

# NATURAL LAW AND THE BODY: BETWEEN DEDUCTIVISM AND PARALLELISM

• David S. Crawford •

“How are we to understand the famous passage from *Veritatis splendor* telling us that the body is a ‘sign’ and an ‘expression and promise of the gift of self, in conformity with the wise plan of the Creator’?”

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## 1. *Divine reason and natural law*

1. In a recent address to an international congress on natural law, Benedict XVI offered the following reflection:

There is no doubt that we are living in a moment of extraordinary development in the human capacity to decipher the rules and structures of matter, and in the consequent dominion of man over nature. We all see the great advantages of this progress and we see more and more clearly the threat of destruction of nature by what we do.

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

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

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

Yet taking into account the fact that human freedom is always a freedom shared with others, it is clear that the harmony of freedom can be found only in what is common to all: the truth of the human being, the fundamental message of being itself, exactly the *lex naturalis*.<sup>1</sup>

This passage contains some fascinating claims that hinge on the idea of natural law as an expression of being or as “the fundamental message of being itself,” as Benedict puts it. For the pope, then, the structures and forms of being or nature pose obligations. Consider another passage, this time from a writing of Cardinal Ratzinger prior to his election to the papacy:

[T]he Church believes that in the beginning was the Logos and that therefore being itself bears the language of the Logos—not just mathematical, but also aesthetical and moral reason. This is what is meant when the Church insists that “nature” has a moral expression. No one is saying that biologism should become the standard of man. That viewpoint has been recommended only by some behavioral scientists.<sup>2</sup>

The context of this second passage is once again a discussion of the foundations of morality, this time in relation to conscience. Ratzinger’s concern here is to call attention to what he calls the “ontological” origin of “conscience” in *anamnesis*, a concept which he favors

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<sup>1</sup>Benedict XVI, “The Only Valid Bulwark Against Arbitrary Power,” address to the participants of the International Congress on Natural Law, organized by the Pontifical Lateran University of Rome (22 February 2007), available online at <http://www.zenit.org/article-18989?l=english>.

<sup>2</sup>Joseph Ratzinger, “Bishops, Theologians, and Morality,” in *On Conscience* (The National Catholic Bioethics Center/Ignatius Press, 2007), 67.

as clearer and more philosophically robust than the traditional scholastic term, *synderesis*.<sup>3</sup>

Note how in the context of this discussion, as in the papal address cited at the beginning of this article, Ratzinger makes reference back to the good and the true as transcendentals of being:

This means that the first so-called ontological level of the phenomenon of conscience consists in the fact that something like an original memory of the good and true (they are identical) has been implanted in us, that there is an inner ontological tendency within man, who is created in the likeness of God, toward the divine.<sup>4</sup>

In a similar vein, Ratzinger also makes reference to what he calls a “language of being”: “In the last analysis, the language of being, the language of nature, is identical with the language of conscience.”<sup>5</sup>

Finally, we should consider an even earlier text by Ratzinger, this time from his *Introduction to Christianity*:

For the ancient world and the middle ages, being itself is true, in other words, apprehensible, because God, pure intellect, made it, and he made it by thinking it. To the creative original spirit, the Creator Spiritus, thinking and making are one and the same thing. His thinking is a creative process. Things are, because they are thought. In the ancient and medieval view all being is therefore what has been thought, the thought of the absolute spirit. Conversely, this means that since all being is thought, all being is meaningful, “*logos*,” truth. It follows from this traditional view that human thinking is the re-thinking of being itself, re-thinking of the thought which is being itself. Man can re-think the *logos*, the meaning of being, because his own *logos*, his own reason, is *logos* in the one *logos*, thought of the original thought, of the creative spirit that permeates and governs his being.<sup>6</sup>

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<sup>3</sup>Joseph Ratzinger, “Conscience and Truth,” in *On Conscience*, 30ff.

<sup>4</sup>*Ibid.*, 32.

<sup>5</sup>Ratzinger, “Bishops, Theologians, and Morality,” 67.

<sup>6</sup>Ratzinger, *Introduction to Christianity*, trans. J. R. Foster (San Francisco: Ignatius Press, 1990, orig. German, 1968), 31–32. The reference to the “technical world” concerns the rest of the discussion in this section of the book. There Ratzinger recalls the movement of reason from its sapiential and contemplative character in the ancient world and in the middle ages to the technical and instrumental reason characteristic of modernity. This movement is also crucial for our understanding

While the context of this last passage is not a discussion of the foundations of natural law or conscience, it nevertheless suggests the conceptual background of Ratzinger/Benedict's later statements addressing precisely those foundations. Because all thinking is really a rethinking or a memory of being (Being), the ontological roots of moral thought are also a kind of re-thinking. They are a memory—*anamnesis*—of the good, because the true—the *logos* of being—is also, as Ratzinger tells us, identical with the good.<sup>7</sup>

The importance Benedict/Ratzinger attaches to recuperating this “memory” or moral message can be seen in his emphatic statement that “[t]he Church would betray, not only her own message, but the destiny of humanity if she were to renounce the guardianship of being and its moral message.”<sup>8</sup>

2. Now, my reason for beginning with these quotations is that they seem to point not simply to a necessary reading of a moral language written in nature or being that is binding on practical reason once we have discovered it, which by itself would imply what many would dismiss as “rationalistic deductivism.” Rather, they point to a kind of irreducible “knowledge” that conditions ethical reasoning from its beginning.

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of the intelligibility of natural law to the modern outlook. While discussion of natural law has not disappeared in the modern, liberal setting of the West, its defense often begins to take on some of the characteristics of the technical and productive understanding of reason that mark this setting. As such, it also tends to emphasize reason's own generation of its object. In other words, the very framework for moral thought today inclines it toward seeing the truly human in terms of what is produced by the intelligence or consciousness of the acting subject, in accordance with the modern tendency to see the rational or truth as that which can be produced: “*Venum quia faciendum*” (*Introduction to Christianity*, 35; cf. also Hans Jonas, *The Phenomenon of Life: Toward a Philosophical Biology* [Evanston, Ill.: Northwest University Press, 2001], 188 et seq.). This identification of truth and the fully human with what is produced or can be produced can be seen as an influence within Catholic moral theology, I would argue, in such movements as proportionalism, according to which moral evaluation is given to human action (its being “true” or “truly human”) based on its results in terms of outcomes of action, taking into account a calculation of premoral goods and evils. But perhaps there is also an echo of this tendency in ethical theories that focus on the rational construction of the good or that tend toward seeing action almost exclusively in terms of intentionality.

<sup>7</sup>Ratzinger, “Conscience and Truth,” 32.

<sup>8</sup>Ratzinger, “Bishops, Theologians, and Morality,” 67–68.

