

***FREEDOM FOR FRIENDSHIP:
MARITAIN'S CHRISTIAN PERSONALIST
PERSPECTIVE ON GLOBAL DEMOCRACY
AND THE NEW WORLD ORDER***

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In his very timely meditations on Martin Heidegger and postmodern politics, Leslie Paul Thiele correctly identifies the question embedded within the matrix of concerns associated with globalization:

I believe that these three concerns, political, ecological, and philosophic, confront us today with the mandate of addressing a single, increasingly pressing question: *How are we to understand and exercise our freedom?* It is our freedom – demonstrated in thought, speech and deed – that grounds our growing power over the earth, our capacity for political community, and our philosophical disposition to question their meaning and limits. How we understand and exercise this freedom largely determines whether our ingenuity and craft will be balanced with the sentiments and wisdom needed to sustain a common earthly home.¹

In other words, whether or not the current trend toward globalization engenders some mode of global hegemony, learns to accommodate pluralism, or simply regresses in disarray, depends upon how we understand and express our freedom.

¹ Leslie Paul Thiele, *Timely Meditations: Martin Heidegger and Postmodern Politics* (Princeton, New Jersey: Princeton University Press, 1995), pp.4-5.

Jacques Maritain's correction of the liberal democracy which emerged in Europe and North America after the Enlightenment, coupled with his notion of the concrete historical ideal and advocacy of Christian democracy based on the rights of the human person, may prove to be a very important contribution toward a proper understanding of freedom within our current context of globalization.

In fact, Maritain's contribution may prove to be more comprehensive than Thiele's development of "disclosive freedom" based on the work of Martin Heidegger.² Although Thiele's approach, *a la* the later Heidegger, acknowledges human openness to Being through the preservation of beings within a relational world as the context within which human freedom is disclosed, he does not fail to register the dangers of disclosive freedom when it is allowed to stand alone as the paradigmatic formula for interpreting human freedom. Allowing for deterioration into "fatalism" and "passivity," Thiele even echoes the sentiments of those who are critical of what they perceive to be Heidegger's relativism and historicism:

Openness to the mystery of Being might degenerate into fatalism, and releasement toward things might deteriorate into passivity. I am not proposing, then, that we should turn our backs on hard-won and still insufficiently propagated freedoms. . . The pursuit of any freedom, including disclosive freedom, most fruitfully occurs not as a crusade against competitors but as an invitation to expand horizons.³

Maritain's approach acknowledges human openness and the preservation of things within the context of a universal definition of human freedom and a universal comprehension of the human person based primarily on the Christian experience, but also acknowledging Jewish and Hellenic contributions. In this respect similar to Eric Voegelin, although working from a traditional appreciation of the uniqueness of Jesus, Maritain champions not Western culture or civilization *per se*, but the very form of historical order which acknowledges spiritual transcendence and concrete existence as the universal characteristics

² See *Ibid.*, pp. 81-93, and pp. 171-257.

³ *Ibid.* pp. 91-92. For a survey of some of the important criticisms of Heidegger see Tom Rockmore, *Heidegger and French Philosophy: Humanism, Antihumanism and Being* (London: Routledge, 1995); *Martin Heidegger and the Holocaust*, ed. by Alan Milchman and Alan Rosenberg (Atlantic Highlands, NJ: Humanities Press, 1996); and see Victor Farias, *Heidegger and Nazism*, ed. by Joseph Margolis and Tom Rockmore, French materials tr. by Paul Burrel, with Dominic Di Bernardi; German materials tr. by Gabriel R. Ricci (Philadelphia: Temple University Press, 1989). See also Francis Fukuyama, *The End of History and the Last Man* (New York: The Free Press, 1992), p. 333 – hereafter referred to as *End of History*.

which define the human person.⁴ Acknowledging transcendence and the universal within the unique circumstance of their disclosure, Christian democracy does not denote or connote Christianity as a denomination or even as a religion, but simply designates the experiential source which affords recognition of the human person.

Maritain came to appreciate that within the current historical context a viable search for order must work within the plurality and never against it. In a postmodern world, any new order must welcome difference and encompass otherness. The liberal democratic experience is the harbinger of the pervasive egocentrism in our time, that which Maritain denigrates as bourgeois liberalism and bourgeois democracy. Such egocentrism extends through the varied totalitarian experiments with community in the last century as well. According to Maritain, the leaven of Christian experience may yet blossom into a fuller disclosure of the meaning of freedom in itself and for our time. Against the atomistic individualism of bourgeois liberalism and the pitfalls of totalitarianism, Maritain proposed a universal definition of freedom which recognizes in every person the goal of every order in the world today.

A viable postmodern order must transcend the friend/enemy distinction given thematic expression by Carl Schmitt, who in defending a coherent foundation as necessary for the preservation of the Weimar Republic became a champion of

⁴For Voegelin, the universality of the form is already given in human consciousness. Our knowledge, always respectful of divine transcendence and mystery, unfolds through ever greater differentiation of primal human consciousness. Such differentiation depends on revelation. However, even the revelation of Christ is the full presence of the true God already present in the human being. For a survey of Voegelin's views on revelation see Michael P. Morrissey, *Consciousness and Transcendence: The Theology of Eric Voegelin* (Notre Dame: University of Notre Dame Press, 1994), especially pp. 150-170 – hereafter referred to as *Consciousness*.

Through an advance in the differentiation of consciousness, the particular becomes the occasion of the universal:

A symbol such as the Promised Land, for example, or that of the promise of progeny to Abraham, which originally served well in the articulation of an experience of transcendence, may later become an impediment to such experience unless it is transformed into what amounts to a new symbol through radical reinterpretation. This is precisely what happened, according to Voegelin, when the Promised Land symbol and that of the Kingdom later became interpreted in eschatological terms and when the symbol of the People of God came to be interpreted as referring not to a particular ethnic group but to the universal spiritual calling of humanity. (Eugene Webb, *Eric Voegelin: Philosopher of History* [Seattle: University of Washington Press, 1981], pp. 217-218 – hereafter referred to as *Voegelin*.)

the Third Reich.⁵ It seems that with Schmitt, the temptation to acknowledge the enemies of democracy as the new legality in a time of crisis inevitably persists. Schmitt was correct when he attempted to preserve the Weimar Republic on the premise that even a democratic system is never value-neutral.⁶ However, in seeking to establish legitimacy and uphold order by allowing the state to determine who the enemies of the people are, Schmitt himself undermined the democratic order he once sought to preserve. In addition, it appears that Schmitt fell victim to the pervasive liberal credo which encourages the individual to look out for number one. Any attempt to harness the Hobbesian war of all against all must fail simply because the premise is false. In such a society, friendship is a matter of convenience and opportunity in accord with the legally sanctioned system necessary to uphold order. Such was the world of Carl Schmitt, who

⁵ Clearly described by Carl Schmitt, the friend/enemy dichotomy is presented as essential to the state. Pervasive in our milieu, we see this dichotomy operative in the *realpolitik* of Henry Kissinger and proclaimed as a cultural legacy in the now famous/infamous clash of civilizations described by Samuel P. Huntington. See Joseph W. Bendersky, *Carl Schmitt: Theorist for the Reich* (Princeton, New Jersey: Princeton University Press, 1983), pp. 85-103 – hereafter referred to as *Schmitt*; George Schwab, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt between 1921 and 1936*, Contributions in Political Science, Number 248 (New York: Greenwood Press, 1989); Oren Gross, “The Normless and Exceptionless Exception: Carl Schmitt’s Theory of Emergency Powers and the ‘Norm-Exception’ Dichotomy,” *Cardozo Law Review* 21 (2000); Mark Lila, *The Reckless Mind: Intellectuals in Politics* (New York: New York Review of Books, 2001), pp. 47-77; Gopal Balakrishnan, *The Enemy: An Intellectual Portrait of Carl Schmitt* (London: Verso, 2000); Carl Schmitt, *The Concept of the Political*, tr. George Schwab (Chicago: The University of Chicago Press, 1996), especially p. xxiii, n42 for reference to Kissinger; and Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, A Touchstone Book, 1997).

A view of Schmitt similar to the one expressed in this paper has been expressed by Michael Ignatieff à la Oren Gross. Ignatieff contrasts Locke’s defense of revolution with Schmitt’s predilection for order:

The Lockean view is more than a defense of revolution: it clearly prioritizes evils, preferring the risks of disorder to despotism. This moral ranking contrasts signally with Schmitt’s, for whom the greater evil was disorder and civil war, and for whom dictatorship, in contrast, was the lesser evil. (Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror*, the Gifford Lectures [Edinburgh: Edinburgh University Press, 2004], p. 43, and pp. 40-44 for the full context.)

For Maritain’s criticism of Schmitt during the Nazi era see Jacques Maritain, *Integral Humanism: Temporal and Spiritual Problems of a New Christendom*, tr. Joseph W. Evans (Notre Dame: University of Notre Dame Press, 1973), pp. 169-170 – hereafter referred to as *Integral*.

⁶ See Bendersky, *Schmitt*, pp. 145-171.

eagerly sought accommodation when the friends of Weimar became the enemies of the Third Reich. Encouraging the dialogue of all with all, rather than discerning the enemies of the people, might go further toward establishing a viable order in our global context.

While eschewing individualism and the false sense of freedom within liberal democracy, Maritain nevertheless upholds the freedom of each in conscience before God, arguing that a proper understanding of freedom as the holy freedom of each united to God by grace is in fact the concrete historical ideal for a truly Christian order in our age. Maritain implies that the ideal of holy freedom is based on the concrete situation arising from the great social and political upheavals occurring throughout Europe and America over the past three centuries. Seriously distorted by a false view of freedom, Western civilization nevertheless carries forward natural aspirations and the evangelical leaven.⁷ It will be shown that for Maritain true freedom involves expansive openness, relationship, and friendship. This is in accord with his promotion of the entire human person in opposition to the truncated individual fostered by certain intellectual and cultural currents emerging from the Renaissance, Protestant Reformation and Enlightenment.⁸ Maritain's understanding of freedom in no way accommodates the private, self-centered and self-seeking bourgeois perspective which (in the eyes of its detractors) characterizes liberalism.

Furthermore, Maritain convincingly argues that the attempt to establish order through totalitarianism is doomed to failure primarily because totalitarianism itself is a product of the same Enlightenment. No attempt to promote hegemony through a meta-narrative will succeed in the current milieu. For Maritain, even Franco's attempt to establish a Catholic order in Spain was at best a pseudo-hope based on a perversion of the now defunct historical ideal of the holy empire.⁹ Maritain assures us that today we must learn to accommodate pluralism.

⁷ See Jacques Maritain, *Christianity and Democracy*, tr. Doris C. Anderson (London: Geoffrey Bles: The Centenary Press, 1945), especially pp. 15-16 and pp. 24-27 – hereafter referred to as *Christianity*; *The Rights of Man and Natural Law* (London: Geoffrey Bles: The Centenary Press, 1944), pp. 29-32, and pp. 44-46 – hereafter referred to as *Rights*; *Man and the State* (Chicago: The University of Chicago Press, 1966), pp. 183-184 – hereafter referred to as *State*; and *Integral*, pp. 127-210.

⁸ Maritain is critical of the intellectual origins of modernity throughout much of his work. See especially *Integral*; *Three Reformers: Luther, Descartes, Rousseau*, Apollo Edition (New York: Thomas Y. Crowell Company, 1970) – hereafter referred to as *Three Reformers*; and *The Dream of Descartes, together with Some Other Essays*, tr. by Mabelle L. Andison, (New York: F. Hubner & Company, 1944) – hereafter referred to as *Descartes*.

⁹ See Maritain's introduction to Alfred Mendizabal, *The Martyrdom of Spain: Origins of a*

Based on Maritain's personalist approach to freedom in the context of his critique of modernity, this paper will attempt to address, by way of a preliminary outline or sketch, the question of our freedom in relation to global democracy and world order. Discerning meaning and direction within the context of what Maritain refers to as the concrete historical ideal is not another attempt to bring on the *eschaton* by succumbing to another mode of militant gnosticism, the dangers of which have been ably documented and analyzed by Voegelin.¹⁰ Maritain contends that what he calls the guiding dream or myth of a particular age must be based on the actual circumstances of that age. Without the pretense of giving us direct knowledge of any final solution, the concrete historical ideal indicates the most desirable way to pursue order and the actualization or temporal manifestation of human freedom in a given climate or situation. Maritain informs us that today, nestled within the quest for a new Christian order, is the light capable of guiding us all, professed Christians and otherwise, on the path toward the holy freedom of each through recognition of the spiritual transcendence and the concrete existence of each. This is not Francis Fukuyama's "end of history," however qualified, whereby the global hegemony of liberalism establishes a virtual *Pax Americana*.¹¹ Rather, in a postmodern age which decries the arrogance of those who would seek to establish a foundation, Maritain's Christian personalist perspective offers a concrete ideal which may serve without arrogance as the historical foundation for friendship with the other.

Freedom for Friendship

Eschewing the liberal infatuation with freedom of choice, Maritain thinks that true freedom of autonomy is identical with spontaneity.¹² True freedom of

Civil War, tr. Charles Hope Lumley (London: Geoffrey Bles: The Centenary Press, 1938), pp. 1-48; and *Integral*, p. 277.

¹⁰ See Webb, *Voegelin*, especially pp. 193-276; and Eric Voegelin, *The Political Religions, The New Science of Politics, and Science, Politics, and Gnosticism, The Collected Works of Eric Voegelin, Volume. 5: Modernity Without Restraint*, ed. with an introduction by Manfred Henningsen (Columbia, Missouri: University of Missouri Press, 2000).

¹¹ See Francis Fukuyama, "The End of History?" *The National Interest* 16 (Summer 1989), pp. 3-18; and *End of History*. See also *After History? Francis Fukuyama and His Critics*, ed. by Timothy Burns, Littlefield Adams Quality Paperbacks (Lanham, Maryland: Rowman and Littlefield Publishers Inc., 1994) – hereafter referred to as *After History*. See especially Fukuyama's article, "Reflections on the End of History, Five Years Later," pp. 239-258.

¹² For a brief scholastic digression on this topic, see Jacques Maritain, "Spontanéité et Indépendance," *Mediaeval Studies*, IV, 1942, pp. 23-32. Freedom of autonomy or spontaneity is also referred to as terminal freedom. See Jacques Maritain, *Freedom in the*

autonomy or spontaneity means not merely choosing something as good for me, after a period of deliberation or perhaps merely on a whim to exercise and prove my freedom of choice, but comprehending the good as such and willing it *immediately, as part of my nature*.

In *Freedom in the Modern World*, Maritain explains this as follows:

When freedom of choice has led a spiritual nature, endowed in intellect and in will with a capacity for the infinite, to the term for which it is made, its office is accomplished. It always remains of course, for it is the privilege of a spiritual nature, and it continues to manifest the lofty independence of this nature in face of all that is means or intermediate end: but not in the face of that which is the End. At this terminus, however, it is still Freedom but Freedom in another manifestation that comes into play, since this nature being spiritual has its true fulfillment only in spontaneity that is absolute.¹³

For Maritain, freedom of autonomy is the ability of a spiritual nature to act spontaneously in accordance with the will of God. This is not just obedience, but the absolute independence of the person to act without constraint in conformity with its own nature, which is the intention of God. The human person cannot achieve this without help, and it is here that the notion of sanctification appears:

. . . it is not of themselves or by themselves, it is by union with One who is Other and who is Source of all Being and of all Goodness, that created spirits are able to reach such a perfection of spontaneous life. It cannot be otherwise once the matter is viewed in the perspectives of a philosophy of Being and of a metaphysic of Divine Transcendence. Finite and wretched in self, man cannot pass to a supernatural condition save by adhesion of intellect and will to a superior being. God being the perfection of personal existence and man being also, though precariously, a person, the mystery of the achievement of freedom is contained in the relation of these two persons.¹⁴

Maritain believes that the encounter between the human person and the eminently personal God is the primary goal of Christianity. This is evident in his treatment of mysticism.¹⁵ However, the essential elements of this spiritual quest are present in human relationships as well. Indeed, is not the very foundation of the Judeo-Christian tradition the commandment to love both God and neighbor? It is here, in the arena of human relationships, that we come to appreciate the social implications of Maritain's understanding of human freedom.

Modern World, tr. by Richard O. Sullivan, K.C. (New York: Gordian Press Inc., 1971), pp. 45-46 – hereafter referred to as *Freedom*.

¹³ Maritain, *Freedom*, pp. 35-36.

¹⁴ *Ibid.*, p. 36.

¹⁵ See Jacques Maritain, *Distinguish to Unite: Or the Degrees of Knowledge*, tr. from the fourth French edition under the supervision of Gerald B. Phelan (London: Geoffrey Bles Ltd., 1959), pp. 247-383.

In *Freedom in the Modern World*, Maritain explains how spontaneity or true autonomy functions in the ordering of social life. He condemns the liberal or individualist notion of autonomy, which exalts freedom of choice:

In this conception culture and society have for their essential office the preservation of something given: the free will of Man; in such a way that all possible acts of free choice may be available and that men may appear like so many little gods, with no other restriction on their freedom save that they are not to hinder a similar freedom on the part of their neighbour.¹⁶

In place of this false view of autonomy, and here Maritain is especially critical of Rousseau and Kant as representative of the emerging liberal ethos,¹⁷ Maritain inserts the freedom of spontaneity. He argues that

According to this philosophy civil society is essentially ordered not to the freedom of choice of each citizen but to a common good of the temporal order which provides the true earthly life of man and which is not only material but also moral in its scope. And this common good is intrinsically subordinated to the eternal good of individual citizens and to the achievement of their freedom of autonomy.¹⁸

Subordinate to the “eternal good” of the particular person, it follows that temporal society is essentially directed

. . . to the establishment of social conditions which will secure for the mass of men such a standard of material, intellectual, and moral life as will conduce to the well-being of the whole community; so that every citizen may find in it a positive help

¹⁶ Maritain, *Freedom*, p. 40.

¹⁷ Maritain argues that in Rousseau we see how the atomistic and predominantly materialistic individual of liberalism willingly relinquishes personal freedom and rights for totalitarian order, with the false hope of thereby attaining collective prestige and power. See Maritain, “Rousseau or Nature’s Saint,” in *Three Reformers*, pp. 93-164. (For a concise summary of Maritain’s treatment of Rousseau see Joseph Amato, *Mounier and Maritain: A French Catholic Understanding of the Modern World*, Studies in the Humanities No. 6 Philosophy (Alabama: The University of Alabama Press, 1975), p. 70 – hereafter referred to as *Mounier and Maritain*.)

Maritain’s understanding of Kant’s notion of autonomy, as being the preliminary freedom of choice exercised in the intelligible world, is instructive here. He writes:

In the system of Kant freedom of autonomy is not the fruit of moral progress but the property and expression of the intemporal freedom of choice which man enjoys in the intelligible world. The two kinds of freedom are here (1) each falsified in idea, (2) confused. And the formal constituent of morals is sought in this false concept of freedom, although of the two kinds of freedom thus confused neither in reality gives the *essence or formal element* of moral action (for freedom of choice is the *matter* of morals and freedom of autonomy is the *term* towards which it moves). (Maritain, *Freedom*, p. 32, note 1.)

¹⁸ Maritain, *Freedom*, p. 42.

in the progressive achievement of his freedom of autonomy.¹⁹

The actual process through which society is so ordered is in itself a natural development. Although subordinate to the eternal goal of the particular person, temporal society has its own proper end, which is “the well being of the whole community.” Maritain argues that the political philosophy of such a society, being directed “. . . towards the realisation and progress of the spiritual freedom of individual persons, will make of justice and friendship the true foundations of social life.”²⁰

Maritain contends that temporal society is not merely the means through which the human person’s supernatural goal is achieved. In *Integral Humanism*, Maritain asserts that such abuse of the temporal order was a serious temptation during the mediaeval period.²¹ The temporal order has in fact asserted its autonomy through democracy and the establishment of secular civilization. Acknowledging this event, Maritain thinks that temporal society has an “infravalent end.” It is a true end, but one which is not sufficient in itself. The human person has a vocation which transcends the temporal order. In this transcendence is to be found the *telos* which regulates temporal order through the just and loving relationships which constitute the essence of friendship. In this way, the common good of the city – which entails securing certain standards of material, intellectual, and moral life for the whole community – is said to be subservient to the eternal goal of the human person.

In *The Person and the Common Good*, Maritain explains how the goal of temporal society is subordinate to our supernatural end:

. . . the common good of the city or of civilization – an essentially human common good in which the whole of man is engaged – does not preserve its true nature unless it respects that which surpasses it, unless it is subordinated, not as a pure means, but as an infravalent end, to the order of eternal goods and the supra-temporal values from which human life is suspended.²²

Maritain’s understanding of the relationship between human subjectivity and love shows us what is essential in the spiritual and temporal development of the human person. The development of personality is intimately connected with love, which is the central ideal in Christianity. Encompassing the infravalent goal of the temporal order and the supernatural end of the human person, Maritain makes of love and friendship the holistic framework for comprehending

¹⁹ *Ibid.*, p. 43.

²⁰ *Ibid.*, p. 45.

²¹ See Maritain, *Integral*, pp. 146-150.

²² Jacques Maritain, *The Person and the Common Good*, tr. John J. Fitzgerald (Notre Dame: University of Notre Dame Press, 1966), p. 62, – hereafter referred to as *Person*.

human development. Love is not concerned with qualities (as Pascal said), but with the substantial, i.e. the real or truly *existential* dimension of the beloved.²³ Love is concerned with that which is capable of giving itself and receiving another self. Moreover, “. . . to bestow oneself, one must first exist; not indeed, as a sound, which passes through the air, or an idea, which crosses the mind, but as a thing, which subsists and exercises existence for itself.”²⁴ A loving being must first be master of itself or self-possessed: “Personality, therefore, signifies interiority to self.”²⁵ Contrary to some postmodern attempts to radically alter or eradicate human subjectivity, Maritain informs us that love implies the existence of the subject.

Maritain insists that the conceptual perspective of Thomism allows him to plunge into the ontological depths of subjectivity. Although acknowledging objectification and promoting the perception of subject as thing, he refuses a reductionist approach to the subject. He insists that philosophical speculation be just to the dynamic subject, who in fact only exists by way of inter-personal relationship and love. For Maritain, a proper philosophical anthropology in accord with Thomism can occur only through a form of *intellectual existentialism*, which does justice to the rational and spiritual dimension of the human being in time. Maritain preserves the transcendent and universal aspects of a human nature which is in fact temporal. In this way, he strives to circumvent the isolation and atomism of modernity while avoiding a loss of self which would deny the reciprocity of giver and receiver. In *Existence and the Existent*, Maritain states:

. . . personality, metaphysically considered, being the subsistence of the spiritual soul communicated to the human composite, and enabling the latter to possess its existence, to perfect itself and to give itself freely, bears witness in us to the generosity or expansivity of being which, in an incarnate spirit, proceeds from the spirit and which constitutes, in the secrete springs of our ontological structure, a source of dynamic unity and unification from within.²⁶

Although requiring God’s grace for its completion, freedom of autonomy is demanded by the natural progress of moral conscience and human civilization. Perfect autonomy is a supernatural gift. It is the term of the human person’s quest for freedom, and consists in heavenly beatitude. In the temporal order,

²³ See *Ibid.*, p. 38-39.

²⁴ *Ibid.*, p. 39-40.

²⁵ *Ibid.*, p. 41.

²⁶ Jacques Maritain, *Existence and the Existent*, tr. Lewis Galantiere and Gerald B. Phelan (Westport, Connecticut: Greenwood Press Inc., 1975), pp. 81-82 – hereafter referred to as *Existence*.

however, freedom is actualized as a natural phenomenon. This does not imply the absence of God's grace. It simply means that a temporal goal is distinct from the ultimate end. In his brief sketch, *Christianity and Democracy*, Maritain carefully distinguishes between the perfect autonomy of the saints and freedom in the temporal order:

The person, in itself a root of independence, but hampered by constraints emanating from material nature within and outside man, tends to transcend these constraints and gain freedom of autonomy and expansion. In the realm of spiritual life the message of the Gospel has revealed to the human person that he is called to the perfect freedom of those who have become a single spirit and love with God: but in the realm of temporal life it is the natural aspiration of the person to liberation from misery, servitude, and the exploitation of man by man, that the repercussions of the Gospel's message were to stimulate.²⁷

Avoiding the charge of relativism and historicism which may be directed against the "disclosive freedom" of Heidegger, Maritain boldly defines freedom within the context of human essence or nature. Although clearly acknowledging the preservation of law and order within the body politic as a fundamental duty of the state, Maritain indicates friendship and justice, quickened by love, as the cement which enables law and order within the body politic.²⁸ Quite literally, Maritain finds the ultimate source of such civic action, clearly concerned as it is with the temporal order and being an infravalent end, in the life sustaining body and blood which was and is the event of Jesus Christ. The implication of the transcendent *telos* (God as well as the finality of our quest for freedom) being fully present as Incarnation involves the profoundest respect for the individual conscience and integrity of every person. Subordinate to the eternal goal, what Maritain refers to as *civic* love or friendship and justice are rational and willful actions based on the very nature of the human person. As such, they are based on the pre-conceptual, connatural inclinations of the human being.²⁹ Whereas the

²⁷ Maritain, *Christianity*, p. 35.

²⁸ See Maritain, *State*, especially Chapter 1.

²⁹ Maritain asserts that the personalist and communal nature of society . . . is strictly inconceivable without those *moral* realities which are called *justice* and *civic friendship*, the latter being a natural and temporal correspondence of that which, in the spiritual and supernatural plane, the Gospel calls brotherly love. (Jacques Maritain, *Scholasticism and Politics*, tr. by Mortimer J. Adler [London: Geoffrey Bles, Ltd., 1954], pp. 65-66 – hereafter referred to as *Politics*.) See also, *State*, p. 209.

For Maritain's treatment of connatural knowledge see Jacques Maritain, *Redeeming the Time*, tr. by Harry Lorin Binsse (London: Geoffrey Bles Ltd., 1943, pp. 225-233); *The Range of Reason* (London: Geoffrey Bles Ltd., 1953), pp. 22-29; *Existence*, p. 78; and Jacques and Raïssa Maritain, *The Situation of Poetry: Four Essays on the Relations*

state and even the body politic are abstract artifices distinguished from the community,³⁰ friendship and justice are integral constituents of community, receiving sustenance and meaning from the love which springs from our nature when in conformity with the will of God. From within the perspective of Maritain's Christian personalist ontology, authentic freedom is love, and therefore authentic freedom is the freedom for friendship.

Global Democracy

Maritain's Christian democracy, whether local or global, is neither a matter of nationalism nor a matter of race. This is highly significant, because it enables Maritain to applaud and accommodate the uniqueness of the other within community and the body politic.³¹ The implication of the Incarnation of Jesus Christ is followed through acknowledging the transcendence of every person within a given historical context. Subordination to the eternal goal within history avoids relativism. Authentic autonomy or freedom of spontaneity in conformity with human nature becomes the Christian and universal foundation of human rights in our time. Rather than the Hobbesian war of all against all and the maintenance of strict legality through enlightened self-interest, the expansion of the human person through loving relationships, through friendship and justice, becomes the principle which every constitution must respect in a true democracy. The abstraction which is the state must not be busy about establishing its identity through defining its enemies, as Carl Schmitt and certain theoreticians of the new right would have it.³² Amidst inevitable blunders and

between Poetry, Mysticism, Magic, and Knowledge, tr. by Marshal Suther (New York: Philosophical Library, 1955), pp. 65-67.

³⁰ See Maritain, *State*, pp. 1-19.

³¹ See *Ibid.*

³² It is curious that Fukuyama, who announces the overcoming of *Realpolitik*, nevertheless asserts that so called post-historical societies must deal realistically with those which remain historical, in this way prolonging global discrepancy and the arrogance of the favored. See Fukuyama, *End of History*, pp. 245-253, and pp. 276-284, especially p. 279; and *State-Building: Governance and World Order in the 21st Century* (Ithaca, New York: Cornell University Press, 2004), pp.116-117 – hereafter referred to as *State-Building*.

It would seem that the promotion of dialogue and inclusion offers more promise for nurturing global democratization. Will Kymlicka and Magda Opalski raise this concern in regard to distinguishing between those who seek to establish a Western form of orthodox liberalism in Eastern Europe and those liberal pluralists who recognize the need for dialogue and inclusion when seeking to establish a viable framework for the global internationalization of minority rights. See Will Kymlicka and Magda Opalski, eds., *Can Liberal Pluralism be Exported?: Western Political Theory and Ethnic Relations in Eastern*

setbacks, Christian democracy would have every state busy about seeking the common good, the loving through dialogue which is essential to every human person. Rather than the liberal credo which favors number one and mistrusts the other, whereby atomistic individualism paves the way for hegemony and totalitarian community, the state should welcome and protect the other as a friend of the community. As friend, the difference which is other becomes the critique which builds and strengthens community. Such becomes the foundation of true democracy.³³ Friendship, not mistrust and enmity, seems to be the natural human foundation for the insertion of the individual person into any given community and political society, and by implication for the insertion of the spokesperson of any given community and political society into what may become a global community and body politic.

As an example of the way in which the concrete and ideal work together in a historical setting, Maritain writes in his *Integral Humanism* concerning the mediaeval period:

. . . the historical ideal of the Middle Ages was controlled by two dominants: on the one hand, the idea or myth (in the sense given the word by Georges Sorel) of fortitude in the service of God; on the other, this concrete fact that temporal civilization itself was in some manner a function of the sacred and imperiously demanded unity of religion.³⁴

This “concrete fact” simply was the case through which “the idea or myth” arose. Maritain does not wish to present as perfect what was decidedly not perfect, as we read in this statement concerning the function of the concrete and ideal during the mediaeval period:

Europe (New York: Oxford University Press, 2001), pp. 1-5.

Compare here Schmitt’s distinction between liberalism and democracy, and his later acknowledgment of partisanship and ideology as a new threat replacing the nation state. Such thinking sees liberalism, as espoused by powers like the United States, as a meta-narrative imposed by force in the name of democracy. See Paul Edward Gottfried, *Carl Schmitt: Politics and Theory* (New York: Greenwood Press, 1990), esp. Ch. 5.

³³In a recent article, Pantaleon Iroegbu, a professor and administrator in Nigeria, makes this observation:

. . . the individual, far from being an enemy of community, is a friend. He has positive critical freedom to build community. This ability to renew the life and values of the community means that the individual does not become a mass that has no face or identity. Equally, the ability to undertake a deconstructive critique makes one an individual different from another. This answers the objection that whatever is found in one is equally found in others. All are therefore not one, undifferentiated. (Pantaleon Iroegbu, “The Human Person in the Western and African Traditions: A Comparative Analysis,” *Philosophy, Culture, & Traditions*, Vol. 1, 2002, pp. 78-79.)

³⁴Maritain, *Integral*, p. 143.

The idea of the *Sacrum Imperium* was preceded by an event: the empire of Charlemagne, the aims of which, it seems, were not exempt from Caesaro-papism; and the idea, arising after this event, was capable of only precarious, partial, and contradictory realizations.³⁵

Nevertheless, it was precisely the ideal of the holy empire which in fact upheld Christendom, because it was concrete, i.e. based on the fact which enabled it to become feasible for a particular historical climate. The concrete historical ideal of the holy empire functioned “. . . as the lyrical image which orientated and upheld a civilization.”³⁶

Maritain is not advocating a form of historical relativism. By linking his notion of the concrete historical ideal to the establishment of Christendom, he is seeking to be realistic. He is concerned with perpetuating and establishing the good as he sees it, i.e. Christian civilization. Without betraying Christianity, Maritain takes the concrete circumstances of history into account. He maintains that what is necessary today is to acknowledge the arrival of a new concrete historical ideal, one which the circumstance of democracy has engendered from its evangelical roots.³⁷ Maritain developed this notion in his *Integral Humanism*, which first appeared in 1936. In this work he identifies “. . . the idea of the *holy freedom* of the creature whom grace unites to God.”³⁸ Maritain is concerned with the ideal of Christian civilization, and he argues that the idea of holy freedom is to replace the idea of holy empire.³⁹ This movement from holy empire to holy freedom is interpreted as a moral development which is both natural and inspired by the Christian message.⁴⁰

History, like philosophy, is the progressive disclosure of perennial truth through new situations. That is why history is important in Maritain’s Christian endeavor to ascertain truth. This view has caused one commentator to remark:

³⁵ *Ibid.*, pp. 143-144.

³⁶ *Ibid.*, p. 144.

³⁷ See Maritain, *Christianity*, p. 25.

³⁸ Maritain, *Integral*, p. 163.

³⁹ See *Ibid.*, pp. 127-210.

⁴⁰ See Jacques Maritain, *On the Philosophy of History*, ed. Joseph W. Evans (New York: Charles Scribner’s Sons, 1957), p. 116, – hereafter referred to as *History*. Maritain even argues that natural development in the temporal order advances moral truth which the Church itself must acknowledge. He asserts that the Church neglected the workers throughout much of the nineteenth century, and that it was primarily through the efforts of other forces in the world that the Church came to deal with the situation of the workers. See Maritain, *Integral*, pp. 240-241; and *Politics*, p. 162.

Although the nineteenth century German philosopher, G. W. F. Hegel, is often credited with bestowing such ideas upon the philosophy of history, Maritain holds that the credit is misplaced, and that these ideas should be ‘reclaimed’ for Christian tradition.⁴¹

From Maritain’s perspective within the Christian tradition, such reclaiming means that Maritain, unlike Hegel, fully appreciates the exigencies of transcendence. Maritain respects mystery and clearly distinguishes between temporal order and the eternal goal; therefore, his vision of Christian democracy is not another form of gnosticism proclaiming eschatological, definitive truth. Maritain would subscribe neither to Hegel’s dialectic nor Fukuyama’s “end of history.”⁴² It appears that Maritain has more in common with Voegelin, who champions Socratic ignorance and the Platonic *metaxy* or in-between of the human condition, stretching from zero through varied opinions and glimpses of truth toward the mystery of Divine transcendence.⁴³ It is respect for transcendence which establishes every person as the other, the unique image of God worthy of reverence.⁴⁴ For Maritain, this is the implication of the

⁴¹ Brooke Williams Smith, *Jacques Maritain: Antimodern or Ultramodern* (New York: Elsevier Scientific Publishing Co., Inc., 1976), p. 6.

⁴² Maritain is critical of Hegel in many of his works. See especially *History; and Moral Philosophy: An Historical and Critical Survey of the Great Systems* (London: Geoffrey Bles, 1964), especially pp. 119-208.

⁴³ Clearly Maritain, like Voegelin, appreciates the recognition and attraction of Divine transcendence as essential for establishing order in the individual and society. For Voegelin on the Platonic *metaxy* see Morrissey, *Consciousness*, pp. 82-83, and pp. 145-146; and Webb, *Voegelin*, pp. 129-151.

Martin Buber’s treatment of *teshuva* or turning to God as distinct from redemption is helpful here:

Only in the building of the foundations of the former I myself may take a hand, but the latter may already be there in all stillness when I awake some morning, or its storm may tear me from sleep. And both belong together, the ‘turning’ and the ‘redemption,’ both belong together, God knows how, I do not need to know it. That I call hope. (Quoted in Maurice Friedman, *Encounter on the Narrow Ridge: A Life of Martin Buber* [New York: Paragon House, 1991], p. 320.)

Fukuyama, on the other hand, allows for what he perceives as the irrational belief in God to buttress what Maritain criticizes as the Enlightenment rationalism. See Fukuyama, *End of History*, pp. 322-329; and his response to Lawler in Burns, *After History*, p. 254.

⁴⁴ Minus Maritain’s Thomistic appreciation of analogy, this may be the insight of a thinker like Jacques Derrida when he refers to every other as the “wholly other.” See Michael J. Scanlon, “A Deconstruction of Religion: On Derrida and Rahner,” pp. 223-228 in *God, the Gift, and Postmodernism*, ed. by John D. Caputo and Michael J. Scanlon (Bloomington Indiana: Indiana University Press, 1999), especially pp. 227-228.

Incarnation Who is Jesus Christ for our time.

Within the context of the current historical period, Maritain's presentation of the common good is designed to defeat both bourgeois individualism and totalitarianism. Arguing against bourgeois individualism, he asserts that society must have a common task. Society must be communal. On the other hand, against totalitarianism, he asserts that society must respect the dignity of the human person. Society must be personalist. Therefore, in his *Integral Humanism*, Maritain argues that in order for a society to exist in conformity with reason, it must be both communal and personalist.⁴⁵

The monarchical structure of the mediaeval period, before the perversion of absolutism, constituted an attempt to establish such a society. The primary tenet of personalism is that the common good of society respect every human being's transcendent orientation. Certainly, the common good is concerned with the preservation of the whole. For example, in order to insure the material well-being of the whole, society may coerce its members to participate in a just war.⁴⁶ However, respecting the hierarchy of ends, the transcendent goal of the particular human being is paramount. In his *The Person and the Common Good*, Maritain expresses this succinctly: "With respect to the eternal destiny of the soul, society exists for each person and is subordinated to it."⁴⁷ Mediaeval society, in its close alliance with the Church, attempted to conform its temporal designs to this basic principle. Today, a new situation demands a new development of society's responsibility to preserve the transcendent orientation of each of its members.

Eminently personalist, human society is also essentially communal or, as Maritain states in *The Rights of Man and Natural Law*:

Man finds himself by subordinating himself to the group, and the group attains its goal only by serving man and by realizing that man has secrets which escape the group and a vocation which the group does not encompass.⁴⁸

For this reason, it can be said that the relationship between the person and the common good ". . . is posed in terms of reciprocal subordination and mutual implication."⁴⁹

⁴⁵ See Maritain, *Integral*, pp. 133-137.

⁴⁶ Maritain asserts that society has the right to oblige its citizens to expose their lives in combat. It does not have the right, however, to demand more than this risk, or to decide the death of a man for the salvation of the city. Maritain points out that in certain or almost certain death situations, volunteers are called for. See Maritain, *Person*, pp. 68-70.

⁴⁷ *Ibid.*, p. 44.

⁴⁸ Maritain, *Rights*, p. 13.

⁴⁹ Maritain, *Person*, p. 65.

Focusing on the person within the context of his concern for the common good, Maritain circumvents the liberal/communitarian dichotomy. The common good of a society of persons, because it consists of persons, is what is good for both whole and parts:

The common good of the city is neither the mere collection of private goods, nor the proper good of a whole which, like the species with respect to its individuals or the hive with respect to its bees, relates the parts to itself alone and sacrifices them to itself. It is the good *human* life of the multitude, of a multitude of persons; it is their communion in good living. It is therefore common to both *the whole and the parts* into which it flows back and which, in turn, must benefit from it.⁵⁰

Ultimately, Maritain's comprehension of pluralism rejects both liberalism and mediaeval homogeneity. In *Integral Humanism*, he writes:

It is important to insist on the bearing of the pluralist solution of which I am speaking; it is as distant from the liberal conception in favor in the nineteenth century – since it recognizes for the temporal city the necessity of having an ethical and, in short, religious specification – as from the mediaeval conception, since this specification admits internal heterogeneities and is only based on a general sense of direction, a common orientation.⁵¹

The “common orientation” is toward the development of a temporal order which secures every person's pursuit of the eternal goal through the establishment of rights, whereby persons are allowed to pursue spontaneity or perfect autonomy in compliance with the inner voice of conscience. Maritain's viewpoint thereby accommodates division in human society, while asserting a common goal which respects the primacy of the spiritual.⁵²

The current preoccupation with autonomy, although plagued by individualistic conceptions of freedom, is nevertheless a yearning for the maturity which allows every person to expand according to the dictates of conscience. The contemporary historical ideal demands respect for the freedom of every human person. Although conceived of in terms of the contemporary ideal of a new Christian civilization, such civilization, strictly personalist in response to the Incarnation, necessarily intends the whole of humanity on a global basis in accord with Maritain's understanding of natural law and its development. Maritain argues that in the past too much attention was paid, in

⁵⁰ *Ibid.*, pp. 50-51.

⁵¹ Maritain, *Integral*, p. 173.

⁵² Since 1927, in reaction to the papal condemnation of Action Française, Maritain has carefully constructed the entire edifice of his social theory on the guiding premise of the primacy of the spiritual. See Jacques Maritain, *Primauté du spirituel* (Paris: Librairie Plon, 1927); *The Things that Are Not Caesar's*, tr. J. F. Scanlon (London: Sheed and Ward, 1930).

discourse on natural law, to *obligations*.⁵³ Although these can never be neglected, he contends that the contemporary situation demands that natural law defend freedom and *rights*: “The proper achievement – a great achievement indeed – of the XVIIIth Century has been to bring out in full light the *rights* of man as also required by natural law.”⁵⁴ However, it is clear that for Maritain, as for John Courtney Murray, a correction of the eighteenth century comprehension of natural rights is required to avoid the persistent dilemma of individualism. As Murray succinctly states, “. . . the doctrine of natural rights that in the 18th century was the dynamism destructive of political privilege became in the nineteenth century the dynamism constructive of economic privilege.”⁵⁵ Regarding the persistence of individualism in the eighteenth century formulation of natural law, Maritain writes:

Through a fatal mistake, natural law – which is *within* the being of things as their very essence is, and which precedes all formulation, and is even known to human reason *not* in terms of conceptual and rational knowledge – natural law was thus conceived after the pattern of a *written* code, applicable to all, of which any just law should be a transcription, and which would determine *a priori* and in all its aspects the norms of human behaviour through ordinances supposedly prescribed by Nature and Reason, but in reality arbitrarily and artificially formulated. . . . Moreover, this philosophy of rights ended up, after Rousseau and Kant, by treating the individual as a god and making all the rights ascribed to him the absolute and unlimited rights of a god. . . . The rights of the human person were to be based on the claim that man is subject to no law other than that of his own will and freedom.⁵⁶

Maritain seeks to overcome the dilemma of the individual by directing humanity to the rights of the human person, rights which indicate a proper development of moral conscience. It is his hope that diverse societies will come to acknowledge these rights more and more, as part of the global common good. We see this in the hope Maritain places in a future World State for securing a new world order. The concrete historical ideal of a new Christendom encompasses every natural aspiration for freedom in the world today. Grace perfects nature, and history itself now provides us with the opportunity to move toward World Government through a global democracy based on the rights of

⁵³ See Maritain, *State*, p. 94.

⁵⁴ *Ibid.*

⁵⁵ Quoted in Charles O’Donnell, “The Crisis of Democracy in the United States,” in *Notes et Documents*, nouvelle série, numéro 1, janvier-mars 1983 (Praglia-Teolo, Italie: Institut International J. Maritain, Centre de documentation, Centre d’Etudes et des Recherches de Praglia, 1983), p. 36 – hereafter referred to as *Crisis*.

⁵⁶ Maritain, *State*, pp. 82-83.

the human person⁵⁷ The dilemma of the individual, which is peculiar to our age, will thereby be curtailed. What Emmanuel Mounier calls the established disorder of bourgeois civilization,⁵⁸ a description of liberalism which neither Maritain nor Carl Schmitt would disagree with, will be curtailed through a new theocentric orientation, which respects the rational and spiritual dimension of each human being. The tendency toward totalitarianism will thus be avoided. Not only the meta-narratives of racial supremacy and class hegemony, but the imposition of religious and denominational affiliation in the temporal order must be avoided as well. We must always remember that the Catholic order in Spain under Franco is seen by Maritain as a futile attempt to retain the mediaeval ideal of holy empire.

