

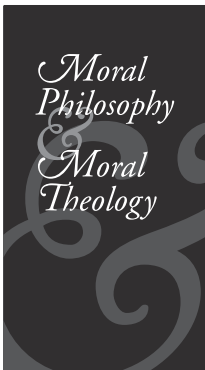
ECSTATIC MORALITY AND SEXUAL POLITICS

A History and Hermeneutic Theory of the Body

G. J. SUMER

ECSTATIC MORALITY AND SEXUAL POLITICS

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*A Catholic and Antitotalitarian
Theory of the Body*

G. J. M^CALEER

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*To my mother and father,
Charlotte and Graham McAleer*

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Abbreviations

To cut down on the number of footnotes, I have used abbreviations for a number of titles throughout the text. I list here the central ones that are used throughout the chapters. There are others, but these concern works that are quoted in only a single section. References to papal encyclicals and other Church documents are by paragraph and not page number. For details of editions used of the works immediately following, please see the bibliography.

Thomas Aquinas

- ScG *Summa contra gentiles*
ST *Summa theologica*
Sent. *Scriptum super libros Sententiarum*

Aurel Kolnai

- PL *Privilege and Liberty*

Karol Wojtyła

- PC *Person and Community*
LR *Love and Responsibility*

John Paul II

- EV *Evangelium Vitae*
FR *Fides et Ratio*
FC *Familiaris Consortio*
MD *Mulieris Dignitatem*

VS *Veritatis Splendor*

TB *Theology of the Body*

Paul VI

HV *Humanae Vitae*

Church Documents

GS *Gaudium et Spes*

Preface

*There are three that testify:
The Spirit and the water and the blood,
And these three agree* (I John 5: 8)

Anima mea liquefacta est (Song. 5: 6)

This book is all about a restoration that is supposedly absurd to attempt. Yet, if philosophy is still about argument, I see no reason why someone might not hope to make a return to Aquinas; to write the kind of engaged Thomism that once defined leading Catholic institutions, like the School of Philosophy at Louvain. This book is, if you like, an attempt within Thomism to imitate the “muscular Christianity of Paul” (Zizek). Whether the “restoration of the old metaphysics” is impossible (Marion)¹ rather depends on what that metaphysics is thought to have been. No one more than Marion has helped clarify what “the old metaphysics” was, and even, humbly acknowledge when he misunderstood it. Still, to abandon the metaphysics of Aquinas at the moment that the Analytic tradition is finding new inspiration in his works, and when strains of theology are returning to the “radical orthodoxy” of the Middle Ages, seems precipitous.

Most basically, this book argues that a return to Thomas’s metaphysics of the body provides the theologian and philosopher with a unique analysis of the body: a conception that avoids conceiving of the body as riven by metaphysical violence. More, it is the failure to adopt Thomas’s theory of the body as the foundation of contemporary sexual

politics that well justifies the Church in its remarkable claim that Talmon's distinction between liberal democracy and totalitarian democracy is now vitiated.²

Presented in these pages is an argument built from the ideas of three thinkers, some more obscure than others. Thomas, of course, is well known. However, if asked about his theory of the body, very few theologians and philosophers could speak at any length about what is his theory. Probably, what would be said would leave Thomas indistinguishable from Aristotle. It is never a bad thing to be associated with Aristotle, of course, but Thomas does have a distinctive theory of the body, informed by theology and Christian metaphysics. This book began as a semester-long series of graduate lectures on Thomas's philosophy of the body given at the Higher Institute of Philosophy at the Catholic University of Louvain in the autumn of 1999. Ever since I wrote my dissertation at Louvain in 1994, I had been struck by the fact that no book-length study of Thomas on the body existed. This is really quite odd, given that Thomas remains a normative Catholic theologian and Catholic theology is all about the body if it is about anything at all: the Incarnation, Eucharist, transmission of original sin, resurrection of the flesh, bodily assumption into heaven, and so on. How could Catholicism's premier theologian not have thought extensively about the body? This book is not meant to be a simple history of how someone in the Middle Ages thought about the body, although it has a contribution to make here. To describe Thomas's theory of the body certainly requires an approach that one would find in a book given over to the historical analysis of a medieval thinker. However, this book is written so as to respond to the fact that the body has become both a much-studied topic over the last two decades and a central focus of political interest. People from a host of disciplines in the humanities and social sciences are only too happy to raid Catholic authors like Thomas for some choice words about what Catholics are supposed to believe about the body. And it is on the basis of such raiding that they assess the worthiness of the Church's positions over matters in sexual politics. Discussing contemporary thinkers throughout the book, my hope is to appeal to historians but more especially to theologians and philosophers who are surely looking for a developed

theory of the body that is able to work in a contemporary setting. As I say, the book is meant to be a work of old-fashioned Thomism: Thomas as a philosopher-theologian relevant to contemporary debate. My fear is that it might not satisfy either the historian or the working theologian—always a risk with a book that aims to address multiple parties. Nonetheless, I hope to make it clear that such raiding cannot possibly capture the complexity of Thomas's thought, ignoring as it must, the dense metaphysical and theological framework in which Thomas discusses the body. With this appreciated, the sustained reasoning behind Catholic sexual politics demands that the worthiness of those political positions be honestly reevaluated.

Catholic intellectuals must share some of the blame for such raids and their consequences. I am constantly amazed at attempts by contemporary theologians to construct a new Catholic body: their ideas are typically very unsophisticated compared to Thomas's. And yet, this can hardly be surprising. Of all the bizarre intellectual phenomena of the last half of the twentieth century one of the most bizarre must surely be the manner in which Catholic theologians jettisoned *thinking with* Thomas and decided to try to go it alone. How any Catholic could have presumed to think about the Catholic body apart from one of the top philosophical minds of Western history is quite baffling. Karol Wojtyla/John Paul II is an exception. Wojtyla cuts a strange figure. On the one hand, he is the most famous person alive. No other human in world history has been seen by as many people as John Paul II. Yet, as a thinker his ideas are little known. His books, and even his papal encyclicals, are little read. At least, at the Catholic university where I work in the United States, his books are little read. This too is a little strange because there is nothing more contested both in universities and in culture at large—at least in the West—than sexual politics, and the positions of John Paul II are infamous: he is against contraception, gay marriage, women's ordination, abortion, and so on. Yet, sexual politics is a topic Wojtyla has thought a lot about. Thus, while we all know what he thinks, almost no theologian or philosopher knows *by what reasoning* his conclusions were arrived at. It is often overlooked that in the history of recent philosophy, Wojtyla was ahead of his time. Very few philosophers have ever written on sex—Plato, famously so;

Schopenhauer, certainly; but even today it is a topic that not many philosophers write about. It certainly is not true that there is some well-worked-out theory of sex and sexual ethics that most people in the Academy subscribe to and which has filtered down into the population at large. Actually, in a very interesting book, noted political scientist Jeffrey Waldron has observed that barely anyone has taken the time to think out a justification for the idea that all humans are basically equal to one another. And much less *intellectual* thought has been given to the nature of sex than to matters of equality! Certainly, there is no Heidegger or Wittgenstein standing behind contemporary sexual ethics. Wojtyla should be given credit for having written two quite rare books in the history of Western letters, and, of course, Roman Catholicism generally should be given some credit for at least having thought at length about sexual ethics.

I ought to stress that while Thomas is definitely a theme in this book, Wojtyla is not. Consideration of his thinking appears in the book in three ways. I argue that his ideas have been developed from a close reading of Thomas. In particular, he has taken from Thomas the idea of the ecstatic body. I first present Wojtyla as a commentator on Thomas and as a thinker applying Thomas's basic insights into the ecstatic character of being and the good. A large part of his thinking is given over to the justificatory reasoning for the sexual ethics presented in Paul VI's *Humanae Vitae*. In a second way, then, Wojtyla's thinking is addressed when considering the ontological character of contraception in chapter 7. It is in this chapter that Wojtyla/John Paul II becomes most clearly a theme of this book. I hope to have shown there that his position on contraception stems from a complex mix of theology, metaphysics, anthropology, biblical exegesis, doctrinal definition, ethical and political theory, humanism, and phenomenology. Wojtyla is present in a third way as John Paul II. That is, I have centered my discussions of sexual politics around some of the papal documents that are his contribution to the tradition of Catholic social thought. Chapters 4, 8, and 9 are each built around such documents.

Theologians often regard John Paul II as a philosopher in the phenomenological tradition, owing a special debt to Max Scheler. While there is some truth to this, caution is required. Whereas Wojtyla saw

in Thomas a grounding of moral norms “under the light of truth” (PC 92) he sees Scheler as defending the idea of a norm as a value, “a function of pure feeling” (PC 79). Indeed, Scheler’s analysis of values is ultimately “an oversimplification and obfuscation of the essential contours of this whole issue” (PC 92), Wojtyła insists. Thomas’s conception of morality is “completely different” from Scheler’s (PC 90; 79; 81–82) and so “we in the Thomistic school,” we are told in 1970, “should maintain a necessary distance” from phenomenology (PC, 181 and 184). George Weigel puts it well, characterizing John Paul II’s overall philosophical stance as “the metaphysical realism of Aristotle and Thomas Aquinas and the sensitivity to human experience of Max Scheler’s phenomenology.”³ There is a sense in which Wojtyła overstates the difference between Scheler and Thomas, however. It is Kolnai who helps us to see this.

Aurel Thomas Kolnai (1900–1971) is the least known of our principal authors. He is not famous in any way and barely anyone has read his books and papers. While I do not think I have to justify my extensive use of an obscure thinker, it is worth pointing out that an interest in his thought is emerging.⁴ Kolnai’s intellectual formation is remarkably like Wojtyła’s, including extensive study of Thomas and Scheler. However, after living in many countries, he finally settled in England, teaching at London University, where he became familiar with, and appreciative of, analytic moral philosophy. A member of the British intuitionist school, he came to defend a theory of “moral consensus,” arguing that natural law, especially as found in the *ius gentium*, expressed foundational and universal values. Kolnai is something of a middle term between Scheler and his felt values and Wojtyła/John Paul II with his strong emphasis upon norms, reason, and truth. I assume much of his method throughout. Besides illustrating a certain continuity between phenomenological ethics and Thomas (and interestingly, British intuitionism), Kolnai is used in this book as a corrective to the political reasoning found in much of recent Catholic social thought. Kolnai was hostile to aspects of Maritain’s thought and especially his critique of privilege in favor of equality and rights. It is incontestable that contemporary Catholic social thought is basically Maritain’s polit-

ical philosophy, and in chapters 8 and 9 I show why Kolnai's theory of privilege best supports Catholic sexual politics.

It remains to thank both people and institutions for help in making this book possible. Essays that are incorporated here have been read, and usefully discussed, at Loyola Marymount University, Leuven, and especially at the International Theological Institute, Gaming, Austria. Thanks are due to my early teachers in philosophy who, despite the fact that I was pretty rough material, did seem to enjoy teaching me or were willing, at least, to sit through tutorials with me. Here Arnold Zuboff, Bill Hart, and Brian O'Shaughnessy, all at London, deserve special thanks. A special thanks also to John Seward, Peter Kwasniewski, and Michael Waldenstein, all of Gaming. John pointed me in the direction of St. John of the Cross as a great interpreter of Thomas—and I hope this book helps to confirm this. Peter's essay in *The Thomist* on Thomas's theory of love⁵ introduced me to vital material, and Michael's original work on the connections between Thomas's theology and that of Wojtyła/John Paul II has soothed my nerves when making related claims. I owe a substantial debt to their thinking and thank them for their love of Thomas. I would also like to thank the Directors of Loyola College's Catholic Studies Program, Father Joe Rossi, SJ, and Paul Bagley, for the financial support they gave for my trip to Gaming, and for their gracious support in many other ways since my first coming to Loyola. I must thank students at Leuven, Loyola, and Gaming for provocative interactions; and especially Kate Leahy and Jamey Becker of Loyola. Colleagues in the Departments of Philosophy and Theology at Loyola College are to be thanked, but none more than Stephen Weber for hours of wonderful philosophic companionship and D. G. Leahy for some vital discussions. Whatever theological wit I have is owed to Steve Sherwood, with whom I first began thinking about theology. Friends to be thanked include: Jörg Tellkamp, Alin Christian, Dave Zinder, John Betz, and Trent Pomplun. Teachers and colleagues who have made this book possible, whether through important questions or other assistance, are Carlos Steel, Linda Zagzebski, Marilyn McCord Adams, Mark Morelli, Sr. Mary Beth Ingham, Rudi Visker, Jozef Isewijn, and Robert Wielockx. In this regard, no one has been more important than the late Jos Decorte, who promoted my

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Chapter One

DESIRE AND VIOLENCE

But sacrifice is no more. The blood that is spilled, is spilled atrociously, and only atrociously. There was a spirituality of Christ's wounds. But since then, a wound is just a wound—and the body is nothing but a wound . . .

—J. L. Nancy, *Corpus*

Thomas's analysis of the body rests on a peculiar metaphysical claim, and some might think this claim alone makes any putative restoration absurd; yet, I do not think this ought to be conceded directly. From Aristotle, Aquinas draws the idea that matter desires form (ScG II, c. 23 and c. 40; III, c. 4, para. 4). In his *Commentary on the Physics*, Aquinas asks if perhaps this is meant metaphorically, as Avicenna insists. Thomas, with Averroes, prefers to think that Aristotle meant it quite literally (I Phys., lect. 15, n. 136). Indeed, for Thomas, prime matter is a principle of desire (De Verit., q. 22, a. 4).¹ While Descartes may have transformed nature into dead matter, others of the metaphysical tradition, at least until Schopenhauer, have agreed with Thomas. Schopenhauer scoffs at anyone who would think that iron filings are pulled toward a magnetic body; rather do they desire to be united with that body. Leibniz explains that the monads are centers of desire seeking perception. Augustine in the *City of God* sees each aspect of nature as tripartite in structure, imitating the Trinity, and especially as centers of desire imitating the Father. This passage impressed Schopenhauer, as did ones he found in Suarez, but he could just as well have applied to Plato, Aristotle, Plotinus, and Aquinas for a related understanding of desire throughout nature.

What is most interesting is not that Aquinas is a part of this metaphysical tradition but the manner in which he explains the relationship between desire and its object, the relationship between matter and form. In his concept of the *concreatum*²—and it is unusual in the period—Thomas argues that matter and form are always already internally related; in other words, that desire is always already united to its object. This is the import behind a common image in Thomas: natural inclinations attain their ends as an arrow attains its inclination from the archer's act of shooting (ScG III, c. 24, para. 4; c. 2, para. 2). That desire finds satisfaction in its object when attained (ScG III, c. 2, para. 4) is the significance of the *concreatum* and marks Thomas's metaphysics with a certain serenity (Gauthier) that is quite exceptional in the metaphysical tradition. The material world with which we are familiar is in its inner structure a host of such *concreata*. The term is quite dense, for not only does it emphasize that the material world is a created world, it also telegraphs that there is a relationship between the components of material things, of which things the human is a very special kind. As will be seen, that relationship for Thomas is essentially one of desire, order, and peace. Indeed, in a sense to be explained, I show that the relationship is ecstatic. That is, the desire of the parts for one another depose each in the service of the other. That the *concreatum* is a reflection of the metaphysical order as such is shown in chapter 2, and how its ecstatic dynamism shapes human moral experience is the topic of chapter 3. Why Thomas developed this concept in opposition to Averroes's description of material composites as *congregatum* is explained shortly. It is in contrasting Thomas's concept with the *aggregatum* of Giles of Rome that I hope to show why one can claim an exceptionalism for Thomas. Christian theologians and later Western philosophy did not follow Aquinas's lead, and this is seen as early as his student, Giles.

It is quite important to note that the metaphysical basis of the *concreatum* is present in Thomas's *Sentences*. Here (II Sent., d. 12, q. 1, a. 1, ad 3) Thomas makes a distinction between matter as a principle of desire and the way of being possible for that principle (*ratio possibilitatis*). This is important because, although Thomas will use the *concreatum* in the *Summa contra gentiles* and link it to his powerful theory of

ecstatic being, he does not develop there his quite exceptional theory of concupiscence. The metaphysics of such a theory is already present in Thomas's earliest works, but it is only in the *Summa theologia* that Thomas, making use of distinctions from Aristotle's political theory, develops the idea of a cultivation of sensuality. In chapter 3 we shall see how central this idea is to Thomas's analysis of the body. Aristotle's *Politics* began circulating in the West only around 1260, so it is no surprise that Thomas would integrate some of his thoughts about this text only later than this date. In fact, concupiscence is barely spoken about in the *Summa contra gentiles*, though it will be readily seen that his theory of concupiscence is but an application of themes from the *Summa contra gentiles*. It is the combination of Thomas's analysis of matter (*Sentences*), theories of substantial composition and ecstatic being (*Summa contra gentiles*), and concupiscence (*Summa theologia*) that together generate his distinctive theory of the body.

Because desire is always already united with its object, and has—at the very least as a promise—already attained a fullness of being, desire is at peace. By contrast, Schopenhauer views desire as will and violence. For him the body is an expression of the will, and the will is at war with itself. Indeed, since desire is the very core of the world, existence as such is violent. Where Schopenhauer posits a fundamental division interior to desire, between a will that can never be satisfied by its representations, Thomas internally relates desire and the various forms it becomes. Schopenhauer's division has had a remarkable history. In his work on Freud, Ricoeur has spoken of the opposition between desire and culture, "the terrible battle for meaning," noting that desire consistently fails to attain its cultural form on account of the "backward drift of affectivity."³ In *The Rebel*, Camus casts life as "only an impulse that endlessly pursues its form without ever finding it. Man is tortured by this . . ." And one could keep adding to this list: Lacan, Bataille, Foucault, Deleuze, Haraway, and so on. Schopenhauer's division can also be found in his predecessors. Leibniz builds an original imperfection into the desire of the monad such that it always fails to attain the perception it desires. The antecedents go back much further though, at least till Averroes, and it was to his conception of desire and its object as *congregatum* that Thomas was certainly reacting, in part. The

Summa contra gentiles, however, has not only Arabic philosophers like Averroes in its sights but includes, I think, Christian thinkers among the *gentiles*.

It has been thought that Thomas wrote the *Summa contra gentiles* as a handbook for Dominican missionaries, to better prepare them for meeting Muslim intellectuals while on missions. More recently, the idea that the text was written as a response to pagan science, philosophy, and theology has become more common. Yet, one should add to these ideas that Thomas was also responding to the dominant neo-Augustinian metaphysics of the body. There is certainly a relationship between the thirteenth-century version of this metaphysics and the commentaries of Averroes. In comparison, Thomas's metaphysics is a form of exceptionalism, standing apart as it does from the Averroist-Augustinianism much favored both at Oxford and Paris. It is, of course, terribly old-fashioned to claim an exceptionalism for Thomas (de Libera); it brings back all those memories of a narrow, neo-scholastic insistence that Thomas's thought stands head and shoulders above all the other philosopher-theologians of the period. Nevertheless, with respect to all those scholars who have labored hard during the last twenty years or so to demonstrate that great thinkers were liberally spread abroad in the Middle Ages (and I think I can include myself among these scholars), it remains true that Thomas has a unique, philosophically powerful theory of the body that can best not only his immediate peers but those who stand with him as part of the Western philosophical tradition.

When Thomas replaced Averroes's description of the material substantial composite as a *congregatum* with his *concreatum*, he likewise replaced the neo-Augustinian description of the same, the *aggregatum*. The *aggregatum* is cast as a plurality of either forms, substances, or things (*res*) which are combined to greater or lesser degrees through a dominating, primary form:⁴ the forerunner of Leibniz's dominant monad as a "subject of adhesion" that exhibits "compressive force" (Deleuze). Neo-Augustinians agreed with Thomas, of course, that stones, plants, animals, and humans were all material substantial composites, but they articulated anew both Augustine's sense that the body and the soul are not intimately related (evident in Augustine's theory of

sensation) and—what follows from this—that there is no metaphysical intimacy between God and creatures.

With de Finance, I wonder at the sense of sacrilege that must have been felt by neo-Augustinians when reviewing Thomas's argument that although creatures as composite and multiple in parts contrast with God's unity and simplicity (ScG II, c. 45, para. 2; III, c. 20, para. 2 and 6), creatures nevertheless possess a degree of unity and simplicity that befits recipients of God's communication of likeness and wisdom (ScG II, c. 1, para. 1–3; c. 2, para. 2; III, c. 54, para. 10). For his part, Thomas senses sacrilege, a limitation placed upon God's generosity and power, in the neo-Augustinian refusal to think of the creature as a unity. Where Thomas sees nature as a reflection of God's glory, as a setting of the *deus revelatus* (ScG II, c. 2, para. 3), neo-Augustinians approach in humility a transcendent God, though certainly not yet a *deus absconditus*. It is not, of course, that the neo-Augustinians doubt creation—as had Averroes—but that they give metaphysical voice to a spirituality in which the creature approaches God, but only through an intensification of the good fight that has to be fought.⁵ Thomas, evoking the monastic tradition,⁶ speaks of desire that comes to rest and peace as having attained *stabilitas* (ScG III, c. 48, para. 3). This, of course, was a primary spiritual quality desired by St. Benedict for his monks. When Thomas rejects (ScG III, c. 26, para. 12) theories of desire that make lack essential to desire—Averroes thinks that matter desires on account of a *diminutionem contingentem sibi*—he may have had in mind the grratry monk—the very worst kind of monk in St. Benedict's opinion—as a spiritual sign of such a view of desire. It is not only that there is a continuity in a violent conception of material substance between thirteenth-century neo-Augustinian thought and modern thinkers like Schopenhauer and Leibniz, but there is also a similar lack of intelligibility among creatures. This medieval lack of intelligibility that besets creatures that do not brightly reflect the glory of God will become the darkness characteristic of nature in Romanticism, and both are contested by Rahner's description of Thomism as committed to the "luminosity of Being." Thomas insists on the intelligibility of creaturely existence, affirming that a knowledge of nature is intimately related to a knowledge of God (ScG II, c. 2, para. 2). The

entire movement of the *Summa contra gentiles* rests upon this principle, for Thomas insists there that nature is evangelical: that the material world incites desire for God, that in “the goodness, beauty, and delightfulness of creatures” is a likeness of God that will help people to love God (ScG II, c. 2, para. 4). Such could not be the case, of course, if the material substance was fragmented, unintelligible, and violent.⁷

When reading Aristotle, Thomas Aquinas, like everyone else, would also have had before him the commentary of Averroes. By comparing the Thomistic and Averroan commentaries, whether their respective commentaries on the *Physics*, *Metaphysics*, or *De anima*, it becomes clear that Thomas develops a quite different theory of matter from that found in Averroes. While the two agreed that matter desires form (De pot., a. 4, a. 1, ad 2), Thomas, from the outset, I would argue, had before him the task of developing a theory of matter compatible with the bodily resurrection (see TB, 240). In his *Destructio*, a text which Thomas did not know, Averroes describes resurrection as a substantial union between a human soul and a celestial body. Thomas explicitly rejects such a theory—obviously a common one and not particular to the Arab philosopher—as it denies the possibility that the bodies we have in the here and now will be resurrected. Thomas’s deep philosophical objection to Averroes is the implication that if the material principle of our bodies cannot participate in beatitude in some fashion similar to our souls, then metaphysically a discord has been built into the human. Our material principle will be forever other than God and, if directed to God at all, is so in a fashion constitutively different from the directedness of the soul. And such is indeed the position of Averroes. For him, matter, although potency, is a substance, being and a thing (*res*) which exists through itself prior to form (and thus creation) and thus matter is a principle whose desire is not interiorly constituted by form.⁸ This being so, there is no reason to think that God could ever be a principle of satisfaction, though perhaps one of fascination, for matter. The variance between desire and its object is compounded in Averroes through his division of earthly and celestial matter. This division of the matter of the world (*universum*) was hotly contested by Thomas and other Christian thinkers. Averroes distinguished these matters in a number of ways, casting celestial matter as a substance in

act, for example, while maintaining that terrestrial matter was potency (albeit of a metaphysically robust sort). Yet, more important by far is what follows from this characterization of celestial matter. While earthly matter has a desire for form, however at variance it might be in principle from form, celestial matter itself, as in act, does not as such have a desire for form at all, nor does Averroes anywhere say that it does. The celestial soul that is attached to this celestial matter—the two together making the celestial animal—indeed has a desire for God, but its body does not. Celestial souls drag their bodies around with them as they strive to imitate the perfection of God, and yet hopelessly so, for their desireless bodies are perpetually recalcitrant to union with God.⁹

Just as the Schopenhaurian will is never satisfied by its representations, nor monads by their perceptions,¹⁰ so Averroes's metaphysics of desire—and his metaphysics is not as far from Plato's as is commonly thought by contemporary scholars¹¹—is signed by the “backward drift of affectivity” (Ricoeur). If desire cannot find its satisfaction, it is hard to see what metaphysical basis there could be for peace: it is, in fact, a short step to take from Averroes to Schopenhauer. If to Thomas's eyes, Averroes's metaphysics is one of hopelessness—a metaphysics in which the hope, consummation, and peace of union of desiring and desired is forever withheld—it requires only a slightly more assertive spirit, or a less courageous one, to see annihilation as a resolution of the intolerable variance of desire and its object.

It is perhaps Schopenhauer who most forcefully brings home all the implications of an Averroan-like conception of desire. If desire and its object are not intimately related there is little reason to think that as they come into contact with one another the result will be especially merry. Schopenhauer speaks of the war internal to the will, and thus the world, and casts this as a *metaphysical* original sin. Similar visions of metaphysical violence are not hard to find. In Galen, the aberrations of the intrinsically antirational passions are a consequence, as is all disease, of primitive fracturing among the component parts of the body;¹² Machiavelli understands the city to be riven by a *natural* violent opposition between the nobility and the common people;¹³ Thomas Hobbes makes Augustine's lust to dominate metaphysical (a

principle of the natural law no less!), as do Spinoza¹⁴ and Hegel;¹⁵ and even Adam Smith, for whom Hobbes was the arch enemy, describes a primordial “corruption of the moral sentiments” in our natural proclivity to admire aesthetic perfection and complexity more than virtue.¹⁶ Freud cast human existence as a combat of two immortal forces, aggression and libido;¹⁷ and, at times, Carl Schmitt¹⁸ when he argues that the friend-enemy distinction (and the war that stands as an ever-present possibility inside this distinction) is cast as an intensification of the struggle constitutive of human life.

As early as his *Sentences* (1252–56), Aquinas was developing a very different theory of desire and the body, a theory that would be systematically argued for in his Aristotelian commentaries (1270–73). I agree entirely with Van Steenberghe who saw in Thomas’s commentaries an attempt to give to the Latin world an entirely non-Averroan commentary tradition. As I shall show in this book, Thomas’s attempt to displace Averroes failed; at least, Thomas’s most brilliant student, Giles of Rome, preferred the insights of Averroes to those of his teacher. In this, I think Giles is pretty representative of the period: and I shall certainly treat him as representative of the Averroist-Augustinian tradition.¹⁹ Rémi Brague has argued that the general task that faced the theologians of the Middle Ages was to diminish the Greek inheritance of the exteriority of God to the world.²⁰ Following Brague’s insight, a history of the period could be written which would show, I think, this process coming to fulfillment in Aquinas and thereafter a reaction—stimulated by the Condemnations of 1277—in which the Thomistic proximity is rejected in favor of a new exteriority. Thus, if, in Averroes, God and the world are ultimately divided, in Giles, God and the world are ultimately united, but this unification is not rendered without its moments of violence. As shall be seen in chapters 6 and 7, it is a commonplace of the philosophical and theological tradition to conceive of self-mastery in terms of violent self-rule; to assume that material substantial compositions are held together through violence; and even among theologians, to understand the reforming powers of grace as the violent suppression of nature. Thomas objects to all three of these violent analyses but sees all three are related to a central problem: the failure to see the natural world as a setting for the *deus revelatus*. Thomas saw

clearly that in dividing the world into two different orders of desire, Averroes had in principle so reduced God's governance of the world as to make its exercise inevitably one of violence. For God's presence must make itself felt through impressing itself upon the otherness of the material principles. Indeed, one of these principles—the celestial—is indifferent to that presence and yet a necessary cosmological avenue, as it were, if that presence is to be felt in the terrestrial realm. It is hardly a surprise, then, if God is unable to satisfy earthly desire. Aquinas appears to see in Averroes a conception of a metaphysical, but not a theological, God: actually, Thomas seems to have seen in Averroes's works what al-Ghazzali saw before him. Thomas is quite clear about the catastrophe that follows upon Averroes's choice of the metaphysical instead of the theophanic: if the matters of the world are distinct (ScG II, c. 40, para. 5) and as a consequence there are three organizing principles in the world, the world becomes monstrous (ScG, c. 40, para. 3), with violence now structural.

Why Averroes made this distinction belongs to the history of astronomy, but this reason should be quickly reviewed here. It has already been seen that his distinction is philosophically interesting, for it reveals Averroes's fundamental metaphysical commitments. So, likewise, the Christian reactions to the distinction also reveal fundamental choices made. It was a commonplace of the Middle Ages to note that while in the celestial sphere no generation and corruption was observed, such did define the terrestrial sphere. Averroes argued that the difference was well accounted for by positing two structurally different matters. As we have seen, Thomas rejected this explanation as a diminishment both of God's revelation and our desire for union with God: God's unity is reflected in the unity of the world, Thomas insists. Rather does Thomas preserve the distinction between the two realms by arguing that there is a single principle of matter (or desire) in the world (ScG II, c. 44, para. 11; III, c. 4, para. 4), but the way of being possible (*ratio possibilitatis*) is many. Thomas thus argues that the specification of desire, the *ratio* that the principle of prime matter comes to have, is determined entirely by the form (II Sent., d. 12, q. 1, a. 1, ad 3; I Phys., lect. 15, n. 131; I Gen. et corr., lect. 9, n. 72; De pot., q. 5, a. 3). This allows him to argue that prime matter as a principle is the

same matter in the celestial and terrestrial realms (“a principle common to all bodies” [ScG II, c. 44, para. 11]) but the *rationes* of its desire are different because the forms are different. Celestial forms are able to freeze (*ligare*) the pure potentiality of prime matter, whilst terrestrial forms freeze the potentiality of prime matter for a limited period only (ScG II, c. 16, para. 9; III, c. 20, para. 4). Thomas’s contribution here is to enter into the interior structure of the desire of matter and this allows him to account for the observed phenomena without conceding the two-matters theory of Averroes. When Giles of Rome reviewed this solution, he took a middle path. He rejected the solutions of Averroes and Thomas equally but took something from both of their theories. He rejected Averroes’s division in matter but kept his metaphysical commitments and in so doing transformed Thomas’s distinction between matter as a principle and the way of being possible of that matter. In so doing, he makes an important intervention in the history of ideas, one with quite a subsequent history, and especially with regard to the philosophy of the body.

Giles changes Thomas’s distinction from that between matter as a *principium* and its way of being possible as a *ratio possibilitatis* to a distinction between matter as a *res* and its way of being possible as a *modus rei*. Giles has thus converted Thomas’s distinction into the metaphysical framework of Averroes, in which matter has a much denser metaphysical character than is found in Thomas. Giles argued that because Thomas’s distinction was not based upon a *res*-metaphysics, Thomas had ended up repeating Averroes’s division of two different kinds of matter. Giles argued that matter as a *principium* whose potentiality is utterly ordered to form has too little metaphysical character to avoid simply being absorbed into the actuality of form: and, if this is so, then celestial matter is *a matter of a different actuality* to terrestrial matter. Giles argued that in Thomas there is no genuine material or potential principle at all, and thus individual material substances are not really composed. If creatures are not really composed, then Thomas’s insistence on the unity of the creature as an imitation of the unity of God becomes even more scandalous: Thomas’s desire to articulate the unity of the creature has pushed him into seriously diminishing the sense in which creatures are composed at all.²¹ Thus,

Giles defends the idea of the *aggregatum* as a whole composed of a *res* (matter), a *modus rei* (a manner of desire), and a *res* (form) and in so doing, he preserves prime matter as pure potentiality; secures the distinction between the celestial and the terrestrial; and strongly marks the creature as composed and different from God.

As will be shown in some detail in chapter 6, this transformation is full of implications for how one conceives of the flesh, that is, the relationship between reason and sensuality in the embodied soul. Matter, in Giles, is now a thing (*res*) having a much greater metaphysical independence than in Thomas. Indeed, I think the division among the parts of the composite undergoes a further intensification in Giles than one even finds in Averroes. In Thomas, the *concreatum* is a unity of two *principia*, form and matter, which together through their internal relation establish one thing (*res*), an individual substance. The *congregatum* of Averroes is already a loosening of the tight Thomistic bond—ultimately, a bond to be explained in the intimacy between desire and its object—and form and matter become substances that together make an individual substance a composite of two more primary substances. The *aggregatum* of Giles—but a term common to many neo-Augustinians—is an even looser composition of matter and form with each cast as things (*res*) and thus the individual material substance as a thing composed of two other things. Actually, what might be called “elaborate plurality theses” crossed the boundaries of the different mendicant orders. Giles was the intellectual authority of the Augustinian Order and, in comparison to some, a moderate on this issue: the Dominican Robert Kilwardby and the Franciscan Richard Middleton both thought of each component of the *aggregatum* as a substance, form, act, and thing.

While there has been much dispute as to whether it is appropriate to speak of a neo-Augustinian movement in the thirteenth century, and who might be a part of it, there are, I am sure, ample grounds for grouping a range of Christian thinkers who through the concept of the *aggregatum* gave metaphysical expression to psychological and phenomenological descriptions found throughout Augustine’s works. Both the *Confessions*—one of the more optimistic works—and the *City of God* include descriptions of the fragmented self held together by vio-

lent self-mastery. The texts that speak about these efforts in respect of sensuality—texts which speak of war and conflict among the parts of the soul—are famous, of course, and one can find similar texts in Plato, Giles, Descartes, Kant, and Rahner, among many others. Giles is especially eloquent when putting this into a metaphysical register:²² since the human being is a composite of matter and soul, and since flesh is the meeting point of the material and mental faculties of the soul, flesh has its origin in two distinct things, the thing that is matter and the thing that is soul. It seems to be a rule that where there is greater metaphysical division there is a greater possibility for conflict: at least, this rule appears confirmed when examining the flesh in Giles, Descartes, and Kant (see chapter 6).

This chapter has dealt with some of the primary metaphysical theories of desire found in the Middle Ages. I have claimed an exceptionalism for Thomas that stems from his concept of the *concreatum*. I have argued that the basic significance of this idea is that it helps Thomas to build a metaphysics of peace. Because the human as a composite of matter and form is a *concreatum*, the place where matter and form combine in lived experience, the passions, is already always ordered to peace. How this metaphysics allows Thomas to develop a unique theory of the lived body is explained in the next two chapters. Thereafter, how this theory of the body has been used by the Church to develop its sexual politics will be a primary concern. It is argued that not merely is the Church's sexual politics defensible but that it is more theoretically cogent than the alternatives. More fundamentally yet, if all can agree that a moderation of violence is a good, then the Church's sexual politics will have to be embraced by those seeking to limit the effects of the culture of death.

Chapter Two

ECSTATIC BEING

All creatures desire the divine likeness and in so doing desire their own perfection. This is possible, for all being in Thomas's conception is ecstatic. Through examining this idea in the present chapter, it will be possible to see that the metaphysics of ecstatic being in the *Summa contra gentiles* (III, c. 24, para. 6–9) allows Thomas to describe a philosophical anthropology in which the desires of the human reflect a moral hierarchy (ScG III, c. 63, para. 1–8) and to establish a foundation for his natural law theory (ST I–II, q. 94, a. 2). The four-part (ecstatic) movement of human desire and its corresponding moral hierarchy will be discussed in this chapter. The basic argument is that the human body made ecstatic satisfies pseudo-Dionysius's dictum: *Bonum est diffusivum sui*.¹ In Thomas's hands, of course, this dictum also captures the giving and generative character of Being and all that participates in God's act. As de Finance puts it, "l'acte est essentiellement généreux."² If we recall that this dictum is said of God (ScG III, c. 64, para. 9), then the structure of human desire can be seen to imitate the structure of Being itself (MD, para. 11). Chapter 3 will examine the basis for the ecstatic structure of the body in the relationship between reason and sensuality. Chapter 5 will complete the argument by claiming that natural law is rooted in eternal law, the expression of God's wisdom and love, and so directs humans toward an increasing ecstasy in imitation of God's own nature: "divine love makes ecstasy insofar as it makes the appetite of man tend into lovable things" (*divinus amor facit extasim*

inquantum scilicet facit appetitum hominis tendere in res amatas [ST II-II, q. 175, a. 2]).

The meaning of the term “ecstatic” in the following is at once ethical, metaphysical, and theological. The argument relies on the Dionysian maxim that the good is diffusive of itself. Thomas especially discusses ecstasy in relation to this maxim. I argue that the maxim is true in both an ethical and a metaphysical sense, and that Thomas himself makes this argument. I later argue that this double sense is more deeply underwritten by Christ as an exemplar of the love that wounds the lover. Again, this is an argument that Thomas makes and this is why, for example, I think Thomas’s natural law is thoroughly Christological. It is also why Thomas’s analysis of a basic part of the metaphysical order, the material composite (and one such composite is the human being), can be identified as having an ecstatic structure. As the text will illustrate, “ecstatic” is used here to capture a Thomistic insight that the parts of the world are deposed in service one for another. I call this “Ecstatic Thomism.” Having identified the way in which ecstasy structures Thomas’s ethical, metaphysical, and theological thought, I show throughout that Karol Wojtyła’s thought on these matters is thoroughly Thomistic in just this sense. Because this is little appreciated, I do not think the power of his sexual ethics has really been recognized: that is, a rejection of Wojtyła’s sexual ethics is also a rejection of Ecstatic Thomism. Kolnai’s emphasis on privilege as a response to an objective moral order is the political counterpart to Ecstatic Thomism. For privilege deposes man as the measure of political order. It shifts the centre of political gravity from the sovereignty of the individual and leaves man simultaneously exposed and elevated through social order.

Natural appetite seeks the divine likeness as its own perfection (ScG III, c. 24, para. 6), and the higher in the scale of goodness a natural appetite is, the more does it desire “a broader common good” (c. 24, para. 8). Thomas provides four examples to demonstrate this principle. An individual seeks its (proper) good to preserve itself in existence, say, when an animal desires food. An individual can also act in a way appropriate to the species, as when an animal seeks its “proper good” in the “protection of individuals belonging to his species.” Seeking

continued existence and the protection of the young belong to “the essential character” of an animal but in different modes, under the mode of individual and the mode of species. A third mode is that of genus, and here Thomas gives the example of the heavens: a planetary body “seeks its proper good” as an equivocal agent, that is, by supporting the generation of terrestrial phenomena that are quite different in character from its own celestial being. Here, the individual bodies of the heavens help to sustain the genus of terrestrial being. In a fourth and last mode, God, “Who is beyond genus,” as befits “His own goodness” “gives existing being to all.”

Thomas describes a metaphysical order which in ascending in perfection becomes increasingly ecstatic as the more perfect members of the order find their proper good in sustaining, protecting, and promoting other members of the order that are increasingly remote from themselves. It is, if you will, a metaphysics of charity. “Hence it is said by some people, and not inappropriately, that ‘the good, as such, is diffusive,’ because the better a thing is, the more does it diffuse its goodness to remote beings” (ScG III, c. 24, para. 8). As the human person is the most perfect being in nature (*perfectissimum in tota natura*), having the greatest worth amongst creatures (*dignissimum in creaturis* [ST I, q. 29, a. 3; De potentia, q. 9, a. 3]), the human person is most thoroughly structured by the ecstatic character of being. From the individual who sustains and protects its own being one moves by increasingly ecstatic stages to God, Who in giving being to all other things conserves them. For divine love makes ecstasy (*divinus amor facit extasim*) as all things seek the divine likeness as their own perfection. God moves all being as an object of desire (ScG III, c. 64, para. 4), including the desire of matter (ScG III, c. 3, para. 3), and thereby brings them to perfection (ScG III, c. 3, para. 5). Insofar as a creature attains the object of its desire, and its acts attain stability (*stabilitas*), it simultaneously constitutes its own identity and offers itself in a relationship to others. Creatures are intrinsically structured to an other-directedness through which they yet attain their own proper good (ST I, q. 19, a. 2): they are thus internally ecstatic, a consequence of their being good and so interiorly propelled to communicating that good: *bonum est diffusivum sui*.³ There is then an inner unity in Thomas’s

conception between ecstasy and generosity (*generositas*: producing well/noble birth); or, in other terms, between love of the other and love of self. Indeed, it is quite accurate to say that there is the good of others written into the definition of appetite as such, and thus others are included in the definition of what it is to be a human person. This central principle is, in Thomas's mind, the foundation of the ecstatic dimension of the body: for if the body is desire, and after some fashion for Thomas it certainly is, then the body has a propensity for the good of the other; and if the body is part and parcel of what it is to be a human person, then the human is always interiorly other-directed. The passage to which we will turn shortly (ScG III, c. 63, para. 1–9) will show how this description of ecstatic being is a metaphysical-ethical description of human desire.

That these passages establish a metaphysical ethics was not missed by the Jesuits. The *Commentary on the Nicomachean Ethics* (1593) that belongs to the *Cursus Conimbricensis* begins with these passages from Thomas, and the first *disputatio* of the Jesuit commentary is designed to provide a metaphysics for the ethical positions to be defended. The Portuguese Jesuits (the text is a compilation of notes from various Jesuit professors edited by Fr. Manuel de Góis)⁴ do not link these passages to Thomas's theory of love, however; nor do they link them to another of Thomas's passages, which I think is crucial for his account of moral hierarchy (ScG III, c. 63, para. 1–8). Nonetheless, the fact that the Baroque Jesuits recognized the intrinsic relationship between Thomas's ecstatic metaphysics and ethics is important.⁵ The Coimbra commentaries had tremendous success throughout Europe in both Catholic and Protestant universities and colleges. For this reason, we should not perhaps be so quick to accept Levinas's comment that the history of Western philosophy is flawed because metaphysics was given a priority over ethics. In Thomas's conception of ecstatic being we seem to have a simultaneity between the two. I shall argue later in this chapter (as well as in chapters 4 and 5) that there are profound, and as yet unexplored, convergences between Levinas and Thomas. And, as shall become clear, it is less the case that the body expresses the law "Thou shalt not kill" but more a propensity to serve the common, and ultimately, the universal, good: which may, as the natural law makes clear,

include the need to kill so as to love the other. The greatest confirmation that the simultaneity of metaphysics and ethics as conceived by Thomas and some Jesuits was common intellectual currency comes from an unlikely source: de Sade. The fundamental drive of de Sade's philosophy was to see the dis-incarnation of God. The target picked by de Sade was God's proxy, the natural law: and, as everyone knows, de Sade thought up many ways to contravene the natural law. Nevertheless, despite all of these ways, de Sade's desire was frustrated, for the very continuation of things in being promoted Christian morality. Thus it is that de Sade conceived of the greatest exaltation to be hurling the sun at the earth so that both might be destroyed in the cataclysm that would follow.⁶ The fantasy of de Sade reveals him to have had a deep understanding of Christianity's metaphysical ethics, an understanding that may lead to a useful correction of Levinas's history of Western thought.

The ecstatic structure of a creature is also a function of its status as a *concreatum*. This is not only because the kind of desire the matter has is a consequence of the identity given to matter through its creation with form but more importantly that matter as desire is nothing other than an orderedness to form and act (*nihil igitur est aliud materiam appetere formam, quam eam ordinari ad formam ut potentia ad actum* [I Phys., lect. 15, n. 138; ScG II, c. 23 & c. 40]). That is, matter is perpetually ecstatic in that it is intrinsically directed to form, and is so, without remainder, as it were. A contrast with Giles's *aggregatum* will show the significance of this. The *aggregatum* for Giles is a composition of two *res* which cannot be internally related and hence give the basis of a real distinction (if not separation). Giles precisely develops this model to distance his idea of matter from that of Thomas, for whom matter is nothing other than an orderedness to form. To capture the metaphysics of Giles with an image, it might be appropriate to think of the material composite as built of matter and form cast as two magnets but with their charges opposed, and so while able to be in close proximity a residual distance always remains; indeed, a certain interior instability is never absent from the material substantial composite in Giles's conception. In Thomas, form and matter have always ecstatically reached out the one to the other.

The metaphysical order of ecstatic being—individual-conservation, species-offspring, genus-community, universal-God—is expressed in human desire. Human appetite is a set of ordered movements from conservation (individual), to family (species), to civic life (genus), and to God (universal). Thomas presents this theory at ScG III, c. 63 (para. 1–9). Thomas begins his presentation with the highest human “type of desire” whose act is “knowledge of truth.” The satisfaction of this appetite is pursued through contemplation and will be brought to final contemplation only in the “vision of the First Truth” (para. 2). A second lower desire is a consequence of human rationality and is “a certain desire . . . to manage lower things.” Its satisfaction is found in “the work of the active and civic life” and its object is “that the entire life of man may be arranged in accord with reason, for this is *to live in accord with virtue*” (emphasis original). That is, this desire and its act is the *ostiarus*, the desire and act that allows the contemplated divine law to suffuse the “entire life of man,” including his sensuality. Thus Thomas writes that “prudence, that is, political prudence, ministers to wisdom, for it leads to wisdom, preparing the way for it, as an ambassador for a ruler (*sicut ostiarius ad regem*)” (ST I–II, q. 76, a. 5). As with the first desire, this desire will be fully satisfied only in the *visio dei* when “reason will be at its peak strength, having been enlightened by the divine light, so that it cannot swerve from what is right” (para. 3). The virtue of prudence thus perfects the desire to manage our lives rationally, both in relation to others and to ourselves. Thomas then discusses three applications of “political prudence” (para. 4–6) which are matters for the virtue of justice. These passages will be discussed in chapter 3. The “third desire of man” is “to enjoy pleasures” (para. 7), and this is typically done, says Thomas, “in the voluptuous life.” This appetite is concupiscence or sensuality and must be managed through the cultivation of temperance, while a fourth desire for “preservation” (para. 8) is the irascible appetite to be managed through fortitude. Thomas explains that in the *visio dei* the blessed will “attain perfect sempiternity” and the irascible appetite will thus be wholly satisfied (para. 8). About concupiscence, Thomas adds:

However, the most perfect delight is found in this felicity [the beatitude of the *visio dei*]: as much more perfect then the delight

of sense, which even brute animals can enjoy, as the intellect is superior to the sense power; and also as that good in which we shall take delight is greater than any sensible good, and more intimate, and more continually delightful . . .

(ScG III, c. 63, para. 7)

In “the vision of the First Truth,” an intelligible good, the Being that is the Trinity will be communicated to concupiscence and grant to it “the most perfect delight.” Crucially, this intelligible good is not merely greater than any sensible good but it will be “more intimate” to us than any sensible good can be. That intelligible goods are more communicable than sensible goods relies on Thomas’s metaphysical principle that matter is a principle of individuation. The full implication of this principle for the body and desire—that the bodily excludes—will be discussed in the next chapter. Here, it is important to note that Thomas argues that concupiscence can become intimate with a purely spiritual or intellectual principle. The *visio dei*, in which the most intellectual of principles comes to characterize a person and her desires, is an intensification of the virtuous life, in which sensuality is characterized by reason. In this intensification, when God becomes intimate to concupiscence, and when concupiscence imitates God more, sensuality becomes ecstatic, opening to a wider good. Through the virtuous life, and finally and definitively in beatitude, bodily desire rises to God in ever greater intelligibility, universality, and generosity. If, on the contrary, bodily desire moves away from God it becomes evermore “deaf to reason” (Plato), particular, and closed in upon itself.

To begin to capture the implications of the ecstatic structure of desire as presented by Thomas in these passages, we can ask: what is the consummation of desire for each of the four levels of human desire? As we move through these four levels it will be seen that the least ecstatic desire converts its object into itself while the most ecstatic desire is converted into its object. The hierarchy begins with the desire for preservation, with nutrition as a good example (ScG II, c. 89, para. 8). Here, food is absorbed into the creature, as the creature impresses its form almost totally upon the nourishment. Although Thomas is not known for his physiological reflections, theories of digestion in which

food is converted into blood which then becomes a matter for the heart's natural heat to operate upon as form were commonplace in the thirteenth century.⁷ At this level of desire, the other barely appears. With the next level, however, a crucial intensification of relatedness to the other can occur. While natural appetite first structures all beings to conserve themselves, in a second moment it structures sensuality (that of animals and the human animal both) to an ecstatic involvement with another. The desire for pleasure can be—but as we all know is not always—a desire in which the conversion of the other to the self can be transformed. In the case of offspring (ScG IV, c. 45, para. 3), although the child is impressed with something of the form of the parents (their one flesh), nevertheless this impression is not at all total. Another genuinely appears at this level of desire and therewith the parents' desire is made ecstatic (*quando appetitus alicujus in alterum fertur, exiens quodammodo extra seipsum* [ST I-II, q. 28, a. 3]). While in the case of nutrition, the other is absorbed into the form of the one desiring, in the case of offspring the emergence of another compels the parents to a life of service; they become related to one who has a *lawful* claim to education and cultivation (ST I-II, q. 94, a. 2).

That this level of desire is made open to the other is a consequence of sensuality being impressed by reason (LR, 108; 116–117). In the rule of reason over sensuality, a double ecstasy opens up within the person. Sensuality in obedience to reason overcomes a propensity internal to its nature to convert the other to itself (LR, 105)—we shall discuss the metaphysical reasons for this below—but so too reason, if its rule over sensuality is just, overcomes a possibility (though not a propensity) to transform sensuality inordinately into itself. The obedience of sensuality to reason that was one of the great gifts of God to Adam and Eve should not be misunderstood. This obedience was not a collapsing of sensuality into reason, it was rather that sensuality was guided to *its true satisfaction* by a reason that had in view the good of all the parts of human nature (the intricacies involved here will be discussed in the next chapter).

Yet, to many today, the privileged role Thomas has for reason will seem implausible. There is probably no concept more embattled than that of rationality. The attack has really been led by post-modern theo-

rists, and almost always with the concept of Kantian reason in mind. Thomas would join in these attacks (!) and insist simultaneously that his concept of reason is utterly different from Kantian reason. Kantian reason is an autonomous law-giver and self-legislating. It is a consequence of this autonomy that Kantian reason is not ecstatic and differs from Thomas's conception on two counts. In Kant's moral theory, there must be a moral relationship to the self before there can be a moral relationship to the other. The other is external to my morality as such. The internal other, sensuality, is always external to the life of reason in Kant's thought.⁸ Sensuality relates to reason only as a threat and thus reason seeks to control it through an autocratic rule so as to nullify the movements of sensuality and therefore to nullify the internal other as such.⁹ The internal other can never even appear in a moral relationship with reason (LR, 154) but only ever be a victim of the brute assertion of reason's autocratic rule. For the human as *animal rationale*, says Kant, is nothing other than *pretium vulgare*. In Thomas, as has been seen, the ecstatic nature of reason places reason in an always constituted immediate moral relationship to the external other, as well as the internal other, sensuality.

Thomistic reason is a governor or monarch with a dynamic of creativity that is an artistry imitating the divine artistry of wisdom. God creates in wisdom (ScG II, c. 24, para. 4; VS, para. 40–41) as an artist, says Thomas (ScG II, c. 2, para. 2), and in looking to govern according to the mutual proportion between things, reason acts, if I could put it this way, as a constitutional ruler, a guardian of received divine law. It is still more the image of reason as an artist under the patronage of God that Thomas wishes to emphasize. He does so in a remarkable passage that deserves to be quoted at length:

For, so far as their appetite moves their members, they [animals] are said to move themselves, and in this they surpass inanimate things and plants; but, so far as appetition in them follows necessarily upon the reception of forms through their senses and from the judgment of their natural estimative power, they are not the cause of their own movement; and so they are not master of their own action. On the other hand, form understood, through which

the intellectual substance acts, proceeds from the intellect itself as a thing conceived, and in a way contrived by it; as we see in the case of artistic form, which the artificer conceives and contrives, and through which he performs his works. Intellectual substances, then, move themselves to act, as having mastery of their own action. It therefore follows that they are endowed with will.

(ScG II, c. 47, para. 4)

It is worth following Thomas closely here. He wants to explain human freedom and begins with the case of animals, noting that they have no will because they are not free. This phrasing is unusual: something is not free because it has a will, but has a will because it is free. Thomas argues that animal appetite moves necessarily upon the reception of forms by bodily cognitive powers and after the judgment of natural faculties such as the estimative power. By contrast, the human has will because the human intellect devises, contrives, and invents (*excogitatio*). It is on the basis of the intellect's contrivings (*excogitata*) that the human responds to the environment. It is this distance from the life of the senses and the imagination, a distance generated by the freedom of the intellect to invent and devise, that is the foundation of human will and the capacity for self-mastery. This capacity of the intellect to create its conceptual life is the most fundamental site of freedom within the person—human action is free because the intellect is free on account of a capacity for concept-creation—and yet it is not a freedom of self-legislation but the artist's freedom of inventiveness under the patronage of God. It is not then a question of autonomous freedom—a self generating its law—but an ecstatic freedom with a self essentially involved in practices of service in which the self is already and always given over to others. Self-mastery, for Aquinas, is never the absolute self-mastery or autocracy insisted upon by Descartes and Kant. The artistry of reason is (should be) an imitation of divine wisdom (Prologue, *Commentary on the Politics*, para. 1), an expression of reason's ecstasy toward God (as artists eschew state patronage, and as many acknowledge that the Romantic ideal of individual inspiration is now tired, there has never been a better moment for the Church to reclaim her role as the

patron of the arts).¹⁰ Pickstock says nicely, “the placing of imitation ahead of autonomy suggests that, for Aquinas, borrowing is the highest authenticity which can be attained. One must copy in order to be, and one continues only as a copy, never in one’s own right.”¹¹

The double ecstasy of sensuality in relationship with reason and reason’s own movement toward sensuality is a condition for the possibility of a third ecstatic moment: at this level of desire; rational self-government makes possible the appearance of another in a social and political sense. Self-government, rooted in a double ecstasy that is nothing like absolute self-mastery or a rule of self by one sufficient unto himself, is always the foundation of political government: a rational life of virtue for the common good of one’s own whole person is a condition of a rational life of virtue for the common good of society as such. The self-command of ecstatic reason is precisely a rule of self in which a standard *other than oneself* takes hold. Reason engages in a just rule to the degree that it concerns itself with the mutual proportion of parts, and the same standard determines a life of virtue in relationship to the political good. We see here that a virtuous politics can only be a politics of humility since humility is a condition for ecstasy. The difficulties involved in this politics of humility—where one sets oneself in mutual proportion to another—is made more intense by the fact that, for Thomas, the rule of reason over sensuality is founded on a moral authority that must *by moral persuasion* evoke consent and obedience from sensuality. When this model of self-government is applied to the rule of government of the common good of society it is evident that government must first and foremost be moral government. There can be no such thing as a neutral state, nor indeed a Church that ceases to proclaim itself as a moral and political authority.

With the fourth level of desire, and here we are able to use Thomas’s definition of ecstasy in its fullest sense (*extra connaturalem apprehensionem rationis et sensus* [ST I–II, q. 28, a. 3]), we reach a level at which it is possible for intellectual desire to be satisfied through Truth when Truth impresses His identity upon the lover. Here, desire is converted, having completed a movement of humility, and made into the Other. A (spiritual) food now converts desire rather than desire converting (physical) food. The *visio dei*,¹² as Thomas says, occurs “by imposition

of a new form” (ScG III, c. 53, para. 5), that is, the intellect comes to reside “in (a new) position” (*per novae formae appositionem*), having taken on “the likeness of the thing understood *informing* it” (ScG III, c. 51, para. 3; emphasis is mine). The intellect is now outside its original position because it is now understanding “through something *other* than itself” (ScG III, c. 52, para. 5; emphasis is mine). We thus understand how Thomas can insist that the *visio dei* is connatural to human desire (ScG III, c. 54, para. 8) despite there being an infinite gap between God and creature: the ecstatic structure of desire, the *concreatum*, is a *natural (if potential) bridge* between the natural and the supernatural. Thomas can cogently speak of the created intellect being united in an act of understanding with God while remaining “far away from God in its being” (ScG III, c. 54, para. 3). It is important to note here that the conversion of the desire of the intellect into its desired object, God, is not the satisfaction of desire in the sense of its cessation. Desire, Thomas tells us, is perpetually ecstatic in the *visio dei*. No finite object can satisfy the natural desire of the intellect, but once desire comes to the infinite object, desire is incited further to know more intimately the object now present to the lover (ScG III, c. 50, para. 5). Desire before the infinite God now possesses “an unmoving stability” (ScG III, c. 48, para. 3)—here the Dominican Thomas surely pays his respects to the spiritual insight of Benedict—in which desire is perpetually drawn out of itself in wonder at Who the lover beholds fixedly (ScG III, c. 62, para. 9).