In other words, it does not seem that Benedict is saying that we only need to do a little metaphysics in order to see the natural law or that we can simply deduce natural law conclusions from metaphysical knowledge. Indeed, he warns specifically that this knowledge is not a store of formulated ethical judgments. Rather,

[I]t is, so to speak, an inner sense, a capacity to recall, so that the one whom it addresses, if he is not turned in on himself, hears an echo within. He sees: That's it! That is what my nature points to and seeks.<sup>9</sup>

At the same time, this anamnestic knowledge, while not a deduction from metaphysics, does include a cognition of primitive structures, of the “*logos*” or “*ratio*” of creation. Thus, Benedict would seem to be saying—in contradistinction to much current moral theology and indeed modern ethics in general—that there is an original knowledge of origins, and therefore a knowledge of being (and the good), which enfolds practical reasoning and the inclinations—yet without being the sort of deduction from metaphysics with which pre-conciliar “manualism” is often reproached. We might put it this way: the first principle of practical reason—*bonum est faciendum et prosequendum et malum vitandum*—looks not only forward to the fulfillment of human aspiration, but also, so to speak, “backward” to origins and their deep structures in order to see the inherent order and meaning of those aspirations.

The novelty of the approach to ethics carried in Benedict’s reflections, then, lies in the simultaneously “forward” and “backward” directed gaze of the primordial ethical experience. Now I also want to call to mind, in this light, a famous passage from *Veritatis splendor*:

*it is in the unity of body and soul that the person is the subject of his own moral acts. The person, by the light of reason and the support of virtue, discovers in the body the anticipatory signs, the expression and promise of the gift of self, in conformity with the wise plan of the Creator.*<sup>10</sup>

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<sup>9</sup>Ibid.

<sup>10</sup>*Veritatis splendor*, 48 (emphasis original).

As this passage makes plain, the body, as part of the unity of the composite person (as *corpore et anima unus*), is also part of the moral subject as such. Moreover, it both “anticipates” as a “sign” and as an “expression of the gift of self” and also recognizes in this anticipation and expression the wise plan or order given to it by the Creator from the beginning. We find something similar in John Paul’s earlier development of the idea of the “sacramental” meaning of the body:

Thus . . . a primordial *sacrament* is constituted, understood as a *sign that efficaciously transmits in the visible world the invisible mystery hidden in God from eternity*. And this is the mystery of Truth and Love, the mystery of divine life, in which man really participates. . . . The sacrament, as a visible sign, is constituted with man, inasmuch as he is a “body,” through his “visible” masculinity and femininity. The body, in fact, and only the body, is capable of making visible what is invisible: the spiritual and the divine. It has been created to transfer into the visible reality of the world the mystery hidden from eternity in God, and thus to be a sign of it.

In man, created in the image of God, the very sacramentality of creation, the sacramentality of the world, was thus in some way revealed. In fact, through his bodiliness, his masculinity and femininity, man becomes a visible sign of the economy of Truth and Love, which has its source in God himself and was revealed already in the mystery of creation.<sup>11</sup>

These reflections of John Paul II offer us the general background for another famous teaching of *Veritatis splendor*, viz. the one rejecting the claim that the body is a kind of “raw datum, devoid of meaning and moral values until freedom has shaped it in accordance with its design,” or that the body is merely a preamble to freedom, or that it is “merely ‘physical’” or “pre-moral.”<sup>12</sup> Like

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<sup>11</sup>John Paul II, *Man and Woman He Created Them: A Theology of the Body*, trans. Michael Waldstein (Boston: Pauline Books and Media, 2006), 203 (emphasis original).

<sup>12</sup>*Ibid.* (emphasis original). William Murphy has argued that *Veritatis splendor’s* teaching should be understood as a development correcting and surpassing what Murphy considers to be the naturalism of John Paul’s (and Karol Wojtyła’s) earlier writings, such as the audiences collectively known as his “Theology of the Body” (“Forty Years Later: Arguments in Support of *Humanae Vitae* in Light of *Veritatis Splendor*,” *Josephinum Journal of Theology* 14, no. 2 [Summer/Fall 2007]: 122–67). However, as the passages cited suggest, it seems at least as likely that we should

Benedict, then, John Paul saw a kind of moral “language” or “expression” or “sign” in nature or being, which for him is made visible in the body and has crucial consequences for practical reason and ethics.<sup>13</sup>

Ethical knowing, then, is neither a deduction from a metaphysics nor, again, a purely creative positing of the moral agent. It is original, but its originality consists in a mysterious simultaneity of “forward” and “backward” perspectives, of creativity in obedience to the origin. This simultaneity, moreover, is inscribed in the body, which in some sense *is* a memory of the origin, just as it is a task for the winning of true freedom. Let us see what this understanding, gleaned from the above passages, implies in relation to modernity’s almost universal rejection of the idea of a moral language or grammar in being or the body.

## 2. *Objections to naturalism*

1. First, though, we need to deal with an objection. Does this talk of relating the natural law and morality to being and nature, drawing from them a moral “expression” or “language” or “message” or “reason” (in the sense of *ratio*) or “sign,” generate (despite Benedict’s protestations that he is not engaging in “biologism”) at least an ambiguity or perhaps an outright confusion about the distinctive character of moral thought and practical reason?<sup>14</sup>

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interpret the encyclical by means of John Paul’s earlier writings as background.

<sup>13</sup>Hence, in *Familiaris consortio* he tells us that fornication is a kind of “lie,” because it speaks in the language of the body in terms of self-gift while the reality is one of a lack of self-giving that only marriage could signify (no. 11).

<sup>14</sup>This has indeed been a criticism of John Paul’s line of thought, and by thinkers at different ends of the spectrum on questions of natural law (cf. Charles Curran, *The Moral Theology of Pope John Paul II* [Washington, D.C.: Georgetown, 2005] and, as noted above, Murphy, “Forty Years Later,” 145–48, 156–60). Cf. also Martin Rhonheimer who says that neoscholastic naturalism “without doubt also influenced the language of not a few documents of the Magisterium. According to this approach, the ‘natural law’ is an order of nature that is knowable by man, and, once it is known, imposes itself immediately as a norm of moral action” (*The Perspective of the Acting Person: Essays in the Renewal of Thomistic Moral Theology* [Washington D.C.: The Catholic University of America Press, 2008], 159).

