

Revisiting the Biblical Renewal of Moral Theology in Light of *Veritatis Splendor*

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I. Introduction

AS THE NEO-THOMISTIC revival lost momentum in the 1950s, a growing number of Catholic thinkers had been persuaded by those who emphasized a “return to the sources” that a more rigorous philosophical development of the Thomistic tradition, broadly speaking, should not be at the forefront of the Church’s intellectual response to the challenges presented by modern thought. Instead, many were convinced that the mysteries of the faith would be most appealing when presented through a rich array of primarily biblical language and images. On the other hand, John XXIII and Paul VI insisted that the Second Vatican Council must uphold the doctrinal and moral tradition, expressed especially in the conceptual formulations of Thomism.¹

In moral theology there was growing dissatisfaction with the predominant emphasis on natural law and casuistry, and with the lack of integration with Scripture, the sacraments, and the spiritual life. Following the enthusiastic response to the more ample reference to Scripture in Bernard

¹ Here I cite footnote 100 of *Veritatis Splendor*, as it makes my point precisely. “The words spoken by John XXIII at the opening of the Second Vatican Council can also be applied to moral doctrine: ‘This certain and unchanging teaching (i.e., Christian doctrine in its completeness), to which the faithful owe obedience, needs to be more deeply understood and set forth in a way adapted to the needs of our time. Indeed, this deposit of the faith, the truths contained in our time-honored teaching, is one thing; the manner in which these truths are set forth (with their meaning preserved intact) is something else’: AAS 54 (1962), 792; cf. *L’Osservatore Romano*, October 12, 1962, 2.”

Häring's *The Law of Christ*, the Fathers of the Second Vatican Council issued their oft-cited call for a biblical renewal of moral theology.² In the post-conciliar era, various efforts have been made toward fulfilling this mandate; however, none of these have been successful in combining a credible and compelling biblical vision of the Christian life with a moral philosophy adequate to the Catholic tradition.

In this essay, I will focus primarily on offering an explanation of why this mandate has yet to be fulfilled, following the principle that a problem properly defined is half-solved. On this basis, I will argue that *Veritatis Splendor* not only encourages us to take up again the mandate of the Second Vatican Council for this biblical renewal of moral theology, but also gives several helpful indications of how this might be done. I will proceed in three steps. First, I will briefly sketch the decisive characteristics of the theological and philosophical context in which early efforts toward this renewal were attempted. Second, I will highlight some of the most influential developments in Catholic moral theology between the Council and the encyclical, offering a preliminary assessment of the extent to which these efforts can be considered an authentic biblical renewal of the discipline. Third, I will summarize how *Veritatis Splendor*, read in light of John Paul's basic theological approach, both encourages a recommitment to conciliar mandate and exemplifies how it might be fulfilled.

II. The Post-Conciliar Theological and Philosophical Context

Early efforts toward the biblical renewal of moral theology were heavily influenced by the theological and philosophical context in which they took place. Whereas various forms of what John McDermott has called "conceptual Thomism"³ had formed the backbone of Catholic theology

² The primary text is from the decree on the formation of priests: "Special attention needs to be given to the development of moral theology. Its scientific exposition should be more thoroughly nourished by scriptural teaching." Note that this reference to the renewal of moral theology follows a more general discussion of a renewal of theology, in which Scripture is first treated as the animating principle of theology, followed by a study of the Fathers and the broader historical development, giving special attention to the Thomistic synthesis. See Austin Flannery, ed., "*Optatum totius*," in *Vatican Council II: the Conciliar and Post Conciliar Documents* (North Port, NY: Costello Publishing Co., 1975), Chap. 5, §16.

³ For the notion of "conceptual Thomism," and the following characterization of the shift from it to "transcendental Thomism," I am following the work of John M. McDermott, SJ, because it offers a particularly thoughtful analysis of post-conciliar intellectual climate, including the place of John Paul II's thought within it. This is an important area needing further research, and I plan to offer a more extended discussion in a forthcoming book that expands upon the present article. For a more adequate presentation of McDermott's work on this "shift," see

and philosophy since the Council of Trent, especially during the neo-Thomistic revival, the period following Vatican II was marked by a widespread shift to “transcendental Thomism.” Among other characteristics, this “conceptual Thomism” had been distinguished by a confidence in the ability of Thomistic concepts and propositional formulations to attain to the truth of things.⁴

This first part will proceed in four major steps: (1) we will trace the shift from conceptual Thomism to transcendental Thomism;⁵ (2) we will summarize several of the ways that transcendental Thomism impacts moral theology; (3) we will briefly survey some ways in which the embrace of historical-critical methods of Scripture study impacts efforts

his “The Methodological Shift in Twentieth Century Thomism,” *Seminarium* 31 (1991): 245–66, and the many references cited therein and below. More generally, the approach one takes to the renewal of moral theology is heavily dependent upon the narrative framework within which one interprets not only the history of moral theology, but also the history of the Thomistic intellectual tradition.

⁴ For example, some of the most important of these Aristotelian/Thomistic “concepts” pertaining to the articulation of Catholic doctrine include nature, person, substance, accident, form, matter, essence, and existence. For the sake of precision we should note that, strictly speaking, Thomism distinguishes between the internal “concept” as “the natural, formal and imaging sign” and the corresponding “term” (a written or spoken word), understood as the external, “artificial, instrumental and non-imaging sign of the concept.” Thus, my examples are really “terms,” which are understood to correspond to concepts in our minds. See William A. Wallace, *The Elements of Philosophy: A Compendium for Philosophers and Theologians* (New York: Alba House, 1977), 15–16. Most philosophical traditions hold for the existence of concepts, or mental entities as the internal signification of our words. But for a provocative rejection of the very existence of such mental entities, see Robert Sokolowski, “Exorcising Concepts,” *Review of Metaphysics* 40 (1989): 451–63. This topic also requires a more extended discussion.

⁵ In what follows, I will offer descriptive, sometimes sympathetic and sometimes critical comments regarding transcendental Thomism. While open to draw useful insights from this school, my position is closer to Avery Dulles’s “postcritical theology,” to the example of John Paul II, to Aquinas himself, and perhaps to many associated with what McDermott calls conceptual Thomism. Dulles summarizes that “Insofar as [transcendental Thomism] retains its Thomistic inspiration, it is unquestionably viable. But to the extent that it borrows from transcendental idealism, it remains contestable.” See his *The Craft of Theology: From Symbol to System* (New York: Crossroad, 1992), 132 and also 124. It seems to me that, when one adopts a “modern/critical” bias toward revising traditional conceptual and propositional formulations of doctrinal and moral teachings as opposed to a post-critical respect for them as bearing tacit knowledge and mediating true judgments, one has conceded too much to a highly deficient modern epistemology. Further clarification and broader consensus on this point is crucial to the renewal of Catholic theology. For a study of the important but neglected dialogue between Jacques Maritain and J. Maréchal on this topic, see Ronald

toward a biblical renewal of moral theology; and (4) we will note how the centrality of the debate over sexual ethics diverts attention from a biblical renewal of moral theology.

Tracing the Shift from Conceptual to Transcendental Thomism

Transcendental Thomism shares common roots with mid-century *nouvelle théologie* in the work of the Jesuits Pierre Rousselot and Joseph Maréchal.⁶ These thinkers sought to show that Aquinas offered a better framework within which to appropriate certain insights of modern philosophy than the various post-Kantian alternatives.

This school of thought is built upon Rousselot's recovery and elucidation of Aquinas's distinction between *intellectus*, or understanding, and *ratio*, or reason.⁷ Following this distinction, the prime analog for *intellectus*, and knowledge in general, is the divine mind, or God's knowledge of all things through a simple act of understanding. The human intellect is understood primarily in light of its orientation and underlying dynamism toward fulfillment in the perfect knowledge of beatific vision; indeed, this dynamism was considered so fundamental that each earthly act of human knowing was understood to include an implicit knowledge of God. However, because of its limited character as *intellectus imperfectus*, human knowing involves both *intellectus* and *ratio*, with reason working to remedy our defects in understanding.⁸ This foundational element of transcendental Thomism is widely accepted today, even by scholars who stick

McCamy, *Out of a Kantian Chrysalis?: A Maritainian Critique of Fr. Maréchal* (New York: Peter Lang, 1998). For a recent rejection of any basis for transcendental Thomism in Aquinas, see John F.X. Knasas, *Being and Some Twentieth-Century Thomists*, 1st ed. (New York: Fordham University Press, 2003).

⁶ For this section, I have benefited from John A. Gallagher's *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (New York: Paulist Press, 1990), 140–61.

⁷ See his *L' intellectualisme de saint Thomas* (Paris: Beauchesne, 1909), ET: *The Intellectualism of St. Thomas*, trans. James E. O'Mahoney, OFM Cap (New York: Sheed & Ward, 1935). Joseph Maréchal is the other major figure in the early development of transcendental Thomism. As evident in the previously cited work by McCamy, traditional Thomists saw these thinkers as Kantians and predicted their movement would lead to problematic theological consequences. For a careful analysis of this question, granting various modern insights while rejecting a strong transcendentalism and the resulting revisionism, see the works of John M. McDermott, SJ, starting with his *Love and Understanding: The Relation of Will and Intellect in Pierre Rousselot's Christological Vision* (Rome: Universita Gregoriana Editrice, 1983). For our present purposes, McDermott's reading is helpful as it parallels John Paul II's theological approach.

⁸ Here I borrow from the more detailed discussion in my "Martin Rhonheimer's *Natural Law and Practical Reason*," *Sapientia* 56 (2001): 533–34.

more closely to Aquinas such as Servais Pinckaers. Indeed, Bernard Lonergan and others have argued forcefully that the conceptualists were closer to Scotus than Aquinas in their overemphasis on the concept and corresponding neglect of the act of understanding.⁹

Early advocates of this distinction between *intellectus* and *ratio* not only pointed to its textual basis in the Angelic Doctor's teaching, but also argued that it merited greater contemporary development to purify Thomistic thought from the influences of enlightenment rationalism, with its exaggerated confidence in human reason. Similarly, they saw a greater appreciation for this distinction as providing a better account of human knowledge of the divine mysteries; these, they would argue, are initially grasped intuitively through *intellectus*, and then more discursively, though imperfectly, through a reasoning (*ratio*) that makes use of concepts and rational explication, leading to a deeper understanding. Moreover, this basic approach of affirming the mysterious depths of theological realities, claiming a real but limited grasp of them through a knowledge that is initially more intuitive, and then allowing for a deeper grasp of their intelligibility through reason and conceptual formulations, offered a promising framework for addressing the question of the development of doctrine.¹⁰

Perhaps more importantly, advocates saw in this epistemological distinction between *intellectus* and *ratio* a path toward the reintegration of the Thomistic tradition with its biblical, patristic, and spiritual roots.¹¹

⁹ Bernard Lonergan, *Verbum: Word and Idea in Aquinas*, ed. David Burrell (Notre Dame, IN: University of Notre Dame Press, 1967). Knasas, on the other hand, rejects this a priori emphasis on an intellectual dynamism and argues for a retrieval of the neo-Thomistic a posteriori emphasis on sensation as the basic access to reality. See his *Being*, 285–313. It is a positive sign for Thomistic thought that these central questions are getting the attention they deserve.

¹⁰ For example, whereas the magisterial declarations of Marian dogmas might be explained as deductions from previous doctrinal propositions according to the methodology of conceptual Thomism, this framework would treat them as a further unpacking of something implicit in the mystery of Christ.

¹¹ The recovery of this dimension of Thomistic thought facilitated the appropriation of various useful insights from modern philosophy. For example, it helped Catholic scholars to accommodate something of Heidegger's emphases on the importance of implicit knowledge over explicit, on the importance of an involved, practical viewpoint over detachment and objectivity, on the social dimension of knowing over methodological individualism, and on the importance of holistic perspectives over a mere multiplication of distinctions. This parallels Avery Dulles's characteristics of a post-critical philosophy. See his *Craft of Theology*, 5–7. On the other hand, it is not clear to me how a more neo-Thomistic and philosophical retrieval of Aquinas, such as that proposed by Knasas, will address the need of Thomistic theologians to appeal to these more biblical, patristic, and postmodern sensibilities.