The appetite for self-conservation which reduces all objects to itself is reversed in the appetite for the *visio dei*: a natural centeredness on self is constantly being absorbed and transformed by an ecstatic other-centeredness. Thomas’s explanation of the *visio dei* helps to show that his account of the four-part structure of human desire is itself structured by the theory that human desire, precisely because it is human, is desire having a matter/form composition. In Thomas’s most metaphysical analysis of desire, the openness of matter as a principle of pure potentiality, a potency toward being informed, always makes of desire a movement beyond itself, even unto supernatural completion. Thomas can thus speak of God and human “mutually united” (ScG III, c. 52, para. 4), for the human is now like God, marked by generos-

ity, being *diffusivum sui*. Discussing Thomas's metaphysics, Wojtyła writes:

The inner measure of a being's perfection necessarily moves outward, so to speak, transcending the being itself: the perfection of a created being always causes that being to tend toward the ultimate end that is God, by virtue of the being's own resemblance to God. The higher this perfection, the more the being tends toward God, for the better it represents God's perfection in the world. In this view, perfection itself is already a tendency: perfection is "charged" with purposiveness.

(PC, 77)

The fundamental import of Thomas's description of the composition of matter and form as a *concreatum* is that desire has a natural propensity to glory (*lux gloriae*), that is, such composites are always to some degree or other ecstatic since the principles upon which they rely are so ordered to one another: thus the flesh is a *concreatum*, with reason and sensuality ecstatically united to one another. It is here that we can return to the significance of the theory of composition in Giles of Rome. Thomas's insight at this point is that any conception of matter other than that of matter as a *principium* of potentiality reduces the degree to which matter has a propensity to go beyond itself. It might be thought that the inverse holds, that Giles's notion of the *aggregatum* which has it that there is an otherness internal to the composite bespeaks a greater logic of ecstasy. Such otherness, however, is in fact a "closing," for it is precisely Giles's point that the *res*-status of both principles means that they resist one another. The *modus rei* that is generated in matter by the form, that makes desire into a desire of some particular sort, cannot draw matter itself, but merely one of its modes, into an intimate relationship with form. The modal intimacy achieved bespeaks only a more profound remaining opposition.

Sensuality, argues Thomas, becomes generous when taken up ecstatically into the life of contemplation and reason. As sensuality becomes more thoroughly structured by reason, it becomes more intimate with God and therewith more diffusive of itself. While Thomas's deepest

reasons for arguing that sensuality independently of reason cannot be ecstatic will be addressed in the next chapter, it is worth noting here an odd fact: the thinkers most commonly thought to newly valorize the body, those who are often celebrated for liberating us from the Christian oppression of the body, see the body as metaphysically caught in violence. Foucault regards the “soul” as no more than a technique of power which is a prison of the body,¹³ an example of that power which aims at the domination of the body. The body, however, is a point of resistance and as such outside of power, yet always perpetually linked to power as an adversary in a “sphere of force relations.” Of these power or force relations, Foucault writes, “their existence depends on a multiplicity of points of resistance: these play the role of adversary, target, support, or handle in power relations. These points of resistance are present everywhere in the power network.” Though it might be thought that Foucault seems to grant in Rousseau-like fashion a pure innocence to the body—and certainly many liberal American commentators would wish him to have said this—he is quite clear that such purity cannot exist: resistances “are the odd term in relations of power; they are inscribed in the latter as an irreducible opposite.” The body resists power in its “inflammations” which “fracture unit-ies”¹⁴ but is hardly innocent of power itself. There is a tinge of regret about this in Foucault—and so perhaps a hint of Rousseau after all—but no such regret is found in de Sade or Bataille, who are both happy to celebrate this violence of the body.

Matters stand no better with Merleau-Ponty. Recalling both the neo-Augustinian *aggregatum* and Leibniz’s composites cohering through “compressive force,”¹⁵ Merleau-Ponty describes the expressive body so: “Despite the diversity of its parts, which makes it fragile and vulnerable, the body is capable of gathering itself into a gesture which for a time dominates their dispersion and puts its stamp upon everything it does.”¹⁶ For him, flesh is the opening of desire, a desire operative in, and constituted by, vision, “a combat which at times has no victor.” This opening of desire is a peculiar ecstasy for the terms involved as it establishes a “line of fire between them.”¹⁷ Being itself is in conflict and “my glance” which diminishes the “aggressiveness” of being “takes up its dwelling in being with authority and conducts itself there as in

a conquered country.”¹⁸ These passages are of a piece with Merleau-Ponty’s Marxism,¹⁹ where human relations succumb to “inevitable terror,” though with the Revolution this terror will be superseded in a new reciprocity.²⁰ How this initial starting point in terror can ever be superseded given Merleau-Ponty’s violent conception of flesh itself is unclear (I will make more of this point when treating of Gaston Fessard’s treatment of dialectic in chapter 9). On some occasions, he seems to have realized this problem and thought that one kind of violence (Marxist) was at least preferable to another (capitalist).²¹ Certainly, he courted the idea of a violent resolution to terror and rejected as a “pious dodge” those who wanted to separate politics from Machiavellian *virtù*.²² This should hardly be surprising since there is an historical continuity between the ideas of Machiavelli and those of Marx.²³ Like Foucault, he seems trapped between his metaphysical commitments and those of his liberatory politics.²⁴

It is worth pausing at this point to make clear some fundamental claims. Thomas’s argument is that a life of contemplation and a reasoned embodiment is a life of greater generosity than a life of sensuality. Such a life is more diffusive of itself—that the good is diffusive of itself and that this is itself a good thing is a combined metaphysical and moral datum—and that this is in imitation of the willed ecstatic character of God²⁵ is also assumed by Thomas. These claims combined are a powerful argument against progressive liberal theology, philosophy, morals, and politics. Thomas’s ecstatic morality is effective against such a theoretical position because both share a central assumption: both want a diminishment in violence and an increase in justice. Merleau-Ponty, albeit a Marxist, is nevertheless clearly a philosopher committed to progressive humanitarianism, much like any liberal, and so too, perhaps, Foucault. Anyway, it is undeniably true that when these Continental ideas travel to England and America they are recast in a progressive liberal mode. As the argument of this book unfolds, I think Thomas will be seen to have the better of the argument and that his ecstatic law-based conception of ethics and politics delivers a goal supposedly shared by all of these thinkers: a moderation of violence.

Most basically, Thomas argues that the more flesh participates in reason the more generous flesh is, the more other-directed it becomes.

A typical progressive liberal appropriation of Merleau-Ponty and Foucault, and deep down such an appropriation may not be at all a betrayal of their basic commitments, is to cast them as heirs to Rousseau: to conceive of the body and its sensuous nature as not only good but essentially unproblematic, more, as salvific. On such an account, once the violent structure of mediation between humans, whether rationality, the state, social inequality, and so forth, is eliminated, intercorporeity will secure peaceful coexistence. Against such a conception, Thomas affirms the reality of original sin, that is, *and this is important*, that *one* of the dimensions of a double-aspected sensuality is a *natural* propensity to desire to dominate the other. A rational self-mastery that emphasizes the other natural propensity of flesh to ecstasy is necessary to moral life. Actually, such a conception is by no means alien to the liberal political tradition itself. Hobbes is absolutely clear that human nature includes a natural propensity to hurt the other and that a rational exercise of this propensity is necessary if it is not to contradict itself. It is equally true, of course, that other liberal theorists would balk at this: Montesquieu identifying the desire for power over others as bound up with institutions and Rousseau with the inequalities of society.

John Paul II has spoken glowingly of Levinas's contributions to an ethics promoting life. He regards Levinas's synthesis of the person and the law as "a testimony for our age" and clearly sees his own *Theology of the Body* as in continuity with the Biblical personalism he finds in Levinas.²⁶ I think this appraisal is absolutely correct and as the argument develops over the coming chapters, I hope to show that had Levinas had a deep knowledge of Aquinas²⁷ he would have found an ethics close to his own. In saying this, I do not propose a "Levinas chrétien," as Edith Stein once proposed an "Husserl chrétien" but rather do I see Aquinas as a corrective. One might say that Aquinas is a suitably moderated Levinas. Aquinas, as is well recognized now, is quite separated from "une philosophie en radical rupture" (as found in Heidegger), as is Levinas, but he is also quite separated from "une philosophie rationnellement idéaliste" to which Levinas is clearly an heir: Levinas's *loyalty* to Descartes, Malbranche, Kant, and Husserl is evident.²⁸

To some, Levinas's emphasis on the morality written into the face prior to reason is a further affirmation of the flesh, for through the flesh, as Milbank puts it, Levinas longs for a "pure encounter of mutually exterior subjects without mediation."²⁹ Whereas Levinas is critical of the priority of metaphysics over ethics, Thomas synthesizes the two at a level as "pre-original" as aimed at in Levinas (TO, 105) and can agree with Levinas that there is a law "Do not kill" in the face. For Thomas, however, this norm is a rational norm; a norm structuring our natural appetite on account of a participation in eternal rational law (ST I-II, q. 91, a. 2). Nor, it should be added, would Thomas accept Levinas's assumption that intellect is intrinsically in opposition to its object, or intent upon assimilating the object to itself in an adequation. Such a conception of the operation is an inheritance of German Idealism, and one, it seems to me, which the onto-theological criticism of Aquinas relies too heavily upon. Levinas assumes a world (essence) of violent clashes³⁰—hence Levinas's interest in Pascal's aphorism 243³¹—which reason tries to pacify (TO, 94; OTB, 4), but only by making a theme and an object of "the foreign being" (TO, 97–98). Thomas rejects such a construal of reason but, more fundamentally, and without reducing the other to the same or vice-versa (TO, 105), rejects Levinas's starting point: that a "null-site" cannot be interior to essence, or, as Thomas will have it, the natural law places the "null-site" anteriorly in essence. Just how thoroughly Thomas's double aspect theory of the body anticipates Levinas's *rapport social* will be shown in chapter 5. Regarding how to understand reason, Thomas (ScG III, c. 25, para. 6) makes a distinction between tending toward an end "by way of assimilation" and "by way of cognition." The former is the method of non-intellectual things that seek to appropriate objects converting them to themselves, as in digestion, for example. However, "by way of cognition" is quite different, for here the object to which the intellect tends gives birth to itself in the intelligible order. Thomas writes: "when the intellect understands something different from itself, the *thing* understood is as the *father* of the word [concept] conceived in the intellect: however, the *intellect* itself gives birth rather after the fashion of a *mother* as in her there happens a conception."³² Thomas here asserts the maternity of the intellect. It is this maternity which rationally orders sen-

suality, ordering it to the law, that delivers the other in the “null-site” of the wound of the loving flesh.

In a fashion similar to Levinas, one might think that the Scottish Sentimentalist tradition affirms sensuality over reason. There is the same deprecation of the intellect, Adam Smith citing Malebranche favorably, that the passions justify themselves through cultivating a reasonableness.³³ In another sense, however, the sentiments are rational at a deeper level since they are structured by the natural law.³⁴ And at any rate, the sentiments do not establish an “encounter . . . without mediation” (Milbank) since they are ordered by the impartial spectator, a “demigod” because in part social and in part rooted in the natural order.³⁵ Smith’s position is not then a simple assertion of the moral power of the sentiments but relies on natural law. Of course, the principles and explanation of natural law might not be the same in Smith and Thomas but the point here is to recognize that ethics is not reducible to pre-rational sentiment or “passion.” Similarly Levinas’s *rapport social*, as I shall show in chapter 5, shares not a little with what might be called Thomas’s “natural norm analysis.”

It must be acknowledged here that Thomas’s argument is much less effective against someone like Bataille. As his *Story of an Eye* makes clear, there is a frisson to be enjoyed in a neo-Nietzschean bathing in violence. I am not sure that more can be done than simply to acknowledge that Thomas is ineffective against such an affirmation of violence. I know of no real argument that can be made against someone who glorifies violence: no assumptions are shared, and this makes argument ineffective.

Amongst contemporary thinkers, it is, perhaps surprisingly, to Nancy we should look for a theory close to that of Thomas. Some of the surprise might be that one would expect to look toward a Catholic like Rahner for such a theory, or, put differently, one would have expected a more obviously Catholic thinker. Another aspect of the surprise might lie in the fact that Nancy owes a debt to Merleau-Ponty and yet it has been seen that his theory of flesh relies on a metaphysics of violence. The phenomenological sensitivity of Nancy shows that Thomas’s undeniably metaphysical approach gains confirmation. There is a discontinuity between Merleau-Ponty and Nancy for, of

course, Nancy is not at all invested in a Marxist metaphysics as was Merleau-Ponty. It strikes me that Nancy's theory of violence is close—if not as completely sketched—to that of Thomas. Nancy is eloquent on the violence done to the body but does not say enough about how the body itself can be constitutive of violence.

Nancy clearly sees the double-aspect of the body, "the double structure."³⁶ Like Thomas, he sees being and the body as ecstatic, although he also acknowledges the mass, density, and impenetrability of the body. And like Thomas, he affirms the always present possibility of the body's transgression: he appreciates the degree to which the body is caught up in "the irresistible imperialism of the Same and the I" (TO, 110). There is something rather than nothing because bodies are always "between repulsion and dissolution," for "bodies run the risk of resisting one another in an impenetrable fashion, but they also run the risk of meeting and dissolving into one another" (BP, 206). Surely, an insight of Trent is acknowledged here. Nancy writes, "the ab-solute is what is detached, what is placed or set apart, what is shared out. This sharing is itself ab-solution" (BP, 204). Thus, the body needs to be absolved; the lust for domination that is concupiscence is always an ever-present possibility where there are bodies. The teaching of Trent is acknowledged here, just not named by Nancy: and yet I cannot believe he would balk at *being Tridentine*. Yet, I wonder if the philosopher who likes to "advance a Catholic theological thesis" now and again would balk at *being Wojtylian*? Wojtyła makes the self-same point. Speaking of the relationship between the sexual urge (sensitivity) and the will (rational appetite), he writes:

And [the will] commits this capacity, its natural and noble potentiality, to the other person concerned. It desires the absolute good, the unlimited good, happiness for that person, and in this way compensates and atones for the desire to have that other person, a person of the other sex, for itself. We have here, of course, been speaking of the sexual urge only in one particular aspect. For the will does not merely combat the urge: it simultaneously assumes within the framework of betrothed love responsibility for the natural purpose of the instinct.

(LR, 137)

Nancy corrects Lingis, who casts the body as a passivity awaiting the inflammation of touch, and does so by identifying the ecstatic quality of the body: “But the skin is always exhibition, exposition, and the minutest look is a touching that brushes against it, and exposes it once more” (BP, 205). Exposition, exscription, the “ex” of *extasis* is a consequence of the “absolute, separated and shared out bodies” (BP, 206). Echoes of pseudo-Dionysius are heard in the joy of the body, “this joy takes place as the very ex-position of this body. This joy is its birth, its coming into presence . . .” (BP, 204). The body is diffusive of itself—and the birth motif here should be noted as we will return to it in the next chapter—and so, Nancy writes, “the sense of the body is given as the place of sense, as its circumscription and its exscription, as its end and its birth . . .” (BP, 204). For Thomas, circumscription is not as such negative, it is simply an aspect of the body. It is only negative if circumscription is separated from exscription, which is a violence to the other and to the self for being is normatively ecstatic, that is, simultaneously circumscription and exscription.

The normative structure of the Thomistic body is for spirit and flesh to be interinvolved, for spirit to be suffused by flesh and for flesh to be suffused by spirit. Spirit without flesh is missing moral knowledge just as flesh without spirit is missing moral knowledge. Nevertheless, as will be seen in the next chapter, there are profound metaphysical reasons behind Thomas’s insistence that it is the rule of reason that provides for a broader and deeper moral knowledge than sensuality. Nancy recognizes the central reason: “A body does not have a weight, it is a weight. It weighs, it presses against other bodies, onto other bodies” (BP, 198–199). The Tridentine Nancy might in the following passage be thought to deny Thomas’s metaphysical priorities. He writes, “*The body has the same structure as spirit*, but it has that structure *without presupposing itself as the reason for the structure*. Consequently, it is not self-concentration, but rather the ex-centration of existence” (BP, 200; emphasis is original). Nancy wants to insist here that the body is naturally ecstatic, and Thomas could not agree more. However, it is because sensuality is naturally suited to obey reason—which is itself ecstatically deposed and not a Plotinian self-concentration—that the body is naturally ecstatic *and this despite the fact* that sensuality is rooted in matter,

the principle of individuation. Nancy himself cites Thomas's notion of *materia signata* as a correct description of the body (BP, 194). In Thomas, *materia signata* is, as well as a description of the principle of individuation, a description of the *concreatum*: a description of matter marked by form and ultimately, as will be seen, by Christ's wounded flesh; and the description of sensuality as naturally suited to obey reason is but an anthropological application of the *concreatum*. It is also the basis for Thomas's unique analysis of the politics of the flesh, the topic of the following chapter.

The normative Thomistic body is thus circumscriptive and exscriptive (see TB, 33). Nancy, seemingly condemning our culture, speaks of our having not merely wounded the body but having turned it "into nothing but a wound" (BP, 205). This happens when the absoluteness of the body—its two dimensions—is removed.³⁷ Our culture no longer recognizes the ecstatic body and the wound is not a wound of life but only of death, "the wound [that] closes the body" (BP, 205). It is evident (and further discussion will follow) that I could not disagree more with Milbank when he argues that the introduction of Aristotelian hylomorphism into Christianity was unfortunate and "a modified form of Spinozistic materialism would be preferable,"³⁸ since it is only the inheritance of Aristotle's hylomorphism that enables us to understand the problem of the body and the passions as well as how the body can become ecstatic. By considering the work of Gaston Fessard in chapter 9 we shall see how politically disastrous it is to ignore the Aristotelian conception of the human.

Chapter Three

THE POLITICS OF THE FLESH

The *Summa contra gentiles* (III, c. 63, para. 1–8) describes a four-part movement of human desire. It is clear from these paragraphs that human desire is naturally other-directed and in an increasingly ecstatic way as one moves through this fourfold hierarchy. Thus, human desire, eros, is, as John Paul II puts it, “a primordial sacrament,” a sign of man’s “particular likeness to God” (TB, 76). The cardinal point in Thomas’s analysis of the ecstatic movement of desire, and thus the body, is the claim that the ecstasy of sensuality is not found in pleasure as such, but pleasure guided by reason. It is also upon this claim that, as I hope to have just shown, the abiding interest of Thomas’s theory of the body rests. This ecstatic development of desire rests upon Thomas’s conception of inferior reason as the *ostiarius*, the doorkeeper who opens sensuality to the rule of reason, the kingly rule of divine law (*sicut ostiarius ad regem* [ST I–II, q. 76, a. 5]). In this chapter, I shall discuss in greater detail the relationship between reason and sensuality, in particular, why Thomas uses political analogies to explain their interaction, and why Thomas insists that it is only when sensuality is taken up into a life of contemplation and reason that it exhibits generosity. To demonstrate this last, some of Thomas’s most fundamental metaphysical commitments will be examined.

The sense powers, Thomas says, can be considered as natural powers (*quod appetitus sensitivus est virtus organi corporalis* [ST I–II, q. 17, a. 7]), operating from instinct, and in this sense they are ordered to one

thing and have no relationship to virtue. But, in another manner, the sense appetites of irascibility and concupiscence are rational by participation in the higher power of the soul. Unlike the nutritive power, the sense appetites or sensuality (ST I, q. 80, a. 2) are naturally suited to obey (*nata est obedire*) the command of reason (*operantur ex imperio rationis*) and thus are able to be the subject of human virtue (ST I–II, q. 50, a. 3; q. 56, a. 4; ST I, q. 80, a. 2; LR, 194–195). For Thomas, sensuality is a frontier within human nature that is simultaneously soul and body, matter and form, the site of transition within the human person between the “determinate operations” of impersonal nature (ScG II, c. 66, para. 2) and the command over self characteristic of human freedom. These two facets stand in “mutual order” (ScG III, c. 81, para. 4; ScG IV, c. 52, para. 2). Rather than division and opposition then, Aquinas articulates a gradation within human nature that partakes of both constituent principles. For this reason, Thomas explains the relationship between reason and sensuality in terms of a political community. Reason, he says, rules sensuality by a political and royal rule, as when a governor rules over free men. Which is to say, rational appetite as the superior has the role of commanding the lower sensitive appetite but also the responsibility to ensure that the sensitive appetite is able to satisfy its legitimate wants. The model of a political community is designed to alert the reader that the human is a composite of needs that must be brought into a well-ordered community of mutual satisfaction.

Reason does not have an absolute authority over the senses so that it can command the senses in any manner it wishes. The intellect governs sensuality because “the end of the intellect is the end of all human actions” (ScG III, c. 25, para. 10). This is so because the end of the intellect is truth (“the first truth, which is God”), that is, it is the intellect that can be made universal and able to reconcile things in itself. Able to reconcile in itself the particular and the universal, the intellect as a ruler does not look to its own good but to the good of the whole. The good of the whole has priority over any of the parts, whether that part be sensuality *or the intellect*. For each part of the universe is ordered to the “good of the order of the whole universe” (ScG III, c. 64, para. 10) and so “each part is found to be for the sake

of its whole.” The human person as an individual substance of a rational nature is a whole of reason, sensuality, and physiology. While reason is responsible for rule in this whole, reason is a part of the whole and is to work for the good order of “its whole.” Indeed, the relationship of reason to sensuality must be a relationship of justice. An order of justice exists where there is dependence. As God created the world *ex nihilo* and because God “depends on nothing, nor does He stand in need of anything that He may receive from another,” God owes no debt of justice to any creature (ScG II, c. 28, para. 4). Rather, “He holds perfect dominion over things produced by Himself, since to produce them He is in need neither of assistance . . . nor of the underlying presence of matter” (ScG III, c. 1, para. 1). If one depends on another or receives something from another, then an order of justice exists between the two: “a son is a debtor to his father, because he receives being from him; a master to his servant, because he receives from him the services he requires” (ScG II, c. 28, para. 4). Just as reason depends on the senses for information about the world, and “intellectual thinking” cannot happen without bodily organs, as is evident when these organs tire (ScG III, c. 62, para. 8), so reason as the ruler depends on sensuality for the movements of its appetites and the moral knowledge that they contain (ST I–II, q. 59, a. 3). Reason is an example of a limited agent (ScG II, c. 16, para. 3), for in its operation it does not transcend the body or the sensitive appetites. Reason does not therefore have “perfect dominion” over sensuality but has a rule limited by justice. As shall be seen directly, whereas nothing “escapes” the rule of God (ScG III, c. 1, para. 3), the movements of sensuality *habent ius in aliquo contradicendi* (ST I–II, q. 58, a. 2).

Reason’s rule over sensuality must then be one of justice. Thomas makes this clear in an extension of his political model (ST I, q. 96, a. 4). He explains that reason rules the members of the body by a despotic rule to which the members spontaneously respond, so long as the rule respects nature. With sensitive appetite, however, the rule is political because the subject of the rule is free after some fashion and has specific movements of its own that are quite legitimate:

To the second it must be said that, just as the Philosopher says in book one of the *Politics* (c. 3) “in the human there is both a

despotic and political rule.” The soul dominates the body by a despotic rule, the intellect the appetites by a political and royal rule. A despotic rule is rule over a slave who has no faculty by which to resist the command of the one instructing because the slave has no movement of his own. A political and royal rule is rule of the free, who, even while they submit to the regime of the ruler, they have a movement of their own by which they are able to resist the command of the one instructing. Thus, the soul dominates the body by a despotic rule because the members of the body are unable to resist . . . The intellect, however, or reason, is said to rule the irascible and concupiscible powers by a political rule because the sense appetite has a movement of its own and is able to resist the command of reason.¹

The obedience of the sense appetites is thus to be understood as a problem of political persuasion and obedience (and oftentimes disobedience) and not as a metaphysical problem (ST I–II, q. 9, a. 2, ad 3; I–II, q. 17, a. 7). Indeed, for Thomas, there is no fundamental antagonism within human nature, even after the Fall. That the sensitive appetites are said to be like free persons in contrast to the body, which is said to be a slave, means that it cannot be Thomas’s position that the removal of integrity necessitates the rebellion of the senses: Thomas talks of the natural operations of the senses and intellect—as well as the contraries in the body—being at variance with one another *in some circumstances* (ScG IV, c. 52). Hence, Thomas insists that it was unnatural for the body to impede reason in the original institution of human nature (ScG II, c. 83). As Thomas makes clear when criticizing the Stoics, sensuality contains a certain degree of moral knowledge, which may not be ignored. It is for this reason that Thomas speaks of our sorrowing moderately or sorrowing reasonably (ST I–II, q. 59, a. 3; q. 56, a. 4; q. 58, a. 3). It is the fact of this moral knowledge original to sensuality that establishes the appropriateness of thinking of reason’s rule over sensuality in terms of the political analogy of rulership. Sensuality is naturally ordered to reason and yet the natural involvement of the two, and their mutual relations of dependence, is but a vehicle for a lived relationship of moral authority and persuasion, as well as obedience *and* to some degree even consent.²

It might seem too strong to speak of sensuality's consent to the rule of reason, and anyone who reads the last two chapters could not be under the impression that I aim to promote a liberal conception of Thomas; nevertheless something akin to consent is understood by Thomas. Rule in Thomas is for the one who is superior in knowledge and justice. Reason as a faculty is naturally more directed to the common good, more ordered to justice (LR, 239), than is sensuality with its material aspect and the particularity that comes of that. Rule of sensuality is necessary if the human proclivity to sociality is to be realized. Rule over those who are free is to be a rule of counsel, not one of domination (ST I, q. 96, a. 4): the ruler dominating the city uses the citizens as slaves (Commentary on the Politics, lecture 5). When reason turned against God at the moment of the Fall, a moment when reason resisted its own ecstatic dynamism toward a life in imitation of God, this rule was rejected by sensuality. Importantly, such a rejection was *appropriate* since reason tried to corrupt the nature of sensuality by removing its ecstatic dynamism and necessarily promoting a rule of domination in refusing the natural "free" *pronitas* of ecstatic sensuality. Law is "nothing else than an ordination of reason for the common good" (ST I–II, q. 90, a. 4) and human law only has "the quality of law insofar as it is in accordance with right reason" (ST I–II, q. 93, a. 3) and "insofar as it deviates from reason, it is called unjust law and has the nature, not of law, but of violence" (ST I–II, q. 93, a. 2, ad 2). If a prince commands what is unjust, "his subjects are not bound to obey him" (ST II–II, q. 104, a. 6). Of course, the disobedience of sensuality is one of the consequences of original sin. Thomas speaks of the "unruly passions" (ScG III, c. 48, para. 5) and of concupiscence as a dispositive cause encouraging the will to move contrary to the judgment of reason (ST I–II, q. 9, a. 2), but it is crucial to realize that sometimes this unruliness is a rejection of the false rule of reason. Thomas Merton gives a fine example of this in his autobiography. Merton recounts a trip to Rome when he was a convinced Marxist. Having gone to Rome to visit the ancient sites, he finds himself increasingly drawn to the churches of Rome by the art. "I was fascinated by these Byzantine mosaics," he says, "and thus without knowing anything about it I became a pilgrim. I was unconsciously and unintentionally

tionally visiting all the great shrines of Rome, and seeking out their sanctuaries with some of the eagerness and avidity and desire of a true pilgrim . . .”³ Of course, original sin is an inherited condition of disorder (ScG IV, c. 50, para. 8) in which the right rule of reason over sensuality is structurally impaired. Fault lies sometimes with reason (as at the time of the Fall and in Merton’s example) and sometimes the fault lies with sensuality. Rahner has rightly and forcibly made this point, although as is clear from chapter 6, I do not agree with his metaphysical explanations. But Rahner is quite right to refocus attention on the metaphysical order as the deeper explanation of the problem of sensuality. Wojtyla nicely brings out all that is involved here:

The practice of that virtue, rightly understood, means just this, as Aristotle and St. Thomas point out. They both emphasize that in relation to the sensual and emotional sphere of his inner life a man must employ appropriate tactics, and even a certain diplomacy (*principatus politicus*) . . . Indeed, every man must effectively deploy the energies latent in his sensuality and his sentiments, so that they become allies in his striving for authentic love, for they may, as we know, also be its foes.

(LR, 200)

On the one hand, Wojtyla emphasizes the role of persuasion in virtuous self-mastery, what he calls the “diplomacy” of reason in relationship to sensuality. At the same time, this statecraft must now be ever aware that sensuality has an aggravated *prontas* toward transgression. Original sin is an *historical* manifestation of sin, but my concern here is to examine the metaphysically problematic status of sensuality as double in aspect (TB, 43). All natural things are diffusive (ST I, q. 19, a. 2): hence the ecstatic propensity of sensuality as it seeks to spread itself abroad, pouring itself out and seeking to gladden (*diffundere*). The legitimate striving of sensuality is more completely realized to the degree of its participation in a more naturally ecstatic structure of the person; reason, and recall, sensuality and its motions, the passions, all have a formal constitutive participation in reason. On this account, if reason is not itself ecstatic, as with sins of reason, the capacity of sensu-

ality to be ecstatic can only be diminished. For sensuality as bodily is *also*, and naturally so, individuated and particular in its concern (TB, 38–41).

While the faculty of sense is a set of particular bodily functions with particular objects (hearing is related to sound and sight to the visible), the sense appetites are both particular and ordered to the universal. As physiological in part they are particular, but as related to reason they are universal. Thomas criticizes Galen for appealing only to the material, physiological cause of the passions (“temperament as a dispositive cause”) and ignoring their formal and rational character; that is, he criticizes Galen for not appreciating that sensuality sits on the border between the particular and universal or the material and “the soul as their principal cause, and as regards that which is formal in them” (ScG II, c. 63, para. 6). Milbank certainly misses Thomas’s analysis of the passions completely. He claims that for Aquinas the passions are “fundamentally physical rather than mental” and “primarily physical forces.”⁴ Such an error stems from the opposition Milbank seeks to emphasize between Aquinas and Augustine: to be fair, he insists less upon this opposition in his later books where Milbank is far more inclined toward Thomas. By contrast, Billot rightly notes that material causes contribute *dispositive* to operations of the soul.⁵ Similarly, Wojtyła understands the “sexual urge” as having both a material and formal character (LR, 46–47) and so speaks of sexual desire as having “a vector of aspiration” which “takes shape with the aid of the will” (LR, 49–50; TB, 413).

The cardinal point in Thomas’s analysis of the ecstatic movement of desire, and thus the body, is the claim that the ecstasy of sensuality is not found in pleasure as such, but pleasure guided by reason. Reason has a tripartite relationship to the body: it depends on the senses for its operation; it rules over sensuality in its government of the passions; and it embraces (*comprehendere*) the body entire through the universal objects of its intellectual comprehension. If reason is not to rule sensuality despotically it must look to the common good of the whole. This rule must be one of justice, since a rule of justice is required where one party depends upon another party. Reason depends both upon the

bodily senses for its operation and upon sensuality for important moral knowledge. However, sensuality expressed simply as pleasure cannot be ecstatic; that is, it cannot be moral: for the other emerges only in a sensuality anteriorally opened by the presence of another, reason. The demonstration of this point will be the focus of the rest of this chapter. This demonstration relies on two central ideas. First, an account of Thomas's metaphysics of the body: human nature—precisely because it is organically incarnate—has a natural propensity to moral transgression; at the same time—and again precisely because it is genuinely incarnate—human nature is naturally ecstatic. Second, the natural ecstasy of the body is already modeled on the supernatural ecstasy of the cross, but this point will be developed only in chapters 4 and 5.

Thomas's claim that sensuality separated from reason cannot be ecstatic but rather can only simulate nutrition in which the object of desire is converted into the one desiring, is based upon a metaphysical argument. There are, however, phenomenological grounds for his claim. Merleau-Ponty gives the example of the handshake as a demonstration of the mutuality built into the flesh itself. This example is tremendously revealing of the structure of the flesh, though what is revealed is contrary to that supposed by Merleau-Ponty. Merleau-Ponty's idea is the following: at the very moment that I conform your hand to mine, my hand is being conformed to yours. The example has its appeal: we can all recall a hand offered but which somehow withers away in our own, and the mutuality refused. Yet, it is also true that as I exert pressure on your hand, and you on mine, a pressure that conforms you to me is being exerted, and however reciprocal the action, my flesh exerts pressure on your flesh. If I can put it this way: there is a resistance built into the structure of flesh which always separates me from you and is overcome to some degree only when I exert pressure on your flesh. To Schopenhauer, the hand itself and its capacity to grasp was an acute place of insight into the structure of the will. Of course, it may well be that Merleau-Ponty had Schopenhauer in mind and sought to refute his characterization; yet, an example from Edith Stein perhaps reveals that Schopenhauer is the more accurate. Stein speaks of shaking hands with a dog as an example of empathy across species, but the example also illustrates to what degree the dog is pat-

terned on my flesh. For Stein and Merleau-Ponty both, the flesh is a reserve of “common intentionalities,” and one wonders how flesh can allow the foreign to appear?

The community that can be established through the flesh itself is not one independent of resistance and pressure. To adapt a famous concept of Augustine’s: the structure of the flesh is one of a “lust” for domination. To put it another way, whereas Merleau-Ponty sees in the flesh a structure of “common intentionalities” that are the foundation of community life, Thomas observes that the structure of the flesh is such that nothing really other can enter into it: either flesh resists or it seeks to conform the other to itself. As already noted, there are good metaphysical reasons for this, and, simultaneously, there are metaphysical resources for overcoming the inherent moral limitedness of the flesh, albeit that these resources can be actualized only through the Cross.

Thomas’s analysis of flesh, I have wanted to insist, begins with the metaphysical principles of his cosmology. With these principles in mind, it is probably as well to draw out some of the structural differences between reason and sensuality. Sensuality (or the sense appetites) without the role played by reason would be directed toward the sense objects presented to it. Each of the senses is focused upon a particular sort of object (*sensus autem non cognoscit esse nisi sub hic et nunc* [ST I, q. 75, a. 6; ScG II, q. 82, para. 4]): sight upon visible objects, hearing upon sounds, and so on. Sense perception concerns individual species because the species is received “in bodily organs” (ScG II, c. 66, para. 3). As particularity marks the senses themselves, so sense appetites can desire only the things of the world in their particularity, that is, sensuality cannot relate to a sense object as a particular in a community. The metaphysical reason for the particularity of the senses and the sense appetites is their constitutive materiality: even operations of the intellect that rely upon an organ are particular in scope (*Unde etiam dicitur ratio particularis, cui medici assignant determinatum organum, scilicet mediam partem capitis* [ST I, q. 78, a. 4]). Matter is the principle of individuation and generates singularity *hic et nunc*: for the first formal characteristic of matter is dimensive quantity (*materia signata*), which gives a material composite the place from which other material

composites are excluded, each being *per materiam contractum* (In II De anima, l. 5, n. 283). Because of dimensions, it is not possible to have two bodies in the same place at the same time (Quod. I, q. 10, a. 22).

With sensuality severed from reason, the person can only relate as particular to particular without any sense of there being a common bond, never mind a common good, to which the person and the particular might all belong. As a frontier between the physiological and the rational, it might be thought that sensuality contained within itself a possibility for transcending the particularity of the body. For Thomas, however, the interior relationship of sensuality to reason is only that sensuality is naturally suited to obey (*nata est obedire*) reason: if the body is to transcend its particularity, this natural relationship must be lived out in a life of rational virtue. It is in this relationship that sensuality becomes more moral and reduces its original transgressivity.

Thomas argues that the intellect can relate to the world in a way that the body or a bodily power cannot (ScG II, c. 46, para. 7). In Thomas's conception it is reason (and intellect in an even more profound sense [ST I, q. 89, a. 1]) that can comprehend all the particulars of the senses, that is, can relate these particulars in universal conceptions and understand their order to one another. Thomas is thus fond of Aristotle's idea that the intellect is potentially all things (ScG II, c. 47, para. 5; III, c. 59, para. 1). This is just another way to say that the intellect as ecstatic—as what becomes like another—is unitive: the intellect brings the lover and the loved together (ScG II, c. 46, para. 3; c. 50, para. 3; LR, 23). It is clear then that in the relationship of reason to the senses, Thomas aims to synthesize the metaphysical categories of particularity and sociality. So in the government of reason over sensuality, which is in the natural order, Thomas aims to see synthesized in one and the same body the proper particularity of that body and its proper relatedness to the other bodies of the world. He aims to explain *communio*; indeed, the entire dynamic of the Thomistic universe is directed toward persons as the end of the universe (ScG III, c. 22, para. 7–9) and so it ultimately aims at a *communio personarum*. Thus it is that Thomas speaks of reason as reconciliation:

. . . things are contrary which exclude one another. And on this account whatever is corrupted through itself must either have a

contrary or be composed of contraries. Yet neither the one nor the other is true of intellectual substances; and a sign of this is that in the intellect things even of a contrary nature cease to be contraries. Thus, white and black are not contraries in the intellect, since they do not exclude one another; rather, they are co-implicative (*consequuntur se*), since by grasping the one we understand the other.

(ScG II, c. 55, para. 7; cf. ST I, q. 65, a. 6)

Thomas argues here that it is the character of reason to reconcile the oppositions found in nature and to overcome the exclusion found there: thus, the intellect can hold in mind both black and white, which no particular can do. The intellect, then, and all that is ecstatically opened, aims at a *communio in toto*.⁶ Where opposition is found in nature, the intellect is able to posit mutuality and inter-involvement. If we are thinking about the relationship between reason and sensuality, then Pickstock says nicely, “one must think of knowing-a-thing as an act of generosity, or salvific compensation for the exclusivity and discreteness of things” (TA, 9). Although, lest a Manichean element be read into this, it must always be remembered that the flesh is double in aspect, rooted in particularity but always pressing beyond it: the “salvific compensation” spoken of here is not required on account of some metaphysical failure. When making this very point Blanchette speaks more cautiously, and accurately, of “overcoming in this way the imperfection of being only a part of the total perfection of the universe.”⁷

It is this capacity of the intellect that enables the person through rational self-government to open up his or her body, and through the wounding of the body to receive the other: the virtuous body is reconciled with the other in the wound of the body. Wojtyła writes:

Virtue can only come from spiritual strength. This strength derives in the last instance from the reason, which ‘sees’ the real truth about the values and puts the value of the person, and love, *above* the values of sex and above the enjoyment associated with them. But for this very reason chastity cannot consist in ‘blind’ self-restraint.

(LR, 197)

Reason gives, as it were, a new skin to the body. “We might speak here of a sort of grafting of the value of the person onto the sensations which fill the whole consciousness with an intense awareness of sexual values” (LR, 198). As shall be seen in some detail, rational self-government is just self-government when reason persuades sensuality that the otherness perceived through the senses need not be an opposition. In effect, such persuasion has as its goal a sacrifice in which the body is removed from its rootedness in the principle of individuation. This sacrifice is not an abandonment of the body, but quite the opposite. Thomas understands this reconciliation as a call to a metaphysical conversion in which the body, and even matter itself, is given the ecstatic form it desires: in this metaphysical conversion, matter becomes proximate to God.

What is the particularity of the body? This is not merely a question for Thomas’s metaphysics or even his moral thought. This question relates Thomas to the historical developments of Catholic theology and thus to what degree his theology of the body can be an orthodox contribution to Catholic doctrine today, and therewith an apologetics of the body. It might well be thought that doctrinal developments at the Second Vatican Council will have left Thomas behind somewhat, yet it is the capacity of Thomas’s thought to respond to Trent that must be addressed. In the initial chapter of this book, I stressed the centrality of the body in what I have called Thomas’s “metaphysics of glory.” Such a vision of the body needs to be squared with Trent.

In his 1941 article on concupiscence—a notion which Rahner regards as “undoubtedly one of the most difficult in dogmatic theology”⁸—Rahner points out that at Trent, concupiscence is rendered as something immediately given with human nature, and that we need a special gift of God to release us from concupiscence (TC, 348). Rahner notes that at Trent concupiscence after sin is conceived, as he puts it, as a “power oppressing man in his very depths and driving him on to moral transgression.”⁹ This is Rahner’s gloss on Denzinger 792, which is reaffirmed in the John Paul II *Catechism of the Catholic Church*.¹⁰ Rahner also documents Pius V’s condemnation of Baius. Against Baius the Church affirmed that integrity and immortality were gifts of God (Denzinger, ed. 1953, 1026 and 1078) and thus that the original Ada-

maic condition *et iustitiam interiorem cum impulsu in Deum per amorem caritatis* (Denzinger, 1516) was entirely through the gratuitous gift of God. This is reaffirmed in the 1995 *Catechism* which runs: “The harmony in which they had found themselves, thanks to original justice, is now destroyed: the control of the soul’s spiritual faculties over the body is shattered; the union of man and woman becomes subject to tensions, their relations henceforth marked by lust and domination.”¹¹ In the later discussion of sexual ethics, we shall return to discuss the centrality of this last biblical notion (Genesis 3:7–16) that after the Fall concupiscence marks relationships between man and woman with “lust and domination” (see TB, 127). But now it is important to ask: what is the basis of this potential transgressive power within human nature itself? If Trent teaches that the original humans were elevated supernaturally such that their gifted integrity excluded that their relationship be marked by “lust and domination,” what about their nature might have such “lust and domination” as a consequence? If the modern subject is riven by metaphysical violence, has not Trent moved Catholic doctrine in this direction?

If one understands Trent in light of Thomas’s distinctions, one sees that Trent does not assume metaphysical violence. However, Thomas’s texts are subtle and even a treatment of his theory after Trent by someone as subtle as Suarez edges ever closer to a metaphysical violence. In chapter 6, I show that many Catholic thinkers failed to stay close enough to Thomas’s distinctions and in this conformed to an “ontology of violence” which one finds among a host of non-Catholic thinkers; later in this chapter I will discuss Suarez.

For Thomas, concupiscence is an inordinate desire for the “beloved.” *Amor concupiscentiae* is a propensity within human desire. The first term *amor* is a movement of desire in which the lover tends toward another, but with the second term *concupiscentia* a certain limitation and inordinateness is introduced: such a love does not tend in a deep sense beyond the lover (*non exit simpliciter extra se*); and for this very reason an identity is aimed at in which the other is reduced to the lover (*amor concupiscentiae quaererit amatum perfecte habere, quasi ad intima illius perveniens* [ST I–II, q. 28, a. 2]); the “lover” seeks to have the good of the “beloved” redound upon himself (ST I–II, q. 28, a. 3; LR,

82–83). This natural propensity—always potentially moderated by the fact that sensuality is naturally suited to obey reason—was *intensified historically* in the disorder brought about through original sin. Thomas makes a crucial distinction, therefore, which he expresses in a subtle change of terminology as *pronitas* becomes *inclinatio*. In *De Malo* (q. 4, a. 2, ad 4), Thomas speaks of concupiscence as a *pronitas*, a movement of the concupiscible appetite to that which is pleasurable which is not perfectly under the direction of reason. Because this *pronitas* is a condition of desire apart from the gift of original justice (Quaest. de anima, VIII, ad. 7), Thomas says that such a *pronitas*—materially speaking—is original sin (*et hoc modo peccatum originale materialiter loquendo est habitualis concupiscentia*). As Suarez puts it, Thomas here shows that God is in some fashion the cause of original sin in the material sense (*posse Deum aliquo modo esse causam quoad materiale*),¹² and original justice prevented the appetites from being *procliviores ad sua objecta*.¹³ The ever-present *pronitas* of concupiscence (“a latent inclination of human beings to invert the objective order of values” [LR, 159]) is an unavoidable consequence of the human being a rational animal with sense appetites, or sensuality. What sensuality finds pleasurable will not always be compatible with what reason understands to be the good for a person at some particular moment, and that human nature is prone to this disjunction is necessary on account of matter (*ex necessitate materiae provenit* [Quaest. de anima, VIII, ad 7; cf. ST I–II, q. 85, a. 5, ad 1]). Crucially, however, even this *pronitas* on the part of sensuality should not be understood as metaphysically constitutive of sensuality. In Thomas’s terms, the *pronitas* of sensuality *non est concupiscentia actualis, sed habitualis*. That is, the most primordial, constitutive movement of sensuality is toward ecstasy (LR, 151) wrought through the natural law as a participation in the eternal law of God’s self-diffusion. Being is always already ecstatically open and thus sensuality also. In other words, if the body has a double aspect, one of these aspects is more primordial (TB, 113). Of course, after sin it is not merely that the *secondary* aspect of the body is now articulated, the *pronitas* of sensuality toward transgression (TB, 52; 115), but such transgression is now an *inclinatio*: a habit that has become a form of transgression, well justifying Pascal’s remark that concupiscence has

become a “second nature.”¹⁴ Thus it is that Trent and the 1995 *Catechism* speak of concupiscence in the sense of *inclinante ad* (Denzinger 792) and Pius V’s condemnation of Baius, in which original justice as a gift superadded to human nature was affirmed, speaks of concupiscence as *pronitas ad* (Denzinger, 1516). “It is not a matter of summarily ‘annihilating’ the value ‘body and sex’ in the conscious mind by pushing reactions to them down into the subconscious,” writes Wojtyła, “but of sustained long term integration; the value ‘body and sex’ must be grounded and implanted in the value of the person” (LR, 171). Following Aquinas and Trent, Wojtyła makes a distinction between sensuality and concupiscence. Sensuality is, among other things, naturally oriented toward sexual values. These values “impinge upon the subject.” Concupiscence, however, “actively seeks the value in question” (LR, 148) and yet, even it “is not yet the desire to possess, but has a marked tendency to develop into it” (LR, 148). That is, there is a natural *pronitas* in sensuality to transgression, and yet there is no determinism here: there is, as it were, no *inclinatio* prior to original sin. This *pronitas* has as its object “the body and sex” but only as “a possible object of enjoyment” (LR, 160) while a rationally ordered (LR, 168) sensuality has as its object “the body and sex” integrated with, and subordinate to, the personal value of the other (LR, 150). Within the history of sin, concupiscence is “a consistent tendency to see persons of the other sex through the prism of sexuality alone” (LR, 159). It changes the natural nuptial character of the body so that “the body becomes almost a ‘ground’ of appropriation of the other person” (TB, 129); and it does so in contradicting interior ecstasy, there now being “an interior separation from the nuptial meaning of the body” (TB, 147). To ensure that integration happens requires “the profound realism of virtue” (LR, 152): Wojtyła refers at some length to Thomas’s account of the virtues (LR 167–9) which, though mentioned, are not detailed in his *Theology of the Body* (151; 194; 199).

Concupiscence as now disordered expresses itself in a division between reason as ruler and sensuality as ruled. With this division, sensuality now functions quasi-independently of reason; such a sensuality is termed *libido*, by Thomas (ST II–II, q. 175, a. 2, ad 2; I–II, q. 82, a. 4, ad 3). In so doing, sensuality is left to act as it is metaphysically capable,

that is, with little ecstatic structure. Near-severed from reason, sensuality can no longer imitate the divine artistry of spreading wisdom abroad (ScG II, c. 2, para. 2; c. 47, para. 4) and so cannot be diffusive of goodness; hence John Paul II's quite accurate description of lust as a "coercion of the body" (TB, 126). We have already seen that there are phenomenological grounds for the claim that flesh excludes the other (ScG II, c. 49, para. 3), but in Thomas this exclusion is underwritten by the metaphysical principle that matter is the principle of individuation:¹⁵ the body is always individuated (ScG II, c. 49, para. 4) and what has individual matter cannot become one with another (ScG II, c. 50, para. 3). *Libido*, in Thomas's sense, is just the name for the metaphysical and non-ecstatic structure of sensuality *severed from its natural connection with reason* and now determined *secundum diversitatem naturalis complexionem* (ST I–II, q. 85, a. 5, ad 1). Indeed, *libido* can be related to Augustine's idea of the lust for domination, for in Thomas's conception, if human desire is not ecstatic it is consuming, it seeks to convert the other into itself on the model of nutrition. If the natural structure of desire is toward ecstasy, and if sensuality as *libido* is the desire of an individuated body only, then there is a sense in which the body has as part of its nature, and now *materialiter loquendo*, a "power oppressing man in his very depths and driving him on to moral transgression" (Rahner).

Here, Thomas and Trent meet, among others, Giraud and his claim that biblical desire is as such transgressive.¹⁶ Against Giraud, however, it is crucial to remember two things: *libido* is an always-present possible form of *bodily* desire (and not simply social as Giraud seems to suggest) and it is only one manner of human bodily desire alongside ecstatic bodily desire (LR, 65). Suarez is, I think, quite close to seeing the full significance of Thomas's theory but ultimately misses it because he (like a contemporary commentator on Thomas) fails to see that a "bodily giving of self" is possible.¹⁷ Suarez recognizes that Thomas advocates a "double aspect" theory, but he presumes the double aspect concerns human appetite as such and not two aspects of sensuality. Thus, he says that according to Thomas after the privation of original justice "there remain two positive propensities in man, which in some fashion are contraries, namely a propensity to sensible objects and one

to noble objects” (*ut in homine manerent duae propensiones positivae, quodammodo contrariae, scilicet ad sensibilia, et ad honesta*).¹⁸ The position Suarez advocates as an antidote to the pessimism of Thomas and Augustine—as he identifies it—is, in my opinion, Thomas’s position. About certain unnamed writers, Suarez says:

. . . with Thomas and Augustine they say that the concupiscible and generative power, and the sense of touch, were especially wounded [with original sin]. I reply that these powers by nature had a greater proclivity to their objects, or were more sure to excite and move man [apart from original justice] and so would be better said to have been hurt [by original sin] than wounded, because original justice restrained a more intense movement of these powers.¹⁹

Although I think that Jesuits have often tended to an advocacy of an “ontology of violence” (Milbank), Suarez appears to have avoided this *by staying close to Thomas*. Although few details are added, de Lubac, like Suarez, understands Thomas to have what I am calling a “double aspect” theory. On the one hand, de Lubac finds in Thomas that “our first natural love is for him *almost a beginning* of charity” (emphasis added) citing ST I, q. 60, a. 5: “If [man or angel] by nature loved himself more than he does God, it would follow that natural love be perverse and that it be not perfected by charity but destroyed.”²⁰ On the other hand, grace, says de Lubac, is,

some kind of intrusion into nature to effect a “passive purification.” This would lead us to discern in finite beings *two opposing tendencies, both equally natural and basic*, so that the passage to the supernatural order, even for an innocent and healthy nature, could never take place without some kind of death.²¹

In support of this last point, de Lubac gives quotations from Augustine, Cajetan, Blondel, and Claudel.²² De Lubac understands that Thomas’s metaphysical order is more subtle than someone like Milbank thinks. Milbank argues that Christianity rejects a metaphysics of violence and denies that there is a natural foundation for a violent

political order; but he acknowledges that a patina of violence has spread abroad.²³ Thomas agrees that there is a primordial peaceful order obscured by violence but also argues that part of the natural order includes an ever-present potential to transgression. The point of Thomas's double aspect theory of sensuality is to find a way to indulge the legitimate appetites of care for the self but to avoid the transgressive self-absorption of these same appetites. A small note of caution must be sounded, however. Suarez separates the human into two basic propensities, one ordered to the noble and the other to the ignoble; and de Lubac repeats Suarez when he says that "both [are] equally natural and basic" but in conflict. Thomas does not exactly posit two propensities *as though they were powers*, which Suarez appears to all but do, but two possible ways for sensuality to be, ecstatic or otherwise.

If *libido* as a propensity toward moral transgression is a function of sensuality's rootedness in the body as individuated, how is the body made ecstatic and open to the other? As has been noted, the intellect contributes to the goodness of the other and imitates God (ScG II, c. 46, para. 4) since the exercise of wisdom is to be concerned with the mutual proportion (a definition of justice) among parts (ScG II, c. 24, para. 4). Thomas describes reason as the agent of the intellect in its concern for the body and the public good. A person's sensuality taken up into the life of reason can contribute to the goodness of the other, yet, for this to happen the body must become a wounded body. If love is a tending into the person of the other; then the human body that is rooted in its particularity must be opened to the body of the other. It is in precisely these terms that Thomas describes love. Love, says Thomas, is a passion that wounds the lover (*passio laesiva amantis*). Thomas means this quite literally; love is accompanied by an excessive corporeal or bodily change, by a liquefaction (*liquefactio*) of the body. It is this liquefaction, a wound in the body, which opens the body and makes it ecstatic. Things that are congealed, says Thomas, are constrained within themselves, but in the liquefaction of the body the lover invites the loved to enter the lover's body through the wounds in the flesh.²⁴ As Merleau-Ponty had sought moral community through the "common intentionalities" of the body, so Aquinas bases the realization of moral community in the liquefied body, a body rent asunder

so that the other can enter into a divided, wounded body that in love has forgone some of its integrity and particularity that had excluded the other. Elsewhere, I have argued that Merleau-Ponty's ethics are never really established because he has such a weakened concept of individuation.²⁵ Thomas begins with the individuated body, a necessity if the other is to appear at all, and then introduces the other into the individuated body through the wound. If the body is the principle of individuation, the body cannot be morally neutral, or even negative, but is constitutive of the possibility of morality itself.

In Thomas, the constitutive role of matter in individuation goes very deep indeed. If, as *Evangelium Vitae* insists, the central question of ethics is "Am I my brother's keeper?" then, since in Thomas the body has a foundational role in constituting personhood (diversity among souls), I and my brother appear only because of the body (LR, 295, n. 21). Because, as Thomas famously put it, "I am not my soul" (In I Ad Cor. XV, lect. 2; ST I-II, q. 4, a. 5, ad 5), human personhood exists in "the commensuration of souls to bodies." The following passage is well known. Speaking of the diversity of souls, Thomas writes:

This diversity, nevertheless, does not result from a diversity in the essential principles of the soul itself, nor from otherness in respect of the intelligible essence of the soul, but from diversity in the commensuration of souls to bodies, since this soul is adapted to this and not to that body, and that soul to another body . . . And such adaptabilities remain in souls even after the bodies have perished . . .

(ScG II, c. 81, para. 8)

Still, in the very moment that matter makes morality possible, it establishes a propensity toward singularity and opposition.²⁶ And yet, this is not a complete description either: for the ecstatic structure of desire ensures that matter and the body always have a potential to become less particular, converted toward a greater imitation of God. Nevertheless, it is clear that moral life is not accomplished by a turning away from the body. Aquinas is not the Plato of the *Symposium*: he rather inverts Plato's logic. A moral relationship is not based upon a fleeing

of singularity for universality but in reason turning towards the body and cultivating sociality (*rapport social* [Levinas]) in the body: a moral body is a singular made common through the wound. Through thinking of the normative body as the wounded body, Aquinas avoids both the Platonic flight to universality and Merleau-Ponty's resistance to allowing the body to appear in its singularity at all.

The "commensuration of souls to bodies" is a relationship of mutual desire. Just as matter desires form, in the case of the human, matter desires the soul, so the soul has a natural desire for the body (ScG II, c. 83, para. 13). Importantly, it is the soul's desire for the body that brings out the interior ecstatic character of Thomistic desire. Thomas tells us that "the union of the soul to the body is not brought about in response to the desire of the soul, but, rather, of the body" (ScG II, c. 83, para. 14). That is, the soul responds to the desire of the body for union with the soul, for union with a principle that can make it yet more ecstatic through participation in the order of reason. The human soul, which does not count on the body for its act of being, responds in care of the body, in an act of generosity. Thomas writes:

Now, it pertains to the human soul distinctively, in contrast to other forms, to be subsisting in its being, and to communicate to the body the being proper to itself. The human soul therefore enjoys, through itself, a mode of production beyond that of other forms . . .