Of course, the vexed issue of naturalism begins as the logical one of how it is possible to move from a statement about the way things are to one about how things ought to be. According to “Hume’s law,” the deduction of ought-statements from is-statements constitutes the “naturalistic fallacy.”<sup>15</sup> As the quotations from Benedict/Ratzinger suggest, the historical context of this “law” is important. As we have already seen, he points to the epistemological shift that occurs at the beginning of the modern era. Similarly, as a Cardinal he had related modernity’s deafness to this language with the movement from a metaphysical outlook to one that tends toward either idealism or mechanistic empiricism. According to these latter tendencies, the world, being, and natures cannot contain any sort of morality because they can have no inherent value. As a result, he emphasizes, “objectivity” now means, “not simply reality in itself, but reality only inasmuch as it is the object of our thought and is thus measurable and can be calculated.”<sup>16</sup> In order to “hear” the “language” of being or nature, he goes on, “it is necessary to practice it. The organ for this, however, has become deadened in our technical world. That is why there is a lack of plausibility here.”<sup>17</sup>

Thus, Ratzinger would seem to be telling us that we should remind ourselves that the strict division between fact and value, is and ought, arose in the wake of empiricist and positivist reductions of nature to purely material sub-personal reality. Some discernment is therefore in order concerning the validity of this division.

If nature is created *ex nihilo*, as Christians believe, then a number of implications follow. First, this means that it has “value”

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<sup>15</sup>While David Hume was often credited with having identified this disjuncture between is and ought (hence, the phrase “Hume’s law”), it is not clear that he ever intended to do so. Among others, Alasdair MacIntyre argues that Hume was probably attempting to say something quite different: viz. that morality cannot be arrived at in a purely rational and deductive manner but is rooted in feeling and convention, and therefore must be arrived at “inductively” (A. MacIntyre, “Hume on ‘Is’ and ‘Ought,’” in *The Is/Ought Question: A Collection of Papers on the Central Problem in Moral Philosophy* [London: Macmillan, 1969], 35–50). But as John Finnis says, whether or not Hume intended to identify the fallacy as it is understood today, he nevertheless has been commonly thought to have done so, and concerns about avoiding this fallacy have radically shaped modern notions of ethics (*Natural Law and Natural Rights* [Oxford: Clarendon Press, 1980], 37).

<sup>16</sup>Ratzinger, “Bishops, Theologians, and Morality,” 66.

<sup>17</sup>*Ibid.*, 67.



inscribed in it from its beginning in the form of a vocation that constitutes and radically structures it. Second, it means that nature and even the physical world represent and manifest God's freedom, in which human freedom is given its possibility and form.<sup>18</sup> Third, physical reality possesses a radically sacramental structure, or what is sometimes called a "symbolic ontology,"<sup>19</sup> indicating its saturation with meaning. The strict division between is and ought, by contrast, would seem to entail just the opposite of these consequences of creation out of nothing.

The pope is well aware, of course, that he is tackling the fundamental question posed by modern ethics. Hence, he cautions that what he is talking about is in no way a "biologism"; ethics is a rational endeavor and is an engagement of man's rational nature. However, this rational character of ethics bears the imprint of the rational character of being itself. Because all of being is created, it bears the impress, the meaning, or logic, or reason, or language, of its Creator. Hence, in this important sense, there is no level of being that does not in some sense express divine reason. There is no level of being lacking an intrinsic intelligibility that is in deep accord with the intelligence of man. It is on this basis, then, that it contains, as Benedict puts it, a "moral message."

Thus, it would seem, Hume's law in its strictest sense and the logical problem expressed by G. E. Moore's phrase "naturalistic fallacy," lose at least some of their gripping decisiveness precisely when we take the issue outside of modern conceptions of "nature," which had already abstracted "fact" from "value."<sup>20</sup>

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<sup>18</sup>See generally, Hans Urs von Balthasar, *Theo-Drama: Theological Dramatic Theory*, vol. 2: *The Dramatis Personae: Man in God*, trans. Graham Harrison (San Francisco: Ignatius Press, 1990), 189–334.

<sup>19</sup>Angelo Scola, *The Nuptial Mystery*, trans. Michelle K. Borrás (Grand Rapids: Eerdmans, 2005), 224–25, 346–48.

<sup>20</sup>Leo Strauss tells us: "Natural right in its classic form is connected with a teleological view of the universe. All natural beings have a natural end, a natural destiny, which determines what kind of operation is good for them. In the case of man, reason is required for discerning these operations: reason determines what is by nature right with ultimate regard to man's natural end. The teleological view of the universe, of which the teleological view of man forms a part, would seem to have been destroyed by modern natural science" (*Natural Right and History* [Chicago: University of Chicago Press, 1950], 7–8). Cf. also, id., *The City and Man* (Chicago: The University of Chicago Press, 1964), 1–12; Jonas, *The Phenomenon*

2. But in reading many Catholic moralists writing at present, another (albeit related) issue arises that, in all truth, appears to be a greater motivating force for making a clean separation between nature and morality. This is the anxiety about subjecting human freedom and personality to the seemingly external and subordinate world of nature. In other words, it is the question of the existence and meaning of human autonomy. According to a natural law theory that bases itself on natural teleologies, such moralists worry, nature is something “out there” that imposes itself on the moral actor. Insofar as it is drawn from nature, then, natural law would subject us to something that, even if it is *our* nature, is nevertheless not quite *us*. We are persons and not simply natures, such critics contend, and therefore natural law threatens to submit our freedom to what is lower than freedom.

This criticism, which is often directed at some of St. Thomas’s commentators,<sup>21</sup> leads to further issues. We can summarize these as follows. When the natural law is deduced directly from human nature or natural structures, the question of the goodness or badness of an action can be decided on the basis of its conformity or lack of conformity with this nature or those structures. The task of reason, then, is to search nature for laws or norms. The basic process of ethical reasoning here draws directly from speculative conclusions to arrive at judgments about which actions would be prohibited or required.

Now, this sort of deductivism is objectionable, not least because the result is a kind of “dualistic fallacy,” as Martin Rhonheimer puts it.<sup>22</sup> What begins with a confusion of the “speculative” and practical orders ends in a pernicious separation of the moral subject’s freedom from his nature. The moral subject therefore looks

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*of Life*, 282–84; Ralph McInerny, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas*, revised edition (Washington D.C.: The Catholic University of America Press, 1982), 35 et seq.

<sup>21</sup>Often Francis Suarez (1548–1617) is a primary target of criticisms along these lines. William May puts it thus: according to Suarez, God has inscribed his command (*imperium*) in the teleologies of nature, and we must follow God’s command. Practical reason, then, is basically speculative reason discovering the commands written in nature and applying those commands to concrete situations (“The Natural Law Doctrine of Francis Suarez,” *The New Scholasticism*, vol. 58, no. 4 [Autumn 1984]: 409–23).