However, while recovering and emphasizing the underlying dynamic movement of the intellect toward the fullness of truth, and thereby relativizing somewhat the epistemological status of conceptual formulations, John M. McDermott shows that the best transcendental Thomists acknowledged the ability of concepts and propositional statements to attain to the truth of things in judgments.¹² Put another way, just as Aquinas maintained a careful balance between a dynamic existential order and an Aristotelian essential order, these thinkers hoped to maintain a similar balance in the contemporary context.

Indeed, we might read the documents of the Second Vatican Council as embodying a blending of this new emphasis with the earlier conceptual Thomism. For example, documents like *Lumen Gentium* utilize various biblical images to mediate the mysteries of the faith, while the documents as a whole explicitly maintain continuity with previous doctrinal formulations, although often in footnotes. Similarly, McDermott argues persuasively that, although there is no evidence that transcendental Thomism directly influenced Pope John Paul II, his basic theological approach could be understood as a commonsense blending of these two.¹³

On the other hand, the risks inherent in such partial movements from traditional varieties of conceptual Thomism were clearly recognized before the Council, and clearly proven thereafter. The most obvious example of pre-conciliar concern was the 1950 encyclical *Humani Generis* of Pius XII, which effectively halted the *nouvelle théologie* movement, citing concerns over a false irenicism toward modern thought and a tendency toward dogmatic relativism.¹⁴ In this period leading to the Council, the two thinkers who were to lead the transition to transcendental Thomism, Karl Rahner and Bernard Lonergan, escaped a similar critical scrutiny in light of the encyclical, even though they followed the fundamental shift initiated by Rousselot and Maréchal; this is perhaps

¹² See his "The Context of *Veritatis Splendor*," in *Prophecy and Diplomacy: The Moral Doctrine of Pope John Paul II*, ed. John J. Conley, SJ and Joseph W. Koterski, SJ (New York: Fordham University Press, 1999), 115–72.

¹³ See, for example, John M. McDermott, SJ, "The Theology of John Paul II: A Response" in *The Thought of John Paul II*, ed. John M. McDermott, SJ (Rome: Editrice Pontifica Università Gregoriana, 1993), 55–68, and "The Context of *Veritatis Splendor*," 166–72. I would suggest, however, that Karol Wojtyła was certainly exposed to the moderate accommodation of transcendental insights through the work of Henri de Lubac. Moreover, we might say that his accommodation of certain insights from modern philosophy, without losing the metaphysical grounding of truth claims, mirrors that of the best transcendentalists.

¹⁴ See Gallagher, *Time Past, Time Future*, 149–51.

because their early works were so explicitly grounded in Thomistic thought.¹⁵ However, the fears of doctrinal anarchy were realized in the years following the Council, especially as Catholic thinkers engaged more seriously with modern philosophy.¹⁶

Rahner was the most influential of the leading transcendental Thomists, perhaps because of his focus upon particular theological questions, whereas Lonergan focused more upon methodological issues.¹⁷ Although a thorough discussion of this movement is far beyond the scope of this essay, I think it is fair to say that transcendental Thomism can develop in either orthodox or heterodox directions, the former generally characterizing the great thinkers like Lonergan and Rahner, given their deep familiarity with the tradition, and the latter more prevalent among disciples who lack such familiarity.¹⁸ Among the latter it becomes clear that the less one is able to affirm the truth-bearing capacity of traditional and authoritative doctrinal and moral formulations, the more problematic for Catholic theology.¹⁹

With a growing reliance on modern philosophy and a corresponding loss of confidence in traditional Thomistic metaphysics, this new era dominated by transcendental Thomism led to a critical re-evaluation,

¹⁵ Ibid., 153–54.

¹⁶ By modern philosophy, I mean all philosophy following Ockham's break with realism up to the advent of the contemporary, postmodern, era. For those who doubt whether a more traditional Thomistic epistemology is a serious contender in contemporary debate, see John O'Callahan's *Thomist Realism and the Linguistic Turn* (Notre Dame, IN: University of Notre Dame Press, 2003).

¹⁷ For understanding these developed forms of transcendental Thomism, the classic work is Otto Muck, *The Transcendental Method*, trans. William D. Seidensticker (New York: Herder and Herder, 1968). For a recent introduction, see J. A. Di Noia, OP., "Karl Rahner" in *The Modern Theologians*, ed. David F. Ford (Oxford: Blackwell, 1997). Concise introductory remarks pertaining to moral theology can be found in Gallagher, *Time Past, Time Future*, 151–58 and 207–9.

¹⁸ This is not to say that the works of Lonergan and Rahner themselves should be exempt from critical scrutiny, especially as their thought contributes to the subsequent departure of their disciples from the Catholic moral tradition; but the present essay can only touch obliquely on such matters. Once again, the work of John McDermott provides an excellent starting point for those willing to consider developments of, and departures from, traditional Thomistic positions. See, for example, his "Dialectical Analogy: The Oscillating Center of Rahner's Thought," *Gregorianum* 75 (1994): 675–703; and his "Tensions in Lonergan's Theory of Conversion," *Gregorianum* 74 (1993): 101–40.

¹⁹ At a minimum, those who wish to appropriate selected insights associated with transcendental Thomism, in a way that does not lead to Kantian idealism, will need a post-critical stance of deep familiarity with, and sympathy for, the traditional doctrine and practices of the Church.

reformulation, and revision of both the doctrinal and moral teachings that had been expressed in these traditional concepts. Given the mid-century consensus that Western thought had embraced modern philosophy in a definitive way, thereby rejecting Thomistic realism and metaphysics, many concluded that Catholic theology needed to forgo traditional metaphysics and philosophical categories and be rethought in contemporary ones.

Although one can argue that efforts to communicate the faith through the categories of modern, and especially Kantian, philosophy have a certain merit in cultures where such language is widespread, such strategies have proven highly problematic.²⁰ Moreover, recent years have witnessed a shift from the modern to the postmodern era, indicating that the widespread embrace of modern presuppositions by Catholic thinkers needs a critical re-evaluation. Furthermore, within the more recent postmodern context, more Christian thinkers are recognizing the dangers of subjecting Christian theology to the epistemological criteria of modern philosophy.²¹ This may be leading to a more fruitful theological context that remains open to accommodating the legitimate insights of transcendental thought, modern philosophy, and postmodern philosophy while retaining the crucial elements of Thomistic realism and metaphysics, thereby upholding the doctrinal and moral tradition.²²

As practiced in the post-conciliar era, transcendental Thomism is inclined toward the ongoing reformulation of doctrines in the terminology of contemporary cultures, presupposing these cultures are something to which the faith needs to accommodate itself. This basic presupposition

²⁰ Bruce Marshall observes that when Christian doctrine has conflicted with the perspective of modern philosophy, the general approach of modern theology has been to reinterpret even the most central Christian claims to meet the epistemic standards of modernity. See his *Trinity and Truth, Cambridge Studies in Christian Doctrine* (Cambridge: Cambridge University Press, 2000), 4.

²¹ I deal at some length with the problematic relationship between modern philosophy and Christian theology in my "Towards a Postcritical Recovery of the New Testament Foundations of Christian Ethics: A Catholic, Evangelical and Thomistic Narrative," *Pro Ecclesia* 12 (2003): 261–86.

²² From our postmodern perspective, we can suggest several factors that indicate whether a scholar achieves the benefits promised by such developments of the Thomistic tradition, or whether they necessarily lead to the doctrinal anarchy of the post-conciliar era. For example, one must first have a deep familiarity with the tradition. Second, in marked contrast to the modern distrust of tradition, one must have a sympathy toward it, treasuring it as a vehicle through which God discloses to us knowledge of himself and the divine plan of salvation. Third, one must affirm the ability of past and present conceptual formulations to mediate true, albeit limited, judgments.

of much post-conciliar thought is now receiving the level of critical scrutiny that it deserves. As Tracy Rowland has argued forcefully, the treatment of culture in *Gaudium et Spes* is ambiguous and, if interpreted through the metaphor of “opening the windows” instead of through the Christocentric theological anthropology of No. 22, is highly problematic.²³ Indeed, the first reading ignores all the significant pre-conciliar scholarship on culture, including that of Romano Guardini, Hans Urs von Balthasar, and others who insist that culture is inseparable from religious presuppositions (i.e., *cultus*). If the document is read in this first way, culture appears as an autonomous, theologically neutral reality, and something to which the Church must accommodate itself, assuming modern persons are fundamentally products of secular modern culture. However, leading contemporary thinkers like Alasdair MacIntyre have offered powerful analyses of modern culture, emphasizing how it works against an understanding of human flourishing through growth in the Christian virtues. Moreover, other scholars like von Balthasar, and David Schindler following his lead, argue that the culture of modernity, because of its anti-theological bias, is unable to mediate the transcendentals of goodness, truth, and beauty, which disclose the supernatural destiny of human persons. In light of these growing critiques, the Church needs to be more critical in its accommodation to modernity.

The Impact of Transcendental Thomism on Moral Theology

Following upon the more general philosophical and methodological shifts indicated above, the widespread adoption of strong forms of transcendental Thomism had profound implications for moral theology. Because of its emphasis on the dynamism of the mind toward the fullness of truth in an intuitive vision of God, transcendental Thomism tends to relativize internal mental concepts, the external terms corresponding to them, the propositional statements through which doctrines are articulated, and the judgments corresponding to them.

Similarly, in light of the prevailing preference for a unified, intuitive perspective over divisions and concepts, this transcendentalism tends to dissolve various distinctions deemed essential in traditional moral theology and philosophy. These would include the distinctions between intellect and will, matter and form, subject and object, love of God and love of neighbor, and the natural and supernatural orders. I would agree that there are many reasons to prefer more unified perspectives, especially in

²³ See Tracey Rowland, *Culture and the Thomist Tradition after Vatican II* (London: Routledge, 2003).

theology.²⁴ For example, rather than continuing the common Thomistic practice of speaking as if faculties like the intellect and the will act on their own, it is better to adopt a personalistic perspective following Thomas's affirmation, however occasional, that "actions are of the person." However, such a shift of emphasis need not come at the cost of rejecting useful distinctions, such as that between the intellect and the will as in the present example, or any of the others mentioned above. Similarly, an emphasis on a more unified perspective on knowledge, which recognizes that the fullness of human knowing comes in the beatific vision, need not come at the cost of denying the ability to make judgments that attain to the truth of things through concepts and propositional formulations. Just as Thomas did not hesitate to multiply distinctions within his *Summa* to allow for more fine-grained moral analysis, we should not hesitate to do the same, rejecting an extreme transcendentalism that would have us dismiss conceptual formulations and distinctions that are of great use to moral theology and philosophy.²⁵

Besides the general tendency to distrust or revise classical distinctions, concepts, and doctrinal formulations, post-conciliar transcendental Thomists, associated especially with Karl Rahner, introduced and advanced several notions that were to have great and often problematic implications for moral theology.²⁶ Prominent among these is the programmatic distinc-

²⁴ For example, in contrast to the scholastic principle of distinguishing in order to unite, *ressourcement* theologian Henri de Lubac emphasizes the unity of revelation, theology, and Christian life around an all-inclusive interpretation of the Pauline notion of "the Mystery of Christ." Von Balthasar observes that this notion is chosen based on a philosophical decision that the "power of inclusion that becomes the chief criterion of truth." See Hans Urs von Balthasar, *The Theology of Henri de Lubac: An Overview* (San Francisco: Ignatius Press, 1991), 28–29. We might also note that, although more difficult to defend on biblical grounds, the notion of "nuptiality" can function similarly in Balthasarian thought.

²⁵ Indeed, making distinctions has been, and should remain, central to philosophy. Although he is a phenomenologist and not a Thomist, see Robert Sokolowski's "The Method of Philosophy: Making Distinctions," *Review of Metaphysics* 51 (1998): 515–32.

²⁶ My point here is not to give an adequate account of these complex notions in their native contexts, but simply to identify them in a simplified form and indicate how they follow from transcendental Thomism and contribute to the crisis in moral theology that *Veritatis Splendor* attempts to address. The enormous and highly problematic influence of Karl Rahner on post-conciliar moral theology will be discussed briefly below. The extent of this influence is noted in recent histories of moral theology including that of Paulinus Ikechukwu Odozor, *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition Since Vatican II* (Notre Dame, IN: University of Notre Dame Press, 2003), 85–98, and Gallagher, *Time Past, Time Future*, 152–58 and 207–9.

tion between the “transcendental level,” pertaining to salvation, and the “categorical level” pertaining to particular acts. Building upon this distinction, revisionists articulated the theory of a “fundamental option” for God, which occurs solely at the transcendental level, beyond the categorical realm of free and conscious choice. Because this transcendental notion of the fundamental option cannot be overridden by particular sinful acts, the traditional notion of mortal sin is rendered obsolete and the salvific relevance of moral action obfuscated. Building further on this understanding of the fundamental option, and rejecting the distinction between nature and grace to affirm their continuity, the theory of the “anonymous Christian” seeks to explain how those outside the visible Church are saved. Despite certain merits, this theory tends toward the presupposition of universal salvation and, in practice, has undermined not only evangelical preaching but also the call to moral conversion.