What are the rights of the human person? In *The Rights of Man and Natural Law*, Maritain proposes three categories of rights for a decidedly Christian society, but a society open to all in conformity with the new historical ideal: rights of the human person as such; rights of the civic person; rights of the social person and more particularly of the working person.⁵⁹ In conformity with the ontological foundation of natural law, Maritain begins with “The right to existence.”⁶⁰ From this basic right all the others follow. He defines the second as “The right to personal liberty or the right to conduct one’s own life as master of oneself and of one’s acts, responsible for them before God and the law of the community.”⁶¹ This is clarified by another important right of the human person as such: “The right to the pursuit of eternal life along the path which conscience has recognized as the path indicated by God.”⁶² All other rights, such as the right to ownership, the right of equal suffrage, the rights of association and discussion,

⁵⁷ Indicating that the establishment of such global order is the task of future generations, Maritain insists that in order to be effective any future World State must have “. . . legislative power, executive power, judicial power, with the coercive power necessary to enforce the law.” (*Ibid.*, p. 199.)

For Maritain on the problem of World Government, see *Ibid.*, pp. 188-216.

⁵⁸ See Amato, *Mounier and Maritain*, p. 124.

⁵⁹ “As for those who do not believe in God or who do not profess Christianity, if they do, however, believe in the dignity of the human person, in justice, in liberty, in neighbourly love, they also can co-operate in the common good, even though they cannot trace their practical convictions to basic principles, or even though they seek to base these convictions on defective principles.” (Maritain, *Rights*, p. 15.)

For a full treatment of the three categories of rights see pp. 41-62.

⁶⁰ *Ibid.*, p. 60.

⁶¹ *Ibid.*

⁶² *Ibid.*, pp. 60-61.

the right to form professional groups or trade unions,⁶³ depend upon the respect “the law of the community” shows for “the right to existence” of each and “the right to conduct one’s own life as master of oneself and of one’s acts, responsible for them before God.”

Although in a charter of rights for all one may desire to preserve the primacy of the spiritual with some modified formulation of theism, it is clear that Maritain intends to establish the common good as the infravalent end of the human person by removing obstacles to the eternal goal of the human person.⁶⁴ For Maritain, human beings are not “. . . a multitude of bourgeois *Ends-in-Themselves* with unlimited freedom to own and to trade and to enjoy the

⁶³ See *Ibid.*, p. 61.

⁶⁴ Although acknowledging the possibility of effective political parties which remain anonymously Christian, Maritain applauds the constitution of the United States of America (in the Walgreen Foundation Lectures of 1949) for continuing to acknowledge its evangelical source and upholding Thanksgiving, public prayer and invocation of the name of God. See Maritain, *Integral*, pp. 256-308; *State*, pp. 183-184; *History*, pp. 158-161; and *Reflections on America* (New York: Charles Scribner’s Sons, 1958), pp. 19-23, 83-94, and 189-200 – hereafter referred to as *Reflections*.

Considering the new order now emerging in Europe, Maritain has been remarkably perceptive:

We have not discussed in this study the rights concerned with the international order, whose consideration belongs to a special field, and among which the most important are the right of each State, large or small, to freedom and respect for its autonomy, the right to the respecting of solemn oaths and the sanctity of treaties, the right to peaceful development (a right which, being valid for all, requires for its own development the establishment of an international community having juridical power, and the development of federative forms of organization). (Maritain, *Rights*, p. 60.)

One is compelled to wonder, especially with Turkey seeking entrance into the European Union, how Maritain would react to John Paul II’s request that Christianity be given special attention in any European constitution.

Concerning global order, Maritain specifically applauds the efforts of Robert M. Hutchins, Mortimer J. Adler, Stringfellow Barr, and others to formulate a World Constitution in the wake of World War II. See Maritain, *State*, pp. 196-200, and note 10, p. 200.

However critical of the formulation of natural law theory in the eighteenth century as a foundation for natural rights in the International Declaration of Rights, Maritain refers to the publication of the document by the United Nations in 1948 as an example of practical collaborative effort from diverse perspectives. See Maritain, *State*, pp. 76-80; and William J. Fossati, “Jacques Maritain and Emmanuel Mounier On America: Two Catholic Views,” *Truth Matters: Essays in Honor of Jacques Maritain*, ed. by John G. Trapani, Jr. (Washington D. C.: American Maritain Association, Distributed by The Catholic University of America Press, 2004), pp. 272-273.

pleasures of life.”⁶⁵ Wishing to retain human nature as openness to transcendence of the self through freedom of expansion toward the transcendence of the other in friendship, Maritain strives for the adoption of what Christianity prescribes and nature demands within the temporal or secular order itself.

Prophetically aware of what today many bewail as the disintegration of the family, Maritain recognized that the priority of the person entails acknowledging the priority of nurturing relationships. For this reason, Maritain insists that the family be recognized along with the person as prior to political society. In *The Person and the Common Good*, Maritain writes that the common good of the city “. . . implies and requires recognition of the fundamental rights of persons and those of the domestic society in which the persons are more primitively engaged than in the political society.”⁶⁶ Thus Maritain seeks to secure the natural order of transcendence and expansion against the corrosive poison of bourgeois individualism.

In *The Person and the Common Good*, Maritain distinguishes three current forms of materialism: bourgeois individualism, communistic anti-individualism, and totalitarian or dictatorial anti-communism and anti-individualism.⁶⁷ In many ways, Maritain makes it clear that he perceives the arch-villain of modernity to be bourgeois individualism or liberalism. Here his accusation culminates with the identification of bourgeois Christianity itself. Maritain bluntly states:

Of the three, the most irreligious is bourgeois liberalism. Christian in appearance, it has been atheistic in fact. Too skeptical to persecute, except for a tangible profit, rather than defy religion, which it deemed an invention of the priesthood and gradually dispossessed by reason, it used it as a police force to watch over property, or as a bank where anyone could be insured while making money here below, against the undiscovered risks of the hereafter – after all, one never knows!⁶⁸

⁶⁵ Maritain, *Freedom*, p. 41. The individualism of John Locke has been criticized in this vein by John Courtney Murray, for reducing government to the role of arbiter seeking to balance the absolute lordship of one individual against the equally absolute lordship of others. See O’Donnell, *Crisis*, p. 36.

⁶⁶ Maritain, *Person*, p. 51.

⁶⁷ See *Ibid.*, p. 91.

⁶⁸ *Ibid.*, p. 97. The words of Charles O’Donnell in 1983 in regard to neoconservatism in the United States are apropos:

Their [the neoconservatives] insistence on the moral foundations of political life restored morality to respectability in currently accepted American political thought. But the ambiguity of their <<bourgeois ethics>>, handmaiden of individualism, furnished a shaky foundation for democracy. They, too, brought basic social issues and an abundance of facts into the public debate. Yet the rationalistic and elitist bias

According to Maritain, recognition of the human person in conformity with human nature neither concludes with *laissez-faire* nor advances through any further rational transformation of recognition through dialectic from *laissez-faire* as a springboard. Recognition remains a matter of self-assertion and self-promotion in a world where economic liberalism is defined as Fukuyama succinctly defines it: “In its economic manifestation, liberalism is the recognition of the right of free economic activity and economic exchange based on private property and markets.”⁶⁹ As Charles O’Donnell succinctly observed in 1983:

The freedom of choice ideology which colors American social, economic and political thinking has had a crucial influence on the crisis of American democracy because it persistently seeks to displace human rights with a <<market place>> criterion of freedom.⁷⁰

For Maritain, the challenge before us is to promote rights, including rights in the economic sphere, which uphold a stable human nature that unfolds through time:

The thwarted progress of humanity moves in the direction of human emancipation, not only in the political order but also in the economic and social order, in such a way that the diverse forms of servitude which place one man in service of another man for the particular good of the latter and as an organ of the latter, may be abolished by degrees, as human history approaches its term. This supposes not only the transition to better states of organization, but also the transition to a better awareness of the dignity of the human person in each of us, and of the primacy of brotherly love and all the values of our life. In this manner we shall advance toward the conquest of freedom.⁷¹

And here we must remember that, for Maritain, grace (which tugs at us like Plato’s golden cord from the mystery which is the horizon of our future)⁷² is required for the completion or perfection of nature:

. . . absolute bondage thus appears as opposed to natural law considered in its primary requirements, and the other more or less attenuated forms of servitude as

of their approaches to democracy led them to neglect the importance of social justice in domestic and international affairs and to underestimate the role of the people in democratic life. (O’Donnell, *Crisis*, p. 34.)

⁶⁹ Fukuyama, *End of History*, p. 44. For a discussion of recognition in relation to Hobbes, Hegel and Kojève see Fukuyama, *End of History*, especially pp. 143-199; and the discussions in *After History*.

⁷⁰ O’Donnell, *Crisis*, p. 38.

⁷¹ Maritain, *Rights*, pp. 59-60.

⁷² For a treatment of Plato’s metaphor in the *Laws* see Eric Voegelin, *Order and History*, Volume Three, *Plato and Aristotle* (Louisiana State University Press, 1957), pp. 228-239 – hereafter referred to as *Plato and Aristotle*.

opposed to natural law considered in its more or less secondary requirements or yearnings, and in the dynamism which it unfolds. This dynamism will be fully gratified only when every form of servitude shall have disappeared – under the ‘new heavens’ of the resurrection.⁷³

Although indigenous attempts to resist the tyranny of totalitarian regimes are applauded, Maritain’s fundamental concern is with the transformation of liberal democracy itself from within. As the harbinger of individualism, it is liberalism which is the occasion and progenitor of modern collectivism. We must always remember that for Maritain totalitarianism is the other side of the coin from individualism. Rather than dispelling the ills of bourgeois democracy, communism and fascism remain heirs. If only vicarious, by way of identification with a people or leader, or simply with the idea, modern totalitarianism perpetuates the material individual’s self-seeking and self-serving orientation through the dead-end of a promised utopia.⁷⁴ Within the matrix of liberalism, pressure may indeed be necessary to insure minority rights.⁷⁵ However, the opening of dialogue and the establishment of friendship appear to be Maritain’s primary concerns. The promulgation of rights, and the respect that this enforces, is only meaningful in the context of neighborly love. For this to be achieved, the presence of God’s grace, albeit secretly working in the mysterious depths of personality, is necessary.

In order to remove the obstacles to social communion, to give grace one more

⁷³ Maritain, *Rights*, pp. 58-59. Elsewhere Maritain protects the mystery of transcendence in the language of “beyond time” and bluntly states:

The end is beyond time, and never therefore can the movement of history come to a definitive and final state, or a definitive and final self-revelation, within time. Never can a Christian philosopher of history install himself, as Hegel, Marx, and Comte did, at the end of time. (Maritain, *History*, p. 162.)

⁷⁴ The following interpretation of Voegelin’s treatment of “The Oxford Political Philosophers” offers an interesting parallel, although Maritain’s criticism of bourgeois liberalism as the origin of the totalitarian movements may be more pervasive and caustic:

. . . Voegelin analyzes the way the secular creeds advance their destructive work, moving from the milder forms of progressivism and liberalism to utopias based ever more demonically on closed systems of thought, and on into the revolutionary movements of Nihilism, National Socialism, and Communism – all of which have as their eventual purpose the transformation of man and society in the name of an immanentist reality, rather than the preservation of an environment in which man will have the opportunity to live a life attuned to the order of reality. (William C. Harvard, Jr., “Notes on Voegelin’s Contribution to Political Theory,” in *Eric Voegelin’s Thought: A Critical Appraisal*, ed. with an introduction by Ellis Sandoz [Durham, N.C.: Duke University Press, 1982], pp. 110-111.)

⁷⁵ See Maritain, *State*, pp. 118-119.

chance and to insure that members of the body politic expand as persons in the most favorable environment, Maritain proposes certain directives for educators.⁷⁶ Education is the front line of attack within the very belly of the liberal monster. The example and direction set by educators from grade school through university and beyond is where the transformation will begin. Maritain argues that certain fundamental dispositions, with regard to truth and justice, existence itself, work, and neighbors be fostered by educators.⁷⁷

The specific goal of this education, as stated in *Education at the Crossroads*, is to combat the totalitarian mentality, by orienting the human being toward the transcendent leaven in the democratic evolution. “Our crucial need and problem. . .,” Maritain writes, “. . . is to rediscover the natural faith of reason in truth. Inasmuch as we are human, we retain this faith in our subconscious instinct.”⁷⁸ He makes the observation that democracy’s “. . . motive power is of a spiritual nature – the will to justice and brotherly love – but its philosophy has long been pragmatism, which cannot justify real faith in such a spiritual inspiration.”⁷⁹ And he asks, “How, then, can democracy vindicate its own historical ideal – a heroic ideal – against the totalitarian myths.”⁸⁰

The New World Order

Involving Jewish history and Greek conceptual clarity, Western experience encapsulates a singular foundation. Unabashedly, Maritain bears witness to the

⁷⁶ The notion of personal sacrifice “to give grace one more chance” is Maritain’s. Neither Maritain nor Voegelin promote any political solution as a sure bet from the temporal perspective. Both acknowledge the possibility of martyrdom in a barbarous world and always promote the spiritual quest and order within the individual as the prime directive. See Maritain, *Person*, p. 66; and Kenneth Keulman, *The Balance of Consciousness: Eric Voegelin’s Political Theory* (University Park: The Pennsylvania State University Press, 1990), especially pp. 162-169.

⁷⁷ See Jacques Maritain, *Education at the Crossroads*, A Yale Paperbound (New Haven Connecticut; Yale University Press, 1960), especially pp. 36-38 – hereafter referred to as *Education*; and *Pour une philosophie de l’éducation* (Paris: Librairie Arthème Fayard, 1969), especially pp. 50-52.

⁷⁸ Maritain, *Education*, p. 115. For Maritain, the *immanent* activity of contemplation nourishes *transitive* or *productive* action in the world of bodies. The contemplation of truth in love, which is the most noble aspiration of human nature and the very essence of supernatural beatitude, superabounds in loving action which seeks to establish and preserve what is good in this world. See Maritain, *Politics*, pp. 135-153.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.* pp. 115-116.

historical Christ, Jesus of Nazareth, as the foundation of order in human society. For Maritain, it is clear that the current historical ideal of “the *holy freedom* of the creature whom grace unites to God” in no way accommodates the arrogance of those who would maintain cultural or even doctrinal hegemony as bearers of the light. As historical event, the Incarnation occurs *once* and remains unique. For Maritain, this is not arrogant revisionism arising from a fixation on a culturally determined meta-narrative, but simply a fact. Champion of the concrete, Maritain’s Christology does not succumb to the abstract pluralism which may be detected in the shift from Christology to Christophany in the thought of Raymond Panikar.⁸¹ And here, in his adherence to the absolute uniqueness of Jesus as the Christ, Maritain may be parting company with Voegelin as well.⁸² Respect for the concrete historical other always affirms the other precisely as other. If not mere abstraction, transcendence and concrete existence define the particular in a particular way. Certainly to this extent Maritain would agree with Emil L. Fackenheim’s remarks in *God’s Presence in History*:

We begin with a particular subject – the Jewish faith in God’s presence in history. The announced title, however, is a universal one – God’s presence in history – and it may appear that this subject calls for concepts of God-in-general, history-in-general, Providence-in-general, and their acceptability to modern-man-in-general. This, however, would be a false start. If God is ever present in history, this is not a presence-in-general but rather a presence to particular men in particular situations. To be sure, unless it were that of a mere tribal deity, such a presence must have universal implications. These implications, however, are manifest only in the particular; and they make of the men to whom they are manifest, not universalistic philosophers who rise above their situations, but rather witnesses, in,

⁸¹ Without denying analogical similitude or the secret and mysterious work of God’s grace in each, acknowledging the uniqueness of Jesus of Nazareth as the Christ is not proclaiming the cultural hegemony of a meta-narrative. To acknowledge the otherness of Jesus is to recognize the integrity and irreplaceable worth of every other.

For a recent appreciation of Panikkar in line with the interpretation suggested here see L. Anthony Savari Raj, “Inculturation or Interculturation?: Towards a New Indian Christian Identity in a Pluralistic Society,” in *Philosophy, Culture, & Traditions*, Vol. 1, 2002, pp. 27-40, especially pp. 36-37.

⁸² Although acknowledging Jesus as the disclosure of universal human nature defined in terms of spiritual transcendence and concrete existence (the human condition which Voegelin refers to in terms of the *metaxy*), Maritain’s traditional approach to the Incarnation enables him to appreciate Jesus as the once for all time event which establishes order and direction within history. For Voegelin, the significance of Jesus may remain as a disclosure of the form of differentiation in consciousness which allows for other similar symbolizations within history. See Morrissey, *Consciousness*, pp. 12-14, pp. 142-145, and pp. 235-247.

through, and because of their particularity to the nations.⁸³

If there is to be a new world order, Maritain informs us that it must emerge from within pluralism through dialogue. His personalist perspective indicates that securing the temporal order today entails acceptance and respect for the fact of diverse experience. The primacy of the spiritual and our eternal end demands that society be so structured. The unique Incarnation establishes every person as unique in his or her transcendent and existential openness to truth and otherness. Rather than a threat to pluralism, a concrete pluralism based on actual particulars, Maritain's Christian democracy ennobles such pluralism through the proclamation of universal human rights, through the struggle for equal opportunity and material security for all, and through the entrenchment of education which respects truth as well as the holistic dignity of every human being.

Voegelin's account of the harmonization of variants in Plato's *Republic* is instructive here, for Voegelin conjectures that it may be that such harmonization can only come to fruition through globalization. Commenting on Plato's view of human nature in the *Republic*, Voegelin notes that for Plato such nature ". . . is conceived as dispersed over a multitude of human beings, so that only a group as a whole will embody the fullness of the nature."⁸⁴ He goes on to infer that ". . . perhaps only mankind as a whole, with its constellation of the main civilizations, will reveal the fullness of human nature, so that any concrete society will achieve only a relative 'goodness' within its historical limitations."⁸⁵ With respect for "the main civilizations," Maritain is prepared to jettison the modern concept of sovereignty, which holds the same hegemonic sway over the peoples as absolutism. Attributed primarily to Hobbes and Rousseau, such a concept tends to undermine the concrete pluralism of individual persons and cultural families within society.⁸⁶ Furthermore, as we have seen, Maritain argues that

⁸³ Emil L. Fackenheim, *God's Presence in History: Jewish Affirmations and Philosophical Reflections* (New York: Harper & Row, Publishers, 1970), p. 8.

⁸⁴ Voegelin, *Plato and Aristotle*, p. 110.

⁸⁵ *Ibid.*

⁸⁶ See Maritain, *State*, pp. 28-53 (especially p. 51), and pp.194-195. Maritain would probably argue that Fukuyama's suggestion, in *State-Building*, to enhance state sovereignty as a bulwark against global disorder, exhibits a failure to fully appreciate the nature of human freedom and the need for such abstractions as the state to strengthen actual persons and communities. This becomes apparent when one considers that today it is primarily bourgeois liberalism, the "established disorder" of American and European anti-culturalism, which is given hegemonic sway over state-building.

On the other hand, Fukuyama's recent insistence on democratic legitimization as necessary for the maintenance of any viable political system design in the world today

“concrete society. . .within its historical limitations” now offers the opportunity for movement toward such harmonization, although such *historical* effort remains imperfect in itself and beleaguered by forces moving against it.⁸⁷

If the common good of the peoples of the earth is to be served, by striving to establish the intrinsic value of every human being on earth along with the maximization and equitable distribution of resources and opportunities, then this arduous task must begin within the liberal democracies themselves. The unification of nations through dialogue must be nurtured through the renunciation of ideology. According to Maritain, proclaiming the centrality of Christ does not threaten any cultural tradition or individual conscience developing in accord with human nature. It seeks to liberate the freedom for friendship common to all. Democratic society is now saturated by a self-serving ideology in nearly every fiber of its anti-cultural fabric.⁸⁸ Already in 1983, O’Donnell aptly observed: “Contemporary American individualism which fails

might be in itself an acknowledgment which Maritain would welcome. Although Maritain would certainly qualify democratization in terms of his understanding of human freedom. See Fukuyama, *State-Building*, pp. 24-29.

⁸⁷ Here Maritain discerns “*The law of two-fold contrasting progress . . . in the direction of good and in the direction of evil.*” (Maritain, *History*, p. 43.) For elucidation see pp. 43-59.

⁸⁸ Maritain himself clearly perceived the danger, referring to the possibility of America becoming *embourgeoisée* in place of fulfilling so much apparent promise. See Maritain, *Reflections*, p. 193.

The extent of the damage is indicated in the harmonization of John Paul II’s cautions regarding neoliberalism and the prevalence of a culture of death in our time. Such criticism is decidedly non-partisan, especially in regard to the current polarization in the United States (many advocates of abortion and euthanasia are alert to economic injustice, what one might call the economic abortion which renders even physical elimination a plausible option for many, while too many pro-lifers are blind to the rampant dehumanization prevalent in our neoliberal culture). See *The Gospel of Life {Evangelium Vitae}: The Encyclical Letter on Abortion, Euthanasia, and the Death Penalty in Today’s World* (New York: Times Books, Random House Inc., 1995); and *Ecclesia in America*, Apostolic Exhortation, January 22, 1999.

The following words are especially relevant in the context of this paper:

More and more, in many countries of America, a system known as ‘neoliberalism’ prevails; based on a purely economic conception of the human person, this system considers profit and the law of the market as its only parameters, to the detriment of the dignity of and the respect due to individuals and peoples. At times this system has become the ideological justification for certain attitudes and behavior in the social and political spheres leading to the neglect of the weaker members of society. Indeed, the poor are becoming ever more numerous, victims of specific policies and structures which are often unjust. (*Ecclesia in America*, No. 56.)

to recognize the socially organic nature of political society is not a philosophy but an ideology that gives might a right to replace a government dedicated to social well-being.”⁸⁹ Rather than the end of history, the inevitably short-lived victory of liberal ideology would only temporarily enhance the refusal of some to acknowledge the full extent of the struggle within history, until grace enables the human to assert itself once again.⁹⁰ If Maritain’s understanding of freedom in history is correct, then it has become the task of Christian leadership in the West to rigorously renounce a view which augments the self-serving power of the material individual through enterprise and consumerism, a view which deforms the very process of evangelization by refusing to pay the cost of discipleship.⁹¹ The ethical may begin to emerge more fully in our age when the self-proclaimed Christian educators and politicians in the now predominantly secular West no longer deviate from the historical path of Christianity and human freedom. Maritain informs us that presently this path opens toward a decidedly different horizon than the one which evokes the illusion of identity, security and order through the arrogant promotion of a liberal ideology which in fact fosters unbridled individualism, materialism, and the Hobbesian war of all against all.⁹²

⁸⁹ O’Donnell, *Crisis*, p. 36.

⁹⁰ The buoyancy of nature and grace in the struggle between good and evil is a central theme in Maritain’s philosophy of history. See Maritain, *History*, especially pp. 59-62.

⁹¹ Maritain’s warning concerning the Cartesian legacy is apropos:

... there are two ways of looking at man’s mastery of himself. Man can become master of his nature by imposing the law of reason – of reason aided by grace – on the universe of his own inner energies. That work, which in itself is a construction in love, requires that our branches be pruned to bear fruit: a process called *mortification*. Such a morality is an ascetic morality. What rationalism claims to impose upon us today is an entirely different morality, anti-ascetic, exclusively technological. An appropriate technique should permit us to rationalize human life, *i.e.*, to satisfy our desires with the least possible inconvenience, without any interior reform of ourselves. What such a morality subjects to reason are material forces and agents exterior to man, instruments of human life; it is not man, nor human life as such. It does not free man, it weakens him, it disarms him, it renders him a slave to all the atoms of the universe, and especially to his own misery and egoism. What remains of man? A consumer crowned by science. This is the final gift, the twentieth century gift of the Cartesian reform. (Maritain, *Descartes*, pp. 182-183.)

The allusion to Bonhoeffer’s ridicule of “cheap grace” and his promotion of “the cost of discipleship” should be clear. See Dietrich Bonhoeffer, *The Cost of Discipleship*, tr. by R. H. Fuller, Macmillan Paperbacks (New York: The Macmillan Company, 1966).

⁹² Based on a false premise, which defines human nature in egocentric terms of seeking recognition and satisfying desire, a cyclical dilemma is set in motion. In this way, Maritain

For Maritain, commitment to Christ today means to function as leaven within the body politic and acknowledge that those who profess Christianity and those who do not are invited to share a common secular faith, a democratic faith arising from the practical aspirations of human nature and not from the abstract rationalization of ideology. According to Maritain, diverse metaphysical and religious outlooks can converge,

. . . not by virtue of any identity of doctrine, but by virtue of an analogical similitude in practical principles, toward the same practical conclusions, and can share in the same practical secular faith, provided that they similarly revere, perhaps for quite diverse reasons, truth and intelligence, human dignity, freedom,

discerns fascism and communism as arising from bourgeois liberalism.

Fukuyama is aware of this interpretation: "Following Aristotle, we might postulate that a society of last men composed entirely of desire and reason would give way to one of bestial first men seeking recognition alone, and vice versa, in an unending oscillation." (Fukuyama, *End of History*, p. 335.) However, apparently acknowledging egocentrism and enmity as essential to human nature, Fukuyama seeks a balance between rational desire (Hobbes and Locke) and rational recognition (Hegel), whereby the lamb of the self-satisfied, bourgeois last man castigated by Nietzsche will lie down with the lion of the first man driven by *thymos*. See Fukuyama, *End of History*, especially pp. 153-161, and pp. 287-339.

***MARITAIN ON RELIGION IN A DEMOCRATIC SOCIETY:
MAN AND THE STATE REVISITED***

Lawrence Dewan, o.p.

Introduction

a) Religion

The situation¹ of religious belief in relation to public life and culture has never been more in need of careful consideration and analysis. One has only to consider such issues as proposed or actual legislation concerning marriage, human cloning, embryonic stem cell research, abortion, euthanasia, assisted suicide, and public exhibition of religious symbols or texts.² In Canada a Sikh

¹ In this paper, references to Jacques Maritain, *Man and the State* (1951: University of Chicago Press, 1951) will be made in the body of the paper simply noting page number, or, if in a note, identified as “JM” plus the page number[s].

² Concerning the secularist versus traditionally religious polarity in present U.S. politics, cf. Louis Bolce and Gerald De Maio, “The Politics of Partisan Neutrality,” *First Things* 143 (May 2004), pp. 9-12 [available on the website archive: www.firstthings.com]. For an example of current discussion of the place of the ten commandments in the public square, cf. October 12, 2004, “Supreme Court to Hear Case on Display of Ten Commandments,” By THE ASSOCIATED PRESS, Filed at 11:53 a.m. ET [available in the archive of the *New York Times* on the web]:

WASHINGTON (AP) – The Supreme Court said Tuesday it will take up the constitutionality of Ten Commandments displays on government land and buildings,

R.C.M.P. officer is permitted to wear a turban, but in France a child is not allowed to wear to school a Moslem headcovering. Next week we have a U.S.A. Presidential election, and we may note the rhetoric it has occasioned in the media. For example, *The New York Times Magazine*, Oct. 17, 2004, under a huge cover title: "Faith, Certainty, and the Presidency of George W. Bush," ran a feature story entitled "Without a Doubt," by Ron Suskind. The article begins:

Bruce Bartlett, a domestic policy adviser to Ronald Reagan and a treasury official for the first President Bush, told me recently that "if Bush wins, there will be a civil war in the Republican Party starting on Nov. 3." The nature of that conflict, as Bartlett sees it? Essentially, the same as the one raging across much of the world: a battle between modernists and fundamentalists, pragmatists and true believers, *reason and religion*. [my italics]

The main accusation is that Mr. Bush acts on "instinct" while remaining uninformed about concrete issues. To blame this alleged behaviour on religious faith, indeed on "religion," is extremely simplistic.³ In any case, we must acknowledge that the current world of journalism ("mainstream media") is like this.

Jacques Maritain over the years contributed mightily in the domain of political philosophy. One thinks of such works as *True Humanism*, *Freedom in the Modern World*, *Scholasticism and Politics*, *Christianity and Democracy*, *The*

a surprise announcement that puts justices in the middle of a politically sensitive issue...

³ However, it does not take the prize; in the simplistics derby, Maureen Dowd wins, hands down. In her column in the *New York Times* of Oct. 21, we read, under the title: "Casualties of Faith:"

When I was little, I was very good at leaps of faith. A nun would tape up a picture of a snow-covered mountain peak on the blackboard and say that the first child to discern the face of Christ in the melting snow was the holiest. I was soon smugly showing the rest of the class the "miraculous" outline of that soulful, bearded face.

It would be unkind to say that Maureen hasn't changed. Still, however much such an autobiographical item helps us to understand the perils of having been little Maureen Dowd, and, if the reporting is accurate, the stupidity of some nuns, it has absolutely nothing to do with Christian Faith. As a letter-writer, Oct. 23 [Rev. Gregory Bezilla, Piscataway, N.J., Chaplain of the Episcopal Campus Ministry, Rutgers University] reminded her:

Maureen Dowd writes, "People who live by religious certainties don't have to waste time with recalcitrant facts or moral doubts." To the contrary, that's exactly what people of faith do. Their faith leads them to face the facts, listen to doubts and take seriously dissenting voices.

Indeed, one might wonder how well Ms. Dowd understands many of the people she has lived with all her life.

Rights of Man and Natural Law, The Person and the Common Good, etc.⁴ In my undergraduate days at St. Michael's College in the University of Toronto, 1949-1953, I recall that the most popular philosophy offering at the level of what was called "Pass Arts"⁵ was a course based primarily on the book *True Humanism* (referred to by all as "True Hue"), and taught by Fr. Ralph McDonald, C.S.B., a professor who very successfully communicated the seriousness of philosophical discussion.

In Maritain's political philosophy religion is very much front and center. I might begin with a reference to *Redeeming the Time*.⁶ At the outset of the book, which is a collection of essays concerning "man in his cultural life and in the complex patterns of his earthly destiny," we are told that it has one "essential theme" viz.:

Human conflicts and antinomies can be overcome and reconciled only if first they are perceived in their full dimensions, and if they are viewed in the ontological perspectives of Christian wisdom. [p. v]

In saying this, Maritain adds what can be taken as true of all that he does in the moral and political order, whether in late 1939 (about the time of some of these essays) or in 1949, the time of the lectures which developed into *Man and the State*, viz.:

This is not a book of *separated* philosophy, separated from faith, and separated from concrete life. I believe, on the contrary, that philosophy attains its aims, particularly in practical matters, only when vitally united with every source of light

⁴Cf. *OC VII*, p. 1237: In a letter to the editor of Montreal's *Le Devoir*, dated May 18, 1943 and published May 26 of that year under the title "Le Cas de M. Jacques Maritain" (replying to an attack on himself by Dom Jamet, who had falsely accused Maritain, among many other things, of having once belonged to the Action Française party), Maritain tells us that it was an error of his youth to think that the power of St. Thomas might *convert* what was truly a poisonous intellectual substance, based from the outset on aversion to the Gospel and on the cult of slavery. He says that he paid for this mistake and learned from it. We read:

It was because it deeply enlightened me as to the true meaning of the bitter zeal of the anti-democratic movement which was growing then in Europe, and as to the atrocious fraudulence that it represents, that I decided to turn towards studies in social and political philosophy and to work for that liberation of Christian values which disconcerts the prejudices of Dom Jamet.

⁵This was the label used for the common stream of students towards the three-year (after grade 13) B.A. It was contrasted with the "Honours Arts" (4 year) programs, and has always seemed to me a most unhappy way to designate a program of studies (as if the students had no pride at all in their work). As an Honours student I never took "True Hue", but I was privileged to have other courses from Fr. McDonald.

⁶*Redeeming the Time*, tr. By Harry Lorin Binsse (London: Geoffrey Bles, The Centenary Press, 1943), (the U.S. edition is entitled: *Ransoming the Time*).

and experience in the human mind. Thus it becomes able, in its own intellectual domain, to *ransom the time*, and to redeem every human search after truth, however it wanders, in manifold, even opposite ways. [p. v]⁷

To have some idea of the Maritainian basic conception of religion, and the reason for its omnipresence in his practical thought, I wish to call attention to a statement by Maritain about religion, published in the *Partisan Review* in April 1950. That monthly periodical had sent him a questionnaire concerning a supposed renewed interest in religion on the part of intellectuals. In replying (with some irony), Jacques Maritain begins:

At this point permit me to confess that I greatly appreciate the objectivity of your questionnaire, but that the way in which it proceeds is a little puzzling for me. You ask what constellation of historical causes, or particular events, can explain why some of our contemporaries are intent on the word of God. Well, as I see it, what needs to be explained is why human beings are *not* always and everywhere intent on the word of God. Does one ask what historical causes can explain the fact that men are interested in food? This is not a matter of history, but of physiology.

Human reason naturally knows the existence of God. Divine grace is knocking at every door, and offers each man the gift of faith. The workings of reason, and the workings of grace, these are the *causes* to be considered. They are permanent causes. The rest is accidental.⁸

He goes on to discuss the historical, accidental causes.

Near the end of their questionnaire, the *Partisan Review* people say:

Certain writers have attempted to separate the religious consciousness (as an attitude towards man and human life) from religious beliefs. Thus the philosopher Heidegger, and in his recent writings the novelist Malraux, both attempt to make viable certain attitudes that were formerly aspects of the religious consciousness while at the same time rejecting traditional religious beliefs. Is this separation possible? Is there a valuable religious consciousness that can be maintained without an explicit credo postulating the supernatural? Assuming that in the past religions nourished certain vital human values, can these values now be maintained without a widespread belief in the supernatural?⁹

To which Maritain replies:

Truth. – The position which you ascribe to Malraux or Heidegger seems to me just as preposterous, on the spiritual level, as [Charles] Maurras' position on the political one.¹⁰ For religion is nothing, or less than nothing, if it does not convey

⁷ This is, of course, a reference to his doctrine of “moral philosophy adequately considered”; on this, cf. my paper: “Jacques Maritain, St. Thomas and the Philosophy of Religion”, in *University of Ottawa Quarterly* 51 (1981), pp. 644-653.

⁸ Maritain, *Religion and the Intellectuals*, in *OC IX*, p. 1122, italics his.

⁹ *OC IX*, p. 1122, bottom, para. 5.

¹⁰ Maurras was the leader of the Action Française party mentioned earlier; he was a Member of the French Academy (1938), but was crossed off their lists and sentenced to

truth to us. And there is no attainment of truth if not by means of definite beliefs. Emotional or behavioristic religion, using philosophical or literary aspirin to relieve the lofty anxieties of the superego, is not worth considering. It is but an ersatz concocted by pride: for to *obey* divine Truth speaking to man and in man is exactly what gods like the above-mentioned authors cannot accept.

What does *supernatural* mean? – A God-given participation – impossible to the mere forces of nature – in the very life of God. Grace is this participation – eternal life begun here below. Faith is participation in God’s very knowledge. Charity participation in God’s very love. We can conceive of a merely natural religion, founded simply on the capacity of the human mind to know God as the primary Cause of things. Yet in actual fact no natural religion did ever exist separately from supra-rational or extra-rational beliefs, and the hidden action of grace within the human soul was always and everywhere at work. (Be it noted, furthermore, that in a merely natural religion there would be at least one explicit – natural – belief: in the existence of God. Or do we look for a religious consciousness without belief even in the existence of God? Well, we have it: the religious consciousness of the unique Party, either worshipping the Feuhrer or the movement of history.) Now, as regards the regions of the world that have received the message of the Judeo-Christian revelation, the question for them is not whether religious consciousness “can be maintained without an explicit credo postulating the supernatural;” but what kind of mess religious consciousness could become without sticking to the truth known, or – to use Newman’s expression – while “sinning against the light.”¹¹

All this I note simply as an introduction to Maritain’s fundamental point of view on religion.

b) Democracy

Besides his view of the human being as a religious animal, we might say, there is also the question of what Maritain means by “democracy.” The broadness of his conception is well seen in the last section of his book, *La Crépuscule de la civilisation*. Published first in 1939, the last part is entitled “Christianisme et démocratie.” [OC VII, 1988, pp. 41-49] He speaks of his having been in the USA in the autumn of 1938 when the American Catholic bishops, in response to a letter of Pius XI calling for a constructive program of social action, said that Catholics of all ages should be instructed in the true nature of “Christian democracy.” He goes on to speak about a statement of President Franklin D. Roosevelt (Jan. 4, 1939):

perpetual reclusion after World War II. Cf. *Nouveau Petit Larousse Illustré*, 1952, under his name.

¹¹ Maritain, OC IX, pp. 1128 and 1130. – When not obliged to counter such notions as truthless religion, Maritain is most accommodating as to who is a true Christian. Cf. especially his essay: “Who is My Neighbor?” in *Redeeming the Time*, pp. 101-122. Under many a seeming atheist, he might find one.

President Roosevelt insists, with his well-known energy, on the fact that democracy, respect for the human person, liberty, international good faith have their most solid foundation in religion and give religion its best guarantees. The message of January 4, 1939 is from this point of view a notable event. Mr. Walter Lippmann, that excellent observer of political realities, sees in it a decisive turning-point in Western thinking. ‘Such a statement,’ he writes in the New York Herald Tribune [Jan. 7, 1939], ‘bears witness of an absolutely fundamental change in ideas, a change which does not concern only Mr. Roosevelt’s own thought, but what is much more significant, the thought of the great masses of humanity, in America and elsewhere, of whom he is, in virtue of his charge, the most representative interpreter. This message marks the reconciliation, which is now underway, after more than a century of destructive conflict, between patriotism, liberty, democracy and religion....’ ‘The fact,’ Mr. Lippmann goes on, ‘that the President, who is the most influential democratic leader in the world, recognizes religion as the source of democracy and of international good faith constitutes a fundamental reorientation in the democratic conception of life.’ [pp. 42-43]

Maritain goes on:

The word ‘democracy’ lends itself to so much misunderstanding that, from a theoretical point of view, it would doubtless be desirable to find a new word. But in fact it is human usage and common awareness that determines words in the practical order; and what is more, truth to tell, the contempt which the partisans of absolutism have for this word fully suffices to give it a fresh allure; in opposition to the battle flags of enslavement it is still pretty good.

It remains that, if it is still correct that there will always be leftist temperaments and rightist temperaments, still it is true that political philosophy itself is neither of the right nor of the left: its requirement is simply to be true. And in epochs of general crisis such as our own, it is [44] especially necessary that the effort of the mind transcend these dilapidated categories of psychological or partisan dispositions. A political philosophy that one can call ‘democratic’ in this sense, that it is opposed to dictatorship and to absolutism, is something much wider than what one calls ‘the democratic form of government’ or ‘democratic parties.’ It is defined by the fact that it recognizes the inalienable rights of the human person and the call of the person as such to political life, and that it sees in those who hold authority the vicars of the multitude, as St. Thomas Aquinas put it. [43-44]¹²

He goes on to speak of his previous criticism of Rousseau as to the killing of individual liberty. And he then gives a lengthy description of the concrete quest for liberty as having a “theocentric inspiration.”

I come now to *Man and the State*.

¹²The text of Thomas he has in mind is surely *ST* 1-2.90.3, on the question: to whom does it belong to make law? Thomas teaches that it belongs to the whole multitude, or to a person acting as vicar for the whole multitude [... vel totius multitudinis, vel alicuius gerentis vicem totius multitudinis...].

Man and the State

Now I propose to focus on a few points concerning the religious factor in *Man and the State*. It was in December of 1949 that Maritain gave six lectures at the University of Chicago, under the auspices of the Charles R. Walgreen Foundation for the Study of American Institutions. From them he developed the book *Man and the State*, published first in 1951.¹³ In it we have a rather basic statement of Maritain's philosophy of politics.

We have chapters which explain the difference between the nation and the body politic or political society; and the difference between the body politic and the State, the top-most part of the body politic. We have an insistence on authority as coming *from the people* to the governors, i.e. to the State, in such a way that *the people never lose* this authority: the governors are the *vicars* of the people. We have a condemnation of the notion of "sovereignty" as concerns the entire domain of human politics.¹⁴ The general objection to the application of this

¹³Maritain's book, *Man and the State*, Chicago, 1951: University of Chicago Press, is to be found in French translation, *L'Homme et l'État*, in: Jacques et Raïssa Maritain, *Oeuvres complètes*, vol. IX (1947-1951), Éditions Universitaires, Fribourg, Suisse, Éditions Saint-Paul, Paris, 1990 [henceforth "OC IX"], pp. 471-736. In an "avant-propos" Maritain tells us that the work was originally written in English, and he thanks the translators M. and Mme [Robert et France] Davril, and says that he has examined their work line by line himself and has made some additions. There is also a text and French translation of a preface Maritain wrote for an edition of *Man and the State* destined for an English (as distinct from an American) readership. [The bibliographical note in OC IX, p. 1250 tells us that the French text presented takes into account the "retouches" made by Maritain to the last English-language edition: *Man and the State*, Phoenix Books (Chicago: U. of Chicago Press, 1956).] – I have used the first, i.e. 1951, edition from the same press. – The editors of OC IX do not give a date for the British edition of *Man and the State*; I note also that Maritain, in the preface to that edition, thanks Mr. Richard O'Sullivan, not only for having made the book's "style less unpleasant to the British reader", but for having added to it "invaluable Notes dealing with more specifically English aspects of the problems I have tackled." I have never seen this edition. [OC IX, pp. 474-476]

¹⁴It has validity in the realm of the government of reality by God. At Maritain, pp. 49-50, we read:

Sovereignty is a curious example of those concepts which are right in one order of things and wrong in another. It loses its poison when it is transplanted from politics to metaphysics. In the spiritual sphere there is a valid concept of Sovereignty. God, the separate Whole, is Sovereign over the created world. According to the Catholic faith, the Pope, in his capacity of vicar of Christ, is sovereign over the Church. Even, in a merely moral sense, it may be said that the wise man, and first and foremost the spiritual man, have a kind of sovereignty. For they are possessed of an independence which is supreme *from above* (from the Spirit), with regard to the world of passions and the world of the law, to whose coercive force they are not subjected, since their will is of itself and

notion in human politics is that it takes authority away from the people as such (this is true even of the seeming granting of sovereignty *to* the people, as in the conception of Rousseau).¹⁵

All of this discussion has its roots in what Maritain says in introducing the natural law, viz. that he is taking it as evident that there is such a thing as *human nature*, the same in all men. [85] He is even assuming

. . . that we also admit that man is a being gifted with intelligence, and who, as such, acts with an understanding of what he is doing, and therefore with the power to determine for himself the ends which he pursues. On the other hand, possessed of a nature, or of an ontological structure which is a locus of intelligible necessities, man possesses ends which necessarily correspond to his essential constitution and which are the same for all – as all pianos, for instance, whatever their particular type and in whatever spot they may be, have as their end the production of certain attuned sounds. If they do not produce these sounds they must be tuned, or discarded as worthless. But since man is endowed with intelligence and determines his own ends, it is up to him to put himself in tune with the ends necessarily demanded by his nature. This means that there is, by the very virtue of human nature, an order or a disposition which human reason can discover and according to which the human will must act in order to attune itself to the essential and necessary ends of the human being. The unwritten law, or natural law, is nothing more than that. [86]¹⁶

It also has its roots in what he says in the chapter on the problem of political ends and means, concerning the end of political society. He tells us that the basic problem of political philosophy is that of end and means. [54] “What is the final aim and most essential task of the body politic or political society?” It is to better the conditions of human life itself. It is “to procure the common good of the multitude.” Maritain speaks of independence of the person, autonomy of the person:

. . . that each concrete person... may truly reach that measure of independence which is proper to civilized life and which is ensured alike by the economic guarantees of work and property, political rights, civil virtues, and the cultivation of the mind. [54]

He goes on to explain that this means that the political task is one of “helping

spontaneously in tune with the law. [Cf. Thomas Aquinas, *ST* 1-2.96.5] They are further “separate in order to command”, that is, to tell the truth. And the spiritual man “judges all things, yet himself is judged of no man”. [Paul, 1 *Corinth.* 2:15] [*italics and notes Maritain*]

¹⁵ Maritain, pp. 43-49 and 129-130

¹⁶ This certainly seems to me in keeping with Aristotle’s *Nicomachean Ethics* 1.7 (1097b24-25) on “*the function of man*”. I should note that here Maritain is speaking of the ontological dimension of natural law, which he distinguishes from its gnoseological dimension.

man to conquer his genuine freedom of expansion and autonomy... a task of progress in an order which is essentially human and moral, for morality is concerned with nothing else than the true human good.” [55]¹⁷

He concludes his statement on the end of political life with a most remarkable paragraph, one which has an evident connection with my interest here:

I should like to add that such a task requires *historical achievements on so large a scale and is confronted with such obstacles in human nature*¹⁸ that *it cannot conceivably succeed* – once the good tidings of the Gospel have been announced – *without the impact of Christianity* on the political life of mankind and the penetration of the Gospel inspiration in the substance of the body politic. As a result we are entitled to state that the end of the Body Politic is by nature something substantially good and ethical, implying, at least among peoples in whom Christianity has taken root, an actual – though doubtless always imperfect – materialization¹⁹ of the Gospel principles in terrestrial existence and social behavior. [55, my stress]

Here, I would say, we are seeing “moral philosophy adequately considered.”²⁰ Perhaps we might contend that it is only in the light of the Gospel that we ourselves see the goodness, the wisdom, of continuing to try, even if we never succeed. That light certainly helps.