<sup>22</sup>Rhonheimer, *The Perspective of the Acting Person*, 159 et seq.

at human nature as an object external to himself and his freedom. The domain of nature, the body and its structures, is conceived as an external source of norms serving as reason's object and freedom's limiting principle. Reason discovers laws and freedom simply confronts them as its moral limits. Not only is the body typically treated in this perspective as external to the moral subject, but the moral subject itself is tacitly envisioned as a falsely spiritualized reason and freedom. As Rhonheimer puts it:

If practical reason is reduced to a pure application of theoretical judgments in the practical sphere, human nature would be "naturalized" or objectivized in an improper way, and man himself would be reduced to a simple object: the subjectivity of the moral fact, if not quite completely lost to view, would be weakened and undervalued as pure "subjectivism." But human *persons* would be nothing other than objects in nature for moral reasoning, and not subjects whose nature comes to light only on the horizon of rationality and with the self-experience of the good.<sup>23</sup>

Now, the point I wish to make at this juncture is simply this. The worry about dualism, admirably expressed by Rhonheimer, may be justified with respect to certain types of naturalism, but there is also a danger that it carries dualistic presuppositions of its own. In other words, the assumption that, if nature and body were thought to possess a "moral expression" or "language," then this would threaten the autonomy of reason and freedom, itself seems to imply that reason and freedom are set off from, or even in opposition to, nature and the body. Hence, from the point of view of the human person understood as *corpore et anima unus*, this tacit presupposition would itself end up with a dualism pitting a falsely spiritualized subject (reason and freedom) against a falsely materialized object (nature and the body).

What we are looking for then is a way to include the body in ethical thought without implying any sort of dualism, either of the sort moralists such as Rhonheimer see as a consequence of a false naturalism or, again, of the sort that falsely autonomizes reason and freedom from what ends up being an essentially pre-moral human nature.

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<sup>23</sup>Ibid., 272.

### 3. A spectrum of positions

The response by a number of Catholic ethicists to these issues has been to rethink or rearticulate conventional interpretations of St. Thomas. This endeavor begins from the observation that Thomas emphasizes strongly the rational character of natural law. It also recognizes that Thomas begins his discussion of natural law with a first precept: good is to be done and pursued, and evil is to be avoided.<sup>24</sup> In addition, there are inclinations which in some way direct practical reason toward human goods: survival, procreation, to know the truth about God, and to live in society.<sup>25</sup> But at this point, interpretations diverge with respect to the relative autonomy of practical reason from speculative reason, the meaning of the first principle of practical reason,<sup>26</sup> the relationship of practical reason to the inclinations,<sup>27</sup> and so forth.

In order to understand this issue better, it is helpful to turn to a spectrum of interpretive variations, as depicted by Eberhard Schockenhoff, ranging from a complete autonomy of practical reason to what he characterizes as neothomistic naturalism.<sup>28</sup> Schockenhoff lists four basic positions on this spectrum. I will review these in order.

1. The first interpretive variant, Schockenhoff tells us, would be held by those who think that practical reason is essentially free of the inclinations. According to this interpretative model, natural inclinations, such as those discussed by Thomas in q. 94, a. 2, would only be a part of the external materials, as it were, with which practical reason would have to deal. Practical reason would be

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<sup>24</sup>Thomas Aquinas, *Summa theologiae (ST)* I-II, q. 94, a. 2.

<sup>25</sup>Ibid.

<sup>26</sup>Cf. for example Germain Grisez, "The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1–2, Question 94, Article 2," *Natural Law Forum* 10 (1965): 168–201, on the one hand, and Livio Melina, *Sharing in Christ's Virtues: For a Renewal of Moral Theology in Light of Veritatis Splendor* (Washington D.C.: The Catholic University of America Press, 2001), 77–78, n. 48, and Rhonheimer, *The Perspective of the Acting Person*, 176, n. 51, on the other.

<sup>27</sup>Eberhard Schockenhoff, *Natural Law and Human Dignity: Universal Ethics in an Historical World*, trans. Brian McNeil (Washington D.C.: The Catholic University of America Press, 2003), esp. 144, 160 et seq., on the one hand, and Rhonheimer, *The Perspective of the Acting Person*, 177, on the other.

<sup>28</sup>Schockenhoff, *Natural Law and Human Dignity*, 136 et seq.

essentially indifferent to their substantial content, but would instead regulate actions in the material world through its own internal structures.

In view of the importance placed on inclination by Thomas, Schockenhoff suggests that “it is doubtful whether any researcher of Thomas or moral theologian seriously maintains [this] first form.”<sup>29</sup> However, one can think of ethical positions that would seem to show that this model is far from being a purely theoretical position. For example, we need only think of ethical theories rooted in Kant’s categorical imperative or, on the other hand, consequentialist or proportionalist positions according to which everything outside of a technical calculation of external or physical realities is considered pre-moral. Clearly, such ethical positions have indeed influenced, or even claimed a place within, the overall spectrum of “moral theology” and indeed in interpretations of Thomas. However, for present circumstances we, like Schockenhoff, can set this interpretive variant aside.

2. According to the second variant, practical reason is thought to operate within the context of the inclinations, which thus provide a “substantial or anticipatory outline of that which is ethically correct.”<sup>30</sup> This interpretation shares with the first the basic principle that the practical reason is autonomous vis-à-vis the speculative or theoretical reason and that it therefore “develops strictly parallel to the theoretical reason while having recourse to its own specific principles.”<sup>31</sup> It also shares the position that “the regulative character of the ethical law consists in a regulation of the reason.”<sup>32</sup> The difference from the first interpretation, however, is that greater weight is given to the role of the inclinations. Thus, in its “organizing activity,” practical reason “depends on the de facto natural inclinations and tendencies of the human person, which present an outline of how the substantial regulation by the reason will turn out to be.”<sup>33</sup> The precise content and weight that should be accorded to the phrase “depends on” is unclear; however the use

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<sup>29</sup>Ibid., 139.

<sup>30</sup>Ibid.

<sup>31</sup>Ibid., 141.

<sup>32</sup>Ibid., 138.

<sup>33</sup>Ibid.

of phrases such as “de facto natural inclinations and tendencies” and “outline” suggest that the inclinations, and with them the whole bodily being of the human person, will be treated as essentially external to reason.

This would appear to be the interpretative variation Schockenhoff himself follows. He grants that this interpretative model contains “a certain ambiguity on the question of whether the natural predispositions of the ethical life denote only those areas for which the practical reason must issue normative regulation, or whether these natural predispositions also indicate a substantial direction which must be taken by reason when it gives specific directives.” However, he concludes that “the image of a ‘basic outline’ or ‘rough sketch’ certainly suggests the latter alternative.”<sup>34</sup> Thus, unlike the first model, the second does not treat the inclinations only as material for practical reason’s regulation; rather, they “are regulative realities with an open potential,” and they therefore “require” practical reason as “an *ordinare*.”<sup>35</sup>

While this variation places greater importance on inclinations than the first, it nevertheless concludes that they are not very useful in arriving at concrete ethical determinations. Indeed, this would seem to be one of the salient features of this model for Schockenhoff, since a major concern of his thought is to liberate natural law from some of the intractable and, to his mind, distracting issues which have absorbed it and obstructed its wider reception in recent decades, especially in the area of contraception or sexual ethics. Perhaps not surprisingly, the natural law as Schockenhoff develops it tends to focus on the preservation or promotion of human dignity understood in the broadly liberal terms of autonomy and self-determination. For Schockenhoff, this means that practical reason should look more broadly to what is good for the human person, taking stock of modern empirical evidence that was unavailable to St. Thomas, and to the development of his doctrine concerning human inclinations.