In summary, the recovery of Aquinas’s distinction between *intellectus* and *ratio*, which marked the beginning of transcendental Thomism, offers many benefits including a more adequate theory of cognition, the ability to accommodate valuable insights from modern philosophy, and a framework congenial to the retrieval of more biblical and patristic perspectives. However, it is crucial to guard against an extreme transcendentalism that denies the ability of traditional concepts and propositional statements to mediate true, albeit limited, judgments.

The Unfinished Appropriation of Historical-Critical Methods

Associated with the widespread appropriation of transcendental and critical philosophy within Catholic theology, the post-conciliar era is also marked by the great attention given the question of historicity.²⁷ This corresponds to the wholehearted embrace of historical-critical methods, especially in the study of Scripture, resulting in unquestionable gains in understanding the sacred texts themselves, along with unprecedented challenges in grasping their theological relevance.

The main challenge following this embrace of historical-critical studies can be seen by recalling the Second Vatican Council’s *Dei Verbum* no. 12, on the interpretation of Scripture. In stark contrast to biblical studies

²⁷ For a thoughtful discussion of this topic in post-conciliar Catholicism, see Philip Gleason, “History, Historical Consciousness and Present-Mindedness,” in *Keeping the Faith: American Catholicism, Past and Present* (Notre Dame, IN: University of Notre Dame Press, 1987), 202–25. For a good overview of the growing contemporary literature regarding the debate over the epistemological status of historical knowledge, see Mark Noll’s series on the “History Wars” in *Books and Culture*.

in the post-conciliar era, this decisive paragraph from the *Dogmatic Constitution on Divine Revelation* gave about the same amount of attention to the question of how historical-critical exegesis pertains to the theological tradition as to the utilization of historical methods. In other words, Catholic biblical scholars, while embracing the historical-critical methods developed primarily through liberal Protestantism, have almost completely neglected the more challenging task of interpreting Scripture in light of the theological tradition.²⁸ Thus, for example, while gaining a wealth of historical information about various biblical writings, Catholicism has struggled with what Hans Frei called “the eclipse of biblical narrative,”²⁹ the widespread loss of an understanding of the Bible as a unified story of salvation in Christ.³⁰ Similarly, Catholic scholarship has yet to recover a sacramental understanding of the Scriptures, and instead continues to read them with nominalist presuppositions, intentionally restricting attention to the text itself, and not the theological realities mediated by the text. Fortunately, more recent scholarship is beginning to focus attention on more theological readings of Scripture, in light of tradition, while giving increasing attention to philosophical issues.³¹ While this bodes well for the future, it also helps explain why it has been difficult to renew moral theology in light of Scripture.

²⁸ For an initial discussion of this neglected dimension of *Dei Verbum*, emphasizing how such elements as an adequate philosophy and a recovery of the spiritual understanding of Scripture can help, see Francis Martin’s “Vatican II and the Holiness of the Church: A Contribution of *Dei Verbum*,” forthcoming in *Called to Holiness and Communion*, Proceedings of the November 2003 conference at the Sacred Heart Major Seminary of Detroit.

²⁹ See Hans Frei, *The Eclipse of Biblical Narrative: A Study in Eighteenth and Nineteenth Century Hermeneutics* (New Haven, CT: Yale University Press, 1974). Frei traces how this eclipse plagues liberal Protestantism with the acceptance of historical-critical methods. We should notice how post-conciliar Catholicism, unfortunately, recapitulates in many ways the experience of liberal Protestantism.

³⁰ For efforts to recover such a unified reading of the Bible, see W. T. Dickens, *Hans Urs Von Balthasar’s Theological Aesthetics: A Model for Post-Critical Biblical Interpretation* (Notre Dame, IN: University of Notre Dame Press, 2003). See Donald Keefe, SJ, *Covenantal Theology: The Eucharistic Order of History*, 2 vols. (Lanham, MD: University Press of America, 1991).

³¹ See, for example, Thomas F. Torrance, *Divine Meaning: Studies in Patristic Hermeneutics* (Edinburgh: T & T Clark, 1996); Joel B. Green and Max Turner, eds., *Between Two Horizons: Spanning New Testament Studies and Systematic Theology*, *Two Horizons* (Grand Rapids, MI: Eerdmans, 2000); Luke Timothy Johnson and William S. Kurz, SJ, *The Future of Catholic Biblical Scholarship: A Constructive Conversation*, 1st ed. (Grand Rapids, MI: Eerdmans, 2002); and the new “The Bible in its Tradition” project of the École Biblique.

Centrality of the Debate over Sexual Ethics

After remaining somewhat in the background before the Council, the deep divisions over contraception became evident during conciliar deliberations, foreshadowing what some have described as a “schism” in Catholic moral theology.³² Soon after the Council, the movement to reject the norm against contraception was broadened to include a revision of traditional sexual norms in general, as exemplified in the 1977 document *Human Sexuality*, published under the auspices of the Catholic Theological Society of America and edited by Anthony Kosnick.³³ Three points regarding this controversy are relevant to our study: First, post-conciliar efforts toward the renewal of moral theology took place in the context of an unprecedented and interminable debate between those theologians seeking to revise traditional sexual norms and those struggling to uphold them;³⁴ second, this context relegated efforts toward a biblical renewal of moral theology to a secondary place, at best; third, because a *sola scriptura* ethics is impossible and philosophy is essential, even the more biblical efforts usually embodied philosophical presuppositions reflecting one side or the other of the debate on sexual ethics.

We can now summarize our reflections on the philosophical and theological context in which the first generation of efforts toward the biblical renewal of Catholic moral theology took place, from shortly before the Council to the promulgation of *Veritatis Splendor*. In general, this was an era of vigorous and unprecedented exploration. While in some ways it brought much needed renewal, in other ways it fostered an almost unprecedented crisis because of the radical departure from Scripture and Tradition as interpreted in light of the Magisterium. As we have seen, the turbulence of this era is centered on several factors: a paradigmatic shift from conceptual to transcendental Thomism; the widespread appropriation of historical-critical methods and the still limited progress toward determining the epistemological, theological, and moral relevance of Scripture; and the explosive debate over whether Catholic sexual norms should be revised to conform more closely to those of the prevailing secular culture. Following this lengthy but necessary discussion of the theological and philosophical context, we are ready to focus directly on the biblical renewal of moral theology before *Veritatis Splendor*.

³² See, for example, Todd A. Salzman, *What Are They Saying about Catholic Ethical Method?* (New York, Mahwah: Paulist Press, 2003), 3.

³³ Anthony Kosnick, *Human Sexuality: New Directions in American Catholic Thought: A Study* (New York: Paulist Press, 1977).

³⁴ As we will discuss below, much of the motivation behind this generation of theological work comes from an effort to overturn Catholic teaching on contraception.

III. The Biblical Renewal of Moral Theology Prior to *Veritatis Splendor*

Following the conciliar mandate, Catholic moral theologians of the last generation have clearly given more attention to Scripture than those of the Tridentine and neo-Thomistic eras. Similarly, biblical ethicists have made considerable progress in understanding the ethical teachings of the various biblical writings. Moreover, in spite of the post-conciliar collapse of neo-Thomism,³⁵ progress continued toward a more theological and biblical retrieval of Aquinas, one that has borne fruit in recent years. However, as I indicated above and will sketch below, moral theology in the period leading to the publication of *Veritatis Splendor* was characterized less by the anticipated biblical renewal than by the debate between various types of revisionists and more tradition-minded thinkers, primarily those following the basic goods theory (BGT) of Germain Grisez and his collaborators.³⁶

This second part will be divided into four subsections: (1) Bernard Häring as the most biblical of the revisionists; (2) Karl Rahner and the transcendental revisionists; (3) Richard McCormick as a representative American revisionist; and (4) the biblical renewal in the basic goods theory.

Bernard Häring as the Most Biblical of Revisionists

Bernard Häring was a leading moral theologian both before and after the Council.³⁷ He was deeply influenced by the German Tübingen movement and therefore inclined toward Scripture and away from neo-Thomism, with its emphasis on the metaphysical foundations of moral norms. As a Redemptorist priest, Häring had a deep familiarity with the manualist tradition, and, as a gifted and circumspect German intellectual of the mid twentieth-century, he was well-versed in the intellectual currents of phenomenology and situation ethics. Alert to the contemporary appeal of existentialist and personalist thought, he was persuaded of the need for Catholic moral theology to give greater attention to the moral judgment of the *person* in the concrete situation as a corrective to the predominant emphasis on *nature* and moral law.

³⁵ See, for example, Gleason, *Keeping the Faith*, 172–77.

³⁶ For a recent treatment of the contemporary status of this debate, which provides a sympathetic account of revisionist developments since *Veritatis Splendor*, see Salzman, *Catholic Ethical Method*.

³⁷ For this section, I have drawn from especially from Gallagher's *Time Past, Time Future*, 169–76 and 204–7, and also from Häring's *The Law of Christ* and his *Free and Faithful in Christ: Moral Theology for Priests and Laity*, 3 vols. (Slough: St Paul Publications, 1978). See Artur Niemira's *Religiosità e moralità: vita morale come realizzazione della fondazione cristiana dell'uomo secondo B. Häring e D. Capone*, *Collana Tesi Gregoriana* (Roma: Pontificia Università Gregoriana, 2003).

Häring's first comprehensive work, the three-volume *The Law of Christ*, was originally published in German in 1954; it was so well-received that it initiated the replacement of the neo-Thomist manuals of moral theology. Indeed, it provided an exemplar when the Fathers of the Second Vatican Council called for a biblical renewal of the discipline. In this work, Häring seeks explicitly to ground moral theology in Scripture rather than in a systematic theological context. Thus, he emphasizes New Testament themes like the invitation of Christ; the human response to Christ's call, conversion and the imitation of Christ; the person of Christ as the norm and standard for Christian moral action; and the inseparability of the religious response to God and the moral life. In its biblical foundations, this work remains an indispensable point of reference for the biblical renewal of moral theology after half a century.³⁸ In addition, Häring emphasized the "new law of the gospel" and the theology of grace, as opposed to moral law and legalism, foreshadowing a tendency that would later place him at odds with Catholic teachings.

The crucial issue for our purposes is Häring's underlying moral theory or moral philosophy. He develops this through a creative synthesis of traditional Thomistic elements, though mediated through the manualist tradition, along with insights from contemporary thought. From the Thomistic tradition he retains the natural law, though presented quite differently from the neo-Thomists, as subordinated to the new law of the gospel.³⁹ Although transposed to a more evangelical context, the natural law in *The Law of Christ* retains some access to an objective moral order. But it will lose this foundation in his later *Free and Faithful in Christ*, where it is reduced to something more like a gentle curb on moral relativism. Häring's analysis of the moral act also follows the manualist tradition he had received, treating object, intention, and circumstances. However, as the debate surrounding *Veritatis Splendor* has shown, this tradition had an inadequate understanding of the all-important object of the moral act, understanding it merely at the physical or material level, and neglecting the intellectual and volitional dimensions that make it a properly human act.⁴⁰ This physicalist or naturalist understanding of the object will make the

³⁸ For this reason and others, I would argue that his work merits renewed study by contemporary moralists. The following paragraphs offer some preliminary reflections on his work in light of *Veritatis Splendor*.

³⁹ Interestingly, this priority is also seen in Servais Pinckaers's interpretation of Aquinas.

⁴⁰ For a defense and exposition of *Veritatis Splendor* on this point against the criticism of a leading revisionist, see Martin Rhonheimer, "Intentional Actions and the Meaning of Object: A Reply to Richard McCormick," *The Thomist* 59 (1995): 279–311.

notion of an objective moral order seem contrary to a personalistic ethics. Similarly, *The Law of Christ* relied upon the Thomistic and manualist traditions for an account of the virtues; but the ordering of the first volume around the two poles of “law and conscience” reflects less a Thomistic ordering of the moral life toward human flourishing through the growth in virtue, than the influence of nominalism on the subsequent tradition.