As to *the question of means* to the declared end, you will doubtless remember that he contrasts a Machiavellian purely “technical” approach to politics with the authentic approach, the moral approach. We should note how he characterizes the situation at the time of writing (and I doubt that he would judge any change for the better to have taken place since). We read:

It is quite difficult for the rational animal to submit his own life to the yard-stick of reason. It is quite difficult in our individual lives. It is terribly, almost insuperably difficult in the life of the body politic. As regards the rational management of collective and political life, *we are still in a prehistoric stage indeed*. [p. 56; my insistence on the last sentence]

¹⁷ [I noticed here that more emphasis is put on autonomy than on “cultivation of the mind”. Perhaps M is meaning to stress the importance of freedom (he refers us in n. 1, p. 55, to a paper of his on “The Conquest of Freedom” published in 1940). Perhaps freedom is as far as the political can take us on our question of wisdom.]

¹⁸This passage appears to have been later “retouched” slightly. In the French translation we have:

et rencontre de tels obstacles dans la nature humaine **marquée de péché, qu’elle ne saurait se poursuivre sans un secours de la grâce divine; plus précisément et objectivement**, sa réussite est inconcevable – une fois que la bonne nouvelle de l’Évangile été annoncée aux hommes – sans l’influence du christianisme sur la vie politique de l’humanité.... [OC IX, 542]

¹⁹ For “actual... materialization”, the French has “réalisation effective” [*ibid.*]

²⁰ Cf. above, n. 7.

The description of **the moral rationalization of political life**, in general, is simply that of *justice and friendship in the political order*. We should note that it has not been the monopoly of the Christian world.²¹ As Maritain says:

That way of rationalizing politics was shown us by Aristotle and the great philosophers of antiquity, then by the great mediaeval thinkers. After a rationalistic stage, in which some basic errors preyed upon it, and vast illusions fostered genuine human hopes, it resulted in the democratic conception put into force during the last century.

Something particularly significant must be stressed at this point: democracy is the only way of bringing about a *moral rationalization* of politics. Because democracy is a rational organization of freedoms founded upon law. [59, his italics]

That is certainly to be carefully considered: "... *democracy* is the *only way* of bringing about a *moral rationalization* of politics." We should note the reason, which again tells us what Maritain means by "democracy:" "... a rational organization of freedoms founded upon law." The focus is always on the freedom of the individual agent, and a system which respects that freedom.

While acknowledging the failures of our attempts at democracy (and he particularly mentions foreign policy of the great democracies 1919-1939), he says that "... democracy is the only way through which the *progressive* energies in human history do pass." [60, my italics] We notice that Maritain *wants* progress, but does not see it as *inevitable*.²²

²¹ Notice that Maritain says that grace is offered to every human being; this obviously means "in any age". Cf. the doctrine of St. Justin Martyr [d. ca. 163-167 A.D.] as present by E. Gilson, *History of Christian Philosophy in the Middle Ages* (New York, Random House, 1955), p. 13. See also Thomas Aquinas, *De veritate* 14.11. *ad* 1, and cf. my paper: "Natural Law and the First Act of Freedom: Maritain Revisited," *Études Maritainiennes / Maritain Studies* 12 (1996), pp. 3-32, at Endnote A.

²² In a letter to R. Garrigou-Lagrange, O.P., protesting against criticism brought against him by an Argentine opponent, Maritain says:

He attributes to me, with a holy horror, the thesis that "historical development is necessarily progressive". I made long ago, in *Théonas*, a critique of the idea of necessary progress which I now find too severe but the essential [point] of which I maintain. And while restoring what there is of truth in the notion of human progress (a notion whose origin is Christian), the thesis that I hold is that, in fact, history proceeds at once, by two simultaneous contrary movements, the one of ascension, the other of fall, towards the growth of the bad and towards that of the good.... [OC IX, pp. 1104-1105: "On a Form of Caesaro-Religious Fanaticism" (published in 1948).]

On the contrary movements of history towards the good and the bad, cf. Maritain, *On the Philosophy of History*, ed. by Joseph W. Evans (London: Geoffrey Bles, 1959), pp. 48-49: human communities, nations, cities, civilizations – all of which are collective wholes incapable of immortality – and which by essence are at the same time moral and

We then come to another paragraph which stresses the role of *Gospel inspiration* for the **democratic** way in politics:

It is possible that the present and future course of human history will confront democracies with fearful trials and fateful alternatives. They might then be tempted to lose their reasons for living for their very lives' sake. *As Henri Bergson put it, the democratic feeling and philosophy has its deepest root in the Gospel.*²³ To try to reduce democracy to technocracy, and to expel from it the Gospel inspiration together with all faith in the supra-material, supra-mathematical, and supra-sensory realities, would be to try to deprive it of its very blood. *Democracy can only live on Gospel inspiration.* It is by virtue of the Gospel inspiration that democracy can overcome its direst trials and temptations. It is by virtue of the Gospel inspiration that democracy can progressively carry out its momentous task of the moral rationalization of political life. [61, my italics]²⁴

physical, depend on physical conditions. Good or bad, they can, like Atlantis, be victims of a tidal wave. This means that justice and moral virtues do not abolish the natural laws of aging of human societies; they do not hinder physical catastrophe from destroying them. What must be said, consequently, is that justice and rectitude (and this is the law I wish to emphasize) *tend in themselves* to the preservation of human societies and to a real success in the long run; and that injustice and evil *tend in themselves* (leaving aside what concerns physical conditions) to the destruction of societies and to a real failure in the long run. [49, his italics]

²³ Maritain refers at n. 7, p. 61, to *Les deux sources*, ed. 1932, p. 304; this reference is the same in the French, OC IX, p. 550, n. 7. In my copy of *Les deux sources de la morale et de la religion*, 58th edition, Paris, 1948: Presses Universitaires de France [Bibliothèque de Philosophie Contemporaine, fondée par Felix Arcan], the reference would rather be to pp. 299-302. Note especially p. 300 where Bergson, explaining that it is the note of "fraternity" which reconciles "liberty" with "equality", removing the contradiction so often indicated as between the other two, says that it is fraternity which permits one to say that democracy is essentially evangelical. He goes on to speak of the originally religious character of the democratic formula.

²⁴ Maritain adds a very important qualifier. He warns against "hypermoralism," which in the last analysis "answers the very purpose of political cynicism". [62] And we get the following distinction:

Politics is a branch of ethics, but a branch specifically distinct from the other branches of the same stem. For human life has two ultimate ends, the one subordinate to the other: an ultimate end *in a given order*, which is the terrestrial common good, or the *bonum vitae civilis*; and an *absolute* ultimate end, which is the transcendent, eternal common good. And individual ethics takes into account the subordinate ultimate end, but *directly aims* at the absolute ultimate one; whereas political ethics takes into account the absolute ultimate end, but its *direct aim* is the subordinate ultimate end, the good of the rational nature in its temporal achievement. Hence a specific difference of perspective between those two branches of ethics. [62, his italics]²⁴

Maritain's insistence on Gospel inspiration needs to be spelled out by what he says about the people's means of controlling the State. However, I am here only focusing on the insistence on religion.

The Democratic Charter

I now jump to his chapter on *The Democratic Charter*.²⁵ A first question is about the word "**charter**." What is its role? Is it like "Magna *Carta*?" We see at p. 112 the question:

What would be the content of the moral **charter**, the **code** of social and political morality which I am speaking about and **the validity of which is implied** by the fundamental compact of **a society of free men**? Such a charter would deal, for instance, with the following points: rights and liberties of the human person, political rights and liberties, social rights and social liberties, corresponding responsibilities etc. [the list goes on at considerable length].

He eventually speaks [p. 114] of "the common secular **faith** in the common secular **charter**." There, in introducing the idea that we will inevitably encounter "heretics" as to this faith, he introduces the word "**creed**" as even more appropriate than "charter." As for the word "faith," we should note a footnote he added in later editions:

If I use the word 'faith' here, it is, as Péguy used the word '*mystique*,' in an attenuated sense, more indeterminate than the usual meaning, and to signify every conviction – here a purely human conviction, whatever be, with various people, the value of its grounding in reason – in which not only the intelligence, but the heart

This explanation enables Maritain to present in an acceptable light acts of the political authority which a hypermoralism makes immoral, and which then feeds Machiavellian cynicism. We read:

Thus it is that many patterns of conduct of the body politic, which the pessimists of Machiavellianism turn to the advantage of political amorality – such as the use by the State of coercive force (even of means of war in case of absolute necessity against an unjust aggressor), the use of intelligence services and methods which should never corrupt people but cannot help utilizing corrupted people, the use of police methods which should never violate the human rights of people but cannot help being rough with them [note 8], a lot of selfishness and self-assertion which would be blamed in individuals, a permanent distrust and suspicion, a cleverness not necessarily mischievous but yet not candid with regard to the other States, or the toleration of certain evil deeds by the law, [note 9] the recognition of the principle of the lesser evil and the recognition of the *fait accompli* (the so-called "statute of limitations") which permits the retention of gains ill-gotten long ago, because new human ties and vital relationships have infused [63] them with new-born rights – all of these things are in reality ethically grounded. [pp. 62-63]]

²⁵ Pp. 108-146, i.e. 38 pages.

also, is decidedly engaged (it is in this very broad sense that the English word ‘faith’ is currently employed).²⁶

The first point I would note concerns the practicality of this faith, but its need for theoretical justification:

What is, then, the object of the *secular faith* that we are discussing? This object is a **merely practical one, not a theoretical or dogmatic one**. The secular faith in question deals with *practical* tenets which the human mind can try to justify – more or less successfully, that’s another affair – from quite different philosophical outlooks, probably because they depend basically on simple, ‘natural’ apperceptions, of which the human heart becomes capable with the progress of moral conscience, *and which, as a matter of fact, have been awakened by the Gospel leaven fermenting in the obscure depths of human history*. Thus it is that men possessing quite different, *even opposite metaphysical or religious outlooks*, can converge, not by virtue of any identity of doctrine, but by virtue of an analogical similitude in practical principles, towards the same practical conclusions, and can share in the same practical secular faith, **provided they similarly revere, perhaps for quite diverse reasons, truth and intelligence, human dignity, freedom, brotherly love, and the absolute value of moral good**. [p. 111]

The section on *education* - education for the sake of developing faith in the democratic creed - is divided into a general discussion and more particular considerations. The first begins with the assertion of *the primacy of the family in education*. The educational system and the State are auxiliaries to the family in this regard, though such help is normal, since the family is unable to supply the full stock of knowledge needed “for the formation of man in civilized life.” [120] Maritain insists that the duty of the State and its agencies to provide

... a genuine and reasoned out belief in the common democratic charter, such as is required for the very unity of the body politic. [120]

We see that on the one hand the insistence is on the merely practical unity of the creed, while on the other hand it is strongly asserted that no belief is possible without a theoretical justification. The democratic state “*cannot impose a philosophical or a religious creed*.” Still

... *there is no belief except in what is held to be intrinsically established in truth*, nor any assent of the intellect without a theoretical foundation and justification: thus, if the State and the education system are to perform their duty and inculcate the democratic charter in a really efficacious way, they cannot help resorting – so that minds be put in possession of such a foundation and justification, and perceive as true what is taught them – to the philosophical or religious traditions and schools of thought which are spontaneously at work in the consciousness of the nation²⁷ and which have contributed historically to its formation. [121]

²⁶ OC IX, p. 608, note 1.

²⁷ In his chapter 1, pp. 4-9, Maritain explained the word “nation”. A nation, he said, is not a society [p. 4]. Rather:

This further means that those who teach the charter must be allowed to use *their own philosophical or religious justification* of it. We read:

Those who teach the democratic charter must believe in it with their whole hearts, and stake on it their personal convictions, their consciences, and the depths of their moral life. They must therefore explain and justify its articles in the light of the philosophical or religious faith to which they cling and which quickens their belief in the common charter. [121]²⁸

Now, the next point is *the need for a correspondence between the teacher and those taught*. We are told:

. . . it is clear that such a teaching demands a certain spontaneous adaptation between the one who gives and the one who receives, between the inspiration animating the teacher and the basic conceptions that the student holds from his home circle and his social milieu and that *his family feels the duty of fostering* and developing in him. [121-122]

Thus, Maritain comes to the conclusion that the practical unity in adherence to the democratic charter requires “*a sound pluralism,*” and this means:

. . . the education system should admit within itself *pluralistic* patterns enabling teachers to put their entire convictions and most personal inspiration in their teaching of the democratic charter. [122]

The above is the basic message on education re the democratic creed. The later part of the section attempts to speak of more particular application. In introducing this, he tells us that the pluralism he is advocating, in the case of public schools, should take into account “*the moral geography of local communities and the requests of associations of parents...*” [123] He is not

A nation is a community of people, who become aware of themselves as history has made them, who treasure their own past, and who love themselves as they know or imagine themselves to be, with a kind of inevitable introversion. [p. 5]

And

the nation is not a society; it does not cross the threshold of the political realm. It is a community of communities, a self-aware network of common feelings and representations that human nature and instinct have caused to swarm around a number of physical, historical, and social data. . . . In itself the idea of the body politic belongs to another, superior order. [pp. 6-7]

Thus, we are told:

A genuine principle of nationalities would be formulated as follows: the body politic should develop both its own moral dynamism and the respect for human relations to such a point that the national communities which are contained within it would both have their natural rights fully recognized, and tend spontaneously to merge in a single higher and more complex National Community. [p. 8]

²⁸ Notice that Maritain here speaks of philosophical “faith” (obviously using the term in the same wide sense as we noted from the later added footnote). This should not trouble, it seems to me, even the most rationalist of philosophers.

speaking about the teaching of religion, but about the teaching of the democratic charter, a common practical doctrine, but requiring deeply personal approaches on the part of teachers and students.

He speaks of what would be “the most rational solution” [123]:

The most rational solution, in tune with the pluralistic principle, would consist, to my mind, in having the teaching of the democratic charter given not by one, but by several teachers belonging to the main religious or philosophical traditions represented in the student population of a given school or college, *each one of those teachers addressing the students in his own spiritual tradition.* [123]²⁹

Here, Maritain actually acknowledges that this plan “has little chance... to appear feasible to our contemporaries.” [124] I say “actually,” because there are many other features of what we have seen which raise in my mind the question: “What chance, with our contemporaries?”

In any case, he goes on with, so to speak, “plan B.” This is the suggestion of a new discipline, bringing together “National history and history of civilization as basic framework, and then Humanities, Social Science, Social Philosophy, and Philosophy of Law, all these to be centered on the development and significance of the great ideas comprised in the common charter....” [124] He speaks here of the teachers having to swear to uphold the charter.³⁰ Plan B seems to me as unlikely as Plan A.

For private schools, he says that the State should be involved as to *welfare* services. In the *public* institutions, he says

... not only should every extra-curricular facility be offered by them for religious instruction, but in their very teaching full recognition should be given to the essential role played by the Judeo-Christian tenets and inspiration in the birth and maintenance of the democratic charter. To ignore, on the plea of a ‘separation’ between State and [126] Church wrongly and anti-politically understood, the religious traditions and schools of thought which are part of the heritage of the body politic, would simply mean for democracy to separate itself, and democratic faith, from the deepest of its living sources. [125-126]

²⁹ This is in accordance with his contention that there must be a correspondence between the teacher and those taught.

³⁰ At p. 124, Maritain speaks of a new subject for the curriculum, putting together all sorts of disciplines in order to foster the democratic charter and faith. He actually says that teachers should have to swear that they sincerely believe in all the tenets of the democratic charter. They would also swear that if some day they ceased to believe, they would stop teaching the course, and shift to some other part of the curriculum (they are supposed to be guaranteed that this will not be counted against them).

I would say that a paragraph like this is most important for one to understand the Maritain conception of “pluralism” and his subsequent views expressed concerning the relation between Church and State.³¹

There is so much else one could consider in this chapter, as it considers, for example, the remedies that the people have against the impositions of government and *spurious* “prophetic shock minorities.” The health of the democratic sense must be there (and he speaks of the importance of “a truly human standard of living”). There must also be freedom of expression, the press *free from the State and “free also from economic bondage and the power of money.”* [146]

Notice that if one complains about a certain seeming unreality in Maritain’s proposals about *religion*, it is fair to say that they are no more unreal than the likelihood of having a *press* free from both the State and the power of money.

Some Points concerning the Chapter on Church and State

He says that he is going to have in mind primarily the *Roman Catholic Church*, and that his remarks will apply in other religious (or a-religious) settings “only in an indirect and qualified manner.” [147] He is speaking as a philosopher and not as a theologian, but as a “*Christian philosopher.*”³²

He begins his chapter with a section [148-154] entitled “The General Immutable Principles,” the first section of which is entitled “The Human Person and the Body Politic” [148-150]. And he begins this with *the superiority of the person to the body politic*, saying:

. . . the human person is both part of the body politic and superior to it through what is supra-temporal, or eternal, in him, in his spiritual interests and in his final destination.

That very superiority of what is eternal in man over the political society can already be *seen in the merely natural realm.* [148]

³¹ In the aforementioned reply to the *Partisan Review* questionnaire, I notice that Maritain speaks of the pluralist principle as necessary because of the fact of division of *religious* convictions in societies. He says:

As concerns the pluralist principle, I think that it must apply in the **body politic**, since, as a matter of fact, (a fact which in itself is a misfortune), men are religiously divided. So men belonging to various spiritual lineages have to live together and work for the same temporal common good. **But to regard pluralism as a good in itself in the very realm of religious belief would be nonsense**, since in this realm what matters is truth about God; and there is only one truth; cf. *OC IX*, p. 1126.

³² Indeed, we might note that his intention is to speak in a forward-looking way, hoping for a new concretization of a Christian society, but in another mode of historical existence than obtained in the medieval period.

In arguing for this superiority's visibility in the *natural* realm, he says:

I say that this subordination exists already in the natural order, with regard to supra-temporal natural goods, which of themselves are related to *the common good of what might be called civilization as a whole or the spiritual community of minds*;³³ for instance, the sense of justice for all men and love for all men; the life of the spirit and all that which, in us, is a natural beginning of contemplation; the intangible dignity of truth, in all domains and all degrees, however humble they [149] may be, of knowledge, and the intangible dignity of beauty: both of which - truth and beauty - are nobler than the social ingredients of life and, if curbed by the latter, never fail to avenge themselves. [148-149]

Maritain goes on to speak of the issue in terms of "ends." He says:

In the measure that human society attempts to free itself from this subordination and to proclaim itself the supreme good, in the very same measure it perverts its own nature and that of the political common good. **The common good of civil life is an ultimate end, but an ultimate end in a relative sense and in a certain order, not the absolute ultimate end.** This common good is lost if it is closed within itself, for, of its very nature, it is intended to foster the

³³ Cf. Thomas Aquinas, *ST* 1-2.21.4. *in corpore* and *ad* 3. The body of the article runs:

I answer that, as has been said, the act of a human being has the note of merit or demerit inasmuch as it is ordered towards another, either by reason of that other himself or by reason of the community. Now, in both these ways our good or bad acts have the note of merit or demerit in God's accounts [*apud Deum*]: [1] by reason of [God] himself, inasmuch as he is the ultimate end of the human being: for it is something owing [or due], that all acts be referred to the ultimate end, as was established earlier; hence, a person who performs a bad act, not relatable to God, does not pay the honour due to God in his role of ultimate end; [2] but on the side of the entire community of the *universe* [*Ex parte vero totius communitatis universi*], [for] in any community he who rules the community has especially the care of the common good: hence it pertains to him to provide retribution regarding those things which are well or ill done in the community: now, God is the governor and rector of *the entire universe*, as was established in Part 1, and *especially of the rational creatures*: hence it is evident that human acts have the note of merit or demerit in God's accounts [*per comparationem ad ipsum*]; otherwise it would follow that he did not have the care concerning human acts.

And the *ad* 3:

To the third it is to be said that the human being is not ordered to the **political** community as regards his total self [*secundum se totum*] and all the things that are his [*et secundum omnia sua*], and so it is not necessary that every act of his whatsoever be meritorious or demeritorious relative to the **political** community. However, the entirety of the human being and what he is capable of and what he has [**totum quod homo est et quod potest et habet**] is ordered to God, and so every human act, good or bad, has the note of merit or demerit in God's accounts [*apud Deum*], as regards the nature of the act.

higher ends of the human person. *The human person's vocation to goods which transcend the political common good is embodied in the essence of the political common good.* To ignore these truths is to sin simultaneously against both the human person and the political common good. Thus, ***EVEN IN THE NATURAL ORDER***, the common good of the body politic implies an intrinsic though indirect *ordination to something which transcends it.* [149]³⁴

What I notice is that “democracy” here involves this conception of the political common good as transcended: the democratic faith will belong to the general conception of a politics that is transcended by the meta-political natural and supernatural spheres.³⁵

Coming to the supernatural dimension, Maritain describes the situation of the political common good as *indirectly* subordinate to the “supra-temporal values.” He says that these latter values are “as a matter of fact”³⁶ the *supernatural* end. We read:

The direct ordination of the human person to God transcends every created common good - both the common good of the political society and the intrinsic common good of the universe. Here is the rock of the dignity of the human person as well as the unshakeable requirements of the Christian message. Thus the **indirect subordination** of the body politic, - not as a mere means, but as an end worthy in itself yet of lesser dignity - to the supra-temporal values to which human life is appendent, *refers* first and foremost, ***as a matter of fact, to the supernatural end*** to [150] which the human person is directly ordained. To sum up all this in one single expression, let us say that the law we are faced with here is the law of the *primacy of the spiritual.*³⁷

³⁴ Here, in a note numbered #1, Maritain refers us to ch. 4 of *The Person and the Common Good* (New York: Scribners, 1947).

³⁵ Here there is interest in the ultimate, ultimate end. We recall Maritain's contention in the previous chapter, on the Democratic Charter, as to *the role of the family in education*, and the *auxiliary* role of the state in this regard. I am reminded also of Aristotle's remark concerning dependence on good habits *acquired in youth* as basic in morals, i.e. the role of *paideia*: Aristotle, *Nicomachean Ethics* 2.1 (1103b24-26):

It makes no small difference, then, whether we form habits of one kind or of another from our very youth; it makes a very great difference, or rather *all* the difference. (W. D. Ross tr.)

Cf. also St. Thomas's doctrine that one should not baptize children against the will of parents: *ST* 2-2.10.12.

³⁶ The English in my edition has “as matter of fact”, but the French is “*en fait*”; I would say that the English should be “as *a* matter of fact” or “*in fact*”, and so have changed it.

³⁷ Maritain's italics on the last expression. Here we are referred, note #2, to *The Things That Are Not Caesar's* (New York: Scribners, 1930).

“Direct” subordination, it seems clear, would grant merely an instrumental role for the political common good, whereas “indirect” suggests the *substantiality* of the political common good as a goal. And Maritain’s insistence on what the situation is “as a matter of fact” relates to his doctrine of moral philosophy adequately considered as having to recognize the true nature of the theatre of human action, a theatre where divine grace is at work.

After this section on THE HUMAN PERSON AND THE BODY POLITIC, we come to a section entitled “THE FREEDOM OF THE CHURCH” [150-152]. This is about “the Church *in her own realm or order.*” [150] Interestingly, he sees the need for two portraits of the Church here, one as seen by the *unbeliever* and the other as seen by the *believer*. The conclusion of his statement about the unbeliever and the Church’s freedom helps us to see the point:

Thus, the unbeliever, from his own point of view - I mean, of course, the unbeliever who, at least, is *not an unbeliever in reason*, and, furthermore, who is a *democratically-minded unbeliever* - acknowledges as a normal and necessary thing *the freedom of the Church, or of the Churches.* [150]

In the lead-up to this, we see that the unbeliever is one who acknowledges a *right to freedom* which bears upon a zone of spiritual values “even in the natural order.” We read:

In the eyes of the unbeliever, the Church is, or the Churches are, organized bodies or associations especially concerned with the religious needs and creeds of a number of his fellow-men, that is, with *spiritual values* to which they have committed themselves, and *to which their moral standards are appendent*. These spiritual values are part - in actual fact the most important part, as history shows it - of those supra-temporal goods with respect to which, even in the *natural* order, the human person transcends, as we have seen, political society, and which constitute the moral heritage of mankind, the spiritual common good of civilization or of the community of minds. Even though the unbeliever does not believe in these particular spiritual values, *he has to respect them*. In his eyes the Church, or the Churches, are in the social community particular bodies which must enjoy that *right to freedom* which is but one, not only with the right to free association naturally belonging to the human person, but with *the right freely to believe the truth recognized by one’s conscience, that is, with the most basic and inalienable of all human rights.* [150, Maritain’s italics; my bold italics]

Then comes the conclusion already quoted.

The rest of the section gives *the description of the Church from the viewpoint of the believer*. I note that Maritain speaks not only of the *visibility* but also of the *invisibility* of the Church, this latter in those who “seek for God in truth” but “live outside the sphere of explicit faith.” [151] In this perspective, the freedom of the Church is “grounded in the very rights of God and as identical with His own freedom in the face of any human institution.” [151] Maritain concludes this section with a paragraph which includes the above statement about God’s own rights, as a dimension which goes beyond the more natural aspect, and described

in these words:

In such a perspective, not only is the freedom of the Church to be recognized as required by freedom of association and freedom of religious belief without interference from the State, but... [151]

and he ends the paragraph with the law he wishes to underline:

As a result, the FIRST GENERAL PRINCIPLE to be stated, with respect to the problems we are examining, is *the FREEDOM OF THE CHURCH to [152] teach and preach and worship, the freedom of the Gospel, the freedom of the word of God.* [151-152, his italics]

This is clearly something meant to be *readable from the two points of view*.³⁸

A third section concerns “*The Church and the Body Politic*” [152-154]. This section pays the least attention to the natural aspect, concentrating on the Church as a supernatural society in *vital co-operation with the State*, the stress being on the *superiority* of the Church.

First speaking of the freedom of the Church, Maritain calls attention to the form that religious life and socializing has taken with the historical development of the Church. We read:

From the advent of Christianity on, religion has been taken out of the hands of the State; the terrestrial and national frameworks in which the spiritual was confined have been shattered; its universality together with its freedom have been manifested in full bloom. Nay more, how could that universality of the Church be manifested except as a token of her superiority? [152]

He is insisting that by “superiority” he means “a higher place on the scale of values, a higher dignity” [153] and he concludes:

THE SECOND GENERAL PRINCIPLE to be stated, with respect to the problems we are examining, is *the superiority of the Church - that is, of the spiritual - over the body politic or the State.* [153, his italics]

We notice how the word “*spiritual*” seems used to help the reading of the situation by the “unbeliever.” This, it would seem, need be no more, in explicit statement, than *a primacy of reason and democratic values*.

But because of the fact that the members of the Church are also members of the body politic, Maritain had already said:

From the point of view of the political common good, the activity of the citizens as members of the Church have an impact on that common good; they and the institutions supported by them are part of the political society and the national community; under this aspect and in this manner it can be said that the Church is *in* the body politic. But this very point of view remains partial and inadequate. **While being *in* the body politic - in every body politic - through a given number of her members and her institutions, the Church as such, the Church in her essence, is not a part but a whole; she is an absolutely**

³⁸ If we think such things need not be said, one has only to think of the situation in present-day China. – However, there are also questions to be raised about the Church’s freedom in our own society, as to her teaching about homosexuality, e.g.

universal realm stretching all over the world - above the body politic and every body politic. [152, his italics]

We see, then, why, after the general principle of the superiority of the Church and the spiritual, we have a third principle:

The third general principle to be stated with respect to the problems we are examining is *the necessary cooperation between the Church and the body politic or the State.* [154, his italics]

After the section on the general immutable principles, we now come to a section of their application, entitled: "II. The Application of the Immutable Principles in Actual Historical Existence." [154]

In the first section, Maritain first really sets aside one way of looking at the problem of concrete application and replaces it with another. Most important is the positive doctrine he proposes, as to application of the principles. He speaks of this as a doctrine of "analogy," referring to its importance in Thomas Aquinas's metaphysics. He says that he does not mean that the general principles are to be understood analogously. No:

. . . the meaning of statements like: 'the full freedom of the Church is both a God-given right belonging to her and a requirement of the common good of political society,' or 'the spiritual order is superior to the temporal one,' or 'Church and State must cooperate' - the meaning of such statements is immutable. What I mean is that the *application* of the principles is analogical - **the more transcendent the principles are, the more analogical is the application** - and that this application takes various typical forms in reference to the *historical climates* or *historical constellations* through which the development of mankind is passing; in such a manner that the same immutable principles are to be applied or realized in the course of time according to typically different patterns. [156, his italics]

This is the general doctrine of the application of the principles. Maritain goes on to say something about the view of history it involves:

For there are in human history typical climates or constellations of existential conditions, which express given intelligible structures, both as concerns the social, political, and juridical dominant characteristics and the moral and ideological dominant characteristics in the temporal life of the human community, and which constitute frames of reference for the ways of applying in human existence the immutable principles [157] that hold sway over the latter. And it is according to these historical climates, **as are recognized by a sound philosophy of history, which is here indispensable**, that we have to conceive the *concrete historical ideals* or prospective images of what is to be hoped for in our age: ideals which are neither absolute nor bound to an unrealizable past, but which are *relative* - relative to a given time - and which moreover can be claimed and asserted as *realizable*. [156-157, his italics.]³⁹

³⁹ At this point, Maritain refers us (note 9) not only to *Freedom in the Modern World* (New York: Scribners, 1936), (translation of *Du régime temporel et de la liberté*), but also to

This gives us a good idea of what he is about to do. We have to consider the present “pattern of civilization.” Thus we come to his second point in the section on application of the principles, called “2. *The Historical Climate of Modern Civilization.*” [157-162]

In this section, Maritain speaks of the medieval and modern periods, with the baroque as a sort of passage between. The sacral civilization of the middle ages has been succeeded by the secular civilization. We read:

The modern age is not a sacral, but a secular age. The order of terrestrial civilization and of temporal society has gained complete differentiation and full autonomy [note 14 adds: in its own sphere and domain, and refers us back to 152-153], which is *something normal in itself, required by the Gospel’s very distinction between God’s and Caesar’s domains*. But that normal process was accompanied - and *spoiled - by a most aggressive and stupid process of insulation from, and finally rejection of, God and the Gospel in the sphere of social and political life*. The fruit of this we can contemplate today in the theocratic atheism of the Communist State. [159]

Maritain is certainly writing in view of a future realizable (as he thinks) possibility, a “new Christendom, a new Christianly inspired civilization” [159]. This will not be a return to the middle ages “but a typically different attempt to make the leaven of the Gospel quicken the depths of temporal existence” [159]. Stressing the need for a sound philosophy of history and reading of the diversity of climates, he tells us:

As I just put it, the historical climate of modern civilization, in contradistinction to mediaeval civilization, is characterized by the fact that it is a “lay” or “secular,” not a sacral civilization. On the one hand, *the dominant dynamic idea* is not the idea of strength or fortitude at the service of justice, but rather that of *the conquest of freedom and the realization of human dignity*. On the other hand *the root requirement* for a sound mutual cooperation between the Church and the body politic is not the unity of a religio-political body, as the *respublica Christiana* of the Middle Ages was, but *the very unity of the human person*, simultaneously a member of the body politic and of the Church, *if he freely adheres to her*. The unity of religion is not a prerequisite for political unity, and *men subscribing to diverse religious or non-religious creeds have to share in and work for the same political or temporal common good...* [160]

He goes on to speak of consequences of the new situation, stressing especially the equality of citizens and the role of *personal conscience* and the need to *discover the truth for oneself*. He ends:

Common consciousness has also become aware of the fact that freedom of [162] inquiry, even at the risk of error, is the normal condition for men to get access to the truth, so that freedom to search for God in their own way, for those who have been brought up in ignorance or semi-ignorance of Him, is the normal

condition in which to listen to the message of the Gospel and the teachings of the Church, when grace will illumine their hearts. [161-162]

He then comes to the general conclusion about the application of the general immutable principles:

... in a new Christianly inspired civilization... those principles would in general be applied less in terms of the social power than in terms of the vivifying inspiration of the Church. The very modality of her action upon the body politic has been spiritualized, the emphasis having shifted from power and legal constraints... to moral influence and authority... [162]

One would have to ask how well this is understood as yet (or whether it is yet applicable), if he has got it right.

We now come to *section 3 concerning the application of the principles*, entitled: “3. *The Principle of the Superiority of the Church*”, extending over pp. 162-171. The first part of section 3 moves us from the old situation, in which the Church’s superiority over the State was such as to employ the State as “secular arm” for the sake of some spiritual necessity (a dead letter in our age), to a new situation of *moral* enlightenment and *guidance*. We read:

The supreme, immutable principle of the primacy of the spiritual and the superiority of the Church can apply otherwise - but not less truly, and even more purely - when, from the very fact that the State has become secular, the supreme functions of moral enlightenment and moral guidance of men, even as concerns the standards and principles which deal with the social and political order, are [164] exercised by the Church in a completely free and autonomous manner, and when the moral authority of the Church freely moves human consciences in every particular case in which some major spiritual interest is at stake. [163-164]

Maritain presents a picture of superiority as intrinsic nobility of nature, so that the Church need not be directly acting on the State or body politic as such, which is autonomous within its own restricted sphere. The Church can influence: “It [a superior agent] radiates.” [164]

This is an important paragraph for our purposes. Notice the following:

The very token of the superiority of the Church is the **moral power** with which she **vitaly** influences, penetrates, and quickens, as a spiritual leaven, temporal existence and the inner energies of nature, so as to carry them to a higher and more [165] perfect level in their own order⁴⁰ - in that very order of the world and of the life of civilization, within which the body politic is supremely autonomous, and yet inferior with regard to the spiritual order and the things that are of the eternal life. **This is exactly what the absolutist or the totalitarian States (as well as, in the intellectual realm, rationalist philosophy) most stubbornly refuse to admit**, even when they claim to respect freedom of religion (by shutting up religion in its own heavenly sphere, and forbidding it any influence on earthly life, as if it were possible to forbid heaven to send rain on

⁴⁰ Here there is a note (#23) sending us to Charles Journet, *L’Église du Verbe Incarné*, pp. 229-242.

the earth or shine upon it). But this - the vivifying influence of the Church and the Gospel on the things of the world - is, on the contrary, what is actually and genuinely ensured in a type of Christian civilization and a **'style' of Church-State relations** such as those we are now discussing. [164-165]

This is the conclusion of the first part of this section, its general point, we might say. I might mention that on p. 163, in a lengthy note (#21), there is reference to the Portuguese Concordat with the Holy See, signed in 1940, as an example of a recognition of the modern situation. It recognizes the "reciprocal autonomy" of Church and State. The Concordat ensured full freedom to the Catholic Church, but did not recognize any official Church.

The *second* section of the discussion of *the Church's or the spiritual order's superiority over the secular realm* calls attention to the ambiguity of the expression, "the problem of Church and State," because of the different "State" situations which have confronted the Church in different historical situations. One has absolute kings or modern absolute States claiming to be personal or supra-personal entities ruling the body politic from above. We read:

Today she [the Church] has to do either with totalitarian States bound by nature to persecute her, or *with democratic States still entangled in the remnants of the past*, which do not know exactly how to deal with her because they have not yet realized that not they, but the body politic in the whole range of its institutional organization, is henceforth the *dramatis persona* with whom the Church is confronted. **If the democratic principle is to develop fully in the world**, there will be an age in which the Church will have to [166] do with the *peoples*; I mean with *political societies in which the State will cease pretending to be a person and will only play its true part as central agency of the body politic*. The problem of Church and State has not the same significance in these various instances. [165-166]

One sees the importance of Maritain's presentations earlier in the book of "the State" and "the body politic," and especially of his criticism of the political use of the notion of sovereignty.

At this point, Maritain takes up what seems to me a principle sort of interest from the philosophical point of view, as regards what is meant by "the spiritual". It has to do with truth and with God. He says:

Let us consider especially the **obligations** that the human being, not only in his individual life but also in his **social** life, bears **towards truth**. Everyone is obliged to truth to the extent that he knows it. [166]

This, in itself, is of interest: "... obliged to truth...?" It sounds like the obligation not to tell a lie, but obviously is wider than that. Still, I would hasten to say that he must be speaking about necessary truth or scientific truth or moral truth or religious truth. He must be speaking about the truth as the proper perfection of the human mind. He is not speaking about those contingent truths which are of

no particular importance.⁴¹

Even then, is the obligation to truth, to nature, or to God? In any case, let us follow along. We read:

The kings of old - or the absolutist States, heirs of the kings, and conceived in a kind of Hegelian manner - had an obligation to the truth to which *they themselves*, as distinct from the people and ruling over the body politic, adhered in conscience. But the body politic as such has an obligation to the truth to which *the people themselves*, the citizens - who constitute the body politic - adhere in conscience. The body politic does not know another truth than that which the people know. [166, his italics]

We do not yet see what is meant by this obligation. It becomes clear in what follows:

As a result, **the supreme principle that the political society bears obligations toward truth, and that its common good implies the recognition, not in words only, but in actual fact, of the existence of God**, was implemented in the past by the duty incumbent on the kings - or on the absolutist States, heirs of the kings - of leading the body politic or the people to what those kings, or (supposing they had a soul of their own) those absolutist States held to be the true religion. But in our historical climate (once the genuine notion of the State and its merely instrumental function in a democratic society has been recognized) the same supreme principle is to be implemented by *the duty incumbent on the people, and ENFORCED BY THEIR OWN CONSCIENCES, of giving expression to, and adopting as the enlightening and inspiring moral standard in their own social and political life, what the people themselves, or the citizens, hold to be THE TRUE RELIGION*. Thus *everything will depend, in practice, on WHAT THE PEOPLE FREELY BELIEVE IN CON-* [167] *SCIENCE*; - and on the full freedom of teaching and preaching the word of God, which is *the fundamental right of the Church* and which is also needed by the people in their search for the truth; - and on the degree of efficacy with which the members of the Church, laity as well as clergy, give testimony, in actual existence, to their living faith and to the Spirit of God. [166-167]

Here, we see that the picture of the human being, and of the people, is crowned by this search for the truth about God.⁴² Obviously, from a philosophical point of view, it is this doctrine of human nature and truth and God that is expressed in “the primacy of the spiritual.” Obviously, also, Catholic politicians, along with the rest, might be expected to “*give testimony, in actual existence, to their living faith and to the Spirit of God*”. *To do this would certainly require prudence.*

Maritain is *hoping* for a civilization in which the *majority will be persuaded*, if not of the Christian faith, at least of *the validity of Christian social and political philosophy*. [167]

⁴¹ Cf. my paper: “St. Thomas, Lying, and Venial Sin,” *The Thomist* 61 (1997), pp. 279-299.

⁴² We note Thomas Aquinas, *Summa theologiae* 1-2.94.2, concerning the most properly human of our natural inclinations: to seek the truth about God.

In the next few pages (167-171), he becomes much more concrete and addresses issues of concrete political difficulty. We read:

Considering now a new and particularly difficult issue, which deals with the temporal society itself in its proper order and life, and with its *legislation*, we may ask ourselves *what kind of notions this legislation would call into play when it comes to matters of conscience and questions directly concerned with personal creeds and standards as well as with civil law*. At this point we have to maintain that THE LEGISLATION OF THE *CHRISTIAN SOCIETY* IN QUESTION COULD AND SHOULD *NEVER ENDORSE OR APPROVE ANY WAY OF CONDUCT CONTRARY* [168] TO NATURAL LAW. But we have also to realize that this legislation could and should *permit* or *give allowance to* certain ways of conduct which depart in some measure from Natural Law, if the prohibition by civil law of these ways of conduct were to impair the common good, either because such prohibition would be at variance with the ethical code of communities of citizens whose loyalty to the nation and faithfulness to their own moral creed, however imperfect it may be, essentially matter to the common good, or even because it would result in a worse conduct, disturbing or disintegrating the social body, for a great many people whose moral strength is not on a level with the enforcement of this prohibition. [167-168]

At this point, Maritain has a long footnote (#24), quoting at length from Thomas Aquinas, *ST* 1-2.96.2. *in corpore* and *ad* 2. 9: law should recognize *where the people are at* in morals, so to speak (and not ask more than they can give. He continues:

I would say, therefore, that in the matters we are considering, *civil legislation should adapt itself to the variety of moral creeds of the diverse spiritual lineages* which essentially bear on the common good of the social body - **not by endorsing them or approving of them, but rather by giving allowance to them**. In other words, civil law would only lay down the regulations concerned with the allowance of the actions sanctioned by those various moral codes, or grant such actions the juridical effects requested by their nature; and consequently the State would not take upon itself the responsibility for them, or make them valid by its own pronouncement, but only register (when the matter is of a nature to require a decision of civil authorities) the validity acknowledged to them by the moral codes in question. [169]

Again, one wishes that Maritain had given an example. Maritain's expression: "... grant such actions the juridical effects requested by their nature..." is not crystal-clear.⁴³

Still trying to figure out just what would be a concrete example, I read on:

Thus, in the sense which I just defined, a sound application of *the pluralist principle and of the principle of the lesser evil* [170] would require from the State a juridical recognition of *the moral codes peculiar to those minorities*

⁴³ I checked the French translation of this work, and it is very much the same as the original English.[OC 678]

comprised in the body politic whose rules of morality, though defective in some regard with respect to perfect Christian morality, would prove to be a real asset in the heritage of the nation and its common trend toward good human life. **Such recognition would not be grounded on a right, I know not what, of which any moral way of life whatsoever would be possessed with regard to civil law**, but on the requirements of the political common good, which in a democratic society demands on the one hand a particular respect for the inner forces and conscience of the human subject, and, on the other hand, a particular care not to impose by force of law rules of morality too heavy for the moral capacity of large groups of the population. It would be up to the political wisdom of the lawmaker, furthermore, to determine **what communities of citizens could enjoy the pluralistic legal status** which I have described. [169-170]⁴⁴

Again, it is hard to say what these “moral codes” are. Is he speaking, say, of a large number of Moslems in a society? Or Hindus? Sikhs? What does he mean by a “moral way of life?” Could we be speaking of a group of Mormons who had retained polygamy? One thinks of controversy in recent years about the adopting of children by homosexual couples. One might say that a Christian legislator could “live with” the fact that in present American society, such a “household” was considered a suitable place for the raising of a child. Is that what he means? Remember, too, the issue of head-scarves for Moslem girls at school in France.