(ScG II, c. 87, para. 3; II, c. 68, para. 3)

The soul's desire for the body is not a desire that issues from some lack or poverty but is an ecstatic natural desire issuing from a plenitude of existence: in imitation of God the soul's natural desire for the body is a diffusing of the soul throughout the body and unto prime matter. As Thomas puts it, "the soul is the form of the whole body in such fashion as to be also the form of each part" (ScG II, c. 72, para. 3). It is because the soul is diffusive of itself and communicates its being to matter, in a mode of production unique to the created order of the soul, that humans are said to be *imago dei*. It is quite crucial, I think, to appreciate that the most human dynamism, the manner in which the human

is most in imitation of God, is in the diffusion of the soul's act of existence throughout the human body. To recognize this point is of no small importance. Indeed, contemporary Catholic thought, under sustained intellectual pressure from the Culture of Death, is especially confused by what it might mean for the human to be made in the image of God. This is no more evident, nor is the intellectual concession to the culture of death more pronounced, than in how Christians understand the role reason plays in establishing human dignity.

In his questions on homicide, Aquinas says that a man diminishes his dignity to the degree he departs from "the order of reason" (ST I-II, q. 64, a. 2)—and the passage concerns the man who kills the innocent—which is quite different from saying that one is not human if not rational. The "order of reason" is not most fundamentally the exercising of reason but participation in the divine reason of the Eternal Law; the *ordo rationis* is a participation in good spreading itself abroad: *finis praecepti est caritas* (I Tim. 1, 5 as cited by Thomas [*Quod*. V, q. 10, a. 19]).

Thus, Pickstock speaks far too loosely when she writes: "Hence the human animal need not 'think,' but only when it does so is it human, and the more it exercises intellect the more it is human" (TA, 12). Pickstock thinks that we have "our capacity for thought . . . as a partial receiving of divine intellection," and "so also we only exist humanly, that is, according to a higher kind of life, exercising our intellects, by participating in Knowledge" (TA, 12). Pickstock thinks that because Aquinas speaks of the intellect as a power of the soul that is not yet the essence of the soul (ST I, q. 79, a. 1), that therefore the soul is "fundamentally an animal soul" to which the intellect is only a proper accident. That is, a first act of the animal soul gives to the human its subsistence, but "beyond the first act of subsistence" there is the intellect as a proper accident that makes us "exist humanly": and so "a seemingly semi-accidental second act can rise beyond its essence, in a super-essential way" (TA, 12). She concludes: "Thus it seems what is extra to us most defines us; here one must observe that intellection is akin to grace, because the most important part of us is, in fact, not part of our animal essence at all, but is superadded to us, properly and yet accidentally" (TA, 12). All this is amazing and frightening²⁷ when

offered up to us as orthodox thinking, and even—and this is now just sad—as an interpretation of Aquinas on the soul.

The intellect, in this view, is the “most important part of us,” but it is not part of our “animal essence.”²⁸ Whether Pickstock knows this or not, she here propounds as Aquinas’s thought the theory Aquinas ascribes to Averroes, and which he rejects: and offers us a theory which ignores the ecstatic double character of the intellectual substance that is our soul: that it reaches out to God and at the same moment reaches down into the very depths of our being, material and otherwise.

The problem begins when Pickstock misunderstands Aquinas’s theory of the soul. In the *Summa contra gentiles*, Thomas repeats again and again that the soul is an intellectual substance, a form of a body directly ordering that body through to prime matter and without any other mediating forms or powers at all. Thomas does say (ST I, q. 79, a. 1, ad 1) that the human soul is sometimes called ‘*intellectus*’ as if it were named after its most principal power (*quasi a principali sua virtute*), the operation of the intellect, although I think the *quasi* is important here. It is not that the soul is merely said to be an intellectual substance on account of its intellectual operation “participating in Knowledge” (TA, 12), that is, divine intellection. It is rather that the soul has the power for intellectual acts on account of the dignity of its act of being, that is, on account of its dignity as immaterial. The human soul is able to think because the soul is immaterial. Thomas says (ST I, q. 79, a. 1, ad 4), “it must be said that the immateriality itself of the created intellectual substance is not its intellect; but from immateriality it has the power for intellectual acts” (*dicendum, quod ipsa immaterialitas substantiae intelligentis creatae non est ejus intellectus; sed ex immaterialitate habet virtutem ad intelligendum*). Acts of intellect are possible because they are acts of an immaterial soul (ScG II, c. 69, para. 5 & 6; c. 68, para. 12). Thus acts of intellect are not “extra to us,” making our “animal essence” “exist(s) humanly”; it is, to the contrary, that we think because of what is most essential and interior to us, a “first act of subsistence,” an act of being possessing a metaphysical dignity of immateriality. As Wojtyła puts it, the human person “has a rational nature only because of a spiritual soul, which is the substantial form of the body” (PC, 168). Without such an act of being, nothing,

not even God, could make us into rational natures able to think. Wojtyła notes Thomas's dictum *mensura modum praefigit* and points out that all the relationships that a being holds with others flows from the "internal measurement" of form and its act of being (PC, 75). It is because we "exist humanly" through an act of being immaterial in dignity that we have the power of intellectual acts, and so it is that Thomas, while denying that intellect is the substance of the soul, can write: "Therefore this principle by which we first understand, whether it is called 'intellect,' or 'intellective soul,' is the form of the body" (*Hoc ergo principium quo primo intelligimus, sive dicatus intellectus, sive anima intellectiva, est forma corporis* [ST I, q. 76, a. 1]).

The second chapter of *Truth in Aquinas* written by Milbank repeats Pickstock's discussion. Speaking of thought as a proper accident of the soul, Milbank writes, "This non-essential, mere thinking tool owned by an animal is nonetheless the superadded descending *palladium* that renders us superessentially as we are, more than we are" (TA, 34). In his formulation, the neo-Platonic participation of the human in Knowledge ("the superadded descending *palladium*") makes us "as we are," and, crucially, this is "more than we are" through our Aristotelian nature: or, one could as well say Boethian nature (*individua substantia rationalis naturae*). Aquinas is said, in this view, to have fused Aristotelian naturalism with neo-Platonic participation, with the emphasis heavily on the latter: hence, the "properly accidental emanation of this power [that is, thought], is nonetheless what most defines the human animal" (TA, 34). In this view, one is compelled to say that the actualization of a proper accident—intellect as a power of the soul participating in Knowledge—is the form of the human body. One is certainly committed to this, since Thomas says, "It is necessary to say that intellect, which is the principle of intellectual operation, is the form of the human body" (*quod necesse est dicere, quod intellectus, qui est intellectualis operationis principium, sit humani corporis forma* [ST I, q. 76, a. 1]). What Thomas means by this, according to Milbank and Pickstock, is that a proper accident is the form of the body, and the body is really a human body only when the proper accident is "participating in Knowledge," for "we only exist humanly . . . exercising our intellects." This

view seems to envision the human body morphing in and out of being a *human* body to the degree that we are or are not thinking. While it is true that Thomas's distinction between *actus humani* and *actus hominis* is based upon rational self-mastery it still remains the case that the act of a human is the act of a *human* body, and perhaps only just that rather than a human act. Nonetheless, the body is human because actualized by a human soul, by an act of being which organizes the body through to prime matter and which yet is separated from the body in its act of being (ScG II, c. 81, para. 7). It is, of course, because the human soul is an *anima intellectiva* and its act separated from any dependence on matter while being in matter (*anima humana, est quidem separata, sed tamen in materia* [ST I, q. 76, a. 1, ad 1]), that it is immortal. Again, the human has this manner of being, an immortal bodily existence—which is never lost, not even at death (ScG II, c. 81, para. 8)—on account of the dignity of its act of being. It is on account of its ecstatic Aristotelian nature, if you will, that the human soul is, in its very interior, an embodied rational nature, an *imago dei* on the horizon of the corporeal and incorporeal.

Besides the paucity of texts advanced to promote the Pickstock-Milbank view and the weakness of the texts adduced and besides some of its peculiar implications—that the form of the body is a proper accident,²⁹ say, or that the human could never be the object of *amor amicitiae*³⁰—this view ignores the utter centrality of Thomas's theory of appetite. There are human intellectual acts because the human has intellectual appetite, one of the kinds of human appetite that make the human diffusive of the goodness of its nature. Hence Thomas writes in one of his most famous passages (ScG II, c. 68, para. 6):

We have, therefore, to consider the existence of something supreme in the genus of bodies, namely, the human body harmoniously tempered, which is in contact with the lowest rank in the genus of intellectual substances, as can be seen from its mode of understanding; so that the intellectual soul is said to be on the *horizon* and *confines* of things corporeal and incorporeal, in that it is an **incorporeal** substance and yet the form of the body. Nor

is a thing composed of an **intellectual** substance and corporal matter less one than a thing made up of the form of fire and its matter, **but perhaps it is more one**; because **the greater the mastery of form over matter, the greater is the unity** of that which is made from it and matter (emphasis in bold added).

The order of the technical words in this passage should be noted. The human soul is first identified as incorporeal and then intellectual. Despite being on the cusp of the immaterial and material, the human composite of form and matter is perhaps a more complete unity than a form and matter composite in the mere material order. The possibility of this greater unity arises from the distinctive mode of production peculiar to the human soul. In the diffusion of its own existence it *gives* being to the body. Though God is not transferred into the beloved that is the creature, in a second manner (*sed secundo modo*) God is in a creature insofar as God communicates His goodness to the creature (*inquantum bonitatem suam ei communicat*), which is what Dionysius means when he says that *quod ipse Deus est per amorem extasim passus* (III Sent., d. 32, q. 1, a. 1, ad 3). This imitation of the act of the divine gift of being provides to the soul a “mastery of form over matter,” that is, an intimation of the perfect dominion of God over creation. It was seen earlier in this chapter that the creature’s imitation of God remains just that, a finite participation in the divine “mode of production” and a finite participation in divine providence. The relationship of the soul and the body is cemented through “the effusion of a mutual love” (Dionysius) with the matter and form of the human *concreatum* each desiring the other. The body aspires to the soul and the soul inclines in the generosity of service to the body: Thomas tells us that the soul responds to the desire of the body for union with the soul (ScG II, c. 83, para. 14). Certainly, Thomas has adopted from “la vision dionysienne” an “extase ontologique.”³¹ It is important to note that Thomas insists that the soul has a “natural desire” for the body (ScG II, c. 83, para. 13), and so interior to the principles of the human is the rational generosity of the natural law. Prior to any articulation of our freedom as persons, the very principles of our animality are already knotted in generosity and service: we are *essentially* creatures ordered to service.

This is what Thomas means by the “order of reason,” and it is this essential deposition in which our dignity consists. The full significance of this point will be drawn out in chapters 4 and 5 where the convergence between Thomas and Levinas is discussed.

Unsurprisingly, Thomas’s treatment of the Incarnation brings together these themes of his philosophy of the body. The Incarnation is most fundamentally a relationship between God and human nature in the persons of Christ and Mary. Thomas describes Mary’s conformity to Christ—and therewith ours—as the desire of Mary attracted to the Form of the Word (ScG IV, c. 46, para. 3 and 4). While matter desires to be conformed to Christ, the Word desires to be united to matter, as Thomas puts it, out of “unmeasured love.” The Word’s desire for Mary (and us) is a desire of generosity and service, a parallel to the desire of the soul for the body in the human *concreatum*. Crucially, Mary desires Christ as the Word so as to conform her body to Wisdom (ScG IV, c. 55, para. 28; ScG IV, c. 45, para. 3). I presume this is the source for Annunciation paintings that show Mary reading and also for the tradition of Mary as Queen of the liberal arts. This shows that to realize sensuality reasonably—which relationship always already exists naturally since Thomas insists that “the sensitive soul is possessed of intellective power over and above the sensitive nature” (ScG II, c. 89, para. 12)—is to participate in an order of reason: that of the *ostiarium* of the Holy Law of the love that wounds the lover. As will be shown in chapter 8, Mary, ecstatic flesh loved by ecstatic Wisdom, is an exemplar of reason tutored by faith: a *concreatum* in which the poverty of desire recalls to the plenitude of reason the needful deposition of the love that wounds the lover. For matter conformed is also configured by that form (ScG II, c. 89, para. 21). Hence, Thomas quotes Paul that to the extent we conform our bodies to the marked and opened body of generosity that is Christ’s body, we glorify our bodies. And, of course, this is also why the resurrected body is a glorified body; for as the Book of Revelation makes clear, only those marked on their foreheads with the sign of the cross are saved. The glory of the flesh is the ecstatic-moral structure of the flesh (ScG IV, c. 55, para. 14 & 28). Recognizing that this is so helps to better understand Thomas’s theory

of natural law. Before discussing in chapter 5 Thomas's theory of the natural law as the glory of the flesh, it is first necessary to confirm John Courtney Murray's clever quip regarding natural law: "Those who dislike the doctrine, for one reason or another, seem forever to be at work, as it were, burying the wrong corpse."³²

Chapter Four

THE LAW OF THE FLESH

For ultimately the priority of the mystery of Christ over the mystery of the Antichrist is the real inner meaning of all things.

—E. Przywara, SJ¹

The Crucified Christ reveals the authentic meaning of freedom; he lives it fully in the total gift of himself and calls his disciples to share in his freedom.

—VS, para. 85

It has been a source of some concern for a long while now how exactly to ground Thomas's natural law theory most effectively.² It is commonly thought that once Thomas's biological teleology, inherited from Aristotle, became nothing short of an embarrassment, his natural law theory became unmoored and fatally weakened. That Thomas barely ever spoke of biology seems to have been missed by many. Thomas, unlike his teacher Albert or other thirteenth-century scholastics, never wrote any commentaries on Aristotle's biological works, and although he does on occasion note the need to find some natural reason for a phenomenon—the rebellion of the penis, for example—such explanations are always secondary to the philosophical and theological. Thomists were quick to point out, of course, that Thomas's theory was independent from (whatever might have been) his biology; it really relies upon either a rationally derived description of moral norms that do not depend upon any anthropology, or on a specification of human ends that does include an anthropology but transcends biology. The first approach has been attacked for its Kantianism, and thus for being

anachronistic, or, for some, polluted by simply being drawn too close to Kant; the second approach is questioned for surreptitiously relying on a biologism. That is, if evolution is true, the human ends described by Aquinas in the thirteenth century and those still identifiable today may well—indeed, likely as not will—change, or so it is argued. Some of those who make this latter critique do not wish to abandon natural law but do want to point out that Aquinas synthesizing with Darwin might not be what every Christian wants to accept.³

In this chapter, I will begin to defend something of a synthesis of the two typical interpretations of Aquinas—that his natural law relies on a specification of human ends based upon an anthropology that is itself an expression of an “autonomous morality” (Mayo)—and I want to do this by linking Thomas’s natural law and his metaphysics of the body. The argument is begun in this chapter that flesh is structured by a law of diffusion, an ecstasy which is normative for sexual politics—a metaphysics which, I think, will not change no matter what evolutionary advances, regressions, or technological transformations might come about, but certainly assuming that we remain animals with bodies. What is proposed is something akin (though more explicitly theological) to MacIntyre’s retrieval of an ethics linked to a “metaphysical biology.” In chapter 6, I will argue that at least one effort to diminish the sense in which this last is still true—Donna Haraway’s celebration of our putative cybernetic status—does not help us to move beyond our central problematic: how to think of the body without a constitutive violence.

Basic objections to natural law come from within theology and philosophy. These will be addressed in turn. The theological critique amounts to nothing less than a rejection of natural law and has a long lineage, although Milbank is perhaps its most recent promoter. Despite all protestations to the contrary, Milbank is a liberal theologian and this appears quite clearly in his scattered comments on ethics. Against Thomas (but also against Augustine) he writes: “It is the whole desiring person who sins or does right, and the measure of right desire is not the rule of reason over the body, but the external relation of person to person in the community of peace, under God.”⁴ Thomas never argues that the measure of right desire is the rule of reason over the body,

only the rule of persuasive reason over sensuality (which is not the body). But, of course, Thomas's ethics is *act based* and does not collapse into ideas of social sin and social justice. This approach remains basic in papal teaching. It is important to note that while *Evangelium Vitae*, for example, speaks of "a veritable *structure of sin*" (emphasis original), thereby acknowledging the lure of the culture of death, the emphasis is on sin and not on the social, which is not mentioned. Indeed, it is after speaking of the social conditions that can "mitigate" the subjective responsibility of those who unjustly kill, that the idea of the culture of death as a structure luring to personal sin is introduced (EV, 11–12). It is made abundantly clear later that the "enormous and dramatic clash between good and evil, death and life" (EV, 28) is a struggle among persons who act as the proxies of the God of life and the "great red dragon," Satan, "a murderer from the beginning," being "the personal power of evil" (EV, 104; 53). Hence, our personal responsibility before the objective moral law of homicide is rigorously reaffirmed (EV, 53–67; see ST I–II, q. 64). It surely would be no advance to reduce—to use Thomas's expressions—human action (*actus humanus*) to an action done by a human being (*actus hominis*). I suspect Milbank's claim here owes a good deal to Hauerwas (to what degree Hauerwas's thought escapes liberalism makes for an interesting question).

Hauerwas thinks that a sexual ethics based on natural law is an "abstracting" of sex "from those institutions that are necessary to make any ethic of sex intelligible." Rather, Hauerwas insists, sexual ethics is rooted in a "political claim" about marriage which "makes sense only in terms of the Church's understanding of its mission. Therefore a Christian ethic of sex cannot be an ethic for all people."⁵ That ethics is fundamentally related to the community of the Church (Hauerwas), which at bottom is an historicist claim about reason,⁶ is the same claim made later by Milbank when reducing the measure of right and wrong desire (and not acts) to "the external relation of person to person in the community of peace, under God" (Milbank). As will be seen shortly, natural law in the understanding of Thomas and John Paul II is Christological and so is not understood apart from the spousal relationship of the Church and Christ. However, this relationship has

an objective theological and moral structure: the love that wounds the lover. Thus, John Paul II writes,

Contemplation of Jesus Crucified is thus the highroad which the Church must tread every day if she wishes to understand the full meaning of freedom: the gift of self in *service to God and one's brethren*. Communion with the Crucified and Risen Lord is the never-ending source from which the Church draws unceasingly in order to live in freedom to give of herself and to serve . . . The Church, and each of her members, is thus called to share in the *munus regale* of the Crucified Christ . . .

(VS, para. 87)

At root, the Hauerwas-Milbank rejection of natural law relies upon a Barthian equating of natural law with positive law contained in the Word of God. Thomas, of course, does not deny for a second that natural law is a participation in eternal law, but it is precisely this participation that vouchsafes the perduring universality and rationality of the natural law. Klein puts it nicely: the natural law tradition conceives of “nature as providing a home for reason.”⁷ Through a conflation of natural law and positive divine law, Milbank repeats Barth: “And so,” as Balthasar says in his commentary on Barth, “culture, and by implication nature and law, remain bonded to a Beyond they can never know and yet establishes their very being . . .”⁸ The in-principle historicist character of reason depends radically, in Milbank’s conception, on the self-understanding of a church of word and spirit that is no respecter of the rule of law. This is of a piece with a tyrannical sensibility in which justice must be done regardless of law:⁹ indeed, as Letwin has pointed out, it is nothing short of a rebel repudiation of law.¹⁰ In Milbank’s updated version of Barth, language “constitutes ideas and ‘expresses’ things in their disclosure of truth for us.” Human language (a participation in the *Ars Patris* or Word) is always “particular and traditioned”¹¹ and so natural law can be useful intra-epistemically, that is, as binding upon the way of thinking of a faith community. But it certainly does not function as has been thought: it is not an objective structure of truth and goodness, binding across space and time.

To think this, Milbank says, is already to have secularized the natural law: it is to emphasize reason separated from revelation. Of course, John Paul II has rejected any such construal of the natural law as promoting “a complete sovereignty of reason” (VS, para. 36). The eternal law can be known by reason (natural law VS, para. 72), but “in an integral and perfect way” it is known through “supernatural Revelation” (divine law). This secularization of the law, Milbank claims (wrongly),¹² was introduced by the Jesuit, Suarez, “with the notion that one can ‘read off’ from the given world the permanently divine-willed formal conditions of true human behavior.”¹³ Such a conception is to be rejected because it reduces revelation to “a supplementary legal system of essentially practical injunctions.” The secular error of law lies in the fact that modernity “perpetuates the post-Suarezian severing of natural law from *Aristotelian* practical reasoning” (emphasis original). Thus, not natural law,¹⁴ but an Aristotelian prudence will help us to understand revelation (!) as we, “keep our attention upon the very particular sorts of goods that are actually realized by human beings in specific kinds of social existence.”¹⁵ Sounding like John Rawls,¹⁶ here Milbank advocates a Scotistic theory of the law: “God sets the law aside and declares a normally illicit act licit for this person and in these circumstances.”¹⁷ Scotus reacted early to Thomas’s perceived separation of natural law from revelation. At the heart of Scotistic ethics is the separation of the will’s liberty from natural inclination; the will, for Scotus, is not a nature. The rule of the will is the *affectio iustitiae*, which is not a natural inclination in the will but a rule of moral goodness obedient to God Himself. In such a conception, natural inclinations are morally neutral. Scotus writes, “No act is good in its genus from its object alone, except to love God . . . Therefore every other act, in relation to another object, is indifferent, and can become good or evil through circumstances.”¹⁸ As Pryzwara has trenchantly said, one finds in Scotus a “mutation in the forms of truth.”¹⁹ It is well known that this conception allowed Scotus to argue that, while the first table of the Decalogue constituted natural law binding across space and time, the second table became positive law. Milbank reaffirms the position of Scotus, for law is now in principle revelation, or divine positive

law sensitive to “the very particular sorts of goods that are actually realized by human beings in specific kinds of social existence.”²⁰ And, of course, despite all of his pronouncements to the contrary, Milbank’s politics is a liberal politics since at the core of liberalism is the separation of law from nature. This is not surprising: Scheler long ago pointed out the relationship between Scotist ethics and those of Kant.²¹ An alternative strain to this argument is to claim that in Aquinas the first precepts of the natural law are the beginnings of habit, the “mere nurseries of virtue.” The argument continues that Aquinas holds that moral virtues cannot be had in significant measure without theological virtue, without grace through the New Law, and that action according to the precepts of the natural law “is largely unimaginable” without such grace.²² This variant of Milbank’s Reformation theology is found in Jean Nabert when he argues against natural law, highlighting central religious phenomena such as forgiveness and sacrifice which are of another order entirely to that of norms or universal moral rules.²³

The conception of Scotus, Nabert, and their contemporary exponents assumes a radical division between God and the world as well as mind and nature. Thomas, of course, would reject such a construal.²⁴ The power of the Scotus objection (and its modern variant) is seriously diminished once it is appreciated that Thomas’s natural law is a description of ecstatic being in another register. As such, natural law is a participation in God according to Psuedo-Dionysius’s dictum *bonum diffusivum sui est*. The fecund character of the natural law is well captured by Wojtyla. He writes:

I call a norm that which in some way *generates* moral values and is found to some extent directly with the *birth* of values, or at any rate makes the *emergence* of values possible in the human being as a person.

(PC, 86; emphasis added)

In other words, for Thomas, the natural law of ecstatic being is a revelation of God. Again, Wojtyla:

According to St. Thomas, the normative order presupposes an *ordo causae exemplaris*. God as subsistent existence is the fullness

of good and thus the supreme model for all beings as goods, and in a particular sense for human beings as beings and goods. The whole *exemplary order branches out, so to speak, and differentiates* according to the various species of beings.

(PC, 88; emphasis added)

Wojtyla is perhaps thinking of Thomas when the latter writes: “God, Who is most perfect in goodness and Who diffuses His goodness in the broadest way, must be in His diffusion the archetype for all diffusers of goodness” (ScG III, c. 24, para. 8). For this reason, Thomists can be quite confident that the derivations they make from Thomas’s description of the natural law at ST I–II, q. 94, a. 2 do justice to divine revelation in being (ScG III, c. 24, para. 6–9 and III, c. 63, para. 1–8).²⁵ More, I think Thomists can insist on the Christological character of the precepts of the law at ST I–II, q. 94, a. 2 (re-stated at VS, para. 51). Living the precepts, “our acts build up the true communion of persons and, by God’s grace, practise charity, ‘which binds everything together in perfect harmony’” (Col. 3:14). That is, *Veritatis Splendor* argues that the tradition’s claim that the natural law is a participation in the eternal law (VS, para. 44) always was the claim of the law’s participation in the living God. I will argue that the natural law is interiorly structured by the love that wounds the lover and thus by the exemplar of Christ’s love on the Cross. *Veritatis Splendor* has, I think, made this point already (VS, para. 20, 21). “We love, because he first loved us” (I John 4: 19; VS, para. 24) and baptism “radically conforms” the *faithful* to the Paschal Mystery (VS, para. 21). “For we have become not only Christians, but Christ” (Augustine) and what is true of the faithful is also true for every human being, in that human freedom is double in aspect:

It is at once inalienable self-possession and openness to all that exists, in passing beyond self to knowledge and love of the other. Freedom then is rooted in the truth about man, and it is ultimately directed toward communion.

(VS, para. 86)

If the theological critiques of natural law are not ultimately convincing, what of the philosophical critiques? Kolnai helps to show why

natural law is not a naturalism (and in chapter 7 Wojtyła's efforts to show the same are discussed at length) and how it escapes the "naturalistic fallacy." Kolnai argues that Moore's argument works wherever moral theory is reduced to a naturalism or wherever a biologism is active. However, natural law is the argument that an objective moral law *structures* nature.²⁶ Thomas's ecstatic morality builds on a moral datum that the good is diffusive (Dionysius) and that it seeks to make itself known (Cicero). The natural law is "an ethical anti-naturalism" because it expresses "intuitive and consensual moral experience,"²⁷ as is most plainly evident in the *ius gentium*.²⁸ Natural law stands as a corrective to "Moore's exsanguinated, un-real concept of Good,"²⁹ being a set of values which are found expressed in "prevalent tendencies of nature or appetitive facts recognized as sovereign principles."³⁰

A somewhat more convincing objection to the view presented here comes from Deleuze. He advocates a Spinozism, which he casts as a philosophy of expressionism. Expressionism is derived from, but quite contrary to, developments within the history of ideas concerning emanation. Deleuze dismisses emanation because it assumes some degree or other of transcendence and, with that, a hierarchy of participation. It will be argued later (chapters 8 and 9) why hostility to hierarchy and privilege is utopian and totalitarian in temper. And so, crucially, against the sameness of Deleuze's ethics, natural law posits a hierarchical participation in the order of the good as *diffusivum sui*. Famously, Thomas describes a set of basic inclinations as constitutive of human flourishing (ST I–II, q. 94, a. 2). These inclinations correspond to the four-part model of desire at ScG III, c. 63, a passage that links desire and virtue. Both law and virtue are ordered as a hierarchy of ever-increasing ecstatic openness. Corresponding to the desire for God (q. 94, a. 2), desire for knowledge of the truth is perfected in the first place by the intellectual virtues (c. 63, para. 2). Prudence perfects the desire "to manage lower things" and helps establish justice in the will, a rational appetite. The *ostiatorius* of the Holy Law of the Cross perfects the natural law inclination toward sociality, the *appetitus socialis* (Grotius). This desire has for its end "that the entire life of man may be arranged in accord with reason, for this is *to live in accord with virtue*" (c. 63, para. 3). Prudence helps make the will a perfected rational appe-

tite so that the goods of civic life can be affirmed in an ordinate fashion. Thus, justice is the order of desire for a high position of honor, popular renown and wealth—in a word, privilege—and justice helps the *appetitus socialis* avoid pride, vainglory, and illiberal and unjust conduct in relationship to wealth (c. 63, para. 3–6). Regarding the inclination to procreation and care of the young, temperance moderates the desire for pleasure and leads a person away from a voluptuous, intemperate and incontinent life (c. 63, para. 7). Linked to this inclination, but also to another, fortitude perfects the desire “common to all things by which they desire their own preservation.” Immoderation in this desire makes people “fearful and excessively chary of work that is hard for them” (c. 63, para. 8). Thus, John Paul II writes: “The acting subject personally assimilates the truth contained in the law. He appropriates this truth of his being and makes it his own by his acts and the corresponding virtues” (VS, para. 52).

Deleuze finds in the naturalism and immanentism of Spinoza’s expressionism a rejection of Thomas’s hierarchy of inclination and virtue, and its attending privileges. At the end of a fine summary of the development of expressionism from emanation theory, Deleuze tells us that at the core of expressionism is the conception that substance “expresses itself in itself” and “expresses itself for itself.”³¹ Deleuze is quite clear about what this entails: “God produces things *within* the *same* attributes that constitute his essence, and thinks all he produces *within* the *same* idea that comprises his essence” (EP: emphasis added).³² The cost of equality, the only possible justice for Deleuze, is that creation is never an act of love in which the good of another is affirmed. Another never emerges, there is only the *same* closed *within* itself. The full implications of these affirmations of sameness and equality will be seen in chapters 8 and 9 but, for now, it is unsurprising that in his account of Spinoza’s ethical and political thought, individuals “encounter” one another seeking (in the state of nature) to destroy the other or (in civil society) individuals “strive in their existence to make *their* own encounters correspond to relations that are compatible with *theirs*” (EP, 264: emphasis original). Just as creation is never an act of love out of which another emerges, so “human” encounters are only correspondences between compatible individuals. It appears that the sameness

pervading creation repeats itself in the “ethical” from which equality has banished love.³³ Here the stranger either does not appear at all or is in principle immoral. I leave it to the scholars most concerned to judge whether Spinoza is presented in Deleuze’s pages, but I take Deleuze’s Spinoza to be but a further demonstration of the hold which “violent ontology” (Milbank) has upon so much contemporary thinking about the body. For the body in Deleuze is but an expression of the general metaphysical (and ethical) axiom: “There are increases in our power of action, reductions in our power of action” (EP, 254). Of course, quite apart from the totalitarian temper of Deleuze’s Spinozism, his theory is clearly a naturalism that falls foul of the “naturalistic fallacy,” ignoring as it plainly does “autonomous morality” (Mayo).

Levinas has identified the properly ethical as a *rappor social* in which the same does not reduce the other to itself. Peperzak has pointed out that Levinas knew very little about the philosophical ideas of the Middle Ages and this is surely an important reason for Levinas’s incapacity to see the natural law as an instance of “an involuntary election” wrought “by the Good” (OTB, p. 15). As I hope to show, the natural law rightly understood is very much like the *rappor social* which Levinas sought. Thomas would certainly agree with Levinas’s critique of the liberal concept of freedom (TO, 115), since he sees natural law as a primordial command prior to any act of personal freedom (EI, 89).³⁴ Far from being a rationalistic determination of the law, Thomas’s natural law is a theory of appetites understood on the model of the wounds of the Cross. The wound of love is the order of nature: hence, Thomas is fond of citing I Tim (1, 5) *finis praecepti est caritas* (Quod. V, q. 10, a. 19). The “deposition of sovereignty” through “being-for-the-other” (EI, 52) is the role of natural law understood by Thomas on the model of the Deposition. Natural law is a participation in the charity that is God and ecstatic being and by which a person cares less for his own good and rather more for the good of the other. “A person is placed outside himself,” writes Thomas, “when he does not care for the things which are his own, but comes to care for the goods of others; and this is charity (I Cor., XIII, v. 5): ‘Love does not insist on its own’” (In II Cor., c. 12, lect. 1, n. 447).³⁵ Natural law, as Thomas conceives it, is that which has always already accomplished a “rupture of the isolation

of being,” making the person always “the-one-for-the-other” (OTB, 78). Through the idea of the individual substance as *concreatum*, as ecstatic in its very being, Thomas can well claim that essence is not, as such, violent but diffusive of itself (TB, 60). The diffusion of being, existence, leaves essence always already in the abandonment of the Deposition: that is, Thomistic being is never “totality” but always being abandoned to glory.³⁶ This, of course, is the significance of the Jesuit *perinde ac cadaver* or the lover “giving to the point of losing himself” (LR, 300, n. 38). The appeal of Thomistic appetite is akin to the appeal of the Levinasian infinite: “The infinite does not stop me like a force blocking my force; it puts into question the naïve right of my powers . . .” (TO, 116). It is not a matter, as Levinas might put it, of reducing the Other to the Same (TO, 113) but in the wound seeing the Other and the Same in acute proximity (*mutua inhaesio* [ST I-II, q. 28, a. 2]). Were either to be reduced, the one to the other, the wound would vanish. As will be seen, Thomas argues that the split tissue of Christ’s resurrected body scars *as glory*, and does not heal as new flesh: Christ’s flesh does not “resume and recover itself” (Levinas). Hence, John Paul II speaks of Christ’s resurrection as “a reality ingrafted in the man of this world” (TB, 254) and for this reason also says that “the glory of God is the common good of all that exists” (*Letter to Families*, para. 11).³⁷

Levinas and Thomas also agree in thinking of flesh as double in aspect, though a subtle difference will emerge. Being exhibits “an invincible persistence in essence,” eradicating the interval so crucial to proximity or the ethical relationship. Thus, being is always *interesse* (OTB, 4). Levinas and Thomas both agree about the transgressive propensity of essence. Thomas would be as happy as Levinas to quote Pascal: “‘That is my place in the sun.’ That is how the usurpation of the whole world began.”³⁸ In Thomas, this propensity is natural to the body but is perpetually moderated by the ecstatic dynamism that is natural to the body and its appetites. For this reason, Thomas would never endorse the remarkable formulation of Levinas: “By being, by persisting in being, do I not kill? . . . Do I not kill by being?” (EI, 120) Nevertheless, Thomas could agree with Levinas when he argues that subjectivity is “a breakthrough that occurs in being” (EI, 116), a

“null-site,” a mark of “the otherwise than being” and nothing less than “the explosion of the human in being” (EI, 121). While essence ever ventures conquest, its *conatus essendi* is also vulnerability. Vulnerability is “an inversion of the *conatus* of *esse*” (OTB, 75), “going countercurrent to a *conatus*” (OTB, 18). Giving these comments a Thomistic sign, reason’s prudent and persuasive management of sensuality goes countercurrent to *one aspect* of the *conatus essendi*. Thus, Thomas can agree with Levinas when he writes, “The incarnation of human subjectivity guarantees its spirituality” (EI, 97): which means the “human,” a “subjectivity” or “spirit” knotted with sensibility is always an essence characterized by the “otherwise than being” of ethical responsibility. It is incarnation that “guarantees” this responsibility: Levinas telling us that angels cannot give help to one another (EI, 97). Incarnation “guarantees” responsibility because it establishes vulnerability, an inescapable second aspect of essence: “Arising at the apex of essence, goodness is other than being” (OTB, 18). Sensibility marks the person as “one-in-the-place-of-another” (OTB, 14) and in Thomas sensibility is natural inclination, a participation in the eternal law of God’s own *diffusivum sui*,³⁹ ultimately nothing short of the charity of the Cross. Hence, in the Catholic tradition, “God himself is charity” (St. Leo the Great) and “it is Christ, the last Adam, who fully discloses man to himself” (GS, para. 22). Meditating on these citations, John Paul II says of the person: “He must, so to speak, enter him [Christ] with all his own self; he must ‘appropriate’ and assimilate the whole of the reality of the Incarnation and Redemption in order to find himself. If this profound process takes place within him, he then bears fruit . . .” (*Veritatis Splendor*, para. 10, 5, and 15). Thomas explains that the created order is fecund only because it participates in the Goodness (*sed hoc solum quod se inferioribus ingerit propter suae bonitatis participationem* [De Div. Nom., q. 4, a. 10, n. 437]) and Being of God.⁴⁰ For Thomas, Levinas, and John Paul II then, it is the love that wounds the lover that shows forth “the glory of God” (EI, 109). Thus Levinas writes: “The other calls upon that sensibility with a vocation that wounds . . .” (OTB, 77), that is, calls to martyrdom (OTB, 78).

There is a difference between the two, however. Levinas does not think that the “dimension of the infinite” is the other side of being, as

though all of nature had a face—this is explicitly denied (TO, 110). It is the “human” which is “a breakthrough that occurs in being” (EI, 116). Thomas does see nature as such as ecstatic. The human body is ecstatic in the same way as the most rudimentary existences, and as animals, though to be sure, structured by other ecstatic appetites *as well*. Nature, because being is diffusive of itself, always possesses at least a vestige of “the dimension of the infinite.” And the human person, body and soul, “bears within itself the interior desire for glory, that is, the tendency and the capacity to become ‘glorious’ in the image of the risen Christ” (TB, 253). According to Thomas, the universe is governed by “divine reason” and “the pattern itself of things, which exists in the divine mind . . . has the nature of law” (ST I–II, q. 91, a. 2). Insofar as creatures exist at all, their propensities are structured by divine reason as law: “All things participate somewhat in the eternal law, insofar as from its impression they receive inclinations to appropriate acts or ends” (ST I–II, q. 91, a. 2). Norris Clarke has made the Thomistic point nicely: “We should describe every created being as possessing its own existence *from another, in itself*, and oriented *toward others*—a triadic rather than just a dyadic structure.”⁴¹ Of course, Thomas would not accept that he thereby departs from the clear division laid out in *Genesis* between human persons and the natural world and would stand at one with Levinas on this point.

Now it is time to show that the glory of God shows forth in the natural law as an ordering of the bodily giving of self to the love that wounds the lover.

Chapter Five

THE BODY AS CROSS

Non evacuata sit crux: *And not to preach in terms of philosophy in which the crucifixion of Christ cannot be expressed.*

—I Cor. I, 17¹

Et ideo amans quodammodo penetrat in amatum, et secundum hoc amor dicitur acutus . . . Et similiter amatum penetrat amantem . . . Et propter hoc dicitur quod amor vulnerat, et quod transfigit jecur.

—Sent. III, d. 27, q. 1, a. 1, ad 4

In previous chapters, Thomas's conception of the other-directedness of desire has been described. I have shown that this conception allows Thomas to build a philosophical anthropology in which the desires of the human can be placed in a moral hierarchy. That is, we saw how the metaphysical concerns of the *Summa contra gentiles* (III, c. 24, para. 6–9) track Thomas's natural law theory. *Summa contra gentiles* (III, c. 63, para. 1–8) describes a four-part movement of human desire. It is clear from these paragraphs that human desire is naturally other-directed—and in an increasing manner—as one moves through this fourfold hierarchy. As was seen in the previous chapter, this four-part movement of desire also parallels the movement of desire and the goods to be pursued in Thomas's discussion of the precepts of the natural law (ST I–II, q. 94, a. 2). The natural law of the body, rooted as it is in divine law, the expression of God's wisdom and love (VS, para. 41 & 79), is directed toward an increasing ecstasy in imitation of God's own nature (*divinus amor facit extasim inquantum scilicet facit*

appetitus hominis tendere in res amatas [ST II-II, q. 175, a. 2]). The dynamic precepts of the natural law make the human body ecstatic, satisfying pseudo-Dionysius's dictum *bonum diffusivum sui est*: the dynamic precepts of the moral law, says John Paul II, "safeguard the *good* of the person, the image of God" (VS, para. 13). As Thomas's argument unfolds in this chapter it will become more and more apparent that the normative structure of the human body, its appetites and those of the whole person, is Christ's wounded body on the Cross. That is, in this chapter, I will argue that Thomistic natural law is Christological.

Human nature has two possibilities: either sensuality is obedient to reason and the person lives ecstatically in service of the other, or sensuality is unresponsive to reason and the person is reduced to self-concern. I now want to show that the first possibility relies upon Thomas's notion that love involves a wounding of the lover. This notion is at the very foundation of Thomas's thoughts about a lover whose body is truly taken up in an act of love, a lover whose sensuality is lived ecstatically. The wound allows the other into one's body in a manner wholly different from the non-ecstatic body. In chapter 2, we saw that the other is converted into the nonecstatic "lover" after the fashion of nutrition, a fundamental transformation of the other into the particularity of the "lover's" own body. Thus the appropriateness of Thomas's account of *amor concupiscentiae* as an inordinate desire to reach into the innermost and secret (*ad intima*) being of the one "loved" but only so as to use the good of that person to promote one's own good. With the liquefaction of the body, however, the other literally lives in the wound, the space opened up in the lover's flesh for the one loved. It is not without significance that there is a remarkable use of the same imagery in Father Malebranche's 1684 *Treatise on Ethics*. Bizarrely, however, here the woundedness of the body is a consequence of immorality and the goal of moral life is to seal the wounds. The full significance of this departure from Thomas will be explored in the next chapter.

The model in Thomas's mind for the wounded body is the wounded body of the Cross (ST I-II, q. 28, a. 5). The love of Christ is to be seen in the blood and water leaving His body: the love that wounds *usque ad sanguinem*. Again, it is worth recalling Merleau-

Ponty. He gave us the image of the handshake, but Thomas surely has in mind the figure of Doubting Thomas being invited to insert his hand into the wound of the man-God.² It is, of course, the invitation we all receive at the Mass. Thomas reminds us that Christ still bears His wounds after the resurrection and it is this liquefaction of Jesus's body that is the anterior condition of the Eucharist, and the community founded therein. The sacraments have their power from the passion of Christ, with baptism and Eucharist being the most potent; for they were instituted by the flowing of water and blood from the side of Christ hanging on the cross (ST III, q. 62, a. 5).³ Dante speaks of the heavenly host as the bride gained through Christ's blood, marriage then conceived as a consequence of the wound of love (Paradiso, XXXI, 3) and the Church as Bride "whom lance and nails had won" (XXXII, 129). The power of the sacraments to reconcile us with God (*justificatio*) is attributed by Thomas to the resurrection as the *terminus ad quem* but to the passion as the *terminus a quo* (ST III, q. 62, a. 5, ad 3). That is, reconciliation with God begins with a wound, a wound that is glorified in the resurrection and which generates a *novitas vitae per gratiam*.

Union with God who is charity (VS, para. 10) is accomplished through Eucharist, a conversion to liquefaction and participation in Christ and his wounds. Hence Bellarmine says the Church "confers no sacrament without the Cross."⁴ The breaking of the bread in the consecration is a sign of the broken body of the Passion (IV Sent., d. 12, q. 1, a. 3, qc. 3, ad 2) and the conversion it causes is a movement of spiritual perfection, that is, a movement toward increased ecstasy and virtue. Thomas writes:

... it is proper to charity to transform the loved into the beloved, because it is charity herself which makes ecstasy, as Dionysius says. And because the growth of virtue in this sacrament [Eucharist] happens through the conversion of the one eating into spiritual food, so the growth of charity rather than the growth of the other virtues is attributed to this sacrament.⁵

It is a perfection of charity on account of the plenitude of grace that comes through the Eucharist but, given the connection among the

virtues, this cannot but lead to an increase of virtue generally (IV Sent., d. 12, q. 2, a. 1, qc. 1, s. c. 1; ST I–II, q. 56, a. 2). From the ecstasy of charity received in the Eucharist, prudence is, as it were, made more eloquent, and the *ostiarium* is made better able to realize the ecstatic, moral body. The action of the Eucharist here is modeled upon the role of reason in making Christ’s own sensuality ecstatic. We are all familiar with the story of the Garden of Gethsemane and Jesus’s sense appetites recoiling from the cross of Good Friday. Sensuality recoils from being wounded *as is quite proper for it to do*, but once integrated with the rational acts of a person (ScG II, c. 47, para. 4)—and such acts ultimately have their root in divine intellect and wisdom (VS, para. 72)—sensuality is able to undergo the passion that wounds the lover. In the case of Jesus, His *understanding* of reconciliation as the mutual proportion between the parts led Him to obedience of the Father’s will and, on the basis of His reason, a self-control that made it possible for the body of Jesus to become a wounded, ecstatic body (see the discussion of *oratio* in the following chapter). Thus, through reason as *ostiarium* the body is taken beyond what it would otherwise pursue.

In Christ we are made into spiritual food (*per conversionem manducantis in spiritualem cibum*); we become Eucharist to another in the ecstatic opening of our now wounded, loving body, and our works are rededicated to the need of the other (*inclinatur per amorem ad operandum secundum exigentiam amati* [III Sent., d. 27, q. 1, a. 1]). Thus, when Levinas looks for a desire that does not consume the other (“Desire is unquenchable . . . because it does not call for food”) he would have done well to look to Thomas’s idea of the ecstatic body whose appetite is already always food, “a having been offered without any holding back” (OTB, 75): always vulnerable, always offered, and always in hope that *bonum diffusivum sui est*. For is not Levinas *also* talking about the eucharistic wound of love when he writes: “The true Desire is that which the Desired does not satisfy, but hollows out. It is goodness.”⁶

Nothing cheap is intended by this comment. I do not suggest that the two thinkers are identical but just that, as substantial similarities between the thought of Levinas and Thomas were pointed out in chapters 2 and 4, so Levinas is perhaps the thinker who has thought most

about ethics and the wound. Levinas speaks of the ethical moment as a change in desire: "It reverts from the activity of being a hunter . . . from being aim to being wound" (OTB, 75). Thomas writes of love as a wound that transfixes the passions of the lover and the beloved. The following few sentences need close scrutiny. Thomas writes:

And so the lover in some manner passes into the beloved and on account of this love is said to be a piercing. To reach the interior of a thing by separating is characteristic of piercing. And similarly the beloved reaches the interior of the lover. On account of this it is said that love wounds, that it transfixes the passions.⁷

At first glance, the Thomistic ethical moment might appear quite different from that of Levinas. Levinas emphasizes the passivity of the wound; the ethical relationship is a matter of vulnerability. Does not Thomas emphasize the active wounding wrought by the lover? The difference between the two positions diminishes, however, when it is recalled that the natural law always already makes the lover and the beloved vulnerable, has always already transfixed the one with the other in having ordered their appetites as service for each other. Nevertheless, there is a wounding, and not merely vulnerability. To fulfill the law of transfixion will inevitably require the wounding of the body because of its double aspect. The transfixed body is precisely an ecstatic body: it is a body that has forsaken the principles of its bodily individuation so that there might be a "bodily giving of self" (Gallagher). The lover is able to pass into the beloved only because of the ecstatic opening, an opening already prepared in the inmost depths of the beloved by the participation of the natural appetites in divine law (VS, para. 79). As Thomas recounts, Paul lives for the other, his body given in service to the other:

Therefore the Apostle's concern for self was deposed through the cross of Christ, he said that he was dead to his self concern, saying *with Christ I am nailed to the Cross*, that is, that the cross of Christ has separated me from my private self concern.⁸

It is, of course, because love has transfixed (*transfixum*) Paul's passions that Paul is able to say *confixus sum*.

That Eucharist cultivates the virtues and intensifies the ecstasy of the body is simply a continuation of the power of the Passion, and ultimately the Word as an exemplary cause of self-diffusion. Thomas provides an important clarification about the wounded Christ as exemplar in response to an objection. The objector argues that the sacraments vivify the soul and that Augustine points out that such vivification is on account of the Word, and not the flesh of Christ. The objector concludes that the soul lives because of the Word, not on account of what happened in the flesh of Christ at the time of the Passion.⁹ Thomas grants that the Word is the principal agent, but then adds, "His flesh, however, and the mysteries accomplished in his flesh, operate instrumentally to the life of the soul; and to the life of the body not only instrumentally but also through a certain exemplariness."¹⁰ To explain the meaning of *per quamdam exemplaritatem*, Thomas himself directs us to an earlier discussion on the resurrection. There (ST III, q. 56, a. 1, ad 3) Thomas argues likewise that the general resurrection is accomplished by divine power and has its primordial cause in divine justice (*primordialis causa resurrectionis humanae est divine justitia*), while the resurrected humanity of Christ is after some fashion an instrument of the divinity itself (*humanitatis Christi, secundum quam surrexit, est quodammodo instrumentum divinitatis ipsius*). Once more, Christ's body acts as a cause subtended by the more primordial divine action of the Word. It is this "primordial love" (VS, para. 78) that resurrects the good and the evil, but it is Christ's resurrected body acting as an exemplar cause that prompts the good to conform themselves to Christ (*exemplaritas tamen ejus se extendit proprie solum ad bonos, qui sunt facti conformes filiationis ipsius*). Similarly then, the wounded body of Christ is an exemplar cause for the bodies of the good who would love as Christ loved: "The service of Christ begins with the Cross," says Bellarmine.¹¹ Thus, Thomas comments that the effect of baptism by blood is greater than the other sorts of baptism. For while baptism by water is a certain figural representation, baptism by blood is through an imitation of the work (*per imitationem operis*) of the passion of Christ (ST III, q. 66, a. 12).

To speak of the wounded body of Christ as an exemplar returns us to Thomas's metaphysics of exemplarity and the ecstatic structure of

Being. In Thomas's mind, Christ's diffusion of himself on the cross is paradigmatic of the ecstatic structure of Being. When natural law is understood as a set of increasingly ecstatic appetites structured as the love that wounds the lover, the Christological foundation of natural law emerges. Explaining the suitability of the crucifixion to salvation (ST III, q. 46, a. 4), indeed, that it was *conventissimum* that Christ suffer on a cross, Thomas cites Augustine that such a death cultivated the various virtues. But more, citing Gregory of Nyssa, Thomas argues that the figure of the cross unites all the extremes of creation and signifies that the power and providence of Him who hung on the cross was everywhere diffused (*significat virtutem et providentiam ejus qui in ea pependit, ubique diffusam*). And so Thomas tells us that the earth itself felt the benefits of the Cross being purified by the blood spilling from the side of Christ (a recurring theme in Fra Angelico's art at San Marco, Florence). If a link is made between this passage and Thomas's discussion of Christ's wounded flesh *per quamdam exemplaritatem*, Thomas's Christological perspective comes into view. Wojtyła has emphasized the extent and power of exemplary causality in Thomas: and ScG III, c. 24, para. 6–9 leaves no room for doubt on this point (see my chapter 2). Acknowledging this demands that the Cross be raised to a metaphysical significance. John Paul II does so in *Veritatis Splendor*. By way of discussing the immutability of the moral law, and censuring those who doubt “the permanent structural elements of man which are connected with his own bodily dimension,” John Paul II writes (VS, para. 53):

This is the reason why “the Church affirms that underlying so many changes there are some things which do not change and are *ultimately founded upon Christ*, who is the same yesterday and today and for ever.” (*Gaudium et Spes*, 10) Christ is the “Beginning” who, having taken on human nature, definitively illumines it in its constitutive elements and in its dynamism of charity towards God and neighbour.

(see St. Thomas Aquinas, ST I–II, q. 108, a. 1)

In this short passage, John Paul II identifies Christ as the foundation of the natural law understood as a dynamism of charity and the One

who “definitively illumines” the law of our nature as ordered to the love that wounds the lover. Thus, when discussing forms of pornography, John Paul II writes,

In the last analysis, they take place when those deep governing rules of the gift and of mutual donation, which are inscribed in this femininity and masculinity through the whole structure of the human being, are violated. This deep inscription—or rather *incision*—decides the nuptial meaning of the human body, that is, of the fundamental call it receives to form the “communion of persons” and take part in it (TB, 223; emphasis added).

Lest there be any doubt as to his meaning, speaking elsewhere about the relationship between Christ and the natural law, John Paul II writes (VS, para. 21): “*Following Christ* is not an outward imitation, since it touches man at the very depths of his being. Being a follower of Christ means *becoming conformed to him* who became a servant even to giving himself on the Cross (cf. Phil 2:5–8).” The biblical legitimacy for the idea *plenitudo legis in Christo est* (St. Ambrose [VS, para. 15]) comes from *Colossians* 1:15–20 where Paul describes Christ as one who “is before all things, and in him all things hold together” and even “through him to reconcile to himself all things, whether on earth or in heaven, making peace by the blood of his cross.” Balthasar has repeated Thomas’s view when he conceives of the City of God as “married” to Christ, the one who “is already always the one who has bled, ‘the Lamb slain before the foundation of the world’ (Apoc. 13, 8) in an ‘eternal redemption’ (Heb. 9, 12).”¹² In arguing that the Cross is the eternal law ordering the natural law, I am well aware that I propose that the end of nature and the end of charity are one and the same. I do not accept Suarez’s re-statement of Cajetan’s *duplex ordo* when he argues that original sin severed our relationship with God as the ultimate end of grace but did not sever our relationship to God as an ultimate end of nature. This last relationship, he argues, was perpetuated through the natural law. Suarez here¹³ appears to reject Thomas’s position that original sin diminished our natural perfection (ST I–II, q. 85, a. 1). At the same time, this disagreement with this formulation in Suarez’s

thought ought not to be taken as agreement with de Lubac's *The Mystery of the Supernatural*. The full implications for the relationship between nature and grace of the Thomistic-Wojtyla view suggested here requires a book-length study, but I am absolutely convinced that any adequate treatment of this relationship will require a return to analyses found in Baroque scholasticism:¹⁴ that is, the *duplex ordo* is true to Thomas's thought once it is understood as a statement about Thomas's double-aspect theory of the body.

It is important to remember that the ecstatic opening of the body, the wound of love, is not *in a complete sense* against nature. It is not as such a violence. One of the propensities of the body is the love that wounds, being a body articulated in justice and charity, and such love is connatural. Thus, the love that wounds the lover perfects and betters the lover, for love is a *coaptatio* of the appetitive power to the good.¹⁵ Hence it is that Thomas makes an analogy between fire and love: "And just as fire is unable to be restrained from a motion that happens to it on account of its form, except through violence; so neither the one loving who acts on account of love."¹⁶ Thomas helps us to see his point here by arguing that love has two aspects, a formal and a material. The formal aspect of love is the lover's desire to be perfected, but the material aspect is a change in the body's integrity (*quod amor sit laesivus propter excessum immutationis*): a sacrificial lesion of the body's particularity so that the body might become a place of a new community, a community predicated, ultimately, upon the new covenant of the Cross. The new covenant is interiorly structured by the Cross whose marks never leave the resurrected.¹⁷ Indeed, Thomas tells us that the resurrection of the members conforms to the resurrection of the head (IV Sent., d. 12, q. 1, a. 3, qc. 3, ad 7). *Amor vulnerat, et quod transfigit iecur*: love wounds the lover and pierces through the liver. The reference to the liver here relates to a commonplace of Galenic physiology. The liver was said to be the seat of passion and important in the production of blood (ST I–II, q. 48, a. 2, ad 1). Both connotations were probably important to Thomas. But as Thomas is clear that love has a material manifestation, that it leads to physiological change, Thomas is probably especially interested in the connotation connected with the production of blood: the piercing through of the liver connotes the

spilling of blood from a wound. The physiological emphasis can be found throughout Thomas's analysis of love. He notes that "love is ecstatic because what boils steams, boils over, and spills out of itself" (*dicitur amor exstasim facere et fevere, quia quod fervet extra se ebullit et exhalat* [III Sent., d. 27, q. 1, a. 1, ad 4]). The language used here is thoroughly physiological, words such as *ebullio* appearing frequently in Aristotle's *De respiratione*, for example.

The physiological image returns us to the central metaphysical claim: if a love is good it is diffusive of itself. This point is made by Thomas with regard to the union of lover and beloved. Love is a *vis transformativa* by which the lover is transferred into the beloved in some fashion (*quodammodo*). The definition of love as such a transformation is also a definition of perfect charity. In perfect charity, one *totaliter in Deum per amorem transformatur*, and this state can be found inside marriage, as is clear from the life of Abraham, says Thomas (Quod. III, q. 6, a. 3). Love is a *transformatio*, that is, a change in *form* through which one enters into profound union with another. The transformation is a change in form for "love makes the beloved be the form of the lover" (*quia amor facit amatum esse formam amantis*) and, crucially for Thomas's understanding of the union of lovers in marriage, he adds that *beyond* union there is a growing together of the lover and the beloved (*et ideo supra unionem addidit concretionem*). *Concretio* is a word replete with connotations of organic growth, the formation of milk and seed, matters common in the texts of medieval embryology. Thomas's emphasis is always on a union that is more than a union, a union that becomes fecund. Such a gravid union, we are told, is not the superficial touching one finds in a *congregatum* which only makes something one *secundum quid* (III Sent., d. 27, q. 1, a. 1, ad 5). The union that becomes fecund, the new creation rendered by ecstasy, is a union *unum simpliciter* in which the *concreta* grow together; congealing and becoming gravid, the *concretum* gives way to a new *concreatum*, the new flesh of their union. A Thomistic union of lovers is always—precisely because articulated through the wound—a union of the same and the other in which the one inheres in the other without reduction the one to the other: it is *mutua inhaesio*. It is also a liquefaction that gives place to a congealing, a new *concreatum* that is

a child. Hence, Thomas can agree with Levinas and his emphasis on maternity as a defining of the ethical moment: “I am bound to others before being tied to my body” (OTB, 76). The significance of this point to John Paul II’s sexual ethics will be discussed in chapter 7.