In addition, Häring develops a comprehensive theory of conscience, which although far superior to largely imprecise references to conscience in post-conciliar ethics, foreshadows a movement toward a revision of moral norms. This is especially true when a moral philosophy based on an expanded notion of conscience, over a more Thomistic notion of prudence, is combined with (1) an aversion to moral law in general—in contrast to a more biblical understanding of law as covenantal gift; (2) an emphasis on person over nature; (3) an emphasis on the inviolability of conscience; and (4) an emphasis on freedom. Moreover, even Häring’s relatively developed theory of conscience is lacking many of the elements included in Aquinas’s notion of prudence.⁴¹ Therefore, the analysis of moral action suffers a considerable loss of philosophical precision. More recently, the growing recognition of this loss of precision with the widespread recourse to an expanded notion of conscience contributes to a renewal of interest in accounts that are more Thomistic.⁴²

The most contemporary and creative aspect of Häring’s underlying moral philosophy was his attempt to propose a coherent account of the modern and phenomenological notion of “value,” which he presented as something that engages not merely the intellect, but the whole person, emotions, intellect, and will. For Häring, value was the foundation of moral obligation. Thus, although his theory of value was rooted ultimately in the perception of God, it was ordered toward the practical significance of value perceived in existential situations. His theory of value included three components: “basic value,” perceived as an awareness of God; “types of values” such as the virtues of charity, justice, or chastity; and “particular

⁴¹ Robert J. Smith discusses this in his *Conscience and Catholicism: The Nature and Function of Conscience in Contemporary Roman Catholic Moral Theology* (Lanham, MD: University Press of America, 1998).

⁴² David M. McCarthy discusses Aquinas’s more precise language as primary, or first level philosophical discourse about ethics, that is, a set of concepts that is adequate to the complexities of the moral life. He suggests that the expanded notion of “conscience,” on the other hand, can be seen as a less precise way of speaking which, although more congenial to the postmodern context, leads necessarily to moral confusion. Still, many find it desirable because it allows us to dodge the question of moral truth and “agree to disagree.” See his “Conscience: A Richer Moral Language,” *Josephinum Journal of Theology* 8 (2001): 43–53.

values,” which are realized in concrete acts and provide the basis for concrete norms. These concrete norms were seen as guides to help the person realize the particular values, and as a summons in continuity with the most fundamental or basic summons from the personal God, and not as an arbitrary constraint.

In this preliminary reconsideration of Häring’s moral philosophy, I would suggest that his general tendency is to highlight neglected elements of moral theory that needed greater contemporary attention, and to underestimate the ability to do so while maintaining continuity with the moral tradition. In this respect, although Häring is not closely associated with transcendental Thomism, his thought exhibits a similar tension with the metaphysical grounding of traditional moral norms.

As a first example of this observation, *The Law of Christ* reflects Häring’s concern to develop a personalistic presentation of moral theology. Thus, he emphasizes the person over against the neo-Thomistic emphasis on nature. This project parallels early efforts to articulate more personalistic accounts of Thomism, such as those of Maritain and even Wojtyla, although some Thomistic scholars have been slow to embrace a distinct priority of the person over nature. In the pre-conciliar era, Catholic thinkers who placed greater emphasis on the person generally did so while retaining both a metaphysical account of human nature, and the resulting moral norms. Similarly in *The Law of Christ*, although Häring leans toward personalism, he maintains this pre-conciliar balance and supports traditional Catholic teaching regarding sexual ethics, including a rejection of contraception. However, his traditional articulation of the object of the act at the material level, along with his treatment of sexual ethics with reference to human nature, indicates in the former a weakness in the tradition and in the latter a tension with his preference for personalism; this ambiguity foreshadows his later dissent from Catholic teaching on contraception.

Second, similar to the tension he sees between person and nature, Häring presents his preference for the imitation of Christ, and exemplary causality in relation to God, as an alternative to the metaphysics and final causality of Thomism, apparently assuming these are incompatible, which they are not. Third, the weak Christological dimension of neo-Thomistic ethical treatments leads Häring to see a Christocentric ethic as an alternative to a Thomistic one, where it is more accurate to say that a more Christological articulation of Thomistic ethics is needed.⁴³ Fourth, Häring

⁴³ As I will discuss below, the early work of Josef Fuchs was along these lines, and I have argued more recently, that a more Christocentric Thomistic ethic can and should be developed. See my “Christ as a Principle of Moral Action in Thomistic Ethics,” *Angelicum* 79 (2002): 147–75.

emphasizes the biblical notion of conversion as a more inclusive alternative, rather than a complement, to a Thomistic understanding of growth in virtue through the habitual shaping and integration of our appetites, intellect, and will. Similarly, he emphasizes “getting the right vision” as opposed to fulfilling laws and duties, whereas he could have emphasized following laws and duties as integral to growing in virtue and therefore “getting the right vision.”

Biblical Renewal in Rahner and the Transcendental Revisionists

Earlier we considered some of the general ways that the transition to transcendental Thomism impacts moral theology, including the relativization of traditional concepts, propositional statements, and philosophical distinctions, and the introduction of several new and problematic distinctions. In this section, we will look more closely at how this movement impacts the biblical renewal of moral theology, considering the work of Karl Rahner, Josef Fuchs, and Richard McCormick.⁴⁴

Karl Rahner

Because of his widespread influence, we will first offer some general and introductory remarks regarding the moral thought of Karl Rahner, and then do the same for some of the most influential moralists who followed his lead. Because Rahner is generally seen as a systematic theologian, his significance in post-conciliar moral theology is often overlooked. Whereas Bernard Häring located moral theology within a biblical context, Rahner chooses instead to locate it in the systematic context of his transcendental Thomism. This does not mean that he thereby condemns his followers to neglect Scripture, but it does relegate Scripture to a subordinate role within this broader context. In other words, Rahner’s primary goal is not a biblical renewal of moral theology, but the transposition of moral theology into his transcendental framework, which I would argue, inclines it toward a problematic updating and revision of Catholic thought in modern concepts and according to contemporary sensibilities.

John Gallagher provides a concise summary of how Rahner builds upon his theological anthropology to articulate both an “essential ethic” and an “existential ethic.”⁴⁵ His essential ethic is a revised, or critical, natural law theory, which follows from the German theologian’s under-

⁴⁴ A more detailed treatment would need to include thinkers like Bruno Schüller, Bernard Hoose, and Bernard Lonergan.

⁴⁵ See Gallagher *Time Past, Time Future*, 207–9.

standing of the “three a priori conditions of personhood,” namely freedom, power, and grace. While these pertain to the moral order, Rahner sees them as insufficient for determining specific moral norms, which require a further consideration of the a posteriori of concrete human experience. Moreover, any such norms are considered potentially incomplete, inaccurate, and even misleading, because of their dependence upon historical and cultural context. Thus, although Rahner’s essential ethic can determine norms that proscribe certain acts as immoral, it can only do so in a highly qualified way, emphasizing their historical and cultural dependence. His existential ethic, on the other hand, focuses more positively on what one ought to do. It addresses the realization of personal identity through choices and acts. This involves not universal moral norms, but an individual judgment of what ought to be done in a particular, existential situation; only this determination attains to the concrete will of God.

Note how clearly this rejection of the universal, and exclusive insistence on the particular, shows the nominalism that underlies Rahnerian thought.⁴⁶ Moreover, in an important recent study, Louis Roy, while acknowledging Rahner’s contributions, elucidates the deficiencies in his epistemology and its unfortunate consequences among his more revisionist followers. Roy argues that the fundamental problem in Rahner’s epistemology is the lack of a cognitional theory, based on a Scotistic misreading of Aquinas that leads to a diminished understanding of how understanding and judgment attain to truth. This misreading results in a moderate anti-intellectualism and anti-dogmatism, which fosters “disrespect for the Christian insights of the past and has legitimized the primacy of the imagination in its free choice of symbols.” Moreover, “his continual stress on the mystery and on human transcendentalism has brought about the relativization of the ecumenical councils, of the doctors of the church, and of the Magisterium. Evidently Rahner would disapprove of that trend among his disciples. Nevertheless, the seeds of that deviation from sound doctrine are found in his deficient epistemology.”⁴⁷

⁴⁶ John McDermott identifies this nominalism as a fundamental weakness of Rahner’s transcendentalism. See “The Context of *Veritatis Splendor*,” 153–54 and his “Metaphysical Conundrums at the Root of Moral Disagreement,” *Gregorianum* 71 (1990): 713–42.

⁴⁷ See Louis Roy, OP, “Rahner’s Epistemology and its Implications for Theology,” forthcoming in the proceedings of the Lonergan Workshop, edited by Frederick Lawrence.

Josef Fuchs

Josef Fuchs was another leading figure in post-conciliar moral theology who exemplifies the widespread transition to transcendental Thomism. His early seminary manual, *Theologia Moralis Generalis*,⁴⁸ offers a creative synthesis of the more biblical and Christocentric perspectives of Häring with more traditional neo-Thomistic moral theory. From Thomism, he retains the traditional philosophical categories and recourse to the metaphysics of human nature, which provides the basis for upholding traditional norms of sexual ethics. Following the precedent of Häring, Tillman, and others, Fuchs emphasizes not only Scripture and the person of Christ, but also the integral relation between the moral and spiritual life, the notion of response to the divine call, and the location of natural law within the law of Christ. Thus, for example, *Theologia Moralis Generalis* retains Thomistic themes like final end or beatitude, but utilizes the biblical language of the kingdom of God, with an emphasis on God's personal call and our free response. This work also reflects a greater emphasis on the notion of person, though not yet to the detriment of nature, and it shows a growing emphasis on unity over distinctions, especially regarding nature and grace, faith and reason, and body and soul.

Tragically, Fuchs undergoes a significant "intellectual conversion" while participating in the Pontifical Commission on Population, Family, and Birth from 1963 to 1966, which leads him to change his position on contraception, and to embrace Rahner's existential ethics as a framework to accommodate his new position.⁴⁹ Bernard Häring played an indirect role in this conversion, not so much through theological or philosophical arguments since he was not a Rahnerian, but through the testimony of Catholic couples that he helped to bring before the group.⁵⁰ Häring, a trusted advisor who had just preached a retreat to Paul VI, persuaded the pontiff to expand the commission to include married laypersons, in particular Patrick and Patricia Crowley of the Christian Family Movement (CFM), acquaintances of Häring's through a speaking engagement

⁴⁸ Josef Fuchs, *Theologia Moralis Generalis*, editio altera (Roma: Editrice Universita Gregoriana, 1963). For this paragraph, I am drawing on the study by John Gallagher, *Time Past, Time Future*, 176–81.

⁴⁹ Mark E. Graham, *Josef Fuchs on Natural Law, Moral Traditions Series* (Washington, DC: Georgetown University Press, 2002), especially 83–110.

⁵⁰ On Häring and the Crowleys, see Robert McClory, *Turning Point: The Inside Story of the Papal Birth Control Commission, and How Humanae Vitae Changed the life of Patty Crowley and the Future of the Church* (New York: Crossroad, 1995).

for their movement.⁵¹ Along with a few other lay participants, the Crowleys were especially influential in providing testimony about the difficulties faced by couples practicing the “rhythm method” in its current state. When this testimony was not sufficient to sway commission members like Fuchs, the Crowleys and their collaborators arranged for a broader survey of CFM members through the help of the Notre Dame sociology department. The results of the survey were mixed, with 64% finding the rhythm method helpful to marriage in at least some ways, but 78% claiming it had caused at least some harm. The written comments were decisive, with many accounts of the hardships faced by couples in modern societies who were restricted to periodic continence. Moreover, the written comments mirrored and supported the arguments of revisionists on the commission, arguments that had already influenced the public debate and presumably shaped the views of the respondents who sought an “easier” means to practice responsible parenthood.⁵²

In a nutshell, Fuchs became convinced that the experience and testimony of these highly committed couples in marriage must provide a more reliable guide on this question than a combination of historical precedent, traditional moral philosophy—including a Thomistic metaphysics of human nature—and the guidance of the Magisterium. This “intellectual conversion,” turning on the testimony of these couples, leads Fuchs to repudiate much of his earlier work, with its traditional position on the existence of intrinsically evil acts, and the dependence of moral theology upon a metaphysics of human nature. In its place he adopted Karl Rahner’s transcendental Thomism as the new systematic context for

⁵¹ In the euphoric context of the early 1960s, the Crowleys were intrigued with the progressives and promptly reported news about the growing debate about contraception in their CFM newsletter. They had invited Häring, who was the world’s leading liberal/progressive moral theologian, to speak at one of their conferences in August of 1963, two months before the first session of the commission, although he did not touch on the disputed topic. See McClory, *Turning Point*, 45–50, and Graham, *Fuchs on Natural Law*, 91–95.