In the above-quoted paragraph, near the very beginning, at the words “the pluralist principle,” Maritain inserted a lengthy footnote (#25) quoting at length from his book *True Humanism*, pp. 160-161 (172-173 in the French). I notice that he says that he himself made some amendments in the English translation. I was somewhat unsure of how Maritain meant the beginning of his citation. He does not affirm as a fact that all human opinions have a right to be propagated. He is rather *denying* that, as I see from the French *Humanisme Int.* He is separating himself from the error of theological liberalism, of which, he says, one perhaps finds an example in Hindu legislation. *HI* p. 172. He is providing, rather, a doctrine of *tolerance*. Referring to Thomas, *ST* 2-2.10.11, which says that the religious rites of non-Christians are to be tolerated, he goes on:

... and then also **ways of conceiving the meaning of life** and modes of behavior; and that in consequence the various spiritual groups which live within the body politic should be granted a particular **juridical status** which the legislative power *of the commonweal itself in its political wisdom* would adapt on the one hand to their condition and, on the other, to the general lines of legislation leading toward virtuous life, and to the prescriptions of the moral law, to the full realization of which it should endeavor to direct as far as possible this diversity of forms. [This is from *HI* 172-173 and *TH* 160-161.]

⁴⁴ Recently I saw a proposal for Islamic “private” judicial decisions in Ontario re civil (not criminal) disputes, e.g. re marriage, etc. Apparently, this already exists for Jews.

We get something of an example in the footnote, when he says that the Portuguese Concordat (art. 24) previously mentioned forbids divorce only to those who have contracted a Catholic marriage.

He does speak of the effort to *minimize the derogations of the highest requirements of the Natural Law*, and says:

The final objective of law is to make men morally good. Civil law would adapt itself, with a view to the maximum good of which the multitude is capable, to various ways of life sanctioned by various moral creeds, *but it should resist changes which were requested through sheer relaxation of morality and decaying mores*. And it should always maintain a general orientation toward virtuous life, and make the common behavior *tend*, at each level, to the full accomplishment of moral law. [171, his italics]

This ends the section on *THE SUPERIORITY OF THE SPIRITUAL OR OF THE CHURCH, IN ITS PRACTICAL APPLICATION*. The kind of thing discussed, beyond the idea of “moral inspiration,” seems to have **been conceived from the point of view of a Christian legislator in a pluralist society, but in a pluralist society imagined with rather coherent spiritual groups**. Our present societies simply ignore all religious groups, save when they can mount a strong lobbying effort, we might say.

When we come to *the general immutable principle of COOPERATION BETWEEN THE SPIRITUAL AND THE TEMPORAL*, there is a general point made involving both the State and the body politic. *This is the duty of the secular order to carry out its own responsibilities, material and moral*. Maritain quotes from John Courtney Murray, S.J., *Governmental Repression of Heresy*, reprinted from the *Proceedings of the Catholic Theological Society of America*, 1949, p. 48. It is an indirect contribution to the Church, but without it, the end or goal of the Church is rendered impossible. Murray is quoted as saying on his p. 49: “The spiritual problem of our times is in fact centered in the temporal order. And the modern ‘welfare-state,’ simply by serving human welfare, would serve the Church better than Justinian or Charlemagne ever did.” [Maritain, n. 26, p. 172] Maritain thus sees the body politic and the State as owing to the Church (here it is added in parentheses, and I am not sure whether the addition is Maritain’s or Murray’s:⁴⁵ “one might better say, to the human person with respect to his eternal destiny”) assistance, aid, and favor which consists in the entire fulfillment of their own duties with respect to their own ends, *in their own attention to Natural Law*, etc. The task is both material and moral.

We notice how morality seems terrestrial, but with a view towards the “spiritual,” which seems to consist in the search for the truth about God.

⁴⁵ It is within the quotation-marks indicating what Murray says, but the expression sounds like a Maritain correction. The punctuation is the same in the French, *OC* 682.

Another point of cooperation is *the public acknowledgement of the existence of God*. Here Maritain envisages the people:

. . . a political society... conscious of the doctrine and morality which enlighten for it - that is, for the *majority* of the people - the tenets of *the democratic charter*, and which guide it in putting those tenets into force. It would be conscious of the faith that inspired it, and it would express this faith publicly.
[172]

He sees this as dominated by one denomination or another, just as in the USA when he was speaking. He speaks of “religious confessions institutionally recognized.” [173] I think he has in mind much the sort of thing we saw when President Bill Clinton asks a rabbi, an evangelical leader and a Catholic archbishop to assess the religious situation in China.⁴⁶

He sees the rights of non-religious people as “free with regard to the *private* expression of their non-religious convictions” [173].

Concluding Remarks

My interest has been simply to call attention to the centrality of religion and, indeed, the Gospel, in Maritain’s conception of “democracy” as naming the healthy, progressive spirit of human society. A result of this is a conception of “pluralism” which, as it seems to me, means something far more truly pluralistic than is often nowadays meant by the term.

One of the virtues of Maritain, I would say, for the present situation in world politics, is that he considers the concrete religious setting of the peoples. This is the real practical order, even if it is one that is somewhat strange to the “secular” thinker. Maritain, with his doctrine of moral philosophy adequately considered, is closer to the real world. If his conceptions often seem far-fetched and unrealizable, I would recall that he contends that we are living, politically, in pre-historic conditions. The conditions of real peace may seem very remote.

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⁴⁶The *New York Times*, Monday, Feb. 9, 1998, p. A 3, had a report from Beijing, dated Feb. 8, by Erik Eckholm, concerning the sending of a delegation of American religious “figures” to China for three weeks to “examine the state of religious freedom here, one of the most volatile human rights issues in American diplomacy.” We read:

While it is described as private, President Clinton and President Jiang Zemin of China agreed to the mission during their summit meeting in October, and the White House picked the three-man delegation: a prominent rabbi, an evangelical Protestant minister and a Roman Catholic archbishop.

***ESCAPING DETERMINATE BEING:
THE POLITICAL METAPHYSICS OF JACQUES MARITAIN
AND CHARLES DE KONINCK¹***

Leslie Armour

Much of our political theory is developed in the domain of what Hegel called “determinate being” – the conceptual realm in which reality is conceived as consisting of distinct atomic entities, each largely independent and intelligible in and of itself and having no logically necessary connection to others of the same sort. Hume’s sense data are such entities but so are human beings, according to Hobbes. The politics of Hobbes and his followers – down to David Gauthier in our time² – failed, if my argument is right, because there is no way of summing the interests of the beings in question. Quite sophisticated schemes – like those of John Rawls³ – have been proposed. Yet they still fail in practice as well as in theory. American politics is strongly Rawlsian, and its gentlest practitioners

¹ This paper is a development of themes and texts in two earlier studies: *Études Maritainiennes*, Vol. 3, 1987, pp. 53-82 and *Laval Théologique et Philosophique*, Vol. 43, No. 1, février, 1987, pp. 67-80. In still another version it will form Chapter VI of my *Metaphysics of Community*.

² See David P. Gauthier, *Moral Dealing* (Ithaca, N.Y.: Cornell University Press, 1990).

³ Rawls’ celebrated *Theory of Justice* (Cambridge, MA.: Harvard University Press, 1971), goes to the heart of the matter.

have tried to put everyone's interests together in innumerable coalitions. President Clinton failed to achieve his major hope, the provision of a national system of health care because the different interests could not be added and subtracted as he hoped. President Bush has set many of the inhabitants of many parts of the world at one another's throats, refusing to accept that Americans necessarily belong to a world community in which everyone draws on the same moral sustenance and everyone depends on all the others. Rawlsians in Canada practice the same arithmetic. No one seems able to add the interests of Québécois to those of Prince Edward Islanders and get a result which satisfies much more than half the population. Separating the communities produces only the same level of satisfaction.

1. What Must We Add to Hobbes and Rawls?

One way of putting the resulting problem is this: What would we have to add to the Hobbesian or Rawlsian world in order to get a world in which political and social problems could be solved? However different the two are, they have in common that they face the problem of aggregating social atoms. If we could answer that question we would, certainly, then want to ask what would justify us in believing that there exists such a richer world. To believe falsehoods for the public convenience is to take the coward's way out. Yet if there were even a small amount of evidence or a not very strong argument that there was a better solution than that of Rawls, we still might want to entertain it because human beings might be less likely to destroy themselves if they believed that they could solve their problems than if they believed they couldn't.

There have been suggestions., The ones I will discuss in this paper are versions of what one might call "modern Thomistic philosophies."⁴ Essentially what is added in the philosophies of Jacques Maritain and Charles De Koninck is a group of related metaphysical elements. They include two basic notions. One is the notion that we are spiritual creatures who through knowledge can be linked to the whole universe and through whom, therefore, all reality can be expressed. The other is the notion that we share a common image, that of God, and are therefore linked to a common good.

Maritain's philosophy contains the ingredients which Hobbes' lacks and Maritain has some strong arguments. There are difficulties, of course. The difficulties, as one might expect, are more conceptual than evidential. To try to

⁴ Maritain has been accused often enough of not being a Thomist at all and De Koninck would have objected to the term. But both would insist on the importance of the influence of St. Thomas on their work, and so "Thomistic" with the addition of "modern" (which suggests some updating, though De Koninck more often wanted to be backdated to Aristotle) seems appropriate.

minimise them I shall try both to state Maritain's position and to offer a more general foundation for such a system than the one which he actually puts forth.

Maritain calls his social and political philosophy "Thomistic personalism,"⁵ a doctrine which he says is metaphysical in its foundations and which derives above all from an understanding of the "distinction between individuality and personality."⁶ An individual is, for Maritain, a biological organism with a precise location in space and time while a person is a being capable of knowledge and of containing, as knowledge, the characteristics of all that can be known. The union of person and individual and the tension between them is the essence of the human condition.

Maritain himself realises that there is a serious question as to whether or not we ought to offer a metaphysical foundation for political and social theory. He would not have been surprised by objections to such a notion, but he tends to tackle them obliquely. The central distinction between individual and person arises within the body of Thomistic metaphysics, and this metaphysics has its own justification. The more general foundation which I shall propose leads directly to a position like Maritain's.

2. Metaphysical Justifications

I have argued that the classical and continuing problem of the conflict between individual and community is necessarily a metaphysical one. If communities have no footing in reality, if they are simply invented by us, then the situation is surely quite different from one which must obtain if communities exist as – in some sense – a natural kind. One who decides that the community is of no value, is, in the latter case, like the man who decides to tear down a house, whereas, in the former case, he is in the much simpler situation of the man who decides not to build one. No permit is needed for not building a house, and a much different argument is needed if one is to show that someone *ought* to build a house whether he wants one or not.

The example is mine and not Maritain's, but it has a point. Maritain, for instance, thinks that there is a natural community composed of us, of God, and

⁵ Jacques Maritain, *La Personne et le bien commun* (Paris: Desclée de Brouwer, 1946), tr. John J. Fitzgerald as *The Person and the Common Good* (New York: Scribner, 1947). In the introduction, Maritain says "Thomistic personalism stresses the metaphysical distinction between individuality and personality." This theme dominates the book, a collection of essays, the earliest of which originated as a lecture at Oxford in 1939. See especially pp. 1-4 of the English edition.

⁶ *Op. cit.*, p. 28. Maritain also uses the phrase "the ontological mystery of personality" in an essay entitled "Who is My Neighbour?" in *Ransoming the Time* (New York: Scribner, 1941), pp. 17-32, and similar expressions occur frequently in his writings.

whatever beings are to be found between us and God, and that one who ignores or disrupts (if that is possible) the relation between himself and God or the natural created relation in which he stands to his neighbour is in mortal danger. For there is a moral basis to these relations – indeed, these relations are themselves the basis of morality.

But Maritain does not think that all the communities around us – the nations, the states, the international communities or those made up of friends and neighbours, or lodge brothers, or gatherings of scholars – are ordained or have some foundation in nature. He does, however, think that the foundation for these various communities is found in some basic community to which we all belong. So the rules for such associations ought also to stem from this foundation. The problem, in part, is to show just how it is that we belong, and to show just what kinds of rules natural reason might suggest to us as binding if we knew the nature of our metaphysical situation. To know this we must know just what sorts of creatures we are, just what we are capable of, and just how we may fit into the universal plan.

While one set of Maritain's opponents thinks that the evidence that communities are simply created by us is overwhelming and that, therefore, no attention need be paid to such questions, one may imagine another set of critics for whom the problem is primarily a religious one to be settled perhaps by theology or by consulting the scriptures.

For these critics (less often heard in philosophical circles but perhaps growing in power in the daily practice of religion), natural reason in such matters is a snare and a delusion. For if it is a matter which stands between us and God, then why should we not simply expect that God will make his wishes known, and that probably he has done so already? How could our unaided reason add to the picture?

The answer to such critics must, in part, be an old one. Those who must get along in the world belong to no one religion, have heard no single message, and cannot be brought to acknowledge any single ecclesiastical authority. But the issue for Maritain and for those in his philosophical tradition goes deeper than that. Human beings have natural reason and, as Aristotle noticed,⁷ our natural end is not simply given. Aristotle's claim still stands. Human beings are neither creatures of inherited habit nor of wholly built-in wiring. They innovate. Bees do not go to school, but people have need to have an education. It is because reason, in the sense of intelligent reflection on ends, is a characteristic of human beings that this situation arises. Reason thus is central to human animals and to our natural ends. We have no choice but to reason about the conduct of our lives.

⁷ Aristotle, *Politics*, 1, 2, 1253a; VII, 14, 1332b.

One might think that for traditional tribal societies which seem to undergo little change over the centuries this is not so, but even a casual attention to the myths and stories of such peoples reveals constant conflicts over what to do – collisions with the gods, with earth-bound spirits and with other humans.

This real sense of options makes it clear, I think, that even in religion it takes an act of reason to decide which revelation is worthy of attention. Faith may come to a man or a woman unbidden, but it is the nature of a rational being to put it to the question. Many beliefs come unbidden but those which are worthy objects of faith must surely be those to which reason offers some inclination and with which faith does not conflict. Faith may then go beyond it, but reason must light the way if we are to guard our basic humanity and our basic nature as rational animals.

This in itself suggests the reasons that make the application of metaphysics to social and political theory a necessity and not simply an option. Yet one must ask: In what is reason itself grounded? Could not the universe be so ordered that reason was always or usually misleading?

Is there not a metaphysics of skepticism? Let us return for a moment to the first group of critics, those who say that no metaphysics is necessary or even relevant to our problem, that all communities are simply constructed to taste, or as truces in the Hobbesian war of all against all. Their view must stem either from the proposition that reality is so organised that every application of natural reason is fundamentally misleading, or from the proposition that those applications of it, in particular, which stem from the direction of natural reason to the task of creating a theory of community are especially misleading.

Those who hold the first position hold, after all, that it is more reasonable to be skeptical of reason itself than not to be. This may seem to be an overt contradiction except, of course, that it might be the case that every application of reason to the world leads to logical disaster. Those who hold the second position hold that moral skepticism in particular is justified.

Let us begin, then, by exploring the worst case for the practical moralist. The worst case would be one in which no moral proposition about the social order was known to be true or false, and in which the very idea of such a proposition was known to be self-contradictory.

As I have said before, such claims are not, in fact, made. Propositions such as “any world order which permits the human race to be utterly destroyed is unacceptable” and “any civic order which condemns human beings to freeze to death in the streets is wrong” are rarely attacked as self-contradictory, though it is frequently said or implied⁸ that we do not know whether or not they are true or

⁸ Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), urges that moral philosophy does not, like science, provide

false. It is sometimes argued, too, that something like this is the case: When we say “x is wrong” or “x is true,” and also say that these *propositions* are true, we are adding something illicit to the idea of a true proposition. True propositions assert what is the case. Both “wrong” and “true” are evaluative expressions and thus do not simply state what is the case. It seems redundant to say “the proposition ‘x is true’ is true”. But if we say “the proposition ‘boiling cats alive is wrong’ is true” it would be argued that what we are saying is misleading because “boiling cats alive is wrong” does not describe a state of affairs in the world but rather evaluates some other proposition such as “boiling cats alive is both good and fun”. When we say that “boiling cats alive is wrong,” we are merely adding another evaluation and making it seem that we are saying something about the world.

But this analysis cannot so easily be sustained.⁹ For two worlds, one in which humanity lives happily and one in which it has been obliterated, differ in obvious ways which, factually, include their openness to value. No great music or poetry can exist in the latter world. The pursuit of the best, as Matthew Arnold argued, is the pursuit of a world of which a great deal, factually, can be said. It is not, for instance, the pursuit of a world in which one first kills all the poets.

3. Moral Agents in the World

It is logically possible that some moral propositions should be true or false. But if that is so then it is one’s duty to seek true moral propositions, whether one finds any or not. For if there are any and one could have found them but doesn’t, then one is remiss. But this means that some moral propositions are true – among them the proposition that you should seek or try to seek true moral propositions.¹⁰ Thus reason does bear on these questions.

One can, like Alan Gewirth build a whole moral theory on such notions.¹¹ But the point I want to make here is that, if reason bears on these questions, then the

knowledge, though it can provide intelligent and useful reflections on life. The product of such reflections, however, could not be even a distant analogy to the knowledge that something is right or wrong.

⁹ I have pursued these questions at length in *The Concept of Truth* (Assen: Royal Vangorcum; and New York: Humanities Press, 1969).

¹⁰ For a different form of this argument see my *The Rational and the Real* (The Hague: Martinus Nijhoff, 1962), pp. 70-87.

¹¹ *Reason and Morality* (Chicago: The University Press, 1978). A large body of critical work on Gewirth’s theories is collected in Edward Regis, ed., *Gewirth’s Ethical Rationalism* (Chicago: The University Press, 1984).

question of the status of moral agents in the world and of their relations to one another is an important one. Indeed, this is so in a way which leads quite directly to Maritain's distinction between individuals and persons. To act in the world one must have some footing in it – one must be a creature capable of influencing other creatures and objects; one must be related to them and yet distinct from them. This is the basic sense of Maritain's "individual". But one must also be a moral agent, one's actions must count in a certain way and one must be aware not only of what the situation is at any given moment, but also, to some degree, of what it might become. For this one must transcend the immediate natural order. This is one of the roots of Maritain's sense of person. Maritain concedes that the notion of individual is not without difficulty. Such a notion is obviously relational in kind. One is individuated from something else amongst a group of things. It is often suggested that individuation is possible, therefore, first because entities in our universe, including ourselves, possess certain characteristics – universals if you like – which are shared with others, and because these characteristics are impressed upon or manifested through an element, matter, which renders them distinct. In Maritain's view, Mary Jones belongs to the human species because she is a rational animal. But she is distinct from other people because she occupies a unique region of space and time, an arrangement which is possible because matter is capable both of occupying space and time and of bearing the particular characteristics which are required. Maritain calls this in a version of the usual Thomistic language, "matter with its quantity designated".

But Maritain asserts that matter¹² is a "kind of non-being, a mere potency or ability to receive forms". Furthermore he is an Aristotelian, so that, while he accepts the reality of universals, he expects to find them in things. To say that creatures are individuated, therefore, by a combination of form and matter might seem to suggest that they are composed of two kinds of nothing which, miraculously, come together to make something positive. Perhaps for this reason, Maritain adds that matter has "an avidity for being."¹³

Alternatively, Maritain may mention the principle of avidity in order to lay the foundations of the multiplicity of things in the world. The result is rather like what might be called the negative form of the principle of sufficient reason. (Maritain speaks well of the positive form of the principle of sufficient reason elsewhere.)¹⁴ This is not so surprising. According to the negative principle, things tend to exist unless something gets in their way; matter will exhibit as

¹² *The Person and the Common Good*, p. 25.

¹³ *Ibid.*

¹⁴ For instance, *A Preface to Metaphysics: Seven Lectures on Being* (London: Sheed and Ward, in the section headed "The Principle of Sufficient Reason"), pp. 97-109.

much richness of form as possible. What prevents my typewriter from turning into a toad is that the matter involved already has a form, and some transformation, therefore, is necessary if we are to make toads from typewriters. Matter always has some positive designation; but it gets this from its “avidity” – its need for form if it is truly to be, a need sometimes called its “appetite” in Thomistic manuals.¹⁵ It is this avidity which is, in Maritain’s terms, its own positive nature.

It is normal, of course, to talk about the “privation” of matter in the Thomistic jargon, and privation may have a kind of dialectical relation to avidity. It may well be, however, that St. Thomas would have preferred the simple formulation which he offers in *Summa Theologica* I, Question 47, Article I: Matter belongs to form and not form to matter: “*Materia est propter formam et non e converso.*” Maritain may be extending his Thomistic metaphysics in a way which seems to make St. Thomas’s matter join forces with Bergson’s *élan vital*.

This may sound arcane, but it is an important question for the metaphysics of community, for it gives an explanation without reference to values. It was certainly St. Thomas’s view that the universe contains, distributively, the values which, taken as a whole, can only exist in God – that God distributed the possibilities for goodness in the universe so that it had no more evil in it than he intended, and that, since He was good, there is a strong tendency for the universe to exhibit the divine richness. This distribution of divine values is, I think, in the Thomistic scheme the primary explanation for the multiplicity of things in the universe and for the richness of its properties. It may be that individuality is ultimately, therefore, a matter of values. Each thing is distinct precisely because it has a distinct value in the whole. To ask what it is in these terms is to ask for its place in the divine or providential scheme of things.

It will turn out that this notion is very important for our understanding of the ways in which the human community is to be related to the larger community which embraces the universe as a whole.

The “avidity” principle and/or the negative form of the principle of sufficient reason can, however, be defended without such references to values. The signs of this avidity are that, whenever something is possible and does not exist, it turns out that this is so because matter has taken some other form which precludes it.

The difficulty is that, though such a principle helps to explain the multiplicity of things, it permits the possibility that many different things and creatures will be identical apart from the fact that they occupy different facets of space and

¹⁵ Henri Grenier in *Cours de Philosophie* (Quebec: Presses de l’Université Laval, 1965), Vol. 1, p.140, speaks of “l’appétit de la matière première,” though he refers to it as a “capacité passive.”

time. The uniqueness of things, whatever it is that gives to each thing a value, must, surely, stem itself from a different principle, a principle of values, and if one has such a principle, it is not clear that the “avidity” principle is, in any case, required. Maritain was certainly not aware that he was flirting with an “active” notion of matter which might, in its turn, lead on to a Hobbesian theory.

Still, with or without the notion of avidity, it is clear that human beings, as individuals, occupy a special position in the universe. Either way, we are animals who think and reason and so we mix the virtues of the intellect with those of emotion and sensation. A whole array of values opens from this point. But it is clearly a set of values which must be co-operative. Human beings can frustrate one another’s possibilities in ways which it is difficult for any other creature to match. They can only achieve their own humanity, as Kant insisted, by working together and dividing up the possibilities amongst them.

We have our roots in nature and owe to nature our possibilities, but we move beyond it just by the very way in which we are individuated. You and I are the persons we are because of the positions that we occupy in the present social order, in the unfolding of history, and, of course, in the relation which people have to whatever future is opened up for them. We are part of a process; our individuation is of such a kind that we are not *mere* individuals.

It is here that the difficulties begin. This transcendence of the mere individuation of matter is what gives to the problem of persons both its importance and its element of mystery. The most central source of Maritain’s doctrine is probably St. Thomas’s remark in *Summa Theologica*, (Part I, Question LXXX, Art. 1) to the effect that the human soul, since it is capable of knowing either by sense or by intellect all that there is to know, is capable, thereby, of becoming in a sense, everything. Of course the mode in which things are known is, for St. Thomas, a distinct mode of being; but it is not an inferior one. Indeed, in the same article St. Thomas speaks of our likeness to God in these terms.

4. Replicating the Universe within the Individual

If human beings can replicate the universe in knowledge they are also anchored in the universe at a place and a time, even if they are only the product of the “avidity” of being, creatures within whom a whole universe may be contained. The perfection of the human animal and the perfection of the universe become, in one sense, the same thing, and yet, in another sense, people have a role to play in the development of the universe as such. They are potentially both part and whole.

One must expect, therefore, a constant tension within human experience. The human as animal, and as individuated matter, is tied not only to other people but to the whole universe and must co-operate with others and with nature to achieve

his or her ends. We are, at this level, what Maritain calls persons, though expressions like “the ontological *mystery* of personhood” recur frequently.¹⁶ We are so situated that each person has an absolute value which is scarcely less than the whole. From one perspective, one side of this nature demands cooperation and the other sees the perfection of the universe mirrored in its own being.

Equally, however, the situation can be looked at from a different perspective in which the roles are reversed. We are tied together by the fact that, if each of us did mirror the whole universe in knowledge, we would be identical except for the particular perspective from which the knowledge was obtained. In theological terms, the beatific vision is, presumably, the same for all those who will enjoy it. Short of that, an evil done to one person must appear in the experience of everyone if each realises anything like their potential. Knowledge of evil done to others is as painful as evil done to oneself. Thus really, in the end, no one can profit at the expense of another and we are tied together as persons even more strongly than we are tied together as individuals. We are radically distinct from one another as individuals in a way that we never can be as persons.

The community of individuals is never a perfect community: we are separated from each other in physical space and biological time. As persons we may genuinely overlap and form a real community.

But this helps us to understand the situation of the moral argument which I originally introduced. To be moral agents with real choices, we must have a footing in the world and so risk the perils of individuation as beings in space and time. If there are angels and they act in the world, they must act through our inner lives and so share our footing in the world. But to be moral at all we must transcend this individuation in the world and be able to grasp universal truths.

Even without the special concerns of Maritain’s Thomistic metaphysic the problem would arise, and in the same way. It is the condition of morality. A pressing question is about which perspective is to be dominant. Is it the one from which personhood is seen as inculcating the selfishness of one in whom the whole universe can be replicated, or is it the perspective from which personhood is seen to draw us all together?

Maritain seems unworried by this question, chiefly, I am sure, because the first perspective is limited or mitigated by the fact of the existence of God. We cannot really replicate the whole universe within us, for God is beyond us and, therefore, the selfish potential of the existence of personhood is negated. Otherwise his public ethic might be defeated by a metaphysical call to selfishness. It is, indeed, for this reason, Maritain thought, that – contrary to

¹⁶ See *Ransoming the Time*.

prevailing opinion in our day and Maritain's – one must suppose the existence of God in order to substantiate the basic claims of morality.

For Maritain, of course, the existence of God is given by reason and faith alike and does not arise as a special problem for his social and political philosophy or for what I am calling here his metaphysics of community. Maritain did, certainly, produce a "sixth way", a demonstration of his own for the existence of God,¹⁷ but he does not refer to it specifically in his writings on social and political philosophy.

All the same, it may be as well to notice here that we can exhibit this necessary condition for morality, if I am right, as a kind of Kantian postulate of pure practical reason. For I argued earlier that we do know the truth of certain moral propositions such as that it is my duty to make or to try to make correct moral judgements. But this duty would be lifted from us if we also knew that true moral propositions would be impossible without the existence of God, and that God did exist. At this point in the argument we know, if the argument is sound, that either God exists or morality breaks down in a logical difficulty. If God does not exist there is no reason why the person should not pursue his own development until, in the inner world of knowledge within him, such a person becomes, indeed, a curious kind of substitute for God. There seems, on this view, no loss of value whatever one does to others, for everything is replicated within oneself. But morality consists precisely in the transcendence of self-interest. This dilemma is not imaginary. It is the central dilemma of technological humanity which has discovered that people can do whatever they want, limited only by the laws of entropy and the energy supply of the universe.

By an argument which I have called upon repeatedly, we know that true moral propositions exist. It is true that these propositions are, in their turn, about other possible moral propositions. For they assert the truth that it is one's duty to try to find true moral propositions. And they depend on the *possibility* of morality alone. Therefore one might think that the argument shows the possible existence of God. But the modal operators do not shift that way. The *possibility* of morality is based, in this view, on the *actual* existence of God for, if God does not exist, there is no apparent disvalue in gross acts of selfishness. Of course such a God is not the tyrant master of the world sometimes imagined in hellfire theologies, but only a being who links us all and, in sharing our experiences,

¹⁷ Jacques Maritain, *Approches de Dieu* (Paris: Alsatia, 1953) tr. by Peter O'Reilly as *Approaches to God* (New York: Harper, 1954). The "sixth way" is an argument which proceeds from the nature of the human intellect to the existence of the divine intellect. It is, in fact, not unrelated to the main arguments here.

provides limits. A tyrant God would absorb the whole of the possibility of moral agency – everything would occur either because he willed it or because he permitted it – and could himself fall under moral categories. For there would be no other agents who could be treated well or badly. So if this is the implication of Maritain’s view, it has important and distinctive theological outcomes.

Maritain did not work out the logic of this case. But whether what I have just suggested is really anything like Maritain’s intended view or not, it seems to me a more persuasive form of the claim about the postulates of pure practical reason than the ones put forward by Kant himself. The possibility, at any rate, exists that Maritain does not need to draw upon the particular combination of faith and reason which persuades him of the existence of God. Reason may be enough, and this is of importance for his metaphysic of community just because, as he constantly repeats, any political theory in which we can put our trust must be a theory for all people and not, for instance, merely a theory for believing Christians.

5. The Limits of the Human

We face, however, still another difficulty. Though, in his various earlier writings, Maritain had warned about the dangers of “angelism”¹⁸ and so forth, the essays in *The Person and the Common Good*, written in the years around the second world war – before, during, and after – tend to emphasise the uniqueness and importance of the human person, as opposed even to the human individual, in a way which seems rather incautious to a contemporary eye accustomed to the problems of the environment and to the risk that man may render his planet – perhaps even the whole visible universe – a smouldering ruin.

Maritain represents St Thomas as saying that “(persons) alone are willed for their own sake”.¹⁹ The passage is from *Summa Contra Gentiles*, Book III, Section 112. In his footnote, however, Maritain cites another sentence: God “rules intellectual creatures as though he cared for them for their own sake”.

¹⁸ There is a specific warning about “angelism” in his commentary on Descartes in *Trois réformateurs* (Paris: Plon, 1925), translated as *Three Reformers* (New York: Scribner, 1940). See also the cautions against certain kinds of idealism in *Réflexions sur l’intelligence* (Paris: Nouvelle Librairie Nationale, 1924). His Aquinas Lecture at Marquette University, *St. Thomas and the Problem of Evil* (Milwaukee: Marquette University Press, 1942), also calls attention to the Thomistic account of the value of the whole universe although it does not emphasise it.

¹⁹ *The Person and the Common Good*, p. 7. The words here ascribed to Maritain differ slightly from the English Dominican Translation (London: Burns, Oates, and Washburn, 1921 etc.) which speaks of what is “most perfect in all nature”; but “subsistent individual of a rational nature” occurs there, too.

This suggests that something else is involved. And St. Thomas goes on to say “we do not understand this statement, that intellectual substances are ordered for their own sake, to mean that they are not more ultimately referred to God and to the perfection of the universe.” So persons are created, after all, for the perfection of the universe as well as for their special relation to God. Certainly, *apart* from their duty to God, which includes their duty to bring about the perfection of the universe, they are to be regarded as ends in themselves.

St. Thomas certainly *did* say that “the person is the most noble being in all of nature” (*Summa Theologica* Part I, Question XXIX, Art. 3). Perhaps one should recall that the passage is one in which he is talking about the Trinity and the discussion is about divine persons. The statement is an analogy which draws upon persons as we know them, but it properly signifies, says St. Thomas, a “subsistent individual of a rational nature”. In a sense we are such individuals, yet our rationality is imperfect and we are not perfectly so. The angels are closer than we are and God is a perfectly rational individual.

There are, to be sure, other passages which might make one think that St. Thomas authorised precisely the position which Maritain has often been thought to adopt, the position that the human being is, without question, the master of all else in the universe. For instance in *Summa Theologica*, Part I, Question XCVI, Art. 1, he sets out to show that all animals are naturally “subject to man”. His chief argument is that man possesses “universal prudence”, i.e., a *general* power of practical judgement which can be applied to *any* subject matter; whereas animals possess only limited capacities for specific occasions. This “natural domination” is extended in Article 2 to cover “*all things*” because “man contains all things within him”; i.e., the human being can in knowledge reproduce the universe. Human beings have reason “which makes (them) like the angels”; powers of sensation “whereby (they are) like the animals”; “natural forces which liken (them) to plants”; and the “body itself wherein (human beings are) like to inanimate things”. Human beings do not have dominion over the angels, because angels are rational beings and nothing can legitimately have dominion over reason, but they do have legitimate dominion over everything else. One might certainly infer from this that a person can dispose of the rest of creation according to his or her will just as God can dispose of humanity in whatever way He or She pleases.

But there is still another line of thought in St. Thomas. Throughout Part I Questions XLVII, XLVIII, and XLIX of the *Summa Theologica* St. Thomas argues – against those who thought that God only made some things and that the rest of the world proceeded from secondary causes – that God is responsible for the whole of creation, that all of it is good, and that all of it is intended to work together. In that case, each thing must have a value of its own. St. Thomas

argues that of course everything *does* have a value of its own. Even Satan, since he has being, has some good in him.

The obvious reconciliation of these propositions must come from the fact that we are limited by our relation to God. We are masters only within the world, that is only within the plan of God. And that is in fact what St. Thomas says in *Contra Gentiles* Book III, Chapter 150 in which he says “the end to which man is directed by the help of grace is above human nature.” The issue is admittedly balanced on a razor’s edge. In the same section St. Thomas says that, if we are enjoined (as he says we are in Scripture) against cruelty to animals, this rule must be because some good for man demands it. But if we expand our persons because we are knowing beings then, of course, it follows that the valuable objects which are to be known must be protected. The picture ties together.

We do face problems, though., as we shall see about our relation to the environment. Charles De Koninck thought that these arguments might lead us to transform nature into what he was later to call “the hollow universe”.²⁰ Immediately, however, the pressing issue in this discussion is about the notions of person and personality .

6. The Problem of Personality

Suppose we take the view that the development of “the person” or (as Maritain sometimes has it) of “personality” is the natural end of human beings.

Are we not, then, in danger of what has been called “the cult of personality”? Suppose that we argue in the following way: This development of persons to the ultimate capacity of human beings through the kind of knowledge which reproduces the whole universe within us is not possible for all human beings. This is so partly because we lack the resources and partly because not everyone is capable of this development given the pedagogical and psychological techniques open to us at present.

What we can do, however, is to develop an elite or even a single individual. Since the development of everyone would, in any case, result in a lot of overlap or repetition, we can argue that developing this elite or even this single person is our best chance of bringing progress to the human race and the best use of existing resources.

We should not laugh at this argument. Though rarely stated so baldly, it is much accepted in practice. Is this not how one gets a Stalin or the kinds of elites which used to prosper in what were charmingly called the “people’s democracies”? And is this not also how Americans justify having a Harvard and

²⁰ Charles De Koninck, *The Hollow Universe* (Toronto: Oxford University Press, 1960); and (Quebec: Presses de l’Université Laval, 1964).

a Yale for a few while the many must make do, at best, with a host of misleadingly named “community colleges” and underfunded branches of state universities? England has its Oxford, and the transformed polytechnics in dingy industrial towns.

And, then, is there not something curious about promoting personalities? Maritain himself speaks of the “magnificent personality”²¹ of Jesus, but it is not clear what this means. Maritain certainly did not think that Jesus had the personality of the successful television evangelist. And in fact Jesus does not seem to have exercised much “force of personality” as we understand that phrase today. He was often abrasive. Only a few followed him and the sway of his personality did not, for the most part, prevent even them from denying him. The authorities seem to have feared something else – that he might be the possessor of the truth. Pontius Pilate did not ask about his personality. He asked about truth, and the scripture suggests that he did not much want to hear the answer.

But I rather think that, if one takes Maritain’s position, one will come back to the philosophy of Marsilio Ficino, and the answer perhaps can be seen.²² The kind of view adopted by Maritain – with its emphasis on the centrality of the person is, after all, even if it is latent in the writings of St. Thomas himself, a Renaissance doctrine which flourished most strongly in the modified neo-Platonism of the fifteenth century. It may first have been fully developed in the writings of Ficino, who was the founder of the Florentine Academy. In the last half of the fourteenth century, Ficino made many adjustments to the philosophy of Plotinus, the chief of which was to locate the human soul at a central place in the universal order of things. According to him, the universe is bound together by love, a rather Augustinian notion (and there are many remarks of Maritain’s which echo something of this idea).²³ This, indeed, is hopefully the truth – but it needs to be spelled out

Since the human being extends in thought to the whole of the universe, his experience may be seen as embracing (ideally at least) all reality. The idea was that when nature has been turned into knowledge and knowledge into art through the application of love, and when all human beings participate in this ultimate love, the universe will have achieved its end. This *is* its common good. Though I

²¹ *Op. Cit.* p. 22.

²² Marsilio Ficino, (Marsilio Ficino) *Theologie Platonicienne de l’immortalité des âmes*, 3 vols., ed. and trans. Raymond Marcel (Paris: Belles Lettres, 1964-1970). (This edition contains the Latin text of the *Platonica Theologica*, c.1475, together with a French translation.)

²³ The expressions in *The Person and the Common Good*, pp. 28 and 29, for instance, might have come straight from Ficino on love and the universe.

think Ficino is rightly called a neo-Platonist, he himself made something of being a Thomist, and I have counted seventy-five references to St. Thomas in the text of his principal work on the soul.

7. Ficino's Humanism

Ficino at any rate was rightly called a “humanist”,²⁴ and the humanism of the Florentine Renaissance is one of the great streams of thought from which all sane men drink. But the question is whether or not this doctrine is enough. Ficino did not think that this doctrine turned the universe into a plaything for human beings or denied value to its other components; for he imagined that human beings must learn to love all the things and creatures in it. It is rather that, in knowledge and in love, the human being is drawn out of himself and into the universe. Though the content is also transformed, these transformations are meant to include nature as knowledge and to add to it as art.

Maritain *was* quite deliberately, I am sure, trying to blend the Thomism of tradition with the liberalism of modern Europe – to make the former relevant to the latter and to show that modern values could be saved only if they were put in

²⁴I mean this in the original sense. The word “humaniste” first appeared in French in 1765 to denote a philosophy centring on the love of humanity and the sense that the human being is the centre of things. It was associated with the Renaissance Italian philosophers and its counterpart appeared in Italian in 1535. In this sense it emerges in English in 1828. It was not an anti-theological doctrine though occasionally in English it was used for the notion that Jesus was “merely human” (Coleridge was accused of it in 1812). But religious humanists (Cardinal Bérulle has been called a humanist with good reason) places their emphasis on the Incarnation, in the notion that God became one of us and is with us still. In the later Nineteenth Century it was used in French (1877) to denote people devoted to ancient languages. Even the people who attacked Coleridge were calling attention to his (momentary) unitarianism and did not mean to call him an atheist. So it seems outrageous that the word “humanism” has been taken over by the Canadian Humanist Association and similar organisations as a synonym for “atheism”. Ficino and others meant to call attention to the doctrine that human beings are made in the image of God. Contemporary Canadian “humanists” do not agree with C. S. Lewis that “It is a serious thing to live in a society of possible gods and goddesses, to remember that the dullest and most uninteresting person you talk to may one day be a creature which, if you saw it now, you would be strongly tempted to worship.” (Lewis’s quotations on people becoming Gods have been assembled by Stephen Robinson in the *Encyclopedia of Mormonism* (New York: Macmillan, pp. 399-402. The quotations are from *Mere Christianity*, London: Bles [revised edition], 1952 and *Weight of Glory*, ed. Walter Hooper (New York: Macmillan, 1980) Whatever one thinks of Lewis’s notion that God promised to make us into gods, it was a noble ideal which sparked the Italian Renaissance, and words should not be appropriated for their opposites. The “Humanists” now believe that men and women are matter in motion.

a more traditional context. Both he and Ficino would claim that they were faithful to St. Thomas.

This leaves us with a final difficulty: the problem of pluralism. I started by noticing that, even if one can hold that certain communities are natural, the communities which are natural and are thus justified by reference to metaphysics are not necessarily the communities in which we live or seem to live.

Canada, the Orange Lodge, the United Auto Workers Union and the University of Toronto are not – directly at least – divine creations. What, therefore, is the relation between the communities of God and nature about which I have been talking and the actual communities in which we live our lives?

In *The Rights of Man*, Maritain says his conception of a society of free beings is “pluralist because it assumes that the development of the human person normally requires a plurality of autonomous communities which have their own rights, liberties and authority...”²⁵ On what does this plurality depend and what limits the rights, liberties and authority of its component institutions? Maritain speaks of the wills of persons freely coming together, and one answer is just that we choose our communities and are entitled to do so – so long as we do no violence to the larger and higher communities to which we belong.

I think the idea of freedom does tie to the metaphysical justification of this plurality and that, metaphysically, it is needed to bring together the person and the individual. The person is entitled to make a deliberate decision. Communities are therefore not automatically created. In reality, the person will form alliances which seem comfortable. Culture will influence the choice of societies to which one wants to belong. Language will facilitate some alliances and hinder others. Collective institutions whose workings one understands will play an obviously important part.

Pluralism will, therefore, be the norm – and justifiably so, for one cannot decide freely about things one does not understand. The limits, however, will be those which are given by the larger metaphysical community. The implication is that there must be a global order, an international law, and a common forum where all men meet. And beyond this again there must be a common concern for the human function in the universe at large.

8. More from St. Thomas

The force of Maritain’s system derives from its claims that people form a natural unity with each other – and with God. To sustain his position Maritain must, of

²⁵ *The Rights of Man* (London: Geoffrey Bles, 1944), p. 15. (In the 1986 edition, bound with *Christianity and Democracy*, San Francisco: Ignatius Press, the quotation appears on p. 105.)

course, be able to explain justifiable plurality as well. I argued in Section 5 that he does this rather well. But he does not use all the elements which one might find useful in the Thomistic system on which he builds. It is worthwhile therefore – before we go on to see what difficulties might be found with his formulation within the Thomistic system – to inventory the remaining items and to see what weight they might have.

The component ideas of the social self are to be found, on St. Thomas's view, in:

1. The common relation of all men to their creator
2. The common humanity which everyone shares.
3. The common good which is the good of all but not the sum of the good of each
4. The "one principle" from which the agent intellect of each of us derives.
5. The natural reason which replaces animal intuition.

Maritain makes clear use of the second and fifth of these. There are problems which we shall notice in due course with his use of the notion of the common good. He ignores the fourth assertion, however, and his use of the first is not quite like St. Thomas's. It is therefore worth considering these at least briefly.