A union of the same *and* the other is possible only on account of an ecstatic movement which separates the lover from the conditions of the lover’s particularity, the *liquefactio* that is the basis of Levinas’s “deposition” and “maternity.” Thomas writes:

But nothing is able to be transformed into another except insofar as it recedes in some fashion from its form, because form makes something one, and so preceding the division of penetration [that is, the lover’s penetration of the beloved] is another division by which the lover is separated from himself tending thereby into the beloved.¹⁸

This separation of the lover from himself is accomplished in *extasim*, says Thomas, and after what fashion is made clear as the passage continues:

Because nothing recedes from itself unless dissolved from what holds it inside itself, just as a natural thing is not detached from its form unless the dispositions are dissolved by which the form is retained in the matter, so it must be that the lover is removed from the boundaries inside of which the lover is held *and on account of this love is said to liquefy the heart*, because a liquid is not contained by its boundaries¹⁹

The love that wounds the lover dissolves the body and therewith the conditions of material individuation. This is what Thomas calls “being placed outside one’s proper order,” although, of course, it is also coming into proper order, a life lived according to the ecstatic norm of divine law. For this reason, Thomas can insist that the ecstasy that places one outside one’s proper order is not violence (ST II–II, q. 175, a. 2, ad 1).

Although Thomas’s texts are explicit on the wound of love, it might be well to note before going further—lest such talk of wounds sounds

ill to the (contemporary?) Christian ear—that such talk is found in a systematic or theoretical way in such Thomists as St. Catherine of Siena and St. John of the Cross. Both are Doctors of the Church and it is the role of the Doctors of the Church to relate “the truth of the Word made flesh” (VS, para. 27). Before considering their appropriation of Thomas’s theory of the love that wounds the lover, it is as well to note that even someone as enigmatically Catholic²⁰ as Nancy recalls, with seeming nostalgia, the spirituality of the wounds of Christ. In Thomas, it is prudence, the *ostiarus* that forms the interior ecstatic opening of sensuality to the law; it is reason’s acknowledgement of the law, the law of love, which wounds and which gives life to the other. Thus, prudence is called the *genitrix virtutum* (III Sent., d. 33, q. 2, a. 5) and, thus, justice. As the virtue that helps realize the eternal law, both within the person and thereby between persons (justice), *prudentia* is noted by Thomas and Wojtyla to stem from *providentia* (ST II–II, q. 49, a. 6, ad 1; LR, 64). A rather similar claim can be found in Nancy, “a gram of thought: trace of this pebble, of this calculus, engraving, tiny incision, notch, cut, hard point of a tip, engraver’s stylus, body of the first cut, breached body, body separated;”²¹ although, from Thomas’s perspective, a misstep is made, since Nancy thinks, “There is violence and pain in this thought.” It is unclear quite why he would think this, since he also clearly thinks that ecstasy is a reduction in the violence of the body, it is its “ab-solution.”²²

Roland Barthes, a Protestant by upbringing who tells us that he nevertheless drank deeply from the well of Catholic sensibility, develops his central reflection on photography in terms of the wound of love. He separates two principles from our experience of photographs that together reveal a metaphysical (CL, 84) *cum* religious order (CL, 82): the *studium* and *punctum*. The *studium* is a “sovereign consciousness” over a perception, a control of the field of experience, while a *punctum* “shoots out of it like an arrow, and pierces,” and the “wound” removes “sovereign consciousness.”²³ This wound in sovereign consciousness is a mark of love (CL, 41) in which one becomes exposed, indeed more: we are told, “to give examples of the *punctum* is, in a fashion, to *give myself up*” (CL, 43). The *punctum* operates like the ecstasy of the love that wounds in Thomas, for without it one

cannot escape the operation of the *studium* as it reduces all to its sovereignty. Or, as Thomas puts it (ST I–II, q. 56, a. 6),

But if man's will is intent upon a good *which exceeds what is proportionate to it*, whether this be as far as all mankind is concerned, such as the divine good, which transcends the limits of human nature, or *as far as the individual is concerned, such as the good of one's neighbour*, then the will needs virtue. Therefore *the virtues which order the love of man to God or to his neighbour, such as charity, justice and the like*, are in the will as in a subject (emphasis is mine).

Rooted in particularity, the virtues of charity and justice order the love of man, and through them man is able to help realize “the good of one's neighbour,” an object of the will which, without the virtues, “exceeds what is proportionate to” the particularity of the individual's will. Though able to be “productive of good works,” without charity (ST I–II, q. 65, a. 2), it is not possible “never to sin mortally” unless one has grace (ST I–II, q. 63, a. 2). Thus, Thomas and Barthes agree about the central role of “the grace of the *punctum*” (CL, 45) which has “launched desire beyond” the *studium*. Indeed, the *punctum* that launches my desire beyond my particularity is, as Barthes puts it later, the “stigmatum” (CL, 96), and the photograph emerges at a time “contemporary with the withdrawal of rites” (CL, 92) to recall nothing less than resurrection (CL, 82).

I find the continuity between thinkers like Nancy and Barthes and Aquinas remarkable—more remarkable than that with the biblical Levinas—but the influence of Thomas's theory of love has a long history. Both Catherine of Siena and John of the Cross make the wound a structural principle of their theories of love. Of course, the mystical theology of St. Bonaventure is famously so structured,²⁴ but the authors to be noted here are identified as Thomists. The structural role of the wound of love is quite evident from perhaps the most famous passage in Catherine, who, as it happens, is one of the patron saints of John Paul II's pontificate. Catherine waits for Niccolò di Toldo at his place of execution and, as his spiritual advisor, holds Niccolò's head,

stretching his neck out, we are told, for the executioner's blade. Receiving his head into her hands, "while my eyes were locked on the divine goodness" she saw,

. . . the God-man . . . He stood ready to receive [Niccolò's] blood into his own; and the fire of holy desire . . . was now received into the fire of his own divine charity. After he received the blood and the desire, he received the soul also, and plunged it into the store-house of his open side brimming with mercy. . . . How unspeakably moving it was to see God's goodness; to see with what gentleness and love he awaited that soul—gazing at it with eyes of mercy—as it left the body and entered into his open side, bathed in its own blood which now had value through the blood of God's son.²⁵

Here Catherine *sees* the divine goodness as an "open side brimming with mercy," and explains the movement of desire for union with Christ as desire leaving through the wound of Niccolò and entering into Christ through His "open side," "received into the fire of his own divine charity." The Thomistic foundation for this view is on display in her analysis of prayer. In prayer, Catherine tells us, "she rises above herself . . . above the gross impulses of the senses, and with angelic mind is united with God in intense love. By the light of her intellect . . ." (PT, 23). As with Thomas, Catherine argues that only when she articulates herself as intellect can she reach out to another: otherwise, she is confined by her material conditions of individuation, "the gross impulses of the senses." Catherine can transform the particularity of her sensuality through prayerful persuasion based on the operation of her intellect: "by the light of her intellect she sees and knows." (PT, 23) Her intellect knowing and loving God, and with her sensuality persuaded by prayer, Catherine "abides with her bridegroom at the table of crucified desire." Her love for God has wounded Catherine, it has "crucified desire," and the prayerful union of her sensuality and intellect has made her ecstatic. In this ecstasy she is made fecund. "Bathe and drown yourself in the gentle blood of your bridegroom," Catherine tells us and, by abiding in the fecundity of the bridegroom,

“this prayer is surely a mother who by the love of God conceives virtues, and who brings them to birth in love of neighbour” (PT, 23). A prayerful articulation of her sensuous particularity, which Catherine accomplishes when “she clothes herself with truth,” transforms Catherine’s sensuality into a nuptial body: just how close this is to Thomas’s conception of prayer will be seen in chapter 6. Through the fecundity of her bridegroom, Christ, she conceives virtues, and her self drowned “in the gentle blood,” her bridegroom helps her to give birth to her love of her neighbor. Catherine compresses into a single paragraph Thomas’s theory of ecstatic morality and also captures a conception of the nuptial body that will reemerge with John Paul II. Indeed, this paragraph nicely captures what he means by the “Marion” posture to which all—men and women—are called. The elicited nature of the ecstasy of the “Marion,” or nuptial, body is nicely put by Catherine. Speaking of the Annunciation, she writes, “He waited at the door of your will/for you to open to him/for he wanted to come into you.” (PT, 81) She also describes Christ as the *ostiarius*, “without this key and this doorman, my Truth, no one can enter” (PT, 114). Thus, the overcoming of a metaphysics of violence that one finds in Catherine’s Thomism is not anything like Milbank’s interest in seeing “the ontological priority of non-violence.”²⁶ It is, rather, the ontological priority of charity, the love that wounds the lover.²⁷

With the authority of St. Catherine’s vision noted, it might be well to discuss ST III, q. 54, a. 4. Here, Thomas discusses Doubting Thomas. The language used to describe the marks of the crucifixion is, for the most part, *cicatrix*. A *cicatrix* can be a scar, a mark of incision, a patch or even a wound. Thomas is answering objectors who deny that it would be suitable for Christ to be resurrected with any mark of the crucifixion. Perhaps the objection to be met here is whether the wound of love, as an opening of the body to the life and body of another, remains; or, put otherwise, how can the wound be a condition for loving union if Christ heals? After all, as the resurrection is an overcoming of death itself, it must surely be a healing of all wounds. Christianity, after all, is not the glorification of wounds but the glorification of healing and the exultation of peace. The second objection argues that the opening of the wound is contrary to the integrity of the

body (*sed aperturae vulnerum contriuntur integritati corporis, quia per eas discontinuatur corpus*). In the *sed contra* to this article, Thomas simply quotes John 20: 27. In the Vulgate, the language is unambiguous, Christ saying to Thomas, “Bring your hand and send it into my side” (*et affer manum tuam, et mitte in latus meum*). As to the second objection, Thomas says, “it must be said that although the opening of a wound is a certain breaking up of continuity, the whole is compensated for by the greater adornment of glory, so that the body is not less complete, but rather complete in a perfect way. Thomas not only saw, but also touched the wounds. . . .”²⁸ Thomas is clear that the openings of the wounds remain; after all, Thomas touches them (which is not explicitly stated in Scripture), he says. They are, however, transformed and the body perfected thereby: for now the wounds are adorned, furnished, with glory. Where once there was flesh, now there is glory, the glory of the love that wounds the lover.²⁹ The Merleau-Pontian handshake, with its mutuality, equality, symmetry, horizontality, and sameness is here replaced by the invitation to send your hand into the open body of the other. Mutuality becomes gift, equality becomes the gift which forgives that one is not equal; symmetry becomes the asymmetry of service; horizontality the verticality of adoration or the humility of not being adored; and not sameness but the “philosopher’s stone,” same and other transfixed.

St. John of the Cross continues St. Catherine’s Thomism. In the *Dark Night*,³⁰ he relates that “the soul in the midst of these dark conflicts feels vividly and keenly that it is being wounded by a strong divine love” (DN II, c. 11, 1; 5; LFL I, 1) and “this love finds that the soul is equipped to receive the wound and union in the measure that all its appetites are brought into subjection, alienated, incapacitated, and unable to be satisfied” apart from God (DN II, c. 11, 2). Union with God is rendered through a wound wrought by divine love, for, “among lovers, the wound of one is a wound for both, and the two have but one feeling” (SC XIII, 9). The soul is able to receive this wound only to the degree that its appetites have been alienated and incapacitated, that is, unmoored from an exclusive focus upon the person. Thus, the love of the Bridegroom “wounds her [the soul]” but “through this love she went out from all creatures and from herself”

(SC, I, 2; VII, 1). The wound marks the ecstasy of the soul, for through it the soul “went out . . . from herself.” The love of God is a “loving wound” (DN II, c. 11, 6) and a purgation: “The wounded soul rises up at night, in this purgative darkness” (DN II, c. 13, 8).

The liquefaction caused by the love that wounds the lover is wonderfully captured by St. John when, speaking of Mary Magdalene, he comments: “She did not consider the propriety of weeping and shedding tears in the presence of our Lord’s guests. Her only concern was to reach him for whom her soul was already wounded and on fire” (DN, II, c. 13, 6). Such liquefaction is constitutive of the “wound of love,” for the flame of divine life “wounds and stirs it [the soul] so deeply as to make it dissolve in love” (LFL I, 7). Thus, speaking of the “wound effected by the cautery of love,” he writes,

. . . for the very cautery that causes it, cures it, and by curing it, causes it. As often as the cautery of love touches the wound of love, it causes a deeper wound of love, and thus the more it wounds, the more it cures and heals. The more wounded the lover, the healthier the lover is, and the cure caused by love is to wound and inflict wound upon wound, to such an extent that the entire soul is dissolved into a wound of love. And now all cauterized and made one wound of love, it is completely healthy in love, for it is transformed in love.

(LFL II, 7)

It is also evident from this passage that the wound of love is a transforming of an always present possibility of transgression. For St. John speaks of divine love as a “sweet cautery” (LFL II, 5) which makes the lover of God healthier. That the body needs to be transformed, that is, that one of its dimensions needs to be concretized rather than the other dimension of its double aspect, must be assumed, if “the *cure* caused by love is to wound and inflict wound upon wound” (emphasis added). St. John relies, I suspect, on a passage like the following, where Thomas writes that if a stronger power transforms a weaker power so that “it changes the contrary inclination into its own inclination, there will be no longer repugnance or violence . . . such is the result only

when the contrary inclination of the appetite remains.” In other words, healing is accomplished when the *inclinatio ad peccatum* reverts to a *pronitas ad peccatum*.

When Thomas talks of liquefaction, he has in mind, of course, the sort of spiritual dissolving of the soul that St. John speaks of here. However, Thomas also speaks of liquefaction as having physiological effects. Likewise, St. John relates Mary Magdalene’s tears to her woundedness, but he also explicitly addresses the bodily effects of a dissolving soul. As a general principle, he notes: “Thus the greater the delight and strength of love the wound produces in the soul, so much greater is that produced by the wound outside on the body, and when there is an increase in one there is an increase in the other” (LFL II, 13). Thus he quotes (LFL II, 14) St. Paul, “I bear the wounds of the Lord Jesus in my body” (Gal. 6:17) and comments that “sometimes” God permits “the wound and sore [to] appear outwardly” and “in the fashion in which it existed interiorly,” and this is what happened “when the seraph wounded St. Francis” (LFL II, 13).

St. John draws his use of the “wound of love” from the language of the *Song of Songs* (SC I, 15–16), a text that is important to John Paul II, as will be seen. Commenting on Sg. 2:9, St John tells us that when God “visits” the soul his “touches of love” “pierce and wound it like fiery arrows . . . And these wounds, mentioned here, *are properly called* wounds of love” (SC I, 17: emphasis added). The fire of God’s love in the wound makes the soul “go out of itself” (SC I, 17; 19), and so,

Spouse, in that touch and wound of your love you have not only drawn my soul away from all things, but have also made it go out from self—indeed, it even seems that you draw it out of the body—and you have raised it up to yourself while it was calling after you, now totally detached so as to be attached to you.

(SC I, 20)

It seems as though one is drawn from the very body itself during these “visits,” for such a “visit” “so disjoins the bones and endangers human nature” (SC XIII, 4). There are three kinds of wound corresponding to three kinds of knowledge one can have of God: a knowledge of God

from creatures is a “wound”; a knowledge of the Incarnation and the mysteries of the faith create in the soul “a sore wound and cuts more deeply into the soul than the simple wound”; a third knowledge, obtaining from “a touch of supreme knowledge of the divinity” issues in “a festered wound” (SC VII, 2–4). As with Thomas, the wounds of love are interiorly related to a knowledge or understanding of God (SC VII, 9).

For the applications of John Paul II’s ecstatic morality that will be discussed in the second part, it is important to recall here that in *Crossing the Threshold of Hope* each of the texts used above in regard to the role of the “wounds of love” in St. John of the Cross are cited by John Paul II. Of course, Wojtyła also wrote his doctorate in Rome on St. John of the Cross with an acknowledged expert, the famous—if now utterly disparaged³¹—Garrigou-Lagrange. If it is also acknowledged, as I think it must be, that the “wounds of love” are a structural part of St. John’s thought—and remembering that this conception of love echoes both that of Thomas and Catherine of Siena—then I think we can expect John Paul II’s version of ecstatic morality to rely upon “the wounds of love.” This is surely to be expected when John Paul II tells us that he began to study Spanish so that he could read John of the Cross in the original and that his reading of John belonged to “a very important stage in my life.”³² John Paul II, as has already been noted, speaks very highly of Levinas and in his work one reads about the ethical as “the haemorrhage of the for-the-other” (OTB, 74). The ethical relationship, “the non-initiative of sensibility” (OTB, 75), is “having-the-other-in-one’s-skin” (OTB, 115), just as the natural inclinations of the human animal structured by participation in the eternal law order the person to being *diffusivum sui* accomplished in the ecstasy of the love that wounds the lover. As de Finance puts it, “Le thomisme est une métaphysique du rapport,”³³ the “social charity” of Pius XI. Significant to Levinas’s understanding of the *rapport social* are the epigrams from Ezekiel with which *Otherwise Than Being* opens. Ezekiel 9:4–6 speaks of two destinies: those persons marked on their foreheads who are saved from slaughter, and all those others, whether young or old, women, men, or children, who are to be slain. The Vulgate, unlike modern Bibles, speaks of the *signa thou super frontes* (Ez 9, 4) and so

informs us about the kind of mark. The *tau* is the last letter of the Hebrew alphabet and resembles an X.³⁴ A *signum* is a mark inscribed or cut into the body in order to adorn it. In the Apocalypse (7, 3–4) the saved are similarly marked. Dante, of course, has those in Purgatory marked with Ps (*peccata*) on their foreheads. Those marked by the glory of the Cross are saved and those marked by their sins are yet pilgrims.

In this chapter, I hope to have deepened the argument that the natural law in Aquinas has a Christological foundation. That is, the natural law establishes a dynamism in the body that calls the person to participation in the eternal law of God's wisdom and love. This is a call to ecstasy. God's wisdom and love is diffusive of itself in the act of Creation and the act of the salvation of the world, Christ on the Cross, *ubique diffusam*. Christ, "who is the same yesterday and today and for ever," is an exemplar of *liquefactio*, the gift of one's self to another: made possible only through the ecstatic opening of one's body in service to the other; made possible only through the natural law and its dynamism that calls out to us *plenitudo legis in Christo est*; made possible only through a wound of love that transforms sensuality from an *inclinatio ad peccatum* to a *pronitas ad peccatum*; made possible only through a wound that cures the world of its violence. In contrast to the *mutua inhaesio* of love stands the Leviathan: at Job (41) *cohaesio* is used to describe the beast's compact, impenetrable skin.³⁵ In the next chapter, I will show that just as the world "knew him not," so philosophy, "Christian" and secular, has taught the closing of the wound.

Chapter Six

THE POLITICS OF THE FLESH REVISITED

Sometime around 1567, the Spanish Jesuit Francisco Toletus wrote his commentary, *Enarratio in summam theologiae Sancti Thomae Aquinatis*.¹ In 1986, the American feminist Donna Haraway wrote *Simians, Cyborgs, and Women*.² Oddly, both works contain fundamentally the same thesis about the body. This claim might seem outlandish: indeed, the claim might appear to fall into the absurd. After all, Haraway's work on "cyborg feminism" is regarded as one of the most theoretical, and radical, feminist critiques of the Western tradition. Her dialectical Marxist critique was published by Free Association Books, a progressive and liberal press whose motto runs "an association in which the free development of each is the condition for the free development of all." Toletus's *Enarratio*, by contrast, was written by a cardinal, a professor at the Collegio Romano, and a onetime visitor to Leuven: where, in 1580 as an Apostolic Nuncio sent by Pope Gregory XIII, he examined certain propositions from the texts of Leuven theologian Michael Baius, later condemned by Pius V. The *Enarratio* was published by the Congregation for the Propaganda of the Faith at the Vatican in 1870, the year in which Papal infallibility was declared. Yet, however outlandish the comparison, it is true that the two books contain fundamentally the same thesis about the body.

The stated goal of Haraway's "cyborg feminism" is to liberate sensuality from violence. Yet, in examining her book alongside that of Toletus, it becomes clear that both Jesuit and feminist agree that sensu-

ality is a place of metaphysical violence. By way of demonstrating that Toletus and Haraway share a theory of sensuality, a number of different points will be made: it will be shown that Toletus's commentary on Aquinas is hardly accurate; this fact will help justify the claim that the Jesuit tradition includes a rather particular theory of sensuality; that the origin of the theory is perhaps Giles of Rome; that this theory is shared by many other Catholic and non-Catholic thinkers alike; and, finally, the argument is made that Gaston Fessard, arguably the finest Jesuit mind of the twentieth century, came to rediscover Aquinas's own theory of sensuality through a thoroughgoing critique of Hegelian and Marxist dialectic. The chapter will show that Jesuits and feminists alike, as well as anyone who wants to affirm the flesh without violence, will have to return to Thomas and his Christological theory of the love that wounds the lover.

In the third volume of his four-volume commentary on Aquinas's *Summa theologiae*, Toletus (1532–96) discusses sensuality in the context of the question: *An in Christo fuerit fomes peccati?* (III, q. 15, a. 2). Uncontroversially, he says that the human has two broad categories of appetite, the rational and the sensitive, and that, ideally, the rational appetite is to govern sensuality, the inferior appetite. Toletus goes on to say that rational appetite and sensuality are in discord (*in homine discordes sunt*) and that they are fighting one another.³ Crucially, Toletus tells us, with the creation of man and woman, God, through his gift of original justice, miraculously pacified sensuality so that the inferior would always be obedient to the superior (*quodam suo dono . . . ita mirifice pacificavit, ut inferior semper esset obediens superiori* [EN, 227b]). As a miracle is needed to pacify sensuality, it is clearly Toletus's conception of human nature that interior to its very constitution is a violence, a violence in which each of its two principal parts fights the other to determine the goods that will be sought. Moreover, that Toletus conceives of the violence of sensuality as metaphysical is confirmed by his response to a later question, *An in Christo sit voluntas sensualis?* (III, q. 18, a. 2). Here, Toletus explicitly identifies sensuality with the *fomes peccati*, and thus casts sensuality as an incitement to sin (*incitamentum ad peccatum* [EN, 228a]).

Toletus's commentary departs at this point quite substantially from

Thomas's text. For example, Toletus denies what Thomas affirms: *in Christo fuit sensualis appetitus sive sensualitas*. Perhaps this is not so surprising, given that Toletus has just identified sensuality with the *fomes peccati*. Yet, why has he made this identification? In Thomas, the *fomes* points to a disorder within sensuality and not to an actual part of human nature. Hence, when Thomas wants to speak of a rationally ordered sensuality he uses the term *voluntas sensualitatis* (ST III, q. 18, a. 2), whereas Toletus speaks of a *voluntas sensualis*.⁴ It may well be that this change in terminology—which points to a fundamental difference in the way both conceive the relationship between nature and grace, and less broadly, the relationship between reason, virtue, and sensuality—is a consequence of Trent. Some confusion exists among historians as to whether Toletus himself was a theologian at Trent. However that may be, his treatment of sensuality clearly has an eye to the Council's teaching. It is Trent's teaching—reaffirmed in the *Catechism of the Catholic Church*, recently issued by Pope John Paul II—that concupiscence is an inordinate desire that belongs to human nature: this position must be held if the Church's teaching on the gratuity of grace is to be secure.⁵ I have discussed the subtleties of Church doctrine concerning concupiscence in chapter 3 and showed there how Aquinas's analysis of sensuality shaped this doctrine from the time of Trent up to the John Paul II 1995 *Catechism of the Catholic Church*. It is clear that Toletus defends Trent by making the violence of sensuality metaphysical.

To some it might seem that Toletus is just confused. After all, does not Augustine's *The City of God* make it perfectly clear that Christians are committed to a metaphysics of peace? Toletus is trying to explain the Church's doctrine that freedom from concupiscence was a gift of original justice. His account, in fact, though not as subtle as Thomas's, is certainly more subtle than some other recent attempts. Some theologians⁶ have tried to use Freud to show that moral evil is a necessary part of human nature—a consequence of psychological development where the violent drives of the id are only gradually brought under the control of the superego.⁷ Such a view posits a metaphysical violence rightly acknowledging that the Freudian view of desire is agonistic, as was seen in chapter 1. As was pointed out there, Freudian desire is

a restatement of Averroes's understanding of desire: Thomas rejected Averroan desire as metaphysically agonistic, denying as it does any ultimate relationship between desire and its object. Another variety of such a metaphysical approach—one that is patently heretical—belongs to theologians who have adopted evolutionary explanations of original sin. In this view, concupiscence is a consequence of “the contradiction between *what human beings are* and what they are called to become in Christ” (emphasis added) and so original sin is only a “code word” for the “involuntary existential condition that is natural to humans as disordered and incomplete.” And more:

Human evil, therefore, must be grasped as underdevelopment by reference to a future goal and as statistical necessity in an evolving universe. It is difficult to imagine a world created for development and the becoming of freedom where evil is not a structural component.⁸

Such a view was declared anathema at Trent, for it denies that original sin issued from a free act of a person⁹—the only stance that saves us from a determinism of evil—and that concupiscence is *now* an *inclinatio* to sin. In the limpid formula of Trent, concupiscence now *ex peccato est et ad peccatum inclinatur* (Denz. 792: see the 1995 *Catechism of the Catholic Church*, para. 2515). The suggested alternative would have it that moral evil is a “statistical necessity” and “a structural component” of the metaphysical order. The violent view promoted here is one found in the work of the Jesuit de Chardin,¹⁰ but other versions of a metaphysics of violence as an explanation of the inevitability of human sin can be found in Barth (“the first man was immediately the first sinner”) and Tillich (“man has left the ground [of divine being] . . . to be actually what he essentially is”).¹¹ It is crucial to note that Toletus never made the mistake of these twentieth-century writers. The metaphysical conflict in human nature is not sin *actualiter* but only *materialiter*. He is fully aware of Thomas's distinctions in *De Malo* and so, without giving a metaphysical explanation of moral evil, he nevertheless does develop a metaphysical conception of violence.¹² His interpretation blunts the subtlety of Thomas—and, as was seen in

chapter 3, so does even that of Suarez—but it falls well short of being heretical, unlike the “theological” evolutionary theories of original sin.

Much can be learned about the approach favored by Toletus from his answer to the question, *An in Christo fuerit fomes peccati?* There, he writes: “Greater was the fortitude and temperance of Christ, which totally cast out the inordinate appetite; than all of the Saints, for though they conquered, they did not eradicate, that appetite.”¹³ Implied in the operation of grace that strengthens the rule of reason in such a way that it can conquer and eradicate is a violent confrontation with, and a violent control of, a natural power. This leaves one uneasy; for there appears to be a profound incongruity in the position that grace cooperates with, and strengthens, a violent self-control. In fact, Jacob Lainez, a Spanish Jesuit theologian at Trent, and the second general of the Order after Ignatius’s death, not only directly confronts this incongruity, but accepts it and even radicalizes it: Lainez replaces Thomas’s dictum that grace perfects nature (ST I, q. 8, a. 8, ad 2) with his own, “Grace vanquishes nature” (*gratia etiam naturam vincit*).¹⁴ Yet, such a theory of grace, self-mastery, and nature becomes necessary if one excludes, and Toletus appears to do so, Thomas’s oft-repeated claim that sensuality is naturally suited to obey reason.¹⁵ If there is no natural connection between reason and sensuality, it would seem to follow that sensuality would obey reason only when it was compelled to do so. Such a view seems to have been common in the seventeenth century. One finds this view in Bérulle with his spirituality of the “vow of servitude” and the annihilation of human nature,¹⁶ as well as in Pascal’s “war” between reason and sensuality,¹⁷ a consequence of the soul and the body being “two different kinds of opposing natures.”¹⁸ Despite the similarities that I have drawn out between Thomas and St. John of the Cross, there is, I think, something of a departure in the way they conceive of the interaction between nature and grace. John of the Cross speaks of contraries—“those of the soul against those of God that assail it”—at war. He writes: “They war within the soul, striving to expel one another in order to reign. That is: The virtues and properties of God, extremely perfect, war against the habits and properties of the soul, extremely imperfect . . .” (LFL I, 22). Blondel perhaps thinks likewise when he writes, “For no will is good unless it

has come out of itself to leave room for a total invasion of God's will." And certainly, Blondel's friend von Hugel agreed with St. John: "It takes away all [Christianity's] power . . . even for an instant to picture the relations between nature and grace as peaceful accord."¹⁹

In contrast to Toletus's description of Christ's plenitude of grace vanquishing and eradicating the disorderliness of sensuality, Aquinas speaks only of Christ's virtue as restraining the flesh (*per ejus virtutem totaliter caro comprimatur*).²⁰ The verb Thomas chooses here, *comprimere*, can mean to compel/crush/suppress, but it can also mean to control/hold back, and even to embrace or hug, including in a sexual sense. Of these two possible meanings, Toletus assumes that Thomas intends the former, but Thomas must intend the latter. For, elsewhere, Thomas is clear that the perfection of moral virtue consists in the right ordering of sensuality, not the eliminating of sensuality (*perfecta virtus moralis non totaliter tollitur passiones, sed ordinat eas* [ST I, q. 95, a. 2, ad 3; ST I-II, q. 59, a. 5; a. 2, ad 3]). Moreover, whereas Toletus stresses the thoroughgoing domination of grace in Christ, Aquinas argues that the entirety of Christ, in both His divine nature and all of the parts of His human nature, willingly suffered crucifixion for the salvation of humankind *secundum ordinem naturae suae* (ST III, q. 18, a. 6). In Thomas's view, Christ consents to His crucifixion with His entire human nature because Christ has cultivated this nature and perfected it through grace. Thus, discussing Christ's famous words at Gethsemane, "Allow this cup to pass me by, but not as I wish, but as you wish," Thomas argues that this prayer (*oratio*) was a prayer of sensuality. This prayer expressed in words and translated (*exprimere*) what was felt in sensuality (indeed, *exprimere* can also mean to promote the growth of something), and acted like an advocate for sensuality in light of the coming crucifixion.²¹ The very words of the prayer show a willingness on the part of Christ's sensuality to follow the movement of His rational appetite in consenting to the crucifixion. The example itself shows that, for Thomas, speech, oratory, and persuasion are a favored model for the rule of reason over sensuality.

This rather different account of Thomas's is based upon his view (discussed in detail in chapter 3) that sensuality is a frontier within human nature that is simultaneously soul and body, matter and form.

Rather than division and opposition,²² Aquinas articulates a gradation within human nature that partakes of both constituent principles.²³ Thus, he insists again and again that sensuality is naturally suited to obey reason. On account of this metaphysical continuity, Thomas explains the relationship between reason and sensuality in terms of a political community. Reason does not have an absolute authority over the senses so that it can command the senses in any manner it wishes;²⁴ rather, the obedience of sensuality is to be understood as a problem of political persuasion and obedience (and oftentimes disobedience), and not as a metaphysical problem.²⁵ To put it succinctly, the command of reason over sensuality is a political question in Thomas, not a military question. Such an interpretation finds confirmation in Thomas's conviction that natural law instructs and teaches (*praecipio*) and that law induces (*inducere*) right action (ST I–II, q. 93, a. 5; q. 90, a. 1), as does prudence (ST II–II, q. 47, a. 8).

Thomas Hibbs has spoken quite appropriately of Thomas's "rhetoric of actions."²⁶ Aquinas stands in one of the Classical traditions of how to manage the passions. I do not doubt that Thomas is an example of a general historical shift in which "the care of the self," as Foucault puts it, becomes paramount (CS, 37–68).²⁷ Indeed, Foucault himself seems to acknowledge that there is something inevitable about this: "Sexual ethics requires, still and always, that the individual conform to a certain art of living which defines the aesthetic and ethical criteria of existence" (CS, 67). Foucault identifies this shift again and again with a "severe" teaching about pleasure that arose in later Classical thinking (but internal to non-Christian philosophy and medicine), a shift that sets a precedent that will be intensified in a dramatic way in modernity (CS, 68). We have already seen that a reduction in violence, a putative goal in Foucault, is rendered metaphysically impossible by his own commitments (HS, 95–6). In the Thomas-Wojtyła double-aspect theory of the body, "a certain severity" in "cultivation of the self" (Foucault) is necessary, as John Paul II remarks on a number of occasions (for example, TB, 281). Of course, what is "severe" need not, and does not in Thomas or Wojtyła, mean violence. Nor did it necessarily mean so in the Classical world. Foucault himself is aware of this, for he notes

that one of the strategies of self-control is persuasion, and typically with support from a like-minded community (CS, 50–3). Not all who have sought to cultivate “the care of the self” since the Classical world have followed this model. Kant clearly develops the alternative Classical model, the autocratic model of Seneca whose “ethics of control” rest upon a “juridical model of possession” in which “one is *sui juris*; one exercises over oneself an authority that nothing limits or threatens; one holds the *potestas sui*” (CS, 65). Foucault points out that this model of control, which assumed violence between parts of the soul, was near pervasive, supported in part by medicine as a violent regimen of control (CS, 55). Foucault comments: “But in this game of violence, excess, rebellion, and combat, the accent is placed more and more readily on the weakness of the individual, on his frailty, on his need to flee, to escape, to protect and shelter himself” (CS, 67).

It is quite fitting, I think, to speak of Toletus as part of the Jesuit tradition on sensuality in that one finds Toletus’s theory repeated in the twentieth century by Karl Rahner²⁸ and Gaston Fessard. The distant origin of the Jesuit theory of sensuality is perhaps Giles of Rome, who rejected Thomas’s theory and replaced it by a military model. Having been both Aquinas’s student at Paris and then a holder of the Augustinian chair of theology at the University of Paris,²⁹ Giles is identified by Gilson as the source of the early Thomist School.³⁰ At any rate, he is a prominent source for the theories contained in the Jesuit Coimbra commentaries. Giles of Rome *studiously* avoided the Aristotelian-Thomistic political model in his theory of sensuality.³¹ Whereas Thomas conceives of the internal relationship between the parts of the soul as a rule evoking cooperation between free persons (albeit with different degrees of freedom), with a fundamental assumption of continuity and peace, Giles conceives the same relationship as one of division and violence: indeed, at times, his model of the relationship within the soul is frankly militaristic. For Giles, sensuality as such is contrary to reason (*secundum se contrariatur rationi*) and unless the bridle of reason dominates or conquers (*dominari et vincere*)³² the movements of sensuality, the sense appetites will not obey reason.³³

Defending his theory, Giles addresses the objection that sensuality does naturally move according to impetus. Why reason must use violent means to control the movements of sensuality becomes clear in the following passage:

To the fifth it must be said that all people are born with the nature of the sons of anger but this is not according to justified nature, but corrupted nature. That we have the nature of the sons of anger ought to be said to be against nature rather than according to nature, or this is not according to the nature of form, which is principally said to be nature, *but according to the nature of matter*, which is not nature unless through an analogy with form.³⁴

Humans have the nature of the sons of anger, not as a consequence of the Fall, as might be thought, but due to our nature as composite substances, partially made up of matter: there is a violence inherent to sensuality insofar as it has part of its character from its matter.³⁵ Thus, because of an antagonism within human nature, reason even in the state of innocence had to exercise coercive rule over sensuality. The need for violence on the part of reason is necessitated by the violence internal to the movements of sensuality: at the heart of the material composite that is human nature, there is a fight,³⁶ which because it is natural³⁷ baptism cannot remove.³⁸ Fascinatingly, however—and this to preserve the sense of peace, serenity and lack of want characteristic of the state of innocence—this fight was not *felt* on account of the divine gift of original justice.³⁹ As the first humans did not feel the war internal to their nature, reason, because of the victory it had over the lower powers (*ratio in statu innocentiae propter victoriam quam habedat super vires inferiores*),⁴⁰ was able to remain steadfast in rectitude, although unable to advance in merit (*productus est homo in sua institutione cum originali iustitia, qua habita non sentiret pugnam, per quam non sentiendo posset stare, sed non proficere*).⁴¹ Adam, Giles says, was defended from experiencing the conflict within his nature by the supernatural gift of original justice (*defendebatur Adam per donum*

supernaturale);⁴² and so well defended that original justice completely destroyed the rebellion of sensuality and subjected it to the rule of reason (*quia illa iustitia omnino tollebat rebellionem sensualitatis et omnino subijciebat sensualitatem rationi*).⁴³ In contrast, of course, Adam is cast by Giles as a soldier who allowed the castle of his king to fall, thus depriving his people of the protection of the castle.⁴⁴

Of course, Giles's un-Thomistic theory of the flesh is quite common to thinkers of the Counter-Reformation beyond the Jesuits. One of the most significant thinkers of the period, and another Spanish philosopher, Francisco de Vitoria, a Dominican, argues in one of his commentaries on Aquinas that sensuality from its very nature (*ex specie et natura sua*) is a power that draws and tends towards evil (*trahere et tendere ad malum*);⁴⁵ and not surprisingly, he also thinks that the parts of the human need to be held together through the exercise of coercive power.⁴⁶ Such a theory of sensuality can readily be found outside Catholic circles: one finds it in Plato, Hobbes, Kant, and, as will shortly be seen, Haraway. "Flesh is the extravagance within us set up by eroticism against the law of decency. Flesh is the born enemy of people haunted by Christian taboos" (Bataille).⁴⁷ While it is clear by now that Thomas does not share such a Christian horror of flesh or the erotic, flesh has been identified as problematic ever since Plato. In the *Phaedrus*, Plato famously discusses sensuality through the analogy of the chariot. He speaks of "wanton" desire as a horse that is "deaf to reason" and which obeys the commands of reason only once its mouth is made bloody through the chaffing of the bridle, the instrument of the charioteer's authority.⁴⁸ Descartes tells us that the soul commands the movements of the animal spirits in the body once armed with its "proper weapons," clear and distinct judgments. With weapons to hand, the soul can so completely control the movements of the animal spirits as to arrive at an "absolutely mastery" of the movements of the body.⁴⁹ In a similar vein, Kant talks of the "sovereign authority" of reason which must "force," "compel," and "stamp out" the "rabble" and "mob" of sensibility.⁵⁰ Philosophers have typically agreed, then, that sensuality, those movements of the body that might oppose the authority of reason, needs to be governed by violent coercive means. In all these cases,

violence is necessary because the human is cast as a composite of disparate natures. This is the metaphysical origin of Giles's own theory, and his analysis is found in vivid fashion among modern thinkers, and especially early modern Catholic thinkers. The inevitability of this conclusion is nowhere more dramatic than in the works of Early Modern philosopher-priests, Frs. Pierre Gassendi⁵¹ and Nicholas Malebranche.

As an atomist, Gassendi intensified the internal composition of the human and animal body. Gassendi's popularizer in England, Walter Charleton, at one time the physician to King Charles I of England, provides a nice example: the smallest of animals, the handworm, he tells us, contains many thousands of atoms in one of its toes.⁵² With this image in mind, consider what an atom is for Gassendi: in his *Syntagma Philosophicum* of 1645, each atom is a *res*, a simple substance, and as a substance each atom is a power of resistance (*vis resistendi*).⁵³ The metaphysical character of atoms explains why flesh differs from blood—Gassendi's example⁵⁴—and for this reason, material composites are *aggregata*.⁵⁵ Confronted with such an intensity of composition, and given his conception of an atom as a center of resistance, Gassendi militarizes the material composite in order to explain its unity. He tells us that the most noble and actualized atom is like an emperor who arranges his troops into squadrons, unified and cohering, presumably through military discipline.⁵⁶ There is a calculus here, one not lost on Giles of Rome: as the intensity of composition increases, so does the metaphysical violence necessary for an explanation as to why composites cohere at all.

Malebranche assumes from the outset that the soul and body are two entirely different kinds of substances. The body is a machine and the soul is thought (TE, 117). With this starting point, recognized by Malebranche to be anti-Thomistic (TE, 117), one rapidly moves away from the Thomistic understanding of "a bodily giving of self" (Gallagher). In Thomas, the virtue of prudence perfects the inferior reason whose role is the management of the body in accordance with eternal law. In his 1684 *Treatise on Ethics*, Malebranche rejects any such idea completely. "God made the mind only for Himself. He did not make it to occupy itself with sensible objects, or to conserve and guide by

reason the body it informs.”⁵⁷ The brain is “wounded” (TE, 96) through “the force of the blow” of the sensible object and those who would live their lives for God can expect to fight “an infinite number of battles” (TE, 125). The choice is stark. The mind “can only derive perfection from its immediate and direct union with God. On the other hand, its union with the body fills it with shadows and throws it into disorder because at present that union cannot be augmented without diminishing the other union which is opposed to it” (TE, 130). Bizarrely, the Incarnation occurred, according to Malebranche, so Christ could “draw us away from” the body (TE, 79) so that “man may no longer hear the body, that he may go back into himself, contemplate the true ideas of things, and silence the senses, imagination and passions” (TE, 79).

The battleground is the imagination, and a “governed imagination” is able to prevent the passions from having “broken or penetrated any fiber of the brain’s principal part” (TE, 129). The “glitter and charms” of the passions “uniquely depend on the way they are made to appear by the fermentation of the humors and the blood” (TE, 95). For this reason, we are “constantly obeying the shameful law of the flesh and of blood” (TE, 94) and thus the imagination is “polluted” by a brain “whose fibers have been either bent or broken by the violence of the spirits they set into motion” (TE, 137). How is this defense of the imagination to be accomplished? There are numerous strategies, but one includes cultivating the mind’s “revulsion” for sensible objects. Nor is such revulsion now necessary on account of sin. Adam employed this technique of revulsion for sensible objects before the Fall (TE, 118). Of course, some such technique would have been necessary, for the problem of the relationship between these two alien substances of mind and body, as conceived by Malebranche, is metaphysical.

An alternative technique to govern the imagination is mortification. With the mortification of the sense, one “attacks the union of mind and body at its principle” (TE, 122). God’s grace cannot deliver us from the wounds inflicted upon our brain on account of our fraternization with sensible objects “unless by strength of combat and resisting we should *naturally* make the spirits take another route so that our

wounds would be healed and closed” (TE, 96; emphasis added). The point of “defending ourselves against passion’s forces” is

The wounds which the brain has received by the action of objects upon it and by the movement of the spirits, are not easily healed. Since the animal spirits naturally pass through the most open or exposed places in the brain along their route, it is impossible that the imagination’s wounds could be healed unless we constantly detour from their route the spirits which renew those wounds. It is impossible to close a wound if we keep breaking it open with the dagger which made it, or with something else which renews and aggravates it.

(TE, 95)

Instead of the love that wounds the lover and participation in the Cross of the natural law, Malebranche speaks of “those who are crucified with Jesus Christ, and in whose eyes the world is crucified, in a word, those who are pure in heart, whose imagination is not polluted, are in a condition to contemplate truth” (TE, 120). If one is aghast at a Catholic philosopher-priest advocating such views, one might take it as a perfect example of what happens to Catholic thinking when it abandons Aquinas and conforms itself to the world.

Though the language might change, I want to show now that Toletus’s analysis finds favor, however unlikely and however unknown to the author, in the Socialist, cybernetic feminism of Donna Haraway. “Cyborg feminism” is an attempt to move beyond the typical dualisms that have reputedly structured Western thought. Cyborgs are boundary phenomena, we are told, in that they “populate worlds ambiguously natural and crafted” (CM, 149)⁵⁸ and in this, as has been seen, they live at the same boundary as a rationally lived sensuality. When Haraway speaks of the cyborg reworking nature and culture to such a degree that, “the one can no longer be the resource for appropriation or incorporation by the other” (CM, 151), it is clear that she could be describing a Thomistic sensuality. For does not Thomas favor, as she puts it, “an intimate experience of boundaries” (CM, 181)? Actually, there could be no better definition for Thomistic sensuality than Haraway’s manifesto

for the cyborg: “an argument for *pleasure* in the confusion of boundaries and for *responsibility* in their construction” (CM, 150). Indeed, the similarity in language and conception is uncanny: the cyborg can be a platform for a politics of nature and culture, “on the basis of conscious coalition, of affinity, of political kinship” (CM, 156).

Thus it is that Haraway is interested in the very classical theme of self-regulation (BPB, 218).⁵⁹ However, she is very Jesuit in thinking that bodies are recrafted and regulated by coercion. She reframes the rule of rationality over sensuality in terms of an “informatics of domination” (CM, 161; 171): “Communications technologies and biotechnologies are the crucial tools recrafting our bodies. These tools embody and enforce new social relations . . . [they are] instruments for enforcing meanings” (CM, 164; 170). Both cyborg and Jesuit sensuality reject dualism, for each is simultaneously nature and culture, reason and sensuality, self and other, but they do so *only* in that each is locked the one with the other in a “border war” (CM, 150). The background to “cyborg feminism” is a world riven by violence, where the need “to resist world-wide intensification of domination has never been more acute” (CM, 154). Indeed, the cyborg itself is, at its origin, a military invention (CM, 150–1; 168 ; BPB, 211). Nevertheless, Haraway thinks it can be reclaimed from its origin and become an emblem of liberation for life rather than death,⁶⁰ although never so claimed as to become innocent (CM, 157).

If we were to replace Toletus’s language of the movements of sensuality against reason with cyborg movements against a freedom for life, we might say that the cyborg stands in need of sanctification, in Haraway’s eyes. She states that, “the cyborg is our ontology; it gives us our politics” (CM, 150). Indeed, the promise of the cyborg is that it “might lead to subversion of its teleology as star wars” (CM, 151). This subversive possibility (CM, 175) and its promotion of “the utopian dream” (CM, 180) cannot happen if the cyborg in its very ontology is structured by violence. Unfortunately, for cyborg sanctification to be possible, it must be the case that the cyborg, to use scholastic language, is not structured by military violence *actualiter* but only *habitualiter*: just as Mary’s flesh would have been unable to receive Christ—for Christ would have been driven onto sin, necessarily—if sensuality as such had

movements toward sin and was *actualiter* in conflict with the movements of reason. It is precisely here, however, that Haraway herself identifies a certain problem. Oscillating between Thomistic sensuality and Jesuit sensuality, she says that the cyborg, “is oppositional, utopian, and completely without innocence” (CM, 151). It might at first be thought that the strange logic of the utopian and oppositional is just one more undercutting of Western dualism but, in fact, Haraway expresses herself as interested in seeing a diminishment of domination in the world (I, 2–3) and, at times, as interested in a utopia.⁶¹ Like St. Augustine, she too sees her own City of God as a stranger to the violence of the city of man, for she goes on to comment: “The main trouble with cyborgs, of course, is that they are the illegitimate offspring of militarism and patriarchal capitalism, not to mention state socialism. But illegitimate offspring are often exceedingly unfaithful to their origins” (CM, 151). What resources then are contained in the cyborg for this surpassing of its own origin in the “orgy of war” (CM, 154) ?

Haraway, as an advocate of a socialist-feminism, is fond of the dialectic of Marxist humanism (PPD, 8–10) and perhaps it is to this dialectic that she looks for the cyborg’s sanctification. With Gaston Fessard, however, we meet a Jesuit theorist who elucidates what is so problematic in Haraway’s account. Gaston Fessard (1897–1978) was regarded by Kojève as the most brilliant Hegel student to attend his (now mythic) 1933–1939 lectures. At his death in 1978, he was regarded as France’s foremost scholar of Hegel and Marx.⁶² In his 1945 article, *Par-delà le fascisme et le communisme*,⁶³ Fessard posed a question to Marx and Hegel: Through what means can the violence of the master-slave dialectic give birth to the peace of a society without violent divisions (FC 32)? Haraway herself notes that “dialectic must not be made into a dynamic of growing domination” (PPD, 10), yet, can violence be avoided in any politics that is both “potent” in “resistance” (CM, 154) and centered on a structure of sensuality that has no claim to innocence because rooted in an “orgy of war”? If “mind, body, and tool are on very intimate terms” (CM, 165), then how exactly does this sensuality escape violence if the “interruption” of the enforcing communication and biotechnologies (CM, 164) can make no claim to

innocence? Has Haraway come any distance at all from the violent Jesuit control of sensuality when she writes: "Cyborg writing is about the power to survive, not on the basis of original innocence, but on the basis of seizing the tools to mark the world that marked them as other" (CM, 175) ? And lest there be any doubt, what Haraway means here is gaining "mastery of the conqueror's language" and then "violating" this language (CM, 175–6). It is a question then of "violent moral action" (CM, 178) . Indeed, Haraway adds, unlike Christianity, whose narrative begins with original innocence and ends with a return to a new innocent wholeness, war is a permanent condition of "Cyborg feminism" (CM, 177). Haraway's "Cyborg feminism" appears to suffer the same sort of internal contradiction that Fessard identified in Marxism and Fascism when he noted that those mystiques, "wish to conquer the world by an irreconcilable conflict" (*voudront conqu  rir le monde,    une lutte irr  conciliable* [FC 7]). His point is surely well taken: there is something odd in the idea that a violent overturning of the violence of the master-slave dialectic can diminish the violence in the world, or, as is sometimes hoped for by Haraway, lead to the peace of a society without violence at all.

Of course, Fessard's point here is as telling against Toletus as it is against Haraway, for little progress would appear to have been made if the violence of sensuality is replaced by the violence of grace. Fessard clearly wishes to be more Thomistic than Toletus and Lainez, and thinks his way behind the Jesuit (Aegidian?) interpretation of sensuality by using Blondel. There is an undoubted difference between Aquinas and Fessard in that the transformation of sensuality is not initially dependent upon grace, since a part of a human person does escape violence, which is absent in Fessard. In true Blondelian fashion, Fessard sees the difficulty in using violence to diminish violence as compelling even the unbeliever to accept the role of the supernatural. If there is to be reconciliation within the human, and given that humans and their relationships are marked by violence, an otherworldly agent of change who is not similarly marked by violence must intervene. If peace is the goal of our politics, then grace will have to be acknowledged as the only reconciler. At the same time, and turning to his own Jesuit tradition, if grace is not to suppress human nature, there must

be the possibility of continuity between nature and grace.⁶⁴ Granted that human relationships are marked by the master-slave dialectic, Fessard nevertheless argues that this structure of domination and servitude can be converted from violence to sacrifice by natural structures of ecstasy.

Evoking Thomas's dictum that grace perfects nature, Fessard argues that grace conserves and fulfils human reason (*conservait, bien plus accomplissait la raison humaine* [FC 16]) and that—and here he parts company with Toletus—the human is “the animal who tends towards reason” (FC 14). And yet, with these claims we see the peculiar problem that faces Fessard. In his conception the rational and irrational stand in opposition to one another, and so now the question of nature and grace must be recast: how can grace cooperate with a sensuality rooted in “irrational forces”? Fessard assumes that the human is a community of appetites needing satisfaction—a very Thomistic point. And, in a manner somewhat like Thomas, he posits the task of the person (and political order) as the attempt to find a unity that will pacify the struggles, interior and exterior, that beset the human (*d'une unité qui apaise nos querelles intérieures et extérieures* [FC 19 & 29]). However, he also claims that one of the struggles interior to the human is a structural one: the community of appetites is divided into the rational and the irrational (*les forces irrationnelles de l'homme* [FC 6 & 13]); a very Jesuit point. And lest there be doubt as to the violence interior to the human in the “irrational forces” of human sensuality, Fessard notes that Hegel is quite correct (*Hegel voyait juste, car il est vrai*) that human desire is restrained (*réfréner ses désirs*) only through fear of death at the hands of the master (FC 22). Fessard clearly states that the violence of murder and slavery marks all human relationships, at least at their inception (*un rapport de l'homme à l'homme, qui, au début, est toujours lutte à mort et esclavage* [FC 31]). Moreover, he describes this conflict as a manifestation of a radical inhumanity present at the core of each human (*lutte où se manifeste la radicale inhumanité présente au plus intime de chaque être humain* [FC 31]). Thus, given the opposition between the rational and the irrational, it becomes unclear how grace might overcome the limitations of nature, but in a fashion whereby nature is cultivated and integrated into the life of grace.

Fessard contrasts the force attached to the particularity of sensuality with the universality of reason, which overcomes division and struggle.⁶⁵ Examples of such force are the appetites for family and for nation (FC 14), as it is the very particularity of these phenomena that makes them potentially transgressive. However, the particularity of the family has its origin in a dynamism which has a propensity toward a more universal good.⁶⁶ Thus, interior and anterior to the structure of the family is the dialectic of Man and Woman: to the degree their bodies become spousal, their violence is reduced (*l'appétit de jouissance que l'homme peut réfréner, non abolir* [FC 13]).⁶⁷ Spousal flesh diminishes the phenomenon of possession (and so property) within the sexual act and the resulting child calls upon the parents to relate to the child as mother and father and less as masters.⁶⁸ That is, the child appeals to the parents to restrain their violent appetites focused on their own particularity and appeals to them to open themselves toward greater universality and reason; in so doing, of course, the relationship between man and woman is itself reconstituted at a further distance from violence.⁶⁹ Thus, notes Fessard, the "irrational forces," while certainly given to domination, also include the possibility of sacrifice. It is this sacrifice that makes these appetites tend toward the universality of reason and therewith gives grace a foothold in the irrational forces.

Non-parents need not despair, however. This possibility of sacrifice is itself at a deeper level made possible by the Eucharist:⁷⁰ for Fessard, the Eucharist (and any sacrament generally) is an exhortation "no less amorous than imperious" (*non moins amoureux qu'impérieux*)⁷¹ to sensuality in which an appeal is made to the person to sacrifice particularity, and therewith to surpass the violence of sensuality.⁷² As has been seen, human nature does not stand in total opposition to the life of grace. Nevertheless, Fessard makes clear in his astonishing three-volume commentary on Saint Ignatius's *Spiritual Exercises* that even an ecstatic human nature is not intimately linked to grace. In a few rich sentences of his *The Dialectic of the Spiritual Exercises*, Fessard describes the passage of the human from a body of sin to a body of grace through the Eucharistic body. The Eucharistic body transforms a person by promoting a transubstantiation of the human. Describing this eucharistic conversion, Fessard writes:

Before this conversion, grace, the principle of subjective freedom, was only an accident, fallen from the sky, into a Me whose entire substance, whose act, was first directed towards Non-being. After, it is the inverse: in the new man, body and soul are the creation of grace and it is the objective existence of sin that becomes an accident. The appeal to freedom goes from the outside in; the response from the inside out.⁷³

In arguing that it is through the eucharistic body that the human becomes a body of grace, animated from the inside by grace, though not before this conversion, Fessard clearly wants to avoid the onto-theological error (suffered by Rahner's supernatural existential theory of nature and grace) and therewith to preserve the sacraments from any hint of a diminishment in their efficacy. At the same time, Fessard avoids any Pelagian temptation, without yet becoming as dark as Calvin: the spousal body at the foundation of the family is already an ecstatic movement toward the body of grace, though the ecstasy diminishing violence in human relationships can only be sustained by, and must always be further intensified through, grace.

Fessard comes close to, but yet remains distant from, John Paul II's conception of conjugal love. In the dialectic of Man-Woman in which a conjugal bond is created, "one says to the body of the other 'this is my body'" (*disant du corps de l'autre: "Ceci est mon corps"*), but within the *natural order* this remains a *lutte amoureuse* (SSD, 133). It is only once the eucharistic sacrifice becomes interior to this conjugal bond, once the bond participates in the spousal relationship between the Church and Christ, that struggle gives way to reconciliation. This participation in the *sacramentum magnum* puts the body as cross at the centre of marriage. The sacrament "penetrates into that which men and women are" (TB, 346) and intensifies the original dignity, "the *sacrum* of the person," of man and woman. John Paul II points out that "*sacramentum* originally meant the military oath taken by the Roman legionaries." The aspects of "initiation to a new form of life," "commitment without reserve," "faithful service even at the risk of death can be distinguished in it" (TB, 381, n. 98). The conjugal bond transformed into sacramental marriage, a marriage rooted in the "wounds

of love,” is no longer a *lutte amoureuse*, and certainly not the *mort violente* of the Master-Slave dialectic, but a *Mort volontaire* (SSD, 132): that is, a reciprocal sacrifice of man and God issuing in reconciliation, a life renewed (*Vie renouvelée*) and, above all, in a life become supernatural (*en tout cas sur-naturelle*). Put differently, in the natural order, the conjugal bond can go so far as to say to the body of the other *Ceci est mon corps* but not yet *Hoc est corpus meum* (SSD, 140). In Thomas, the Eucharist, the *corpus verum*, acts, in part—as do all the sacraments—as a memorial of the fullest expression of the body. The sacraments are a counsel both to reason and sensuality (ScG III, c. 25, para. 10) to realize the ecstatic life of Christ. The sacraments are dedicated to the incorporation of the faithful into Christ (ScG IV, c. 55, para. 29). One recalls here the practice among Mother Theresa’s nuns of frequent adoration of the Blessed Sacrament as a counsel to perfect their lives in service, to pour out their lives and their bodies in care of the poor, sick, and dying. Given what we have already seen of Malebranche, it is not surprising to learn that “the Sacraments should leave the body as they found it, and fortify only the inner man” (TE, 97). By contrast in Thomas, the Eucharist being the very substance of Christ (and not merely the power of Christ as in the sacrament of baptism) delivers up for us the sacrament of Christ’s body (*nobis traditur sacramentum corporis ejus*). John Paul II points out that the original meaning of *sacramentum* included the blood spilled in military sacrifice and Thomas leaves us in no doubt that the Eucharist is in continuity with the idea of service *usque ad sanguinem*: Christ’s passion *per quam ejus sanguis a carne separatus est* (ScG IV, c. 61, para. 4). This liquefaction is the root of Christ’s presence in the Church, a model for the sacrament of marriage (ScG IV, c. 78, para. 4), and is at the core of John Paul II’s understanding of sexual ethics.