⁵² The historical context here was several years into the sexual revolution, when moral teaching was in considerable need of renewal, when moral teaching and preaching was not well-integrated with the universal call to holiness, and when methods of natural family planning were not well-developed. Even if the surveys were unbiased, well-designed, and well-implemented, this context raises important questions regarding how they should be interpreted. Did they indicate that new methods of contraception were morally acceptable in this new historical situation? Or did they reflect certain disorders in modern societies, a need for better methods of NFP, a need for better support for couples and deeper moral and spiritual maturity, along with a frank acknowledgment of the difficulties of following Christ in any state of life?

a moral theology that would give greater weight to the moral experience and aspirations of persons in modern societies than to traditional and more abstract moral principles, thereby providing a framework for revised sexual norms.

The decisive role of such experiential and empirical claims in Fuchs's decision to adopt a new moral framework merits further consideration, especially since other post-conciliar revisionists give similar weight to such claims. In particular, it invites a critical reconsideration in light of a broader review of the experience of the last generation. Such a study would consider the dependence of the various deviant practices of the sexual revolution upon availability of the pill, the various moral, medical, social, and political links between contraception and abortion, the emerging culture of death, the "gender wars," the breakdown of marriage and family life, the ongoing vocations crisis, the "queering" of Western societies, and the emerging demographic crisis and Islamization of Europe. Indeed, it seems clear that the practice of contraception has not delivered on its promises of stronger marriages and children better formed to live their Christian vocations.⁵³ Instead, it seems that even the dire consequences of contraception that Pope Paul VI predicted in *Humanae Vitae* no. 17 have been far exceeded, whereas those who follow Church teaching are much more likely to realize the benefits that the revisionists promised to those who practice contraception.

Following his intellectual conversion, Fuchs continued to exercise considerable influence in Catholic moral theology. His project is both deconstructive, methodically dismantling the earlier natural law tradition, and constructive, building especially on the theological anthropology of Karl Rahner. Thus, he emphasizes Rahnerian notions like the fundamental option, the distinction between the transcendental and categorical levels, and the concrete situation over universal principles. As Mark Graham has shown in his recent study, Fuchs' natural law ethic has many merits, along with serious deficiencies.⁵⁴ For our purposes, it suffices to note that his post-conversion natural law theory is unable to exclude any particular moral judgment, and therefore is highly problematic in light of Scripture, Tradition, and the Magisterium.

⁵³ On the contrary, there is now evidence that, although involving real sacrifice and discipline, the practice of natural family planning has many benefits along these lines. Especially within the context of a strong religious conviction, it contributes greatly not only to the communication and intimacy of the marriage, but also corresponds with a dramatic increase in marital stability.

⁵⁴ See his *Fuchs on Natural Law*.

3. Richard McCormick as a representative American revisionist

Through his contribution to the development of proportionalism, Richard McCormick was one of the most influential American revisionists of the post-conciliar generation.⁵⁵ He is best categorized as a casuist since his work grew out of this tradition and because he wrote primarily in response to particular questions, especially in the area of medical ethics.

Although biblical and theological themes have little role in many of his writings, McCormick was also well aware of their pertinence to moral theology. He showed this in various ways, beginning with an early essay in which he summarized several common components of Catholic moral theology such as the primacy of God's grace and charity, the interiority of the new covenant, and the existence of the natural law. He later discusses 13 key elements in the Christian story, "such as 'God is the author and preserver of life,' and 'in Jesus' life, death and resurrection we have been totally transformed into new creatures, into the community of the transformed.'" ⁵⁶ Moreover, through his "Notes on Moral Theology," written from 1965 through 1984, McCormick was in critical dialogue with almost everything pertaining to the discipline, including works emphasizing biblical foundations. Through them, he introduced the leading European revisionists like Häring and Fuchs to American readers. However, given his primary focus on particular issues in medical ethics, McCormick never wrote a text in fundamental moral theology where he might have developed at greater length his moral theory and how Scripture informs it.

Given that McCormick does not make a major contribution to the biblical renewal of moral theology, we will attempt to summarize the primary factors—shared by many of his contemporaries—that lead him to advocate revision of numerous traditional moral norms, and that place him at the center of the debate leading to the publication of *Veritatis Splendor*. First, McCormick adopts key aspects of Karl Rahner's theological framework, especially through the influence of his teacher and friend Joseph Fuchs.⁵⁷ Thus, for example, McCormick considers the notions of the "fundamental option," and "the anonymous Christian" as among the most significant

⁵⁵ For a concise introduction to McCormick's thought, see Gallagher, *Time Past, Time Future*, 214–17, followed by a discussion of his contribution to the development of proportionalist moral theory on 245–56. For a more detailed discussion of McCormick's work, see Paulinus Ikechukwu Odozor, CSSp, *Richard McCormick and the Renewal of Moral Theology*, (Notre Dame, IN: University of Notre Dame Press, 1995). I draw upon both for the following summary comments.

⁵⁶ See Gallagher, *Time Past, Time Future*, 214–16.

⁵⁷ For this and the following sentences, see Odozor, *McCormick and the Renewal*, 28–31. See 159 to 160 where Odozor summarizes the decisive influence of Schüller and Fuchs on McCormick's thought.

theological developments of his generation. Similarly, he follows Rahner's emphasis on the fundamental distinction between the pre-moral and moral.

Second, although McCormick seeks to address moral problems through a development of the Catholic and especially casuist tradition, the balance he strikes between learning from contemporary culture and upholding tradition is too slanted toward the former, reflecting a common tendency of his generation.⁵⁸ Motivated by a critical desire to overcome the weaknesses he perceived in Catholic thought, McCormick sought a dialogue between Church and culture to the enrichment of both. However, I would argue that McCormick's critical scrutiny of the moral tradition accepts too much of the philosophical bias of modernity,⁵⁹ and also embodies the deficient ecclesiology to be discussed below, thereby underestimating the truth-bearing capacity of the tradition. Along the same lines, his thought reflects an affirmation of both "the secular" and "the autonomy of earthly affairs," and along with a concern that Catholics should overcome a "ghetto mentality" as exhibited by holding too tightly to their distinctive cultural and intellectual traditions.⁶⁰ In contrast to this widespread post-conciliar adoption of a critical stance toward the tradition and openness toward modern culture, more recent trends include a critical scrutiny of the deficiencies of modern philosophy and culture, and of the dangers involved in appropriating it.⁶¹

Third, McCormick emphasizes the tentativeness of moral judgments, based on his growing attention to the question of historical consciousness. This emphasis on tentativeness is also consistent with his Rahnerian tendencies, and does not adequately allow that true and binding judgments about moral norms could have been made in previous historical and cultural contexts.

⁵⁸ This bias reflects a reaction against the intellectual climate of the "cultural Catholicism" that peaked in the mid-twentieth century, with its cradle-to-grave institutions, and multi-faceted isolation. Most important, the educational system of this cultural Catholicism featured neo-scholastic manuals, which although valuable in various respects, were more the latest iteration of the manualist tradition than a fresh and thoughtful engagement with contemporary thought. See Odozor, *McCormick and the Renewal*, especially 1–7.

⁵⁹ See chapter 1 of Avery Dulles's *The Craft of Theology*, where he critiques this modern stance and suggests a post-critical alternative more appropriate for theological reflection. Notice, for example, the revealing title of McCormick's *The Critical Calling: Reflections on Moral Dilemmas Since Vatican II* (Washington, DC: Georgetown University Press, 1989).

⁶⁰ See Odozor, *McCormick and the Renewal*, 6–7.

⁶¹ Indeed, the widespread capitulation of Catholics to the thought and culture of modernity is now getting the critical attention it deserves. See, for example, Rowland's previously cited *Culture and the Thomist Tradition*.

Fourth, McCormick's understandable rejection of the legalism and extrinsicism of the manuals goes too far, denying the existence of any universally applicable moral norms and placing his thought in tension with Scripture, Tradition, and the Magisterium.⁶² This overreaction mirrors his exaggerated position against the manualist and casuist emphasis on individual acts. Like most revisionists of his generation, the decisive event that leads McCormick to abandon a more organic development of traditional methodologies and conclusions is the debate over contraception, although he is also influenced by the debates regarding the Vietnam War and his involvement in medical ethics. Once he accepts the conclusion of his mentor Fuchs and other revisionists on this disputed question, McCormick abandons his earlier arguments and works toward the development of a methodology that supports his new position.⁶³

Fifth, McCormick's revisionism follows from his inadequate account of the object of the moral act, and of its relation to the intention and circumstances—a faulty understanding he adopts from the manualist tradition. At the risk of oversimplifying a complex matter, McCormick understands the traditional notion of the object of the act to include only the physical level, separate from the intention or circumstances.⁶⁴ As Martin Rhonheimer shows in a published exchange with the Jesuit moralist on the teaching of *Veritatis Splendor*, McCormick fails to account for the basic level of intention that is included in a proper understanding of the object, which allows a determination of the moral species.⁶⁵

The sixth, and closely related, factor in McCormick's revisionism is his acceptance of Peter Knaur's expanded application of the principle of double effect (PDE). The scope of PDE is expanded, from a limited role constrained by moral norms, to become the decisive criterion for the

⁶² This reflects the nominalist tendencies in McCormick's post-*Humanae Vitae* work, reinforced by the nominalist tendencies of Rahner. John M. McDermott discusses the affinities between the moralists Fuchs and Schüller and transcendental systematians like Rahner in his "The Context of *Veritatis Splendor*," especially 139–52. As noted above, he touches upon the nominalist character of McCormick's thought on 153–54, and in especially in his "Metaphysical Conundrums," 713–42.

⁶³ See Odozor, *McCormick and the Renewal*, 96–99.

⁶⁴ If the object of the act is understood in this deficient sense as merely physical, and not including any level of willing, it is not sufficient to describe a human act in the proper sense, and therefore is not sufficient to identify its moral species. Thus, McCormick insists that intention and circumstances must also be taken into account, which is correct, but he does not offer an adequate account of how this can be done.

⁶⁵ See Rhonheimer's, "Meaning of Object." See Richard A. McCormick, "Some Early Reactions to *Veritatis Splendor*," *Theological Studies* 55 (1994): 481–506.

evaluation of every act. As we will discuss in our subsequent discussion of the work of Germain Grisez, McCormick exemplifies the common revisionist mistake of confusing the moral order of practical reasoning with that of technique, an error with remote roots in a lack of clarity by Aquinas, and more proximate roots in the manualist tradition. Moreover, the criteria used to apply the PDE are reduced to that of commensurate or proportionate reason, involving a weighing of pre-moral values and disvalues.⁶⁶ Ironically, as Chris Kaczor has shown, when the system is strengthened by the additional conditions and principles that enable it to handle basic moral test cases, it rules out practically all recourse to the contraception it was developed to justify.⁶⁷

The seventh factor contributing to McCormick's revisionism is his deficient ecclesiology, which distorts the teaching of Vatican II by claiming that the Council's retrieval of the biblical theme of the "people of God" overrides what the third chapter of *Lumen Gentium* clearly states about the ability of the Magisterium to teach authoritatively regarding faith and morals. As the respectful but gently critical Paulinus Odozor observes, McCormick tends to make the Magisterium irrelevant in moral matters.⁶⁸

Eighth, although McCormick seeks to consider moral matters primarily in terms of "the person integrally and adequately considered," his shift to proportionalism implies a rejection of the metaphysics of human nature as a potentially decisive aspect of anthropology for certain moral questions. Ninth, McCormick emphasizes the distinction between moral rightness and moral goodness, which, as Odozor rightly observes, introduces an unacceptable dualism into moral analysis.⁶⁹ Moreover, it neglects the salvific relevance of moral action.