The problem of the creator and his or her relation to creatures is in fact worth considering for a special reason: On the face of it, it must appear that any attempt to deduce our social duties from our relations to a creator is likely to rest on unsatisfactory premises about the fact/value relation. We should bear in mind, however, that Aquinas has an account of this relation which, while it is not so often advanced in our time, nonetheless deserves attention; and we should also bear in mind that the mere fact of the existence of God and of His causal relation to us is not regarded by St. Thomas as definitive of our social duties.

One may be tempted to think that, because St. Thomas and Locke share a devotion to the labour theory of value, St. Thomas would use this relation to show that just as we have rights to our property as a result of creating it, so God has rights to us as a result of creating us. But this is to confuse persons and property – a sin which may have tempted Locke, but is less likely to have tempted a man who was a member in good standing of a religious order then rather strongly devoted to ecclesiastical reform. Presumably, one who creates free beings creates beings capable of obligation but cannot create the obligations without infringing upon the moral autonomy of the creatures – an autonomy which St. Thomas thinks God bestowed rather liberally not only on men but on a variety of separated substances as well.

The connection proceeds differently from the analysis of fact and value. It is St. Thomas's view in general that evil is always a privation, a negative characteristic. From this it is inferred that a being lacking nothing must be

perfectly good, and that other beings have obligations to this being on account of God's goodness.

This doctrine has its origins in neo-Platonism and in St. Augustine, but since it was common property amongst rival sorts of philosophers in the high middle ages, it is more often stated and referred to than argued for, and I shall state the argument in my own way.

One who complains of something invariably points to a deficiency in it: It is not just that the stupid are those who lack intelligence but also that the cruel are those who lack sensitivity and appreciation of the feelings of others. In that case, a being without privations would be a being against which no complaints could be stated. It seems often to be assumed by mediaeval philosophers who argue in this way that such a being would be perfectly good, though it would appear that such a being might be either perfectly good or simply neutral – perfectly neutral in the sense that no value qualities attached to the divine nature. But moral neutrality must entail that a rational agent with perfect knowledge would assign such a being no place in a hierarchy of things ordered from good to evil. A neutral being, however, would presumably be ordered at the midpoint in such a scale, which is to say that it must lack something in virtue of which things might be judged good. If, of course, there were no value properties at all, then the neutral being would occupy the only point on the scale. For there to be no value properties at all is for there either to be no persons or no reasonable preferences, or neither persons nor reasonable preferences. The fact that we engage in arguments of any sort entails a commitment to the proposition that there are some reasonable preferences – i.e., those for some arguments over others.

If, however, a being lacking nothing is a perfectly good being (since a perfectly neutral being won't do), then there is an order of being which corresponds to the order of potential privations. (It does not follow that the order is simple and serial, with the number of privations as its key. Indeed, that is hardly likely.) Within this order all beings but one will have obligations to others based on the proposition that it is always an obligation to promote or (as the case may be) not to undermine the good. The balance of obligations will vary in ratio to the range of privations, and man's obligations to God will be considerable. God will not have obligations since such a being will do the good naturally and inevitably. (A being lacking nothing cannot fail to be good and to do the good.)

9. The Existence and Goodness of God

To the existence of such a perfect being, one might argue in many ways. Here we need to explore the relation of the relevant arguments to the problems of evil and community and to the philosophies of the recent Thomists. Aquinas argued, amongst other ways, from contingency to necessity. Such an argument goes together with the notion of evil, privation and goodness which we have been

discussing. For if some beings are evil, then they lack something. If they lack something they are contingent for, lacking something, they could be changed by some other thing. St. Thomas, in fact, does *not* use this premise in his argument for the existence of God, but employs premises having to do with change and movement to show that some beings are contingent. However, only certain kinds of change and movement – those which are associated with the change of assignable predicates of the sort which attach to the thing itself and not merely to its context – are evidence of contingency. The direct perception of a privation (if such a thing is possible) would provide a stronger premise. You can only notice that something is missing if you know there is something real which should be there. Nothing can be deprived unless there is something to be deprived of.

As we in fact perceive it, though, the world might exist indefinitely in a kind of Mobius-strip time in which only the same moments, each of which encloses only a finitude of possibilities, occurs. But there is another possible line of attack. One might say that while infinitely many contingent events could, taken singly, all exist, they could not be summed unless, collectively, they formed at least one non-contingent event. For the sum would be a set of events which had dependence relations, the total of which was not enough to explain why they, and not nothing, should exist. To depend is to depend on something. It cannot be true that everything is dependent unless the sum of such entities is a non-dependent event. But such a change of modalities is more complex than one might think. In the ordinary way, the existent is imagined to be sub-divided into things along lines of relative independence. Components which can exist only as a single unit are imagined to compose a single thing. Thus a world which was comprised of a set of entities which singly were contingent and collectively were necessary would be said, naturally, to consist of a single thing, and yet such a description would also seem inadequate. Such an entity would be like the One of Plotinus or the Absolute of F. H. Bradley.

Such entities are often said to transcend even the distinction between existence and non-existence for, to predicate anything of them, would be in some sense to falsify them. But since their natures are also falsified by claiming them to be unities within which there are no distinctions, the natural recourse is to a kind of emanationism in which their central being also has a distributive aspect. In Plotinus, the Pseudo-Dionysius, and in the writings of many other neo-Platonists, this emanation is represented by an identity-in-difference relation. The One and the World are distinct but derive their identities from one another. The social ideal represents their return of the World to the One. In Augustine, mutual dependence is seen as heretical. But the mystical union seen as love is still the central aspect of the City of God.

In the writings of St. Thomas this relation has been replaced by causal relations which permit a direct dependence of the world on God. The world's

distributive aspect explains the existence of evil. The properties which God has collectively, the world has distributively. There are many different things in the world, and there is a complete balance of values in the two aspects. Only in such a way could this be the best of all possible worlds.

The strongest argument, though, would be one which tied the need for the world and its relation to God to the idea of the good. If the mediaeval tradition which holds that goodness and being are convertible transcendentals is sound, such an argument is available. Again, if evil is simply a privation, then the only things which could be necessary would be good. At any rate there is no overcoming of evil in this sense unless there is what is truly and necessarily good. Duns Scotus's notion of the disjunctive transcendentals expands this notion.²⁶

10. Joad's Argument: The Importance of Evil

C. E. M. Joad thought that one could show that a sound argument for the existence of God can be developed from our certainty of the existence of evil:²⁷ If one is sure that there is genuine evil in the world, then one is sure that there are objects which lack properties which would make them good. But nothing would be really evil if nothing were really good. One would only be imagining evil. The relation is like that between the genuine and the counterfeit. One who knows that there is real evil is comparing what he knows to some knowledge of genuine goodness. Run backwards, the argument seems to depend on an earthly glimpse of the beatific vision, for it depends upon the certainty of evil taken as a negation.

There are evidently many conceptual difficulties in all these notions, but the issue here is just that, when the argument is built this way, it does follow that men have obligations to each other and to other creatures. There is no primacy to self-interest. The arguments therefore provide the basis for a community.

Yet these obligations are not sufficient to structure a society, for they do not tell us specifically which values are to be promoted or just how the values of human beings rate amongst the values generally – only that, since each of us occupies the same kind of place in a hierarchy of being, each of us is entitled to the same ultimate level of care, concern and protection.

If, however, God exists in St. Thomas's sense of "God" and "exists", such a being must have a plan into which each creature fits so as to optimise the values of the whole and to keep the balance between the collective and the distributive

²⁶ I discuss this notion further on (Chapter 12) in the book manuscript from which this extract is developed.

²⁷ C. E. M. Joad, *God and Evil* (London: Faber & Faber, 1942).

sets. Roughly (to summarise and paraphrase St. Thomas), the problem is this: God is perfect and therefore perfectly good. But there can only be one God – two or more would depend upon each other and so not meet the logical conditions which the argument supposes for the existence of the world.

The best possible world, however, is one in which God instantiates all the value properties. He can do this distributively since He can see to it that there is at least some creature with each possible combination of properties. Some creatures, however, have free will and may well act so as to create an imbalance between the collective and the distributive set. Since some values are involved with freedom, this must be so.

Thus it seems (unfortunately) that the balance *can* be disturbed and also that it *cannot* be. The only solution to this is a Providence which acts so as always to maintain the balance. But if this Providence could be known to reason, it would be necessary and not free. The plan, therefore, can only be known (in part) through faith, and yet the plan is a necessary part of the ultimate justification of communities. On such a view, therefore, faith is necessary but only to those to whom it is given. Others are entitled to act according to the light of their natural reason – though, since natural reason does not lead to the beatific vision, it is denied to those whose sole recourse is to reason. This being so (and since faith was not given to all, especially to Arab intellectuals whom St. Thomas generally admired), other sources of justification must be found.

11. The Reason that Unites Us

Finally, one may ask if reason does not unite us in a different way. There is a sense in which, if two physicists are each thinking about the statistical theory of thermodynamics, they are thinking the same thoughts. Fundamentally, in St. Thomas's system, the problem of "common thought" determined by reason is the problem of the agent intellect. It arises in the context of the primary intellectual act envisaged in that system: the act of abstraction which yields the universal. Whenever any of us thinks correctly, he thinks, in this sense, the thoughts of the others who think correctly.

The agent thus involved came to be called the agent or active intellect. For what is involved is an act. It is not the passive receipt of sense data which is in question: the data of sense must be grasped as having something in common. The association cannot be passive, for passivity would end with a plurality or with one datum superimposed on another. What we need is recognition of the universal.

While a computer can readily produce a simulation of this result, the simulation is not the act. The computer can store instances. It can do so in one of two ways. It can assemble them all in one place so that what it has is a collection of stored particulars. It can also store them together so that each instance is

absorbed into the one before. It now has a single particular. What it does not have is the *kind* of unity represented by the universal – though it could readily give whatever it has the name which we use.

Thus we must distinguish what our brains do (which is what the computer does) from the meaning we put on what our brains do, which is the recognition of the universal, the act *par excellence* of the agent intellect. But when we have made that distinction, the claim of Avicenna and Averroes that there is only one agent intellect amongst all of us becomes intelligible.

St. Thomas denies this claim on the ground that each of us can think when he or she wants to and that the agent intellect must therefore be diversified. But he concedes (in *On Spiritual Creatures*) that “in a sense” the Arabs are right.²⁸ And in *Summa Theologica* I, Question 79, Arts. 4-5, he speaks of the “one principle” from which every agent intellect derives. His rather sterner tone in *Summa contra Gentiles* II, 76 is softened in the later parts of that work when he insists that, for knowledge, we need the assistance of another intelligence.

Reason finally unites us, however, in a principle which is close to a shared agency. According to St. Thomas, we retain our individuality while sharing in the principle. According to Siger de Brabant (located in heaven by Dante alongside Aquinas), there is something more involved. For him, the agent intellect is the incarnation of reason, the terrestrial form of the divine, and it is through it that we may come to achieve our natural unity and achieve the earthly counterpart of the beatific vision. This raises the question of categories in the Hegelian sense of that word. It is through the universal that we begin to sense what it is to be human. But St. Thomas senses that we must transcend the universal if we are not to be caught in what would finally end as an abstraction.

12. Charles De Koninck, the Common Good, and the Human Environment

Maritain’s response to the problem of the common good – the problem of how, if at all, we can overcome the impossibility of aggregating preferences and so identify a good which is truly *common* – depends significantly on his metaphysics. Within his scheme, though, if we have knowledge of objective values, then we can show that what we ought to do is to order our preferences according to the values which we have discovered. Very reasonably, Maritain sought to discover those values through an analysis of the concept of person. The difficulty, however, was that such an analysis may make it seem as though personal preference still reigns over the rest of nature. By and large, Maritain left

²⁸ Thomas Aquinas, *De Spiritualibus Creaturis*, tr. as *On Spiritual Creatures* by Mary C. Fitzpatrick and John C. Wellmuth (Milwaukee: Marquette University Press, 1949), pp. 111-124.

alone the implications of his theory for the values embedded in anything which is not a person or a community within which personality manifests itself.

Perhaps preference is strictly limited when our preferences impinge on the freedom, dignity, and personal development of other human beings. But that would still leave us to fight it out over the treatment of the rest of nature. The old problems might accrue over the aggregation of such preferences. Worse, it may be that we would, in this way, come to distort or even destroy much of the natural value of the universe. What might be called the “animal rights” and the “green party” issues would remain unresolved.

13. “Why is the World Many?”

In 1943, in a slim volume entitled *De la Primauté du bien commun contre les personnalistes*,²⁹ Charles De Koninck posed one of the most pressing of modern difficulties: How shall we construe the human relation to the universe as a whole? What is the point and meaning of its existing diversity and complexity? How do human beings, finally, stand in relation to other creatures? In the midst of a war, other issues seemed to take precedence – and they, too, were discussed in the book – but De Koninck was ahead of his time in seeing clearly that technology had brought us to an ultimate question: Given that we know how to do what we want with the universe, what *should* we do?

“*Contre les personnalistes*” might have many meanings, and the title – since Jacques Maritain, amongst others, called himself a “personnaliste” set off a great row amongst Catholic philosophers. But De Koninck’s greatest concern set out in that book and in his later response to Father Eschmann³⁰ was to show that *Contre les personnalistes* had to do with the need to see persons and personalities in the context of their function in the universe as a whole.

De Koninck was writing before “ecology” had become a catch word, before anyone had thought of “green parties” and before the contemporary animal rights movements had caught the popular imagination. But he had devoted much of his life to the philosophy of science, and he feared that a growing movement toward pragmatic subjectivism in science combined with a set of values built around the idea of “person” could prove disastrous for nature at large and for human nature in particular. His most important message, I believe, centred

²⁹ Charles De Koninck, *De la primauté du bien commun contre les personnalistes*, (Québec: Éditions de L’Université Laval, and Montréal, Fides, 1943).

³⁰ Charles De Koninck, “In Defence of St. Thomas”, *Laval Théologique et Philosophique*, Vol. 1, No. 2. 1945, pp. 9 - 109 and I. Th. Eschmann, “In Defence of Jacques Maritain”, *The Modern Schoolman*, Vol. XXII, No. 4, May, 1945, pp. 183-208. De Koninck did not mention Maritain in his book.

around the answer to the question by St. Thomas: “Why did God create the world many?” De Koninck believed that his own answer was certainly consistent with St. Thomas’s and, indeed, that it was a Thomistic answer.

The whole answer is not to be found in *De la Primauté du bien commun*. But the quest is continued in *The Hollow Universe*³¹ and fragments of answers can be found in other works as well. They point to an incipient – if unfinished – natural theology.

De Koninck was also concerned explicitly with totalitarianism and with its relation to the “cult of personality” which has characterised it in our time. That, too, is related to his incipient natural theology.

Here, I want to discuss that incipient natural theology as well as to consider the implications of De Koninck’s answers in the *Bien commun* to the question about why the world should be many. Father Lawrence Dewan has concluded that De Koninck was right about St. Thomas and the common good, and I shall leave the strictly historical questions to him and to others, though it will not be possible or desirable to expound De Koninck’s philosophy without any mention of St. Thomas.³²

I shall urge that there are, indeed, important elements in De Koninck’s thesis which are absent or do not play a powerful enough role in the writings of Maritain and that, without these elements, “personalism” is in fact a dangerous doctrine. But it is a question of balance and of supplementary considerations. The “personnalistes” of the title are surely not, in any case, “Maritainistes” in any strict sense – and De Koninck was careful not to claim that they were. But some of the doctrines being disputed are very close to those associated with Emmanuel Mounier and his followers – a group about whom Maritain himself had serious doubts.³³

14. De Koninck’s Summary

Basically, De Koninck sums up his position in the *Bien commun* like this: “The texts [from St. Thomas] which I quoted were to prove that the greatest perfection

³¹ Charles De Koninck, *The Hollow Universe* (Toronto: Oxford University Press, 1960), and (Québec: Presses de l’Université Laval, 1964).

³² See Father L. Dewan’s entry on De Koninck in *The Oxford Companion to Canadian Literature*, ed. William Toye (Toronto: Oxford University Press, 1983).

³³ These doubts are documented at some length in John Hellman, *Emmanuel Mounier and the New Catholic Left 1930-1950* (Toronto: University of Toronto Press, 1981); and Bernard E. Doering, *Jacques Maritain and the French Catholic Intellectuals* (Notre Dame, IN: University of Notre Dame Press, 1983).

of the created person is the good of the *universe*.”³⁴ This needs elaboration. The common good is to be understood as the good which would be attained if *everything* in the universe fulfilled the role for which it was optimally fitted. And this is a complex notion.

The first complexity has to do with the existence of God, with the place of God in the scheme of things, and with our “natural” knowledge of theological matters. We have seen that God plays a significant and necessary role in Maritain’s scheme though there are some doubts as to how the God which plays this role is to be construed.³⁵ The universe, for De Koninck and all the philosophers involved in the original dispute, includes God. I shall urge later that De Koninck needs a reason for this inclusion, a reason which relates God specifically to the issues at hand, and one that is plainly connected to the main line of his argument about the common good. It is the nature of most of the traditional arguments for the existence of God that they simply seek to show the existence of a being usually omnipotent, omniscient and perfect – from whose existence little follows about the actual or probable nature of our universe. De Koninck needed more than this. But I do not think this requirement is so difficult to fulfil as one might think.

For the moment, however, we need to notice that it seems obvious that, if God exists, and is himself the highest order good, then the beatific vision of God is, in one sense, the “end” of man and of any other creatures capable of that vision. Yet the universe and each component of it has its own natural good, intended by God, but still its own. Questions about freedom and the manner in which God controls the world therefore arise. Equally, questions about the relation between our knowledge of the common good and our knowledge of the existence of God become very pressing.

The second complexity has to do with the freedom and *uniqueness* of human beings. Men and women are free and there is something very important about that freedom. Each human being is unique, and it was certainly not De Koninck’s view (despite the curious suggestion of Father Eschmann³⁶) that God

³⁴ Charles De Koninck “In Defence of St. Thomas,” p. 25.

³⁵ Maritain always assumed that the God he spoke of fitted the deity described in the accounts of theologians who were assumed to be the most orthodox in Catholic theology. But there is a lot of doubt about whether the God who plays a role in Maritain’s moral and political theories is a God who is not only the supreme being, but ultimately the only truly independent agent in the world, and about how such a being as God operates in our universe.

³⁶ Eschmann, in “In Defence of Jacques Maritain,” likens human beings in De Koninck’s theory to the pistons of a steam engine.

somehow dictates in advance the role and function of each human being as if He were the ruler of some totalitarian state. Yet it is the case, in De Koninck's view, that each human being *ought* to pursue the common good. I shall argue, in due course, that what is implied is something much like Kant's "Kingdom of Ends". Kant was not De Koninck's favourite author, but the vision which De Koninck has is that of a community of free beings so arranged that the attainment of the good of each is the necessary condition for the good of all.

These expressions "good of each" and "good of all" set the stage for the problem. Somehow the "good of all" has to be the "good of each" if human beings are not to be made into something other than ends in themselves. It cannot be the case simply that there is a "good of all" which *eternally* determines the good of each. But, equally, the "good of all" must not be conceived as the mere sum of the "good of each", for then there would be no good which is the good of the universe taken as a whole.

This may become plainer if one notices that there are certain positions which are *clearly* ruled out by De Koninck, and others which are ruled out only as a result of more complex reasoning. None of the Catholic philosophers involved in the argument about the common good would have admitted that the universe is so ordered that the common good is the sum of any set of states of the rationally intelligent and sentient subordinate beings (i.e. of all of such beings other than God) within it. The common good cannot, for example, be the maximisation of the pleasure or happiness of such beings. There are a number of evident reasons for this, at least two of which it is important to notice here. One is that the nature of anything depends, in part, on its place in a system of things. Intelligent and sentient beings, for instance, are what they are in large measure because of what they know and sense. Their natures take them beyond themselves and their good therefore takes them beyond themselves. In the case of beings with rational intelligence, this "outreach" extends into the realm of truth, for instance, and truth implicates them in the whole universe.

There is, therefore, some sense in which (for Maritain and others as well as for De Koninck) the whole universe is implicated. But it can be implicated in more than one way. Maritain's suggestion,³⁷ as we saw, was that this implication could be explicated by means of the distinction between person and individual. The human being is both person and individual. As individual, he is a biological organism distinguished from other organisms in the usual way by a certain

³⁷ Jacques Maritain, *La Personne et le bien commun* (Paris: Desclée de Brouwer, 1947), tr. John J. Fitzgerald as *The Person and the Common Good* (New York, Scribner, 1947). In the introduction, Maritain says "Thomistic personalism stresses the metaphysical distinction between individuality and personality". This theme dominates the book, a collection of essays, the earliest of which originated as a lecture at Oxford in 1939.

arrangement of form and matter. As I suggested, form and matter do not literally individuate, for the same matter can take on many forms and the same form can inform many things. But “individual” here seems to mean merely something distinct from other things, so that form and matter in various combinations and permutations can distinguish a great variety of entities. A human being, however, is also a person and, as a person, he or she encompasses, in some sense, the whole universe at least prospectively in knowledge. The spiritual nature of the human being has elements in common, indeed, with the source of all reality: The human being is created in the image of God. No such being is God, but any such being can, ultimately, share in the beatific vision.

We must recall again that this view of the centrality of the person is a Renaissance doctrine introduced into a modified neo-Platonism in the fifteenth century especially in the writings of Marsilio Ficino.³⁸ Since the human being extends in thought and love to the whole of the universe, the human being may be seen as embracing (ideally at least) all reality. When, as it were, nature has been turned into knowledge and knowledge into art through the application of love, and when all human beings participate in this ultimate love, the universe will have achieved its end, or as we might say in this discussion, its common good.

15. *The Hollow Universe*

In *The Hollow Universe*, De Koninck approaches this point. There he talks about the fact that we not only have sensations, *we know* that we have sensations. We have powers of reflection which require for their exercise a certain transcendence. Indeed, against the Marxists and others, he argues that human action itself demands a certain transcendence. And in an article published in 1962, De Koninck speaks extensively of the transcendence of time in the process of evolution.³⁹

One might expound the situation this way: Plants are mainly bound by the time in which they find themselves. But even they organise matter across a span

³⁸ Marsile Ficin (Marsilio Ficino), *Théologie Platonicienne de l’immortalité des âmes*, 3 vols., ed. and trans. Raymond Mare (Paris: Belles Lettres, 1964-1970). (This edition contains the Latin text of the *Platonica Theologica*, c.1475, together with a French translation.)

³⁹ Charles De Koninck “The Nature of Man and His Historical Being,” *Laval Philosophique et Théologique*, 1949, Vol. 5, No. 2, pp. 271-277, and “Le cosmos comme tendance vers la pensée,” *Itinéraires*, No. 66, 1962, pp. 166-188. This article is an extract from the 1936 manuscript *Le Cosmos*, De Koninck Archive, Université Laval.

of time. Mere material objects have natures which could be revealed by inspection at a limited sub-set of the moments of the time in which they exist. But plants could not be understood if the universe were stopped suddenly and we had only available a single slice of time or a few seconds abstracted from their lives. As they organise across time, so eternity begins to appear in the world. That is, in the life of a plant, intelligibility surpasses the merely momentary, and never appears all at once *in* time. We have the first intimations that time is not ultimate. Animals are slightly less firmly bound in time: they can concentrate time, for they can pay selective attention to things. The plant goes on with its natural processes in a rhythm which is fixed, but the dog will sit for hours beside the table, hardly noticing the passage of time, if he thinks there is food to be had. When one gets to thought, time has a different meaning. One must still remember the beginning of a sentence when one comes to the end; one must associate (and so transcend) the time of the end and the time of the beginning.

Ultimately, this kind of argument leads toward an Augustinian view of time – time is the distension of the soul. The soul is a form (in the Aristotelian sense). The kind of soul one has (that of plant or animal or man) limits or gives meaning to one's association with time. The interiority De Koninck spoke of in the *Hollow Universe* is thus an intersection of time and eternity. It does not evolve but appears as the form of each creature to the extent that that creature is amenable to it.

The position is *not* the Teilhardist contention that God evolves through a temporal process, but the more traditional one that eternity and interiority appear through time without themselves being compromised by it. The divine spark appears to us through this process. The eternity which we cannot *directly* grasp, we grasp *indirectly* by contrast with other living things and with inanimate matter. But the many ways in which eternity can show itself in the world are all valuable, for they are facets of the one unity.

Thus, at one and the same time, we begin to get an argument for the existence of God and an account of our mutual obligations to God. De Koninck did not, so far as I know, ever develop this argument for the existence of God, and he only hints at some of the implications I have been suggesting, but one can surely see its form emerging as one reads through *The Hollow Universe*: We begin to grasp the idea of God as it becomes clear that, as we study nature, its multiplicity of forms can only be understood as the emergence into it of an eternal entity which cannot be wholly contained in or fully exposed by nature. Reason can grasp the presence of the eternal behind the temporal and even, if you like, the propensity of nature to represent that eternal. Basically, the argument would be that life as we know it is only intelligible as the intersection of the eternal and the temporal.

In *The Hollow Universe*, De Koninck talks about the elephant in the zoo.⁴⁰ He asks in what the difference between the live and dead elephant consists. Why are we not content to visit a museum of stuffed animals?

What attracts us is, of course, that we recognise an interiority to the life of animals. But this inner aspect is not a kind of mirror image of the outer animal – something which could be explained by a new kind of molecule. It is a way of organising experience and, as such, it is not in time in the same way that the objects of experience are. In this sense, it is through these other creatures that God appears amongst the natural objects of the world without himself being changed. The ultimate in such appearances would be the Incarnation. Orthodoxy has it that Jesus was wholly God and wholly man, but his divinity could not be recognised simply through natural cognition. It would take an act of faith to recognise the Incarnation for what it was.

If this is true, then our function is, in some part, to recognise these appearances and facilitate a universe in which *as much as possible of the divine reality appears*. If one were to expand this notion, one would urge that our part, of course, has to do with the fact that, precariously perched between the temporal and the eternal, we also are capable of creation. We create art and literature and produce the humane understanding which must play a part in bringing God into visibility and tangibility in the world.

In a sense, we add a new level of reality (as Marsilio Ficino insisted). Our art and humane learning add a new dimension to reality, one which flows from our natures. But our aim must be not to inflate our own personalities, to create, as it were, substitutes for God, but to advance steadily the development of a universe in which God can become intelligible to men.

In this sense there is what one might call a Mutual Natural Transcendent End. De Koninck, in fact, advances a theory which belongs to the tradition of Bishop Pecock in his *Reule of Crysten Religioun*,⁴¹ a work roughly contemporaneous with the writing of Ficino in Florence. Pecock, who was professor at Whittington College, the first of the foundations of a university in London,⁴² insisted that the

⁴⁰ *The Hollow Universe*, Chapter III.

⁴¹ Reynaud Pecock, *The Reule of Crysten Religioun* (Oxford: the University Press for the Early English Text Society, 1927). Pecock died about 1460. Of creatures other than man he says (p. 43) “ye moost parfijt natural good of every creature and moost desirable natural liking good to hym, stondeth in ye moost worthi worchingis and dedis of his moost worthi powers.”

⁴² It is long since gone as a college, and there is no simple and direct route from it to the modern University of London. It occupied a place in the territory of what is now London Metropolitan University.

rationality of humanity showed our place as the beings responsible for the balance in the universe. But human beings are not in a position to determine the good of the universe in their own interest. Just as there is little reason to think that Maritain drew consciously on Ficino, so there is no reason to suppose that De Koninck had ever read Pecoek.

And yet these two strands of thought have run together through the history of the west ever since the fifteenth century. Maritain was writing at a moment when the liberty and prospects of the human person seemed to be paramount. De Koninck could see that the future would pose questions about the relation of humanity to the universe as a whole.

16. Living in Bishop Pecoek's Universe

From a position such as Pecoek's, we can strengthen our incipient argument for the existence of God. For to see what we are and what role we play in the universe is to see, so far as that is possible, what God is. But this end involves bringing the *exteriority* of God into visible (or as De Koninck would prefer to say, I think, *tangible*) being in our *eternal* world. It is not of course that God does not already exist there, but that he (or she) is not apparent to us unless we meet the necessary conditions for awareness of such a being. Some of these conditions are surely social and political. Some no doubt have to do with religious institutions, but we are also slowly beginning to realise that some have to do with our treatment of the natural world as well. De Koninck's interest in science was in no sense in conflict with his religious interests.

There is an interiority to God as well (if the argument holds), and this could be revealed to us only in some other way – ultimately only by the supernatural effect which was traditionally called the beatific vision. It is for this reason, I am sure, that De Koninck wrote a good deal by way of religious meditation. (The most impressive is *Ego Sapientia*, Quebec and Montréal: Laval and Fides, 1943.)

It is this relation to God and creation which, finally, binds us together and poses dramatic problems for us: Obviously, there are limits to what we can do to nature; obviously, as well, they are not absolute. We are not forbidden to touch nature in any of its forms. What we must be certain of is that when we touch nature we do so in the name of the common good, and the common good requires, amongst other things, as much variety in the universe as is consistent with the creation of the world in which God becomes manifest.

In short, there is a principle of maximal variety, tempered, obviously, by the fact that variety cannot be justified if it excludes or seriously impedes higher order values. If variety conflicts in any serious way with other high-order values, it must be justified in terms of specific values of its own. For instance, it seems evident that there is a powerful case for the preservation of whales on the ground that they have a distinct mode of interiority. The fact that we might gain some

momentary advantage by wiping them out cannot justify us in doing so. Even if whales were inconvenient to us, this argument would not be touched. For there is plenty of evidence that there is a distinct whale kind of experience through which some of the divine interiority is made manifest. When it comes to the anopheles mosquito – the malaria producer of the world – it is not clear that its mode of experience is either significantly different from that of less dangerous mosquitoes or significantly better for preserving the lives, say, of insect-eating birds. Perhaps we are well justified in wiping them out. At any rate, on the principle in question, the matter can be rationally debated with some hope of a reasonable outcome. When we come to the Norway rat, matters will be more difficult. For rats have a developed mode of experience which may be unique to their kind. If a rat-borne plague threatened the whole human race – and that is, after all, possible – then the case for the rat would be difficult to make. As it is, there are many compromises possible between rats and people. At any rate, we can surely assemble the facts in the light of the principle – something which cannot be done in the conflicts of intuition which seem usually to animate such debates.

17. The Alternatives to Personalism

The questions which are posed by De Koninck's views in a practical way have to do with the notions of personality, community and human obligation. Maritain agreed that the propagation of "selfishness" is to be resisted. But by implication he subscribes to the principle of maximal development of personality, which needs to be looked at closely.

Indeed, the ideal community seems unlikely to be one in which everyone swells his personality to the utmost. This is what C. S. Lewis in his famous controversy with his fellow literary critic and scholar E. M. W. Tillyard called "the personal heresy".⁴³ Lewis was talking, of course, about the thesis that to read poetry, for instance, "is to become acquainted with the poet". This implies that a great poet is somehow "a great person". A society composed of "great persons" in this sense would be an intolerable bore and also fraught with endless conflict. Lewis thought, instead, that a great poet was one who told some great *truth* in a way which was unique to poetry.

The clearest alternative to "personalism" is the Kantian notion of the Kingdom of Ends – the community in which *everyone* is necessary because everyone performs a unique function and everyone performs a function which is uniquely valuable. In such a society, no one can push anyone else around.

⁴³ C. S. Lewis and E. M. W. Tillyard, *The Personal Heresy* (London: Oxford University Press, 1939).

It is not so easy to reconstruct De Koninck's exact position because it is scattered across his writings over many years and because he died quite young and without any opportunity to pull the loose ends together. I shall therefore indulge in some speculation where it is necessary to fill in the gaps.

De Koninck's basic principle is not far from the Kantian Kingdom of Ends except, once again (and the "except" is very important), that he would go further, I think. Despite his early interest in a wide variety of natural phenomena, Kant, in his "critical" period, was not greatly concerned with the universe of nonhuman living things nor with the natural universe itself. For this universe he thought to be known to us only in a way which told us more about how the human mind worked than about nature itself. De Koninck, however, thought that we had objective knowledge of nature, and he set his human society in a *universe* in which there is a common aim, given by God. For him, the entities with which morality is concerned include animals, birds, insects and plants. Indeed, the inanimate nature which gives rise to life plays its own part in the story. One can see what he was getting at if one reads *The Hollow Universe*.

One's task, on this view, is to discover one's function in the totality. The claim is not, however, that one's function is somehow predetermined, but rather that discovering one's place in the system involves considering the function of everyone else. One cannot know everything about everyone (even if it would be desirable to do so), but one can choose one's own function in such a way as to contribute something unique to the whole while maximising the possibility for others to make their contributions.

Within the purely human context, therefore, open societies are to be preferred to closed ones; economies maximising individual creativity are to be preferred to economies maximising drudgery; stable human relations which free their participants to make their own contributions to the whole are to be preferred to transitory human relations in which the participants spend their time constantly trying to forge new associations. Pluralism of political structures is to be preferred to monolithic systems.

This was the basis of De Koninck's 1954 defence of Canadian federalism in his essay *La Confédération, rempart contre le grand état*,⁴⁴ in which he argued that federal structures are necessary to resist "le grand état". A federal system allows many different choices and minimises the chance that all power will be located in one place. It also makes possible the retention of traditional – and stable – social arrangements which, in a country like Canada, vary considerably from group to group and place to place. Finally, it permits a variety of economic strategies designed to take advantage of the diversity of skills and interests.

⁴⁴ Charles De Koninck, *La Confédération, rempart contre le grand état* (Québec: Commission Royale, 1954).

But the present clash between technology and environment requires that weight be given to the conception of the *totality* of nature and that this be balanced off against purely human concerns. For this reason, we must face up to the purpose and function of nature as a whole.

18. Against the Cult of Personality

The remaining problem is suggested by the last section – particularly when one considers not just the literary “personal heresy” derided by C. S. Lewis, but the much more damaging “cult of personality” which seems to afflict political life, not only under totalitarian regimes but even, to an important extent, in democratic regimes as well. If the common good is the development of personality then, as we saw in the last discussion, a whole nation might be justified if it produced a single great personality.

To understand the nature of De Koninck’s position one must look at the work of Emmanuel Mounier. Mounier was a pupil and admirer of the philosophical historian Jacques Chevalier. Chevalier joined the Petain regime as minister of education in Vichy. Mounier followed him there. Eventually, he broke with the Petain regime and for a time, made common cause with the Marxists. Mounier’s ideology was, indeed, quite different from Maritain’s.⁴⁵ He wrote:

La personne ne se contente pas de subir la nature dont elle emerge ou de bondir sous ses provocations. Elle se retourne vers elle pour la transformer, et lui impose progressivement la souveraineté d’un univers personnel.⁴⁶

In his critique of democracy, Mounier said:

La souveraineté populaire ne peut se fonder sur l’autorité du nombre; le nombre (ou la majorité) est arbitraire... Quand la représentation trahit sa mission, la souveraineté populaire s’exerce par des pressions directes sur les pouvoirs: manifestations, émeutes, groupements spontanés, clubs, grèves, boycottage....⁴⁷

He agreed that the state would always regard such activities as illegal, but he insisted that such actions “sont cependant la légalité profonde”.⁴⁸

⁴⁵ See the account in John Hellman, *Emmanuel Mounier and the New Catholic Left, 1930-1950* (Toronto: The University Press, 1981).

⁴⁶ Emmanuel Mounier, *Le personnalisme* (Paris: Presses Universitaires de France, 1949), p.29. I have taken this and the following the quotations from this little book because in it Mounier sums up his position after having time to reflect on the twists and turns of his thought and allegiances.

⁴⁷ *Le personnalisme*, p. 128.

⁴⁸ *Le personnalisme*, p. 128.

The first quotation suggests that personality can and should dominate the universe, that it can and should make nature its property without regard to other creatures or beings apart from God. The second, though it is accompanied by a discourse on the importance of law and constitutionality, seems to suggest that, eventually, it is not democracy but the force of charismatic personality – the kind of personality which leads crowds – which expresses “popular sovereignty”.

Maritain would not have wanted either doctrine, even if his philosophy did not, as De Koninck thought, sufficiently guard against such theories. Between Maritain and De Koninck there was, above all, a difference of personality: De Koninck had found his niche in life, the place from which he could do the most for the common good, and though he could and did defend his work and his public function fiercely, he did not believe that this exalted him as a *person*. In his letters he delighted in adopting the guise of a simple beer-drinking Flemish man. Both he and Maritain were, of course, in fact highly educated European intellectuals (though De Koninck’s thought bears the clear marks of his long sojourn in Québec). It is hard to imagine Maritain sitting down with his friends around a case of beer and revelling philosophically in the fact that the universe was somehow designed to permit such homely pleasures. For De Koninck, the universe was a source of continuous delight.

Maritain, though he rejected the darker struggles of Pascal and Kierkegaard, came from a more sombre Protestant background. There is an earnestness in Maritain’s writings – a sense that salvation requires our constant attention and effort, even though we have to depend on grace and cannot save ourselves. The universe is a very serious place. De Koninck thought we would do better to spend a little time laughing at ourselves. This distinction has something to do with Maritain’s view of persons – for the task set for persons is Herculean, nothing less than an expansion of the content of mind and spirit to include the whole universe. De Koninck thought that we need each to do our part but that, after that, humility dictated that much be left for the others and for God to accomplish.

Between De Koninck and Mounier, by contrast, there was a clear difference of principle. De Koninck was, as Ralph McInerny has said⁴⁹ always the philosopher of order. One must find one’s place and keep it – and also enjoy it – but there *is* an order in the universe which should be reflected in human affairs. For De Koninck to assert human sovereignty through “une émeute” would be to admit that reason had lost its place. De Koninck, however, unlike McInerny, was not at bottom a conservative philosopher. Indeed his last cause, a plea for a

⁴⁹ Ralph M. McInerny, “Charles De Koninck, A Philosopher of Order,” *The New Scholasticism*, Vol. 39, No. 4, 1965, pp. 491-516.

rethinking of the church's doctrine on birth control at the time of the invention of the contraceptive pill, put him on the radical side of one dispute, and he would now, I think, stand beside many who think of themselves as radical environmentalists, if that means being against those who believe that human beings can do what they like with nature. He would have his own position – not quite like any of those most often promulgated these days – about animal rights, but it would not be the position that we can do what we want to the other species on this planet.

For him, the first requirement of a social order is that it be founded on reason – not on response to charisma or appeal to intuition. But the final requirement is that it be just – that it give to each person and each living creature the due which follows from the place that person has in ordering the common good.

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MARITAIN ON HUMAN FELLOWSHIP AND THE EVIL OF GENOCIDE

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1. Introduction: A Philosophical Inquiry into Genocide

The phenomenon of genocide has become a far too common occurrence in recent human history. When the idea of genocide is broached one immediately thinks of the crimes against humanity committed in places like Cambodia, Bosnia, Rwanda, East Timor and Sudan in the latter half of the twentieth century. But the fact of genocide has existed from time immemorial and is etched into the annals of history and as such is not a uniquely modern happening. Campaigns of destruction and killing against entire groups of human beings have been carried out throughout the ages, as evidenced in the brutal Assyrian domination of Mesopotamia in the 7-8th centuries B.C., the massacre of the Trojans by the Greeks as recounted in Homer's *Iliad*, the annihilation of Carthage by the Romans in the Third Punic War (149-146 B.C.), and the vicious pogroms waged by the Mongolian rulers Ghengis Khan and Tamerlane in the 13-14th centuries A.D. History is replete with events that bear the mark of genocide.

Although genocidal atrocities are nothing new, the term genocide is. In fact, the word "genocide" was first coined by the jurist Raphael Lemkin during the

1930's and appeared for the first time in print in 1944.¹ It is etymologically derived from the two words *genos* (Greek for "race" or "nation") and *caedere* or *occidere* (Latin for "to kill") and thus connotes the extermination of a discrete association of people, in contrast to mere homicide which is the killing of an individual human being. The concept of genocide first made its mark in international law at the Nuremberg trials after the end of World War 2 in 1945. However, the definitive statement on genocide was presented in the *Convention on the Prevention and Punishment of the Crime of Genocide* which was unanimously adopted by the General Assembly of the United Nations in 1948. As the Convention states in Article 2:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.²

In this document the international community has for the first time a clear definition of genocide and a recognition of how this heinous crime can be perpetrated. There are two features of this UN convention on genocide that stand out. First, there is an explicit emphasis on intent as a necessary condition for an act to be considered genocidal. An accidental or unintentional extermination of a group of human beings cannot be categorized as genocide. And second, the UN convention improves upon the narrow 1945 interpretation of genocide at Nuremberg by making it a crime in the context of both war and peace. For genocide is not the direct product only of a state of war, but can also arise in the absence of overt hostilities and dire conflict.

The legal and political establishments have given a name to this atrocity and have described some of its properties and manifestations. But what remains to be grasped are the true causes and inner essence of genocide. How should we understand the very nature of genocide? What motivates human beings to want to destroy other groups of people? In what respect can genocide be labelled an evil? What is evil? These questions have not been adequately examined hitherto, largely because the parameters of the discussion have been framed solely in legal and political terms and as a result any inquiry into this problem has been unable

¹ Leo Kuper, *Genocide. Its Political Use in the Twentieth Century* (New Haven: Yale University Press, 1981), p. 22.

² United Nations Office of Public Information, *The Crime of Genocide* (1965), pp. 8-9.

to penetrate to the metaphysical, moral, and anthropological roots of genocide.³ This is why it is the special task of the moral philosopher, who has the requisite intellectual skills and insight, to investigate this peculiar expression of human evil and to lead us to a deeper and more authentic understanding of its nature. Only by situating genocide within a broader context of human nature, moral truth, and the ultimate purpose of human life will we be able to plumb its true depths. It is with this aim in mind, therefore, that I turn to Jacques Maritain's thought for guidance as we venture to comprehend the essence of genocide.

Although Maritain was involved in the drafting of the United Nations Universal Declaration of Human Rights in 1945 and thus was privy to the developments in this international institution, he was not accustomed to employ the term genocide in his moral, social and political writings. Nonetheless, he was all too aware of the heinous projects executed by despicable governments and states to ostracize, dehumanize, and exterminate specific groups of people, singled out on the basis of race, religion, class, or ethnicity. Specifically, Maritain's many writings on the disturbing problem of anti-Semitism testify to his preoccupation with the substance of genocide, something which he condemned in the strongest terms.⁴ However, Maritain's philosophical corpus contains the resources to aid us in exploring this issue in some depth since he was passionately interested in the human being's moral and social existence and sought to chart out his vision of the ideal human community. Only against the backdrop of what constitutes human goodness in a concrete setting, as lived out in a heartfelt solicitude for our neighbour, can we formulate an appropriate conception of the evil that is manifested in genocide, which is essentially the complete and utter collapse of communal existence as such, the breakdown of what Maritain calls human fellowship, which is the crux of the moral human life.

To this end I propose to proceed methodically in this investigation. It is imperative to begin any treatment of moral behaviour with a clear grasp of

³ See, for instance, Barbara Harff, *Genocide and Human Rights: International Legal and Political Issues* (Denver, Colorado: University of Denver, 1984) and Irving Louis Horowitz, *Taking Lives. Genocide and State Power* (New Brunswick, New Jersey: Transaction, 1980). A study which attempts to examine genocide from a psychological point of view, instead of from a strictly legal and political perspective, in its focus on the origins of human aggression and destructiveness can be found in Israel W. Charney, *How Can We Commit the Unthinkable? Genocide: The Human Cancer* (Boulder, Colorado: Westview Press, 1982).