3. The third interpretive variant draws a much closer connection between practical reason and the inclinations. As with the first two, this third interpretative variant’s starting point is the autonomy of practical reason which is “strictly parallel to the

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<sup>34</sup>Ibid., 140.

<sup>35</sup>Ibid.

theoretical reason” and which has its radical beginning in its own principles.<sup>36</sup> However, the distinctive characteristic of this variant is that it sees practical intellect as operating only in and through the inclinations, holding that “there is an unbroken identity” between the practical reason and the inclinations.<sup>37</sup>

According to Schockenhoff, Martin Rhonheimer is the most important example of this variant. At this point, we are well advised to make a detour through Rhonheimer’s own writing, and in particular his *The Perspective of the Acting Person*,<sup>38</sup> a collection of essays published earlier this year. This will help us better understand the meaning of Schockenhoff’s characterization of Rhonheimer’s position. Having examined this point, we will briefly take up Schockenhoff’s account of the fourth perspective at the end of this section.

In *The Perspective of the Acting Person*, we find echoes of the same concerns discussed earlier regarding the “dualistic fallacy”:

The counterposing of objective “nature” (the “natural order”) on the one side, and subjective “reason” (“moral knowledge”) on the other, favors a “physicalist” understanding of the natural law. In a physicalist notion of the natural law, this “law” is identified with the merely natural structures and ends upon which a moral normativity is conferred in an immediate way.<sup>39</sup>

To avoid this problem, Rhonheimer strongly emphasizes the autonomy of practical reason and its parallel relation to speculative reason. This means that “ends” or “goods” are not something discovered in nature or a natural order. Nor are they understood through a process of metaphysical speculation. They are not “given” to separate intellectual acts. Rather, they are arrived at—Rhonheimer says, “in a certain sense, *constituted* and *formulated*”—by practical reason itself working within and ordering the inclinations.<sup>40</sup>

For Rhonheimer, following much of the tradition, the *imago Dei* “in the world is neither nature nor the cosmic order: the image

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<sup>36</sup>Ibid., 141.

<sup>37</sup>Ibid., 138.

<sup>38</sup>See *supra*, n. 14.

<sup>39</sup>Rhonheimer, *Perspective of the Acting Person*, 161.

<sup>40</sup>Rhonheimer, *Perspective of the Acting Person*, 162 (emphasis added).

of the Creator is present solely in the spiritual soul of man, in particular in his intellect and thus in his acts of practical reason.”<sup>41</sup> Thus, practical reason “does not simply reflect ‘nature’: rather, in being an active participation of the divine intellect, human reason in its turn illuminates nature, rendering it fully intelligible. This raises the question of the meaning of natural law’s participation in eternal law.”<sup>42</sup> Rhonheimer’s own answer to this question is as follows: Because law is a work of reason, participation in eternal law means that human reason itself is guided by the light of divine reason. Thus, the natural law does not participate in eternal law as it is presented in the order of nature, but is itself the working of the human intellect in the light of divine reason.<sup>43</sup>

Practical reason, then, “does not so much refer back to ‘nature’ or to a ‘natural order’ as to divine reason!”<sup>44</sup> It is a “participated theonomy.”<sup>45</sup> The practical reason is itself a participation of divine reason and proceeds in its light. Divine reason does not become effective by means of its own constitution of an order of nature, but only in the human constitution of natural law. Of course, practical reason does not require knowledge of this participation to have the force of obligation. This force derives rather from the recognition of natural law as truth. Nevertheless, seeing practical reason as “participated theonomy” “enriches it” and makes it appear more certainly as “practical truth derived from a transcendent higher source,” an experience that then becomes specifically religious.<sup>46</sup> In addition, knowledge of this participation of practical reason in divine reason gives the “work of practical reason” the meaning of law in the most proper sense, which consists in “being subordinated and subjected to a higher law, the law of God.”<sup>47</sup> “[I]n knowing

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<sup>41</sup>Rhonheimer, *Perspective of the Acting Person*, 172.

<sup>42</sup>*Ibid.* Cf. *ST* I-II, q. 91, a. 2.

<sup>43</sup>In his book, *Natural Law and Practical Reason: A Thomistic View of Moral Autonomy*, trans. Gerald Malsbary (New York: Fordham University Press, 2000), 66–68, 246–48, Rhonheimer emphasizes the double aspect of this participation, passively in the inclinations and actively in the practical reason.

<sup>44</sup>Rhonheimer, *Perspective of the Acting Person*, 167.

<sup>45</sup>*Ibid.*

<sup>46</sup>*Ibid.*, 169.

<sup>47</sup>*Ibid.*, 170.



explicitly the participated character of these practical judgments, man is able to understand that his autonomy is expressive of a theonomy: he will understand the good known to him not only as a ‘good to be done’ but also as the will of God.”<sup>48</sup>

Nevertheless, the intellect is not yet the whole person, who must be considered in “the globality of his corporeal-spiritual being,” since reason is always embodied. “This applies to all the acts both of the speculative intellect, which without a body are not possible for us, and of the practical intellect, which without the natural inclinations could not be practical and move toward action.”<sup>49</sup> It is only through the rational ordering of these inclinations that they are brought into the natural law, but as they are part of the composite being of man, they are also always working in the ambit of practical reason. These inclinations are not “deduced . . . from the first principle, but they constitute themselves through a natural and spontaneous process in which practical reason—always under the ‘practical copula’ which commands doing and pursuing good and avoiding evil—understands the individual goods (ends) of the natural tendencies or inclinations of its own being.”<sup>50</sup>

While reason and inclination are clearly distinct realities, they are never in fact separate because the person is a unity of body and soul. Thus, while Rhonheimer tends to assert a complete identity between practical reason and natural law, reason is for him always concretely embedded within the inclinations. Indeed, Rhonheimer speaks of the relationship between reason and the inclinations as that between form and matter.<sup>51</sup> It is in this nuanced sense that we can agree with Schockenhoff’s characterization of Rhonheimer as setting practical reason “within” the operation of the inclinations.

4. Finally, there is a fourth model, which Schockenhoff calls “extremist,” since it appropriates what he feels is the discredited “neothomistic view that the ethical law is an ontological order

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<sup>48</sup>Ibid.

<sup>49</sup>Ibid., 173.

<sup>50</sup>Ibid., 177.