In the concluding chapter of his evaluation of McCormick's work, Odozor points out various potential contributions and deficiencies and concludes generously: "[N]o one can doubt the overall significance of his

⁶⁶ For a discussion of McCormick's treatment of proportionate reason, see Odozor, *McCormick and the Renewal*, 91–118.

⁶⁷ See Christopher R. Kaczor, "Proportionalism and the Pill," *The Thomist* 63 (1999): 269–81, especially 280–81. Kaczor discusses how the conditions of necessity and chronological simultaneity "exclude the most common motives for using contraception, including financial stability, family harmony, and career advancement." Similarly, the "condition of avoiding superfluous evil leads to the elimination of various means of contraception, including the pill." Finally, "the principle that in conflict situations one should choose the lesser of two evils or the greater good leads to the conclusion that one should choose NFP over contraception."

⁶⁸ See Odozor, *McCormick and the Renewal*, 70–73, 160–61.

⁶⁹ *Ibid.*, 70–73.

contribution to the renewal of moral theology in the post-Vatican II Church.”⁷⁰ Whatever legitimate contributions he may have made, however, it seems clear that McCormick’s work does not exemplify the biblical renewal envisioned by the Council, and has major philosophical and theological deficiencies; thus, it contributes at least as much to the post-conciliar crisis in moral theology as to an authentic renewal.

Although we cannot discuss other revisionists in the present context, for our purposes, those treated above are representative of the strengths and weaknesses of their generation.

4. *Biblical Renewal in the Basic Goods Theory*

The most prominent alternative to revisionism in the post-conciliar era has been the “basic goods theory” (BGT) associated especially with Germain Grisez, John Finnis, and Joseph Boyle. Building upon Grisez’s early work in distinguishing logic from metaphysics and technique, the BGT proceeds from a distinction between four rational orders: the moral order, and those of nature, logic, and technique.⁷¹ Whereas nature or metaphysics were emphasized as the standard for morality in typical neo-Thomistic accounts, the BGT reformulation of Thomistic natural law theory emphasizes reasoning according to principles of the moral order, which are distinguished sharply from those of metaphysics and nature.

This basic goods theory has been advanced through both theological and philosophical works. On the theological side, the primary exposition is Germain Grisez’s *Christian Moral Principles (CMP)*, the first installment of his *The Way of the Lord Jesus*.⁷² In general, the BGT seeks to provide a

⁷⁰ Odozor discusses the primary contributions under the headings of “retrieving the critical component of moral theology,” “entering into critical dialogue with culture,” “acceleration of theological dialogue,” “the rediscovery of casuistry,” “methodology” and “theology.” See his *McCormick and the Renewal*, 163–80.

⁷¹ The best starting place for understanding the basic goods theory is Germain Grisez and Joseph M. Boyle, “Response to Our Critics and Collaborators,” in *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*, ed. Robert P. George (Washington, DC: Georgetown University Press, 1998), 213–37. On distinguishing these four orders, see 213–14.

⁷² Germain Gabriel Grisez, *The Way of the Lord Jesus*, vol. 1, *Christian Moral Principles*, (Chicago: Franciscan Herald Press, 1983). See the work of William E. May, such as his *An Introduction to Moral Theology*, 2nd ed. (Huntington, IN: Our Sunday Visitor, 2003). Besides, on the favorable side, Robert George, *Natural Law and Moral Inquiry*, some of the major secondary literature on this school includes Russell Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame, IN: University of Notre Dame Press, 1989), and Nigel Biggar and Rufus Black, *The Revival of Natural Law: Philosophical, Theological, and Ethical Responses to the Finnis-Grisez School* (Aldershot, England: Ashgate, 2000).

contemporary development of the Catholic and Thomistic tradition that meets the needs of the post-conciliar era. Because of the crisis created by the widespread adoption of revisionist methodologies, *CMP* rightly gives considerable attention to the challenge of defending Catholic moral doctrine and refuting those who seek to undermine it. In various ways, it succeeds in providing a serious alternative to revisionism in the years preceding *Veritatis Splendor*. For example, it not only provides a more coherent framework for the analysis of human acts, but also offers a powerful critique of proportionalist moral theory.

Christian Moral Principles also seeks to respond to the call for a biblical renewal of moral theology through extensive reference to Scripture, as can be seen through a review of the index. But how well does it meet the need for the biblical renewal of moral theology called for by the Council, and presumably still needed by the Church of our day? Perhaps the best way to answer this question would be to evaluate questions such as the following: (1) whether it utilizes the best available moral philosophy; (2) whether the theological approach it employs is considered sufficiently credible to support fruitful dialog with scholars from outside the school itself; and similarly (3) whether its utilization of Scripture is considered sufficiently credible to support fruitful dialogue with the broader intellectual community. While a careful evaluation of each of these questions is beyond the scope of the present discussion, I will offer some preliminary remarks to encourage further study.

Comments on the Moral Philosophy of the BGT

Considering first the moral philosophy of the basic goods theory, I would argue that it has made an important contribution in a difficult historical context and deserves serious ongoing attention. As noted above, the BGT's analysis of the moral act remains a significant contribution,⁷³ and the massive body of work produced by these scholars contains many others. Beyond this, much depends on whether one accepts Grisez's strong distinction between the four orders, and his judgment that a careful definition and exposition of the virtues is not important to moral philosophy and theology.⁷⁴

Although this is not the place for a lengthy treatment, I would agree that the distinctive character of practical reasoning had been neglected in many Thomistic interpretations, and the focus placed on the moral order

⁷³ For a discussion of how this compares to some other Thomistic interpretations, see my "Martin Rhonheimer's Natural Law and Practical Reason," *Sapientia* 56 (2002): 538–44.

⁷⁴ See Grisez and Boyle, "Response," 218, 235–36.

by the BGT has helped stimulate further clarification.⁷⁵ But I would also argue that this must be done in a way that does not lead readers to conclude that the BGT holds nature and metaphysics to be irrelevant to moral norms. I would argue that the real challenge for contemporary Thomists is not to emphasize a metaphysical thesis about the irreducibility of the moral order to other orders, but to articulate the relationship between (1) God's eternal wisdom; (2) the created order and especially human nature understood through a development of classical metaphysics in dialogue with modern science; (3) right practical reason within the distinctively "moral order" of practical reasoning; (4) the normative content of the Catholic moral tradition as articulated by the teaching office of the Church; and (5) growth in virtue.⁷⁶

The great emphasis that the basic goods theory places on the distinctiveness of the moral order from that of nature is the apparent cause of some perceived weaknesses in the system. For example, whereas Aquinas can discuss how moral choices and corresponding external actions shape our capacities and help us to develop virtuous or vicious dispositions, Grisez writes that our choices "endure," without reference to an anthropological theory of powers, faculties, and virtues, leaving many readers perplexed as to what this might mean.

Moreover, a moral system that gives such prominence to self-evident principles, self-evident human goods, deductive reasoning, and rational argumentation is not congenial to the postmodern philosophical and cultural climate. This emphasis upon self-evident principles and rational argumentation reflects the confidence in reason that characterized Enlightenment thought and can still be seen in analytic philosophy, but can no longer be assumed. For example, it reflects a strong tension with the thought of scholars like Alasdair MacIntyre who, taking account of Nietzschean and Genealogical critiques, emphasize that traditions of moral reasoning are dependent on various presuppositions, practices, and communal context. Given these features, the BGT appears to be optimized for a rational defense against moral revision, which was especially

⁷⁵ This distinction has been recognized as reflecting the authentic thought of Aquinas by various scholars, including Wolfgang Kluxen, *Philosophische Ethik bei Thomas von Aquin* (Hamburg: Meiner, 1980), 21–71, Livio Melina, "The 'Truth about the Good': Practical Reason, Philosophical Ethics, and Moral Theology," *Communio* 26 (1999): 644–46, and Martin Rhonheimer, *Natural Law and Practical Reason: A Thomist View of Moral Autonomy*, trans. Gerald Malsbary (New York: Fordham University Press, 2000).

⁷⁶ I argue that alternative interpretations of Aquinas, such as that of Martin Rhonheimer, better meet these needs in my previously mentioned "Rhonheimer's *Natural Law and Practical Reason*."

important before *Veritatis Splendor*, and retains a certain value. However, our primary need today is a moral theology that is developed explicitly for an age of evangelization, which will be more organically biblical and Christocentric, as I will argue below.

Comments on the Methodological Approach of the BGT

Regarding the basic methodological or theological approach, it seems that the basic goods theory was developed when the primary options were retaining a strong continuity with neo-scholasticism or adopting transcendental Thomism, especially in the Rahnerian forms that I have argued are inclined toward doctrinal and moral revision. Given these options, the BGT sticks closer to the former path, with an emphasis on deductive principles, propositional revelation, and the Magisterium as a primary source of true propositions, while most revisionists take the latter.⁷⁷ If one were to develop a fundamental moral theology today with the potential for a broad range of fruitful dialogue, while retaining the ability to defend truth claims, several options appear especially promising. These would include the contemporary emphasis on more historically informed, theological, and biblical readings of Aquinas, with an openness to insights from the *ressourcement* theology of de Lubac and von Balthasar, and from more moderate forms of critical and transcendental thought that are better able than Rahnerianism to affirm the truth-bearing capacity of traditional doctrinal and moral formulations.

Scripture in the Basic Goods Theory

Next, we will offer a few summary comments regarding the use of Scripture in the basic goods theory. Although Grisez does support his work with some reference to contemporary biblical studies, *Christian Moral Principles* primarily seeks to employ Scripture as the Church has traditionally done in its official teachings, such as the documents of Vatican II. This should not be dismissed as mere proof-texting, as it can be defended through phenomenology,⁷⁸ although it could still benefit from further recourse to the best

⁷⁷ Although Aquinas does write that *Sacra Doctrina* is a science (ST I, q. 1, a. 2), he also writes that it is most especially called wisdom (ST I, q. 1, a. 6, *est maxime sapientia*). However, the place of “scientific” deduction from principles gains a new prominence in the tradition as it develops under the pressure of modern philosophy and enlightenment rationalism, often at the cost of the sense of mystery that pervades patristic thought. Thus, although there is a place for principles and conclusions within theological and especially moral reflection, one must retain a place for mystery, wisdom, intuition, connaturality, spiritual gifts, etc.

⁷⁸ See Robert Sokolowski, *Eucharistic Presence: A Study in the Theology of Disclosure* (Washington, DC: Catholic University of America Press, 1994), chapters 11 and 13.

contemporary exegesis.⁷⁹ *Christian Moral Principles* gives priority both to Matthew's gospel, reflecting its prominence in Catholic liturgy between Trent and the *novus ordo* of Paul VI. Within Matthew, it emphasizes the Sermon on the Mount, which mediates the authoritative teaching of Jesus about an interior righteousness and holiness that includes, but surpasses, the exterior righteousness of the Old Testament.

In emphasizing Matthew's gospel and reading the Scriptures in a traditional, non-critical manner, *Christian Moral Principles* does not attempt the more comprehensive and systematic biblical grounding that Grisez admits would be ideal.⁸⁰ This choice reflects his judgment that the state of Catholic biblical studies was not able to support such a project because scholars had yet to fulfill Vatican II's mandate for interpreting the Bible.⁸¹ Following the propositional understanding of revelation he finds in *Dei Verbum* no. 11—though not giving sufficient attention to the broader theology of revelation in the document—Grisez discusses the development of a more adequate biblical foundation for moral theology in terms of determining which propositions the sacred writers assert in the Scriptures. Of course, an important part of the task of evaluating moral norms is determining which propositions were asserted in Scripture, and in the broader Tradition. However, I would also emphasize the need for a much broader biblical foundation than propositional assertions, which Grisez also attempts to provide.

Thus, Grisez explains the moral implications of New Testament revelation in terms of cooperating with Jesus and imitating his exemplification of the Beatitudes through a personal vocation to share in his redemptive work. In this distinctively Christian way of life, the "modes of responsibility" corresponding to the Basic Human Goods are transformed by charity into the "modes of Christian response," which Grisez attempts to align with the Beatitudes. Although, many readers find his attempt to reconcile the Beatitudes with the Basic Human Goods unsatisfactory, Matthew does present Jesus as exemplifying them,⁸² and this does need to be integrated with an account of how Christians share in the mission of Jesus.