⁴ Jacques Maritain, *Antisemitism* (London: Geoffrey Bles, 1939); "L'impossible antisémitisme", in *Questions de conscience* (Paris: Desclée de Brouwer, 1938), pp. 51-93; "On Anti-Semitism", pp. 48-54, "Anti-Semitism as a Problem for the Jew", pp. 157-166, "Le droit raciste et la vraie signification du racisme", pp. 198-218, in *Pour La Justice. Articles et Discours (1940-1945)* (New York: EMF, 1945).

human nature. All moral acts originate from the centre of the human person. In this regard Maritain's conception of human nature reveals how the human being wavers precariously between the good and bad, although it is originally ordained towards the supreme good in God. Yet since my primary preoccupation in this study is genocide, an abhorrent perversion of the moral order, there is a need to examine Maritain's thoughts on the topic of evil to determine how genocide is evil within a moral and theological framework. Finally, I turn to a detailed examination of Maritain's notion of human fellowship and the common good, the establishment of which is the determinate goal of the moral life in this temporal domain. Maritain's doctrine of the mystery of Israel and his numerous writings on anti-Semitism provide the key hermeneutical framework to investigate the spiritual underpinnings of misanthropic behaviour directed against specific groups of people. In the final analysis it becomes evident that the particular kind of destruction and evil which is genocide can only be evaluated against the noble values of human fellowship which bind human beings into a universal community that is ordered towards a transcendent good. The hope is that this philosophical analysis will shed valuable light on the otherwise dark and sinister nature of genocide.

2. The Moral Fabric of Human Nature

John Donne, the English Metaphysical poet, famously wrote that "no man is an island, entire of itself; every man is a piece of the continent, a part of the main". The sentiment contained in these words is one that has been echoed throughout human history which has underscored the truth, canonically expressed by Aristotle, that human beings are by nature political animals. Human society, so the argument goes, is the consequence of innate characteristics of human nature itself which shoot forth into communal forms of life. This explains why most attempts in political philosophy to explain the origin of society concentrate first on examining the nature of the human being. Since political societies are composed of individuals, it would seem most commonsensical to study human nature and to determine what precisely in this nature moves one to enter into partnerships with others towards the attainment of definite goods. Such an approach customarily assumes that the building-blocks of society are the individuals themselves and thus the concept of human individuality serves as the starting-point for such scholarly endeavours. An individual is that entity which can be isolated from the group or species, but which cannot be broken down any further lest it sacrifice its very identity and unity. Hence the literal meaning of the term "individual", as that which cannot be divided or which is indivisible unto itself. The individual is in its true essence an atom, a basic, irreducible piece of the larger puzzle of society.

The history of ideas displays many examples of thinkers who have begun their analyses of the political and social order from the perspective of the human individual. One need only look to Plato's *Republic*, Aristotle's *Politics*, Hobbes' *Leviathan*, and Rousseau's *Social Contract* to discern a pattern at work in philosophical methodology. The upshot of such theories is that society is tantamount to the association of individuals who have banded together for a variety of reasons, whether it is to seek protection against the dangers posed to their person, to secure certain social goods, or simply to overcome the sheer misery of their loneliness. But just as every forest can ultimately be reduced to its trees, so can a society likewise be analyzed down to its fundamental constitutive parts in individuals. This depiction of the essence of the social order of human beings presents it as a rather fragile and precarious community that is susceptible to dissolution given the right conditions. However, to be able to discern properly why such a theory of society, which is based on the primacy of the individual, is inherently unstable and lacks an enduring cohesiveness we must take a closer look at the very idea of individuality and explore some of its ramifications.

What makes something an individual? This metaphysical question is a perennial one in the philosophical tradition.⁵ However, it is important in this regard to draw a sharp distinction between individuality and individuation.⁶ Individuality pertains to the subsistence of things or how one thing differs from and is thus independent of another thing. By contrast, individuation underscores what is common among determinate things which belong to the same class, group or species. To put it simply, individuality emphasizes difference, whereas individuation stresses similarity or sameness among individuals. It has been generally held that the principle of individuation is somehow located in matter which makes the form that pertains to that object a specific and thus proper form.⁷ That is, every quantity of matter is distinct from and thus excludes from itself every other quantity of matter and so when a form enters into union with a quantity of matter it becomes distinct from every form united to another part of matter. Admittedly, however, the view that matter is the principle of individuation has been vigorously resisted by some. In protest it has been asserted that form instead should be construed as the veritable principle of

⁵ See Étienne Gilson, *The Spirit of Mediaeval Philosophy* (Notre Dame, Indiana: University of Notre Dame Press, 1991), pp. 189-206.

⁶ See Jude P. Dougherty, *Jacques Maritain: An Intellectual Profile* (Washington, D.C.: The Catholic University of America Press, 2003), pp. 46-51.

⁷ For the discussion that follows see Étienne Gilson, *The Spirit of Mediaeval Philosophy*, pp. 193-202.

individuation. After all, matter in itself is pure potentiality and lacks a structured actuality, which it can only receive once it is conjoined with form. It is pointless to speak of a distinct quantity of matter, so the argument goes, prior to matter's union with form which particularizes the matter.

Yet apart from these strict metaphysical considerations, another reason why someone such as Duns Scotus would wish to place the principle of individuation in form as opposed to matter is to safeguard the individual qua individual. Put succinctly, if matter is taken as the principle of individuation, then the individual is effectively sacrificed to the species which is regarded as being more important. But for Scotus this is an unacceptable position and in reality the tables should be reversed: priority must be given to individuality over and against the species; if we cannot first ascertain the individuality of individuals, then it is pointless to even speak about a human species which is supposed to be composed of individuals. Matter by itself, otherwise known as prime matter, as separated from form, does not possess any of the characteristics of individuality, which is the product of form. Scotus asserts that the form of the individual must be the principle of its individuation and bestow on the individual its quality of distinctness from other individuals. Since incorporeal beings, such as angels, are distinguished individually according to their form, why, Scotus surmises, can this not be the case with every kind of being? But the problem with this approach, as we have mentioned, is that in the sphere of corporeal beings the species of individuals comes under threat. If Socrates is distinguished from Callias on the basis of his form and not by virtue of his matter, then Socrates and Callias constitute two wholly different species. A formal difference between corporeal individuals jeopardizes the unity of the species, even though it solves the riddle, albeit temporarily, concerning the cause of individuality.

The problem that ensues from the foregoing debate with respect to philosophical anthropology centres on the need to fulfill two conditions: first, to determine the true cause of individuality in the human being, and second, to safeguard the human being's innate membership in the species of humanity. As human beings, we are certainly individually distinct from each other, but there is an aspect of our individual form that makes us all the same, as belonging to the same species of living things. Thus preserving both sameness (individuation) and difference (individuality) in human nature is a requirement for any coherent theory of the human being's social existence in the world. This can be translated into the project to identify those aspects of human nature that both separate us from and unite us with others.

Maritain's well known distinction between individuality and personality serves this purpose well.⁸ According to Maritain, an individual is characterized

⁸ See Jacques Maritain, *The Person and the Common Good*, trans. John J. Fitzgerald (Notre

by the qualities of unity and indivisibility. As such, an individual is the unity of matter and form, body and soul. Although individuality stems or ushers principally from the material pole of human nature, Maritain is careful not to assert categorically that matter is the principle of individuation, lest the individual lose its very unity as one substance which incorporates the soul. This is why form works in tandem with matter to bestow the status of individuality onto the corporeal being. Hence Maritain's insistence that individuality derives from or is rooted in matter, but is not identical to matter.⁹ The composite unity of the human being must be preserved in this concept of individuality.

Existence is a category that belongs intrinsically to individuals. Indeed, a perennial philosophical adage asserts that only individuals exist (*existentia est singulorum*).¹⁰ Furthermore, Maritain affirms the real distinction between essence and existence, which connote two wholly distinct orders of being.¹¹ Because existence applies exclusively to the individual, one can conclude, therefore, that the individual is somehow deficient or lacking in essence, which does not relate strictly to individuality. The essence of the human being emerges from out of one's personality which is not grounded in matter, as individuality is, but rather in spirit.¹² Expressed differently, the *whatness* (quiddity) of a human being is his personality, not his individuality, which is by contrast merely the basis of his *thatness* (quoddity). Personality is defined by Maritain as "the subsistence of the spiritual soul communicated to the human composite".¹³ As a

Dame, IN: University of Notre Dame Press, 1985), pp. 31-46; *The Rights of Man and Natural Law* (London: Geoffrey Bles, 1958), pp. 5-8; *Scholasticism and Politics*, trans. Mortimer J. Adler (New York: MacMillan, 1940), pp. 56-67; and *Freedom in the Modern World*, trans. Richard O'Sullivan (New York: Gordian Press, 1971), pp. 46-54.

⁹ Jacques Maritain, *The Person and the Common Good*, p. 43.

¹⁰ *Ibid.*, p. 34.

¹¹ See Jacques Maritain, *Existence and the Existent*, trans. Lewis Galantiere and Gerald B. Phelan (New York: Image Books, 1956), pp. 32-51.

¹² See Jacques Maritain, *The Rights of Man and Natural Law*, pp. 5-6: "Whenever we say that a man is a person, we mean that he is more than a mere parcel of matter, more than an individual element in nature, such as is an atom, a blade of grass, a fly or an elephant. Where is the liberty, where is the dignity, where are the rights of an individual piece of matter?...Man is an individual who holds himself in hand by his intelligence and his will. He exists not merely physically; there is in him a richer and nobler existence; he has spiritual superexistence through knowledge and through love....However dependent it may be on the slightest accidents of matter, the human person exists by virtue of the existence of its soul, which dominates time and death. It is the spirit which is the root of personality".

¹³ Jacques Maritain, *The Person and the Common Good*, p. 41.

subsistent entity, personality has its existence within itself, that is, it supports or grounds its own independent existence. But existence, as we have just seen, is the exclusive mode of individuals, which should lead us to draw the conclusion that personality, insofar as it is subsistent, is also an individual substance, a composite of matter and form. In fact, personality belongs essentially to the human composite of body and soul, but anchored in the spirit, insofar as it exists. The manner of personality's existence, or rather, as Maritain expresses it, super-existence, is through the communication of the acts of knowledge and love.¹⁴ As a subsistent entity, personality *exercises* existence, as opposed to *receiving* existence from individuality.¹⁵ Moreover, personality super-exists by communicating with other persons, and it is precisely through this communication, through this unique act of exercising existence, that it becomes the essence of the human composite of body and soul.

Personality exists in its own right in the human being just as much as individuality does. It is important, therefore, to recognize that the human being is *both* an individual *and* a person.¹⁶ However, this anthropological view dictates that the human being, by virtue of the subsistent status of personality and the non-essential nature of individuality, is a being who fundamentally communicates his essence through the acts of knowledge and love. That is, human nature is essentially personal and spiritual, oriented towards the highest good, and expressive of knowledge and love towards others. As an individual person, the human being is first and foremost concerned by and attracted to the deepest centre of other persons' being. This act of generosity and love is what defines human nature for Maritain, which reveals his staunch conviction that the human being is fundamentally good. This insight into the inner goodness of the human being is revealed unambiguously in the structure and methodology of Maritain's book *The Person and the Common Good* where he introduces the topics of individuality and personality by first presenting the doctrine of St. Thomas Aquinas on the highest good pursued by the human being in God.¹⁷ By means of the natural appetite inscribed in the very heart of his personality, the human being seeks his supernatural end in God as the defining feature of his being.¹⁸ This presupposition of the human being's love of his highest good

¹⁴ *Ibid.*, p. 40.

¹⁵ See Jacques Maritain, *The Degrees of Knowledge*, trans. Gerald B. Phelan (Notre Dame, Indiana: University of Notre Dame Press, 1995), pp. 454 ff.; and *Existence and the Existent*, pp. 70-75.

¹⁶ Jacques Maritain, *The Person and the Common Good*, pp. 43-46.

¹⁷ *Ibid.*, pp. 15-30.

¹⁸ On this topic of the human being's primordial appetite for the good, see Jacques

allows Maritain to explain the pivotal distinction between individuality and personality without being forced to assert that individuality is most fundamental to human nature, a position which would leave the human being deprived of a basic goodness, since goodness belongs intrinsically to the side of personality as a moral quality.

Despite this optimistic view, human history has demonstrated quite starkly that human beings do not always pursue the highest good in their actions and are actually capable of committing the most despicable acts of evil. War, murder, torture, and deceit mar civilization to such a degree that it is easy to slip into the opposite view from Maritain's and affirm that human beings are fundamentally bad. The empirical reality of human deeds and actions paints a rather nasty picture of human nature and seems to contradict the idealistic vision that Maritain entertains of the goodness of human nature. If Maritain is right, how does he explain the fact of evil in the world?

3. The Hermeneutics of Evil

There is no need to belabour the point that human beings are capable of evil, but it is crucial how one interprets this phenomenon. In a secular age that has completely surrendered itself to scientism and a superficial anthropocentrism, evil must appear as an inexplicable oddity indeed. There is a tendency in such an intellectual climate to explain evil variously as either having been caused by a defective psychological state, such as by means of mental illness or some chemical imbalance in the brain, or by tragic sociological conditioning, such as in negative childhood experiences of abuse and maltreatment. However, it is problematic to attempt to interpret evil independently of any reference to human freedom, which has consistently been affirmed as the efficient cause of evil in the philosophical tradition. In his essay on radical evil, therefore, Immanuel Kant argued that the human being is evil by nature, not in any transitory or accidental manner, but by employing the strongest words possible, in a radical way, in the

Maritain, "The Immanent Dialectic of the First Act of Freedom", in *The Range of Reason* (New York: Charles Scribner's Sons, 1952), pp. 68-70. On pages 69-70 Maritain writes: "In his first act in freedom...the child does not think explicitly of God, or of his ultimate end. He thinks of what is good and of what is evil. But by the same token he knows God, without being aware of it. He knows God because, by virtue of the internal dynamism of his choice of the good for the sake of the good, he wills and loves the Separate Good as ultimate end of his existence. Thus, his intellect has of God a vital and non-conceptual knowledge which is involved both in the practical notion (confusedly and intuitively grasped, but with its full intentional energy), of the moral good as formal motive of his first act of freedom, and in the movement of his will toward this good and, all at once, toward the Good."

very root of his being.¹⁹ The human being has freely chosen to violate the dictates of the moral law in an *a priori* manner, an act which has tarnished the very core of human nature, making human nature essentially evil. Such a conclusion, as persuasive as it might be in the light of empirical events, does not sit well with our analysis so far which has determined that human nature ought to be interpreted as fundamentally good.

If we are to understand evil properly, so says Maritain, it is necessary to situate evil in its proper context. Evil is undoubtedly an act perpetrated by a free human will, but it is also and perhaps most importantly defined in relation to the source of goodness which is God. Evil would not be evil if there were no goodness in the universe, against which it is measured as evil. Thus the necessary presupposition to a doctrine of evil is the existence of divine goodness or innocence.²⁰ Nonetheless, the human being commits evil because there is something fundamentally defective in his free will which leads him to perform such acts. It goes without saying that if the human being were perfect in all respects as God is, then he would perform nothing but good acts, but this self-evidently is not the case. The human incapacity to be invariably good would seem to suggest that the defect in human freedom has something to do with the fact that it is different from God, that the human being is in fact quite unlike God.

In explaining in what exactly this defect of human freedom consists, Maritain resorts to Thomas Aquinas's doctrine of evil, which Maritain considers to be the most sagacious and illuminating treatment on this subject.²¹ Human action is of such a nature that it requires a rule or measure in its execution. For example, when a carpenter cuts a piece of wood he requires a ruler to enable him to cut in a straight line. Similarly, if a pianist plays his instrument well he must do so by paying attention to the principles of music and piano-playing, such as respecting the laws of harmony, otherwise he will produce an unpleasant dissonance of sounds. When we are dealing with moral action, therefore, the rule that is supposed to guide our actions is reason and divine law. Our acts are supposed to conform to this rule if they are going to be morally good, otherwise we will produce bad acts. Thus not paying attention to or considering the rule of moral actions, that is, reason and divine law, causes one's act to be evil, just as in the analogous case of the carpenter who is prone to cut a crooked line if he does not

¹⁹ Immanuel Kant, *Religion Within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York: Harper Torchbooks, 1960), pp. 15-39.

²⁰ Jacques Maritain, *God and the Permission of Evil*, trans. Joseph W. Evans (Milwaukee: The Bruce Publishing Company, 1966) pp. 3-12.

²¹ *Ibid.*, p. 34.

use his ruler when he cuts the wood or the pianist whose performance should grate the ear if he should ignore the principles of music. However, Maritain is careful to point out that it is not merely in the non-consideration of the rule taken in itself that evil appears, but rather *insofar* as the human being acts.²²

We need to make a distinction between two moments in the appearance of the evil act.²³ The first moment is an initial or original state which is not an act. This state is characterized by the soul's non-consideration of the rule on account of the nature of human freedom. This original lack or absence of the rule in the soul is not the result of an act, but is the condition of human freedom itself, which is the possibility to act or not to act. In this original state there is a negation or absence of the good, a pure lack and nothingness, and as such it does not connote a state of evil, since this state is prior to the "due good" (*bonum debitum*), the good that ought to happen.²⁴ The second or subsequent state is the choice which produces the act. In this case the choice should be made while considering the rule. If the choice is made without paying attention to the rule, then the act is evil. It is only in this second state that we can speak correctly of a privation of the good (*privatio boni*), which is the essence of evil, precisely because the good ought to have happened but did not, since this is the domain of the "due good".

The defect of human freedom is located in the original non-consideration of the rule. But it is essential to notice that initially free will is merely defective and not yet evil. Evil is produced when the will proceeds to the act of choice without the concurrent consideration of the rule, which is to act not in accordance with reason and divine law. Maritain pushes this analysis even further by asserting that in the original, first moment the human being has actually made "the initiative of absence", that is, the initiative of nothingness or non-being.²⁵ This initiative, it must be borne in mind, is not an act and as such it still does not cause evil because all that the initiative entails is a kind of "making" or "doing" of nothingness or non-being.²⁶ In this sense the initiative of absence allows non-being to enter the act and is the source of non-being.

Human freedom must be properly understood as defective and wounded, and it is precisely for this reason that freedom is capable of evil which only emerges

²² Jacques Maritain, *Saint Thomas and the Problem of Evil* (Milwaukee: Marquette University Press, 1942), p. 28.

²³ *Ibid.*, pp. 29-31.

²⁴ *Ibid.*, p. 27.

²⁵ *Ibid.*, pp. 29-35.

²⁶ *Ibid.*, p. 35.

in acts. With such a portrayal of the human condition it is no wonder that the widespread view of human nature depicts it as fundamentally bad or evil. But Maritain reminds us that evil has to be placed in relation to divine grace without which evil is unredeemable and incomprehensible.²⁷ It is divine goodness that makes the human will good and thus without God's assistance there is no hope of human goodness ever taking shape in the world. This is exactly what the definition of evil as the non-consideration of the rule in act suggests. The act which is good is one which pays attention to and follows the dictates of reason and divine law, such as the principles of love, trust, compassion, prudence, and justice. Human action must be informed and guided by these so-called rules of proper conduct. However, we discussed earlier that the acts of love and knowledge were specific to the life of personality, the subsistent spiritual element of the human being, as opposed to human individuality that lacked any such essential nature as communicated through acts. Therefore at this point in our discussion I propose to join Maritain's distinction between individuality and personality with his doctrine of evil as adopted from St. Thomas with the intention of gaining a clearer understanding of the structure of human acts.

By marrying these two teachings we are led to the very interesting insight that human personality is an act that is executed in conformity with right reason and the precepts of divine law and thus amounts to a morally good act. By contrast, human individuality is not an act in itself, since it is not described by Maritain as essentially communicative, but rather as that which simply exists. It would not be misleading, I am convinced, to draw the conclusion then that individuality belongs to this first or original moment in which there is no act, yet which is constituted by a certain absence or lack, what Maritain described as the initiative of absence. That is to say, individuality in itself, as a determination of the human being, is the absence of an act and the ground of nothingness. Yet if the individual chooses to act without considering the rule, that is, without allowing personality to express itself, then evil results. This is, indubitably, what Maritain suggests when he writes the following:

Of course, material individuality is not something evil in itself. Obviously as the very condition of our existence, it is something good. But it is precisely as related to personality that individuality is good. Evil arises when, in our action, we give preponderance to the individual aspect of our being. For although each of our acts is simultaneously the act of ourselves as an individual and as a person, yet, by the very fact that it is free and involves our whole being, each act is linked in a movement towards the supreme center to which personality tends, or in

²⁷ *Ibid.*, pp. 35-39.

a movement towards that dispersion into which, if left to itself, material individuality is inclined to fall.²⁸

It is clear now that personality guides the human being in his or her actions in life towards the highest good. Personality encapsulates the life of spirit and is understood as action in accordance with reason and divine law. Yet if the human being chooses to act against or in total ignorance of his personality, then this will result in the nothingness or non-being from his original state to enter into his acts which will produce evil. To be sure, individuality without personality is the essence of evil for Maritain. But we have yet to show how this anthropology of good and evil, as situated in the distinction between personality and individuality, is lived out in the social and political order. To this task we now turn.

4. Human Fellowship, the Common Good, and the Jewish Problem

One of the most captivating aspects of Thomas's doctrine of evil is that human freedom actually presupposes the non-consideration of the rule. This means that free will, in order for it to be properly free, should not be forced or coerced to pay attention to any rule, and for this condition to be fulfilled the soul must therefore reside originally in a state of not considering the rule. The implication of this doctrine is that to consider the rule is an act that the human being must deliberately and willfully engage in and is not something that happens involuntarily.²⁹ Personality must be resolutely won. To be sure, the two paradigmatic acts of personality - knowledge and love - are not performed spontaneously, but require the free decision of the human being and in this way personality represents a focused activity that essentially involves human agency.

The choices and decisions that the human person makes are for the sake of the other.³⁰ Persons are oriented towards working for the good of others in their expressions of knowledge and love. Such a commitment to cooperation and mutual assistance contributes to the building of a society that is resolutely geared towards the protection and enhancement of the good of the person, who happens to be the driving force of this model of society. When persons are acting in the world for the benefit of other persons, this creates the common good. As Maritain defines it, the common good is the good that is built up and created by

²⁸ Jacques Maritain, *The Person and the Common Good*, pp. 43 f.

²⁹ *Ibid.*, p. 44.

³⁰ *Ibid.*, pp. 41-42: "By the very fact that each of us is a person and expresses himself to himself, each of us requires communication with *other* and *the others* in the order of knowledge and love. Personality, of its essence, requires a dialogue in which souls really communicate".

persons, which is then received back by persons.³¹ In other words, the common good benefits persons directly in accordance with the fundamental principle of redistribution. The two virtues indispensable to the common good are justice and civic friendship.³² Human beings must be able to live together as equals and as friends, expressing love for each other. In a pluralistic world where there are so many differences among people in their political and religious beliefs, ethnic backgrounds, racial identities, and socio-economic status it should be regarded as a genuine challenge to realize the moral ideal of friendship in civil society. But Maritain strongly believes that such an ideal is both a necessity and possibility which is why he speaks of the common good as founded fundamentally on a spirit of human fellowship. Friends do not merely tolerate each other respectfully, which is incidentally the prevailing paradigm of modern liberal democracies, but should rather share their lives together in the bonds of fraternal love which is the very heart of human fellowship. Maritain explains his choice of words in the following way:

I prefer the word 'fellowship' to 'tolerance'....the word *fellowship* connotes something positive – positive and elementary – in human relationships. It conjures up the image of traveling companions, who meet here below by chance and journey through life – however fundamental their differences may be – good humoredly, in cordial solidarity and human agreement, or better to say, friendly and cooperative disagreement.³³

Human fellowship is a central concept in Maritain's understanding of the common good because it conveys the idea of the unity of persons, that human beings are fundamentally one in their nature, belonging to the same species or family. This universal unity of human beings, however, is in itself a moral category and is achieved through moral action in accordance with right reason and divine truth. People do not realize their commonality and oneness with others on the basis of their individuality, which flows from the material pole of their nature, but instead through their personality, their moral spiritual centre. The virtue of human fellowship establishes this context of camaraderie and fraternity among human beings which is the goal of human moral action as inscribed into personality itself. Nonetheless, it is essential that we properly

³¹ Ibid., pp. 49-50.

³² Ibid., pp. 102-103.

³³ Jacques Maritain, *On the Use of Philosophy* (Princeton, New Jersey: Princeton University Press, 1961), pp. 32-33. See also Maritain's essay "Who is My Neighbour?" in *Redeeming the Time*, trans. Harry Lorin Binsse (London: Geoffrey Bles, 1946), pp. 101-122.

understand the nature of this fellowship, that is, what its defining features are and thus how it comes into being.

As Maritain explains in his important essay “To Exist With The People”, true unity is not achieved when we act for others and perform services for others, according to some lofty ideal of altruism or benevolence.³⁴ Indeed, I do not develop a fraternal bond with a person simply by doing some good deed for him, such as by giving useful advice or offering money. Such a relationship is ostensibly one-sided and unidirectional, since I am doing all the work for the other and am not allowing the other to reciprocate and thus to enter into my own personal existence. An authentic unity, by contrast, is situated in a form of existence which is based on mutual sharing and sympathy. Maritain wants to define a new and irreducible category of existence which he calls “to exist with”, the fundamental principle of his personalist ethics. “To exist with” is unquestionably an ethical reality, not an exclusively metaphysical notion, and carries within it profound moral and anthropological connotations. It is revealing that Maritain further clarifies what he means by this moral category of “to exist with” by equating it with the additional category of “to suffer with”.³⁵ When I exist with other persons I am not simply “co-existing”, in terms of standing next to or beside them (“shoulder to shoulder”), but am existentially involved in their experiences in life, especially their trials and tribulations. To exist with others is nothing other than to suffer with others, to empathize with their moral experiences, to be one with the other in the very core of one’s being. This point is made perfectly clear in the following passage:

To exist with is an ethical category. It does not mean to live with someone in a physical sense, or in the same way as he lives; and it does not mean loving someone in the mere sense of wishing him well; it means loving someone in the sense of becoming one with him, of bearing his burdens, of living a common moral life with him, of feeling with him and suffering with him.³⁶

Therefore, according to Maritain, human fellowship and the unity of humankind become a reality through existing and suffering with others.

Nevertheless, existence with others does not necessarily entail physical proximity to others, as if one had to be physically present to be able to exist with others. This special category of existence is a spiritual reality, rooted in personality, transcending the limitations of space. I can certainly exist with those who are physically close to me and with whom I share my life on a daily basis,

³⁴ Jacques Maritain, “To Exist With the People”, in *The Range of Reason*, pp. 121-128.

³⁵ *Ibid.*, pp. 121, 125-126.

³⁶ *Ibid.*, p. 121.

but I can also exist with people in far away places with whom I am not in direct physical contact. This moral consciousness of common belonging among people arises especially in times of crisis and disaster, for example, as in a natural catastrophe or in a context of political persecution. In a deeply spiritual sense, I can suffer with those who suffer throughout the world even though I am not physically present to their suffering. Thus Maritain pays particular attention to the global or universal character of his moral category of “to exist with”, which explains why he interprets it firstly as “to exist with the people”. The concept of a people is difficult to define with precision, yet it should be carefully distinguished from a class and race.³⁷ Maritain affirms that a people is a moral community due to its common activity of labour, understood in a holistic sense as including more than mere manual labour, all the trials, experiences, and history that are commonly lived through and that define the identity of human beings.³⁸ A people are marked by their historical existence as they work towards a common goal. This common goal which people are working towards is nothing other than the common good, the ethical good of persons.

When Maritain speaks of the common good he does not restrict this concept to a particular culture or political state, but has in mind the entire human family throughout the world.³⁹ The common good must include and benefit all human beings; its purpose is to create a civilized world community, what Maritain calls a “city of humankind” (*civitas humani generis*).⁴⁰

³⁷ Ibid., p. 122.

³⁸ Ibid., p. 122: “By using the term moral community, I imply that the central characteristic I just mentioned – the function of manual labor – is not enough to define the people. We must take into account a certain historical patrimony connected with labor, and made up of sorrows, efforts and hopes – the dimension of past *time* and memory comes in. – We must similarly take into account a certain common call as well as a certain inner moral behavior – the dimension of *consciousness* comes in also – a certain way of understanding and living out suffering, poverty, hardship and especially work itself, a certain conception of how a man must help or correct another, look at joy and death, belong to the anonymous mass and have his name within it, a certain way of being ‘always the same ones who get killed’”.

³⁹ See Jacques Maritain, *Man and the State* (Chicago: The University of Chicago Press, 1951), pp. 188-216; Jude P. Dougherty, *Jacques Maritain: An Intellectual Profile*, pp. 93-105.

⁴⁰ Jacques Maritain, *The Person and the Common Good*, p. 55: “The common good in our day is certainly not just the common good of the nation and has not yet succeeded in becoming the common good of the civilized world community. It tends, however, unmistakably towards the latter. For this reason, it would seem appropriate to consider the common good of a state or nation as merely an area, among many similar areas, in which the common good of the whole civilized society achieves greater density”. See also

For there exists a genuine temporal community of mankind – a deep intersolidarity, from generation to generation, linking together the peoples of the earth – a common heritage and a common fate, which do not concern the building of a particular *civil society*, but of the *civilization*, not the prince, but the culture, not the perfect *civitas* in the Aristotelian sense, but that kind of *civitas*, in the Augustinian sense, which is imperfect and incomplete, made up of a fluid network of human communications, and more existential than formally organized, but all the more real and living and basically important. To ignore this non-political *civitas humani generis* is to break up the basis of political reality, to fail in the very roots of political philosophy, as well as to disregard the progressive trend which naturally tends toward a more organic and unified international structure of peoples.⁴¹

All of our differences in our pluralistic world should not be regarded as hindrances to the achievement of this global common good. The aim is not to efface our unique individuality in order to produce a spiritless uniformity among human beings. Rather, the unity that is achieved takes place on the plane of personality, the dynamic movement towards our highest good and supernatural end in God. All human beings are united in their common human nature which is expressed in their personality that is ordained towards a transcendent destiny.

The human person is focused principally on the supernatural common good, the divine life of God, which infuses the terrestrial or temporal common good of the city with personal values.⁴² This hierarchy and priority of the supernatural good over the terrestrial common good is essential to Maritain's vision of human fellowship. If human beings forsake their commitment to God and the precepts of reason and the divine law, then the common good as such is threatened to dissolve from within. In his book *The Rights of Man and Natural Law* Maritain articulates his notion of a healthy political society which demands that there be a common task, project or goal that all the members of the society share and work on.⁴³ The very idea of there being something "common" for an entire society, namely, a point of unity for all the seemingly disparate and diverse individuals of the society, necessarily implies that this common task or project be oriented

Jacques Maritain, *The Range of Reason* (New York: Charles Scribner's Sons, 1952), p. 159. On the doctrine of the unity of mankind see Jacques Maritain, *Redeeming the Time*, pp. 16-19.

⁴¹ Jacques Maritain, *The Range of Reason*, p. 159.

⁴² Jacques Maritain, *The Person and the Common Good*, pp. 61-64.

⁴³ Jacques Maritain, *The Rights of Man and Natural Law* (London: Geoffrey Bles, 1958), pp. 24-26.

towards a supernatural end, as an emanation of personality. It is only personality, the spiritual pole of human nature, that seeks the Separate Good in God as its basic goal and thereby realizes the unity of humankind, whereas individuality, the material pole of human nature, fragments this potential unity by reducing human existence to the singular ego. Thus the reality of what is common is the work of personality. To abandon this common task or goal is for a society to lose its very unity, cohesion and common identity. If human society abandons its commitment to a common task, then human fellowship disappears, to be replaced by a more adversarial and antagonistic exchange among human beings. But even if this common ground should erode, a particular society would continue to affirm its unity for the sake of its own self-preservation. This new, artificial unity would not come about through human fellowship and the virtues of justice and civic friendship, but through the political government's authoritarian attempts to impose such a unity. In this scenario the political society attempts to define its identity *against* other societies. Instead of valuing what human beings share in common, the people begin to oppose otherness and to understand their own identity in its difference from the other. When this happens the other is viewed as the enemy, as someone to be detested and hated. "It is by recognizing and hating its enemies that the political body will find its own common consciousness".⁴⁴

When a political society ceases to build its unity and identity on the ground of human personality, which is intrinsically ordained to a divine end, this results in the disappearance of the common good along with personality itself. Human beings are reduced increasingly in such a society to their animal natures, to their mere individuality, without any regard to their personality. However, human beings will continue to identify themselves with certain groups and collectivities, but now in a profoundly selective manner. This new identity can be based on a number of different criteria, such as race, ethnicity, and political and religious affiliation, yet what is certain is that there is no longer a supreme unifying principle in that culture that could harmonize all members into a whole. Most importantly, what is lost is the consciousness that all human beings are one and belong to the same moral community. The political society's identity is then crafted around the sentiment of hate towards those who are different and who are viewed as inferior and despicable. When this *feeling* of hatred is channeled into determinate *acts* of hatred against identifiable groups of human beings in the form of violence, torture and murder, then genocide rears its head.

The essence of genocide, this deliberate project of a society to exterminate members of another group or society, springs from a society's complete

⁴⁴ Ibid., p. 25.

abandonment of the common good, understood more specifically as the refusal to act in accordance with the principles of divine and natural law and the rational tenets of morality. It is produced by the stifling of personality in human beings and the abolition of the true and proper end of human action in God, which is the natural end of personality. From the perspective of Maritain's philosophical anthropology, situated in his distinction between individuality and personality, we can now discern that genocide is a spiritual crisis and should be, therefore, examined according to the spiritual categories of personality. Only an adequate and true account of the human person can illuminate the nature of the evil that is present in genocide. These ideas come to the fore in Maritain's extensive studies on Israel and the Jews.

Throughout his life Maritain demonstrated a serious intellectual and religious interest in the Jewish people and what they represented for both Christians and the world as a whole.⁴⁵ The Jews are unlike any other people in the respect that they were chosen by God to carry out God's plan of salvation in this temporal domain. They are a people of God because they are bound together by a common experience, a common history, and most importantly, a common vocation or mission, which relates to the redemption of humankind.⁴⁶ Maritain emphasizes that "Israel is a mystery. Of the same order as the mystery of the world or the mystery of the Church. Like them, it lies at the heart of the Redemption".⁴⁷ We should not understand the Jews as a race, nation or class, but as a people who have been given a sacred and divine identity.⁴⁸ In this way it is impossible, according to Maritain, to comprehend who the Jewish people are without recognizing their relation to God. A purely naturalistic, biological or socio-political approach to understanding the Jewish people will completely miss the intrinsic essence of their identity which is spiritual and divine.

Because the identity of the Jewish people resides on the spiritual plane, Maritain views anti-Semitism, which was widespread in Europe during the 1930's, as not merely an attack on a particular group of human beings, but as an antipathy to God Himself and to his love for humankind. Anti-Semitism, correctly understood in its basic essence, is a rejection of the spiritual order as

⁴⁵ See the collection of essays on this topic in Robert Royal, ed., *Jacques Maritain and the Jews* (Notre Dame, Indiana: University of Notre Dame Press, 1994).

⁴⁶ Michael Novak, "Maritain and the Jews", in Robert Royal, ed., *Jacques Maritain and the Jews*, pp. 125-126.

⁴⁷ Jacques Maritain, "The Mystery of Israel", in *Redeeming the Time* (London: Geoffrey Bles, 1946), p. 130.

⁴⁸ *Ibid.*, pp. 128-130.

such because of the Jews' identity as a spiritual people.⁴⁹ In a section entitled "The Spiritual Essence of Antisemitism" from his book *Antisemitism* Maritain comments on the plight of the Jews in a Fascist Europe:

If the world hates the Jews, it is because the world clearly senses that they will always be 'outsiders' in a supernatural sense, it is because the world detests their passion for the absolute and the unbearable stimulus which it inflicts. It is the vocation of Israel that the world execrates. To be hated by the world is their glory, as it is also the glory of Christians who live by faith.⁵⁰

The reason why the Jews are hated so much, according to Maritain, is because they are firmly committed to their supernatural vocation which is to be the chosen people of God, an identity which is unbearable for those cultures and peoples who have given up all interest in spiritual truth. Once a political society has abandoned its task to build up the common good and has rejected all spiritual and personal values, then it will necessarily regard with contempt and malice all peoples which do affirm such ideals. Simply put, to detest the Jews is to repudiate the unity of humankind which is the hidden message present in the transcendent and mysterious essence of Israel.

It is undoubtedly true that the Jews are a unique people in human history because they are the select vehicle of God's revelation to humanity. In this sense anti-Semitism serves as the paradigm of all instances of hatred and violence perpetrated against all groups of people, and it is for this exact reason that the scourge of anti-Semitism exhibits the intrinsic nature of genocide, whether it is carried out against Jews or any other people. To grasp this point it is crucial to remember Maritain's insistence that anti-Semitism is incomprehensible from a point of view which is not spiritual, as can be witnessed in the many writings by scholars erroneously endeavouring to make sense of this senseless crime from a myriad of empirical perspectives, be it biological, economic, sociological, political, or racial.⁵¹ The Jews are persecuted not because they possess certain economic advantages or because they happen to be of an inferior race, although

⁴⁹ Although Maritain vociferously condemned anti-Semitism, Rabbi Leon Klenicki lambastes Maritain for being a "metaphysical anti-Semite" for his patronizing interpretation of Judaism as being deficient of the full truth of divine revelation which was consummately acknowledged in Christianity. See Rabbi Leon Klenicki, "Jacques Maritain's Vision of Judaism and Anti-Semitism", in Robert Royal, ed., *Jacques Maritain and the Jews*, p. 73.

⁵⁰ Jacques Maritain, *Antisemitism*, p. 20.

⁵¹ Jacques Maritain, "Anti-Semitism as a Problem for the Jew", in *Pour la Justice. Articles et Discours (1940-1945)*, pp. 159-161.

these are certainly arguments which are often presented as the potential causes of anti-Semitism, but rather because morally defunct societies have rejected God as the ultimate end of human existence and consequently seek to annihilate that which is properly ordained towards the divine in each and every human being, namely, spiritual personality. However, personality is a totality unto itself and is genuinely itself only in the context of the fulfillment of the common good, the enlivening prosperity of persons. Personality, as we have been arguing, is realized in community, in the fraternal bonds of human fellowship, and should not be equated with a purely individualistic existence. Bearing this fact in mind, therefore, it becomes clear why the devilish project of abolishing any supernatural determination of a political society in God and the concomitant desire to extinguish the spiritual centre in human beings takes place in the persecution and extermination of *entire groups or societies of people*. In its mysterious vocation as the chosen people of God, Israel reveals to us that God is present in the world in the history and experiences of an entire people, not simply in particular individuals. It is precisely this insight into the operations of the divine economy in human history that impels Maritain to develop his unique vision of human personality which is ordained to both the supernatural and terrestrial common good, that is, to both God and humankind. It would be a serious error to suppose that the mystery of God's presence in the world is somehow independent of the plight and history of peoples, and one could even add, of humankind as a whole.

For Maritain, the Jewish people represent the spiritual substance of all peoples. It is Israel's unique mission on this earth to provoke, stimulate, prod, and unsettle the people of the world to become mindful of God's presence and his design of salvation for all. As strangers and outsiders to this world, the Jews are a veritable stumbling-block; they create a tension in the bosom of human history so that the restlessness in the human heart is never quelled or silenced. This tension will never be resolved and it is futile to attempt to find a "solution" to the Jewish problem because we are dealing here with a mystery, something which cannot possibly be solved.⁵² As Maritain underlines, the mystery of Israel is of the same order as the mystery of the world and the mystery of the Church. Our destiny as a universal people of God is revealed to us in and through the Jews. But God's presence in this world is opposed by many and this hatred of the divine in human culture and civilization is at the root of not only anti-Semitism proper, but also of genocide. In this regard Maritain was fond of quoting Pope Pius XI's words: *Spiritually we are Semites*.⁵³ In our spiritual

⁵² Jacques Maritain, "The Mystery of Israel", in *Redeeming the Time*, pp. 130-134.

⁵³ Jacques Maritain, *Antisemitism*, p. 27.

vocation as persons we exist with the Jews in fellowship with their suffering.⁵⁴ To reject the Jews is to deny our own destiny as persons ordained towards God. However, this *Semitic identity* inscribed mysteriously into our own personality and spirit is threatened whenever any peoples, and not only Jews, are reviled and persecuted. Although many different reasons and explanations can be offered as to why such hatred is channeled towards specific groups of people, the true reason resides in the order of the mystery of God's designs for humankind, centered squarely at the intersection of human personality and human fellowship.

5. Conclusion: Towards a Moral Political Community

This paper has attempted to bring together two strands of Maritain's thought: his philosophical anthropology and his theological reflections on God's plan of salvation as revealed in the unique and mysterious vocation of the people of Israel. Maritain's sustained engagement with the Jewish problem should be viewed as a further elaboration of his conception of human nature and not as a peripheral interest with no relation to his main body of work. A holistic theory of the human person can only be acquired if we situate this investigation in the broad context of the divine economy, God's inscrutable intention to redeem humankind. The human being's historical situation in the world, as a member of a wounded people, impresses an indelible stamp on the human spirit and thus permanently marks human nature. If we examined this concordance more closely we would notice that the common ground of human nature and divine revelation is the ethical dimension of human existence, which is the proper subject-matter of moral philosophy. Maritain consistently affirmed throughout his life that moral philosophy is the foundation of all philosophy and should be our initial point of departure. Human personality is intrinsically ethical as it communicates acts of knowledge and love and builds up the common good which is a thoroughly ethical good.⁵⁵ Furthermore, the divine plan of salvation, revealed in Israel and the Church, belongs to the philosophy of history which is a part of moral philosophy, the order of practical wisdom.⁵⁶ In sum, the human being is an

⁵⁴ Jacques Maritain, "On Anti-Semitism", in *Pour la Justice. Articles et Discours (1940-1945)*, pp. 52-54.

⁵⁵ Jacques Maritain, *The Person and the Common Good*, p. 53: "The common good is something ethically good".

⁵⁶ Jacques Maritain, *On the Philosophy of History*, ed. Joseph W. Evans (New York: Charles Scribner's Sons, 1957), pp. 37, 169. To be accurate, Maritain makes a distinction in this work between the theology of history, which is centred on the mystery of the Church, and the philosophy of history, which is centred on the mystery of the world (p. 38). However, he does assert explicitly that a genuine philosophy of history must recognize

ineradicably ethical being and his vocation in life is to create an ethical community of persons that extends worldwide.

The exclusion of moral principles from human life leads to the racism, oppression, and ultimately genocide against which Maritain protested so vehemently. To ignore or negate the moral law which originates from God and which is written into the structure of human conscience itself is the sure prescription for evil. Maritain coined the term *Machiavellianism* to describe the despicable ideology in modern political history which seeks to eliminate the moral dimension from human society. In his famous essay “The End of Machiavellianism” Maritain trenchantly critiques the perversion of the moral order which is shamelessly promoted in this brand of power politics.⁵⁷ In its simplest terms, Machiavellianism is the justification of the use of power by political authorities to attain any political objective. It introduces a radical split between politics and morality.⁵⁸ As a consequence, politics need not and should not be moral, but should instead be focused on the preservation and accumulation of power. However, the firm basis of Machiavellianism, which is the source of its justification and persuasiveness, is the radical pessimism regarding human nature.⁵⁹ For the political ruler who abides by the precepts of Machiavellianism human beings are fundamentally bad. Human beings are reduced to their animal nature and any trace of a spiritual or personal essence in human beings is effectively snuffed out. Therefore, this doctrine dictates that political rulers should not govern in accordance with moral principles, as if the people could be trusted to reciprocate with morally good acts, but should rather manipulate and maltreat them if this should be necessary for the best interests of the political state.