<sup>51</sup>This is precisely the point at which Rhonheimer comes under criticism from Schockenhoff, who claims that Rhonheimer has tied practical reason to the inclinations to such an extent that he risks a naturalistic reduction (Schockenhoff, *Natural Law and Human Dignity*, 143–44).

immanent to human nature.” According to this model, natural law is drawn directly from conclusions of speculative reason and ontological truths. “It corresponds to the traditional neothomistic view that the ethical law is an ontological order immanent to human nature, which the human person must realize in moral conduct.”<sup>52</sup> Because Schockenhoff considers it an extremist position, which does not take into account the specific achievements of the first three models (the autonomy of practical reason, its starting point in its own principles, and its parallel relationship with speculative reason), he tells us that few moralists hold it. He cites only A. F. Utz and Anthony Lisska<sup>53</sup> as approximating this model, which he most especially identifies with the baroque commentators on Thomas (such as Suarez) and manualists who have followed them. However, one can think of others whom he might also find to approximate this position, such as Henry Veatch<sup>54</sup> and Ralph McInerny.<sup>55</sup>

#### 4. *The unity of reason*

Schockenhoff is most especially concerned to describe the debate on practical reason and the inclinations as it has arisen in German-language literature. Nevertheless, his analysis is helpful in a broader context. By easily dismissing the first and fourth interpretive variants, Schockenhoff clearly implies that the most viable alternatives, which must square off in debate, are his own and that of Rhonheimer. But, as Schockenhoff himself suggests, and without wanting to minimize the real differences between these approaches, they actually share some fundamental starting points. Both tend to identify natural law with the regulation of practical reason. They both are intent on protecting the autonomy of practical reason, its proper principles, and its parallel relationship with speculative

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<sup>52</sup>Schockenhoff, *Natural Law*, 138.

<sup>53</sup>Anthony J. Lisska, *Aquinas's Theory of Natural Law: An Analytic Reconstruction* (Oxford: Clarendon Press, 1996).

<sup>54</sup>E.g., Henry Veatch, *For an Ontology of Morals: A Critique of Contemporary Ethical Theory* (Evanston, Ill: Northwestern University Press, 1971).

<sup>55</sup>E.g., Ralph McInerny, *Aquinas on Human Action: A Theory of Practice* (Washington, D.C.: The Catholic University of America Press, 1992), 184 et seq.

reason.<sup>56</sup> For this reason, we can refer to both as versions of “parallelism,” a term that both Schockenhoff and Rhonheimer use to describe their own theories.

Now, of these two interpretive models, Rhonheimer’s seems by far the richer for our purposes, drawing more completely as it does on the embodied person and his inclinations. In what follows, therefore, I will mainly refer to Rhonheimer’s thought. In particular, I would like to discuss three points that seem important for understanding the question of the body’s relationship to natural law.

1. First of all, there is the question regarding the natural law’s relationship to the eternal law, which for Thomas is the radical starting point for discussing any kind of law. As Thomas insists, the natural law is “nothing else than” the rational creature’s participation in the eternal law.<sup>57</sup> As noted above, this participation focuses for Rhonheimer on the light that is given to practical reason by the divine reason. It is important for him that this participation not be taken to indicate that the natural law is somehow rooted in a “natural order” understood as a reflection of divine reason.<sup>58</sup>

As we saw, Rhonheimer places a great deal of importance on the rational soul as the locus of man’s imaging God.<sup>59</sup> He therefore rightly argues that, unlike the Stoics, for whom the whole of nature is a *ratio* or *logos* with which the human mind’s own *ratio* correlates, the Church Fathers “perceived nature as the creation of a God and coming from an eternal law that is transcendent and thus not to be identified with the natural order.”<sup>60</sup> However, Rhonheimer tends to draw from this the suggestion that the created order outside of the

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<sup>56</sup>It is perhaps of interest to note that, while Schockenhoff, like others, refers to the fourth model as an “extremist” position held by few contemporary thinkers, advocates of natural law’s autonomy typically spend substantial amounts of time refuting it. By way of contrast, see John Finnis’s statement that this “reductive” understanding of ethics and its object as a discipline is a “powerful” “temptation,” “and rarely resisted” (*Fundamentals of Ethics* [Oxford: Clarendon Press, 1983], 4).

<sup>57</sup>*ST* I-II, q. 91, a. 2.

<sup>58</sup>Cf. Rhonheimer, *Natural Law and Practical Reason*, e.g., 64 et seq.

<sup>59</sup>Cf. *ibid.*, 237 et seq. As Matthew Levering suggests, Rhonheimer’s emphasis on practical reason’s role in “constituting” the good suggests an activist (and therefore insufficiently receptive) understanding of the *imago Dei* (*Biblical Natural Law: A Theocentric and Teleological Approach* [London: Oxford University Press, 2008], 162.)

<sup>60</sup>Rhonheimer, *Perspective of the Acting Person*, 171.

human intellectual soul is not saturated by the “ratio” or “logos” of God, that it is instead identifiable with the empirical world of regular patterns and mechanical laws.<sup>61</sup>

Certainly, Rhonheimer is correct in seeing practical reason itself as a participation in divine reason. One wonders, however, if this emphasis is sufficient. Given Rhonheimer’s exclusive stress on the autonomy of practical reason and his rejection of an account of natural law as a metaphysical order, the consequences of this participation do not seem for him to have any immediate implications for the actual content of the law. Rather, as we saw, the fact of this participation primarily serves to vouchsafe the authority of practical reason specifically as law. Other than this, knowledge of practical reason’s participation in eternal law implies considerations accidental to the actual substantive content of natural law, such as motivation or the religious experience of ethics.<sup>62</sup>

John Paul II, for his part, suggests something different from Rhonheimer when he tells us that the human person is, “. . . also in all [his] bodiliness, ‘similar’ to God.”<sup>63</sup> And for Benedict, as we have seen, all of being is an expression of God’s Logos. The eternal law is identical with God’s creative wisdom and providential governance of the world, which are as radically interior to the world and everything in it as they are transcendent of that world. In this sense, then, everything in the world is an expression of God’s eternal

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<sup>61</sup>Ibid., 164–65, 258.

<sup>62</sup>To arrive at a sense of the way in which the idea of natural law’s participation in eternal law is frequently downplayed, one only need consider Schockenhoff’s comment that “it has become a commonplace to assert that the doctrine of the eternal law intends to supply a subsequent speculative insight into the relationship between human and divine reason . . .” (*Natural Law and Human Dignity*, 147).