⁷⁹ See Grisez, *Christian Moral Principles*, 24. For a critical discussion of the use of Scripture in the BGT, see Salzman, *Catholic Ethical Method*, 87–96. See Benedict Ashley, "The Scriptural Basis of Grisez's Revision of Moral Theology," in Robert P. George, *Natural Law and Moral Inquiry*, 36–49, and Grisez and Boyle, "A Response to our Critics and Collaborators," esp. 232–36.

⁸⁰ See Grisez and Boyle, "A Response to our Critics," 232–33.

⁸¹ *Ibid.*, 233–34.

⁸² See Frank J. Matera, *New Testament Ethics: The Legacies of Jesus and Paul* (Louisville, KY: Westminster John Knox Press, 1996), 53.

Moreover, Grisez's broader treatment deserves more scholarly analysis than it has received to date. But, since a comprehensive treatment is not possible in the present context, I will limit my critical comments to one area, namely Grisez's claim that "virtue ethics is a singularly unpromising framework for a renewed moral theology nourished by sacred Scripture."⁸³ This assertion is in tension with both much of the tradition and more recent studies, which are rediscovering the fecundity of a virtue-oriented approach to Christian ethics.⁸⁴ To be sure, Grisez does not deny that the moral virtues are essential for a morally good life. However, he emphasizes how they are transformed in Jesus, and gives little attention to defining or providing an exposition of them, because he sees no evidence that such efforts help people to be good and holy.⁸⁵ Grisez is correct to insist that a renewed moral theology needs to give much more attention to the Christological dimension of the virtues than we see in the Thomistic tradition, but he has underestimated the importance of a careful definition and exposition of them.⁸⁶ Of course, a more intuitive grasp of prudence can be gained to some degree through experience and example. But given that all Christians are called to holiness, that this holiness is defined in terms of the practice of heroic virtue, that Catholics in modern societies receive a relatively high level of education, that it is not so difficult to understand the virtues, and given the widespread revival of virtue ethics, a strong case can be made that moral theology needs to include a more thorough treatment of the virtues than Grisez allows.

As noted above, critics of the biblical foundations of the basic goods theory also point to the way the philosophical nucleus of *Christian Moral*

⁸³ Grisez and Boyle, "A Response to our Critics," 236.

⁸⁴ On the Old Testament, see for example William P. Brown, *Character in Crisis: A Fresh Approach to the Wisdom Literature of the Old Testament* (Grand Rapids, MI: Eerdmans, 1996). On the New Testament, see among others Joseph J. Kotva, *The Christian Case for Virtue Ethics, Moral Traditions & Moral Arguments* (Washington, DC: Georgetown University Press, 1996), and Daniel J. Harrington and James F. Keenan, *Jesus and Virtue Ethics: Building Bridges Between New Testament Studies and Moral Theology* (Lanham, MD: Sheed & Ward, 2002).

⁸⁵ Grisez and Boyle, "A Response to our Critics," 235.

⁸⁶ I would argue, for example, that in developing the capacity to act prudently, it is quite helpful to know the "integral parts" of the virtue, such as *understanding* of moral principles, *knowledge* of how to apply them, *memory* of past experience, the disposition to seek and take *counsel*, the *astuteness* to make quick decisions when necessary, along with the *foresight* and *circumspection* to take account of the proximate implications of a given action. Similar arguments could be offered regarding the definition and parts of justice, charity, or other virtues. As rational animals, we benefit from a reasoned account of the character traits that contribute to our flourishing.

Principles, the basic goods, is correlated with the Beatitudes.⁸⁷ In particular, the Beatitudes are presented as “modes of Christian response” that complete the moral order embodied in the basic goods. To those who approach the theory, and who may already be struggling with the claim that the basic goods are self-evident, this appears as a forced fit, with Scripture “added on” afterward to a philosophical theory, a pattern repeated in the very structure of the work. Grisez responds first that the basic goods themselves were formulated to correspond to the Beatitudes. Moreover, he argues further that chapters 13 through 34 of his *CMP* seek to “root his moral theology firmly and profoundly in Scripture, not so much by the many Scripture texts he quotes or cites, or by his references to Scripture scholars, but by his drawing the implications for Christian life from all the central truths of faith, which are themselves rooted in Scripture.”⁸⁸ However, even though these later chapters of *Christian Moral Principles* are more biblical, the more philosophical flavor of the first 300 pages leaves readers with the impression that Scripture is largely an afterthought.⁸⁹ Moreover, the revisionist Todd Salzman charges, not surprisingly, that *Christian Moral Principles* approach to Scripture is also characterized by the citation of particular texts based on their ability to illustrate moral teachings of the Church, implying proof-texting and a lack of critical rigor.⁹⁰

I would draw the following conclusions following this three-part preliminary study of the basic goods theory. First, although it provides a much-needed defense of traditional morality and has made important contributions in areas such as the analysis of moral action, which make it a useful source for further study, the underlying moral philosophy is skewed by a concern to defend a metaphysical theory that traces to Grisez’s work in logic. This, along with other characteristics, makes it less promising than contemporary Thomistic alternatives.⁹¹ Second, the basic

⁸⁷ See Ashley, “The Scriptural Basis,” 36–49, and Salzman, *Catholic Ethical Method*, 87–96.

⁸⁸ Grisez and Boyle, “A Response to our Critics,” 234.

⁸⁹ For example, the largely philosophical topics treated in the first 300 pages of *Christian Moral Principles* include choice and self-determination, conscience, moral principles, the basic human goods, a critique of proportionalism, the natural law and principles of morality, the modes of responsibility, voluntariness, moral norms, laws, and judgments.

⁹⁰ See his *Catholic Ethical Method*, 159–60, n37.

⁹¹ Indeed, John Finnis now tries to present himself more as an interpreter of Aquinas than as a follower of the new Grisez school. See his *Aquinas: Moral, Political, and Legal Theory, Founders of Modern Political and Social Thought* (Oxford; New York: Oxford University Press, 1998). However, more traditional Thomists argue

theological approach is isolated from the most promising streams of contemporary theology. Third, although the approach to Scripture has some merit, it was always considered an interim measure, it includes major elements that are not convincing, and it is too focused on propositional assertions.

Unfortunately, the present context does not allow for an adequate discussion of the beginnings of a Thomistic renewal before *Veritatis Splendor*, which could be seen in the work of philosophers like Alasdair MacIntyre and theologians like Servais Pinckaers and Romanus Cessario.⁹² However, I would argue that, with the publication of *Veritatis Splendor*, there had not yet been an attempt to articulate a fundamental moral theology thoroughly grounded in a sound contemporary reading of the Scripture, drawing upon the best of the contemporary Thomistic renewal, and upholding traditional norms of Christian sexual ethics against the pressures of the sexual revolution.

IV. *Veritatis Splendor* as Stimulus and Exemplar

In this section, we will consider several ways that *Veritatis Splendor* exemplifies a promising path toward an authentic biblical renewal of moral theology as envisioned by the Fathers of the Second Vatican Council.

1. In the Context of John Paul II's Broader Theological Approach

As noted above, John Paul's basic theological approach is best understood as a prudent blending of strengths drawn from two primary schools of thought.⁹³ The first of these we previously characterized, following the work of John McDermott, as "conceptual Thomism," which dominated

he ought to follow Aquinas more closely. See Steven A. Long, "St. Thomas Through the Analytic Looking Glass," *The Thomist* 65 (2001): 259–300.

⁹² In the forthcoming book mentioned above, I hope to discuss the contributions of such thinkers in some detail.

⁹³ Of course, anyone familiar with John Paul's thought knows that he interacted with, and did not hesitate to draw insights from, the widest range of sources. For example, he learned German to read Kant in his original language, and drew from him what he would call "the personalistic norm," to never use a person as a means to an end. Similarly, he wrote his second dissertation on Max Scheler, considering whether his phenomenological ethics of value was adequate to the Catholic moral tradition. Moreover, he interacted extensively with Marxist thought. Indeed, his interaction with various movements in Western and especially continental philosophy was so broad that some readers fail to recognize his deep commitment to Thomistic metaphysical realism. On the other hand, it is just as easy to overlook the ways in which he suggests developments of Thomism, especially his basic shift of emphasis from "nature" to the "person" and "freedom," while still upholding the intelligibility and moral implications of the natural order.

Catholic thought before the Council, and emphasized a metaphysical and epistemological realism that affirmed the ability to grasp the truth of things through conceptual formulations. The second was the *ressourcement* or “back to the sources” movement, especially as integrated with the Thomistic tradition through the recovery of the distinction between *intellectus* and *ratio*.⁹⁴ The retrieval of this synthesis, already embodied in Aquinas’s work, allows contemporary theologians to make wide recourse to the more symbolic language of biblical and patristic sources, while retaining the ability to uphold truth claims of the doctrinal and moral tradition through recourse to Thomas’s metaphysical and epistemological realism.

Although this synthesis is present more implicitly in *Veritatis Splendor*, perhaps the most systematic and explicit example of how John Paul blends these two aspects of Catholic thought can be seen in the encyclical *Fides et Ratio*, where he addresses the relationship between faith and reason, and the corresponding rapport between theology and philosophy. Chapter 1, which functions as the doctrinal core of the encyclical, presents the mysterious and Christocentric character of revelation⁹⁵ and then situates human reason as striving to grasp the intelligibility of this mystery.

Thus, the first half of Chapter 1 is titled “Jesus, Revealer of the Father,” which locates the relationship between faith and reason within the context of a biblically grounded theology of revelation centered in the disclosure of the mystery of God, and his plan of salvation as it has been made manifest in the person and work of Jesus Christ.⁹⁶ In this all-encompassing theological perspective, the God who is utterly transcendent and mysterious is also luminously intelligible through the cosmos, through his actions in history as mediated to us through the inspired Scriptures, and especially through the person of his Son. The second half of the first chapter is titled “Reason Before the Mystery,” and presents human reason as striving to grasp the infinite intelligibility of this reality, whether through its natural capacities, or with the benefit of the light of faith. Philosophy, like the other human disciplines, is understood to pursue knowledge according to its proper methods, while theology studies God and all things in relation to Him, according to its own distinctive approach,

⁹⁴ This allows John Paul II to take a middle position regarding concepts, allowing true access to the thing known while avoiding the extremes of reification and nominalism.

⁹⁵ For a more detailed discussion of this situating of faith and reason within the context of a Christocentric theology of revelation, see my “Revelation in *Fides et Ratio*,” *Josephinum Journal of Theology* 8 (2001): 74–89. See Avery Dulles, “Can Philosophy Be Christian,” *First Things* 102 (2000): 24–29.

⁹⁶ This paragraph is adapted slightly from pp. 276–77 of my “Postcritical Recovery.”

which proceeds by the light of faith, and with special priority given to the biblical revelation. This two-part structure of (1) the intelligible mystery of God and the divine plan of salvation, and (2) human reason that seeks to comprehend it, provides an epistemological framework within which we can understand how God reveals through the Scriptures as read in the Church, while recognizing that many things are known in a way that is tacit, intuitive, or implicit, and therefore imperfect.

Both those aligned with *ressourcement* theology and those who identify themselves as Thomists will recognize that this two-part structure corresponds to Aquinas's basic distinction between *intellectus* and *ratio*, which as discussed above, provides the basic framework for further reflection on the dynamic orientation of the intellect toward the fullness of truth. Later, the encyclical presents Aquinas as a prime example of one who has successfully integrated faith and reason (nos. 43–44), and also points toward a recovery of key elements central to Thomistic thought such as a sapiential view of reality (no. 81) and epistemological realism (no. 82). It also emphasizes the importance of metaphysics (no. 83), albeit one that gives new prominence to the metaphysics of the person, reflecting John Paul's prioritization of person over nature. Such an approach, remaining open to insights from more recent thought, has great and largely untapped potential for the biblical renewal of moral theology.

2. Biblical and Christocentric Priorities of the Encyclical

Although limited by its genre as an encyclical, and therefore vulnerable to critique as insufficiently historical and critical in its use of Scripture, *Veritatis Splendor* encourages a biblical renewal of moral theology in several ways: through the evangelical theme of "the encounter with Christ," as expressed in the dialog with the rich young man; through the structure of the encyclical, which locates the technical matter of chapter 2 in a rich biblical setting; and through a broad sampling of key New Testament themes, which encourages moral theologians to draw deeply from the wellspring of Scripture.

