personal experience as one of its essential elements.

Perhaps, though, contemporary Thomistic proponents of exposition of natural law theory will also recognize Wojtyła's contributions to the theory as its essential complement. Hittinger's critique, addressed to some aforementioned reformers of natural law theory, that "we never get a glimpse of the inside, as it were, of the human subject" seems to be very congenial to the theoretical background of Wojtyła's perspective and to a fruitful dialogue between classical Thomistic natural law theory in general and personalistic insights compatible with it. Elsewhere, Brock, while elaborating his position on the centrality of the inclinations of the will as a fulcrum of the cognitive structure of natural law, affirms that "the talk of intellect apprehending 'itself' desiring is striking" because, in a way, "it is only shorthand for the *person* apprehending himself desiring."⁷⁵ Although Brock does not further develop the theme of the place of the person as subject to the cognitive structure of natural law, we cannot help but see a link between this theme and an openness for its integration with a distinct personal dimension that is characteristic of Wojtyła's own contributions to natural law theory.

Wojtyła was convinced that such an openness to subjective personal experience is an integral part of the anthropological (and theological) mystery of the human person in such a way that excludes the risk of losing the objectivity of natural law while, at the same time, showing more closely how the intrinsic nature of this objectiveness and concrete personal existence are interwoven.

It could be argued that the renewal of the personalistic link between natural law and human experience that Wojtyła proposes to develop in its full theoretical and practical consequences in a synthesis of Thomism and personalism is one of the main reasons that Pope John Paul II insisted on personalistic language in his magisterial writings. This could be why, on certain occasions, he preferred

⁷⁵ Brock, "Natural Inclination and the Intelligibility of the Good," 68 (italics original).

this language to the classic natural law discourse, which, as his 1993 encyclical *Veritatis Splendor* clearly shows, he completely presupposed, considered perennially valid. This leads us to conclude that, according to Wojtyła, the universal recovery of natural law in its classical Thomistic exposition could be achieved through the mediation of its content to human experience by way of personalistic insight. **N&V**