<sup>63</sup>John Paul II, *Man and Woman He Created Them*, 164. For John Paul this is a crucial part of his argument that the human couple represents an *imago Trinitatis*. Consider, for example, Irenaeus’s insistence that it is the union of Spirit, soul, and flesh that is the complete man who is made in the image and likeness of God: “the flesh . . . was formed according to the image of God” (*Adversus haereses*, V, 6, 1). Consider as well the statement by the International Theological Commission that “biblical, doctrinal, and philosophical indications converge in the affirmation that human bodiliness participates in the *imago Dei*. If the soul, created in God’s image, forms matter to constitute the human body, then the human person as a whole is the bearer of the divine image in a spiritual as well as a bodily dimension” (*Communion and Stewardship, Human Persons Created in the Image of God* [2004], 31; cf. also Scola, *The Nuptial Mystery*, 9–10, 21–22).

law—his creative wisdom—and finds its true or complete identity only in that law and wisdom. Our opening quotations express this point when they emphasize that “being itself bears the language of the Logos” and when they assert that all human thinking is most radically re-thinking.

As Ratzinger points out, the consequence is that the world—created being—is saturated with divine reason, indeed is constituted by divine reason. According to this view, the world can never be understood as simply pre-rational (as not yet participating in, and embodying, *logos*) because its internal order shares in divine reason. Indeed, it is in itself an expression of divine reason.

*The result is that the world is not simply matter with certain physical properties that confronts human reason as object. Rather, the world in all of its physicality is itself saturated with meaning for its highest fulfillment in specifically human being. When the mind engages being, in other words, it is engaging what is primordially rational.*

This in turn suggests something different from parallelism’s characteristic proposal that practical reason’s participation in eternal law is itself the radical source of natural law. If the foregoing analysis is correct, then we have to see the relationship as more complicated than that. *It is rather the case that practical reason’s establishment of an order is at the same time a re-thinking of an order.*

This does not mean that human reason is not “autonomous.” However, this autonomy should not be understood in terms of an abstract freedom—an unstructured or indifferent freedom of choice—but of an interior and integral order of the created being that is free. Thus, we are dealing here with an autonomy that must be understood as analogous to the “autonomy” or “freedom” of someone who speaks a language or plays a musical instrument (and is thereby “bound” by the form, or order, or laws of that language or instrument) as over and against someone who does not speak that language or play that instrument and therefore cannot be said to have any “autonomy” or “freedom” in using it at all.

Now, Rhonheimer grants that, radically, all human thought whether speculative or practical, first grasps being, and that this is the basis of the priority of speculative reason over practical reason.<sup>64</sup> Hence, he clearly accepts that it is possible to speak of the autonomy of practical reason while simultaneously upholding a priority of

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<sup>64</sup>Rhonheimer, *Perspective of the Acting Person*, 274–75.

speculative reason. My point is simply that, given what I have said just now, it remains unclear what this can mean for his understanding of the precise sense in which practical reason deploys its autonomy, particularly with respect to the constitution of the specifically moral order. Does practical reason constitute only, or does it also “re-think” in that very constitution?

2. Second, what has just been said implies that the correct image for understanding the relationship between practical and speculative reason is not that of “parallel” lines of thought, as both Schockenhoff and Rhonheimer suggest.<sup>65</sup> A better image would be, perhaps, trinitarian, viz. a relationship of circumincession. That is to say, while practical and speculative reason are distinct, at the same time they are neither different things nor are they sealed off from each other. In short, the idea of circumincession implies that, while remaining distinct, neither lacks a specific share in what is innermost to the other. This is partly captured by Rhonheimer when he argues that speculative reasoning about the human person would be woefully inadequate or even impossible without practical reason. How could anyone claim to know about the human person without knowing about his inclinations, goods, and the moral life that these spawn? Thus, anthropology, and therefore speculative reason insofar as it considers man, presuppose practical reason and natural law.<sup>66</sup> It must be true, then, that whatever is discovered by practical reason can become also the object of speculative reason. In effect, practical thought is never concretely pure, since practical thought is always tacitly saturated with speculative implications.

Likewise, speculative thought is never concretely pure, a point also made by Rhonheimer. People reason speculatively because it is fulfilling to them to do so. To know the truth of what *is* is good.<sup>67</sup> Hence, St. Thomas very rightly includes knowing the truth, especially about God, man’s final end, among the basic inclinations on which he founds the natural law. In other words, nothing is known *simply* for the sake of knowing it. Indeed, the relationship between reason and knowing the truth is closely analogous to that between the two dimensions of love, which is

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<sup>65</sup>Ibid., 176, 270–73.

<sup>66</sup>Ibid., 178.

<sup>67</sup>Cf. *ibid.*, 273.

never simply disinterested nor simply self-seeking.<sup>68</sup> While it is of course possible to *consider* an act of knowing strictly from the point of view of speculation, or an act of seeking the truth only for the sake of knowing the truth and nothing more, it must be remembered that to do so is to consider speculative reason and the act of knowing the truth in a highly abstract fashion. Insofar as anyone does anything, he does it in view of attaining some good. Hence, striving to understand being as being in speculative reason is always and concretely saturated with practical implications. Thus, while conceptually distinct, speculative and practical functions of reason are never concretely separate.<sup>69</sup>

In a word: If we ask about the truth of the teleological and metaphysical claims that have been made about the human being, not only in the Aristotelian and Thomistic traditions, but also in the anthropology proposed by John Paul II and Benedict, then we have already asked an ethically saturated question.

3. Third, the foregoing has profound implications for what directly interests us here, viz. the body itself. As Rhonheimer emphasizes, theories of natural law that effectively treat the body as though it were a (biological, physical) substrate for moral action have denied both the body and moral action their full human meaning. However, neither the inclinations nor practical reason nor the two of them together, however related, are yet identical with the person or his nature as a whole. And indeed, the inclinations cannot serve as the stand-in for the body in the derivation of the natural law.

In short, the self-experience emphasized by parallelism is not really, fully *self-experience because it is not yet fully human (because it is not really fully embodied) experience*. The result is that insofar as

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<sup>68</sup>*Deus caritas est*, 10 (2005). Cf. also Hans Urs von Balthasar's similar analogous discussion of the relationship between contemplation and action ("Action and Contemplation," in *Explorations in Theology*, vol. 2: *The Word Made Flesh* [San Francisco: Ignatius Press, 1989]: 227–240).

<sup>69</sup>This also means that, from the point of view of interpreting Thomas, it is not enough to suggest, as is often done, that he considers the first principles of speculative and practical reason together in *ST I-II*, 94, 2 only because he wants to *distinguish* practical reason from speculative. Rather, Thomas repeatedly explains the practical order by close *analogy* with the speculative order (e.g., *ST I-II*, qq. 18–20's discussion of the moral act). Presumably, then, the point is not only to distinguish the two faces of reason, but also to show their fundamental unity (*ST I*, q. 79, a. 11; cf. also q. 14, a. 16).

parallelism insists that the good is something grasped, or indeed constituted, by practical reason in relation to the inclinations, the body *as a whole*—and in its whole anthropological “language” or “ratio”—can only come into practical reasoning *after the constitution of the good*.