Against Toletus and Haraway, for whom the relationship between the natural and the crafted is always structured by violence, Fessard, reverting both to Thomas’s theory of grace and his theory of the natural structures of ecstasy within human appetite, describes this same relationship in terms of persuasion and exhortation: in particular, it is the life of the Church, her doctrine, sacraments and liturgy, which persuade, albeit in a fashion “no less amorous than imperious.” As

shall now be seen, *Humanae Vitae* claims the Thomistic heritage far more completely than Fessard, and certainly far more than the Jesuit tradition. As has already been demonstrated, the Thomistic tradition, without being naïve about the body and its *pronitas* for transgression, nevertheless affirms an ecstatic metaphysics in which the ever-present potential violence of the body is always already moderated by the body's movement toward diffusion, its lesions offered in service of the other. I shall now show that traditional Catholic sexual ethics, most prominently defended by Popes Paul VI and John Paul II, is a direct heir of this tradition and, as such, goes further than the Jesuit and liberal traditions in escaping violence. We shall follow Aquinas and applications of his theory of the body to issues in sexual politics through three levels, the personal, social, and political. The following chapter will defend *Humanae Vitae* and its critique of artificial birth control as just another chapter in the history of the violence against the flesh.

Chapter Seven

IS CONTRACEPTION A HUMAN RIGHT?

He who abides in me, and I in him, he it is that bears much fruit.

—Jn. 15: 5

Christ . . . fully reveals man to man himself. . . As an innocent lamb He merited for us life by the free shedding of His own blood. In Him God reconciled us to Himself and among ourselves.

—Gaudium et Spes, para. 22

According to Martha Nussbaum, any religious leader who uses religious speech in public to criticize contraception, “should be strongly criticized as a subverter of the constitution.”¹ I am no religious leader, and given the kind of world Martha Nussbaum is trying to create, it is just as well.² I want to argue against another claim she has made: “It seems plausible that unimpeded access to contraception is a basic human right of women.”³ I could not find Nussbaum’s argument to support this claim but it is probably an argument from equality. She states that, in America at least, abortion is necessary for the sake of women’s equality. No further argument than this is given for abortion, and I imagine we are asked to accept the same regarding contraception. Quite apart from reservations I will express later about a politics of human rights, as well as arguments from equality, I take exception to Nussbaum’s claim because a human right that would itself be a principle of violence can be no human right. The arguments that show why contraception is violence are also arguments that defend *Humanae Vitae*. Thus (1) *Humanae Vitae*’s analysis of artificial birth control as

just another chapter in the history of violence against the flesh is defended. And (2) the argument of *Humanae Vitae*—that sex must be ordered to procreation—is made afresh. Specifically, I defend the encyclical by arguing that marriage is an institution⁴ of the ecstatic body (MD, para. 24), and that domination cannot be escaped unless the sex inside marriage is characterized by the love that wounds the lover;⁵ that is, the ecstatic flesh of procreation that is a welcoming of the (unborn) stranger.

This then is the first of three chapters in which I apply Thomas's theory of the ecstatic body to sexuality. In this chapter I will show that ecstatic flesh is the foundation for the norms governing sex acts (see TB, 389). In the final two chapters, Thomas's theory of the body is used to address a variety of issues in sexual politics. Each chapter assumes that underlying human sexuality is a Christoform natural law which orders persons to an ecstatic generosity that moderates domination and promotes life. This *ordo exstasis* includes a relationship to self as well as a relationship to one's spouse, children, friends, the social and political orders, and God. The basic argument throughout the applications discussed is that failure to live the *ordo exstasis* leaves unaffected the violence toward self and others. The applications help justify, I hope, the Church's critique of the culture of death, which John Paul II casts as the disregard of the moral obligation to welcome the stranger. Parts of this critique, to many, are stupendous: what goes on in the bedroom, as it were, has profound ramifications for what goes on in culture at large, and, of course, the converse holds true. I will demonstrate that a culture's ability to welcome the stranger, an obligation that belongs to the *ius gentium*, is linked to the moral character of sex acts. It is argued that the ecstatic flesh of procreation as a deposing of the body's *inclinatio ad peccatum* has the character of hospitality. Sexual acts with this character shape marriage and the family as a Christoform politics⁶ running counter to the city of man's lust for domination.⁷ The specific theses defended in each of these chapters are united in the thesis that Paul VI's *Humanae Vitae* re-asserts classical Catholic political theory. This theory is originally Augustine's, but it had a long history subsequently, and certainly up until More and Vitoria. The encyclical is thoroughly political as well as theological, seeking

a way to moderate domination found in sex (TB, 409). The Catholic tradition of a politics that seeks to moderate power is antitotalitarian. As an expression of this tradition, *Humanae Vitae*'s significance has not been fully appreciated *even within the recent tradition of Catholic social teaching*. The broader implications of *Humanae Vitae* for sexual politics, its critique of a right to gay marriage, for instance, actually stands at cross-purposes with the trend within Catholic social thought toward a political philosophy of rights. The antitotalitarian character of classical Catholic political philosophy is safeguarded by a politics of privilege and a privilege *originaliter* attaches, argues *Humanae Vitae*, to sex acts ordered to procreation. Upon this foundation, a larger politics of privilege can be built: such is the argument of the next three chapters.

At the end of the last chapter, Gaston Fessard's ultimate failure to affirm that natural structures of ecstasy are imitative of divine ecstasy was discussed. Michel Sales has hinted at Fessard's opposition to the 1968 papal encyclical *Humanae Vitae*.⁸ Certainly, the encyclical rests on the continuity between natural structures of ecstasy and divine ecstasy. A Fessard text from 1965 seems to agree with the encyclical's teaching, however. Inside the *sacramentum magnum*, says Fessard, the conjugal bond (*l'alliance conjugale*) "rediscovers itself in the crossing of parental love and conjugal love, which is the foundation of the movement, the movement between the rational and the supernatural . . ."⁹ Fessard would appear to accept here that the norms of Catholic sexual ethics begin in the recognition that divine and human love are not isolated, but more, linked through the Cross. And just as Dante begins the *Divine Comedy* with a very human love suffused by divine love (Beatrice sent to Dante by Mary), so John Paul II speaks of the ethical love of one person for another, or God, as erotic (TB, 170–171; LR, 82; 132). Each one of these various formulations is congruent with doctrinal definition. Centuries ago, Pius V condemned Baius for proposing that if there is any carnal concupiscence in love (*aliquid concupiscentiae carnalis in deligente est*), then one fails to live according to the precept to love your God with your whole heart and soul (Denz. 1076). Against Baius (LR, 295), a Christian theory of sexuality can affirm as *one* starting point that "the human body is an authentic part of the truth about man, just as its sensual and sexual aspects are an

authentic part of the truth about human love” (LR, 192). Going far beyond an affirmation of the body and sensuality (TB, 163), however, John Paul II has argued that an ecstatically lived sexuality is a moment when the human becomes “God by participation” (St. John of the Cross) (TB, 125). As one commentator has recently put it, according to John Paul II, “the self-giving of sexual communion is an icon of the interior life of God.”¹⁰ This conception is clearly deeply congruent with the Thomistic theory of the ecstatic body developed in previous chapters; it can be taken as yet *one* more starting point for a Christian theory of sex. Besides these two starting points, I would add a third, one implicit in *Humanae Vitae*, I think. This third contrasts rather with the other two principles although it might be expected from everything learned so far about Thomas’s theory of the body as double in aspect. Alongside the simple affirmation of the body and the far more profound affirmation of the ecstatic body as participating in the life of God, I would add the principle that sex is violent. In explaining this, I demonstrate why *Humanae Vitae* is a profound explanation of human sexuality: applying the theory of the natural law as the Cross (developed in my chapters 4 and 5), I argue that only a Christoformly opened flesh diminishes the violence of sex; and only sexual acts ordered to procreation are Christoform, as only they depose the flesh.¹¹

As is probably obvious from these opening remarks, I shall be making extensive use of Wojtyła’s work on sexuality throughout this chapter. This is quite appropriate. I have shown throughout this book that Wojtyła is a Thomist and I want to provide a Thomistic theory of sex. I also want to defend *Humanae Vitae*. Both before and after *Humanae Vitae*, Wojtyła published works on human sexuality, and, of course, we now know that Wojtyła was a significant influence upon Paul VI’s thinking on sexuality.¹² He remains, moreover, one of a few philosophers in the history of Western thought who has devoted a lot of time to thinking about sex. With all that said, I would still *not* claim that the theory of sexuality I advance here as a defense of *Humanae Vitae* is a straightforward interpretation of Wojtyła’s thought. I know of no passage where he explicitly speaks of sex as violence, just as I know of no place where he explicitly adopts Thomas’s idea of love as the love that wounds the lover. I am fairly sure, however, that both are implicit

in his thinking and in the traditional Catholic teaching on the norms of sexuality. Let me put matters this way: I will defend *Humanae Vitae* and the traditional Catholic teaching on marriage through a Thomistic theory of sex with the aid of Wojtyla's thinking about sexuality.

The widest context in which to place the Catholic teaching on sexual ethics is provided by Wojtyla in the following statement:

The task of ethics is to justify norms, which are themselves something—one could say—for they are connected with really existing people and societies. The source of norms is found in natural law, which is not a written law. The believer finds the source of ethical norms in revelation, which to a significant degree confirms natural law. Revelation, moreover, is a written source.

(PC, 96).

Written in 1959, when Wojtyla was a university professor of ethics, this statement makes clear that a central part of moral philosophy is to provide the justificatory reasoning for moral positions or authorities. John Paul II's *Theology of the Body* is such a justification of Paul VI's encyclical *Humanae Vitae*. His *Theology of the Body*,¹³ as befits the chosen name of this pope, is largely structured through an exegesis of the Gospel of John and the Letters of Paul. It differs from his 1960 treatment of sexuality in *Love and Responsibility* in that the biblical frame is not solely Christian scripture (LR, 15) but begins with a lengthy and crucial discussion of the opening verses of *Genesis*. While Christian scripture informs his Thomistic personalism of 1960, the *Theology of the Body* is offered quite explicitly as biblical exegesis linking Hebrew and Christian biblical texts. Of course, the same Thomistic, personalist, and natural law emphases are found throughout his later work, but the setting is noticeably different. In using his texts to help build the justificatory reasoning for *Humanae Vitae*, I share Wojtyla's insistence that the Scriptural warrant does not relativize Catholic teaching (LR, 18; TB, 390). Emerging from scripture are teachings connected with universal physical features, the human body as man and woman, for example, and confirmations of the teachings of scripture are found in Thomistic metaphysics, phenomenological description, and natural

law reasoning (FR, para. 58–60). Thus “unbelievers” can recognize the Gospel as “the affirmation of the highest good” (LR, 18).¹⁴ After all, the common wisdom of scripture, the encyclical, and Ecstatic Thomism, is found in Plato as well: eros needs norms.¹⁵

With the justificatory reasoning in place, the norms of Catholic sexual morality will rest upon “a basis as definitive as possible, relying on the most elementary and incontrovertible moral truths” (LR, 16). It is the hope then of this chapter to demonstrate the universal quality of these norms, their “human and Christian vision” (HV, 14), and for this reason why contraception cannot be a human right. Through the preceding chapters, I showed how elaborate and powerful Thomas’s theory of the body is, as well as how Thomistic is Wojtyła’s own theory of the body. From the fact that these arguments are sometimes shared by thinkers like Levinas, Barthes, and Nancy, and from the fact that these arguments avoid the “ontology of violence” of so many other thinkers, like Merleau-Ponty and Foucault, I hope the appeal of the Thomistic ecstatic understanding of the body is now evident. If in this chapter it is demonstrated to what degree *Humanae Vitae* develops its arguments for the norms of Catholic sexual ethics from Ecstatic Thomism, it will have to be conceded that these ethical norms are based “on the most elementary and incontrovertible moral truths.” To speak more colloquially, those who go around fascinated by Levinas and Barthes will have to acknowledge the Thomistic resonances in their theories and the implications for sexual ethics. More bluntly yet, non-Catholics will not be able to dismiss those norms as parochial and wrong-headed, and Catholics will have to take another closer look at *Humanae Vitae*. Crucially, in the following chapter, it is demonstrated why all those concerned with developing an antitotalitarian politics should affirm the conclusions of *Humanae Vitae*.

The position defended in *Humanae Vitae* is not, contrary to the old canard, a biologism. Commenting on the reaction to *Humanae Vitae* in 1970, Wojtyła is shocked to find *defenders* of the encyclical claiming that natural law is a matter of “biological regularity.” Such people foisted on Paul VI and the Magisterium a conception of natural law that “in no way corresponds to the Church’s understanding of it” (PC, 183).¹⁶ The natural law is, rather, “a norm for the person” (PC, 183), a

person who is “the unity of soul and body,” a unity of “spiritual and biological inclinations” (VS, para. 50). Natural law is a norm for the person because the person is called to be *diffusivum sui* and “the order of nature is above all that of existence and procreation” (LR, 226). The person, body and soul inextricably linked, is ecstatic. This is what Wojtyla means by the “existential-axiological dimension” of sexual desire when he writes:

The accusation of “biologism” can be made only if we assume in advance that the sexual urge in man has only a biological sense, that it is a purely natural fact. This assumption, however, made in a purely dogmatic way, begins by depriving the sexual urge of its existential-axiological dimension, reducing it to its biological significance, so as to make possible the accusation.

(LR, 295, n. 20)

The human person deposed by the natural law that is an *imitatio Christi* is, in this sense, existential. Sexual desire is then part of a Christiform metaphysical order of ecstatic being. Sexual desire has “an existential significance”¹⁷ (LR, 52—Wojtyla playing on the verbal form *existere* of *extasis*—being diffusive of itself—LR, 54–57). Sexual desire thus has a formality of *procreatio* (HV, para. 13),¹⁸ which is to say, as John Paul II puts it, “the body is organically connected with the freedom of the gift of the person” (TB, 213). Given the formal character of sexual desire as that which is diffusive of itself, as a good that desires to share out its life of goodness, “an outright conflict” with sexual desire’s formality of *procreatio* will “perturb and undermine love between persons” (LR, 53; cf. HV, para. 13). That is, a violence against sexual desire will be introduced by artificial birth control before any act of “love” has even begun, limiting and distorting “the body’s objective way of existing” (TB, 125). If the good of sex is contradicted and severed from the ecstatically deposed body (TB, 44–45; 95, n. 14), the bodily desiring person can but “curve” back into himself (Bonaventure).¹⁹

Here is Wojtyla’s formulation of Thomas’s double-aspect theory of the body (LR, 65; cf. LR, 96–97). Contrasting the instinct of self-preservation with the sexual urge, he writes:

In characterizing it [the instinct of self-preservation] we can say that it is egocentric in so far as it is centred on the existence of the “I” itself . . . the “I” is inseparable from individuality. This is what makes the instinct of self-preservation fundamentally different from the sexual urge. For if it follows its natural course the sexual urge always transcends the limits of the “I,” and has as its immediate object some being of the other sex within the same species. Such is the objective purpose of the sexual urge, in the nature of which there is—and this is where it differs from the instinct of self-preservation—something that might be called “altero-centrism.” This it is that creates the basis for love.

In other words, the practice of artificial contraception is just another episode in the history of violence against ecstatic flesh (LR, 229; TB, 396–398), which we examined in detail in chapter 6. Paul VI puts this trenchantly: “Man has made stupendous progress in the domination and rational organization of the forces of nature, such that he tends to extend this domination to his own total being” (HV, para. 2). For with the ecstasy of the flesh eradicated, and the wound closed, the “altero-centrism” of desire itself is eradicated (LR, 229). Vulnerability, paradigmatic of the ethical for Thomas, Levinas, and Wójtyła, is at an end. With vulnerability at an end, so too is freedom; for freedom “is acquired in *love*, that is, in the *gift of self*” (VS, para. 87). Hence, artificial birth control cannot participate in the great drama of Christianity: “His crucified flesh fully reveals the unbreakable bond between freedom and truth, just as his Resurrection from the dead is the supreme exaltation of the fruitfulness and saving power of a freedom lived out in truth” (VS, para. 87). It is only an ecstatically opened sensuality²⁰ that can participate in the crucified flesh of Christ; it is only a love that wounds the lover that can reduce the *pronitas* of sensuality to transgression, that can resurrect the flesh from death; and the death and resurrection of the flesh is inescapably for flesh to participate in “fruitfulness.” I hope that this helps explain the traditional teaching of the Church:²¹ procreation is “the fruitfulness and saving power” that orders sex to the generosity of being and reorders sex away from violence; thus marriage itself needs the procreative participation in the

God Who is *bonum diffusivum sui est* if marriage is to possess the drama of Christianity. Wojtyła in 1960 puts that teaching this way:

For the Church, in arranging the objective purposes of love in a particular order, seeks to emphasize that procreation is objectively, ontologically, a more important purpose than that man and woman should live together, complement each other and support each other . . .

(LR, 68; 66).²²

This same *priority of procreation continues to be assumed in Gaudium et Spes* (para. 48 and 50) when the Council Fathers say, “By their very nature, the institution of matrimony itself and conjugal love are ordained for the procreation and education of children . . .” (see HV, para. 9; FC, para. 14).

The failure to observe the ontological priority of procreation in eros is but a sign of the grip the ontology of violence has over us. In his own conception of eros, Plato observed the ontological priority of procreation in sex,²³ so perhaps *Humanae Vitae* was correct to cast the logic of artificial birth control in terms of Cartesianism. However much a thinker like MacIntyre can now laugh at the “silliness” of Cartesian philosophy,²⁴ it remains the case that Western culture is still very much enamored of him and his metaphysics of violence (see my chapter 6). In rejecting any form of Cartesian dualism, *Humanae Vitae* (HV, para. 9; VS, para. 48) affirmed “the moral meaning of the body” (VS, para. 49) and affirmed that the person can be moral, that is, *diffusivum sui* only if the body is also *diffusivum sui* (HV, para. 12; LR, 308, n. 63). Thus, against Descartes and the logic of artificial birth control that separates us from our ecstatic bodily nature, Catholic teaching proposes that embodied persons have a formality of procreation, that sensuality has moral knowledge, and that the human mystical participation in God is lived through a mystical flesh (LR, 173). Yet, recalling that the body has a double aspect, Catholic teaching also identifies a *pronitas* to transgression in sensuality which has been exacerbated by sin to an *inclinatio*. Artificial birth control simultaneously does a violence to the positive propensities of the flesh, rejecting its

ecstatic movement, and advocating this violent self-mastery of the flesh does nothing to assuage the negative propensity of the flesh to dominate the other but, indeed, only exacerbates it²⁵ by diminishing the ecstasy of the other. This is why contraception cannot be a human right, as Nussbaum thinks. By contrast, Catholic teaching proposes an ecstatic body that promotes the “culture of the person.” In the first place, a violent conception of self-mastery is replaced by a “rhetoric of desire” (Hibbs) or “a pedagogy of the body” (TB, 214) that reduces the domination of concupiscence and, thus, the domination of persons. Sensuality integrated into prudence, the *ostiarus* of the Law, is given “the correct gravitational pull” (LR, 146). Such a gravid sensuality is Christoform, and the *ostiarus* of the Holy Law of the Cross can be cultivated by, for example, shame, a natural “rhetoric of desire” (LR, 181–187); culture (TB, 203); dress (LR, 190); art (TB, 218); education (LR, 186); and, of course, liturgy (see my chapter 5).

It would be well to pause here and bring out the assumption regarding the violence of sex and sexual excitement. Describing the first moment he desired a woman, C. S. Lewis writes:

What I felt for the dancing mistress was sheer appetite; the prose and not the poetry of the Flesh. I did not feel at all like a knight devoting himself to a lady; I was much more like a Turk looking at a Circassian whom he could not afford to buy. I knew quite well what I wanted.²⁶

I would be surprised if anyone really doubted that Lewis has pretty well captured the experience of sexual desire. I do not think that Thomas, or Paul VI, or John Paul II does doubt it (LR, 180; TB, 118 and especially TB, 408). Another way to say this is that they all assume Augustine’s phenomenology of sex (LR, 180–181). To many, Augustine’s classic discussion in the *City of God* (XIV, cc. 16–23) is now simply beyond the pale: outright laughter greets its mention or a rolling of the eyes among the more discreet. And yet, if pressed, these same people have no good explanation for the peculiar facts surrounding our sexual practices that Augustine observes. Augustine offers a social phenomenology and it is this which impresses our authors, as it does anyone, in

fact, asked to really confront Augustine's keen observation. Of course, when an Augustinian sensibility about sex and sexual excitement is assumed by a "cool" author like Kundera, no one seems to find it implausible.²⁷

Impressed by Cicero's dictum that "all right actions desire to be set in the full daylight," Augustine observes that even spouses hide their sex acts despite these being quite licit. Augustine wonders why Christian spouses living out the commandment of God do not invite their other children to watch their parents' attempt at procreation. I imagine that parents in the West today who did so would be arrested and their children removed from their care. Augustine draws out the peculiarity here: "This right action craves for recognition in the light of the mind's understanding, but it is equally concerned to escape the light of the eye's vision."²⁸ Augustine's explanation of this observation also impresses. Sex acts are hidden from view, even when utterly licit—indeed, in John Paul II's view, when nothing less than a participation in the triune love life of God—because there is a violence involved.²⁹ Sex is but an exemplary moment of the basic condition of the human "dominated by the lust to dominate."³⁰ Human history, the history of the city of man, is, for Augustine, but the history of the myriad instances of human action "dominated by the lust to dominate." *Veritatis Splendor* (para. 103) speaks of "the *domination* of concupiscence" and Wojtyła argues that devotion to another's good is not possible if love is "dominated by an ambition to possess, or more specifically by concupiscence born of sensual reactions" (LR, 145). Obedience to the moral law of the love that wounds the lover is necessary, then, if the relations between men and women that are now marked by lust and domination (*Catechism* [para. 400]) are to be transformed, redeemed. This is the argument at the heart of *Humanae Vitae*. This encyclical stands in the Augustinian tradition of non-utopian politics wherein laws to moderate violence and domination are to be promoted. Artificial birth control is not benign, for it does not promote a law of generosity, the ecstatic body that alone is a deposition of domination, and so can in no way moderate the violence of sensuality. It is a rejection of the objective law of the self-diffusion of the good, and yet without an objective law there is no law in sex. The sexual act itself is forbidding

to the self-mastery of those “dominated by the lust to dominate.” The Holy Law of the Crucified Lover can make of us “vessels of mercy,” our spirit *and* bodies “broken,” and it is only such a law that can moderate us as “vessels of wrath.”³¹ *Humanae Vitae* then would have us replace a formality (*inclinatio*) of domination by a formality of procreation and the self-diffusion of the good.

If any reader seriously doubts the accuracy of Augustine’s phenomenology of sex,³² I simply ask that the reader judge if the phenomenology offered by Irigaray is a remotely accurate account of sexual experience. Augustine versus Irigaray then: I think the reader will agree that Augustine, no stranger to the flesh of ancient Rome, is the better phenomenologist.

Irigaray takes erotic sensuality, “the touch of the caress,” to establish a flesh, a relationship between self and other, “that is still and always untouched by mastery.”³³ The caress is fecund, bringing the other alive in the moment of caress, and thus the other perpetually escapes mastery or domination, for the caress literally gives birth to the other who is, as it were, “otherwise than the caress.” The caress is procreative prior to any conception, it is “an amorous impregnation that seeks out and affirms otherness while protecting it” (FC, 120). Sensual pleasure does not take “pleasure in the perversity of the naked but contemplates and adorns it” (FC, 120) and attains to a “communion in the most inward locus of the feeling and the felt” (FC, 122). In this communion wrought by sensual pleasure, the “moment of ultimate sympathy,” (FC, 122) Irigaray’s lover is, we are told, “awakening me to another birth—as a loving woman” (FC, 121). If Mills and Boons were in need of a phenomenology of sex, they could do no better than Irigaray: “The beloved’s beauty announces the fulfillment of the flesh. She is more beautiful, or differently beautiful, when she makes love than when she parades around in all her finery” (FC, 123). What is most remarkable about such an account of sensual pleasure is that both Irigaray and Wojtyła seek an erotic communion of persons isolated from eroticized violence, separated from sex that consumes and dominates. Both hold a principle in common: sex is justified, made just, through fecundity. Irigaray understands the caress to give birth to both lover and beloved and so separates fecundity from procreation: “Prior to any

procreation, the lovers bestow on each other—life” (FC, 123). Wojtyla, to the contrary, argues that fecundity must be procreative: sensual pleasure, he argues, is not a Mills and Boons “moment of ultimate sympathy,” but unless interiorly structured by the ecstatic Thomistic body, and thus the formality of procreation, sex is violent. Indeed, Irigaray’s understanding of “communion” of lover and beloved is fairly strained. The fecundity of the caress “awakens” lover and beloved but does so in that “they are returned to the deepest level of elementary flux, where birth is not yet sealed up in its identity” (FC, 122). Returned to an “elementary flux,” it is hard to see how it could be said of the lovers that “each one welcomes the birth of the other” (FC, 123). Irigaray wants “ethical fidelity to incarnation” rather than the “sacrificial substitution” of procreation (FC, 144). It is supposedly only with the former that there is a “letting go and giving of self” (FC, 125), and yet how can this be so given that both/neither are in an “elementary flux”? That Irigaray’s attempt to found intersubjectivity upon pleasure should collapse into an “elementary flux” is predictable. Wojtyla writes:

In these circumstances there cannot, however, be any question of a “common I,” of the sort which comes into being when one of the persons desires the good of the other as his own and finds his own good in that of the other person. It is not possible to desire pleasure itself in this way, because it is a purely subjective good, not trans-subjective, nor even inter-subjective. At most we can want another’s pleasure “besides” and always “on condition of” our own pleasure.

(LR, 157)

If it can be agreed that an Augustinian phenomenology of sex and sexual excitement is more accurate than that found in Irigaray—that Genesis 3: 7–16, glossed in the *Catechism* (para. 400) as “the union of man and woman becomes subject to tensions, their relations henceforth marked by lust and domination,” is true to human experience—then, *each and every “marriage act”* (HV, para. 11) *does need to be liberated from erotic violence* in order to be congruent with God.

The *obligation* to diminish erotic violence to the degree this is possi-

ble, I would argue, lies behind the claim of *Humanae Vitae* that persons who are married have an obligation to procreate (HV, para. 1). But once more—and this repeats a point made in chapter 2—this assumes that a reduction in erotic violence is a moral good. Bataille's *The Story of an Eye* rejects such an assumption and positively glories in an erotics of violence that leads to insanity, mutilation, murder, and outraged corpses. Those who do not share Bataille's perspective and hold as a moral good the diminishment of sexual violence ought then, I suggest, to recognize the power of the norms of Catholic sexual morality. Those norms assume the presence of erotic violence and seek to reduce it in each and every sexual act, assuming, as they do, that persons are goods diffusive of themselves. Those norms insist that sexual acts that make use of contraceptive practices are "intrinsically evil acts" (VS, para. 80), for the sexual act "intentionally rendered infertile" "of its very nature contradicts the moral order" (VS, para. 80), as it cannot escape violence. Such sex is not ecstatic sex, for there is no deposing of the bodily self and "must therefore be judged unworthy of man" (VS, para. 80). Quite clearly, the Magisterium here assumes the deposition of the Crucified is normative for what it is to be human (cf. GS, para. 22). That is, if persons are goods diffusive of themselves they are required to take as objects of their acts objects "capable of being ordered to the good and to the ultimate end, which is God" (VS, para. 79), the Lover on the Cross ecstatically deposed.³⁴ Erotic violence is reduced when persons are ecstatic, when spouses act so as to serve the good of the other in their sexual acts. The good of the other can be served only when a person has deposed his body, sensuality, and reason, in a love that wounds the lover. Sex, without the lesion of the wound, ultimately betrays sex itself (*secare*) (TB, 62). Thus, *pace* Hauerwas, who thinks the natural law could never give a justification for why each and every sexual act requires a gift of self that is *not* separated from the gravid sensuality of the spouses, Wojtyla writes: "Every such act must have its own internal justification, for unless justice is done there can be no question of a union of persons" (LR, 225). The "internal justification" is a wounded flesh in which violence is diminished through the procreative lesion.³⁵ Even when the infertile period of the cycle is used to avoid conception (HV, para. 16), such acts of love are still ordered to

the procreative lesion, for the root of that lesion is the *ostiarius*, the abiding of eros in law, the law of the Cross upon which is founded a self-mastery (LR, 305, n. 58) ordered to justice. It is worth repeating that even someone like Irigary who rejects Augustine's phenomenology still thinks that sex needs an "internal justification." Rejecting Catholic norms, as she does, leads Irigaray to seek an alternative theory that clearly acts as *justificatory* reasoning for her norms.

Once the double aspect of the body is appreciated, and once the propensity of sensuality to reduce the other to one's own good through domination is understood, then the need for sexual acts to be bodily redeemed through the deposition of the ecstatic body becomes clear. Through the natural law formed according to the glory of the One "slain before the foundation of the world" (Apoc. 13, 8), sexual acts have always already been claimed by vulnerability; claimed by the obligation to reduce the transgressive *pronitas* of sensuality and therewith to make possible the *inhaesion* of the other in the lesion of the lover. Put more phenomenologically, the body's formality of *procreatio* is nothing short of a participation in the "sprinkled blood" (EV, 25) of "the One who was pierced" (EV, para. 50). At least, such a phenomenology is vivid with maternity. Wojtyla's *Love and Responsibility* (1960) posits the person as always already claimed by ethical responsibility, as does Levinas's 1974 *Otherwise than Being* (EI, 95). Levinas explains this in terms of maternity. For Levinas, maternity is "gestation of the other in the same" and "the groaning of the wounded entrails by those it will bear or has borne" (OTB, 75). Thomas makes a similar point when he writes that the love that wounds the lover is a love that serves the other (*quodammodo amans amato inservit*) and helps deliver the other (*ut quasi personam amati amans gerat* [III Sent., d. 27, q. 1, a. 1]), an instance of the *viscera caritatis* (ST I-II, q. 28, a. 2). The "Marian attitude"—a feminine dimension of service to the other *which is universal in men and women* (MD, para. 5; 15; 22)—appears only in an explicitly thematic way later in John Paul II's *Mulieris Dignitatem*: a papal encyclical influenced perhaps by Levinas's discussions of the feminine as "the *of itself other*, as the origin of the very concept of alterity" (EI, 66; cf. MD, para. 18) and his claim that every human being participates in the masculine and the feminine. Indeed, Levinas asks whether

this last point is not the meaning of Genesis 1.27: “male and female created He them” (EI, 68–69; a theme central to the early meditations of TB). But, already in 1960, Wojtyła points out that the Latin for marriage, *matrimonium*, emphasizes maternity so as “to ensure that the partners treat each other as persons” (LR, 220–221). Marriage calls each partner to the Marian, that is, the *matris munia* of *matrimonium*: a call to the “office of fatherhood and motherhood” (GS, para. 48), for each office in its own very real and vivid way is a giving of the self *usque ad sanguinem*. Levinas, it appears, is working a seam explored by Thomas long ago. In his commentary on the Psalms, Thomas links Ps. 21: 15 *factum est cor meum tamquam cera liquescens in medio ventris mei* to Paul’s (Phil. 1) *quomodo cupiam vos esse in visceribus Jesu Christi*.³⁶

In marriage, man and woman are “one flesh” (Gen. 2:24) and this mutuality expresses itself in sexual intercourse (LR, 237). The objective moral purpose of marriage is to “create in principle the possibility of love and exclude the possibility of treating a person as means to an end and as an object for use” (LR, 30). Marriage is an institution whose inner logic is the “personalist norm.” As Wojtyła frames it, this norm runs: “Anyone who treats a person as a means to an end does violence to the very essence of the other, to what constitutes its natural right” (LR, 27). Marriage, as an institution, is part of the order of justice (LR, 222), for it is a person’s “natural right” to be treated as a person.³⁷ This personalist norm is known through reason and is, as it were, the “natural content” of the Gospels and is thus *also* “the basic law of the whole supernatural order, of the supernatural relationship between God and man” (LR, 213). Wojtyła, *pace* Weigel,³⁸ is in continuity with Hauerwas’s understanding that “the church has always assumed that marriage is a reality that is prior to love.”³⁹ To understand the institution of marriage as a structure of ecstasy is quite crucial: indeed, the grandeur of marriage consists in the gift of self that it promotes (LR, 128). The gift of the self promoted by marriage, the ecstasy of the “personalist norm,” is rooted in marriage as an institution of bodily diffusion. Hence, marriage is inescapably a call to participate in creation, to render the service of being deposed to the beginning of another person’s existence, for “willing acceptance of parenthood serves to break down

the reciprocal egoism . . . behind which lurks the will to exploit the person” (LR, 230). Wojtyła puts the point thus:

But love forcibly detaches the person, so to speak, from this natural inviolability and inalienability. It makes the person want to do just that—surrender itself to another, to the one it loves . . . This means the renunciation of its autonomy and its inalienability. Love proceeds by way of this renunciation, guided by the profound conviction that it does not diminish and impoverish, but quite the contrary, enlarges and enriches the existence of the person. What might be called the law of *ekstasis* seems to operate here: the lover “goes outside” the self to find a fuller existence in another. In no other form of love does this law operate so conspicuously as it does in betrothed love.

(LR, 125–126)

Sexual acts internally structured, as they are, by the formality of procreation “fully justify” sex (LR, 234). Such sex is ordered to justice, for it both affirms the person as a good, as a good diffusive of itself (HV, para. 9 & para. 13), and welcomes the (unborn) stranger as per the *ius gentium*. This is what *Humanae Vitae* affirms when the encyclical argues that the unitive and procreative aspects of sex are inseparable. This also has a Trinitarian basis.

Though Thomas does not explain the processions of the Trinity in terms of ecstasy, St. Bonaventure does, and *Humanae Vitae* also (see MD, para. 8). *Humanae Vitae* (para. 12) clearly models the two meanings of the conjugal act, the unitive and procreative, on the unicity of nature among the Persons and the distinct personalities of the Persons on account of various relations of origin. Nowhere is the identity and distinction within the Trinity more gloriously described than in St. Bonaventure’s *Itinerarium*. Relating the equality between the Persons of God to God’s declaration in Exodus, “I am Who am,” and relating the distinction among the Persons to Christ’s pronouncing of baptism (Matthew 28: 19) “in the name of the Father, and of the Son, and of the Holy Spirit,”⁴⁰ Bonaventure stresses that identity and distinction are necessary if God is to be a God of love. Taking Dionysius’s axiom

bonum diffusivum sui est as a metaphysical datum, Bonaventure argues that were God merely to be the God of identity He would fail to be genuinely a God of love. Truly diffusive because truly loving and free, God communicates His very nature to another (which does not happen in creation). Yet, were this all, God would be something akin to Aristophanes's bizarre creatures who possess the same nature and "identical faces" (*Symposium*, 190a). Thus God, truly diffusive, free and loving, escapes narcissism, in a communication from one person to another identical by nature but distinct by personality. Anything less, and Dionysius's axiom is unmet. Bonaventure explains the distinction among the persons by way of origin: "He who proceeds and He who produces are distinguished by their properties and yet are one . . ." ⁴¹ *Humanae Vitae* assumes this theory of love when it claims that "the conjugal act preserves in its fullness the sense of true mutual love and its ordination toward man's most high calling to parenthood" (HV, para. 12). Lest sexual acts become narcissistic, lest one partner dominate the other, reducing the other to an "identical face" of the "lover's" desire, sexual acts must be related to the formality of procreation: ordered by the metaphysics of diffusion to communicate nature to another who is a distinct personality, a child. I have shown in chapter 5 that Thomas's Christoform natural law assumes this same theory of eros: the *mutua inhaesio* must become a *concretio*, the deliverance of self, spouse, and child.

Sex separated from the Marian attitude is ultimately corrosive (LR, 243) at the level of the person, the social, and the political. The person, as a good, and as *diffusivum sui* therefore, is naturally ecstatic, ordered to the bodily gift of self to another (LR, 253). ⁴² An implicit claim made by *Humanae Vitae* (para. 17), which still scandalizes (and Wojtyła at one time seems to have thought it "improper" [LR, 285]) is that a culture of artificial birth control supports a culture of abortion (EV, para. 13, where the claim is explicit). If we recall the scholastic principle about God's agency *conservatio est continua creatio*, we ought not to be surprised that in the severing of sex from the *procreatio* of the ecstatic body we also sever our desire from *conservatio*; and ultimately, from the conserving of the social and political goods that sustain us. Since most women have abortions because they are encouraged to do so by

their husbands or boyfriends, as Hauerwas has forcefully pointed out (MD, para. 14),⁴³ defending marriage as an institution of hospitality and service to the other *which is itself rooted in sex as the woundedness of ecstatic flesh* must be central to the political mission of the Church. When marriage is so understood, spouses are separated from “a consumer attitude” (LR, 88; TB, 123; MD, 14), an attitude identified by Hauerwas as at the heart of liberal societies. Hauerwas is, of course, completely right that the traditional teaching of Christian marriage is a politics, a rejection of liberalism. Marriage understood as an institution of the ecstatic body at once announces to the social and political orders that violence is here challenged and moderated (HV, 25), and it announces to the spouses themselves that their vocation⁴⁴ is the personalist norm; that each is ordered by the ecstatic character of desire itself (LR, 220) to be bodily *diffusivum sui*. But against Hauerwas, I have just shown that such a marriage is structurally reliant upon sex understood as a wounding of the flesh. For in procreation, as John Paul II has profoundly noted, man and woman know themselves in the child, the foundling. For the child is “a revelation of the new man,” a revelation of Christ, the foundling born of the ecstasy of the Incarnation. Thus, the child is a revelation of “their living image,” the *sacrum* of their being *imago dei* (TB, 81).

The “objective aims” of the institution of marriage (LR, 31) are a *communio personarum* (spouses and children), through which persons are liberated from “subjectivism and from the egoism which it inevitably conceals” (LR, 38). Marriage supports a person’s attempt to live outside the singularity of the person’s bodily constitution (cf. ST I–II, q. 28, a. 3) and therewith the attempt to moderate the transgressive character of the body. Marriage as an ecstatic institution has a foundation in natural law, which itself is founded in the ecstatic body of Christ (HV, 25). The subsidiary miracle in the Eucharist, the turning of the water into wine, shows that the eucharistic body of Christ is a nuptial body as the subsidiary miracle memorializes the miracle at the wedding feast of Cana (ST III, a. 74, a. 6; q. 77, a. 5; ScG. IV, c. 58, para. 6). This brings us to an important final question: Does the Christian teaching on marriage—and the attending teaching on procreation and contraception—have to rely on an imitation of Christ in his “total

gift of himself” (VS, para. 26) on the Cross? It is worth quoting here a theologian commenting on the 1995 *Catechism*:

. . . a fundamental besetting problem of Catholic teaching about marriage: a conflation of the ideal and the real. A picture of marriage as “total” self-gift which could attract and inspire were it held out in the same evangelical mode as Jesus’ commands to “love your enemies” or “leave and follow me,” becomes oppressive and alienating when it skewers married persons on standards which are not only impossible, but also inequitable in relation to church expectations in other realms of life.⁴⁵

Veritatis Splendor’s short response to such a critique runs: “And of which man are we speaking? Of man *dominated* by lust or of man *redeemed by Christ*? This is what is at stake: the *reality* of Christ’s redemption. *Christ has redeemed us!*” (VS, para. 103; HV, 19). A longer response begins by acknowledging that it certainly is the Church’s position that sexual love, the *fervor coitus*, as Thomas puts it (Sent., II, 31, 1, 1, 1, ad 3), requires “the full gift” of a person if sex is not just to be the use of the other (LR, 99) or even a mutually agreed use of each other (LR, 126).

Yet, the idea of a “full gift” of a person is a complex one. It is crucial to note that Thomas’s theory is not *in the first place* a concept of woundedness *based upon the virtue of charity*. While love of the other might liquefy the lover’s body unto martyrdom, *in the first instance* the body is wounded when sensuality follows the guidance of reason, when reason looks to the mutual proportion between things, that is, to justice. Wojtyła makes this point, saying, “The order of justice is more fundamental than the order of love”: to be just is a matter of treating persons according to what is *rightly due to them* for “the person has a value higher than that of an object for consumption or use” (LR, 42)—which also means that woundedness in relationship to justice (HV, para. 9) is not a call to the utter disregard of one’s own body or person, for reason and sensuality together look to the mutual proportion between the lover’s body and that of the other. Of course, love of a person does not consist merely of being just toward that person and,

given the connection among the virtues (ST I–II, q. 65), the justice owed to the other is exercised only in love. Nevertheless, marriage as ecstasy is a work of justice—giving what is rightly due—at the behest of love: it is only the love that wounds the lover which can configure the flesh so as to enable a *communio personarum* in the flesh (LR, 131). In *Dependent Rational Animals*, MacIntyre has rightly observed that *miser cordia* in Thomas is a work of justice.⁴⁶ Just as I showed in chapters 4 and 5, Thomistic natural law has the structure of the Cross, so Thomas (ST II–II, q. 117, a. 5) insists that mercy and love are not opposed to justice. When John Paul II speaks of “the spousal significance of the body . . . profoundly inscribed in the essential structure of the human person” (TB, 353), he has in mind the *viscera misericordiae* (Col. 3: 12). Hence, it is quite appropriate to speak of Christ’s “total gift of himself” as a “fulfillment” of the law. Christ “invites” and “calls” us to live the life of the law, “a love which gives itself completely” (VS, para. 20). And concretely, about the call of Christ, he writes, “The commandment ‘You shall not murder’ becomes a call to an attentive love that protects and promotes the life of one’s neighbor. The precept prohibiting adultery becomes an invitation to a pure way of looking at others, capable of respecting the spousal meaning of the body” (VS, para. 15). Is it “impossible,” as the earlier quoted theologian would have it (!), for a husband and wife to justly exhibit “an attentive love which protects and promotes the life” of his or her spouse, or the lives of their children? Do Christ and the Church *for the sake of justice* here demand something “oppressive and alienating”? And what are we to make of the scriptural witness: “Beloved, if God so loved us, we ought also to love one another. . . . We love, because he first loved us” (I Jn 4: 11, 19; as quoted in VS, 24)? And more, if married love is not a bodily donation of the self to the spouse and children, what would be the *ethical* content of marriage? Recalling the Pauline and Levinasian “deposition,” Wojtyla writes of married love: “Betrothed love, the love that is a gift of self, commits the will in a particularly profound way. As we know already, it means disposing of one’s whole self, in the language of the Gospels, ‘giving one’s soul’” (LR, 126). Hauerwas has argued that Christian marriage be a politics, a contesting of the norms of the city of man. If spousal love in “reality”

is a consumer “love”—as our earlier quoted theologian thinks—what exactly is the mission of marriage? What, indeed, could be the content of a Christian marriage if it is not true that “giving himself to another human being must be simultaneously a way of giving himself completely to God” (LR, 295, n. 20)?

Throughout this chapter, I have assumed that a giving of the self is always a bodily giving of the self. I hope to have established that such a bodily giving of self in sex must, on account of the transgressive character of sensuality, be sex ordered to procreation, for it is only in such sex that violence is overcome in the diffusion of goodness. That is, I take myself to have presented the (perhaps submerged) argument of *Humanae Vitae* and shown that its argument is correct. More, its argument refutes those who argue that contraception is a human right. In the following chapter, the application of Ecstatic Thomism to sexuality discussed in this chapter shall be further expanded upon. I shall argue that the Church’s understanding of the family as a politics of hospitality can find a foothold inside a marriage only where the norms of Catholic sexuality can be practiced (HV, para. 21). While Hauerwas has argued that we ought to be responsible for children that we did not choose because “we learn that our lives graciously are not our own,”⁴⁷ so we need to respond in our sex lives to an ecstatic metaphysical order that we did not choose either (HV, para. 13 and para. 16). In both cases, we engage our deepest humanity as we realize the *ius gentium* of welcoming the stranger: in the one case, the unborn, in the other, God. I will defend this claim through the politics of response one finds in Aurel Kolnai. His social and political thought will be linked with theories of eros found in the *Symposium*, and, however unlikely it might seem, *Fides et Ratio* as well. Importantly, I will use Kolnai’s defense of privilege to suggest a renewed basis for a Catholic sexual politics. Thereafter, in chapter 9, I will argue that Kolnai best defends the political thinking found in *Humanae Vitae* which, odd though it might seem, stands as something of a critique of the political thinking found in recent Catholic social thought.

Chapter Eight

THE WEDDING FEAST OF THE LAMB

Humanae Vitae is best understood as a complex argument drawing upon phenomenology, metaphysics, natural law, speculative theology, biblical witness, and political philosophy (cf. TB, 398–9). Commentary on the text typically supposes that natural law reasoning is front and center and that little else is presupposed.¹ In showing the hidden theological depths of the argument, I have also presented the Church's sexual ethics as an example of Ecstatic Thomism, defending a metaphysics of the body as a self-diffusive good. Commentators have often supposed that Wojtyła's recent formulation of the Church's ethics is largely phenomenological because they presume that Wojtyła's philosophy of the body is basically that of the gendered body as described by Scheler and Stein. I do not doubt that John Paul II thinks that men and women sometimes have different social "offices," as *Gaudium et Spes* puts it (GS, 48), and, like the Council Fathers, he thinks that these are to a large degree a function of the different natures of men and women (MD, 5 and 16). Without dismissing, or yet deciding the validity of, the Church's argument upon this point, I do doubt that this aspect of the Church's thinking is utterly central to a Catholic philosophy of the body. Rather, I have argued for a deep continuity between Aquinas and papal thinking about the body (Paul VI and John Paul II) and thereby shown that an extremely elaborate metaphysical conception of the body is at the root of *Humanae Vitae* and its recent defense in Wojtyła's philosophical theology. Actually, I do not see how

this interpretation can effectively be doubted if an assumption is made: in *Fides et Ratio*, John Paul II is not engaging in self-criticism. This encyclical emphasizes the centrality of metaphysical thinking in the development of theology. John Paul II clearly warns there that a failure on the part of the theologian to develop a robust metaphysical conception is bound to seriously impoverish any resulting theology. It would be odd, indeed, if John Paul II's understanding of the Church's theology of the body did not include a rich metaphysical understanding of the body—and I have shown that it does. On this understanding, John Paul II is both a leading contemporary Thomist and the latest exponent of a papal ecstatic theology. I now want to show how this Ecstatic Thomism has influenced the Church's teachings on sexual politics, and how these teachings might be defended.

The argument of the chapter begins with Wojtyła's critique of Plato regarding both the metaphysics of desire and the place of the family in the social order. It will end with an elaboration of "the politics of the family." Such a politics is, I think, somewhat embryonic in Wojtyła's thinking. The basic idea appears in the 1981 Apostolic Letter *Familiaris Consortio*, and I understand *Fides et Ratio* (1998) to be a profound philosophical elaboration of the idea. I will show why this is so in the first part of this chapter, and in the second I will show how the idea can usefully be developed, and well defended, through the social philosophy of Aurel Kolnai. Thus, as before, Wojtyła's writings form *a part* of the argument I will present, but the argument also relies heavily upon Kolnai (1900–1973). Both thinkers are Eastern Europeans and Catholics, Thomists with a phenomenologist's sensibility,² and both wrote doctoral dissertations on Scheler. However, whereas some have started to call John Paul II's social encyclicals examples of "progressive Thomism," one would not think to say this of Kolnai's writings. Ultimately, in chapter 9, I will show that the primary goals of Catholic social thought might be better attained by Kolnai's conservative thought than by the "progressive Thomism" started by Maritain and absorbed by the encyclical tradition.

In this chapter the argument is made that the "politics of the family" is a restatement of Augustine's anti-utopian politics: that the goal of political order is to moderate the lust to dominate but not to seek

its eradication. *Familiaris Consortio* understands the hospitality of the family to contrast with the city of man's lust to dominate and to limit the power of the state. The family is a natural institution and the basis of "the existence of all large societies" where, as always, Wojtyla's use of "existence" as ecstasy is to be assumed (LR, 217). At the center of the family is marriage, a *sacramentum naturae*: and "nature's only aim is reproduction," the meaning of "nature" coming from the verb, *nascor*, to be born (LR, 227). If marriage is an institution ordered to hospitality, then the sex acts that are at the center of conjugal love must be acts that ecstatically depose the flesh (TB, 380-1). It is only such sex that can oppose the lust to dominate within sex (TB, 335) and therefore, it is only such sex that can establish the family as an institution of hospitality counter to the city of man's lust to dominate. The "politics of the family" has then Mary's bodily gift of self as an exemplar, for Mary is "the *incomparable model of how life should be welcomed and cared for*" (EV, 102: emphasis original; cf. MD, 30). And yet she is more: as the "progenitrix" and the one "a sword has pierced" (Lk. 2: 35), she is an exemplar of welcoming the stranger. For as the woman at the center of salvation, the Incarnation, she welcomes the foundling, the One whose origin remains a mystery and the One whose coming is *novitas mundi*: she is the first witness to the new "beginning" and the "new creation" (MD, 11). As the one who welcomes the foundling, Mary's face is set against the founding principles of "Progressive Democracy" (Kolnai): for "the absolute self-consciousness of modernity is the form of an absolutely reactionary consciousness: the form of the absolute reaction of self-consciousness to the Incarnation."³ Mary's *viscera caritatis*, or "the groaning of the wounded entrails" (Levinas), exemplifies a right ordering of the powers of the *animal rationale*. Kant rejects the human understood as an *animal rationale* as being nothing but a *pretium vulgare*. Rather, he insists, is the human being *homo noumenon*, absolute self-consciousness, and so, to be shorn of any distinguishing characteristics whatsoever: the stranger, the foundling, the One of mysterious origin ("we do not know where he comes from" [Jn 9:29]), whoever resists the identitarianism of *homo noumenon*, must needs be rejected as a *pretium vulgare*.

How this Christoform politics counters the politics of the city of

man can be seen in the case of gay marriage. State enforcement of gay marriage contradicts a *bodily* politics of hospitality. The fundamental issue here is that civil society is characterized by hospitality, not equality. Indeed, the central error of those who wish state power to contradict civil society is to mistake marriage as a right, a matter of equality, when marriage is an institution of privilege. The family as hospitality is based upon a natural privilege: those sex acts able to moderate the lust to dominate are those acts ordered to the self-diffusiveness of the good. Since gay sex does not have this privilege there can be no privilege of gay marriage either. Admittedly, not all privilege is natural privilege. However, all privilege has the character of ecstasy and has its justification in the moderation of domination. This is the basis of the privilege of the male priesthood. Thus, a further argument will be made that the privilege of the male priesthood is a quasi-natural privilege related to the *inclinatio ad peccatum*. In more modern language, it is a privilege to address a gender-specific problem: male violence. The privilege of male priesthood is a channel of divine justice. Eucharistic enactment through the male body *in persona Christi* seeks to moderate male violence by teaching, again and again, the deposition of male sensuality through a love that wounds the lover. Here, a concern of “social justice”—the just treatment of women by men—is addressed by a theological justice dependent upon privilege. In the following chapter, it will be argued that the antidote to the culture of death is most effectively addressed by this same theological justice that is dependent upon privilege.

Fides et Ratio includes a remarkable critique of Plato’s theory of desire as this is explained in the *Symposium*. At the end of the encyclical, John Paul II asks us to philosophize in Mary (*philosophari in Maria*). Recalling that Plato encourages us to philosophize with Diotima, the profound import of John Paul II’s *philosophari in Maria* emerges. Lying in the garden of Zeus, Resource, son of Invention, is used by Poverty to gain her entry to the garden of Zeus, to end her separation from the Forms (203bc). Desire is born of this union and is structured by the character of both parents, in Plotinus’s words, “undirected striving and the self-sufficient Reason.”⁴ Desire is both like the Forms and yet distant from them. Seeking ever greater union

with the Forms, desire rightly educated takes on the character of reason or philosophy. Poverty becomes Resource as a return to the source of all reality is made. John Paul II is skeptical. For desire to return to the One who is “the Lamb slain before the foundation of the world” (Apoc. 13, 8), reason must order itself to faith, philosophy to theology, human plenitude to Mary’s self-emptying poverty (FR, 108; MD, 19). John Paul II’s skepticism regarding the discipline of reason to attain Truth stems not only from biblical witness (Gn 2:17), but from an understanding of embodied desire itself. The power of reason is now “impaired by an aversion to the One” (FR, 22). Existence is “the love revealed in the cross of Christ” (FR, 23), yet embodied rationality is always already structured by a *prinitas* to self-enclosure: reason’s “self-concentration,” as Plotinus puts it.⁵ Averse to the discipline of the wound of ecstasy, and isolated from the Law, embodied reason is “distorted and inclined to falsehood,” inclined to become “more and more a prisoner to itself” (FR, 22). It is less that poverty needs reason and rather more the other way around. Here paganism is reversed.⁶ And surely John Paul II is thinking of Bonaventure’s opening of the *Itinerarium*, “Here begins the reflection of the poor man in the desert.” The poverty of the wound that can yet be glorified is “that which is nothing to reduce to nothing things that are” (FR, 23; quoting I Cor 1:28). It is the poverty of the wound that enables Anselm to pray to Jesus the Lord, “You are greater than all that can be conceived” (FR, 14). Thus, it is only a rationality ordered to the faith of Mary, the wisdom of Mary (FR, 108), that has taken the “decisive step toward welcoming something radically new” (FR, 23). Only such a reason has been enabled to become hospitable, “welcoming something radically new.” Mary is thus an exemplar of welcoming the stranger. And this is possible only once bodily reason forsakes its claim to be “sovereign and autonomous” (FR, 22) and has become the *ostiarius* of the Law. Mary, “in giving her assent to Gabriel’s word,” becomes the one who bodily “giving birth to the Truth and treasuring it in her heart” (FR, 108; MD, 19) becomes an exemplar for everybody. Mary accepts into her heart Christ crucified (Luke 2: 35), “the reef” upon which the relationship between faith and philosophy “can break up” but also “the reef beyond which the two can set forth upon the boundless ocean of truth”

(FR, 23). Mary becomes a tutor, reversing in many senses the old Greek model. Pausanias offered the young boy a relationship with a principle of reason and virtue, the older man, while Mary offers to reason, young and energetic, an attitude of hospitality so that there might be “reason reflecting rightly upon what is true,” the Divine Word, incarnated, crucified, resurrected.

The reflection on Plato’s theory of desire in *Fides et Ratio* is especially a reflection on the family and civil society. Catholicism’s theoretical defense of civil society extends back at least to St. Thomas’s *Contra impugnantes* and is found especially eloquent expression in St. Thomas More’s mauling of the social monism of his imagined Utopians. In More, the privileges of civil society limit one another and any totalizing power of the state.⁷ Vatican Council II reaffirmed this tradition (GS, 75) and so too, I have argued, did *Humanae Vitae*. The Council also affirmed that the family is both the foundation of society and a school of “deeper humanity” (GS, 52). Plato’s *Symposium* can help us to understand the Council’s claim about the family. Trying to understand just what in the earlier theories of love recounted by Plato in the *Symposium* contributes to his own theory remains to this day one of the most exquisite of philosophical challenges. All of the previous theories are criticized, of course, and some more than others. The speech of Pausanias introduces the basic idea of the need to civilize erotic desire by linking it with the wisdom that comes from age and (one hopes) virtue. This speech also stresses the principle (at least) that erotic desire must be made procreative by creating the young anew as leaders in service to the community. Both of these themes are taken up strongly by Plato and are in sharp contrast to the speech from Aristophanes that separates erotic desire from daily living, with Aristophanes explaining that when the lovers have had the satisfaction of spent desire they can go about their daily business in a more relaxed manner (191c). John Paul II adopts Plato’s thoughts on the centrality of desire or eros in human activity but (unsurprisingly) stresses the utter centrality of the family in the cultivation of youth. The importance of the family is markedly absent in Plato, although it is to be noted that children are desired under a logic of transaction and not hospitality (206c).⁸ Pausanias as the historian introduces the reader to the classical practice of

the youth being mentored in wisdom and virtue by the older man, a practice that has had a long if (and significantly so) interrupted history in the West. The single most startling feature of this practice is perhaps less the exchange of sex for education as the immediate absorption of the youth in the political realm; indeed, more graphically put, the absorption of the boy into affairs of state.