First, the emphasis on the theme of "the encounter with Christ" relocates morality within the context of evangelization. Although a preoccupation with historical and literary questions can lead one to overlook the role of the inspired texts in mediating such an encounter with the risen Christ, this is a legitimate though neglected use of the text,⁹⁷ and its location at the beginning of this moral teaching sets an important example

⁹⁷ See, for example, Luke Timothy Johnson, *Living Jesus: Learning the Heart of the Gospel* (San Francisco: HarperSanFrancisco, 1999).

for future moral teaching in a postmodern age of evangelization. Moral theologians looking to build on this example will find ample resources in contemporary New Testament studies, in the tradition of *lectio divina* and the moral sense of scripture,⁹⁸ and in the spiritual thought of the great theologians like Aquinas.⁹⁹ Moreover, a recovery of the notion of the mysteries of the life of Christ,¹⁰⁰ especially as mediated through the liturgical year, will make the liturgy of the word within the Eucharistic liturgy the privileged place for a regular encounter with Christ and ongoing evangelization.

Second, the overall structure of the encyclical signals the priority of Scripture in the moral life, with the opening and closing chapters aptly situating a distinctively Christian morality within the envelope of a broader biblical and Christocentric spirituality.¹⁰¹ Following the introduction, this structure begins with the encounter with Christ in the first chapter and concludes with an exhortation to the fullness of Christian life in the third. The reader will quickly recognize the sharp contrast between utilizing moral philosophy to address technical matters within this evangelical and biblical framework, and an alternative approach that follows a lengthy philosophical prologue with a biblical reflection meant to complete it. Surprisingly, apart from some less ambitious efforts, such as those of Carlo Caffarra,¹⁰² the exemplar for a biblical presentation of Catholic moral theology life remains the pre-conciliar work of Bernard Häring discussed earlier.

Third, the encyclical encourages a biblical renewal of moral theology through a rich survey of the central themes of New Testament spirituality

⁹⁸ See, for example, my "Henri de Lubac's Mystical Tropology," *Communio* 27 (2000): 171–201.

⁹⁹ See, for example, Jean-Pierre Torrell, *Saint Thomas Aquinas: Volume II—Spiritual Master*, trans. Robert Royal (Washington, DC: Catholic University of America Press, 2003).

¹⁰⁰ See, for example, Jean-Pierre Torrell, *Le Christ en ses mystères: la vie et l'oeuvre de Jésus selon saint Thomas d'Aquin* (Paris: Desclée, 1999). Recall also, the classic work by Don Columba Marmion, *Christ in His Mysteries*, trans. Mother M. St. Thomas (London: Sands & Co., 1939).

¹⁰¹ This broader NT spirituality could be conceived, for example, in terms of the Pauline language of living "in Christ," the Johannine language of living in Christ the vine (Jn 15) or "abiding in God" (1 Jn), or the synoptic notion of living in light of the inbreaking Kingdom of God. More precisely, this kingdom is present fully in Jesus's preaching, teaching, and healing; present in a hidden way in the hard-hearted disciples who are only beginning to believe; and will be present fully when Jesus returns.

¹⁰² Carlo Caffarra, *Living in Christ: Fundamental Principles of Catholic Moral Teaching: A Brief Exposition of Catholic Doctrine* (San Francisco: Ignatius Press, 1987).

and morality, especially in the first chapter, but also throughout the document. For example, the introduction presents the existential situation of man, wounded by original sin, with a darkened intellect and disordered appetites, and vulnerable to a distorted understanding of freedom that is separated from the truth. It proclaims that, though wounded by sin, we do not lose our dignity as the image of God, but retain an inclination to know the ultimate truth about human life, the truth about fundamental questions, and the truth about particular moral questions (no. 1).

Building on this introduction, the first chapter presents a survey of key New Testament themes. For example, it teaches that natural law is available to human reason through reflection on the created world, and that the promised new covenant is fulfilled in Christ and his kingdom (no. 12). In this kingdom, the commandments of the Old Law find their place as pedagogy on the path toward true human freedom (no. 13), and are summarized in the twofold command to love God and neighbor (no. 14). Throughout his Sermon on Mount, Jesus gives the authoritative interpretation of God's law (no. 15) and calls us to the perfection of holiness (nos. 16–18). This is achieved by accepting his invitation to discipleship, by imitating him, and by being conformed to him (19–21). The first chapter also emphasizes that all things are possible through the grace of God (nos. 22–24). This implies that even difficult moral teachings, like those that inspired the post-conciliar debate on contraception and broader questions of sexual ethics, are indeed practicable as an integral part of a life oriented toward holiness, because of the ongoing presence of Christ through his Spirit (nos. 25–27).

Through this rich sampling of NT themes, the encyclical suggests a promising but widely neglected approach for a moral theology at the service of the new evangelization.

A Creative Retrieval of Thomism in Support of Moral Tradition

Whereas the first and third chapters of the encyclical reiterate the basic contours of the Christian life through a judicious but ample selection of biblical texts, the burden of the second chapter is to respond to the various challenges presented by revisionist moral theology. Thus, biblical references, while still present and operative, yield the heavy lifting to more philosophical argumentation, drawn from the Thomistic tradition. This chapter is divided into four major subsections, each addressing a central deficiency of revisionist moral theology.

The first and longest section addresses the topic of freedom and its relation to moral law. It focuses on the fundamental problem of a widespread understanding of freedom as absolute and autonomous, and therefore directly opposed to the biblical notion that an objective moral law

appropriately regulates human action. This Promethean notion of moral freedom can be traced to the late medieval nominalism of William of Ockham and his “freedom of indifference,” which has exercised a wide influence in the West, especially as reinforced by Luther’s unfortunate and unbiblical dichotomy between faith and works.¹⁰³ Of course, this “freedom of indifference” is quite different from the Christian freedom Paul presents in Galatians chapter 5, or that promised to those who receive the truth revealed by Jesus (Jn 8:32).

In response to a freedom that would claim autonomy from the truth of moral law, the encyclical distinguishes a “rightful autonomy,” which is better described as a “participated theonomy” that includes the acceptance of God’s law. This divine moral law is available to us through both revelation and human reason, which is able to grasp the natural law through its participation in divine wisdom and Providence. The encyclical recalls how the existence of the natural law, especially as articulated by Aquinas, has long been affirmed by the Church and utilized in ecclesial documents. It concludes by responding to various revisionist strategies designed to undermine the normative force of natural law and advance a notion of freedom incompatible with Scripture and Tradition.¹⁰⁴

Moral theologians wishing to address more fully the question of freedom and law can follow John Paul II in drawing on the riches of the Thomistic tradition. For example, Servais Pinckaers describes how Aquinas provides an account of this “moral or personal freedom” that is adequate to biblical revelation. This can be described as a “freedom for excellence,” which is achieved through a formation in truth and virtue under the movement of Grace. It presents this moral or personal freedom, which is not merely the freedom to choose, but the freedom to perform excellent actions, and do them promptly, easily, and joyfully. It does so by taking into account the role of the *intellect* in grasping moral truth, of the *inclinations* in inclining persons toward perceived goods, and of the way that virtuous or vicious dispositions condition our moral freedom.

The second section addresses the confusion that has arisen in post-conciliar moral theology around the notion of conscience. This confusion

¹⁰³ On this, see my “Towards A Narrative of Truth and Freedom,” *Logos* 12 (2002): 65–98. On antinomianism that follows from Luther, see Reinhard Hüter, “(Re-) Forming Freedom: Reflections ‘After *Veritatis Splendor*’ on Freedom’s Fate in Modernity and Protestantism’s Antinomian Captivity,” *Modern Theology* 17 (2001): 117–61.

¹⁰⁴ Tragically for Western culture, Ockham and his followers have confused the basic freedom to choose, which is characteristic of *the will*, with a moral freedom at the level of *the person*.

arises for several reasons: because the theological and philosophical tradition includes several loosely defined and often overlapping notions of conscience; because the Thomistic tradition, where conscience is defined more precisely within a comprehensive moral philosophy, was poorly understood and in the process of being abandoned; because of the increasing contemporary reference to the inviolability of conscience; and because Catholic moralists of this era were often looking for ways to justify a position they had adopted based upon largely experiential claims, to allow for contraception and other violations of traditional sexual ethics.

Therefore, this section of the encyclical can be read as both a general appeal to, and acknowledgment of, a loosely defined notion of conscience that is part of both the tradition and common vocabulary, and a clarification of confusion in moral theology by reference to a narrow and precisely defined notion. It therefore recognizes the practical reality that speaking about conscience in the contemporary context involves appealing to something familiar but not well understood, and then backing this up with a coherent account that is part of a broader moral philosophy. Once again the encyclical relies upon the Thomistic tradition, by presenting a very limited notion of conscience as a judgment of reason about the moral quality of an action, whether antecedent or consequent. This allows for a more comprehensive moral theory—including an underlying metaphysics, anthropology, theory of cognition, and an account of natural law and the virtues—to complement an account of conscience in a way that upholds the moral tradition.

In a crucial text, no. 64 of the encyclical indicates the ongoing value of the Thomistic tradition in this regard as a useful tool in the service of biblical revelation:

In the same vein, St. Paul exhorts us not to be conformed to the mentality of this world, but to be transformed by the renewal of our mind (cf. Rom 12:2). It is the “heart” converted to the Lord and to the love of what is good that is really the source of true judgments of conscience. Indeed, in order to “prove what is the will of God, what is good and acceptable and perfect” (Rom 12:2), knowledge of God’s law in general is certainly necessary, but it is not sufficient: what is essential is a sort of “*connaturality*” between man and the true good. (110).¹⁰⁵ Such a connaturality is rooted in and develops through the virtuous attitudes of the individual himself: prudence and the other cardinal virtues, and even before these the theological virtues of faith, hope and charity. This is the meaning of Jesus’ saying: “He who does what is true comes to the light” (Jn 3:21).

¹⁰⁵ Footnote 110 of the encyclical refers to *ST* II–II, q. 45, a. 2.

The third section addresses the problems resulting from the widespread acceptance of a Rahnerian account of the transcendental fundamental option. It acknowledges that some choices do “‘shape’ a person’s entire moral life” (no. 65), but insists that our overall choice for or against God is reflected in, and can be revised through, the performance of particular acts. Thus, it rejects the exaggerated separation between the transcendental choice for God and particular acts, and insists, with Scripture and Tradition, that some acts are mortal sins, which disrupt our graced union with God and place us in danger of eternal loss. Following the biblical and evangelical character of the entire document, it includes two long paragraphs that emphasize the fundamental choice to respond to God in faith, and to Jesus’ call to discipleship, true freedom, and the perfection to which God has foreordained us in Christ.

The fourth section addresses the somewhat technical topic of the moral evaluation of the human act, which lies at the heart of the post-conciliar debate. In summary, it rejects the proportionalist strategy of redescribing human acts in terms of their hoped for benefits and insists that the object must be understood properly. It apparently agrees with revisionists that a merely external or physicalist description of an act is insufficient, because it does not take into account the volitional dimension. Thus, the encyclical insists that the object be understood from the perspective of the acting person, which includes a basic level of intentionality, and may also include morally relevant circumstances. The essential point is to uphold the biblical and traditional notion that certain types of acts are intrinsically and therefore always wrong, while recognizing that a proper description of particular acts can be a complex matter.

V. Conclusion

In this essay, I have first offered an explanation for why, although a great deal of valuable work was done, the theological and philosophical context of the post-conciliar generation was not conducive to the successful realization of the call for a biblical renewal of moral theology. Second, in light of this context, I have surveyed the work of leading post-conciliar moral theologians and suggested reasons why these efforts do not yet realize this vital objective. Third, I have presented an interpretation of John Paul II’s basic theological approach as, on the one hand, more open to both *ressourcement* theology and the appropriation of contemporary insights than most of the more traditional forms of Thomism, and on the other hand, better able to uphold traditional doctrinal and moral teachings than extreme forms of transcendentalism. In this context, I have highlighted the central characteristics and themes

of *Veritatis Splendor*, suggesting that it provides a promising, but largely unexplored path toward a biblical renewal of fundamental moral theology along the lines envisioned by the Council Fathers, and badly needed by the Church in its newly rediscovered evangelical mission.¹⁰⁶

¹⁰⁶ Special thanks to Dr. Carmina M. Chapp and Damian Lenshek for reviewing the manuscript, identifying various errors, and suggesting clarifications and improvements. Of course, any remaining deficiencies are my responsibility.