My worry, then, is that, on the parallelist account, the body as such becomes part of the consideration of natural law only along with, and in the same way as, all of the other essentially external theoretical knowledge of which practical reason makes use, but which remains outside its primitive constitution. In other words, the difficulty is not that parallelism sees practical reason as autonomous and rooted in its own unique principles; nor is it that practical reason begins in a spontaneous self-experience of the good or even that human reason in a real sense “constitutes” natural law. *Rather, it is that the body, considered as a whole, with a given structure and meaning that itself possesses a ratio imaging divine reason, risks being introduced too late in that constitution.*

The problem I have raised, then, is not entirely dissimilar to the problem of dualism, discussed earlier in relation to naturalism, viz. the problem consisting in the fact that the body *as such*—in its complete constitution as a part of the *imago Dei*—is seen as essentially exterior to the person and his aspirations. What risks being lost, then, if appeal is made only to practical reason interacting with the inclinations, is the meaning, in its symbolic totality, of the body as such.

In a real sense, parallelism continues to see the body as something “out there,” that can only be taken into account after the core elements of ethics have been established. In other words, parallelism remains “physicalistic” or “biologistic” in the sense intended by *Veritatis splendor*, 48.<sup>70</sup> That is to say, it tends to assimilate human nature to the rational, giving an account of its animality and embodied character only through the inclinations, and thereby implying that whatever else the body is must be considered a material or biological substrate that cannot co-constitute the good or the natural law from the inside, as it were.

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<sup>70</sup>While Rhonheimer speaks of “nature” and “metaphysics,” one can never quite shake the feeling that he really has the empirical order in mind when he condemns the “dualistic fallacy.” This suspicion is reinforced when he suggests, for example, that those seeking to find natural law in an order of nature are looking to “nature” in the sense of “structures and regularities,” as known by Kepler and Newton (Rhonheimer, *Perspective of the Acting Person*, 164–65).



### 5. Conclusion

In essence, the previous reflections have revolved around this question: How are we to understand the famous passage from *Veritatis splendor* telling us that the body is a “sign” and an “expression and promise of the gift of self, in conformity with the wise plan of the Creator”? The question, then, concerns how the body as such can be understood as part of the subject of moral actions, the possibility and reality of which serve as the basis for the ethical self-reflection that offers the *ordinatio* of practical reason we call “natural law.”

The core affirmation of what we discussed under the moniker of “parallelism” relative to this point is that ethics as such begins in the self-experience of acting subjects whose actions are brought about by an original experience of and attraction to the good. Once this original experience is secured, parallelists are perfectly willing to grant that there is no reason why practical reason cannot learn from metaphysics and speculative understanding.<sup>71</sup>

Now, as we argued above, inclinations cannot on their own (or even in conjunction with practical reason) fully represent the richness of the body and the *ratio* it enfleashes. By the same token, the forming of moral action and the normative conclusions of natural law (“in the light of reason and the support of virtue”) by the person as an embodied composite being—which parallelism grants—must mean more than that inclinations are themselves rooted in the body. Rather, what is needed is an understanding of the body as bearing within itself an aptness for self-gift that is in itself already an expression or language of an original meaning of donation communicated by the Creator.<sup>72</sup> This, it seems to me, must mean that the order of the body, its “language,” is at the source of natural law, which in turn therefore cannot be understood simply as a production of practical reason.

True, moral reasoning does not begin with a speculative discovery from which are deduced normative conclusions (that therefore remain fundamentally speculative), such that practical

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<sup>71</sup>Rhonheimer, *Perspective of the Acting Person*, 275.

<sup>72</sup>Cf. G. J. McAleer, *Ecstatic Morality and Sexual Politics: A Catholic Antitotalitarian Theory of the Body* (New York: Fordham University Press, 2005), 61 et seq., regarding the “ecstatic” structure of the body as foundational for natural law.

reason's only real task is to interact with these conclusions.<sup>73</sup> Nevertheless, it is also true that the authentic good of the person cannot be arrived at without a primitive or co-naturally given "knowledge" of the *ratio* of the body as such. Again, it is here, it seems to me, that the anthropological teaching of John Paul and Benedict offer a development of the tradition.

Standing behind the inclinations is connatural knowledge of being, of being as good, which means: being as an order that anticipates inclination and knowledge of particular goods. Earlier I made reference to Ratzinger's argument that the concept of *anamnesis* is perhaps better suited than *synderesis* to describing what he calls the ontological aspect of conscience. It seems to me that this is precisely what he has in mind. Thus, it seems that presupposed already in the very structure of practical thought is a kind of recapitulation—or re-thinking, or *anamnesis*—of this order of being as good.

The human person as embodied is the summit of creation, and in that sense brings to culmination, and offers a kind of recapitulation of, the order of the whole universe. But the body in particular, both as given its form by the rational/spiritual soul and as partially bearing the *imago Dei*, possesses an order of reason. Behind practical reason, then, is a connatural knowledge of one's being as a composite of body and spiritual soul which is itself a participation of being as a whole.

This means that inclinations and appetites presuppose a prior order. This order is not simply known speculatively and then given a practical meaning. Nor, again, is it simply created by practical reason. Rather, it is at once speculative and practical, contemplative and creative, since it is rooted in a depth that encompasses both the "already" and the "not yet."

When we add to this that the body is likewise rooted in that depth, then we can say that the "self-experience" at the beginning of practical reason knows the order of the body and that this knowing is more than an experience of inclination. Indeed it suggests a prior knowledge that validates and interprets the meaning

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<sup>73</sup>Hence, while I am in general agreement with Steven Long's presentation of Thomas's action theory, I do not think his description of the relationship between speculative and practical reason is adequate (*The Teleological Grammar of the Moral Act* [Naples, Fla.: Sapientia Press, 2007], 8–9).

and importance of inclination. As John Paul famously put it, the body “reveals man.”<sup>74</sup> This need not rule out the creativity entailed in starting from the self-experience of the agent. On the contrary, for the being whose goodness I have connatural knowledge of is also my own embodied being as good.

What we find, I think, is a “relative” or “circumincessive” sense of practical reason’s autonomy. It is not simply a matter of looking at man’s teleology to discover speculatively what is good, and then conforming freedom and inclination to the natural law conclusions this discovery poses; rather, it is a matter of the human “knowledge” of the body as a primordial “sign” or “sacrament” or “language” or “message” that is the body itself, which always-already is a knowledge informing both practical and speculative reason, and which interprets the meaning of and regulates practical reason and inclination, even as it makes speculative knowledge a matter of “doing the truth.” This implies an openness to the body along the whole path to particular normative conclusions. □

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<sup>74</sup>John Paul II, *Man and Woman He Created Them*, 164.