The social monism inherent in such a conception was, of course, much moderated by the hierarchy of Athenian society and the radical exclusions of the hierarchy—the slaves, women, the disabled, and so on. Nevertheless, the “politics of the family” of Vatican II and John Paul II is a fresh statement of Christian political pluralism against social monism. A statement very much needed, it seems, when the idea of the family is under such imminent threat from a renewed social monism: gay marriage. Against Pausanias, the Christian family presumes to cultivate the youth, with the family acting as a barrier to the absorption of youth into the political. Most crucially, as John Paul II conceives it, this separation of youth from the political happens in the family with a peculiar institutional character; that is, the family cultivates hospitality in youth rather than the fiat of political action which, as Arendt has pointed out, was so dear to the Athenians. Thus, the family is itself double in aspect. As an institution of civil society it resists the political and yet by so doing builds political pluralism. The hospitality of the family separates it from the structure of exchange which defines the political in Pausanias, the lust of domination that defines the political in Augustine, and subverts the political of Schmitt’s friend-enemy distinction. For this reason, however, in a second aspect, the family is thoroughly political.⁹ As an institution of hospitality, the family reaffirms the *ius gentium*¹⁰ and welcomes the stranger. The family stands as an institution of *liquefactio* that reminds the political of the hospitality of the *ius gentium*: “There is no contract of distribution: sharing is simply the essence of family life.”¹¹ Historically speaking, I take it to be of the utmost significance that it is within the Christian Middle Ages that a host of institutions emerge (hospitals, for example), all exhibiting the institutional character of hospitality, and all of which contributed greatly to political pluralism. It surely is significant that, as Christianity strongly reaffirmed the idea of the fam-

ily, there emerged in the Middle Ages the idea of cultivating youth in schools and universities. Political conservatives have lamented the absorption of these intermediary institutions into the power of the state as nothing short of a new social monism characteristic of collectivism. It is probably in some such sense that John Paul II's *Ex corde ecclesiae* should be understood: and in America it is probably Hauerwas who has had the most to say about the policing of Christianity by the state. A great defender of liberalism, Nussbaum certainly believes that for purposes of equality the Church should be policed. The autonomy of civil society is rightly diminished, she argues, when, for example, Georgetown University was forced by local city law to give official recognition to its student gay and lesbian organization, this coercion was, she says, "the right result."¹² Nor has religious reasoning any role to play in debates over public policy unless "it takes care to indicate its harmony with . . . the democratic political culture."¹³ The tendency of progressive democracy to social monism is amply on display here. I want to show later in this chapter, and in the next, how profound and far-reaching the difference is between the hospitality of the family and the fiat of the political.

The meaning of a politics of the family is stated in an especially provocative way by John Paul II in his 1981 *Familiaris Consortio*. With the family at the root of civil society all of society is ordered to hospitality, the "original character" of the family (FC, 44). Welcoming the stranger is a part of the *ius gentium*, and, as Dupuis has pointed out, a large part of Christ's ministry.¹⁴ In a remarkable use of Scripture, Vitoria writes, "'I was a stranger and ye took me not in' (Matt. 25: 43), from which it is clear that, since it is a law of nature to welcome strangers, this judgement of Christ is to be decreed amongst all men."¹⁵ In other words, Vitoria takes the sayings and actions of Christ, as well as the parable of the Good Samaritan, as an historical witness to the *ius gentium* and its promulgation of the obligation to welcome the stranger. Certainly, Christ identifies Samaritans as "foreigners." He heals them (Lk 17:11–19) and he offers one of these "foreigners," the Good Samaritan (Lk 10: 30–37), as an example to the Jews (Lk 10: 37) of how to welcome the stranger. An example of "family politics" is how its theory of civil society as interiorly ordered to hospitality provides a

powerful rejoinder to one of the classic arguments for abortion. The famous essay of Judith Jarvis Thompson rests on the assumption that there is no right to life because the parable of the Good Samaritan is not an obligation but at very best a counsel of perfection.¹⁶ Just how dehumanizing is such an argument is seen only when rejection of the stranger is understood to be against the *ius gentium*. Yet, it is not only abortion which contravenes the hospitality of civil society but sex unordered to the diffusiveness of procreation. At the heart of civil society is the family, and at the heart of the family is Mary's hospitality to the Law. The "Marian attitude" orders conjugal love and thus the Church teaches that the very institution of marriage by its "very nature" (GS, 48) is ordered to procreation and the education of children. For the hospitality of the family begins in the "conjugal charity" of the spouses, in their *liquefactio* (MD, 19) as they "participate in and are called to live the very charity of Christ who gave Himself on the Cross" (FC, 13). If civil society is to moderate the *dominatio* of the state then the heart of civil society must not itself be consumed by the *libido dominandi*.¹⁷ Rather, for the stranger to be welcomed, civil society must have as its foundation the bodily giving of self, the love that wounds the lover: "in Christ Jesus you who once were far off have been brought near in the blood of Christ. For he is our peace, who has made us both one, and has broken down the wall of hostility" (FR, 70; quoting Acts 2:13-14). Marriage can foster the deposing ecstasy of civil society only if the privilege of the married state is reserved for those whose sexual acts in principle are able to possess the character of hospitality. Hospitality is possible only in those sexual acts whose character is the residing of the Law in the flesh, in the *fervor coitus* (Sent. II, q. 31, 1, 1, ad 3) of the love that wounds the lover.¹⁸ As Aurel Kolnai has magnificently argued, privilege is response, not *fiat*.

Up to this point the argument of this book has relied (in part) on Aurel Kolnai's ethical writings. The remainder of the argument depends upon his political writings. Central to his political thinking is the idea, and reality, of privilege. While the rest of the book is an illustration of this idea, and, I hope, a demonstration of its power, a few brief remarks on the idea are called for. Kolnai was an implacable opponent of communism at a time when the majority of European

intellectuals were not only sympathetic to communism but many infamously excused its barbarism. But the problem at the heart of contemporary politics that Kolnai identified was the tendency of classical liberalism to collapse into progressive democracy and thereafter into socialism and communism. Privilege restrains and moderates this collapse, argues Kolnai. As an early and implacable opponent of fascism (a Jewish convert to Catholicism, he had to flee Europe), he was thoroughly hostile to idiosyncratic rightist gestures to counter liberalism and its dialectical tendencies. He thought the intellectual defense of the sites of privilege that continue to exist within liberal society would help restrain its dialectical attraction to ever more egalitarian forms of politics. The principle of diversity is privilege, argues Kolnai: height is its phenomenological appearance (hierarchy and inequality) and liberty its political form. Crucially, the justice of privilege lies in its being a response, in a sense to be explained, to an objective order of value. Marriage, understood in principle to be a locus of acts of self-diffusion, is a privilege par excellence. In such sexual acts, one participates in the self-diffusiveness of being itself. One is loyal to a measure to which one has submitted and thereby submitted “to what is highest in man and higher than man” (PL, 26). Because “the prime gesture of the human person” is response (PL, 26), sexual *acts* hospitable to self-diffusion are the most human acts. Here phenomenology and theology meet: Von Hildebrand has observed that “in every value response our attitude has the basic feature of self-donation,”¹⁹ which put otherwise is to say that “Christ . . . fully reveals man to man himself” (GS, 22). The *privilege* of marriage is an institutional acknowledgement and affirmation of the special moral and existential character of certain sexual acts. If David Hume is right that wise political order is a meeting of human passions and institutional arrangements, the *privilege* of marriage should *continue* to be so affirmed. To set marriage upon a principle of equality is, as Kolnai puts it, to “speak the idiom of Identity” in which humans assert their sovereignty to posit and generate not only civil society but reality itself.

The metaphysical core of the concept of social Totality is the concept of Identity; and the postulate of Identity, again, is im-

plicit in man's pretension to metaphysical sovereignty, his aspiration to be God: for if I admit any entitative "otherness" of mind and will on a footing with myself, if I am aware of any human consciousness and purpose really distinct from my own, if I recognize any valid law and authority over and above my will—and not an efflux and manifestation thereof—I cannot be God.

(PL, 33)

Such *fiat* is nothing less than "a radical enmity to Being" (PL, 26–27) and betokens totalitarianism. The privilege of marriage is a conservation of self-diffusion, not a locking up of the human in state enforcement: it is a bulwark of liberty because it protects diversity²⁰ and resists the reduction of the diffusiveness of being to the totality of identity.²¹ The autonomy of civil society, the diversity of its institutions and practices, is threatened by the logic of equality which reduces diversity to monism and therewith invites totalitarianism. If the mark of totalitarianism is the destruction of the self-sustaining autonomy of civil society, and if the family is at the heart of civil society, then to force *sameness* (PL, 21) on civil society, gay and straight now marrying, is already to have destroyed civil society. Identity will replace political pluralism, for behind equalitarianism, as Kolnai so forcefully points out, is a horror of division, a revolted activism, for "no man must hold more or be more than his fellow man" (PL, 22). Just as I argued in the last chapter against Nussbaum's claim that contraception is a human right because such a putative right is the institutionalization of something inherently violent, so a right of same-sex marriage would be the institutionalization of sex acts that cannot ecstatically depose the flesh. The goal of Catholic politics has always been non-utopian, an effort to moderate domination. Catholic political reflection takes its bearings from Augustine and his assumption that the city of man aims at domination. He argues that the state is homicidal at its foundation and that such a foundation is an archetype (and not the teething problems of a prototype to be overcome later in some new, say, "democratic dispensation") of political order.²² Like Augustine, the Thomist tradition acknowledges that domination is fundamental to the state.²³ Crucially, however, the Catholic tradition does not thereby think that the domi-

nation of the state is a straightforwardly evil and diabolical power²⁴ (which is not to deny that on occasion it might be such). The state aims at peace, a good, and even despotic states have the same aim albeit realized very poorly. The point of politics is to retrench higher goods by moderating the pervasiveness of the domination of the state (Hume argues identically). This goal cannot be furthered by gay marriage, as the identitarianism of the logic is nothing less than totalitarian, bringing civil society under the domination of the state. Such state action would be utopian, insisting upon identity where there is none, setting *its* institutions in opposition to the *ius gentium*, nay, in opposition to Being, denying Being its character as *diffusivum sui*.

Roger Scruton has already pointed out the non-ecstatic character of homosexual desire:

In the heterosexual act, it might be said, I move out from my body towards the other, whose flesh is unknown to me; while in the homosexual act I remain locked within my body, narcissistically contemplating in the other an excitement that is the mirror of my own.²⁵

And more:

. . . there may be a diminished sense of risk. The move out of the self may be less adventurous, the help of the other less required. In an important sense it is open to the homosexual to make himself less vulnerable and to offer, because he needs, less support.²⁶

Martha Nussbaum has reacted to Scruton's claims here. She argues that most heterosexual couples fail Scruton's *moral* criteria for sex. And who can doubt that most heterosexuals are narcissistic, risking little in relationships which they can barely commit to? And the same is true of millions of marriages across the world, as well. Yet Nussbaum's real objection is different: the moral cannot be the basis for the political.²⁷ This claim sits rather uneasily with the moralizing character of her own substantive liberalism.²⁸ Nussbaum clearly thinks that the state should get involved in legislating civil society *for the sake of equality*, which acts as a moral norm of the political (this is her basic justification for

abortion). That “no man must hold more or be more than his fellow man” (PL, 22) is undeniably a moral claim.²⁹ Whatever the validity of equality as a moral norm, that the good is diffusive of itself is, I want to argue, a fundamental description of the good (and Being) and as such a *prior* norm. Homosexual sex (a quite different issue from homosexual friendship)³⁰ is incapable of the love that bodily wounds the lover. Heterosexual sex often does fail to be such a bodily love, but it is not incapable of being such. Civil society is a response to Being, and as such, civil society inevitably has the character of welcoming the stranger, and not the character of sameness. The institution of marriage as known throughout the ages in the *ius gentium*, a matter of “moral consensus” (Kolnai), reflects this dynamism of Being, and a state-constructed and enforced institution of sameness would contradict this dynamism and subvert the ecstatic order itself. Scruton agrees with John Paul II that sexual desire is “nuptial,”³¹ but the deepest reason for this is that Being itself is nuptial, having the theological interior of the “the Lamb slain before the foundation of the world” (Apoc. 13: 8) and to Whose wedding feast we are all invited. Privilege, as Kolnai explains it, is “the social projection, the institutional recognition, the traditional embodiment of the essentially insurmountable dividedness,” and I would add, the insurmountable diffusiveness, of Being (PL, 22). Privilege then is a participation in Being and a moral obligation to serve the other through the wound and this even in our sexual acts. Heterosexual marriage is affirmed in the *ius gentium*, which itself is a response to a profound theological order, and it is in this privilege that a metaphysical hospitality to the stranger is already always active (Levinas’s “maternity”).

For at least one thinker, this metaphysical hospitality, the hospitality of the love that wounds the lover, is to be especially opposed by the logic of identitarianism. It is no surprise therefore that this thinker took up a strongly Stalinist position in his later theorizing. Sartre has some famous pages on sliminess and stickiness. Kolnai has addressed the phenomenology of disgust or bodily aversion, but Sartre adds a metaphysical color which speaks volumes. The slimy is “the outline of a fusion of the world with myself,” an outline wherein there is a “bestowal of self” and an appearance of the world as a “leech sucking

me.”³² Sartre regards the slime of the wound as nothing less than the compromising of his autonomy. His version of liberty is the “pitiless hardness” and “metal” of the For-itself “which is everywhere fleeing *and yet everywhere similar to itself*” (emphasis added).³³ There is an arresting of the freedom of consciousness in the slimy and it is this that is disgusting and repugnant. What disgusts, argues Sartre, in the wound of love, a “leech sucking at me,” is the diminishment of autonomy; the “metal” of the self’s armored isolation is no longer operative. Sartrean autonomy flees the moral obligation of the wound of love, the hospitality of love. For the slime of the wound “does not flee, it yields,”³⁴ and so I become possessed by the wound, unable to flee, but the other is then like a leech sucking at me, inflaming the wound, “the For-itself is suddenly *compromised*.”³⁵ For Sartre, unsurprisingly, we have here a “feminine sucking,”³⁶ a disvalue opposed to Levinas’s “maternity” and John Paul II’s “Marian attitude.” The sharing of the good with another, the fundamental act of hospitality, is in principle rejected here and a constant fleeing into the unbroken identity of autonomy valorized.

The role of such principled individualism in sustaining the culture of death will be discussed in the next chapter and in my closing remarks. Contrasting with a metaphysics of identity, and thus isolationism, is privilege and a metaphysics of ecstasy, both being foundations of the *appetitus socialis* (Grotius).³⁷ This metaphysics reduces to a half-truth Scruton’s claim that social order is not spontaneous but rather “the elaborate artefact of centuries of institution-building.”³⁸ And he is partially right in arguing that the institutions of erotic love and private property are not natural rights, rather “both are the products of institutions which sustain them, and both grant their benefits, not as rights, but as achievements and privileges.”³⁹ For Kolnai, privilege is not an exemption from state power, for such a position assumes the universality and primordially of the state. Rather is privilege *originaliter* and thus prior to the state.⁴⁰ For Scruton, who is more of a statist than Kolnai, privilege (for the most part⁴¹) is in the grant of the state.⁴² Kolnai agrees that the state must support privilege by legal privilege, but legal privilege is a response, at least oftentimes, to privilege *originaliter*. Nevertheless, Scruton is correct that the institution of marriage

does nothing less than sustain and protect “the unfair privilege which every love contains.”⁴³ Scruton rightly resists any right to marriage whether heterosexual or homosexual. It is understandable why the 1995 *Catechism* speaks of rights to marriage and family: once Maritain’s synthesis of natural law and natural right had been broadly adopted in Catholic social thought the re-writing of privilege as right was inevitable. There is some inconsistency here, however: the *Catechism* very explicitly describes the family as “the *original cell of social life* . . . a *privileged community*” (para. 2206–2207; emphases original). As political theorist Robert Kraynak has recently insisted, the history of rights is one of expansion and subversion of natural orders.⁴⁴ Such subversion ill serves Catholic doctrine. Maritain hoped to forestall the subversive dynamism of rights by linking them thoroughly to the natural law. This approach is presumed in all contemporary documents of Catholic social thought. This approach of Maritain’s links rights to a metaphysical order of sociality, but the venture seems ill-advised for two reasons. No one thinks that rights are inherently social; people quite rightly think that the word captures a non-social principle of absolute freedom from which no social duty of obligation can be read off.⁴⁵ If Maritain had had to think about the topic, he would have argued that there is no right to gay marriage because it presumes unnatural eroticism. The problem with such an argument is that rights are not called “natural rights” because they are a part of nature but because they are metaphysically prior to nature. Rights are a metaphysico-political lattice upon which humans articulate fluid natures as per the possible interactions of the rights lattice work. This is what Rousseau meant by promoting rights and by defining human *essence* as *liberty*.⁴⁶ I agree with Maritain that some putative rights, whether to contraception or gay marriage, are unnatural. Unnatural in the sense that they are violence because they reject the moral order of the self-diffusion of Being. The state imposition of gay marriage is totalitarian, for it trespasses upon civil society, and the violence of this imposition is double, for it imposes what is itself an institutionalization of metaphysical violence.

Privilege is guided then by the Christoform natural law, and the law of nations derived from it, and gay marriage is not, and never has been, an institution of the *ius gentium*. Aquinas, of course, recognizes that

natural law needs to be supplemented by human law which, if congruent with natural law, becomes part of natural law. Such a *variegated* understanding of the moral order is clearly necessary. Certainly, not all sexual politics can be read off directly from the natural law. *Humanae Vitae* argues that sexual acts must be ordered to procreation and can sensibly insist on this because sexual acts can be read off from the basic inclinations of the natural law. Those who reject Catholic teaching on the grounds that the Christoform natural law could not establish that each and every act of sexual intercourse must be ordered to procreation elide, in my opinion, the character of sex acts. I have explained this in the previous chapter. Yet, what of something like the Catholic prohibition of woman's ordination? Oftentimes this is defended by recourse to a kind of natural law argument. Max Scheler and Edith Stein have both spoken of the relational character of woman, as have some contemporary secular feminist authors, which is sometimes contrasted with male aloofness, or a certain transcendent bearing to the world.⁴⁷ John Paul II is certainly taken with Stein's identification of a "feminine genius." I have presented a very different Wojtyła, however: the advocate of a Thomistic metaphysical argument in which all human bodies are structured by a Christoform natural law. If this were so, one might think John Paul II inconsistent. One might argue that since all humans are already and always *in persona Christi* there are no grounds for resisting woman's ordination. There are no such grounds to be read off from the basic inclinations of the natural law, I acknowledge, but then Eucharistic *celebration* is a matter of divine law. Passing no judgement on arguments from "original personality" (John Paul II), and granted the Christoform natural law as I have developed it in these pages, still it does not follow that women's ordination is warranted: for there is a quasi-natural variant of the Scheler-Stein thesis against women's ordination that is, I think, irresistible. This argument will help clarify why the moral order is variegated through different categories of privilege.

To begin with preliminaries, that God revealed Himself fully and uniquely to the Jews and those who would then become Christians, is the privilege of Christianity itself. This is insisted upon by Paul,⁴⁸ and is strongly affirmed in the foreword to the Indian edition of Dupuis' *Religious Pluralism*: Archbishop Henry D'Souza ends his foreword,

“the singular privilege which we have received in coming to know and acknowledge Jesus Christ the one Lord and Saviour of all.”⁴⁹ John Paul II speaks of consecrated life as a privilege stemming from the bestowal of grace to some (TB, 270–75): he further adds that consecrated life is a greater contribution to the Kingdom of God than the married state on account of its radical adoption of the Cross (TB, 279). Vitoria in his disputes with the Reformers casts the central problem of priestly mediation in terms of equality and privilege. The Reformers deny the mediation of the sacraments (and thus priest) because they reject the idea that a privileged locus of access to God is a Christian idea.⁵⁰ This same question undoubtedly animates Dupuis’ *Religious Pluralism* and there is no reason to doubt that Vitoria would think of Dupuis as a Reform theologian. Famously, and with tremendous consequences for the tradition of Catholic social thought, one finds this same embarrassment in Maritain.⁵¹ Privilege is a “divisive principle” and only an expression of “selfishness and particularism.”⁵² In a truly remarkable formulation, Maritain speaks of God’s sovereign right and claims that natural right is more basic than obligation.⁵³ Curiously, he even speaks of “the infinite rights of God.”⁵⁴ So committed to the equalitarianism vouchsafed by rights is Maritain that he is willing to posit a univocal possession of right between God and creatures so as to sacralize right and make the equalitarianism unassailable: “every right possessed by man is possessed by virtue of the right possessed by God.”⁵⁵ How God could be thought of as having a right when Aquinas insists that there is no relationship of justice whatsoever between God and creatures (ScG II, c. 28, para. 4) is very hard to understand. Embarrassments aside,⁵⁶ Christianity is a privileged religion and ordination is a claim to that privilege: As Donoso Cortés said about priests: “their highest and incommunicable privilege is not in their authority, but in the power to make the Son of God obedient to their voice.”⁵⁷ What is desired in women’s ordination then is access to privilege.

Suarez explains the privilege of the priesthood as an exemption from state power. This would not be how Kolnai would put it (no exemption being needed) nor Scruton (privilege being an establishment of the state), but Suarez’s definition of priestly privilege is well worth noting, nonetheless. He writes,

For the privilege of an exemption is a certain freedom from subjection to another. It is a certain moral power so as not to be the equal of the power of, or to be free to act without regard to, or with impediment from, another: thus this power given by God Himself is said to be divine law, not as a precept, but as a gift of God.⁵⁸

The Church itself is a privilege and gift of God, and to Suarez's mind, it is on this basis that the Church is exempt from state power. As privilege within the Church, priesthood is a gift of God that cannot be a precept, that is, not a natural privilege. Why should women then not be recipients of this divine gift? If there is no natural basis for the privilege is it not arbitrary?⁵⁹ The answers to these questions rely on the answer to another: are the wounds that stem from the love that wounds the lover different for men than for women? It certainly is true that women—and Levinas makes this central to his ethics—can be wounded in a very particular way, and quite literally, through maternity (MD, 18 & 19). If we follow the Council Fathers and acknowledge the different offices of motherhood and fatherhood we readily see that offices command different depositions of the body. Different offices require different virtues and different virtues require different articulations of the body: a university professor must be brave, because all humans must be brave, but not in the same way as a U. S. Marine is called upon to be brave. All offices are ecstatic, but if men and women both could hold the office of sacramental priesthood, if both were called to be, in the most radical sense, *in persona Christi*, would the bodily gift of self be different? Presumably not. However, if we keep before us that the goal of privilege, of politics, is to moderate violence, then the continuation of the male privilege of sacramental priesthood is not arbitrary, but just. It does a divine justice that opens out onto "social justice." I strongly suspect that there is a natural *pronitas* to violence peculiar to male biology: whatever the case may be, however, there is certainly a biblical (TB, 120–121), historical, and sociological record that men do more violence than women. No one seriously can doubt that the vast majority of domestic violence is done by men against women (three women a day are murdered in the United States

by husbands or boyfriends).⁶⁰ Domestic violence has its origin in the failure to articulate the male body in the justice of the love that wounds the lover (“for you are all one in Christ Jesus” [Galatians 3: 28]). The permanent reminder to men offered daily by the male priest on the altar to conform their sensuality to the Deposed Lover is a priceless act of justice: but the privilege of the male priest is to constantly recall to men the Christological markings upon their bodies.⁶¹ It will certainly be time for women to have access to the privilege of the priesthood once more men turn up in hospital emergency rooms as the result of domestic battery than women. This is not to argue that the male priesthood is a natural privilege. It is only quasi-natural, for it stems from an institution of divine justice to moderate the *inclinatio ad peccatum* peculiar to male sensuality. It is only quasi-natural, for, as I say, when the sociological evidence regarding hospital admissions alters, the Church in justice will have to act so as to protect men.

Broader issues respecting the connection between theology, privilege, and justice need to be addressed (for example, in the development of an appropriate theology of religious pluralism or an adequate account of the relationship between nature and grace), but with regard to sexual politics enough has hopefully been said to show why Christians cannot support gay marriage—on grounds that non-religious people concerned with antitotalitarian politics should affirm also. Upon a more consequentialist basis, an argument against women’s ordination has been made. Opposed to the politics of the family is the Sartrean flight from hospitality: in fact, an aversion to the fundamental sociality of the world.⁶² This flight is emblematic of the cult of abortion, “the most neuralgic issue” (Fukuyama) in sexual politics, and the topic of the last chapter.

Chapter Nine

THE POLITICS OF THE CROSS

The god of this world has blinded the minds of the unbelievers, to keep them from seeing the light of the Gospel of the glory of Christ.

—2 Cor. 4: 4

Politics must be able in fact always to be checked and criticized starting from the ethical.

—Levinas.

A Jesuit author has recently argued that Catholic moral formation helped National Socialism to identify its enemies and helps explain “the savagery of its violence” toward those enemies. In his argument, Catholic moral theology set the framework for the 1935 Nuremberg Laws prohibiting sexual relations between Germans and Jews. If Germans were identified with spirit and Jews with flesh, then not only is Nazism’s desire to see the two kept apart explained but so too is the violence visited upon the Jews: for is it not a central tenet of Catholic moral theology that there is a war between spirit and flesh and that flesh must needs be coerced by spirit?¹

At least three questions immediately arise respecting this thesis. If Nazism employed the struggle between spirit and flesh to legitimize their persecution of the Jews, (1) was it Catholicism that provided the logic of this struggle? After all, the pagan Plato, in his image of the chariot, speaks eloquently of reason’s violent control of sensuality. More, the architects of modernity, and thinkers who at best are only ambiguously related to Christianity, also speak of a violent control of

sensuality. Kant, for example, speaks of the need for reason to “stamp out” the “rabble” and “mob” of sensuality.² One might then argue that the context of National Socialism was a secularized modernity³ and that Nazism could have found its violent logic of the war between sensuality and reason there. I have shown in chapter 6 that one can find such a logic even in “Cyborg feminism”: and a conception more self-consciously devoted to human liberation could not be found. I also showed there that Malebranche clearly conformed his religious thinking to the thought of the Early Modern period, abandoning in dramatic fashion Aquinas’s notion of the love that wounds the lover in favor of a Cartesian conflict between the parts of the human. In Malebranche one certainly does find talk about the “malignity of the passions” (TE, 95) and “the gross and sensual Jews” (TE, 61). Moreover, (2) is it even true that Catholic moral formation relies on such a violent approach to sensuality? True, Giles of Rome, a student of Thomas Aquinas at Paris, does develop a violent model of moral formation, but he does so *in opposition to* Aquinas: in Aquinas’s model, reason persuades rather than coerces sensuality.⁴ And, of course, it is Aquinas, not Giles, who has been the foundation of Catholic moral thought for the last 500 years or so. Although, as I showed in chapter 6, it is undeniable that Thomas’s thought on these matters was seriously misunderstood in some Catholic circles at least. In light of questions (1) and (2), the work of the Jesuit Gaston Fessard helps us to ask (3) whether it might be that the violence of Nazism had its roots *precisely in a failure to adopt* a Christian theory of the flesh. Rather than looking toward Catholic moral formation as the source of Nazi violence, Fessard argues for a quite different source: liberal political theory.

This chapter develops a critique of what might be called a “liberal conception of the body” and the liberal political thinking that accompanies it. First, let me summarize the Thomistic understanding of the flesh that has been discussed in these pages. Two basic things have been seen: sensuality is not wholly negative, and spirit does not violently control flesh. Regarding the first, sensuality is naturally ordered to ecstasy, as a good ordered to God, and sensuality contains important moral knowledge which must not be ignored. Indeed, the rebellion of sensuality against the false rule of reason can be seen as salvific. The

rebellion of the flesh can be—as in the case of Merton—an attempt by sensuality to live out its ecstatic possibility and therewith convert reason back to its rightful rule under God. As to the second, if reason rules sensuality correctly, it does so through moral persuasion. This is evident from Thomas's account of the Fall wherein reason in rebelling against God establishes itself as an idol. Rejecting the ecstatic propensity of the intellectual appetite, reason becomes enclosed upon itself in its auto-determination (FR, 22), abandoning its character as an artist patronized by God. The idolatry is violent since reason must now make sensuality serve it rather than God, which can be done only by a violent constriction of the natural ecstatic appetite of sensuality, or to be more nuanced, a reason enclosed upon itself inevitably cultivates one of the possibilities of sensuality. Sensuality denied its ecstatic opening is reduced to the particularity of the body and therewith its transgressive *pronitas*. Thus, contrary to Bernauer, in Thomas's conception: a coercive, violent rule of sensuality is a result of the Fall; such rule has its origin in a sin of reason; and this rule is now perpetuated by a rejection of the ecstatic propensity of sensuality and reason's refusal to take on the norm of the Cross, the love that wounds the lover.⁵

Bernauer, like so many others, misunderstands Catholic flesh. Defending Catholic flesh from its detractors is not yet to demonstrate that the liberal conception of flesh is rooted in violence. This demonstration has been ongoing throughout this book, however, and I want to bring those arguments together now. I will explain (1) Gaston Fessard's argument that liberalism's conception of the body itself leads to a glorification of violence. Expanding on Fessard's observation, (2) I defend John Paul II's claim that liberalism is a contemporary form of the culture of death. *Evangelium Vitae* makes a major contribution to political theory when it elaborates on the still shocking claim implicit in Paul VI's *Humanae Vitae* that a contraceptive culture promotes an abortion culture. At the root of both contraception and abortion is the rejection of the obligation to welcome the stranger. This is a utopian gesture that faces with hostility the generosity and hospitality of Being. By linking political theory to the Church's traditional understanding of the body, *Evangelium Vitae* both identifies contraception, abortion, and euthanasia as emblematic of liberalism's principled isolationism and

decisionism and views these as revelatory of nothing less than the totalitarianism and tyranny which serve that isolationism and decisionism. Against liberalism's principled isolationism and its decisionist statism,⁶ John Paul II advocates a Christoform constitutionalism. A Christological natural law will help build a culture of life, he reasons: a politics of *liquefactio* (Is. 49: 14–15) will confirm the solidarity of the social body's "sprinkled blood." However, the argument of this chapter ends (3) by insisting that the solidarity of the "sprinkled blood" cannot be confirmed if Catholic social thought continues to promote a politics of rights against privilege. I argue that the encyclical's conclusions are best defended by continuing the Augustinian politics of *Humanae Vitae*, in which power is moderated by loci of privilege. It is such a politics that best fits the Church's traditional theory of the body and not the rights-based political philosophy the Church began to adopt after the war.

Let me say more about the structure of the argument, and especially of sections (2) and (3). At the heart of the culture of death, the encyclical argues, is the eclipse of God. To overcome this eclipse of God is the horizon for contemporary Catholic political philosophy.⁷ To reinvigorate Catholic reflection on the political, the encyclical reaffirms the rule of law and assumes a natural law jurisprudence. John Paul II reaffirms the *ius gentium*, casting the entire problem of the culture of death as a rejection of the stranger. Civilizations the world over have rituals to welcome the stranger (the usefulness of Scripture on this law of nations was discussed in the last chapter). *Cultus* is divine worship, and welcoming the stranger (*liquefactio*) is evidently linked to welcoming Christ, the One whose face is nowhere described in Scripture.⁸ A politics which has abandoned hospitality in favor of a principled isolationism and decisionism has separated itself from the law of nations and rejected the Christoform natural law upon which the *ius gentium* is based, and therewith human bodily and spiritual inclinations to the good. Thus, the culture of death is nothing less than a dehumanization in which the other is radically rejected in a cult of homicide. Fessard is so useful because he demonstrates that the principled isolationism of liberalism stems from a structural violence against the body. Liberal sexual politics is the defense of the enstatic body, the body in principle isolated both from ecstatic reason (the *ostiarius* of the Law) and ecstatic

sensuality. Such a body rejects its own propensity to self-diffusion, separating itself from ecstatic Being; therewith it rejects the foundling in enstatic sex; the unborn stranger in the womb; in its violent refusal of the order of good and being, it rejects civil society; and in favoring a utopian politics, it rejects God, the origin of strangeness, the God all of whose ways are not even known by the Son (Mk 13: 32; Mt 24: 36).

The encyclical posits in opposition to this liberal sexual politics a sexual politics of *liquefactio*, the sprinkling of blood in the love that wounds the lover. The argument of the chapter thus far will be at one with the encyclical. However, continuing a theme from the last chapter, the encyclical's use of Maritain's derivation of natural right from natural law must be reconsidered.⁹ While some cherish this "progressive Catholicism,"¹⁰ some express concern that Catholic social thought has become too closely allied to liberalism's advocacy of rights to be able to launch an adequate critique of liberalism.¹¹ A politics of rights has been a staple of Catholic social thought since the 1963 encyclical, *Pacem in Terris*.¹² Does the promotion of rights, even inside Maritain's carefully constructed natural law framework, help to recover God? Do rights, in fact, promote a culture of life? It is disturbing, for instance, that in a Europe trying to reinvigorate its politics of democracy and rights after the war, capital punishment was abolished at the moment when abortion was introduced.¹³ Yet, Catholic reflection on social and political philosophy has an alternative available to it, an alternative that continues to attract support. As is by now well known, Aquinas did not defend a theory of rights and yet he held strongly to the rule of law. Anscombe and MacIntyre have spoken favorably of law-based conceptions of social ethics, and such a theory of obligation appears to be the position of Levinas.¹⁴ In *Dependent Rational Animals*, MacIntyre elaborates the justificatory reasoning for the politics of *liquefactio* found in *Evangelium Vitae* but, pointedly, he does so without employing the concept of rights, relying instead on Aquinas's notion of *miserericordia*, the love that is owed in justice. The abolition of *miserericordia* in the culture of death has its roots in the liberal idolatry of the isolated individual, as MacIntyre brilliantly portrays.¹⁵ *Evangelium Vitae* assumes much of Thomas's legal and political theory and yet relies heavily upon Maritain's "Progressive Catholicism." I doubt that Thomas

and Maritain's Thomism can be made thoroughly consistent. Rather than arguing that natural law is a controlling framework for the Catholic adoption of the Rights of Man and democracy, as Maritain suggests, it would be better to understand natural law as a framework of *privileges*: in the last chapter I argued that marriage is better understood as a privilege than a right and that only such an understanding serves Catholic doctrine.

So the third part of this chapter is critical of the political reasoning of the encyclical but in no way hesitant in affirming its conclusions. Just as MacIntyre has provided the justificatory reasoning for *Evangelium Vitae* without recourse to a social ethics or politics of right, so too can Kolnai's theory of privilege. This theory advocates a vibrant civil society of multiform privileges that moderate the exercise of power but also, *given the very character of privilege*, overcome the eclipse of God. For God must be eclipsed if the stranger cannot be welcomed. The stranger is unable to be welcomed if an identitarian logic holds sway: indeed, the very experience of dignity¹⁶ or conscience¹⁷ requires privilege and hierarchy. The logic of rights has for its *raison d'être* an equalitarianism¹⁸ that is at root a horror of privilege and its protection of diversity. This was demonstrated in the last chapter. Privilege not only breaks identitarianism, allowing the stranger to emerge, but it also welcomes the stranger. Privilege is a response to the moral order, a response to the "order of ranks" among values (Scheler), which is nothing less than a response to the Eternal Law. Vitoria was absolutely correct to link privilege and grace. To stand in a place of privilege is "to 'be a cause of grace' [which] means to make the person a friend, to make him 'gracious' (*gratum*) to another; that is, to ingratiate or put someone in another's good graces who was not so before."¹⁹ The body opened by objective values, made ecstatic through the law, reduces domination. This hospitality needs to be confirmed by institutions which privilege the body's response to the unborn stranger. By contrast, liberal equality, upon which are based both the argument for abortion (Nussbaum) and the argument against welcoming the stranger (Jarvis Thomson), makes the unborn (and in principle all of us)²⁰ *persona non grata*.²¹ This "bias for immoralism" is structurally part of the drive to equality on the part of liberal democracy, for it

necessarily includes a denial of the very idea of intrinsic goods and evils as these presume hierarchy.²² It is, of course, for this reason that sexual politics is such a battleground in liberal democracies, for nothing quite exemplifies an order of values like purity and lust.²³ Liberal democracy's eclipse of God is not accomplished merely by the dismissal of hierarchy built into the pursuit of equality but by its most basic logic. As Kolnai observes, "the proclamation of man's 'sovereignty' is bound to displace his center of gravity into the nether regions of his being, and to degrade his nature toward a level of sub-humanity."²⁴ God's sovereign dominion over life and death is replaced by a pervasive and jealous materialism, "the immanent sovereignty of human needs."²⁵ A politics of privilege stands as a critique of the enstatic rights of equalitarian liberalism and a caution to theology both.²⁶ Rawls (and Catholic defenders of abortion) bases his defense of liberalism on the "original position," a conceit "winnowing away the features which distinguish persons from one another," generating, as Scruton puts it, the "disprivileged."²⁷ Theology, I will argue, can have no alliance with liberalism's "disprivileged." The rejection of privilege is an idolatrous gesture: a rejection of ecstatic *liquefactio*, the stranger and life. This chapter links Thomas's Christoform law conception of social ethics to a politics of privilege and in so doing will justify John Paul II's description of liberal democratic society as both totalitarian and tyrannical. Privilege, it will be concluded, is not merely a defense of liberty but a defense of the weak and innocent from the war waged upon them by the strong.

To begin assessing the liberal politics of the body, let us return to our three guiding questions: (1) Is secularized modernity the source of the contemporary conflict between flesh and spirit? (2) Is such a conflict dominant in Catholic thinking? (3) What sort of bodily politics is needed to avoid this conflict?

(1) Like his contemporary, Albert Camus, Fessard sees in the French Revolution an epochal event in which liberalism both rejected the Church and religion as such²⁸ and became a dominant political logic that ultimately gave birth to two other political logics: Communism and Fascism (see PL, 105).²⁹ In his 1945 article *Par-delà le fascisme et le communisme*,³⁰ Fessard argues that liberalism's rejection of any analogy

between the structure and dynamics of the human body and the structure and dynamics of the body politic³¹ generates a violence internal both to liberal theory and the liberal state. This violence cultivates more violence, the violence of Marxist and Fascistic theory and practice.³² The philosophical interest of this analysis is immediate. Some historians of ideas link the bloodbath of the twentieth century to the rationalism of the Enlightenment, while others link it to a cult of the irrational. One commentator has recently claimed that a third way that proposes both as an explanation would not be possible.³³ Yet, such is found in Fessard. And more, Fessard takes the critique to the heart of the liberal critique itself. The liberal critique of the “organic metaphor” is precisely that it does violence to persons by compelling them to realize ends they do not recognize as their own good. Quite to the contrary, liberalism assumes that there is no single end of human desire but an ontological diversity of desires and goals.³⁴ Fessard turns liberalism’s critique against itself: if Fessard is right, it is liberal theory itself that is intrinsically violent, and historically, it is to blame for the shocking excesses of World War I (always conveniently forgotten by defenders of liberalism)³⁵ and World War II. Fukuyama, perhaps liberalism’s greatest popularizer in recent years, notes that Fessard was one of Kojève’s greatest students, and he might have done well to read him. For Fukuyama is completely innocent of even suspecting the homicidal undertow of liberalism³⁶ or that Communism and Fascism might have a common heritage in liberalism. His failure on the former is patent when he reduces the politics of abortion, which he acknowledges is “one of the most neuralgic” contemporary political conflicts in the United States, to a conflict of recognition between stay-at-home mothers and career women.³⁷

Fessard’s ambitious analysis starts with a Thomistic anthropology.³⁸ That said—and as was shown in chapter 6—I think the Thomistic anthropology familiar to Fessard was a product of a Jesuit tradition of interpretation: that tradition, oddly, owes less to Aquinas than to his student, Giles of Rome.³⁹ Still, it will be the latter’s violent theory of the flesh in combination with Hegel that will help make Fessard’s telling critique of liberalism. And yet, one can also find in Fessard a return

to Aquinas's own theory of sensuality, which enables Fessard to offer an alternative to the violence of liberal flesh.

For his analysis of liberalism and its progeny, Fessard takes as his starting point that through liberalism's defense of the "autonomy of the rights of Reason,"⁴⁰ the human becomes a "defleshed individual, [an] isolated atom," and an "abstract citizen of an ideal humanity" (FC 7)⁴¹ who is incapable of bringing the intellectual and bodily appetites into a unity in which all would find satisfaction and peace.⁴² For example, Kant, as has been noted, is explicit that sensibility is to be stamped out. The failure to even attempt an integration of human appetites is a violence to the human, argues Fessard, a violence that de-stabilizes liberalism itself by generating the new political logics of Communism and Fascism.⁴³ These political logics sought to reclaim a lost unity, both mobilizing "the irrational forces of the human which democratic rationalism had let go without employ" (*les forces irracionales de l'homme que le rationalisme démocratique avait laissées sans emploi* [FC 6 & 13]). It is worth noting that Maritain consciously attempted to avoid this pitfall by setting liberal democratic theory upon a Thomistic anthropology. I shall argue later, however, that his attempts fall foul of Thomas's warnings against an overly Stoic characterization of the distinction between reason and sensuality.

Adopting what he calls the traditional doctrine of the human since Aristotle, Fessard defines the human being as a "rational animal" but also a "political and social animal" (FC 8). From this definition, Fessard shows that liberalism and its twin progeny fail to affirm what it is to be human and that under each of these political logics the human and the body politic is violently divided against itself (FC 7).⁴⁴ While liberalism rejects the reality of human sensuality and its propensity for procreation, family, local and national association, Communism and Fascism identify with the "irrational forces" of the human being. Yet neither mystique seeks to integrate these appetites in the fullness of human reality, being a unity of rational, social, and political appetites. In both cases, the means to overcoming the oppositions within the person and the oppositions within the body politic are an intensification and exacerbation of the violence inherent in the "irrational forces" themselves. Addressing these oppositions, both mystiques suffer an in-

ternal contradiction since, as Fessard puts it, they “would wish to conquer the world by an irreconcilable conflict” (*voudront conquérir le monde, à une lutte irréconciliable* [FC 7]). Thus, Marxism refuses to acknowledge the reality of the political relationship of domination and servitude and the appetite for political life upon which it is based. In its quest for a social existence in which there is no class division or state, Marxist practice can only do a violence to the human. Insofar as it envisages a final conflict to eradicate social division, and insofar as social division is rooted in a human desire for the political relationship of domination and servitude, Communism must do a violence toward the human, and do so perpetually (FC 22–23).⁴⁵ In the case of Fascism, the political relationship of domination and servitude is so glorified that the violence inherent to this relationship forever thwarts the human appetite for social coexistence (FC 6 & 8):⁴⁶ the appetite to surmount division, both interior and exterior, is rejected as such (FC 28).

If all three ideologies bear within them “the same opposition” (FC 15), how can Catholic flesh hope to unite the disparate appetites of the human? Central to Fessard’s argument is the claim that the transcendence of liberalism is “an appeal to a perpetual transcendence” (*cet appel à une perpétuelle transcendance* [FC 15]) in which nature and tradition are rejected (FC 15–16), while Communism and Fascism reject transcendence altogether, reducing the human to a natural history. By contrast, Catholicism, he argues, appeals to transcendence to overcome the limitations of nature, but it does so in a fashion whereby nature is cultivated and integrated into the life of grace. Recalling Thomas’s dictum that grace perfects nature, Fessard argues that grace conserves and fulfils human reason (*conservait, bien plus accomplissait la raison humaine* [FC 16]) and that the human is “the animal who tends toward reason” (FC 14). Built into the very structure of human desire is a refutation of the atomized individual of liberalism: indeed, because liberalism rejects the connection between humans that comes of the sacrifice of self for other, Fessard adds that liberalism will forever remain incapable of satisfying human desire, since it makes no appeal to the natural structure of ecstasy nor to the desire for grandeur, the root of sacrifice (FC 14). Interestingly, this point has become a centerpiece

for the analysis of liberalism by France's leading contemporary political philosopher, Pierre Manent, himself a student of Fessard's close friend, Raymond Aron. An important part of this culture of grandeur and sacrifice is the Eucharist: as was discussed in chapter 6, Fessard clearly sees Eucharist as a mortification of sensuality in which the ecstatic structure of sensuality itself is cultivated.⁴⁷

By way of concluding Fessard's argument: against the thesis that Christian flesh provided National Socialism with a ready-made template for the persecution of Jews (and homosexuals), Fessard argues that the violence of both Fascism and Communism is a violence of liberalism itself; a consequence of the fact that liberalism sets human desire violently against itself. The failure of liberalism to develop a Christian sensuality, never mind an erotic liberalism,⁴⁸ by rejecting a transcendence intimately linked with the natural, generates the violence of Fascism toward both reason and flesh (in that it seeks only to exacerbate division through a glorification of violence). Thus, Fessard helps show both that Catholic flesh is not necessarily violent flesh, nor is anti-liberalism necessarily a glorification of violence. Rather, the loss of the ecstatic body inevitably flips over into violent political forms. Fessard clearly seeks a reaffirmation of hierarchy within the body, and in the third and final part of this chapter it will be shown how this inevitably is to re-affirm privilege in the social and political orders.

(2) However elegant Fessard's analyses, his identification of the tyranny and totalitarianism forever incipient in liberalism is easily dismissed. Yet, the most shocking pages of *Evangelium Vitae* do insist on such a relationship. Six years after the fall of the Berlin Wall, *Evangelium Vitae* appeared in print. It is the longest papal encyclical of John Paul II's pontificate and the encyclical which the pope himself thinks is the most important he has written. *Evangelium Vitae* is a sharp rebuke of certain ideas about human life that are prevalent in liberal democracies, including the United States. This encyclical, if you will, casts its uncompromising moral gaze upon us, as it had upon the Communist world and its violent ideology. I want to focus on John Paul II's claim in *Evangelium Vitae* that contemporary liberal democracy is totalitarian and tyrannical (EV, 20).⁴⁹

What is so interesting about this papal claim is that, surely, nothing

is easier to dismiss than the claim that tyranny and totalitarianism characterize the Western liberal democracies! We are, after all, nothing like the militant secular atheists of the totalitarian Communist governments of old. After all, we hold dear to the separation of powers, popular government, free speech, due process, and justice for all. Why then would anyone think that the Church should distance itself from our political forms of life as it did the despotisms of the old Eastern bloc? Even Kolnai, who speaks of “the original sin of American democracy” being “the primal gesture of the Rebellion” against King George III (PM, 204), spoke of America only as a *Totalitas sine tyrannide* (PM, 201). Is the Church seriously trying, as Mark Lilla puts it, “to deny any essential difference between tyranny and the free societies of the West”?⁵⁰ Jacques Maritain certainly thought there was an essential difference. He refused to acknowledge any interior connection between liberalism and tyranny, regarding the American Constitution, for example, as a “peerless” and “outstanding lay Christian document,” albeit “tinged with the philosophy of the day.”⁵¹

Maritain wrote these words in his classic 1951 *Man and the State*. Kolnai thought this book full of “Christian-leftist social fantasies” (PM, 224) and said of the book that in it the “Anti-Christ [is] begged to accord an asylum to Christ.”⁵² Although this characterization might seem extreme, profound grounds for reservation about Maritain’s characterization of the American Constitution have since emerged.⁵³ As Stanley Hauerwas has recorded about the early 1970s, Christians in America knew a debate was emerging about whether abortion might be made legal in certain cases but were completely surprised and stunned when abortion became an American “institution.”⁵⁴ In other words, Christians, shocked by the slaughter of the innocents, can no longer be sure that an essential difference does exist between tyranny and the putatively “free societies of the West.”

If Hauerwas and Maritain were surprised by the course liberal democracies took, Aurel Kolnai was not. Maritain’s junior by eighteen years, yet dying in the same year, Kolnai’s prophetic voice chills us today. A man who once shocked Raissa Maritain when he told her over dinner that he did not believe in democracy,⁵⁵ Kolnai in 1950 spoke of “the Progressive Democratic trend towards a medical and

psychiatric dictatorship.” At the 1993 World Youth Day at Denver, John Paul II echoed Kolnai when he spoke of the twentieth century as “an era of massive attacks on life . . . a continual taking of innocent human life.” *Evangelium Vitae* leaves us in no doubt what he meant by those words: commenting upon his own Denver text, John Paul II writes that Western democracies exhibit “an objective ‘*conspiracy against life*,’” wrought through “scientifically and *systematically programmed threats*” to life (EV, 17). A medicalized tyranny is here exposed as regnant throughout the West (EV, 4; 11; 59; 63),⁵⁶ as nothing less than a terror claiming the lives of millions of innocents equal to the terrors of Communism and Nazism. The numbers of innocents killed through abortion well justify the analogy (EV, 70) and if euthanasia is sanctioned by the liberal state, the numbers of innocents killed with state approval and cooperation will mushroom and far outstrip the innocents killed by the Communists and National Socialism. Indeed, American and European initiatives at the United Nations Conferences in Cairo and Beijing, on population and women respectively, saw a new imperialism, with the West attempting to export abortion by insisting it be made a right enshrined in international law.⁵⁷ John Paul II has come to see abortion, as his biographer, George Weigel puts it, “not as one issue, but *the* issue for the emerging world culture that would sustain, or corrupt, the free societies of the future.”⁵⁸ Who can doubt John Paul II’s insight here?⁵⁹ Abortion clearly is *the* horizon for contemporary Catholic political philosophy because it strikes at a fundamental assumption within Catholic political philosophy, indeed an assumption of any antitotalitarian politics. In Aquinas’s theory of homicide the innocent may not be killed on private or public authority. To kill the innocent on public authority is tyranny and because the state has no authority to kill the innocent, the state has no legitimate power to give this authority to private individuals. The exercise of such power by the state can only be criminal violence.⁶⁰ If Aquinas is right in this definition—and he does appear to be—John Paul II is quite correct that the modern liberal state is a tyrant state, its tyranny and totalitarianism all in the service of a principled isolationism that rejects the stranger.

But is raising the specter of liberalism and its cult of abortion, what

D'Souza has called "the bloody essence of modern liberalism,"⁶¹ just confusing possible genuine philosophical criticism of liberalism with "the politics of theological despair"? Do we not now know that, as Mark Lilla has recently pointed out, Carl Schmitt supported vicious rightist movements because he wanted to be "a real Catholic . . . against the abortionists"?⁶² And isn't claiming some moral proportion between the state totalitarianism of Communism and the tyranny of National Socialism with liberalism reckless, a failure of character, as Mark Lilla suggests?⁶³ Might it not be possible to simply call back liberal democracy to its deepest aspirations and promise? Don't the texts of Maritain and John Paul II suggest this approach? This is the interpretation of John Paul II's thought found in Weigel's work,⁶⁴ and is perhaps the typical interpretation of *First Things*.⁶⁵

An interesting question then emerges: Does *Evangelium Vitae* refuse *all* accommodation with liberal democracy? Or, to put the question a little differently, can Catholic social thought safely accommodate itself to liberalism? Ever since Pius IX condemned liberalism when he issued the Syllabus of Errors in 1864, Catholics living in liberal states have had to wonder what accommodation with liberalism is possible. When looking at *Evangelium Vitae*'s treatment of three of the typically studied architects of the liberal democratic tradition, an outline of a critique of rights can be discerned. The remainder of the second part of this chapter will document this critique. In the third part of this chapter, this critique will be given the flavor of Kolnai, a flavor found more recently in MacIntyre and Kraynak. Kolnai suspects that an eclipse of God and hence of man (EV, 21) is built into the logic of rights found in progressive democracy. It is not enough, as Maritain thought, to root rights in natural law. Rights will sheer off from natural law and its obligations, thinks Kolnai, as progressive democracy's equalitarianism actively seeks to erode any constitutionalism built upon natural law and its ranking of values (PL, 108). Moreover, Kolnai stands as a corrective to recent decades of Maritain-inspired Catholic social thought, and *Evangelium Vitae* is no exception. To demonstrate why Kolnai is useful to Catholic social thought is to demonstrate that a wrong turn has been made and that the influence of Maritain has not been a good one.

John Paul II's hostility to the architects of liberal democracy and rights theory is quite evident. Like Kolnai, but quite unlike Maritain, John Paul II shows signs of concern that the ideas of Locke, Hobbes, and Rousseau do not merely "tinge" the liberal democratic tradition but constitute its core. For John Locke, ownership of the product of my labor is inalienable because it is rooted in a prior inalienable relationship, my ownership of my body. All political order, all sovereignty, is centered upon this absolutely foundational owning of the body. This position is explicitly rejected in *Evangelium Vitae* (20; VS, para. 32). Locke's position is a further explication of Thomas Hobbes—routinely identified as the founder of the liberal democratic tradition—and his elaboration of the idea of the individual in the state of nature. Hobbes developed the idea of the individual as prior to any obedience to religion, state, civil law, race, or sex in order to establish that the individual was sovereign.⁶⁶ Hobbes and Locke share, whatever their other differences, a rejection of the Thomistic natural law tradition. It is undeniable that the character of this rejection has had a galvanizing effect, especially in its Lockean form. A mainstay of abortion rights philosophy is the Lockean-inspired argument that my body and whatever might be growing in it is mine to do with as I will: it is also the mainstay for the putative licitness of sex change operations, as well as the operations connected with the more recent psychiatric phenomenon of body dysmorphia.

In his 1961 article, *Thomistic Personalism*, Wojtyla identifies Descartes as the origin of the assumption that "consciousness and self-consciousness constitute the essence of the person" (PC, 170). The person in Descartes's view (and here an echo of Fessard can be heard) is no longer "a substance, an objective being with its own proper subsistence—subsistence in a rational nature,"⁶⁷ with its sensuous, bodily inclinations and dynamisms. This view contrasts sharply with that of Thomas, for whom consciousness and self-consciousness are, Wojtyla tells us, "derivative, a kind of fruit of the rational nature that subsists in the person" (PC, 170). Many years later, John Paul II sums up the consequence of the Cartesian theory: "A freedom which claims to be absolute ends up treating the human body as a raw datum, devoid of any meaning and moral values until freedom has shaped it in accor-

dance with its design” (VS, para. 48). Unsurprisingly then, and by contrast to a theory of rights that would separate morality from a set of sensuous, bodily inclinations rationally moderated, John Paul II appeals to the Thomistic tradition of *lordship* of self (EV, 52; VS, para. 38–40), which is explicit that no one has an absolute lordship over his or her bodily self.⁶⁸ This appeal to lordship is full of meaning, connoting as it does, hierarchy, privilege, community, and vassalage. This limited lordship over self is an implication of the fact that we are all of us already claimed by, and must be obedient to, the lordship of the natural law. It is this prior claim upon us that gives freedom “an *inherently relational dimension*” (EV, 19) and which makes my bodily gift of self to another normative (EV, 23 and 25).

Matters stand quite otherwise with Thomas Hobbes. He conceives of the natural law as restricted to self-preservation that is inseparably tied to another human dynamism, the lust to dominate. Together the propensity to self-preservation and the lust to dominate are normative for the political. These twin principles are rejected in at least four places in *Evangelium Vitae* (7; 8; 19; 20). Such an understanding of the political inevitably leads to what has, in fact, come to pass: our liberal democracies are structured by a tyranny of the strong over the weak (EV, 19 & 20). The claim that today’s democracies are tyrannies is justified by both the unlimited character of these democracies—the British parliament proudly boasts that it is sovereign and governs subject to no law—and the fact that innocence is no longer a protection against falling victim to their legislative authority (EV, 72). In the traditional teaching on homicide, a homicide can be morally licit on public or private authority only if someone is “dangerous and infectious to the common good on account of some sin” (ST II–II, q. 64, a. 2). If someone does not meet this definition, then the government cannot kill him or her, nor can a government give the authority to kill to any other person. Judges who make law that allows the innocent to be killed are usurpers (ST I–II, q. 96, a. 4). What protects you and me from tyranny is our innocence (VS, para. 79); it is the “wall of magic” (de Maistre) that separates us from despotism.