When moral truths no longer penetrate the political realm then it is clear that the dignity of the human person is threatened in such a situation. Machiavellianism is inevitable if political leaders do not believe that there is a supernatural and objective order of moral truth located in God, which is superior

human freedom and God (p. 34). Indeed, it is impossible to understand the world if one does not first understand God, since the world is the product of divine creation. See p. 123: “What is the world? In a most general sense, it is the ensemble of created things, or of *all that which is not God*”. For a recent discussion of Maritain’s understanding of history, especially against the backdrop of his critique of modernity, see Richard Francis Crane, “Maritain’s True Humanism”, *First Things* 150 (February 2005), pp. 17-23.

⁵⁷ Jacques Maritain, “The End of Machiavellianism”, in *The Range of Reason*, pp. 134-164.

⁵⁸ *Ibid.*, p. 137.

⁵⁹ *Ibid.*, p. 136.

to and constitutive of the temporal political good.⁶⁰ Whenever political society cuts itself off from its natural ordination to God and its supernatural common good and thereby endeavours to establish a human community based on a crude materialism, scientism or rationalism, that is when the true unity of the society disintegrates and an unbridled irrationality takes hold of the populace in its desperate quest to define its fractured identity. The great evil of Machiavellianism is its single-minded determination to kill the spirit of human personality and to remove all ethical elements from the political society in which human persons live, move and have their being. To abolish the moral and divine elements from human culture and civilization is the chief intent of this maniacal political ideology.

The extreme corruption of the political order in Machiavellianism is not the final word. There is no lasting victory for Machiavellianism because it tends by its very nature to self-destruct.⁶¹ Natural and divine law decrees that injustice and evil cannot endure forever, since they are inherently unstable and self-defeating. But this does not mean that people should simply sit idly by and wait for this inner deterioration to take place on its own. Social and political change occurs when people stand up against their oppressors and actively affirm the true, life-giving principles of a political society which are rooted in the supra-temporal, uncreated common good. The political order must once again be infused with moral and spiritual values and the human person must be allowed to exercise all his faculties and talents in his full participation in society. The tragedy of modern democracy, for instance, is that it has failed to tap into its own spiritual resources in Christianity to create a truly free and just social order.⁶² Modernity has produced the rampant secularization of culture which has inhibited the total instantiation of Gospel values in democratic society. However, the centrally important task in this transformation of the political and social domain is rediscovering the innate goodness of human beings and dispelling the Machiavellian myth of the radical evil of human nature. Only by resuscitating the trust, cooperation, and solidarity among human beings can the ideal of human fellowship be realized concretely in this world which blossoms forth into a political community which is both personalist and pluralist, respectful of the

⁶⁰ Ibid., p. 152: "I do not believe that in politics men can escape the temptation of Machiavellianism, if they do not believe that there exists a supreme government of the universe, which is, properly speaking, divine, for God – the head of the cosmos – is also the head of this particular order which is that of ethics".

⁶¹ Ibid., pp. 154-155.

⁶² See Jacques Maritain, *Christianity and Democracy*, trans. Doris C. Anson (London: Geoffrey Bles, 1946), pp. 18-19, 37-41.

intrinsic dignity of person and the diversity of individuals. If the twentieth century was the century of genocide, as Romeo Dallaire put it in his recent book on the genocide in Rwanda, then the hope is that our present age will learn the lessons of history and give birth to a century of humanity, a civilization that fosters a spirit of fraternity and fellowship among human beings.⁶³

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⁶³ Roméo A. Dallaire, *Shake Hands With the Devil. The Failure of Humanity in Rwanda* (Toronto: Random House, 2003), p. 520.

**JACQUES MARITAIN AND NATURAL RIGHTS:
THE PRIORITY OF METAPHYSICS OVER POLITICS**

David J. Klassen

Much of the discussion in recent years among philosophers about the rights of the person has been framed by the liberal-communitarian debate which became the subject of anthologies beginning in the 1980s, and which traces its origins to questions arising out of the publication of John Rawls's *A Theory of Justice* in 1971.¹ The main tenets of liberalism, as represented by thinkers such as Rawls and Ronald Dworkin, include the importance of individual rights and a belief that the individual is the originator and ultimate bearer of value. In contrast, the term communitarianism has been applied to the views of those who stress the importance of communal and public goods, and who hold that values are rooted in the customs and traditions of communities.² Within that framework of

¹ See Michael Moreland, Jacques Maritain, Thomism and the Liberal-Communitarian Debate, *The Failure of Modernism: The Cartesian Legacy and Contemporary Pluralism*, ed. Brendan Sweetman (Washington, D.C.: The Catholic University of America Press, 1999), 141-154. Moreland's note 4 at p. 142 gives a brief summary of the debate and cites some major contributors and anthologies.

² See *The Oxford Companion to Philosophy*, s.v. communitarianism and *The Routledge Encyclopedia of Philosophy*, s.v. community and communitarianism or more detailed discussion of the meaning of communitarianism and liberalism in the contemporary context. I have chiefly relied upon *The Oxford Companion* for the definitions given.

contemporary discourse, some commentators **B**for the most part Catholics who are sympathetic to communitarianism **B**have claimed that Jacques Maritain's theory of the natural rights of the human person, put forward decades earlier in works such as *The Rights of Man and Natural Law (RMNL)*, *The Person and the Common Good (PCG)* and *Man and the State (M&S)*,³ is a liberal aberration that is in conflict with his otherwise communitarian political philosophy.

I intend to show how Maritain's doctrine of natural rights is supported and justified by his philosophical understanding of the person, and to answer those who have accused him of inconsistency in advocating both personal rights and the importance of the community and the common good. If I am correct, Maritain's critics of recent years have failed to appreciate his metaphysics of the human person, and hence have not understood the way in which his doctrine of natural rights transcends the purely political categories of communitarianism and liberalism. For Maritain, the individual person is not the originator of value, as is the case for liberalism; nor is value relative to the community or endowed upon a person by the community, as tends to be the case with some expressions of communitarianism.⁴ A person's value, according to Maritain, is derived primarily from having a spiritual personality in the image of God, and from being in relation to the absolute and divine order.

According to the *The Routledge Encyclopedia*, those who have been described as **A**ommunitarians, **@**such as Alasdair MacIntyre, Charles Taylor and Michael Sandel, **A**or the most part avoid the term. **@**

³ Quotations from Maritain's works are cited in the text with the abbreviations listed below, and the works are referred to in the text by the same abbreviations:

RMNL: The Rights of Man and Natural Law (New York: Charles Scribner's Sons, copyright 1943, publication 1949).

PCG: The Person and the Common Good (Notre Dame, IN: University of Notre Dame Press, 1966; copyright 1947 by Charles Scribner's Sons, copyright 1946 by The Review of Politics).

M&S: Man and the State (Chicago: University of Chicago Press, 1951; Washington, D.C.: The Catholic University of America Press, 1998).

⁴ It has been brought to my attention by Professor Louis Groarke that there are communitarians who affirm an objective and transcendent good, and who would deny that value is merely relative to community. His website, **A**ommunitarianism in Canada **@** (<<http://www.stfx.ca/academic/philosophy/Groarke/2004-5/index.html>> [17 January 2005]), is instructive in that regard. However, the accounts of communitarianism cited in this paper, including those quoted below in note 15 which speak of the political community as the source of one's humanity and of human dignity, do not speak of an objective and transcendent good or of any source of value other than the community.

I. Criticism of Maritain

A seminal work in a line of articles in which Maritain has been criticized for failing to present a coherent view of person and society is Frederick J. Crosson's *Maritain and Natural Rights* (1983). Crosson contends that Maritain's attempt to defend democracy and human rights led him to assertions which were internally inconsistent as well as inconsistent with the basic context of political philosophy in which he worked. Michelle Watkins and Ralph McInerny, in an article entitled *Jacques Maritain and the Rapprochement of Liberalism and Communitarianism*, cite both Crosson and Alasdair MacIntyre to support their case that Maritain sought to synthesize two inherently incompatible political doctrines. According to Watkins and McInerny, such liberal concepts as freedom and human rights are at the theoretical level in serious tension, if not inconsistency, with his overall communitarian framework. Similarly, Deborah Wallace agrees with Crosson's critique insofar as she says that Maritain is not faithful to Thomas Aquinas's theory of natural law when Maritain proposes rights that are said to exist prior to community bonds.⁷

Although the issue of Maritain's fidelity to Aquinas has been raised by some critics, and will arise incidentally in this essay, I do not intend to focus on it. I am more interested in the internal consistency and plausibility of Maritain's own thought, and in examining the way in which his doctrine of natural rights is supported and justified by his philosophical understanding of the person.

II. Maritain's arguments for the natural rights of the person

The rights themselves are said by Maritain to be correlative to the person's obligations to fulfill his or her necessary ends under the natural law, as will be seen in Maritain's second argument discussed below. A first tier of rights includes those that belong to the natural law strictly speaking, and which are universal and invariable in the nature of things, including the rights to existence, to personal freedom in the sense of being an agent responsible for one's acts

⁵Frederick J. Crosson, *Maritain and Natural Rights*, *Review of Metaphysics*, 36 (June 1983): 911.

⁶Michelle Watkins and Ralph McInerny, *Jacques Maritain and the Rapprochement of Liberalism and Communitarianism*, *Catholicism, Liberalism and Communitarianism*, ed. Kenneth L. Grasso, Gerard V. Bradley and Robert P. Hunt (London: Rowman & Littlefield Publishers, Inc., 1995), 151-172 at 152, 170.

⁷Deborah Wallace, *Jacques Maritain and Alasdair MacIntyre: The Person, the Common Good and Human Rights*, *The Failure of Modernism: The Cartesian Legacy and Contemporary Pluralism*, ed. Brendan Sweetman (Washington, D.C.: The Catholic University of America Press, 1999), 127-140 at 137. Cf. Crosson, 903-04, 907, 909, 911.

before God and community, and to the pursuit of perfection in the moral life. A second tier of rights, including the right of private ownership of material goods, belongs to the law of nations or *jus gentium*. Such rights are known through rational knowledge and follow in a necessary manner from the natural law strictly speaking. The third tier of rights, such as the freedom from want,⁸ corresponds to requirements of the *jus gentium*, but such rights are contingent in that they are to be fulfilled by the positive law in particular circumstances that vary in different societies (*M&S*, 97-101; *RMNL*, 79-80).

Maritain gives two main arguments for concluding that the human person is by nature endowed with rights in the following passage:

The human person possesses rights because of the very fact that it is a person, a whole, master of itself and of its acts, and which consequently is not merely a means to an end, but an end, an end which must be treated as such. The dignity of the human person? The expression means nothing if it does not signify that by natural law, the human person has the right to be respected, is the subject of rights, possesses rights. These are things which are owed to man because of the very fact that he is man. The notion of right and the notion of moral obligation are correlative. They are both founded on the freedom proper to spiritual agents. If man is morally bound to the things which are necessary to the fulfillment of his destiny, obviously, then he has the right to fulfill his destiny; and if he has the right to fulfill his destiny he has the right to the things necessary for this purpose. (*RMNL*, 65)

The first argument is from the nature of the person. Maritain says that the person, who is an end and not a means, and who has dignity, must be treated accordingly. Therefore, according to natural law, the human person is the subject of rights. This argument depends on two main premises: (1) that the person is, in its essential nature, characterized by attributes such as self-mastery, being a whole and not a part, and being an end and not a means, and hence has a high degree of perfection and dignity;⁸ and (2) that in the nature of things those very attributes entail the possession of rights. The argument presupposes a high view of the human person, and that in the nature of things the good inherent in the person demands or calls for a fitting response on the part of others, giving rise to rights. In sections III and V of this paper I will discuss how Maritain arrives at the qualities he attributes to the person. For now, let it be noted that there is an underlying optimism on his part, that can be seen not only in his high view of the person, but also in his belief that there is a natural law wherein the good is respected and personal dignity is accorded rights.

⁸ As to perfection of the person, Maritain at *PCG*, 32, note 24, quotes Aquinas: "Person signifies what is most perfect in all nature—that is, a subsistent individual of a rational nature." *Sum. Theol.*, I, 29, 3. ⁹

The second argument, based upon the moral obligations of the natural law, specifies that the rights in question pertain to the teleology of the human person. The natural law requires the human person to put itself in tune with certain necessary ends, as Maritain explains several pages earlier in the same book: **A**his means that there is, by very virtue of human nature, *an order or a disposition which human reason can discover and according to which the human will must act in order to attune itself to the necessary ends of the human being. The unwritten law, or natural law, is nothing more than that* (RMNL, 61). Because the person has the *obligation* to act in accordance with his necessary ends, and thereby to fulfill his destiny, Maritain reasons that the person has the *right* to fulfill his destiny and to the things necessary to do so. He presupposes a rational order in the universe, wherein the person is not burdened with obligations that cannot be fulfilled. As with the first, Maritain's second argument for the existence of rights is grounded in an optimistic view of the nature of things.

III. The person's direct relationship to the absolute and divine order

The most important reason given by Maritain for the dignity of the person, and thus for the rights of the person according to the first line of argument set out above, pertains to the direct relationship of the person to the order of the divine and sacred things, which he also calls the **Absolute**. It is in this aspect of Maritain's thought that we find the strongest statement of his high view of the person, which is evidenced near the beginning of *RMNL*:

To say that a man is a person is to say that in the depth of his being he is more than a part and more independent than servile. It is to this mystery of our nature that religious thought points when it says that the human person is the image of God. The worth of a person, his liberty, *his rights*, arise from the order of naturally sacred things, which bear upon them the imprint of the Father of Being, and which have in Him the goal of their movement. A person possesses absolute *dignity* because he is in direct relationship with the absolute, [in] which alone he can find his complete fulfillment. His spiritual fatherland consists of the entire order of things which have absolute value, and which reflect in some way, an Absolute superior to the world and which draw our life towards this Absolute. (*RMNL*, 4, emphasis added)

In telling us that the dignity of the person, and hence its rights, arise because of the person's direct relationship with the absolute order of sacred things and God, rather than being conferred upon the person by the community or mediated by the community, Maritain argues that rights arise prior to the political community. Some commentators, as noted at the beginning of this paper, have therefore criticized Maritain for a doctrine of **A**re-political rights that is contrary to the teachings of Aquinas. Maritain nevertheless claims to be following St. Thomas when he says that the dignity of the human person is

derived from the person's direct ordination to God as its ultimate end (*PCG*, chapt. II, 15-19, notes 7 and 8). Moreover, Maritain's understanding of rights that arise out of the relationship of the person to the divine might more accurately be called trans-political rather than pre-political, because he argues for rights that claim a priority of transcendence rather than a temporal priority over the political order.

IV. Metaphysics of the person

Maritain's metaphysics of the person, set forth in the third chapter of *PCG*, is based upon the hylomorphic doctrine of Aquinas, according to which the human soul, together with the matter which it informs, constitutes one substance, which is both carnal and spiritual (*PCG*, 36). According to Thomistic hylomorphism, human persons and all corporeal beings are individuated by matter. The soul, which Maritain describes as a metaphysical energy, is also called the form of the body, and is the animating principle which determines the species of the corporeal being. The matter, including already formed matter from what Maritain calls germinal cells, with all their hereditary content, makes the corporeal being an individual which has a certain quantity and position in space (*PCG*, 35-37). The human being is a special case of corporeal being with a rational and immortal soul.

The soul and body do not each exist on their own as complete beings, but rather soul and matter are two substantial co-principles of the same being, of one and the same reality, called man (*PCG*, 36).⁹ Nevertheless, Maritain makes a distinction between the way each of the co-principles finds expression in the human being in his discussion of two poles. There is a material pole, which Maritain associates with *individuality* and with Pascal's teaching that, the self is detestable. The spiritual pole, on the other hand, is associated with *personality* and with the teaching of St. Thomas that person signifies what is most perfect in nature.¹⁰ This distinction should not, however, be taken to mean that the soul is the person, which Aquinas himself denies even with respect to the soul in its separated state, on the ground that because it retains its inability to matter the separated soul is not truly an individual substance.¹¹ The person is properly understood to be the whole human being, the unity of soul and matter, as Maritain points out in his discussion of the individual and the person: One and the same reality is, in a certain sense an individual, and, in another sense, a

⁹ The co-principles are soul (i.e., form) and matter, not soul and body. The body may be understood as ensouled matter.

¹⁰ *Supra*, note 8.

¹¹ Aquinas, *Summa Theologiae* (herein cited as *ST*) I, q. 29, a. 5.

person. Our whole being is an individual by reason of that in us which derives from matter, and a person by reason of that in us which derives from spirit. (PCG, 43).

Maritain's metaphysics of the person attributes to the human being as individual those traits which can be associated with *individualism* in a negative sense. Most or all of the *positive* traits that might ordinarily be associated with individuality are attributed to the soul, which is the principle of *Personality* opposed to *Individuality* in the sense Maritain uses the words. By using those terms as he does, Maritain is able to build upon and develop the Thomistic metaphysical tradition, and in so doing to emphasize the distance between what he means by *personalism* and any form of narrow *individualism* that would be inconsistent with a communitarian framework. While proclaiming fidelity to the doctrine of individuation by matter, Maritain's metaphysics nevertheless identifies matter as the principle of individuation only in a limited sense, primarily with respect to quantity and location. The soul, as has been pointed out, is the principle of unity and identity which for Maritain determines the human person to be *that* which it is.

V. The spiritual personality as the basis of human dignity and human rights

Let us now return to Maritain's first argument for natural rights: *The human person possesses rights because of the very fact that it is a person, a whole, master of itself and of its acts, and which consequently is not merely a means to an end, but an end, an end which must be treated as such* (RMNL, 4). In the next few paragraphs I will examine Maritain's reasons for saying that the person is a whole, a master of itself and its acts, and an end not a means. This examination will show that each of the aspects of the person that is referred to as a reason for dignity and rights relates to the spiritual pole of the human being rather than to material individuality. Most importantly for the purposes of this paper, it will be seen that for Maritain dignity and rights are rooted in a person's ability and ordination to reach out and communicate, and to act for the sake of the greater good, thus distinguishing his theory of human rights from any form of individualism that would conceive of the person as a self-enclosed unit whose rights are in tension with the good of the community.

The human person is a *person*, Maritain tells us, *by virtue of the existence of its soul. The spirit is the root of personality* (RMNL, 3). Not confined to a merely physical existence, the human person has subjectivity, an aspect of what

¹² See PCG 35-36.. It might here be noted in passing that the inadequacy of the doctrine of individuation by matter to fully explain the distinctiveness of each individual human being appears to be tacitly conceded by Maritain. However, more than a passing reference to that issue is beyond the scope of this paper.

Maritain calls **A**piritual superexistence¹³ which is disclosed not only in the person's interiority to self, but also in **A**communications of knowledge and love¹⁴ (*RMNL* 3; *PCG*, 40-41). Through knowledge, the person is a microcosm that encompasses the universe, and therefore is a *whole not a part*. Through love, the person can give freely of itself to others who are in a sense **A**ther selves¹⁵ (*RMNL* 3; *PCG*, 41). Through communications both of knowledge and love the person is **A**irectly related to the absolute¹⁶ (*PCG*, 41-42). The direct relation to the absolute is, as has been noted, at the heart of Maritain's understanding of the dignity of the person.

Communications of knowledge and love not only give evidence of the person's subjectivity, but also show the person to be *master of itself* and of its acts and to exercise existence for itself (i.e., to be *an end not a means*). Maritain's account of how the capacity to bestow oneself in love implies a subsisting spiritual being that exists for itself, and which is endowed with freedom and self-mastery, is as follows:

To bestow oneself, one must first exist; not indeed, as a sound, which passes through the air, or an idea, which crosses the mind, but as a thing, which subsists and *exercises existence for itself*. Such a being must exist not only as other things do, but eminently, in self-possession, holding itself in hand, *master of itself*. In short, it must be endowed with a spiritual existence, capable of containing itself thanks to the operations of intellect and freedom, capable of super-existing by way of knowledge and love. (*PCG* 39-40, emphasis added)

In Maritain's understanding, self-mastery does not arise from or give rise to the right of an individual to exercise instrumental control over its environment or other persons. It exists by virtue of and for the sake of bestowing oneself in an act of love. Self-mastery in this sense is intimately related to the person subsisting and exercising existence for itself. If the self were merely a relation to others, to the community, or even to God, as sound is related to the air or an idea to the mind, and did not subsist and exercise existence for itself, then it would have nothing of its own to master and nothing to bestow in love. This is part of what Maritain means when he says that the person is an end not a means. He also quotes Aquinas to support his contention that each human person is willed and governed by God for its own sake: **A**or the individual that is governed only for the sake of the species is not governed for its own sake, whereas the rational creature is governed for its own sake . . . Accordingly, rational creatures alone are directed by God to their actions for the sake, not only of the species, but also of the individual.¹⁷

It should be noted, however, that Maritain says that being willed and governed for its own sake does not prevent the individual person from being

¹³ *Summa Contra Gentiles* (herein cited as *SCG*) III, 113; as quoted at *PCG*, 19, note 8.

made first for God, secondly, for the order and perfection of the created universe, and only thirdly for itself. He says that being made for its own sake means that the person is made **A**or the action (immanent and spiritual) by which it perfects itself and accomplishes its destiny (PCG, 17, note 7).¹⁴ He therefore does not suggest that the person is willed for its own sake in the sense of being made for the arbitrary exercise of its freedom, without regard for the common good. Here Maritain parts company with contemporary liberalism. The individual human person is an end not a means, created for its own sake, but *not only* for its own sake. In Maritain's view, the person is willed and governed for its own sake **B**and therefore has rights **B**n order that it may freely bestow itself in love for the sake of God and for the perfection of the created community. The view that the person is willed, governed and has rights in order to bestow itself in love reminds us of the argument for rights based upon the existence of obligations, and of the correlation of rights and obligations. It also illustrates Maritain's contention that there is no conflict between human rights, as he conceives them, and the common good of the community, because those human rights exist insofar as they enable the person's contribution to the common good.

VI. Political philosophy

Recall that at the beginning of this essay I referred to articles which criticize Maritain for an alleged inconsistency between the basic communitarian framework of political philosophy, and the supposedly liberal notion of **A**re-political **@**rights of the person. In addressing that criticism, it might first be emphasized that although Maritain does present the reader with a political philosophy, it is not *only* a political philosophy. Everything that Maritain says in regard to natural law, natural rights, politics, society and the common good is built upon his metaphysics of the person, and upon his understanding of the person's direct relationship to the absolute and the divine. While some of his critics say that a person's humanity and dignity are derived from the political community, and that the natural law is ordered to the community rather than the community to the natural law,¹⁵ Maritain emphasizes that it is our common

¹⁴ Maritain in his footnote 7 cites *ST I*, q. 65, a. 2, and Cajetan's commentary.

¹⁵ Crosson, for example, speaks of **A**the ordering of natural law to the community (Crosson, 897). He objects to **A**the concept of pre-political, inviolable rights **@**n the ground that man **A**comes human and can attain fulfillment *only* through the political community (911, emphasis added). Similarly, Watkins and McInerney contend that it is the **A**community that granted the person his dignity in the first place (Watkins and McInerney, 167), that **A** is the community and the state that enable this person to become human in the first place (168-69) and that **A**human beings are defined by their political and communal interactions (169).

human nature, not society, the community or the individual will, that determines the content of the natural law. As I am taking it for granted, he says, that there is a human nature, and that this human nature is the same in all men (RMNL, 60; M&S, 85). After citing the precept that we must do good and avoid evil, which he calls the preamble and principle of natural law, Maritain says, Natural law is the ensemble of things to do and not to do which follow therefrom in necessary fashion, and from the simple fact that man is man, nothing else being taken into account (RMNL, 62-63). For Maritain, as for Aquinas, natural law is a participation in Eternal Law, which manifests the order of Divine Reason (M&S, 96).¹⁶ The ultimate end of the eternal law is not a human good such as the common good of the community, but God Himself.¹⁷

While acknowledging that man is a political animal, by which he means that the human person craves political life (RMNL, 6), Maritain maintains that human nature, and therefore human dignity and human rights, are prior to political society by being its preconditions. According to Maritain, society is born, as something required by nature, and (because this nature is human nature) as something accomplished through a work of reason and will, and freely consented to (RMNL, 6).

VII. Conclusion

Because it is based upon a metaphysical understanding of the human person, and of the person's relation to absolute and divine things, Maritain's doctrine of natural rights avoids the purely political realm of the liberal-communitarian debate of the last twenty or thirty years. Critics of Maritain, who claim to have found tensions and inconsistencies between his doctrine that the person has pre-political dignity and rights, and the communitarian aspects of his philosophy, have in my opinion not given sufficient attention to his metaphysics.

Maritain's metaphysics of the person allows him to avoid the alleged inconsistencies and also provides a plausible foundation for his doctrine of natural rights. His affirmation of the spiritual personality, which is the basis of his high view of the person and of the person's dignity and rights, is in turn firmly grounded in experiences of subjectivity, and of communications of love and knowledge, which form part of everyday human life. Because the rights he affirms are correlative to obligations to contribute to the common good, and the common good is defined as the good of persons who are not mere parts, there is

¹⁶ See *ST* I-II, q. 91, aa. 1-2.

¹⁷ But the end of the Divine government is God Himself, and His law is not distinct from Himself. Wherefore the eternal law is not ordained to another end (ST I-II, q. 91, a.1, ad. 3).

no conflict in Maritain's model between the two. Maritain says that the common good presupposes the persons, and flows back on them, and, in this sense, is achieved in them (PCG, 51). If he is correct, and there is no inherent contradiction between rights of the individual person and the common good, the contemporary liberal-communitarian debate, at least with respect to the issues treated in this paper, suffers from a false dichotomy brought on by an inadequate understanding of the person as nothing more than a political actor.

Ralph McInerny, in a tribute published subsequent to the article he co-authored with Michelle Watkins, asks whether we have unjustly lost the optimism that was Maritain's, and recommends *M&S* as an invitation to rethink the way we pose the basic questions of political philosophy.¹⁸ In answer to the question McInerny poses in regard to loss of optimism, there is no less reason for optimism in our day than in Maritain's, when Stalin ruled the Soviet Union and Hitler Germany. The invitation to rethink our political philosophy ought to be accepted. It is time once again for political philosophy to seek its roots in a deeper understanding of the human person and of the person's place in nature and before God. The timeless metaphysical questions addressed by Maritain need once again to be considered.

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¹⁸McInerny's tribute to Maritain is found on the back cover of the 1998 paperback reprint of *M&S*, where McInerny is identified as Director of the Jacques Maritain Center, University of Notre Dame. It reads in part: **He** devotes particular attention to the concept of rights, since, historically, rights theories were fashioned to supplant the natural law theory to which Maritain as a Thomist gives his allegiance. Maritain provides an ingenious and profound theory as to how natural law and natural rights can be complementary. For this reason alone it remains a fundamental contribution to political philosophy, but it is filled with other gems as well. Was Maritain too optimistic in his appraisal of modernity? Or have we unjustly lost the optimism that was his? *Man and the State* is an invitation to rethink the way we pose the basic questions of political philosophy. @

**“AUTONOMOUS WORLDS”:
MARITAIN’S DIVISION OF ART AND ETHICS**

Edward Tingley

1

I take issue with the conclusion of a paper read at the Annual Symposium of the Canadian Jacques Maritain Association, on “Maritain, Politics, and the Ethical” (Ottawa, 29–30 October 2004) – my own paper. I began then with the question, Is there a connection between art and politics? and got off to a sensible start, at least.

If for Maritain, as an Aristotelian and Thomist, the true end of politics is to bring about the common good, then art is not a topic outside politics. Art too, one presumes, has a role to play in bringing about the common good. And if serving the good of the people is *the* political issue then it may be of some political relevance to observe the way art now lumbers into public life (commonly under the auspices of some of our most respected institutions, and with the support of some of our highest official agencies) and faces us with productions that, with respect to ‘the good’, seem profoundly dubious to say the least. Illustrations of these things are always distinctly entertaining, in a horrible sort of way, so let me amuse-and-dishearten you with a few recent events from the art world.

“The UK’s most prestigious art award” is the £20,000 Turner Prize, which recently went to a ceramic artist who produces vases such as *We’ve Found the Body of Your Child*, the title of a vase decorated with a scene showing a baby

lying on the ground while its distraught mother is apparently restrained by a crowd – or the vase called *Anger Work*, which shows a rabid-looking figure firing a machine gun, minus underwear, while his genitals say (via comic-strip balloon), “Fuck U”. The artist explains: “I was very angry when an exhibition was postponed because the Gallery was vandalised.” This model citizen edged out a pair of artists whose work includes a series of mannequins of children who have genitalia in place of facial features: for instance, a “toddler with a penis nose and a sex-doll mouth,” as the *Manchester Guardian* carefully phrased it.¹ Tate Gallery publicity describes the work as “a group of sexually-mutated child mannequins with genitalia sprouting from unlikely places, naked except for a pair of Nike trainers.”²

But what about Canada? As I prepared my paper, the Governor General *and* our federal agency for the support of art were getting together to bestow the Governor General’s Awards in Visual and Media Arts, “Canada’s foremost distinctions for excellence in these artistic disciplines.” Six awards are given each year and two of the artists singled out for credit we meet in publicity written by the Canada Council for the Arts to present these luminaries in all their shining glory. In one work the artist “suspended himself naked from a gallery wall, filled his mouth with his own blood, and assumed the lotus position.” In another this same fellow “dug a shallow grave, inserted a vial of his blood into his anus, and contorted himself upside-down so that the blood flowed into his mouth.”³ Our second artist is principally known for taking some ordinary object – a beer bottle, an egg, a matchbook – and covering it entirely with grey paint ... over and over ... for decades – naturally (what did you expect?) “recording each application of paint.” For instance, in the years since 1979 he has applied more than 9,500 coats to a piece of lettuce. The label on one of his works of art, purchased by the University of Lethbridge, reads: “*Apple*, 1979–1992, 4,022 half-coats of gesso and acrylic, 9.5 x 9.5 x 9.5 in.”

Well, that’s enough of that. In response to this sort of thing you might well be ready to say, as author Thomas Storck did a decade ago, that “artists have lost their functional relation with the rest of society.” They don’t even seem to *care* about ‘the good’ – if anything, have thrown their weight behind the wholesale *dissolution* of whatever progress art had made in the political arena, the arena dedicated to the common good. Let me quote Storck more fully:

Without denying that art has intrinsic principles of its own, nevertheless, *freedom for artists* could become a rallying cry only in a society which has

¹ [Http://www.guardian.co.uk/arts/reviews/story/0,11712,1052937,00.html](http://www.guardian.co.uk/arts/reviews/story/0,11712,1052937,00.html)

² [Http://www.tate.org.uk/britain/turnerprize/2003/chapman.htm](http://www.tate.org.uk/britain/turnerprize/2003/chapman.htm)

³ [Http://www.canadacouncil.ca/prizes/ggyvma/sn127240198387656250.htm](http://www.canadacouncil.ca/prizes/ggyvma/sn127240198387656250.htm)

divorced art from life and thus made any limitation on free expression seem contrary to the principles of the arts. In fact, this notion of freedom for the arts makes sense only if *art is understood as something entirely autonomous*, that is, having *only itself as its law of being*, and not related in any way to the common good of mankind or society or even to truth. [emphasis added]

The view of art that Storck is putting in question might be expressed, in more philosophical language, in the following way:

Art has no concern with our life, but only with ... extra-human ends which in regard to Art are an ultimate goal.

Art in its own demesne is sovereign like wisdom; it is not subordinate by its object to wisdom or prudence or any other virtue.

The sole problem for the artist is ... in the very act of working to have in view the good of the work and that only, without being distracted or disturbed by the human ends pursued.

Or again:

What we are confronted with is the inevitable tension ... between two autonomous worlds, each sovereign in its own sphere. Morality has nothing to say when it comes to the good of the work, or to Beauty. Art has nothing to say when it comes to the good of human life.... Art and Morality are two autonomous worlds, each sovereign in its own sphere,....

The words you have just read were all written by Jacques Maritain and are not paraphrased but quoted (top to bottom: AS, 11–12; AS, 58, reasserted in RA, ch. 1, §4; AS, 60; and RA, ch. 1, §4). In everything I have read that Maritain has written about art – the several editions of *Art and Scholasticism* (1926), *Creative Intuition in Art and Poetry* (1953), and *The Responsibility of the Artist* (1960) – Maritain has devoted pages of attention to underline “the fact,” as he calls it, “that by nature Art and Morality are two autonomous worlds, with no direct and intrinsic subordination between them” (RA, ch. 1, §1).

Let me repeat Storck’s charge: “art has intrinsic principles of its own, nevertheless, ... [the] notion of freedom for the arts [current today] makes sense only if *art is understood as something entirely autonomous*, that is, having *only itself as its law of being*.” My purpose in the paper was to determine whether Maritain *supports the license* that is criticized by Storck. Is Maritain’s position on art in relation to ethics *constructive* or *destructive* in its import; are the emphases he chose to make, in the times in which he made them, *wise or unwise, worth defending or better corrected?*

2

To answer those questions we must first establish what Maritain's view actually is. Does he in fact support the strict separation of art and ethics that Storck attacks?

If you ask the question, Does Maritain ever relax his separation of art and ethics and subject the artist to ethical demands? the answer seems to be, Yes. Maritain says that the artist is never *just an artist*. Because the "artist is a man before being an artist, the autonomous world of morality is simply superior to (and more inclusive than) the autonomous world of art. There is no law against the law [upon] which the destiny of man depends" – that is, no law that runs counter to that destiny *is* a law. "In other words," concludes Maritain, "Art is indirectly and extrinsically subordinate to morality" (RA, ch. 1, §4).

Now at first that seems rather an about-face given Maritain's repeated emphasis, as in the citations above, upon the distinctness of the aims of the artist on the one hand and the human agent on the other. But *has* he reversed his position? Notice that he is still calling art "autonomous," independent – yet, "subordinate." Puzzling. When he says that "the autonomous world of morality is simply superior to (and more inclusive than) the autonomous world of art," what sense does it still make to call art autonomous? It would seem that either art has its own law, its own end, or it subordinates its judgements to the higher end of politics, and is not autonomous.

Notice too that Maritain calls art only "*indirectly and extrinsically subordinate to morality*" – or again: "There is a subordination, but extrinsic and indirect" (RA, ch. 1, §1). Now it is not immediately clear what prompts that qualification, but the issue of subordination is pivotal to determining whether Maritain actually supports (as it seems) the strict separation of art and ethics that many critics of current art reject. How do you reconcile the apparent contradiction that you meet, for instance, in *Art and Scholasticism*, where on the left-hand page you find the statement, "Art in its own demesne ... is not subordinate by its object to wisdom or prudence," while on the right-hand page you read, "art is subject in its exercise to a control from without, imposed in the name of a higher end" (58 and 59)?

3

Suspensions of sloppiness do not reflect well upon us. With a thinker like Maritain we have no choice, I think, but to seek some compatibility, and it does appear that these statements do not contradict one another if you see them in the following way.

If only the artist pursues his own end (the end specific to art) no correction from without will be needed. The end of the artist is *not* the good of man – the

ends at which art aims are “outside the line of human good” (AS, 13), “art is not human in the end which it pursues” (AS, 7) – yet the good of art is *a congruent, harmonious good* ordered in and of itself to the good of man. The artist *does not care what man needs to do*; ethical thinking does not put the artist on the track of his particular object. Instead, caring about his own business, the artist gives man something that *lifts him out of the theatre of ethical judgement and yet takes him right where he needs to go*.

“The sole end of art,” says Maritain, “is the work itself and its beauty” (AS, 58). If art serves that end, serves beauty, then it will not lead man away from God. In that case the work of art “of itself comes into the line of morality” (AS, 58). If only the artist successfully pursues the end specific to art, no correction from outside art will be needed, for the beautiful work will not offend against the laws of art *or* ethics. Says Maritain: “The virtue of art, which the artist uses, ... shall by itself aim only at the perfection of the work and suffer no control over the work which does not come through it” (AS, 99). Any “control” of his art imposed by the artist for the purpose of edifying or helping the public is “alien” control (AS, 99). – But then where is there any opening for what he called “control from without”?

If the artist should fall short of his objective – and it is the *attainment* of his end, the *attainment* of beauty, that puts his activity in harmony with human ends – then the work produced might very well offend against the laws of both art *and* ethics. Is that not a distinct risk in a process that is supremely oblivious to human need? It is the work of art that is not beautiful, and thus does not serve the higher ends of mankind, that is subject to the “constraint” of ethics.

Maritain needs to allow into aesthetics this degree of ethical critique to block the implication that some have drawn from every emphasis upon the autonomy of art, an implication that, he admits, his thinking might seem to support (AS, 101): the view that art is always beyond moral critique for being *art*; art is subject only to aesthetic judgement. He needs this qualification to bar what he calls the “noxious” notion of “art for art’s sake”: an art that not just ignores the good of man but sets itself up as an end *apart from* human good. The good of art must be served, but it *is* a good in harmony with *all* good – not something that is bad for us. “Art has no right against God,” Maritain says. “There is no good opposed to God or the ultimate Good of human life” (AS, 58).

And now it seems that we have the answer to our question. Yes, Maritain is willing to subject the artist to ethical demands – but not in the way that those words suggest. Ethical demands wrongly *intrude* upon art except after the fact, in the event of failure. In his or her *activity* the artist is actually free, enjoined by Maritain to submit to the call of beauty alone.

4

If that is Maritain's view, many will of course not be happy with it. With that view does Maritain not give us precisely the art world that surrounds us today? Consider that scheme in which, where beauty is truly achieved, art helps us – while short of that mark art stands condemned by the laws of art and often the laws of ethics too? That *is* our world, and it is a world flooded with refuse.

In the end, hasn't Maritain's view of art served as a license not for the art of our time, specifically, but for the conditions in which that very art can flourish, thrive, and climb over the heads of other art into top spot? That *art* might offend against the laws of art *and* ethics is not just a *possibility* in a system that turns the artist's vision away from a good that is good for us; such a system *guarantees* chronic offences of that nature.

The circumstance that called forth Maritain's view of the autonomy of art was the sickening art of the Victorian age: the insipid sweetness of art straining to be good, the 'good-girl' art of the French Academy – the saccharine Bouguereaus, *bondieuserie*, and worse. Maritain's tough-minded conception of the autonomy of art came to life as philosophical dynamite to bring that theory of artistic practice down. Done. But do we not now have another disturbing and ill-conceived vision of how art must behave – this time a conception that guarantees a surfeit of mutant production that we must continually purge from our system, versus a practice akin to humane and healthful farming. Writes Maritain,

Art, unlike Prudence, does not presuppose a rectification of the appetite ... in relation to the end of man. (AS, 37)

Leave the artist to his art: he serves the community better than the engineer or the tradesman. (AS, 60)

What the artist, insofar as he is an artist, loves over and above all is Beauty ..., not God.... If the artist loves [God] over and above all, he does so insofar as he is a man, not insofar as he is an artist. (RA, ch. 1, §3)

Is that not just the philosophy of a disturbed modernism – an aesthetics congruent with what some have called “Maritain's romantic or quasi-romantic rendition of the scholastic tradition”?⁴ Is it not an aesthetics built of scholastic *fragments* – like a sculpture constructed of machine parts no longer arranged so as to do the work they were designed for in the machine for which they were made?

⁴ “Medieval/Scholastic Resources in Aesthetics,” <http://www.propylaeon.org/scholastic.html>.

By sanctioning a practice whose proper functioning involves no attention to human ends, you wind up with good art that is perfect and bad art that is not just aesthetically bad but frequently inhuman, anti-human, and destructive of our humanity. When art *has* that inherent goodness of beauty that can be found without thought of man, it isn't all art that has it, of course. It is *true* art. But establishing and sanctioning a world of *aesthetic activity* oblivious to the purposes of human life creates a hot-house climate for the unimpeded flourishing of art of all kinds: true art, false art, pseudo art, noxious art.

You might reply, 'But if artists had actually accepted Maritain's aesthetics – if they had *actually pursued beauty* – all would now be different.' But did they not do that? Did they not pursue beauty as they freely found it? Here is Maritain on beauty:

The chaos of bridges and skyways, desolated chimneys, gloomy factories, queer industrial masts and spars, infernal and stinking machinery which surrounds New York is one of the most moving – and beautiful – spectacles in the world. (CI, 61)

And he is right; the urban spectacle is rapturous. But is it not necessary to see *the whole* of beauty – to add to our impressions of beauty *the order* of beauty? Don't we need to do more than follow the path that moves us?

One might, then, be inclined to say that a serious weakness of Maritain's aesthetics, as an aesthetics that absolutizes beauty, is the absence of any properly discriminating account of what beauty is. Maritain links beauty with "the things in which the artist believes, and which he loves" (RA, ch 2). Well, if we can subsume under beauty the "infernal" and the "stinking" then we can subsume a lot more under it too. "In serving beauty," Maritain says, "the artist ... is captive of the absoluteness of a love which exacts his whole being, flesh and spirit" (RA, ch. 1, §2). But isn't the state of the artist's soul – the common disorder raging in his "whole being" – the key issue?

That was the conclusion I had reached by the time I had completed the paper. Would it not be better, I asked, to say that our reigning concerns are *the true and the good*, which guide and correct all things. Is it not better for the Christian thinker, at least, to *play up* the subordination of art to the true and the good: to start with that strict submission; to say with the middle ages that beauty is what resembles God? If beauty is placed entirely in the hands of love, does it not generate *precisely* the art of our world, a world full of profoundly disordered love?

Did art in modern times not exempt itself from the task of serving the good by setting up a strictly autonomous understanding of its practice – by setting up an *artistic* or *aesthetic end* that frees the artist to ignore the end that concerns politics – and is Maritain not an apologist for that practice? The aesthetics *we*

need, I noted in my paper, was not an atomic-powered leveller of Victorian impulses – not a *disintegrater* of beauty-loving artist and God-loving man but an *integrater* of artist and man as a fully connected servant of the one end of all human life. The words that closed the paper were: We really ought to let modernity and postmodernity formulate their own aesthetics without any scholastic aid.

But I came away dissatisfied. I did not feel I had done justice to the question that I had asked, and it was Maritain who had seeded the doubt.

5

My suggestion had been that if art is an autonomous practice (directed solely toward artistic ends) that goes wrong (as it often does) in a way that is frequently destructive of our humanity, in a way that is ethically bad, then ethical badness is an unavoidable effect of artistic activity as a whole. All human activity is riddled with failure and artistic failure will chronically have a corrosive nature. That corrosion being predictable, we might suggest that the artist needs additional guidance: not just the lone star of beauty but the reference points of the true and the good. The artist needs to triangulate; he will have better success by taking account of more than beauty: beauty *and* what is true; beauty *and* what is good.