Actually, things are darker than is even suggested in the language of the tyrant state. For *Evangelium Vitae* argues that the tyranny afoot in

the modern liberal democratic states is nothing less than “a *war of the powerful against the weak*,” in which the unborn, sick, disabled, and elderly are identified *as the enemy* (EV, 12; 14; 15). This is not meant to be taken as hyperbolic. Such an argument follows quite lucidly once the natural law theory of homicide is rejected. This is clear from the work of Carl Schmitt on war. Schmitt rejected natural law, for he was convinced that there can be no *moral* justification for homicide. This does not mean that one cannot kill, however, for there is an existential justification. The enemy to be fought in war is the one who “negates his opponent’s way of life.”⁶⁹ Who can deny that vast numbers of the unborn who are aborted are aborted because the liberal state allows the powerful to wage war on a perceived existential threat, that their children “negate” their “way of life”? John Paul II merely points out here that liberal democratic states, separated as they are from the natural law, easily fold into the Schmittian logic of politics and war. Indeed, a Schmittian decisionism appears to have entered into the works of some Catholic moral theologians (their ideas are critiqued at VS, para. 55-56).

John Paul II’s treatment of the architects of rights theory identifies the theory’s deepest logic as an eclipse of God (PL, 22; 26). The eclipse of God is a central explanation of the culture of death, and the root cause of this eclipse is the liberal idolization of absolute autonomy (EV, 20) and the decisionism that is its necessary consequence. This is most clear in Rousseau’s contribution to the liberal democratic tradition. His contribution, in the words of Pierre Manent, is to think: “it is natural for man to change his nature because man, at bottom, is not nature but *liberty*. And liberty is that power by which man gives orders to his own nature, or changes his nature, or is a law unto himself.”⁷⁰ John Paul II speaks eloquently of a sinister turn in our democracies, where there is a widespread tendency to interpret “crimes against life as *legitimate expressions of individual freedom, to be acknowledged and protected as actual rights*” (EV, 18; 4; 11). Of course, the power of tyrant states to give a patina of legality to widespread criminality is not new. Commentators as diverse as de Maistre and Albert Camus are agreed that rank criminality was legitimated during the French Revolution, and both identify the same source: the political philosophy of Rousseau. There should be little to surprise us here. Once the individual is

recognized as “a law unto himself,” as a sovereign without any constitutional restraint, as it were, why would one be surprised that the sovereign would become a tyrant? Is it not an axiom of the liberal tradition itself that unlimited power corrupts? That there is widespread collusion on transforming crimes against the innocent into rights recognized in “law” should disturb us, but it ought not to surprise us.

And now it seems that the state should grant us all a right to health, or the right to design our offspring, a right to be founded on a “scientifically and *systematically programmed*” (EV, 17) cannibalization of human life at its inception. This returns us to Kolnai. Recall his comment cited earlier concerning “the Progressive Democratic trend toward a medical and psychiatric dictatorship.” John Paul II writes:

Choices once unanimously considered criminal and rejected by the common moral sense are gradually becoming socially acceptable. Even certain sectors of the medical profession, which by its calling is directed to the defense and care of life, are increasingly willing to carry out these acts against the person. In this way, the very nature of the medical profession is distorted and contradicted, and the dignity of those who practice it is degraded.

(EV, 4)

Why is it that parts of the medical profession are “increasingly willing” to participate in crimes against the innocent, and what is the root reason that liberal democracies tend toward “a medical and psychiatric dictatorship,” in Kolnai’s words? The utopian mind is the root cause, and it received powerful formulation in Rousseau’s political conceptions. Here is the vision of one professor of medicine at UCLA’s School of Medicine.⁷¹ Dr. Gregory Stock, Director of the Program on Medicine, Technology and Society at UCLA, hopes that embryo experimentation and cloning will mean:

Parents would choose the embryo with the highest potential IQ and the most desirable characteristics. Then they would cut and paste genes from other embryos . . . to create a child tailored to reflect the parent’s values . . . Stock speculates that parents could design children to be optimistic and attractive and live until an advanced age.

And there is more,

... conservative, “tyrannical” politicians, many of whom he says lack even rudimentary scientific education, are trying to inject themselves into what he believes should be personal reproductive and medical decisions.

The utopian mind exhibited here is quite classic; it has experimented before in history and with disastrous and despotic results. Following Kolnai, we easily identify the desire to substitute a perfect world for an imperfect human world; the claim that the power to reject and destroy the basic structure of reality should be in the hands of “one unitary and sovereign human authorship”; not the conservative non-scientists but those who are the enlightened avant-garde of a new social revolution. Behind all this lies Rousseau’s appeal to us that human essence is liberty and that we can order and change our nature according to our will (PL, 110). The new terror in Stock’s vision that medicine be permitted “to create a child tailored to reflect the parent’s values” is but a reflection of the violence of the monistic utopian mind itself caught, as it is, in a contradiction: as Pierre Manent puts it, “the utopian group or sect *simultaneously* desires sovereign mastery over nature or history *and* docile servitude under it.” For, of course, Stock and others like him want some human qualities, but through “cutting and pasting” human embryos they mean to reject other qualities that make us human. Certainly, the stranger will never appear again. Stock’s vision does appear to typify a certain American thinking and may well justify Kolnai’s words:

The American *Totalitas sine tyrannide* then is in one important sense the most genuine and most successful of totalitarianisms. Utopia, in America, displays its more moderate face; but, the protest of human nature against Utopia is most effectively silenced there.

(PM, 201)

(3) *Evangelium Vitae* clearly rejects the basic arguments of the architects of the liberal democratic tradition. And yet, what of Maritain’s

natural law rights theory as the underlying political philosophy of *Evangelium Vitae*? The similarities between the document and chapter 4 of Maritain's *Man and the State* are strong (EV, 2; 70; 73).⁷² The natural law constitutionalism of Maritain and the encyclical is, at least for a liberal, a fairly attenuated defense of democracy. For, like Thomas Aquinas, the encyclical insists on the sovereignty of the natural law (VS, para. 57) and not the people of a nation.⁷³ The natural law in the Thomistic tradition is a participation in the eternal law, a participation in the rationality of God (ST I-II, q. 91, a. 2; VS, para. 44). In the Thomistic tradition, all constitutions have an extra-constitutional foundation in an objective moral structure from which determinations of good and evil can be made (VS, para. 13; 52). Laws that governments might promulgate that diverge from this objective structure of good and evil are not laws but violence, and are to be resisted as such (ST I-II, q. 93, a. 3, ad 2; EV, 72). They are to be resisted because they depart from promoting the common good (ST I-II, q. 90, a. 4). What is often called "the democratic process" must be obedient to this prior sovereignty. Nevertheless, at one with Maritain, John Paul II claims that natural law provides "the principles of fundamental equality" (EV, 20) among human persons and specifies the ends to be pursued in a democracy and the means to be employed (VS, para. 96). He also argues that the Church has the "right always and everywhere" to proclaim moral principles and to make "judgments about any human matter" required for the defense of "fundamental human rights or the salvation of souls" (VS, para. 27). The language of "fundamental" equality and human rights soon gives way, however, to the elaborate rights of Maritain's *Man and the State*.⁷⁴ Although these rights are not enumerated in *Evangelium Vitae*, Maritain's elaboration of the rights of man can be found in John Paul II's early *Laborem Exercens* and later *Centissimus Annus*. A certain tension exists, then, between the critique of the architects of the democratic rights tradition and the avowal of Maritain's natural law version of this same tradition. One might think that *Evangelium Vitae* is trying to pull away from Maritain's synthesis but, according to Weigel, to view the later John Paul II of the 1990s as backing away from his earlier enthusiasm for the "democratic project" is "profoundly mistaken."⁷⁵ Indeed, *Evangelium Vitae* says that democ-

racy is “a most precious and essential good of society” (EV, 69), which verges on *prohibiting* other political forms.⁷⁶

Certainly, however, a tension in the encyclical highlights the persistence of two strains in Catholic social thought. As was seen in the last chapter, the “politics of the family,” Catholic teaching on sex and marriage, clearly rely upon ideas of privilege and hierarchy (TB, 173)⁷⁷ despite the (inconsistent) fact that, as was also pointed out in that chapter, the 1995 *Catechism* does speak of a right to family and marriage.⁷⁸ Perhaps if one understood Catholic social thought to argue for a mixed regime in which a democratic element stood alongside privilege, one would have a way to reconcile the strains within the tradition. There are many meanings of democracy after all, and *Evangelium Vitae* distances itself pointedly from what is called “the democratic culture of our time” (EV, 69). Marsilius of Padua developed a medieval democratic tradition and was not alone in doing so. A thinker like Hayek has a constitutional theory of democracy that shares something with a Thomistic law conception of social ethics and politics.⁷⁹ Interestingly, Hayek, in seldom-commented-upon passages, draws our attention to the Spanish Jesuits of the Early Modern period, especially de Molina and de Lugo. He finds them to be articulating a conception of political and economic liberty rooted in the natural law tradition.⁸⁰ For the most part, Kolnai thought a mixed regime was *practically* the best that could *currently* be hoped for,⁸¹ although his constitutional proposal for a post-Franco Spain was vibrantly monarchical.⁸² Weigel has observed that John Paul II’s thinking about democratic liberalism is ongoing.⁸³ It seems undeniable that he has become somewhat more skeptical.⁸⁴ Might it be then that in *Evangelium Vitae* the Church is not seeking a moderated democratic liberalism (Maritain’s position) but a political order in which democracy is an element *among other* political forms? This is no real solution, however, since to my knowledge other possible political forms are nowhere mentioned in recent Catholic social thought or *political* instances of privilege and hierarchy. A definite point of contact does exist though. Commenting on Paul, John Paul II argues that holiness is a state (can we read *status*?) rather than an action (TB, 294). This state is primarily of an “ontological character” and secondarily of a moral character. It is a principle of division, of

“alienation” even (TB, 300), for the *status* of holiness “is a separation from that which is not subject to God’s influence.” Just as the family is not strictly political and yet in a second aspect contributes to political pluralism, so holiness has this double aspect. Privilege in Kolnai is more thoroughly political, of course, but this Pauline notion of holiness could find direct applications in the political: one need only think of a re-sacralization of the law or Smith’s notion of the pious. Indeed, Kolnai’s point is that the manifold loci of privilege, dividing and separating political power, is a manifold of holiness. Privilege is ecstatic in straightforward ways—whether this stems from a phenomenology of height⁸⁵ or Smith’s “invisible hand” (*as this is explained in his Theory of Moral Sentiments*)—but it is ecstatic in its deepest sense as a response to a moral order. Of course, this propensity would be intensified once linked to a hierarchy of grace, for grace ennobles (TB, 447), but this would also require Christian theology to reclaim an adequate (non-equalitarian) theory of grace.

The tension within Catholic social thought stems from a failure on the part of Catholic social thought to develop a politics congruent with the Church’s traditional theory of the body. When thinking about the body, sex, and social order the Church relies on ideas of privilege and hierarchy, yet in its consideration of the political the language shifts definitively toward rights, even if the natural law foundation of democracy is a departure from liberal thinking. One might argue that this is the point liberals have been making, that the Church needs to bring its sexual and social thinking into line with the liberal democratic sensibility. The problem with such a position is, however, that the Church’s sexual and social thinking is so profoundly Christological (my chapters 1 through 8), while her recent political thinking is, well, derived from Maritain. The conclusions of *Evangelium Vitae* are better defended through Kolnai’s thought, for social and political privilege are more congruent with the Christological body than are the isolationism and decisionism of rights. I will close this chapter with some of Kolnai’s considerations of democracy. Catholic social thought must face up to a fundamental question: Can liberalism’s principled isolationism be separated from an otherwise ecstatically ordered democracy? De Toqueville for one is skeptical: democracy “not only makes each man

forget his forefathers, but it conceals from him his descendants and separates him from his contemporaries; it ceaselessly throws him back on himself alone and threatens finally to confine him entirely in the solitude of his own heart.”⁸⁶

A *highly moderated* form of democracy must be sought by the Church, which is only to affirm that the antitotalitarian tradition of Catholic social thought from the Middle Ages and up *into* the papal encyclical tradition once understood Kolnai’s central claim: the logic of equal rights folds into the social monism of totalitarianism. In the work of Kolnai, the Church has an already elaborated theory of why such a politics is necessary and an outline of the public philosophy required to make it persuasive. For Kolnai, and the basics of this position crystallized in the early 1940’s, democracy *should be an element* of a political order with manifold foci of privileged orders, with a hierarchy between orders, wherein rights are understood only to express sites of social privilege (PM, 210), giving a “multiform participation of the citizens” in political power (PM, 208). In other words, a genuine political pluralism must acknowledge the “given realities” of natural and social privilege and *the reality of power* attending these hierarchies. And, while the acknowledgement of such privilege is not incompatible with a fundamental equality of all human persons under natural law (PL 70), it is incompatible with an *elaborate* theory of equal rights. This, thinks Kolnai, is the core of Catholic social thought—and it certainly strikes me as a precise formulation of Aquinas’s understanding of politics and natural law.⁸⁷

The social emphases promoted by Kolnai help develop a deeper political liberty⁸⁸ than liberalism (PM, 116) or Progressive Democracy which, argues Kolnai, is “totalitarian in its pretensions” (PL, 177). This returns us to our last question and the close of this chapter: Can liberalism’s principled isolationism be separated from an otherwise ecstatically ordered democracy? Kolnai offers reasons to doubt this. In his 1950 essay, “Three Riders of the Apocalypse,” Kolnai closely compares and contrasts progressive democracy, Nazism, and Communism. Communism is systematically totalitarian in a way that Nazism and progressive democracy are not. These last two “represent the maimed forms of normal human society,” not suppressed as such but in the

first case overlaid “with a fiendish tyranny totalitarian in temper,” and in the second “infiltrated by the virus of subversive utopia bound for a totalitarian goal” (PL, 108). To date, argues Kolnai, the pre-modern inheritance and liberal civilization (Hume, Smith et al.) have restrained progressive democracy, but the “inward logic” is to systematically eat away at this pre-modern and classical liberal foundation of political pluralism founded upon privilege (PL, 108). These moderating influences cannot continue indefinitely, however (PL, 114), and progressive democracy shares with Nazism “biological and eugenic points of view,” which emphasis “ranks higher” than the pursuit of political power, as such, that marks Communism. Interested in the exercise of power, Communism is less interested than the other two political forms with “an all-round predetermination of the ‘human material,’ including its *natural quality*” (PL, 110, emphasis original). The prescience of these comments is obvious: fifty-odd years later our most fundamental political disputes revolve around the relationship between liberty and sex, generation, and biological manipulation. For what animates leftism is:

the preposterous endeavor to abolish contingency and man’s dependence on an order of things he cannot fathom and an order of right and wrong he can discern but not decree or improve upon, the endeavor in a word to subject all things that affect his condition to a human counterfeit of Providence.

(PL, 115).

In 1950, Kolnai observed that progressive democracy must be supported so that Communism might be defeated. However, support could mean no more than a “partnership” between progressive democracy and conservatives, which cannot be the “final aim” of conservatism. Later, the Christian conservative task will be “the breaking of its totalitarian monopoly” (PL, 117–118). By way of an attempt at this task, in the closing comments to this book, I will try to identify some ways in which privilege is still present in contemporary thought, how it might be fostered, and the eclipse of God overcome.

Concluding Remarks

“Privilege:” There is no dirtier word, right?¹ Perhaps. When I went to the lectures of Gerry Cohen as an undergraduate you would have described him as a dyed-in-the-wool Communist. But that was in the mid-eighties and a lot has happened since then: and Gerry Cohen has been thinking a lot. In answer to the title question of his 2000 book, *If You’re So Egalitarian, How Come You’re So Rich?* Cohen answers that the best egalitarians can hope to do is to live out their privilege by sending their children to the very best fee-paying schools and cultivating in them and themselves egalitarian sentiments: as such a person and parent, he says, “I thereby make it more likely that some who enjoy privileged positions will use them for egalitarian ends.”² This might seem a stunning admission, and in a way it is, but what is most impressive is its thoughtfulness. Cohen spends 200 pages trying out other answers and finding them wanting. I have argued more: privilege is a positive good; and more, Catholic sexual politics relies on privilege and must explicitly acknowledge that it does so.

Jeremy Waldron is hardly wrong when he alerts readers that there really are people out there who are inegalitarian theorists.³ Yet he also acknowledges that almost no theoretical defenses of basic equality have been attempted.⁴ Relying upon the theory Locke worked out in the 1680s, Waldron assumes it a basically Christian thesis that, as Locke puts it, “All Men by Nature Are Equall.”⁵ On the one hand Waldron’s argument that Christianity must have a central place in our political deliberations is very welcome; on the other, I’m pretty sure no theologian could agree with Locke. Contemporary Christian egalitarians would surely argue that we are *supernaturally* equal as always elevated

by grace, a structural, but not natural, participation in God. Conservative Christians would likely follow medieval tradition and argue that humans have a natural equality since each has a rational desire *to see God*. However, it will be insisted, this equality is quite secondary to a participation in God *having to be achieved* by acts of love,⁶ and consequently that humans can alienate their dignity.⁷ A conservative (Scheler, say) might even deny that in Christian doctrine there is either an obvious supernatural equality among humans or any sort of natural equality.⁸ The position I have defended is that basic equality is simultaneously natural and Christological, granted by our participation in the ecstatic norms of Eternal *law*: but following de Vitoria and Kolnai, I deny what Locke and Waldron assume, that from some such basic equality one can derive a social equalitarianism; there is no reason to think that the norms of the Eternal law are thoroughly egalitarian⁹ and besides, de Vitoria is quite correct when he stresses (following Thomas) that Eternal law does not cancel out the varieties of law and the scope of their autonomy.¹⁰

It is important that a defense of privilege, such as one finds in Kolnai, is neither a defense of a particular nor general *inegalitarianism*, as explained by Waldron.¹¹ It is not about finding particular persons born to rule (as per divine right of kings, say), nor is it a general *inegalitarianism* based on the idea that a certain type of person is superior to some other general kind or type of persons. I am most concerned to defend the idea that certain *acts* must be accorded social privilege: namely, in the sense explained by Saint Thomas in his discussion of *exstasis*, those acts that wound the lover. This is to argue that privilege is underwritten by an objective moral order.¹² An implication of Thomas's Christological natural law is that sexual acts which permit a bodily giving of self are normative. I defend this idea both as an interpretation of Thomas and as an ethical theory.

As an interpretation of Thomas, the argument began with metaphysics and Thomas's theory of desire. The material things of creation, being composites of matter and form, are conceived as various centers of desire with their satisfactions already partially granted. This, I argued, is the significance of Thomas's theory of the *concreatum*. This theory was contrasted with other conceptions of desire in the Middle

Ages, especially those of Averroes and Giles of Rome. These theories differ from Thomas's by loosening the relationship between desire and its object (Averroes) and making the satisfaction of desire by its object more conflictual (Giles). I later argued in chapters 2, 3, and 6 that the medieval alternative to Thomas's position is repeated in modern and contemporary philosophy, both secular and religious. The persuasive power of Thomas's ecstatic morality, I argue, stems from his theory of the body, which in turn is an application of his theory of the desire. The contemporary value of Thomas's philosophy of the body lies, unsurprisingly probably, in its middle position between two extremes. The first, terribly out of fashion *in one sense*—but it was also in the Middle Ages—is a view of the body as essentially evil. Thomas rejects this by affirming again and again the idea that love of the body incites us to a love of God. He also rejects another extreme, quite popular *in one sense* today, that the body is absolutely wonderful, to be affirmed and celebrated without reserve. Here, despite all the positive things Thomas has to say, he identifies in the body a transgressive moment, intensified by, but actually prior to, original sin. It is Thomas's argument that the body *is* a problem because it includes an inescapably transgressive dimension and unless its problematic status is acknowledged, and in our moral lives addressed, violence in, toward, and through the body will remain with us. That an overcoming of this violence is, in principle, possible, is a consequence of another dimension of the body: its propensity to ecstasy. This book has been an enquiry into Thomas's conception of the body as double in aspect,¹³ that the body is "a double nature" (Merleau-Ponty) being transgressive and ecstatic in structure. This double aspect theory of the body is enriched when Thomas makes it a foundation for natural law; a bodily foundation which is itself more deeply founded on Christ's own ecstatic body; Christ's glorious body being a moral body, an exemplar of a basic moral intuition, that the good is diffusive of itself. This argument confirms *Veritatis Splendor* and rejects the claim that in Thomas "a bodily giving of self" is "not proper to the love of persons as such."¹⁴ I show that Thomas is in complete agreement with John Paul II when the latter writes: "The person, by the light of reason and the support of virtue, discovers in the body the anticipatory signs, the

expression and the promise of the gift of self, in conformity with the wise plan of the Creator” (VS, 48). I think Thomas’s metaphysical analysis of the body is both brilliant and true, and I hope to have shown that it both clips the wings of more contemporary naïve theories of the body and offers a basis for a contemporary sexual politics.

Though, in fact, something peculiar must be stressed here. There is a certain disconnect between the contemporary *mood* about the body in most philosophical literature (and in the culture generally) and the philosophical principles used to explain the body. John Paul II has recently noted that Western culture is in the grip of a contradiction whereby its theoretical commitments are quite the inverse of its practices.¹⁵ The case that is his concern in *Evangelium Vitae* (1995) is our intellectual commitment to human rights and our total disregard for them in both our domestic and international practices. With regard to the body, a similar but different contradiction exists: the contemporary mood is to celebrate the body; yet in our bodily practices and theories of the body everywhere there is violence. My study agrees with John Milbank’s claim in *Theology and Social Theory* that Western thought has remained wedded to a metaphysics of violence,¹⁶ often “theologically promoted.”¹⁷ Yet, the dominant wish of Western humanitarianism (and its citadel is the university) is to live in a world of less violence. However, against Milbank, I think Thomism most thoroughly escapes this rather than some modified version of “Spinozistic” socialism. John Paul II’s sexual ethics offers a thoroughgoing challenge to contemporary liberalism because it relies on a theory of the body that delivers on the dominant wish of humanitarianism. The Thomistic-Wojtyla theory helps establish a powerful contrast, therefore: a contrast between embodiment as violence, despair, unintelligibility, and fragmentation, and embodiment as serene, just, ethical, and hopeful. Wojtyla’s Thomism is not a brand of humanitarian Kantianism (Kraynak) since it assumes the integration of sensuality and bodily appetite as interior to moral sexual love. Nor is it comparable to the humanitarian Kantianism of Rahner: for the concupiscence of nature is not “harmless” but always potentially transgressive, being a *pronitas* towards the use of the other as a sexual value alone, exclusive of the value of person. And it stands in marked contrast to other common theories of the body.

Contemporary theories of the body are sometimes inescapably violent even when their authors wish to escape violence (Foucault, Merleau-Ponty, Haraway); sometimes the violence can be escaped only through annihilation (Schopenhauer); sometimes the violence is escaped by conceding the Thomistic point that the body alone is unable to resolve the violence (Smith, Levinas, and perhaps Merleau-Ponty); but at other times the violence is just accepted (Deleuze) or even glorified (Bataille). Thomas comes out very well from this contrast, I think, and from this a number of things follow.

Such a Thomism is the foundation for the sexual ethics defended in *Humanae Vitae*. The encyclical, I argue, having adopted Thomas's theory of the body, develops a sexual ethics that diminishes violence. The argument of recent papal Thomism respecting sexual politics runs: if the goal of a sexual ethics is to decrease erotic violence and to promote a social and political order of greater peace, then such a sexual ethics requires a conception of ecstatic sexuality that affirms the person as called to the liberty of gift. And with this argument, Paul VI's encyclical assumes the anti-utopian cast of earlier Catholic political philosophy. As a foundation for contemporary Catholic thought on sexual politics, *Humanae Vitae* neither denies the domination found in sex nor seeks to eradicate it. Rather, in its teaching on procreation, and now following a tradition begun by Augustine, it seeks to *moderate* domination. It is a mark of an antitotalitarian politics that it seeks to moderate violence rather than to glorify it or eliminate it. It is little appreciated to what degree Catholic sexual ethics is such a politics. It is John Paul II who has seen this most clearly. This is why, to the horror of all, he has so assiduously linked contraception and abortion as structural principles of a culture of death.

When an undergraduate, I went from Gerry Cohen's (unreconstructed!) lectures to those of Roger Scruton, a longtime proponent of privilege. If it now seems that Left and Right can agree on the centrality of privilege and parents' naturally seeking preferment for their children, I also think both can agree that "abortion" is really the dirtiest word. John Paul II claims that those liberal democracies which sanction and foster abortion (in Europe, at least, many governments pay the costs of an abortion) are tyrant states and totalitarian. If liberals are

aghast on hearing this, conservatives are no less so. It is not that conservatives doubt that abortion is the killing of babies, nor do they disagree that a mark of tyranny is a governmental fostering of the killing of the innocent, but still John Paul II shocks them. Part of the reason is that it is hard for a patriot to be told that he has wrongly bestowed his love, but a deeper reason is a point well taken: conservatives object that it is absurd to suggest a moral equivalence between say, the American nation or the British establishment and Nazi tyranny and Bolshevik totalitarianism. One remembers the reaction to Churchill's ill-chosen comment that Attlee's socialist reforms will come with a Gestapo to enforce them. Behind much liberal argumentation, however, lies just such an assumption of moral equivalence and, among many liberals, Churchill's "Gestapo" remark is pretty accurate about any rightist agenda.¹⁸ Yet liberals remain aghast at John Paul II's position because the protection and promotion of abortion rights is, in America and Britain at least, foundational to their politics: abortion is a hallmark of liberty against tyranny!

This book closes against both liberals and patriots since its final and longest chapter is given over to trying to show how John Paul II is justified in his remarkable claim. Abortion is certainly an issue of culture, but it is also an issue of governance. By way of casting my comments in chapter 9 in a slightly different light, consider the work of Peter Singer. Singer is an undeniably interesting thinker. It is not that his arguments are especially deep or complex (but his books read all the more eloquently for this); it is rather the audaciousness of his thinking. By this, I do not (directly at any rate) mean his advocacy for infanticide, say, but his utopianism. It should be noted that Singer's effort to rewrite the laws governing homicide is *not* also an effort to diminish the number of killings. His goal is to diminish pain and increase pleasure and this will require more legal kinds of killing (and inevitably more killing in toto). His goal is remarkable because here democratic humanitarianism is self-consciously homicidal and its deep nerve tissue of killing and pleasure consciously exposed. And how is this a matter of governance? John Paul II speaks of abortion states as totalitarian and tyrannical. Were Singer to succeed in having the courts and legislators rewrite the laws respecting homicide, utilitarian techni-

cians would determine who should be killed (for he, as much as MacIntyre, rejects rights of choice) and the basic rule of thumb will be to kill those who are not, as he constantly repeats, "normal." Kolnai identified as the primary logic of totalitarianism its identitarianism. Without hyperbole at all, Singer can rightly be said to be a totalitarian thinker: through killing, his utilitarian technicians will strive to create a utopia of normalcy and pleasure. The state which licenses Peter Singer's technicians (has the Netherlands already done so?) will be both tyrannical and totalitarian. By contrast, it is the argument of this book that all political pluralists should recognize that contraception is a violence against the flesh whose issuance is a violence against the stranger in the womb. The mark of a civilization is that it welcomes the stranger, it is a part of the *ius gentium* to do so, and Catholic sexual ethics is an attempt to submit progressive, democratic political practice to this older, more primordial moral law.

Preface

1. See Milbank, *Theology*, 2, 4.
2. See the classic work of Talmon, *Origins of Totalitarian Democracy*
3. Weigel, *Witness to Hope*, 128.
4. His writings are beginning to be collected and published. His 1928 essay on disgust has just been republished (Kolnai, *Disgust*). A collection of his early essays in phenomenological ethics has recently appeared and a biography also (both with Ashgate). Also recently published are a set of his political essays and part of his autobiography (both with Lexington Books). Some of this interest is certainly created by his notable champions: Pierre Manent, David Wiggins, and Bernard Williams.
5. Kwasniewski, "St. Thomas, *Exstasis*, and Union," 587–603.

1. *Desire and Violence*

1. This, of course, helps make sense of the Pauline groaning of creation. For a fascinating analysis of Christ as the satisfaction of the world, a theme similar to that found in this chap. and my chap. 5, see Leahy, *Novitas Mundi*, 395–6: "Now the world in essence is the conception of Christ Absolute . . . now absolutely no one being at the disposal of another shall be disappointed." Cf. Leahy, *Foundation*, 401.
2. For a detailed discussion of the *concreatum*, and for citations to where the idea appears in many of Thomas's texts, see my "Matter and the Unity of Being," *The Thomist*, vol. 61, 257–77.
3. Wojtyła, who is otherwise fond of Ricoeur's philosophy, explicitly rejects his thinking on this point (TB, 170–171), affirming instead the *concreatum* (TB, 217).
4. For the extreme of this position, see my chap. 6 and the discussion of Gassendi.
5. Przywara, *Polarity*, 109.
6. *Ibid.*, 136.
7. I have in mind here representatives of the neo-Augustinian tradition.

To what degree Bonaventure should be directly included in their number is difficult to determine. It is probable that the greatness of his thinking eludes easy classification.

8. For the *moderated* role this conception of matter plays in neo-Augustinian thought, please see my “Augustinian Interpretations of Averroes,” *Modern Schoolman*, vol. 73, 159–72.

9. I have presented this interpretation of Averroes elsewhere, with many quotations and citations to his texts. See the article referred to in n. 2.

10. For a similar analysis of the relationship between desire and meaning in an intellectual mentor of Ricouer, see Ricouer’s preface to Nabert, *L’expérience intérieure*, vii.

11. For the ease with which thirteenth-century Christian Platonists exposed Averroes’s Platonism, see my articles on Robert Kilwardby, and Book X of Henry Bate’s *Speculum divinatorum*: “Presence of Averroes,” *Archiv*, vol. 81, 33–54; “The Science of Music,” *Acta Philosophica*, vol. 12, 323–35; Bate, *Speculum divinatorum et quorundam naturalium*: bks. VIII–IX–X, Ancient and Medieval Philosophy, Series 1, forthcoming.

12. See my “Was Medical Theory Heterodox?” *Recherches de Théologie et Philosophie médiévales*, vol. 68, 349–70. Cf. Foucault, *Care of the Self*, vol. 3, 55–56.

13. See the fascinating essay on Machiavelli in Manent, *Intellectual History of Liberalism*, 15.

14. Hobbes, *De Cive*, 93, 113. Spinoza, *Theological-Political Treatise*, 173.

15. Fukuyama, *End of History*, 147, 207.

16. I shall return to Smith’s position in chap. 9 when considering Diana Schaub’s “erotic Liberalism.”

17. Gay, “Theories of Aggression,” *Cultivation of Hatred*, 532. John Paul II identifies Freud, Nietzsche, and Marx as reifying and making absolute different biblical lusts (TB, 166).

18. Given Schmitt’s reputation, it might be a surprise to learn that his views are quite complex and that his world might be a less violent one than that defended by most contemporary liberal theorists. See my further comments in chaps. 6 and 9.

19. McAleer, “Who were the Averroists?” *Modern Schoolman*, vol. 76, 273–92.

20. Brague, “Le destin de la Pensée,” in *La question de Dieu selon Aristote et Hegel*, 152–86.

21. For a thorough discussion of Giles’s critique of Thomas, and his adoption of an Averroan metaphysics, see my “Disputing the Unity of the World” in *Journal of the History of Philosophy*, vol. 36, 29–55.

22. Although expressed in different language, the same metaphysical point can be found in Nabert; see Ricouer’s preface to Nabert, *L’expérience intérieure de la liberté*.

2. *Ecstatic Being*

1. Przywara pointed out the centrality of this principle to Thomist metaphysics as early as 1932. The point was made later by de Finance, and then by a number of others. See Przywara, *Analogia*, 140; de Finance, *Être et Agir*, 2nd ed., 62–68 and especially, 68, n. 100. Przywara also points out the home Psuedo-Dionysius gained in Dominican mysticism (Przywara, *Polarity*, 105).

2. de Finance, *Être et Agir*, 65.

3. As Cajetan puts it, “*propria ratio boni est fundamentum et causa propria appetibilitatis*” (*Commentary on the Summa*, Leonine ed., I. 5. 1).

4. For a good introduction to the nature of the *Cursus Conimbricensis* and the editorial methods used, see de Carvalho, “Medieval Influences in the Coimbra Commentaries,” *Patristica et Mediaevalia*, vol. 20, 19–37.

5. Fr. Manuel de Góis et al., *In libros Ethicorum Aristotelis*, disp. 1.

6. See the excellent pages on de Sade in Camus, *The Rebel*, 37–47.

7. See Bate, *Speculum divinatorum*.

8. Cf. Scheler, *Formalism in Ethics*, 54; 240–41. See Kant, *Groundwork*, 69, 73.

9. Kant, *Lectures* 138–41. See Betz, “The Rhetoric of the Sublime,” *Modern Theology*, forthcoming.

10. This seems to be an implication of John Paul II’s recommitment of the Church’s mission to develop conscience. On the nature and implications of this recommitment, see Becker and McAleer, “Contemporary Jesuits,” *Budhi* 41:283–97.

11. Milbank and Pickstock, *Truth*, 10; hereafter abbreviated as TA.

12. For a brilliant (though sadly now forgotten) treatment of the *visio dei*, de la Taille, *The Hypostatic Union*, 29–41.

13. Foucault, *Discipline and Punish*, 30.

14. Foucault, *History of Sexuality*, vol. 1, 95–97.

15. Deleuze, *The Fold: Leibniz and the Baroque*, 6; on the centrality of force in Leibniz’s metaphysics, see Klein, *Lectures and Essays*, 208.

16. Merleau-Ponty, “Indirect Language,” in *Signs*, 68–9; hereafter cited as SN.

17. Merleau-Ponty, “Introduction,” SN, 17.

18. Merleau-Ponty, “Indirect Language” SN, 49, 50; 66–67.

19. For Merleau-Ponty’s adoption of Marxism as dogma: “Marxism is not just any hypothesis which can be replaced tomorrow by some other . . . it is *the* philosophy of history . . .” (Merleau-Ponty, “The Yogi and the Proletarian,” in *Primacy of Perception*,” 213; hereafter cited as PP); emphasis original.

20. Merleau-Ponty, “Yogi” PP, 211.

21. Merleau-Ponty, “Yogi,” PP, 228.

22. Merleau-Ponty, “Note on Machiavelli,” SN, 221–23.

23. Milbank, *Theology*, 22.

24. I think Merleau-Ponty’s texts clearly show him to assume a metaphys-

ics of violence and so I am rather less sanguine than some Catholic commentators about the suitability of his theory of the body for founding a Catholic ethics. In a book I otherwise like very much, I find this regrettable assumption very much in evidence. See J. F. Kavanaugh, *Who Count as Persons?* 32.

25. de Lubac, *Mystery of the Supernatural*, 233–35.

26. Pope John Paul II, *Crossing the Threshold*, 210–11.

27. On Levinas's lack of knowledge about the scholastics, see Peperzak's introduction to his edition of *To The Other*, 10; hereafter cited as TO.

28. I draw the various formulations of this paragraph from Przywara, "Husserl et Heidegger," *Les betudes philosophiques*, 55–62.

29. Milbank, *Theology*, 306.

30. Levinas, *Otherwise Than Being*, 4, hereafter cited as OTB.

31. Pascal, *Pensée*, 75. Aphorism 243 is quoted as an epigraph at the start of OTB.

32. ". . . quando igitur intellectus intelligit aliud a se, *res* intellecta est sicut *pater* verbi in intellectu concepti: ipse autem *intellectus* magis gerit similitudinem *matris*, cujus est ut in ea fiat conceptio" (*Compendium theologiae*, c. 39; emphasis original).

33. A. Smith, *Theory of Moral Sentiments*, 157.

34. *Ibid.*, 76–78.

35. *Ibid.*, 128–31.

36. Nancy, *Birth to Presence*, 200; hereafter cited as BP.

37. "Thus, the body has been turned into nothing but a wound. We have not simply tried to dominate it through struggle, or hurt it, or even kill it; we have tried to take away its absoluteness from it" (BP, 205).

38. Milbank, *Theology*, 410. Deleuze's interpretation of Spinoza, the socialist collectivism of which Milbank admires, is critically discussed in my chap. 4.

3. *The Politics of the Flesh*

1. "Ad secundum dicendum, quod, sicut Philosophus dicit in 1 Politicorum, c. 3, *est quidem in animali contemplari et despoticum principatum, et politicum*. Anima quidem corpori dominatur despotico principatu, intellectus autem appetitui, politico et regali. Dicitur enim despoticus principatus quo aliquis principatur servis, qui non habent facultatem in aliquo resistendi imperio praecipientis, quia nihil in sui habent. Principatus autem politicus et regalis dicitur quo aliquis principatus liberis; qui etsi subdantur regimini praesidentis, tamen habent aliquid proprium, ex quo possunt reniti praecipientis imperio. Sic igitur anima dominatur corpori despotico principatu, quia corporis membra in nullo resistere possunt imperio animae . . . Intellectus autem, seu ratio dicitur principali irascibili et concupiscibili politico princi-

patu; quia appetitus sensibilis habet aliquid proprium, unde potest reniti imperio rationis” (ST I, q. 81, a. 3, ad 2); cf. ST I-II, q. 56, a. 5, ad 3.

2. Some commentators on Thomas are confused about his position. One goes so far as to say that on account of the Fall, the rule of reason over sensuality is political, whereas through the gift of grace in the state of original justice the human had despotic control over sensuality. See C. Gallagher, “Concupiscence,” *The Thomist*, vol. 30, 228–59. This claim strikes me as extremely confused and I know of no passages in Thomas where he speaks of despotic rule of sensuality being a gift of grace. Gallagher is, however, quite correct that his opinion is that defended by Rahner in his 1961 article, “On the Theological Concept of *Concupiscentia*.” For a fuller discussion, see my chap. 6. Rahner and Gallagher seem to be thinking of Augustine when he argues the inverse of Thomas. Augustine cites Cicero approvingly: “The members of the body are governed like children, because of their ready obedience, while the perverted elements of the soul are coerced like slaves under a harsher regime” (Augustine, *City of God*, 14, c. 23, 586).

3. Merton, *Seven Storey Mountain*, 108

4. Milbank, *Theology*, 414–15.

5. Billot, *De personali et originali*, pars tertia, q. 81–83, thesis II, 173.

6. Blanchette, *Perfection of the Universe*, 318.

7. *Ibid.*, 273.

8. Rahner, “Theological Concept,” *Theological Investigations*, vol. 1, 347; hereafter cited as TC.

9. TC, 348.

10. The *Catechism* speaks of concupiscence as “an inclination to sin” (para. 1264 nd 1426), in fact following Aquinas’s language at *De Malo*, q. 4, a. 2, ad 4.

11. *Catechism*, para. 400.

12. Suarez, *Opera Omnia*, vol. 4, ed. Vivès, *De peccato originali*, disputatio 9, sect. 3, 610a.

13. *Ibid.*, disputatio 9, sect. 5, 625a.

14. Oddly, Pascal appears to deny that concupiscence *materialiter loquendo* is a part of human nature, regarding it merely as a “second nature” (*Pensée*, 122) acquired after Adam’s sin.

15. For an excellent recent discussion of individuation in Thomas, see Dewan, “The Individual as a Mode of Being,” *The Thomist*, 63 (403–24).

16. Giraud, *I See Satan Fall*, 11.

17. The phrase belongs to David Gallagher and he is of the opinion that for Thomas a “bodily giving of self” is “not proper to the love of persons as such” (D. Gallagher, “Person and Ethics,” *Acta Philosophica*, vol. 4, 67, n. 62).

18. Suarez, *Opera Omnia*, vol. 4, ed. Vivès, *De peccato originali*, disputatio 9, sect. 5, 625b. For the almost identical formulation, see TB, 57.

19. “. . . cum tamen D. Thomas et Augustinus dicant concupiscibilem et potentiam generatricem ac sensum tactus fuisse maxime vulnerata. Respondeo has potentias ex natura sua esse procliviores in objecta sua, vel certe magis excitare et commovere hominem, et ideo dici magis laesas, quia justitia originalis in his potentiis majores impetus reprimebat” (*Ibid.*, disputatio 9, sect. 5, 626a).

20. de Lubac, *Mystery of the Supernatural* 24; hereafter cited as MS.

21. MS, 28; emphasis added.

22. MS, 29–30. One could add Nabert, *Elements for an Ethic*, 4; 10–11.

23. Milbank, *Theology*, 417.

24. See my chap. 5, where I discuss Thomas’s theory at length.

25. See my, “Individuation and Ethics,” *Budhi*, 2, 25–41.

26. For a succinct statement of this metaphysical problem, see Buffier, *Doctrine du Sens Commun*, 213.

27. For an interesting liberal attempt to overcome the classic justification of abortion in the identity of persons with subjective rationality, see Waldron, *God, Locke, and Equality*, 113. For the rejection in Catholic thought of the argument for abortion on the basis of subjective rationality, see EV, 19. For the claim that without rationality the human is no more significant than a sparrow, see Dombrowski and Deltete, *Brief, Liberal, Catholic Defence*, 129: do Pickstock and Milbank really want to associate themselves with such a position?

28. For MacIntyre’s refutation of any such idea in Thomas, see his *Dependent Rational Animals*.

29. This is incompatible with the Church’s doctrinal definition that the “rational soul is *per se et essentialiter*” (VS, para. 48) the form of the body. This teaching of the Church was defined at the Ecumenical Council of Vienna and reaffirmed at the Fifth Lateran Ecumenical Council (see also VS, para. 48). For an excellent article on how Descartes handled the teaching of the Fifth Lateran Council in relationship to his own metaphysics of the body and soul, see Janowski, “Is Descartes’ Conception of the Soul Orthodox?” *Revue de Métaphysique*, 39–55. Reading this article alongside the Pickstock-Milbank volume helps to identify the Cartesian heritage of the heterodoxy of their thesis.

30. *Amor amicitiae* is directed to subsistent goods while *amor concupiscentiae* is directed toward perfections of a subsisting being, that is, second perfections. The Milbank-Pickstock position makes the person a second perfection and so an object of a love of concupiscence. Thus persons are reduced to a means to other persons’ happiness. For an outstanding treatment of love and the metaphysical issues involved, see Gallagher, “Person and Ethics,” *Acta Philosophica*, vol. 4, 51–71.

31. de Finance, *Être et Agir*, 2nd ed., 65.

32. Courtney Murray, *We Hold These Truths*, 298.

4. *The Law of the Flesh*

1. As cited in von Balthasar, *Theology of Karl Barth*, 360
2. For a fine summary of this debate in recent decades, see Bowlin, *Contingency and Fortune*, chap. 3.
3. See L. Arnhart, *Darwinian Natural Right*.
4. Milbank, *Theology*, 415.
5. Hauerwas, *Community*, 176.
6. The historicism is clear with one of Hauerwas's students who writes that both theoretical and practical reasoning is "situated within a particular type of community of virtue" (W. Kavanuagh, *Torture and Eucharist*, 189). He relies on some of MacIntyre's earlier work for this claim. Counter to this, however, is MacIntyre's more recent espousal in *Dependent Rational Animals* of a metaphysical biology and the universal claims of practical reason that are a consequence of our animal vulnerability.
7. Klein, "On the Nature of Nature," *Lectures* 235.
8. von Balthasar, *Theology of Karl Barth*, 97.
9. It is parallel to the liberal claim to judicial usurpation.
10. The repudiating power of this Barthian understanding of word and spirit is what Milbank hopes to capture by the title to his collection of essays, *The Word Made Strange*. And it is strange indeed that the strangeness of the "Word" should get us only as far as the justice of socialism so proudly espoused by Milbank. For Letwin's identification of the intellectual trend to a defense of justice unrestrained by law, see her 1987 John Bonython Lecture, *Law and Liberty*.
11. It is worth noting that what is rejected here is moral objectivity, whether defended by natural law or the tradition of moral intuitionism. These moral theories (broadly understood) found strong advocates in late twentieth-century British moral philosophy, notably Kolnai and Mayo. Much of this book is a contribution to this style of moral theory. I hope to write a book in which moral intuitionism is used as a *corrective* to recent trends in theology to dismiss nature in favor of grace. The imbalance began to emerge in Catholic theology with de Lubac but is amply on display in most contemporary theology.
12. The point ascribed to Suarez is present in Vitoria who was certainly a source for Suarez. For the point in Vitoria attributed to Suarez, see de Vitoria, *On Homicide*, 147–53. Of course, I shall be arguing that Milbank misunderstands both Vitoria and Suarez.
13. The same argument is found in Bowlin, *Contingency and Fortune*, 120–21, 133.
14. For his rejection of the Catholic commitment to a natural social order, see Milbank, "On Complex Space," *Word Made Strange*, 283.
15. All of the following quotations come from Milbank, "Critique," *Word Made Strange*, 13–29.

16. “Human good is heterogeneous because the aims of the self are heterogeneous” (Rawls, *Theory of Justice*, 554).

17. Ingham, *Harmony* 54.

18. *Opus Oxoniense*, IV, d. 28, q. un., n. 6; ed. Vivès, vol. 24, 378a. Cf. Lee, “Aquinas and Scotus.” 1982 *Proceedings of the ACPA*, 70–78.

19. Przywara, *Polarity*, 109.

20. Cf. Bowlin, *Contingency and Fortune*, 119. General rules derived from the first precepts of the natural law cannot be a concrete guide to action since the good is “contingent and complex.” See 129, where, I would argue, Bowlin reads Thomas as Scotus.

21. M. Scheler, *Formalism in Ethics*, 212.

22. See Bowlin, *Contingency and Fortune*, 131, 133.

23. See Ricouer’s preface to Jean Nabert, *L’expérience intérieure de la liberté*, xxv. A sustained refutation of a view like Nabert’s is found in Kolnai’s essay, “Forgiveness,” in the collection of his papers, *Ethics, Value and Reality*, 211–24.

24. A fine example of this misconstrual of Christian theology and metaphysics is found in Hans Jonas. His mistake on this point undermines the entire story he wishes to tell of the development of Western science. See his essay, “Is God a Mathematician?” in *The Phenomenon of Life*, 70–74.

25. This is basic to Bonaventure’s theology of order as well.

26. Kolnai, “Ghost,” *Philosophy* 5–16.

27. *Ibid.*, 12, n. 5

28. Kolnai’s 1950 approach is somewhat similar to chaps. 3 and 4 of Finnis’s *Natural Law and Natural Rights*.

29. *Ibid.*, 5. Kolnai shows there is no reason to accept Brentano’s positing of a conflict between natural law and moral objectivity. See Brentano, *Origin of Our Knowledge*.

30. *Ibid.*, 15.

31. Deleuze, *Expressionism in Philosophy*, 185; hereafter cited as EP.

32. John Milbank has spoken favorably of Deleuze’s Spinozism, albeit subject to certain modification (see *Theology*, 410). Besides Deleuze’s cosmological interest, I assume that what Milbank finds attractive in this Spinozism is its equalitarianism. In chap. 9, I will show how such equalitarianism is constitutive of the culture of death.

33. For the same in Marx, see Fessard, “Is Marx’s Thought Relevant?”, *Marx and the Western World*, 344.

34. Levinas, *Ethics and Infinity*, hereafter cited as EI.

35. “Efficitur vero extra se ipsum, quando non curat sua sunt, sed quae perveniunt ad bona aliorum; et hoc facit charitas (I Cor., XIII, v. 5): ‘Caritas non quaerit quae sua sunt.’”

36. “The world itself in essence is the body itself, is the living flesh of Jesus the Nazarene transformed into being here at the disposal of another in essence” (Leahy, *Novitas Mundii*, 348).

37. Pope John Paul II, *Letter to Families*.
38. Pascal, *Pensée*, 75; quoted by Levinas as one of the epigraphs to OTB.
39. Gallagher writes, “The precepts of the decalogue can be reduced to the precepts of love. Hence these fundamental precepts of the natural law primarily command a love of friendship . . .,” “Person and Ethics,” *Acta Philosophica*, vol. 4, 64.
40. As de Finance puts it, “la possibilité de cette participation repose tout entière sur la nature essentiellement diffusive, généreuse, de l’acte” de Finance, *Être et Agir*, 2nd. ed., 67.
41. Clarke, *Explorations in Metaphysics*, 119.

5. *The Body as Cross*

1. As cited in Pascal, *Pensée*, 99.
2. According to the editors of *The Jerome Biblical Commentary*, scholars agree that the Gospel of John was originally conceived as ending with this event, the most complete witness of faith in John’s Gospel: see *The Jerome Biblical Commentary*, 464, n. 178.
3. This event of the Passion is of extreme importance to John. Commenting on John’s Gospel, the editors of *The Jerome Biblical Commentary* say, “The Church can be said in a sense to have been born from the wounded side of Christ.” In addition to John, they cite Thomas, Ambrose, and Pius XII for support. See *The Jerome Biblical Commentary*, 462, n. 172.
4. Bellarmine, *Seven Words*, 136.
5. “. . . quod caritatis proprium est transformare amantem in amatum, quia ipsa est quae exstasim facit, ut Dionysius dicit. Et quia augmentum virtutum in hoc sacramento fit per conversionem manducantis in spiritualem cibum, ideo magis attribuitur huic sacramento caritatis augmentum quum aliarum virtutum” (IV Sent., d. 12, q. 2, a. 1, ad. 3).
6. Levinas, *To the Other*, 114.
7. “Et ideo amans quodammodo penetrat in amatum, et secundum hoc amor dicitur acutus. Acuti enim est dividendo ad intima rei devenire. Et similiter amatum penetrat amantem ad interiora ejus perveniens. Et propter hoc dicitur quod amor vulnerat, et quod transfigit iecur” (III Sent., d. 27, q. 1, a. 1, ad 4).
8. “Quia ergo Apostolus proprium affectum deposuerat per crucem Christi, dicebat se mortuum proprio affectu, dicens *Christo confixus sum cruci*, id est, per crucem Christi remotus est a me proprius affectus sive privatus” (Thomas Aquinas, *Super epistolas sancti Pauli lectura* c. 2, lect. 6, n. 107).
9. The same concern is raised by von Balthasar, see his *Word and Revelation*, 179.
10. “. . . caro tamen ejus, et mysteria in ea perpetrata operantur instrumen-

taliter ad animae vitam; ad vitam autem corporis non solum instrumentaliter, sed etiam per quamdam exemplaritatem” (ST III, q. 62, a. 5, ad 1).

11. Bellarmine, *Seven Words*, 134.

12. von Balthasar, *Theological Anthropology*, 33.

13. Suarez, *Opera omnia*, ed. Vivès, vol. 4, *De peccato originali*, disputatio 9, sect. 2, para. 21–22; 606b.

14. A study on this topic is already begun and develops the approach of the Baroque Spanish scholastic Báñez and the twentieth century French Jesuit, de la Taille.

15. “Amor significat coaptationem quandam appetitivae virtutis ad aliquod bonum. Nihil autem quod coaptatur ad aliquid quod est sibi conveniens, ex hoc ipso laeditur: sed magis, si sit possibile, proficit et melioratur” (ST I–II, q. 28, a. 5).

16. “Et *sicut* ignis non potest retineri a motu qui competit sibi secundum exigentiam suas formae, nisi per violentiam; ita *nec* amans quin agat secundum amorem” (III Sent., d. 27, q. 1, a. 1).

17. The Beguine Mechthild of Magdeburg writes: “As long as sinning continues on earth, Christ’s wounds shall be open: bloody, but not painful” (*The Flowing Light*, 327).

18. “Sed quia nihil potest in alterum transformari nisi secundum quod a sua forma quodammodo recedit, quia unius una est forma, ideo hanc divisionem penetrationis praecedit alia divisio qua amans a seipso separatur in amatum tendens” (III Sent., d. 27, q. 1, a. 1, ad 4)

19. “Quia vero nihil a se recedit nisi soluto eo quod intra seipsum continebatur, sicut res naturalis non amittit formam nisi solutis dispositionibus quibus forma in materia retinebatur, ideo oportet quod ab amante terminatio illa qua intra terminos suo tantum continebatur, amoveatur. Et propter hoc amor dicitur liquefacere cor, quia liquidum suis terminis non continetur” (Idem).

20. Nancy has spoken of himself as developing a “Catholic theological thesis” in his essay, “Deconstruction of Christianity.”

21. Nancy, “Corpus,” *Birth to Presence*, 202.

22. Ibid., 204. See my earlier discussion of Nancy on this point in chap. 2.

23. Barthes, *Camera Lucida*, 26; hereafter cited as CL.

24. “. . . to pass over to peace through the ecstatic transports of Christian wisdom. The road to peace is through nothing else than a most ardent love of the Crucified, which so transformed Paul into Christ when he *was rapt to the third heaven* that he declared: *With Christ I am nailed to the Cross; it is now no longer I that live, but Christ lives in me.* This love so absorbed the soul of Francis too that his spirit shone through his flesh the last two years of his life, when he bore the most holy marks [*sacratissima passionis stigmata in corpore suo*] of the Passion in his body” (Bonaventure, *Journey*, prologue).

25. Catherine of Siena, *Passion for the Truth*, 42–43; hereafter cited as PT.
26. Milbank, *Theology*, 411.
27. Although I will not discuss it here, Thomas's theory of love is congruent with his doctrine on homicide.
28. “. . . dicendum, quod quamvis illa apertura vulnerum sit cum quadam solutione continuitatis, totum tamen hoc recompensatur per maiorem decorem gloriae, ut corpus non sit minus integrum, sed magis perfectum. Thomas autem non solum vidit, sed etiam vulnera tetigit . . .” (ST III, q. 54, a. 4, ad 2).
29. I disagree with Kavanaugh—indeed gift is glory—when he writes, “The Eucharist is under the sign of gift, not of glory” (W. Kavanaugh, *Torture and Eucharist*, 232).
30. All references to St. John of the Cross are drawn from *The Collected Works of St. John of the Cross*; hereafter, *Dark Night* is cited as DN; *The Spiritual Canticle* is cited as SC; *The Living Flame of Love* is cited as LFL.
31. For the most recent of many attacks, and this one by a confrere who is rather lacking in Christian charity, see O'Meara, “Interpreting Thomas Aquinas,” *The Ethics of Thomas Aquinas*, 361–63. Signs of a rehabilitation can be found. See the essay of Meng, “Reginald Garrigou-Lagrange,” *Modern Schoolman*, vol. 78, 71–87.
32. Pope John Paul II, *Crossing the Threshold*, 142.
33. J. de Finance, *Être et Agir*, 67.
34. See *The Jerome Biblical Commentary*, 352.
35. I owe this observation to Peter Kwasniewski. See his unpublished dissertation, *The Ecstasy of Love in Thomas Aquinas*, 197, n. 220

6. *The Politics of the Flesh Revisited*

1. Toletus, *Enarratio in summam theologiae*, vol. III, hereafter cited as EN, with page number and column.
2. Haraway, *Simians, Cyborgs, and Women*, hereafter cited as SCW.
3. “Nota etiam secundo, quod isti duo appetitus in homine discordes sunt. Nam unusquisque tendit in proprium bonum: rationalis in bonum animae, sensitivus in bonum carnis. Quum autem saepe contraria sint ista bona, fit, ut appetitus et portiones istae sint contrariae et pugnantes inter se, significatae per Iacob et Esau, qui in ventre matris pugnabant” (EN, 227b). The reference to Scripture is *Genesis* 25, 19–26.
4. “Unde noster appetitus quum in ea, quae contra rationem sunt, fertur, dicitur *sensualitas* et *fomes*; quum vero a ratione movetur, dicitur voluntas *participata*, seu voluntas *carnis* vel *sensualis*. Talis fuit in Christo” (EN, 248a).
5. For an excellent summary of Trent's teaching and the condemnation of Baius by Pius V, see Rahner, “Theological Concept,” *Theological Investigations*, vol. 1, 348.

6. I am indebted for the following references to the excellent article of McMahon, “Christological Turn in Recent Literature,” *Thomist*, vol. 66, 201–29.

7. See the comments on theologians MacIscac and Grelot in McDermott, “Theology of Original Sin,” *Theological Studies* 38 (1977), 490–93.

8. S. Duffy, “Our Hearts of Darkness: Original Sin Revisited,” *Theological Studies* 49 (1988), 621.

9. For original sin issuing from the free, personal decision of Adam, see F. Suarez, *Opera omnia*, ed. Vivès, vol. 4, *De peccato originali*, disputatio 9, sect. 2, para. 22; 606b.

10. For a nice summary of the debate over the secular understanding of “original sin,” see Peter Gay, “Theories of Aggression,” *The Cultivation of Hatred*, 529–30. On the one side stand the “conservative, even reactionary” ethologists and sociobiologists who argue that aggression is innate to humans, an inescapable reality of evolutionary biology. On the other side stand “the Liberals,” who deny “the existence of preprogrammed drives” and rather pay “fervent tributes to the malleable qualities of the child.” The via media among the seculars is held by the psychoanalytic school. Cultivation of our drives is possible to some degree but violence belongs to a “stubborn innate core of human nature” wherein “deeply buried but potent impulses . . . fiercely resist” cultivation.

11. The references can be found in McMahon’s article.

12. It is clearly crucial that theologians return to the distinctions of the scholastics. They save us from rank confusion. Citing de Chardin’s sense that it is “unhealthy” to keep bringing up the question of original sin, one theologian who wants to promote “the spirit of spontaneous joy and celebration” laments the 1995 *Catechism*’s formulations on original sin. The *Catechism*’s teaching on original sin (discussed at length in my chap. 3) is dismissed as “wilful medievalism” and all the distinctions of the scholasticism brushed aside. With nuanced thinking at an end, predictably original sin is said to be a consequence of “the bare fact of being human” and “violence, injustice, cruelty” are now “intrinsic” to human nature. The theologian who wants to bring us “the spirit of spontaneous joy and celebration” ends up having mired us and God in a metaphysics of violence that can only entail that salvation is the grace that eradicates nature. See Daly, “Original Sin,” *Commentary* . . . *Catechism*, 97–110. Actually, I have never before read such a sad, bitter article.

13. “SECUNDA CONCLUSIO. Maior fuit fortitudo et temperantia Christi, quae totaliter eiicit appetitus inordinationem; quam omnium Sanctorum, quae tantum vincit, sed non eradicat appetitum” (EN, 228a).

14. Lainez, *Disputationes Tridentinae*, vol. 2, 460. For the position that the natural and supernatural are “opposed” to one another, see Buffier, *Doctrine du Sens Commun*, 213. Buffier’s text was first published in 1718 and used approvingly by Adam Smith in his *Theory of Moral Sentiments*.

15. “Sciendum est etiam quod sensualitas sive sensualis appetitus, inquantum est natus obedire rationi, dicitur rationale per participationem, ut patet per Philosophum.” (Aquinas, *Summa theologiae* [Marietti], III, q. 18, a. 2). Cf. ST I-II, q. 50, a. 3; q. 56, a. 4, ad 1.

16. Levi, *Cardinal Richelieu*, 156.

17. Pascal, *Pensée*, 123.

18. *Ibid.*, 71.

19. Both quotations are taken from de Lubac’s *Mystery of the Supernatural*, 29–30: de Lubac quotes both approvingly.

20. ST III, q. 15, a. 2, ad 3.

21. “Alio modo potest dici aliquis orare secundum sensualitatem: quia scilicet ejus oratio orando Deo proponit quod est in appetitu sensualitatis ipsius: et secundum hoc Christus oravit secundum sensualitatem, inquantum scilicet oratio ejus exprimebat sensualitatis affectum, tamquam sensualitatis advocata” (ST III, q. 21, a. 2).

22. Pieper comments about Thomas’s anthropology: “Man is not really a battlefield of conflicting forces and impulse which conquer one another” (Pieper, *The Four Cardinal Virtues*, 148).

23. See my “Matter and the Unity of Being,” *Thomist*, vol. 61, 257–77.

24. While Thomas argues that Christ has total authority over his human nature, since, as God, Christ has total authority over creation (ST III, q. 20, aa. 1–2), he has a sensuality just like other men (ST III, q. 21, a. 4).

25. ST I, q. 81, a. 3, ad 2; ST I-II, q. 56, a. 5, ad 3.

26. Hibbs, “A Rhetoric of Motives,” *Thomist*, vol. 54, 293–309.

27. Foucault, *History of Sexuality*, vol. 3: *Care of the Self*, 37–68; hereafter cited as CS.

28. See my “Politics of the Flesh,” *Modern Theology*, vol. 15, 355–65.

29. On Giles’s loyalty to Augustine in his theory of the flesh, see Przywara, *Polarity*, 130–31.

30. Gilson, *History of Christian Philosophy*, 420–4.

31. For a much more detailed account of Giles’s theory of sensuality see my “Sensuality: An Avenue,” *Gregorianum*, vol. 82, 129–147.

32. *Ibid.*, d. 22, q. 2, a. 4, 222, vC; d. 21, q. 1, a. 4, dubitatio 1 lateralis, 182, rD.

33. *Ibid.*, d. 24, q. 1, a. 3, 278, vB.

34. “Ad quintum dicendum, quod omnes nascimur natura filii irae, sed hoc non est secundum naturam institutam, sed secundum naturam corruptam, quod magis debet dici contra naturam, quam secundum naturam: vel hoc non est secundum naturam formae, quae principaliter dicitur natura, sed secundum naturam materiae, quae non est natura, nisi per analogiam ad formam.” (*Ibid.* d. 24, q. 1, a. 4, ad 5, 280, rC); emphasis is mine. *Ibid.*, d. 30, q. 1, a. 5, dubitatio lateralis 244, vA.

35. *Ibid.*, d. 21, q. 1, a. 2, 171, rB.

36. “Quod ideo contingit, quia homo ex suis naturalibus habet pugnam sensualitatis et rationis: ideo ait Philosophus, quod sunt in nobis motores contrarii sensus et ratio: bestiae autem non habent hanc pugnam, idest, quia carent ratione. Angeli non habent quia carent sensualitate.” (Ibid., d. 31, q. 1, a. 1, p. 443vC); *ibid.*, d. 19, q. 2, a. 1, p. 132, rA.
37. *Ibid.*, d. 18, dubitatio 3 litteralis, 98, vD.
38. *Ibid.*, d. 32, q. 1, a. 2, 463, vB.
39. *Ibid.*, d. 20, q. 1, a. 1, p. 146, rD; *ibid.*, d. 21, q. 1, a. 2, p. 176, vB; *ibid.*, d. 33, q. 1, dubitatio 1 lateralis, p. 485, vD.
40. *Ibid.*, d. 20, q. 1, a. 3, 153, rD.
41. *Ibid.*, d. 31, q. 1, a. 1, 443, rA.
42. *Ibid.*, d. 19, q. 2, a. 3, 137, vD.
43. Aeg. Rom., *In Tertium librum sententiarum*, pars 1, d. 3, q. 1, a. 3, 113, rD.
44. Aeg. Rom., *In Secundum librum sententiarum*, pars 2, d. 30, q. 1, a. 5, dubitatio 1 lateralis 411, rB; *ibid.*, a. 4, dubitatio 1 lateralis, 417rA.
45. de Vitoria, *On Homicide*, 68.
46. See the comments of Doyle, “Vitoria on Choosing,” *Hispanic Philosophy*, Studies, vol. 29, 47–48.
47. Cf. de Beauvoir, *The Second Sex*, 188–89; A. Bloom, *Love and Friendship*, 512.
48. Plato, *Phaedrus and Letters VII and VIII*, 62–3.
49. Descartes, *Passions of the Soul*, vol. 1, 345–6.
50. Kant, *Lectures on Ethics*, 138–41.
51. Michael, “Descartes and Gassendi, *Meeting of the Minds*, 143.
52. Charleton, *Physiologia Epicuro-Gassendo-Charltoniana*, II, c. 4, art. 5, 115.
53. Gassendi, *Syntagma Philosophicum, Opera omnia*, vol. 1: Pars physica, sectio I, liber III, c. 6, p. 267b; 266b; 267a, respectively.
54. “Quippe, ut Simplicius prae aliis declarat, cum vellet Anaxagoras corpuscula illa sua secundum substantiam, contexturamve intimam differre inter se, quod alia forent ex se calida, alia frigidas; alia carnea, alia sanguinea, quod et iam ante deduximus.” (*Ibid.*, 266b)
55. *Ibid.*, 267a. Cf. Jonas, “Is God a Mathematician?” in his collection, *The Phenomenon of Life*, 69.
56. “Si comparatio igitur iuvat, confer opus naturae non cum domo, sed cum exercitu; materiam non cum lapidibus, sed cum militibus; agens non cum fabro, sed cum Imperatore. Imperator videlicet, cum militantium unus sit, totum tamen exercitum per turmas, ordinesque disponit, ac milites omnes ad eius nutum ita moventur, ut ipse cum illis exercitum componat, sitque interim ipsius praecipua, ac nobilissima pars.” (*Ibid.*, sectio I, liber IV, c. 8, 336a)
57. Malebranche, *Treatise on Ethics* (1684), 123; hereafter cited as TE.

58. Haraway, “A Cyborg Manifesto,” in SCW; hereafter cited as CM.
59. Haraway, “The Biopolitics of Postmodern Bodies,” in SCW; hereafter cited as BPB.
60. Haraway, “Introduction,” in SCW, 4; hereafter cited as I.
61. Haraway, “A Political Physiology of Dominance,” in SCW, 8; hereafter cited as PPD; cf. CM, 155.
62. For an example of his influence, see the structural role his thought plays in chap. 10 of von Balthasar’s *Theological*.
63. Fessard, *Par-delà le fascisme et le communisme*; hereafter cited as FC.
64. Aquinas and Fessard would both reject Jacob Klein’s contention that there is an inherent rivalry between nature and grace. See his “On the Nature of Nature,” *Lectures and Essays*, 222.
65. Cf. ScG II, c. 46–50. Also, ST II-II, q. 175, a. 2, ad 2; I-II, q. 82, a. 4, ad 3. Cf. Pope John Paul II, *Theology of the Body* 126–27. Also, *Gospel of Life*, in TB, 568; hereafter cited as GL.
66. See ScG II, c. 24; III, c. 63; IV, c. 45.
67. See TB, 172–3; GL, 497.
68. Gaston Fessard, “Recherches sur le sens de l’histoire,” in Michael Sales, SJ, *Gaston Fessard*, 140–141; see GL, 507.
69. See Pope John Paul II, *Dignity and Vocation*, in TB, 456–57.
70. For an analysis of a culture of sacrifice relying upon grandeur, honor, piety and asceticism, as well as Eucharist, see Pope John Paul II, TB, 200–201; 208; 217; and GL 532–533.
71. Fessard, “Symbole, Surnaturel, Dialogue,” *Démystification et Morale*, 140; hereafter cited as SSD.
72. Fessard, *La dialectique des Exercices spirituels*, 113; hereafter cited as DE. Cf. Fessard, *Pax Nostra*, 43.
73. “Avant cette conversion, la grâce, ce principe de liberté subjective, n’était qu’un accident, tombé du ciel, dans un moi dont la substance entière, dont l’acte s’était d’abord posé vers Non-être. Après, c’est l’inverse: dans l’homme nouveau, corps et âme sont création de la grâce et c’est l’existence objective du péché qui devient un accident. L’appel à la liberté va du dehors au dedans; la réponse au contraire.” (DE, 113)

7. *Is Contraception a Human Right?*

1. Nussbaum, *Sex and Social Justice*, 114.
2. I am not an American either, but the mind boggles that anyone could think to reduce the grandeur of the Constitution to a right to sex with contraceptives. And more recently, as Catholic charities have just discovered, an entitlement to sex with contraceptives. It seems *Politically Incorrect* host Bill Maher was correct in saying that we are “one step away from saying that

getting laid is an entitlement.” This point is made by Julia Gorin (*Insight on the News*). I owe this reference to Kate Leahy.

3. Nussbaum, *Sex and Social Justice*, 101.

4. And I assume that marriage is an institution ordered to love and peace, and is instituted by the *ius gentium* as the best place for the raising of children.

5. I cannot agree with Jean Porter that the encyclical makes its argument “by rational analysis prior to theological interpretation.” (Porter, *Natural and Divine Law* 197)

6. While I do not agree with everything in W. Kavanaugh’s *Torture and Eucharist*, I agree entirely that a Christian bodily political practice is necessary. I suspect Kavanaugh would not agree with the character of the bodily politics that I think is required and for which I will argue in chaps. 8 and 9.

7. Such a bodily politics is laid out by St. Augustine in the *City of God*, 380.

8. Sales, *Gaston Fessard*, 76.

9. “. . . se retrouve donc le croisement d’un amour parental et d’un amour conjugal, qui est le fondement du passage, du lien entre rationnel et surnaturel . . .” (SSD, 141).

10. Weigel, *Witness to Hope*, 342.

11. I think the work of Eugene Rogers is deeply flawed because he fails to make the Thomistic-papal linkage of sexual acts to the Cross. Rogers never thinks about the *character* of sexual acts (*Sexuality and the Christian Body*, 78–79, for example) and how they must relate to the Cross. Rogers takes as the foundation for any discussion of sexuality the Trinity (222). This is, of course, quite appropriate. *Humanae Vitae* relates sexuality and the Trinity, as I shall show shortly. But there is more. The teaching of *Humanae Vitae* can also be used to relate the body to the Cross, and this Thomistic approach provides a strong analysis of sexuality *as lived* by rational, sensuous animals. Moreover, Rogers explicitly bases his analysis of the flesh on Rahner’s theory of concupiscence, not noticing that it is riven by violence (227–233). In these crucial pages, one again finds no analysis of the character of sexual *acts* and how they might be made congruent with God. One could go on with the problems in Rogers’ attempt to justify homosexuality to Christians, but the problems I foresee in general with any such attempt will become clear enough.

12. Weigel, *Witness to Hope*, 206–10.

13. I will not be considering reactions to John Paul II’s *The Theology of the Body*: prepared as a series of 15-minute addresses delivered in four (multi-part) sessions from 1979–1984. That of Luke Timothy Johnson (*Commonweal*, Jan. 26, 2001) is pretty typical. He thinks it intelligent to argue that when I hold my breath I do not sever my commitment to breathing and so do I not sever my commitment to “openness” when I use a contraceptive (16). It clearly is not intelligent to think I make a “commitment” to breathing in a way analogous to the commitment I make in marriage to love my wife in justice, nor is

it intelligent to compare sexuality and the simply biological function of breathing. Unless I've missed something, I am unaware of a philosophy of breathing. Perhaps Plato missed a great opportunity when he failed to write the *Symposium* on the topic of breathing? For a genuinely intellectual criticism of the basic positions of *The Theology of the Body* one will always do better by turning to the atheology of someone like Bataille.

14. Cf. Anscombe, "Authority in Morals," *Ethics, Religion and Politics*, 49–50.

15. John Paul II gives a carefully crafted endorsement of Plato's eros (TB, 101, n. 35; 187, n. 65, noting its ecstatic character and trajectory to the divine (TB, 169).

16. That we are not dealing with anything like a "naturalistic fallacy" here, see my chap. 4.

17. The theory advanced here is not that of Aristophanes in the *Symposium*: while unredeemed sex is violent, it is not the case that sex as such is against law. See L. Strauss, *On Plato's Symposium*, 131.

18. I take this point to be grudgingly acknowledged by Peter Gay when he writes: "Nor, unlike sexuality, can aggression boast of specific executive organs. To be sure, we know that every part of the body can be enlisted, whether in fantasy or reality, in erotic excitement and consummation; conventional sexual intercourse plots the rising rhythm of sensations across diverse bodily zones, to culminate in genital union. But it does culminate there; in both male and female some fairly specialized organs seem virtually designed to accommodate the principal erotic pleasures" (Gay, "Theories of Aggression," *The Cultivation of Hatred*, 533). And we could add what Peter Gay does not want to have to say: that, what he calls the "specialized organs," are part of a generative system which is "a complexity that is neural, glandular, vascular, muscular, with internal and external organs," only a small part of which is concerned with pleasure (Duhamel, *Catholic Church and Birth Control*, 16).

19. I thus think Jean Porter's optimism is misplaced when she writes: "We are far more likely to regard sexual pleasure as good, and correlatively, we are more open to the possibility that sexual activity can serve other legitimate purposes besides procreation, including especially the expression and fostering of love between two individuals" (Porter, *Natural and Divine Law*, 219). As with Rogers, nowhere in Porter's work do we find a characterization of sexual acts. There is no discussion of Augustine's theory of sex, nor arguments made by Wojtyła. Instead, we are told that because modern folk enjoy sex it is *obviously and without argument* a good severed from procreation. At the same time, I think Grisez et al. misunderstand the Thomistic-papal theory. For Grisez, artificial birth control is contralife. Such contralife will exhibit nothing less than a hatred and repugnance for "the possible baby they project and reject" (Ford et al., *The Teaching of Humanae Vitae*, 36–38, 46). Grisez regrets that recent papal statements have dwelt on contraception as a diminishment of the good of marriage and much less on the diminishment of the good of the person hated and rejected by the contralife will. The Thomistic-papal

theory, however, understands contraception as a rejection of the self-diffusion of the good as such and thus a diminishment of the good of marriage and the good of the person hated and rejected.

20. As Thomas conceives sexual acts as *physically deposited* by an ecstatic sensuality (HV, 25), he would reject Anscombe's assumption that the physical aspect of sex remains invariant while the intentional aspect of sexual acts can vary. Anscombe displays a residual Cartesianism and not a Thomistic understanding. Thomas would not agree with Anscombe when, criticizing artificial birth control, she says of artificially contraceptive acts that, "it is true that *just considered physically* they may be acts of an intrinsically generative type; but since the physical circumstances that make the acts in the concrete case non-generative, are produced on purpose by the agent so that they may be non-generative, they cannot be considered intrinsically generative *as intentional actions*" (Anscombe, "You Can have Sex without Children," *Ethics, Religion, and Politics*, 86; emphasis original). Grisez et al. appear to follow Anscombe (Ford et al., *The Teaching of Humanae Vitae*, 41–43). I think Thomas's conception of sexual acts as interiorly deposited by ecstatic sensuality makes better sense of the Pauline teaching: "Husbands should love their wives as their own bodies" (Eph. 5: 28). Among contemporary authors, Thomas's position is closest to that of Scruton, who defends sexual desire as "intentional pleasure." This phrase is meant to be anti-Platonic and to capture the sense in which sexual desire is both physical and spiritual. Scruton is quite wrong that Aquinas is a Platonist regarding sex (Scruton, *Sexual Desire*, 2, 18).

21. Oddly, while Rogers acknowledges in a footnote that the traditional teaching "looks quite different" in John Paul II he does not address this "new look" analysis of sexuality and this despite Wojtyła's formulations having long since been in print. See his comment at *Sexuality and the Christian Body*, 75, n. 20.

22. I admire George Weigel's achievement in writing *Witness to Hope* very much. He is not correct, however, when he writes: "Rather than asserting that either the begetting of children or the communion of the spouses was the 'primary end' of marriage Wojtyła's sexual ethic taught that *love* was *the* norm of marriage, a love in which both the procreative and unitive dimensions of human sexuality reached their full moral value" (142). Such a construction would make Wojtyła's position a "romanticism," as understood by Hauerwas (see his *Community*, 178–81).

23. Cf. Leo Strauss, *On Plato's Symposium*, 72, 214.

24. MacIntyre, *Dependent Rational Animals*, 13.

25. This is the basis for Anscombe's critique of artificial birth control. The use of artificial contraception stems from an intentional action ordered to orgasm and if orgasm is a moral object in its own right lasciviousness is encouraged. As Anscombe points out, lasciviousness is regarded by many moral philosophers outside the Catholic tradition as an intrinsic evil (Anscombe, "You Can Have Sex Without Children," *Ethics*, 96, 88).

26. Lewis, *Surprised by Joy*, 70.

27. One of many examples would be Kundera's discussion of John Scotus Eriugena, *The Unbearable Lightness of Being*, 246–47. See also Scruton's discussion of the Augustinian character of Kundera's *Laughther and Forgetting* (Scruton, *Sexual Desire*, 31).

28. Augustine, *City of God*, bk. XIV, c. 18, 580.

29. Von Hildebrand rejects Augustine's point here and argues instead that the secrecy surrounding sex acts is an expression of a sui generis value of privacy. This is an intriguing suggestion, and relies on the general approach of moral intuitionism that is defended throughout this book. However, von Hildebrand is anxious to avoid any hint that sex might be "something disgraceful and ugly" (von Hildebrand, *Purity*, 6), and this is clearly one reason he rejects Augustine's analysis. This rejection also sits rather unesaily both with his acknowledgement of the violence in sex and his insistence on the need for a radical purification of sex. Please see my discussion of his views later in this chapter, n. 35.

30. Ibid., bk. I, c. 1, 5.

31. Augustine, *City of God*, XV, c. 2, 598.

32. The fundamentally different metaphysical perspectives on violence in Freud and Thomas have been described in chap. 1. Nevertheless, both the Christian and psychoanalytic traditions share at some moments the same "appreciation of the share of violence in human erotic life" (Gay, "Theories of Aggression," *The Cultivation of Hatred*, 531).

33. Irigaray, "Fecundity of the Caress," *Feminist Interpretations*, 120; hereafter cited as FC.

34. This is central to Bonaventure as well. In his *Itinerarium*, Bonaventure stresses that Christian wisdom teaches that there is no access to God except for him who enters through the door of the Cross, his robes washed in the blood of the Lamb: ". . . up to God, into union with Whom no one rightly enters save through the Crucified . . . no one can enter by contemplation into the heavenly Jerusalem unless he enters through the blood of the Lamb as through a door" (Bonaventure, *Journey*, prologue, 2).

35. This position is quite different from von Hildebrand's. He rightly observes the character of sexual acts but argues that the violence is "buried" only in an ordering of consciousness during sex, casting "an upward glance to God." This is possible only when the ordering of one's consciousness "springs from the background of a direct contemplation of God." I doubt Augustine thinks there could be, amid sexual acts, a "conscious reference to God" (von Hildebrand, *Purity*, 82–83; emphasis mine). There is something utopian in von Hildebrand's position. Not content with a moderation of domination, he seeks its elimination. An ordering of consciousness to God in sex is to be aimed for "so that the factor of brutal vitality is buried, not only for *thought*, but for *experience*" (Ibid., 72; emphasis original). Sexual experience must be-

come “truly pure,” with Christian love “the requisite power to transform thoroughly the entire qualitative texture of an experience” (Ibid., 68). An antiutopianism relies on a limited accommodation of domination, a certain realist condonation. To the contrary, von Hildebrand’s utter rejection of the character of sexual acts seems to stem from a persisting dualism in which inclination is detachable from person. For the influence of Kant’s theory of inclination upon von Hildebrand, see Waldenstein, *The Common Good in St. Thomas and Wojtyla*, c. 1, sect. 4 (pro manuscripto). It would appear to be the influence of Kant’s theory of inclination that leads von Hildebrand to cast too great an opposition between Augustine’s city of man and City of God.

36. I owe these biblical references to the unpublished dissertation of Peter Kwasniewski, *The Ecstasy of Love in Thomas Aquinas*, 201.

37. As will become clear over the course of the next two chapters, there are reasons to have reservations about the idea of rights. It might be better for Catholic thinking to follow the lead of Kolnai, a theorist of privilege. I see no justification for Porter’s claim, nor does she offer any, that natural law promotes a politics of equality against hierarchy (Porter, *Natural and Divine Law*, 309).

38. See above, n. 15.

39. Hauerwas, *Community*, 181.

40. Bonaventure, *Journey*, 28.

41. Bonaventure, *Journey* 34.

42. I disagree with Kraynak’s thesis that the personalism of John Paul II is perhaps overly influenced by Kantianism (Kraynak, *Christian Faith*, 160–62). I think the “personalist norm” is rooted in a Thomistic metaphysics of diffusion and not derived from any Kantian imperative. On the opposition between personalism and Kantianism, see my comments in chap. 2 and the references there to Max Scheler.

43. Hauerwas, *Community*, 199–201. Polls in America show that the most ardent defenders of abortion are males aged 18–25 (see Glendon, “Women of *Roe v. Wade*,” *First Things*, 21).

44. I will argue in the next chapter that a Christian politics will be insufficient if it remains no more than a politics of vocation. Hauerwas seems to favor some sort of Ortegian vocation of excellence as the Christian politics. I will argue later that a personalist norm requires institutions of privilege. Thus, I agree with Hauerwas that a Christian politics is not a politics of equality and, to a certain degree, I can agree with him that it is a politics of non-violence. I strongly doubt, however, that Hauerwas has the stomach for the necessary politics of privilege.

45. Cahill, “Marriage,” 328.

46. MacIntyre, *Dependent Rational Animals*, 121–26.

47. Hauerwas, *Dispatches from the Front*, 168.

8. *The Wedding Feast of the Lamb*

1. For this, see many of the contributions to “Contraception: A Symposium,” *First Things*, no. 88, 17–29.

2. For the biography of Kolnai, see Dunlop, *The Life and Thought of Aurel Kolnai*. In the appendix to his biography, Dunlop wonders whether Kolnai was really much of a Thomist. In my review of Dunlop’s biography, I have pointed to ways in which he certainly was a Thomist: see *Modern Age*, vol. 45, 258–61.

3. Leahy, private communication (Sept. 18, 2002).

4. Plotinus, *The Enneads*, III, 5, 7, 182.

5. *Ibid.*, 183.

6. “Love, then, has on the one side the powerlessness of its native inadequacy, on the other the resource inherited from the Reason-Kind” (*Idem.*).

7. For example, see his wonderful pages on the importance of clothing as a locus of privilege, *Utopia*, 52–53.

8. One cannot but wonder if the desire to have children from IVF, presumably so that the child might be “flesh of my flesh,” is not to misunderstand that every child appears as a foundling.

9. Arendt underappreciates this crucial political role of the family (for example, see her comments at Arendt, *The Human Condition*, 34–35).

10. On the family and its obligation to offer hospitality in Homer, see Scruton, *Meaning of Conservatism*, 101. For the typical critique of moral reasoning from the *ius gentium*, and why the critique is not especially persuasive, see Scruton’s comments in the same work (89–90). For a recent restatement of the *ius gentium*, see Kass, “Wisdom of Repugnance,” *Do the Right Thing*, 330–47. For Smith’s interesting suggestion that the welcoming of the stranger under the *ius gentium* is a response to commerce, see Adam Smith, *Lectures on Jurisprudence*, 306–07. In linking hospitality to the family, and given Scruton’s observation that the family is an institution of common property (*Meaning of Conservatism*, 101–02), it is clear that Catholic social thought disagrees with Smith. In chap. 9, I will return to this point when considering the “erotic Liberalism” of political theorist Diana Schaub.

11. Scruton, *Meaning of Conservatism*, 101.

12. Nussbaum, *Sex and Social Justice*, 197. The Catholic hospital system in the United States is currently having to fight off sustained pressure to accede to abortions within its hospitals (see Neuhaus, “While We’re At It,” *First Things*, no. 132, 85). Independent hospitals without the strong identity of Catholic hospitals, and the resources of its system, have already had to accede as per instructions from the U. S. Supreme Court (see *Philadelphia Inquirer*, Thurs., Sept. 26, 2002).

13. *Ibid.*, 114.

14. Dupuis, *Toward a Christian Theology*, 45–47.

15. de Vitoria, *Political Writings*, 279.

16. Thompson, “A Defense of Abortion,” *Sex and Gender*, 160–1.

17. Again, for the way in which commerce, and its transactions, plays this role assigned to the family in Catholic social thought, see Hume’s essay, “Of Commerce,” in *Essays Moral, Political, and Literary*, 253–67; but especially 256–57. Still, the identical logic of Hume and Catholic social thought shows to what degree there is a *classical* liberalism to the latter.

18. At the time of writing, the right to gay marriage is becoming an increasingly important political issue both in America and England. Recent defenders have, of course, relied on a Cartesian justification that couples (or multiple persons, in fact) joined “at the heart,” having an emotional commitment, have a right to marry. Such a defence elides the character of sexual acts altogether and the question of the institutionalization of the violence of the body or its hospitality. For a summary of the basic reasoning in defense of gay marriage, see Kurtz, “The Coming Battle,” *National Review*, Nov. 2002.

19. von Hildebrand, *Christian Ethics*, 220.

20. On the steady erosion of privilege and dismantling of diversity in English politics since the eighteenth century, see Letwin’s *Pursuit of Certainty*.

21. At the time of writing, the campaign for gay equality in the United States, including the right of marriage, has for its symbol an “=” sign. An identity sign is not a sign of diversity but the logic of totalitarianism.

22. Augustine, *City of God*, bk. XV, c. 5, 600–01.

23. de Vitoria, *Political Writings*, 9.

24. Such is clearly believed by the theologian W. Kavanaugh: see his essay, “A Fire Strong Enough,” *Modern Theology*, vol. II, 397–420.

25. Scruton, *Sexual Desire*, 310.

26. *Ibid.*, 307.

27. Nussbaum, *Sex and Social Justice*, 208–09.

28. Liberals always pretend they are not legislating morality by putatively defending political pluralism. The following is the basic “Catholic” rationale of a book that defends abortion *for the health of the mother* past six months of a child’s development *in utero* (121: and for praise of President Clinton’s veto of legislation to outlaw partial birth abortion, see 143, n. 42): “Our view is that the obvious value of the pregnant woman as a dignified subject overrides whatever minimal value the early fetus has. In fact, it would be cruel to deny a pregnant woman the right to an early abortion except in cases of rape or incest, since she can be treated cruelly, whereas the early fetus cannot.” (Dombrowski and Deltete, *Brief. . . Defense of Abortion*, 110). If this is not a moral statement then I have no idea how such a statement might read. As the tenor of the statement makes clear, it is also not a statement the authors have any intention of supporting *by argument*.

29. Another great liberal, Dworkin, assumes, rightly, I’d say, that the moral underwrites the political (Dworkin, “Rights as Trumps,” *Theories of Rights*, 153–54).

30. And note, a quite different issue from the institutionalization of gay sex as a form of sex morally equivalent to heterosexual sex. Put differently, the question of toleration is quite different from the matter of institutionalization.

31. Scruton, *Sexual Desire*, 339. It might be noted that Scruton identifies both Kolnai and Wojtyła as having views quite similar to his own. See his comments on 129, 140, 176, 339, 400, 401.

32. Sartre, *Being and Nothingness*, 773.

33. Ibid., 774–75.

34. Idem.

35. Ibid., 776.

36. Idem.

37. See Kolnai, “Standard Modes,” *Mind*, 593–94.

38. Scruton, *Sexual Desire*, 354.

39. Ibid., 355.

40. It is perhaps here that Kolnai and Maritain disagree most fundamentally. Maritain regards civil society as irrational and violent. It is no more than “a general pattern in *private* life, it does not know any principle of public order . . .” (Maritain, *Man and the State*, 7; emphasis added). Civil society needs to be “subjected . . . to the command of an Idea,” the state (10, 19). It is the state that brings justice (20), and democratic states in particular that bring social justice (18). Despite what will be said later, Maritain’s idea of civil society and the role of the state seem quite at odds with John Paul II’s positions on the *public* significance of married sex and the culture of death.

41. See his comments on the establishment of the Catholic Church independently of the power of the State (Scruton, *Meaning of Conservatism*, 172).

42. Ibid., 177–78.

43. Scruton, *Sexual Desire*, 358.

44. Kraynak, *Christian Faith*.

45. Hobbes writes: “Right consisteth in liberty to do, or to forbear; whereas Law determineth, and bindest to one of them: So that Law and Right differ as much as Obligation and Liberty . . .” (Hobbes, *Leviathan*, XIV, 189). It would be impossible to go through all of the rights literature, but here are three disparate authors who all agree with Hobbes’ definition: Mackie, “Right-Based Moral Theory?” *Theories of Rights*, 169–70; Scruton, *Meaning of Conservatism*, 52; Manent, *Modern Liberty and Its Discontents*, 222.

46. For a championing of the constitutive decisionism at the foundation of rights theory, see MacDonald, “Natural Rights,” in *Theories of Rights*, 34–35. And de Wachter admits, “human rights are a decision, an attitude, a relationship, a language, a way of seeing things” (de Wachter, “Ethics and Human Rights,” *Tradition and Renewal*, 5, 111). This decisionism, as much as any democracy severed from an autonomous moral order, falls foul of Moore’s naturalistic fallacy: see Kolnai, “Ghost,” 12.

47. See Ferrara and Wilson, “Ordaining Women,” *First Things* no. 132, 33–42.

48. Dupuis, *Toward a Christian Theology*, 48–49.
49. Ibid., 440–41.
50. de Vitoria, *Political Writings*, 62–64.
51. It is found equally among others: Congar, *Power and Poverty in the Church*, 13; Murray, *We Hold These Truths*, 315, 318, 333, and many other places in that work.
52. Maritain, *Man and the State*, 176, 26.
53. Maritain, *The Rights of Man*, 37.
54. Maritain, *Man and the State*, 101.
55. Ibid., 96; cf. 177. Against Maritain's univocity, see MD, 8.
56. Perhaps the most shocking of these is Maritain's reversal of the priestly privilege of exemption from military service. This is no "social privilege," insists Maritain, rather "a socially humiliating condition" (Ibid., 173–173a).
57. Cortés, *Essays on Catholicism*, 54.
58. "Nam privilegium ipsum exemptionis quatenus est libertas quaedam a subiectione alterius, est facultas quaedam moralis ad non parendum tali potestati vel libere operandi sine respectu vel impedimento illius: haec ergo facultas a Deo ipso data dicitur ius divinum, non tanquam praeceptum, sed tanquam Dei donum" (Suarez, *Defensio fidei catholicae* [1555] lib. IV, c. 9, 244a).
59. Actually, even if it were arbitrary, this would not be decisive. There would have to be a fundamental intellectual inquiry upon what political theory animates the Church.
60. For this and other statistics about male domestic violence see www.hruth.org.
61. What about abortions? It is after all women who have them. Please see my comments in the last chapter.
62. See the brilliant logical and phenomenological demonstrations of this point in Kolnai, *Ethics, Value and Reality*, espec. 84–87.

9. *The Politics of the Cross*

1. Bernauer, "Sexuality in the Nazi War," *Budhi*, 149–68.
2. Kant, *Lectures on Ethics*, 138–41.
3. I think Dupuis is not nearly careful enough when he writes, ". . . and the traumatic experience of the Shoah, or 'Holocaust,' designed this century by leaders from Christian nations as the 'Final Solution' for the extermination of European Jews (Dupuis, *Toward a Christian Theology*, 25).
4. See my "Sensuality," *Gregorianum*, 82, 129–47; "Matter, Thomist, 61, 257–77.
5. For a brilliant treatment of the horror of reason for truth, a treatment quite in keeping with *Fides et Ratio*, it seems to me, see Cortés, *Essay on Catholicism*, 65–66.
6. It is important to specify the character of contemporary liberalism as found throughout much of the Western world. It is, to follow John Courtney

Murray's usage, a Jacobinism or statist liberalism. For a thinker like Schmitt, contemporary "radical Liberalism" (Cohen) is a curious creature. Classical liberalism insisted upon a rigorous distinction between civil society and the state (cf. Schmitt, *Concept of the Political*, 70–71), but statist liberalism is more a form of socialism. Muravchik is certainly correct that the fundamental insight of Tony Blair was to recognize that if socialism was to remain viable it had to be relinked with liberalism: this link had first been suggested by the literary executor of Engels, Bernstein, but subsequently ignored (Muravchik, *Heaven on Earth*, 106, 317). Hence the curious phenomenon of state promotion of social liberalism and social justice (judicial and state protection and promotion of the right to abortion; welfare provision based upon extensive taxation; the judicial and state promotion of gay marriage, etc.). Such state intervention into civil society would horrify classical liberal thinkers like Smith, Hume, Hayek, et al. For Hume's role in the development of statist liberalism, however, see Letwin, *The Pursuit of Certainty*. For an excellent summary on how classical American liberalism was transformed into statist liberalism, see Powers, "Transformation of Liberalism," *The Public Interest*, Fall 2001, 59–81. Kolnai's term for contemporary liberalism, "Progressive Democracy," is well chosen, and probably to be preferred.

7. Actually, everyone interested in good political order should be interested in overcoming the eclipse of God. A religious attitude, by linking the human with the Divine, enables the human "to fill a rightful place, to assume a positional value as it were, in the Universe" (Kolnai, "The Humanitarian," *Thomist*, vol. 7, 432). By contrast, consider the remarks of Eichmann, the *Gottgläubiger*, on the significance of human life (Arendt, *Eichmann in Jerusalem*, 27).

8. See Endo, *Silence*.

9. Maritain, *Rights of Man*, 44–45; 47–49.

10. Shrader-Frechette, "MacIntyre on Human Rights," *Modern Schoolman* 79, 14.

11. *Christian Faith*, 160–64.

12. This is especially true of paragraphs 15–22 of *Pacem in Terris*. If new reservations about rights are emerging, quite how the tension between such an encyclical and future encyclicals will be resolved makes for an interesting thought. I am convinced, however, that a departure from *Pacem in Terris* will only be a return to Thomas Aquinas's own teaching. *Pacem in Terris* insists on the right to private property while Thomas, famously and quite pointedly, denied such a right (ST II-II, q. 66). Vitoria appears to have been one of the first Catholic theorists to speak of private property as a right (*ius*): on this, see Kraynak, *Christian Faith*, 137. Vitoria stands as a transitional figure of some importance then, for he is a theorist of both privilege and right. His theology, like that of the Baroque generally, deserves more serious attention.

13. Kolnai comments: "The selfsame mentality that rejects the concept of punishing the evildoer as 'superstitious' or a 'mere disguise for the primitive

urge of revenge' may glibly accept the 'elimination' of the 'unfit for life' or the 'maladjusted' as an act of 'higher humanity'" (Kolnai, "Humanitarian," *Thomist*, vol. 7, 445).

14. By contrast, Maritain speaks of progress having been made because natural law need no longer be thought of merely in terms of obligation (Maritain, *Man and the State*, 94).

15. See his humorous, and yet deep down, sad, example of the liberal, *Dependent Rational Animals*, 117.

16. Kolnai, "Dignity," *Philosophy* 51, 212–13.

17. Kolnai, "Concept of Hierarchy," *Philosophy*, 46, 213.

18. See Fukuyama, *End of History*, 202–06; Dworkin, "Rights as Trumps," in *Theories of Rights*, 154; Maritain, *Rights of Man*, 49. Nussbaum is quite clear that women's equality requires abortion rights (Nussbaum, *Sex and Social Justice*, 101–02).

19. de Vitoria, *Political Writings*, 63.

20. See Arendt's comments on the relationship between euthanasia and the extermination camps, in Arendt, *Eichmann in Jerusalem*, 107–08.

21. In an extremely interesting book, Jeremy Waldron appears to try to find some basis for protecting the unborn within Locke's political philosophy. Locke is said to provide the best account of basic equality, one rooted in an explicitly Christian understanding of the human. For Locke, basic equality relies upon viewing humans as *imago dei*, with the content of the *imago* being a capacity for rationality (Waldron, *God, Locke, and Equality*, 25). Waldron seems to imply, though nowhere says so, that the unborn could be protected under a Lockean political framework analogously to born children. Children *ex utero* are intended to become our equals in reason and, although not currently rational, they must be treated as persons developing rationality. On account of their capacity for ultimately becoming rational they must be accorded the protection of the law (113–14; 66). What is most interesting about this argument is that the stranger, Locke's "changeling" (67), could never in principle be protected from being aborted. Locke's equality extends only to those who bear the *imago dei* as rationality and such are only "all standard-model humans" (78). Any stranger who does not fit the "standard model," having a capacity to exercise rationality, has no principled protection from being destroyed: this would seemingly include the *born* handicapped, the insane, the incurably sick, the aging, as well as the unborn "changeling." Still, it is something to have implied that there exists protection for the "standard-model" unborn human. Nevertheless, Anscombe appears to be right in her assessment that there is no principled objection to killing the innocent in modern Western thought (see the following note) and in principle all of us, and this is the deep point of MacIntyre's *Dependent Rational Animals*. For, if a capacity for rationality is the basis of my protection from violent death, and not my innocence, then given our animality and its constitutive vulnerability, and disability therewith, we are all of us likely to fail to qualify sooner or later.

22. Kolnai, “Humanitarian,” *Thomist*, vol. 7, 444–45. Anscombe very much favors building “a law conception of ethics” on account of the decisionism in modern moral theory. She famously expressed her concern that in modern ethics there is no principled objection to “the judicial condemnation of the innocent” and trenchantly concluded “And that is my complaint” (see her essay, “Modern Moral Philosophy, 26–42).

23. *Ibid.*, 450.

24. *Ibid.*, 449.

25. *Ibid.*, 436.

26. As was pointed out in the previous chapter, the themes of privilege as negative and equality as positive, and Dupuis’s evident embarrassment about the Church’s traditional claim of Christian privilege, is a constant in Dupuis’s *Religious Pluralism*. One fears that Dupuis has not even suspected that a political equalitarianism might be animating his theology and that his theology is perhaps in service of an idol. It is also worthy of note that Fukuyama positively glories in the fact that secularism has “infected,” as he puts it, Catholic thought profoundly (Fukuyama, *End of History*, 374, n. 8). He thinks this infection and weakening of Catholicism is a crucial contribution to the stability of Western liberal democracies. The same has been observed by Scruton but observed with alarm (Scruton, *Meaning of Conservatism*, 22, 167).

27. Scruton, *Sexual Desire*, 324.

28. Fessard, *Hegel, le christianisme et l’histoire*, 290.

29. Fessard’s preference for capitalizing Liberalism, Communism, and Nazism has not been followed here.

30. Fessard, *Par-delà le fascisme et le communisme*.

31. Cf. Manent, *Intellectual History*.

32. Cf. Muravchik, *Heaven on Earth*.

33. Lilla, *The Reckless Mind*, 202.

34. Rawls, *Theory of Justice*, 554.

35. See Maritain’s odd and very potted history of the “accidental” flaws inside liberalism (*Man and the State*, chap. 4 and especially 159, 183).

36. Fukuyama, *End of History*, 129.

37. *Ibid.*, 176.

38. For those familiar with twentieth-century French intellectual history, the claim that Fessard has Thomas at the centre of one of his most dramatic interventions in political theory might sound strange. Out of the thousands of pages Fessard wrote, Thomas and his texts appear only on a few pages and then usually in footnotes. His interlocutors are rather the figures most prominent in the French university tradition that moves from the philosophers of reflection like de Biran, Nabert, and Blondel to the classic texts of Plato, Spinoza, and Leibniz and thereafter onto Hegel. Indeed, on the surface at least, Fessard’s intellectual training and interests barely differ from those of Paul Ricoeur or Levinas. This is to say, for instance, that his texts are quite

unlike those of his contemporary fellow Jesuit, the German Karl Rahner. Nevertheless, unlike Ricoeur, and far more like Rahner, Fessard's thought is structured by an appeal to a Thomistic anthropology.

39. For the presence of this violent theory of flesh in the work of Karl Rahner, see my "Politics of the Flesh," *Modern Theology*, vol. 15, 355–65.

40. On reason as the judge, and not the pupil, of nature in Kant's philosophy, see Letwin, *The Pursuit of Certainty*, 48–49.

41. For Scheler's haunting description of Kantianism, see Scheler, *Formalism in Ethic*, 28.

42. Note that Hume's famed reversal of rationalism rejects any claim to "privilege" on the part of reason or generation as a principle of order. See Letwin, *The Pursuit of Certainty*, 50.

43. Just as contemporary Jacobin liberalism is a statist decisionism so, confirming Fessard, Kolnai identifies the dialectic between liberal anarchy and liberal totalitarianism as inherent to progressive democracy (PL, 39–40).

44. On the presumption of pervasive violence within liberal theory, cf. Goerner and Thompson, "Politics and Coercion," *Political Theory*, vol. 24, 641.

45. For the deepest sources of this in the liberal horror of servitude, see Cortés, *Essay*, 97–99. For Kant's identification of sonship with slavery, see Waldenstein, *The Common Good in St. Thomas and Wojtyła* (pro manuscripto).

46. For the deepest roots of this in the liberal flight from sociality, see EV, 18–20 and MacIntyre, *Dependent Rational Animals*, chaps. 9 and 10.

47. Fessard, *Pax Nostra*, 43; see my chap. 8 for the use I make of this argument in defending the privilege of male ordination.

48. In a very interesting book, Diana Schaub shows how Montesquieu tried to develop a liberal sociality. Vanity, Montesquieu's "sociable humor," civilizes and builds political authority independently of domination. Of the court of Peter the Great, Schaub comments: "The court as couturier achieved what the court as censor could not" (Schaub, *Erotic Liberalism*, 139). In this Montesquieu is very much of the same school as Hume and Smith. Unfortunately, Schaub's own examples reveal the shortcomings of basing politics and ethics upon vanity. Citing one of Montesquieu's sources, a 1658 ethnology of the island of Madagascar, we learn that the native women of the island practice abortion because of the harm that nursing does to their breasts: that is, they abort because their breast will no longer be found as sexually appealing by the men of the island (169, n. 8). As Schaub comments perceptively: "Although regular resort to abortion is attributed to savage women, perhaps highly civilized women are even more likely to allow vanity and the quest for unencumbered sexual pleasure to interfere with propagation" (67). Smith himself, while acknowledging the worth of vanity, did not doubt that it was a corruption of the moral sentiments.

49. The claim is worth quoting in full both to capture its boldness and to

help capture the strains of political thought found in the encyclical. John Paul II writes:

The original and inalienable right to life is questioned or denied on the basis of a parliamentary vote or the will of one part of the people—even if it is the majority. This is the sinister result of a relativism which reigns unopposed: the “right” ceases to be such, because it is no longer firmly founded on the inviolable dignity of the person, but is made subject to the will of the stronger part. In this way democracy, contradicting its own principles, effectively moves toward a form of totalitarianism. The state is no longer the “common home” where all can live together on the basis of principles of fundamental equality, but is transformed into a *tyrant state*, which arrogates to itself the right to dispose of the life of the weakest and most defenseless members, from the unborn child to the elderly, in the name of a public interest which is really nothing but the interest of one part. The appearance of the strictest respect for legality is maintained . . . Really, what we have here is only the tragic caricature of legality; the democratic ideal, which is only truly such when it acknowledges and safeguards the dignity of every human person, *is betrayed in its very foundations* . . . (EV, 20) (emphasis original).

50. Lilla, *The Reckless Mind*, xi.

51. Maritain, *Man and the State*, 183. Maritain has spoken about “the originally Christian character of human rights” (Maritain, *Rights of Man*, 45).

52. Kolnai, *Privilege and Liberty*, 181; hereafter cited as PL.

53. It is well worth noting here that the Jesuit John Courtney Murray’s classic work of American Catholic political philosophy, *We Hold These Truths*, contains some very dark passages about possible future “Jacobin” interpretations of the Constitution.

54. Hauerwas, *Community*, 220.

55. Kolnai, *Political Memoirs*, 200; hereafter cited as PM.

56. Aldous Huxley, whose politics come close to Kolnai’s, was disturbingly prophetic in *Brave New World*. It should be noted that the problem the novel presents is not that of privilege but rather the loss of any true privilege: the quasi-humans of *Brave New World* are utterly equal in having been extruded from the monistic logic of the hatchery. By contrast, the Catholic concept of the person is complex. All persons are equal in being made in the image of God but unequal in their exact natural composition. That is, the person is a crossing of the theological *imago dei* and the Aristotelian-Thomistic rational animal. Another layer of complexity is added by Vatican II’s reaffirmation of “offices,” at least those of motherhood and fatherhood (GS, para. 48). An example of the complex theory of equality espoused by the Church might be John Paul II’s claim that marriage is an *institution of equality* wherein a diversity of roles exists on account of the *personal originality* of man and woman

(MD, 10; 16). The reincorporation of privilege would further intensify the traditional anti-utopian and anti-monistic tenor of Catholic political thought.

57. Weigel, *Witness to Hope*, 715–27; 766–71.

58. Weigel, *Witness to Hope*, 717.

59. In 1978, Malcolm Muggeridge pointed out that in the first decade of the legalization of abortion in England, it was already true that more babies had been killed in England than English lives lost in World War I (see his speech published as *Malcolm Muggeridge on Humanae Vitae*, 5).

60. Malcolm Muggeridge points out that euthanasia was one of the crimes cited at Nuremberg and adds sadly that it took only thirty years for a war crime to become an act of compassion (Ibid., 6), the “mercy death” of the Nazis (Arendt, *Eichmann in Jerusalem*, 108).

61. D’Souza, *Letters to a Young Conservative*, 191.

62. M. Lilla, *The Reckless Mind*, 76, 73–74.

63. In an otherwise superb article, Kavanaugh ends up trotting out the old “industrial-military complex” vision of American political order. Sadly, this is a good example of what Lilla is getting at. The first part of the Kavanaugh article is extremely fine and shares the Augustinian sensibility assumed in this book. The second part of the article shows that he misunderstands Augustine’s politics, however. See W. Kavanaugh, “A Fire Strong Enough to Consume the House,” *Modern Theology* 11, 397–420.

64. Weigel, “Catholicism and Democracy,” *Logos*, vol. 4, 36–64.

65. This is also the position of a Catholic school of thought found in France with Pierre Manent and in the United States with a political theorist like Dan Mahoney. Both are champions of Kolnai but read him as rather more sympathetic to liberal democracy than I do. Dunlop’s recent Kolnai biography has gathered material from letters and notes that make the Manent-Mahoney reading untenable, I think. This is not the place to show this, however. It should be pointed out that Manent and Mahoney do not think that Kolnai can be brought as close to Maritain as assumed by John Hittinger. I take many comments throughout my book to dispute strongly claims found in Hittinger to this effect: see Hittinger, *Liberty, Wisdom, and Grace*, espec. chaps. 9 and 10.

66. For Mill on the sovereignty of the individual, see J. F. Kavanaugh, *Who Count as Persons*, 93; and all of chap. 7 for how this contention is currently creating a culture of killing.

67. There is little doubt that Pickstock and Milbank are Cartesians in this sense. See my discussion of their views earlier in chap. 3.

68. For the transition of Thomas’s *dominium* over self and body into a *ius* over self and body, see de Vitoria, *On Homicide*, 227, n. 193.

69. Schmitt, *The Concept of the Political*, 27.

70. Manent, *An Intellectual History*, 77.

71. As reported in *The Baltimore Sun*, 7 April 2002, 1A, 13A.

72. For the continuing influence of Maritain in Catholic social thought, see Hittinger, *Liberty, Wisdom, and Grace*.

73. John Paul II writes: “It is therefore urgently necessary, for the future of society and the development of a sound democracy, to rediscover those essential and innate human and moral values which flow from the very truth of the human being and express and safeguard the dignity of the person: values which no individual, no majority and no state can ever create, modify or destroy, but must only acknowledge, respect and promote” (EV, 71).

74. *Man and the State*, 104–05.

75. Weigel, “Catholicism and Democracy,” *Logos*, vol. 4, 53.

76. This is a development on *Gaudium et Spes* where the classical Catholic position is stated.

77. For marriage as a site of privilege in understanding the Trinity, and therefore for living a Christian life, see Waldenstein, “John Paul II and St. Thomas,” *Anthropotes* 18. 1 (2002), 113–38; 18. 2 (2002), 269–86.

78. Indeed, according to John Paul II “the most essential power” for mastery of concupiscence is an honouring of the body and spouse (TB, 201; 365). In classical liberalism, vanity replaces honor and nobility as basic values. Of course, in statist liberalism none of these values is significant. Indeed, at least in America and typically speaking, statist liberals, in the very way that they dress and present themselves, reject the value of vanity so dear to classical liberalism. As St. Thomas More pointed out, style of dress is a very significant political issue. This point is wittily made in the cover design of Letwin’s book, *The Pursuit of Certainty*.

79. For Hayek’s concern that democracy has ceased to be constitutionally founded, see his “Whither Democracy?” in *New Studies in Philosophy*, 152–54; henceforth cited as NS.

80. See his “Liberalism,” in NS, 123; “The Result of Human Action,” *Studies in Philosophy*. See his short comment on their idea of the *pretium mathematicum* in “The Pretence of Knowledge,” NS, 28.

81. Cf. Kraynak, *Christian Faith*. Scruton sees no difficulty within English constitutionalism for a substantial reduction in democratic participation, and even muses whether the electorate would really care (see Scruton, *Meaning of Conservatism*, 53).

82. Dunlop, *Life and Thought of Aurel Kolnai*, 236–40.

83. Weigel, “Catholicism and Democracy,” *Logos*, vol. 4, 38.

84. Note *Fides et Ratio* (1998) where the pope speaks of the “growing support” for a pragmatic concept of democracy which denies “any reference to unchanging values” and where great moral questions are “subordinated to decisions taken one after another by institutional agencies” (FR, 89).

85. See his superb analysis of “the raised position” in his essay “The Concept of Hierarchy,” *Philosophy*, 46 (1971), 212–13.

86. As quoted by Scruton, *Meaning of Conservatism*, 53.

87. Catholic social thought appears to have lost sight of the manifoldness of social order and the way to describe it. De Vitoria has a brilliant examination of the varieties of law and how these laws can coherently affirm equality and privilege as part of social order. See his splendid pages on property, *On Homicide*, 121–39.

88. That abortion is an attack upon political liberty is clear from Leahy's definition of the person: the person is, he writes, "the essential and absolutely non-inevitable perfect specification of freedom *no longer postponed*" (Leahy, "Person as Absolute Particular" [pro manuscripto], 8.)

Concluding Remarks

1. For example, Peter Garnsey casts his informative study of privilege in ancient Rome as a study of "the techniques of discrimination." See Garnsey, *Social Status and Legal Privilege*.

2. Cohen, *If You're So Egalitarian*, 179.

3. Waldron, *God, Locke, and Equality*, 238.

4. *Ibid.*, 3.

5. *Ibid.*, 11.

6. The following quotes are drawn from passages cited by de Lubac (*Mystery of the Supernatural*, 98–100): "With respect to capacity for and participation in glory . . . [rational creatures] all exists equally to the image, and the image is equal, because all are ordered immediately to a single end, namely God in whom all are beatified (Matthew of Aquasparta); [man] was made in the image of God because he was made rational; he has not arrived to the likeness of God, because he has not imitated the gift of God" (Rupert of Deutz); "God made [man] a rational creature, *so that he might* participate in his likeness, which consists in seeing him" (St. Thomas; emphasis added). For a recent statement of such a position, see Nicolas, "Les rapports entre la nature et le surnaturel," *Revue Thomiste*, vol. 95, 399–416.

7. ST II-II, q. 64, a. 2, ad 3. And the following from St. Gregory of Nyssa: "God is above all love . . . The Creator has impressed this character also on us . . . Therefore, if this love is not present, all the image becomes disfigured." (As quoted in Waldenstein, "John Paul II and St. Thomas," *Anthropotes*, vol. 18: 2, 270–71).

8. Scheler, *Ressentiment*, 128–29.

9. Consider this episode from St. Francis's life: "After his strength was restored, when he had dressed as usual in his fine clothes, he met a certain knight who was of noble birth, but poor and badly clothed. Moved to compassion for his poverty, Francis took off his own garments and clothed the man on the spot. At one and the same time he fulfilled the two-fold duty of covering over the embarrassment of a noble knight and relieving the poverty of a poor man" (Bonaventure, *Life of St. Francis*, in *Bonaventure*, 187).

10. See de Vitoria, *On Homicide*. I discuss this question at some length in a book I am currently writing on privilege and homicide.
11. Waldron, *God, Locke, and Equality*, 18.
12. Cf. Kolnai, "Sovereignty," *Ethics, Value and Reality*, 23–43.
13. I was first introduced to the idea of "double aspect" interpretations of the body by Brian O'Shaughnessy while a student at London. Please see his two-volume work *The Will*.
14. Gallagher, "Person and Ethics," *Acta Philosophica*, vol. 4, 67 n. 62.
15. For contradictions in how the body is viewed in contemporary Western society, being both affirmed and denied simultaneously, see the fine comments of Sarah Coakley, "Introduction" in *Religion and the Body*, 1–10.
16. Milbank, *Theology*, 22.
17. *Ibid.*, 14–15.
18. Although I am a foreigner writing in the United States, no American could accuse me of misreading the tenor of the Left's comments after September 11 or their comments about the government of President George W. Bush. I cite the bumper sticker that reads: "The Real Axis of Evil: Cheney, Bush, Ashcroft."

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