How would Maritain respond to that? He would say, I think, that to do that would, despite the semblance of even-handedness, merely assign a clear priority to ethics, since what we would be doing thereby is permitting ethical considerations to rule against aesthetic ones. (The point would be to rule out aesthetic decisions that cut against truth and decency, that are ethically bad, and never the reverse – never allowing aesthetic decisions to trump ethical ones.) Our objective here would be *unilaterally ethical*. Guidance of that sort might well curb artistic activity and serve us better ethically but it would be no help to artists in the search for the aesthetically good. And now the crucial objection: Would that imposition of goodness (*our* understanding of goodness urged upon the artist) not prevent the artist from discovering a beauty and goodness that our instincts keep hidden from us? (Would this not echo, in the realm of aesthetics, the Inquisition versus Galileo?) Because *our* understanding of goodness would be in the interest of ethics and not art.

(Perhaps Maritain does not give us a ‘properly discriminating account of what beauty is’ because beauty is better *understood* in seeking it than in thinking it found. If truth is *our* guide then truth to beauty is included therein: the Galileian recognition of ‘what is’ regardless of how it cuts against presumed ‘eternal truths’ that are in fact false characterizations of God’s order.)

What we have here is an antinomy: the end of art versus the end of ethics. Maritain calls it a “too human antinomy” (AS, 106), a choice at the mercy of

human limitations, which chronically favour an imbalance in which service of one end comes at the expense of the other. The service of morality (of the practical) at the expense of art (the intellectual) generates *bondieuserie*, etc.; the service of art at the expense of morality generates the art I opened with. Is the problem too exclusive an appreciation of (or ability to appreciate) only one of those goods: the artist too oblivious to anything but beauty, the public too exclusively attentive to ethics?

But if the superior work of art delivers a beauty that is in harmony with the ethical, as Maritain says, then how is it delivered? The answer to that tells us that the real question is rather, *by whom* is it delivered?

The work that serves both art and ethics is delivered from a point of balance between the aesthetic and the ethical, and thus by a person able to care about both – although simply *caring about* both is not enough. The artist who is good for us is not just alternately attentive now to art, now to ethics (someone who is an artist at one moment and a man at another). The two movements belong to one instinct – “They are one” (AS, 54). The artist who is good for us is the artist in whose work *the good* is served, period: the good *in* beauty, the good *in* ethics, thus the same thing served, thus never the service of one at the expense of the other. The answer, then, is Aristotelian: the real cause of art that is good for us is the character of the artist: it is *virtue*, a *state of soul*, “the state which makes a man good and which makes him do his own work well” (*Eth. Nic.*, 1106a22).

There is no hope of correcting the imbalance except by or in people so disposed as to take on the whole burden of inner order. I had gone far enough in the paper to ask, Isn't the disorder of the artist's soul the key issue? Isn't that the source of all the refuse? To which the answer is surely, Yes, that is where the work goes wrong. And given that, of what relevance is any urging of responsibility or truth or goodness on the artist?

The disordered soul does not recognize any reason to submit to artistic constraint. Urge the humanly good all you wish, the disordered soul is likely not listening, since the condition of disorder has set the priorities. And what grasp, in any case, does a chaotic or ailing soul have on truth or goodness?

Maritain plainly states that it is only the “purified soul” (RA, ch. 2 §4) who can approach the task of art with the freedom he recommends: who can take on the artist's task rightly, without risk, pursuing beauty alone, wholly serving his or her love. “Only the artist who consents to be a man, who is not afraid of morality, ... enjoys the real gratuitousness of art” – can indulge his sense of beauty without cost (AS, 106). The ordered soul is oriented to the good generally; that is what order in the soul means (you would not call a person attentive only to aesthetic beauty an ordered soul). The healthy soul, then, both *has* some idea of the good and *does* recognize a reason to submit, but since a

well ordered soul is already properly oriented it does not need to *submit*. It does not see the ethically good as muscling the aesthetically good into submission, because it is *the* good in both, one and the same good, that it seeks. So the burning issue is not what guidelines or philosophy the artist accepts; it is the care of the artist's soul.

The artist who is good for society is both an artist and a thriving, healthy human being ... so he doesn't come cheap. By all means correct our view of art, think of art as a 'practice akin to humane and healthful farming' intended to produce what is good for us: the task is a hundred times harder than farming since here the good fruits have to grow from the human soul – "let the root of love be within, of this root can nothing spring but what is good" (Augustine, 504). But how to get it that way? Making that happen is the hardest thing we know. We will never have a healthy art world before we have thriving souls. One law governs all our activity: "strait is the gate, and narrow is the way, which leadeth unto life" (Mat 7:14). Today only a hero can serve both terms of the dichotomy. "Truth to tell," says Maritain, "I believe it to be impossible outside Catholicism to reconcile in man ... the rights of morality and the claims of intellectuality, art or science" (AS, 106). Our description of the hero is bound to be narrow.

Will the "purified soul" produce works of selfish rage, etc.? Not usually, though in *some* part of its territory beauty surely lies close to its antithesis; the autonomous love of beauty will sometimes generate an inhuman result (the realms of good and evil are only yea distant). But in that case we are no longer talking about the ordered soul, but about a disoriented soul, seeking its way and either finding it via error or falling into deeper error.

In the end the answer to the question of the state of our art is biblical: art is 'vanity' – its position "under the sun" subjects it *always* to disorder. Aesthetics is equally vanity. The hope that society might be served and art 'cleaned up' by a correct view of the artist's task is blindness to where we are living. The state of art today is certainly not caused by any loss of Thomistic aesthetics ("Do not say, 'Why were the former days better than these?'" – Eccles 7:10), and neither are our present conditions 'supported by' the philosophy of Maritain. My earlier conclusion was quite false; it is not true that "introducing Maritain's view of art into our world means volumes upon volumes of art whose understanding of beauty is tainted by its authors' degraded and despairing perception of life." Those volumes are guaranteed without any help from the philosophy of Maritain, which does not sanction what could be otherwise but describes what has to be.

Ethical badness is an unavoidable effect of artistic activity as a whole because art is human. What explains the state of art today is the condition of

man, the place of evil in human life – “the devil,” says Maritain, “is not the least exacting overlord” (AS, 105). The problem of art in our time is always the same, always the old problem: the perfection of both the human being and the improvement of the culture, the soil in which the human being grows healthy to full stature. It makes no sense to turn accusingly upon the artist or the art world. The state of our art is always our collective failure in the perfection of human beings and the improvement of their world. “Artists have lost their functional relation with the rest of society” because of inborn inclinations and the society they have built. And is there any way of changing that except by *our* being good? “Fear God, and keep his commandments; for this is the whole duty of man” (Eccles 12:13). Which is to say, submit wholly to *the good* – then “love and do what you will” (Augustine, 504).

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HUMAN DIGNITY AND THE POSSIBILITY OF A GLOBAL ETHIC

Kevin Sullivan

In recent years there has been a concerted effort to forge a consensus around the possibility of a global ethic – a set of commonly shared values from the world’s different religions, philosophies, and cultures. For some thinkers the core value thought to be most universally acceptable, and thus the best candidate to act as a foundation for a global ethic, is the value of human dignity. It is certainly true that the idea of human dignity has been given much prominence in numerous documents relating to global ethics and human rights. Jacques Maritain, for one, believed human dignity to be the ground for human rights. In his *The Rights of Man and Natural Law*, Maritain exclaims “all these rights are rooted in the vocation of the person,” and describes persons as individuals possessing an immortal soul or spirit of intrinsic worth and value.¹ All humans have souls and thus all have dignity. A more recent document triumphing the universal appeal of human dignity is the *Declaration Towards a Global Ethic*, approved by the Parliament of the World’s Religions in Chicago, 1993.² The document speaks of

¹ Jacques Maritain, *The Rights of Man and Natural Law*, tr. Doris C. Anson (Glasgow: The University Press, 1958), p. 45. In the same book Maritain makes the distinction between individuality and personality: the former referring to our bodily existence, the latter to our spiritual essence or soul. It is because of our possession of an immortal soul, created by God, that Maritain thinks humans have dignity or inherent value. See pp. 5 & 11.

² See *A Global Ethic: The Declaration of the Parliament of the World’s Religions*, with

a fundamental demand that all humans be treated humanely and links this demand to the idea of human dignity. It also claims dignity to be a value already affirmed in the world's diverse faiths.

I wish to question this view and shed some doubt on the possibility of human dignity serving as the centerpiece of an emerging global moral consensus. The issue, I believe, is a rather complicated one and not as straightforward as the signatories to the *Declaration* would have us believe. It has been claimed, for instance, that the Parliamentary consensus around human dignity was achieved almost effortlessly, without contention.³ This may be true but I am surprised representatives from those religions more mystically inclined, such as Taoism and Buddhism, were so readily accommodating. This does not mean these traditions could not, or do not, uphold the value of human dignity within their respective belief systems; it only indicates a more rigorous and systematic analysis of the issue is required. This paper seeks to contribute something modest towards that end. The first part outlines what I take to be the *Declaration's* understanding of human dignity, an understanding that I claim tends to be far more influenced by Western religious and philosophical sources than non-Western ones. The second part attempts to demonstrate how the anti-anthropocentric assumptions embedded within Taoism, along with its idea of forgetting the self, make or should make the *Declaration's* idea of dignity difficult for Taoists to completely adopt. The last part of the paper endeavors to show how the Buddhist conception of no-self (*anatta*) could be interpreted in such a way as to put Buddhists at odds with the notion of human dignity presented in the *Declaration*. If all this proves plausible, then the attempt to ferment a global ethic around the value of human dignity requires serious reconsideration and needs to be approached with caution.

The Declaration Towards a Global Ethic was actually drafted by the Catholic theologian, Hans Küng, and signed by representatives from many religious and spiritual traditions. The *Declaration* affirms, "that a common set of core values is found in the teachings of the religions, and that these form the basis of a global ethic."⁴ It goes on to exhort that the most basic and universally accepted value takes the form of "a fundamental demand" that "every human being must be treated humanely."⁵ This demand is later described in the following terms:

commentaries by Hans Küng and Karl-Josef Kuschel (New York: Continuum, 1995) -- hereafter referred to as the *Declaration*.

³ This was claimed by Hans Küng in his commentary "The History, Significance and Method of the Declaration Toward a Global Ethic," *A Global Ethic*, p. 71.

⁴ *A Global Ethic*, p. 14.

⁵ *Ibid.*, p. 23

This means that every human being without distinction of age, sex, race, skin colour, physical or mental ability, language, religion, political view, or national or social origin possesses an inalienable and **untouchable dignity**.⁶

The value of human dignity then, according to the *Declaration*, turn out to be the basis on which a global ethic is to be established and accepted by the world's different religions. From this derive "four irrevocable directives" or "ancient guidelines" found in the teachings of many religions of the world -- these being a commitment to a culture of non-violence and respect for life: a commitment to a culture of solidarity and a just economic order; a commitment to a culture of tolerance and a life of truthfulness; and a commitment to a culture of equal rights and partnership between men and women. These directives can be summed up in the obligation "to do good and avoid evil" something more concretely expressed in the ubiquitous golden rule, both in its negative and positive formulations. If adequately fulfilled, all these would better guarantee the recognition and protection of human dignity. The fundamental demand to respect human dignity, along with the four directives and the twin versions of the golden rule, ostensibly makes up a minimal ethics for the world community to follow.

Now what are we to make of such a proposal? Should we agree that the value of human dignity could function as a basis for a minimal global ethic? The most immediate evidence for human dignity being a core, universal value lies in the wide list of signatories to the *Declaration*. About 250 representatives officially subscribed to the document, which places dignity at the centre of a possible global ethic. The signatories came from different sects scanning the faiths of Bahai, Brahma Kumaris, Buddhism, Christianity, Hinduism, Jainism, Judaism, Islam, Native religions, Neo-paganism, Sikhism, Taoism, Theosophy, Zoroastrianism, and a number of inter-religious organizations. It is an impressive list embracing a wide spectrum of the world's religious and spiritual traditions. Surely if representatives from such a diversity of faiths could agree upon dignity as being the fundamental value governing their respective ethical systems and forming the bedrock for a global ethic, then it must be an accurate assessment.

Or is it? One worrisome problem is that the term "dignity" is never adequately defined or described much in the *Declaration*, a curious matter given the central role it plays as a foundation for a possible global ethic. What it does say reveals, I think, a bias towards Western interpretations of the ideal. For instance, the *Declaration* speaks of humans possessing "inalienable and untouchable dignity" and "intrinsic dignity," which must be honoured, protected, respected, and preserved.⁷ It goes on to admonish us to treat human beings as "ends, never

⁶ *Ibid.*

⁷ *Ibid.*, p. 20, 23, & 35. For an analysis of the idea of human dignity see the following: Herbert Spiegelberg, "Human Dignity: A Challenge to Contemporary Philosophy", *The*

means” and insists the “human person is infinitely precious and must be unconditionally protected.”⁸ All this sounds remarkably similar to Western religious views on the subject and especially to Kant’s descriptions of dignity as outlined in his *Groundwork of the Metaphysic of Morals* (1785).

The idea of persons being “infinitely precious” can be traced back to Western sources, particularly to the Stoics and on through Judeo-Christian, Renaissance, and enlightenment schools of thought. The stoics, most notably Cicero, were the first to use the Latin phrase *dignitas hominis* or the dignity of man. Stoics believed humans had special status because they reflected to a higher degree than other things the divine reason (*logos*) operating in all of nature. Judaism and Christianity also championed the dignity of persons but for a different reason than the stoics, namely that humans were made in God’s image (*Imago Dei*). This idea occurs three times in the Hebrew Bible, all in the Book of Genesis, and refers to an essential similarity between humans and God.⁹ Jacques Maritain expresses the idea thusly:

The deepest layer of the human person’s dignity consists in its property of resembling God – not in a general way after the manner of all creatures, but in a proper way. It is the *image* of God. For God is spirit and the human person proceeds from Him in having as principle of life a spiritual soul capable of knowing, loving, and of being uplifted by grace to participation in the very life of God so that, in the end it might know and love Him as He knows and loves Himself.¹⁰

Philosophy Forum, Vol. 9, No.1/2, March 1971, pp 39-64; Abraham Edel, “Humanist Ethics and the Meaning of Human Dignity,” in *Moral Problems in Contemporary Society: Essays in Humanist Ethics*, ed. Paul Kurtz (Englewood Cliffs, NJ: Prentice Hall, 1969), pp. 227-40; Aurel Lolanai, “Dignity,” *Philosophy*, Vol. 51, No. 197, July 1976, pp. 251-71; Oscar Schachter, “Human Dignity as a Normative Concept,” *American Journal of International Law*, Vol. 77, 1983, pp. 848-54; Alan Gewirth, “Human Dignity as the Basis of Rights,” in *The Constitution of Rights: Human Dignity and American Values*, ed. Michael J. Meyer and William A. Parent (Ithaca, NY: Cornell University Press, 1992), pp. 10-28; Brad Stetson, *Human Dignity and Contemporary Liberalism* (Westport, Connecticut: Praeger, 1998); Goran Collste, *Is Human Life Special?: Religious and Philosophical Perspectives on the Principle of Human Dignity* (Bern: Peter Lange, 2002); and Robert P. Kraynak & Glenn Tinder, eds., *In Defense of Human Dignity: Essays for Our Times* (Notre Dame: University of Notre Dame Press, 2003).

⁸ *Ibid.*, p. 26.

⁹ See Robert K. Kraynak, “Made in the Image of God”: The Christian View of Human Dignity and Political Order,” *In Defense of Human Dignity*, pp. 84-5.

¹⁰ Jacques Maritain, *The Person and the Common Good* (New York: Charles Scribner’s Sons, 1947), p. 32. The idea of being made in God’s image, of course, is a rather complicated one. What is relevant here is how Maritain connects it to the whole value of human dignity.

Renaissance humanists such as Manetti and Mirandola also stressed the unique place humans have in the universe and the magnificence and nobility of humankind in general. For them dignity resided in the mind's creativity and intelligence which elevated humans far above the rest of creation and allowed them to dominate all other creatures.

The *Declaration's* talk about treating humans as ends and never solely as means harps back to Kant's discussion of dignity found in his *Groundwork for the Metaphysics of Morals*. There Kant draws his famous distinction between two kinds of values, extrinsic and intrinsic, or what he calls price and dignity. Something has a price when its value is derived from something outside itself, namely from those who covet it. Things have a price when they can be exchanged for other things that are deemed equally or more valuable. By contrast, Kant characterizes dignity as something having "unconditional and incomparable worth."¹¹ In being unconditional, dignity is about intrinsic or absolute value, meaning it is valuable for its sake alone and not for the sake of someone's desires or tastes. Since dignity is a value that is unconditional or independent of contingent facts, it is said to be incomparable and irreplaceable as well. This is what distinguishes persons from things and why for Kant persons can never be treated solely as means towards other people's ends.

Kant's idea of human dignity shares things in common with conceptions of dignity found in the other Western religious and philosophical traditions mentioned. What they all reveal is dignity to be a fundamental value involving a person's special status and intrinsic worth brought about by some unique natural (reason) or supernatural (immortal soul) property that humans possess and which defines their very nature and identity. This same notion of human dignity, or something very much like it, is what the *Declaration* seems to be hinting at when it talks of persons being precious and having intrinsic value. If correct, then the question arises whether such a notion of human dignity can be found in other religious traditions, particularly those represented at the Parliament in

¹¹ Immanuel Kant, *Groundwork of a Metaphysic of Morals*, trans. H. J. Paton (New York: Harper and Row, 1964), p. 103. Also in the *Groundwork* Kant says, "In the kingdom of ends everything either has a *price or a dignity*. If it has a price, something else can be put in its place as an *equivalent*; if it is exalted above all price and so admits of no equivalent, then it is *dignity*. (Kant's emphasis), p. 102. The similarity to Kant's wording as expressed in the *Declaration*, such as when it says persons are "infinitely precious" and should be "unconditionally protected," should not go unnoticed. For informative investigations of Kant's concept of dignity see Thomas E. Hill, Jr., *Dignity and Practical Reason in Kant's Moral Theory* (Ithaca: Cornell University Press, 1992); Michael J. Meyer, "Kant's Concept of Dignity and Modern Political Thought," *History of European Ideas*, Vol. 8, No. 3, 1987, pp. 319-32; and Susan M. Shell, "Kant on Human Dignity," in *In Defense of Human Dignity*, *op. cit.*, pp. 53-80.

1993. In other words, is it possible that all 250 signatories to the *Declaration*, together representing a broad spectrum of religions, had the above idea of dignity in mind when signing the document that essentially made dignity the basis for a possible global ethic? I will restrict the discussion of the issue and focus only on two traditions whose representatives signed the *Declaration*, Taoism and Buddhism

There are undoubtedly some elements within ancient Chinese religion and philosophy, particularly Confucianism, which reflect to some degree the Western idea of human dignity as involving a special status or possessing an equal intrinsic worth. The interesting point, however, is that no Confucian scholar or devotee was a signatory to the *Declaration Towards a Global Ethic*. There was one, however, from Taoism. Is Taoism, then, a philosophy that actually embraces the idea of human dignity as presented in the *Declaration*? There are two reasons to think not. The first has to do with the anti-anthropocentric attitude pervasive in Taoism, while the second relates to the Taoist idea of forgetting or deconstructing the self.

Taoists would not endorse the claim that human beings have any special value. As Donald Munro, a Taoist scholar, notes:

In the case of the Taoists, assertions about the special worth of each human would elicit derisive hoots. Such claims would be interpreted as but another Confucian attempt to substitute a biased human perspective for the cosmic view. From the standpoint of the Tao, nothing has special worth – or all things have the same worth. How pompous of humans to think that any one of them has worth while a louse does not, or to harp on the former and ignore the latter.¹²

Such an attitude stems from the Taoist commitment to a non-anthropocentric view of reality. Reality is the *tao*, pure and simple, and the *tao* is conceived in the *Tao te ching* as having unmanifest and manifest aspects. In its unmanifest state, the *tao* is referred to as the nameless *tao*, an undifferentiated whole that is utterly ineffable or beyond all thought and language. It is the *tao* in its completely transcendent state, free from all distinctions including the distinction between the manifest and unmanifest. From this perspective the *tao* is the source of all change and transformation, the most elemental one involving the movement from non-being to being and from being back to non-being. The unmanifest side of the *tao* is really an absolute non-being, preceding and underlying the distinction between being and its opposite, relative non-being. Such an idea does not congeal well with human dignity for there is no individual subject that intrinsic value could attach itself to.

¹² *Individualism and Holism: Studies in Confucian and Taoist Values*, ed. Donald Munro (Ann Arbor: University of Michigan, 1985), p. 15.

What about the *tao* in its manifest state? Can human dignity be found there? The matter is complicated by the fact that according to Lao-tzu the *tao* manifests itself in two ontological states: relative non-being (*wu*) and being (*yu*). Relative non-being represents a kind of transcendence for it consists of pure, limitless potentiality, the sum of all possibilities. It is described by Lao-tzu as the womb from which all things spring and will return and as the uncarved block filled with inexhaustible potentiality.¹³ It is the silence before the sound, the darkness before the light, the rest before the motion. It would be difficult to discover a basis for human dignity in such a transcendent state lying beyond the realm of myriad things including human beings.

Being on the other hand represents the area where some of the possibilities become actualized, the realm of the ten thousand things. It is the *tao* in its most immanent state. Each individual thing, in coming to be, possesses something from the transcendent *tao* and this something is called the *te*. The *te* is a thing's personal stock of *tao* and it is the power that makes a thing distinctly what it is. What each thing inherits from the *tao* is the capacity for spontaneous creativity (*wu-wei*), which is how the *tao* operates throughout nature. The *tao* acts in an unobtrusive manner, neither forced nor contrived. But somehow human beings have deviated from their *te* and so from acting in the same manner as the *tao*. This is the principal reason why there is so much conflict and strife in the world. Only by expressing our *te* can we act in harmony with the *tao* and thus reduce human suffering.

Now since the *te* is the *tao* within us, and the *tao* is the fundamental reality encompassing everything and defining our nature, then perhaps the *te* could act as a basis for, or be an equivalent to, human dignity. This becomes even more plausible when it is remembered that the term *te* also stands for virtue. There are two problems with this position however. First, the notion of virtue adumbrated in the *Tao te ching* and the *Chuang-tzu* is different from the one articulated in Confucian texts where it denotes excellent character traits like *ren* or human-heartedness. According to Taoism, following guidelines to cultivate *ren* is more a symptom of the problem concerning social disharmony than the solution. The solution is allowing the spontaneous actions and creativity of the *tao* to operate through one's life. A second and more basic difficulty is that everything, human and non-human, has its own *te*, its own centre, and so the possession of a *te* is not very special. There is no indication that human beings have more *te* or possess it to a greater degree than other entities. On the contrary, Lao-tzu

¹³ *Lao-tzu: Tao te ching*, trans. D. C. Lau (London: Penguin Classics, 1963), p. 62 & 118. Many metaphors are used in the *Tao te ching* to describe the *tao*, which is essentially ineffable.

castigates humans for deviating from their *te*.¹⁴ The cosmocentrism of Taoism, then, replaces the anthropocentrism of Confucianism. Either nothing has intrinsic value or all things do. This seems significantly different from the *Declaration's* understanding of dignity.

Does this imply that Taoism is bereft of moral values? Hardly. The values, however, are ones modeled after the operations of the *tao* in nature, like non-intervention, and not from ethical codes constructed by human beings. In fact, these codes only exacerbate our alienation from the *tao* for they are forced and contrived, not spontaneous like the *tao* itself. They are a product of dualistic thinking where distinctions are made between right and wrong or good and bad, with one term in the opposing pair being judged better or more preferable than the other term. But dualistic consciousness, and the language associated with it, can never mirror reality; for the latter consists of a dynamic, ever changing process while the former views this process as consisting of differentiated, static entities arranged in binary oppositions.

This leads to the second reason why Taoism would (or should) reject human dignity as the cornerstone of a global ethic – its deconstruction of the self. The dualistic conception of reality leads to the formation of egoistic desires and emotions that attach us to certain objects and goals. The result is a constructed self that erroneously believes itself to be real and separate from its environment. A false dichotomy develops between the subject and object, or agent and action. But such a constructed or conventional self has no intrinsic value for the Taoists. In fact, they insist it needs to be deconstructed in order to restore the connection with the *te* or the spontaneous activity of the *tao* within us. The constructed self must be lifted so the underlying *te*, our true nature at one with the *tao*, can be expressed. For Chaung-tzu, this takes the form of “forgetting self,” a process where one discovers the absence of a permanent self that underlies the changes in the world or becomes aware of the lack of identity that persists through myriad transformations. According to the *Chaung-tzu*, the basis of permanent identity or continuity cannot be the physical body since it undergoes constant variations throughout one’s life. It can neither be grounded on feelings nor emotions as they come and go, forever changing course. The same goes for the thinking mind since thoughts pop in and out of existence. The dismantling of the constructed self eradicates the distinction between self and object, between I and other. Chaung-tzu nicely illustrates this point in his famous question of whether he was a man dreaming he was a butterfly or a butterfly dreaming he was a

¹⁴ *Ibid.*, p. 74. The question arises how humans can even deviate from their *te*, or the *tao* within, given that all things are involved in the workings of the *tao*. Somehow dualistic consciousness has emerged, but if it has then it must have been a natural phenomenon and thus part of the *tao's* operations.

man.¹⁵ The boundary between the two gets blurred because there is really no sharp distinction to begin with. When the mind is emptied of all dichotomous categories, including the one between self and no self, there is no longer a moral agent deliberately deciding the right course of action to take. With the idea of a permanent, substantial self deconstructed, and with it the notion of a moral agent, a commitment to the value of human dignity appears to make little sense.¹⁶

A similar conclusion arises after analyzing the concept of no self (*anatta*) in Buddhism. The prime objective of Buddhism is to overcome our suffering state. Suffering is a fundamental characteristic of existence resulting from our ignorance about the true nature of reality. We believe reality to consist of some permanent, metaphysical substance, be it matter or mind-soul, when in fact it is an ever-changing process of momentary events. Things are really transient and have no substantial nature. This applies as much to the individual self as it does to the rest of reality. For Buddhism, the idea of a permanent, substantial self, a self that remains identical through time, is a popular fiction. No such self exists. All is *anatta* or nonsubstantial. It is when we mistake what is essentially impermanent for being permanent that suffering is experienced. A self with its own desires and goals is thought to exist and it clings to things that are actually void of any substantial reality. Our entire life is then focused on continually attempting to satisfy the cravings of this illusory self. Even death is no escape because we will be reborn into a new suffering embodied state. The problem is not our inability to choose the right objects of desire, as Augustine or Maritain maintained, but desire, or specifically craving (an obsessive desire), itself. Trying to redirect our cravings toward a worthy object like God is ineffective because craving can only be satisfied by something truly permanent and substantial, of which nothing of the sort, including God, exists. The end result is a life, or more accurately a series of lives, racked with continuing frustration and disappointment for we are chasing after chimeras. The goal is to directly realize the impermanent, nonsubstantial nature of reality and of our own self, a state the Buddhists of course call *nirvana*.

Now since the idea of human dignity, as alluded to in the *Declaration Towards a Global Ethic*, would seem to presuppose the existence of a substantial

¹⁵ *Chaung-tzu*, tr. Burton Watson (New York: Columbia University Press, 1968), p. 47. There is wide agreement among scholars that the 33 chapters of the *Chaung-tzu* represent different strains of Taoist thought. The first 7 chapters, the so-called “inner chapters,” are thought to be more representative of Chuang-tzu’s philosophy.

¹⁶ For an opposing view regarding personal agency in Taoism see Richard H. Jones, *Mysticism and Morality: A New Look at an Old Question* (Lanham, Maryland: Lexington Books, 2004), pp. 247-49.

human person, it is difficult to comprehend how the Buddhist doctrine of no-self could harmoniously co-exist with the value of human dignity. And yet several Buddhists from all three Buddhist sects – the Theravada, the Mahayana, and the Vajrayana – signed the *Declaration*.¹⁷ Did they not realize a possible inconsistency between their commitment to the no-self doctrine and their commitment to the idea of human dignity forming the basis for a global ethic?

One way to respond would be to emphasize how the Buddhist doctrine of no-self steers a middle course between the position of eternalism, which affirms the existence of a permanent metaphysical self distinct from the mind/body complex, and that of annihilationism, which disputes the very existence of any self at all, metaphysical or empirical. Each of these views is too extreme. The Buddhist conception of no-self can only be understood when seen as a reaction to the view of the self articulated in the Upanishadic tradition of Buddha's time. *The Upanishads* conceived of the self as the *atman*, the true self. Hindu philosophers argued that behind any sensory experience there needed be a subject or agent who is experiencing something: a perceiver behind the perception. Moreover, one, through meditative practice, could eventually reach a state of *samadhi* where all distinctions would vanish leaving simply the pure awareness of *atman* itself, one's real identity. The Buddha rejected these arguments claiming, like David Hume and Derek Parfit after him, that in trying to discover a substantial self one only finds a flux of changing thoughts, desires, perceptions, and so on.¹⁸ There is no core substance called the self that is ever encountered. What is encountered are the five aggregates, a series of momentary psychophysical events involving the body, feelings, perceptions, mental formations, and consciousness. These events are perpetually changing, coming into being and passing away. There is no underlying self or substratum that we can experience unifying the whole process. And we are mistaken to think any one of the aggregates or all in combination constitutes a permanent self. This is different, however, from the annihilationist position since there is a conception of the self operating here. Buddhists do not deny there is a self, only that there exists a permanent, substantial, or metaphysical self or *atman*. That is why the no-self doctrine is referred to as *anatman* (no *atman*). If anything, the self, according to Buddhism, is simply the changing patterns of conditioned and interrelated processes that are ongoing throughout individual existence. The self, in short, is not a thing, but a real activity or process. It is not any one element in the stream of becoming but the stream of becoming itself. This is why Buddhism is said to present a strictly empirical view of the self in contrast to the highly

¹⁷ See the list of signatories under Buddhism in *A Global Ethic*, p. 37.

¹⁸ For Hume's account see his *Treatise of Human Nature* (Oxford: Clarendon Press, 1978), p. 252 and for Parfit refer to his *Reasons and Persons* (Oxford: Clarendon Press, 1984).

metaphysical one enunciated in the Upanishadic tradition. Couple this with the Buddhist idea of rebirth, where individual existence takes on different forms across huge expanses of time, only reinforces the impermanent and non-substantial nature of the self.

It is unclear to me how the value of dignity can be attached to such a view of the self, to a “stream of becoming” or to “changing patterns of interrelated processes.” These may indeed exist but why should they have any intrinsic value. If what is described is simply an empirical phenomenon, a fact of ontology, then it is difficult to fathom how a value can be derived from such a fact. Put differently, it is not obvious how an interrelated series of momentary events can have any moral significance in itself. This becomes even more problematic in Mahayana schools of Buddhism, particularly the Madyamika of Nagarjuna, where it is believed the stream of becoming itself is empty and is only the result of dualistic thought constructs such a being/becoming and self/no-self. These along with all other dualisms need to be deconstructed and transcended. Moreover, if discursive thought and language distorts reality, as Nagarjuna and Zen Buddhists contend, then even using the terms process self or stream of becoming would be delusional. Any term or description, including the Buddhist one, would be distorting because language, in being dualistic in nature, fails to reflect the essentially non-dual nature of reality (emptiness or *sunyata*). There remains a lack of correspondence between words and what is truly real. Given all this, what then could be the source of human dignity according to Buddhism?

One promising answer has been offered by the British Buddhist scholar, Damien Keown in his article “Are there Human Rights in Buddhism?”. Keown suggests the value of human dignity in Buddhism can be found in the fact that human beings have a soteriological end – *nirvana*.

What I will suggest in general is that the source of human dignity should be sought not in the analysis of the human condition provided by the first and second noble truths (the area where Buddhist scholarship has myopically focused its attention) but in the evaluation of human good provided by the third and fourth.¹⁹

The third noble truth concerns the ideal of *nirvana*, while the fourth relates to the way of attaining it – the eightfold path, divided into moral purification, concentration, and insight. In Buddhist texts *nirvana* is described in both negative and positive terms. Negatively, it means the cessation of suffering, the freedom from all conditioned states due to the removal of ignorance and craving. All defilements are rooted out and the flames of greed, hatred, and delusion are extinguished. Positively, *nirvana* is said to be freedom, absolute truth, and the

¹⁹ Damien Keown, “Are there “Human Rights” in Buddhism?”, *Journal of Buddhist Ethics*, Vol. 2, 1995, p. 16.

highest bliss. In being the greatest good, the *summum bonum*, *nirvana* is of supreme intrinsic value. For Keown, humans have intrinsic value because of their capacity to realize the highest good, *nirvana*. And since all humans are thought to have this capacity to the same degree, in the long run at least, their intrinsic worth is thought to be equal as well. The arhat of the Theravada, the Bodhisattva of the Mahayana, and the Mahasiddha of the Vajrayana are the names given to an individual who has succeeded in realizing the ultimate state while still embodied in the world. Each acts as a model for the rest of us and demonstrates how *nirvana* is potentially in reach of all.

Keown may be on the right track in attempting to base human dignity on an ultimate good – *nirvana* and our capacity to realize it – but some problems emerge in his position nonetheless. To begin with, his suggestion doesn't appear to derive directly from anything mentioned in the Buddhist texts themselves. The texts are devoid of explicit talk about human dignity as such and make no claim about dignity being based on a capacity to experience *nirvana*.

The second problem takes the form of a question: why should the capacity to experience something in the future – *nirvana* – make humans intrinsically valuable? In the Abrahamic religions of Judaism, Christianity and Islam humans have inherent worth because of something already done: being made in the image or likeness of God. It is not our capacity to be saved that makes us worthy but simply the fact of being created in a special way. Some scholars have characterized Buddhist ethics as being consequentialist in nature, even utilitarian. If correct, then it would face the same kind of irritable problems plaguing any consequentialist perspective. That is why other scholars have conceived of Buddhism as advancing a sort of virtue ethics, not dissimilar to that of Aristotle or Confucius.²⁰ This has its problems too, the chief one being it rests on a thick theory of a human essence, something conspicuously missing in the Buddhist doctrine of no-self.

A further difficulty with Keown's view relates to the unequal distribution of dignity among humankind that would result if his interpretation proved accurate. If only the capacity for attaining enlightenment formed the basis for human dignity, then all those individuals who did attain it would no longer possess human dignity. Why would dignity remain if they fulfilled their capacity for realizing *nirvana*. It is the capacity for *nirvana* and not the experience of *nirvana* itself that defines dignity for Keown. The outcome of course would be a maldistribution of dignity in the world with those who are still unenlightened

²⁰ See Damien Keown's *The Nature of Buddhist Ethics* (London: Macmillan Press, 1992) for the Buddhist affinity to virtue ethics, and Michael J. Meyer, "Dignity as a (Modern) Virtue," in *The Concept of Human Dignity in Human Rights Discourse*, ed. David Kretzmer and Exkart Klein (The Hague: Kluwer Law International, 2002), pp. 195-207.

having it and those who are enlightened left without. But the *Declaration* is clear that all humans possess equal dignity. It would seem this proposed basis for dignity cannot succeed and needs to be rejected.

The last problem with Keown's position I wish to expose concerns the troublesome situation of defining a core moral value, human dignity, in terms of a capacity to experience a state which ultimately transcends all moral categories and in fact all categories entirely. This gets to the very nature of *nirvana* itself, which is too large a topic to adequately explore here. A more manageable approach is to focus on the relation between ethics and *nirvana*. Two interpretations of the ethics/*nirvana* relationship can be gleaned from the writings of Buddhist scholars on the subject. One is known as the transcendency thesis, held by Winston King and Melford Spiro among others, which conceives the practice of moral purification to be subordinate to the insight necessary to attain *nirvana*, and of course subservient to the experience of *nirvana* itself.²¹ Here morality is only valuable as a means to the final end of *nirvana* and is never considered part of the goal itself. The other is the holistic thesis, advanced by Keown and others, where moral virtues, especially compassion, are not transcended or left behind when *nirvana* is attained but remain part of, and are perfected in, the whole *nirvanic* experience.²² For this reason, morality is thought to be valuable in itself and should never be assigned a subordinate place in the Buddhist scheme of things. It is easy to see how the value of human dignity would fare better under the holistic interpretation since dignity would be prevalent in both the unenlightened and enlightened states. But is this the more correct interpretation? One pertinent reason for thinking otherwise lies in the fact that moral acts still lead to karma and so to future rebirths, whereas the final goal of Buddhism is for individuals to be eventually liberated from the whole cycle of rebirths (*samsara*). Moral behavior can certainly secure a better rebirth but even a good rebirth for Buddhists is ultimately bad because it prolongs our suffering state. What Keown conveniently forgets is the Buddha made a distinction between the third and fourth noble truths, between the final goal of *nirvana* and the path to it. But a path is different from the destination and the Buddha saw fit to draw a distinction between the two. Part of the path is *sila* or moral purification, and this involves practices that engender karmic fruit. *Nirvana*, however, involves the disruption of the karmic process and the termination of any further karmic production.

Given the problems in Keown's position noted above it might be more reasonable to agree with what he says elsewhere:

²¹ For a description and critical discussion of these views see *The Nature of Buddhist Ethics*, pp. 1-21.

²² *Ibid.*

The very words “human dignity” sound as alien to the Buddhist context as talk about rights. One looks in vain to the Four Noble Truths for any explicit reference to human dignity, and the doctrines such as no-self and impermanence may even be thought to undermine it.²³

As with the case of Taoism, this negative conclusion concerning human dignity in no way makes Buddhism devoid of ethical prescriptions. Indeed, Buddhism is a religion brimming with moral tenets and practices. The point is that given the Buddhist views of the self and *nirvana* sketched above, it would be difficult, though perhaps not impossible, to fit a notion of human dignity into its system of thought.²⁴

I have tried to show how the *Declaration's* attempt to uncover a minimal global ethic involving human dignity, though laudable in many ways, needs to be reconsidered or at least seriously nuanced given that certain beliefs in Taoism and Buddhism neither neatly nor transparently coalesces with such a value. Given the potential significance and influence of a global ethic, hopefully a more rigorous and directed discussion on the idea of human dignity in different traditions will be forthcoming. We can only wait and anticipate such a stimulating interchange of ideas.

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²³ Damien Keown, “Are there “Human Rights” in Buddhism?”, p. 12.

²⁴ A possible way in which both Buddhism and Taoism could affirm human dignity as a core value would be in regards to something called the two-truths doctrine, something I wish to explore at some later point.

***DANCING IN CIRCLES:
LIBERAL JUSTIFICATIONS OF NEGATIVE RIGHTS***

Louis Groarke

Introduction

We have come a long way from the **A**niversal Declaration of Human Rights.**@** The attentive observer of contemporary politics cannot fail to note a surge in rights discourse in populist discourse. In recent years there has been a marked proliferation of organizations and individuals of every persuasion who harness rights=language to promote their own causes. In almost every conceivable context, there are individuals or organizations who claim a right to do this and a right to do that. To cite, without prejudice, diverse examples:

- ! Gambling.com reminds visitors to **A**protect**@**their **A**gambling rights.**@**
- ! *The United Pro Choice Smokers Rights Newsletter* champions the right to smoke.²

¹ **A**Reminders: Protect Your Gambling Rights,**@**gambling.com, (29 June 2004 15:05 EST) <http://casino.gambling.com/static/bulletin.cfm>

² It describes anti-smoking activists in less than flattering terms: **A**[The] anti-smoker movement is one that has been corrupt from the start, oppresses a minority group, and is destructive to personal rights/a free society. As these fascist factions banned together to crush smokers, to insure Freedom we must once against stand, fight, and unite, or submit to tyrannical rule.**@****A**Here's What the Anti's Are Doing in Your Area.**@***The United Pro Choice Smokers Rights Newsletter* (August 13, 2004 Issue # 289)

- ! Pro-Polygamy.com argues for **P**olygamy rights'@
- ! *Equal-Marriage News* lobbies for **A**ame-sex marriage rights.@
- ! *The World Charter For Prostitutes' Rights* lists the right to work as a prostitute.⁵
- ! Feminist Wendy McElroy has recently argued (in a book-length-treatment) that women have a **R**ight to pornography.@
- ! The American Civil Liberties Union of Southern California advises that high-school students have the right to wear T-shirts that advertise beer companies.⁷
- ! *Firearmsnews.com* touts **A**ne individual right of a private citizen to own and carry firearms in a peaceful manner.@
- ! In the British courts, Stephen and Cherie Hitchman have invoked an **A**nglishman's right to own a pet"⁹
- ! The National Organization to Halt the Abuse and Routine Mutilation of Males (NOHARMM) claims that male babies have an inviolable *right* not to be circumcised.¹⁰

<http://www.smokersclubinc.com/>

³ **C**ourt Decisions Secure 'Polygamy Rights,@Pro-Polygamy.com (2003-07-01) <http://www.pro-polygamy.com/articles.php?news=0004>.

⁴ **A**qual Marriage for Same Sex Couples,@Nov, 12, 2004) <http://www.samesexmarriage.ca/>.

⁵ Authored by International Committee for Prostitutes' Rights (ICPR), Amsterdam 1985. Published in Pheterson, G (ed.), *A Vindication of the Rights of Whores*. (Seattle: Seal Press, 1989), p. 40. Available online at http://www.walnet.org/csis/groups/icpr_charter.html.

⁶ Wendy McElroy *XXX: A Woman's Right to Pornography* (New York: St. Martin's Press), 1995, 1997.

⁷ American Civil Liberties Union of Southern California, **A**We have rights too!@Nov. 13, 2004) <http://www.aclunc.org/students/guide/dress.html>.

⁸ **F**irearmsnews.com: the Pulse of the Pro Rights Community,**A**<http://www.firearmnews.com/>.

⁹ In a dispute with the Stratford-upon-Avon District Council over too many greyhounds. **A**nalienable Right to a Greyhound, @14May2001) <http://www.findaproperty.com/cgi-bin/story.pl?storyid=1692>.

¹⁰ Ted Pong, **A**ircumcision: A Critical Issue of Human Rights,@posted at the website of The National Organization to Halt the Abuse and Routine Mutilation of Males (NOHARMM) (Nov. 13, 2004) <http://www.noharrrm.org/critical.htm>. The article begins: **A**ll human beings have a sacred right to the inviolable privacy of their own bodies. Circumcision of infants and young children violates that right.@

- ! The editor and publisher of an alternative magazine claims that body modification (which runs the gamut from tattooing to piercing to scaring to branding to actual amputation including castration, etc.) **A**s a positive act that free people have a right to pursue. **@**¹
- ! Psychiatrist E. Fuller Torrey believes **A**hat people have the right to kill themselves if they wish. **@**²
- ! Lawyer Lawrence Stevens concurs, declaring that **A**uicide is a civil right **A**³
- ! Thomas Szasz decrees that competent adults have **A**he right to use whatever substances they choose. **@**⁴
- ! Sheldon Richman bases this prerogative on an **A**alienable Right to Self-Medication. **@**⁵
- ! The organization Busk:Pittsburgh presents itself as an advocate for **A**uskers=rights. **@**⁶
- ! NAAFA (The National Association to Advance Fat Acceptance) describes itself **A**non-profit human rights organization **@**hat promotes **A**at rights. **@**⁷
- ! Olin Robison writes that along with rights to life, liberty, and the pursuit of happiness. Americans have an **A**alienable right to be wrong. **@**⁸

¹¹ Shannon Larratt, BMEzine.com, **A**hould Freedom of Expression be a Right? **@** <http://www.bmezine.com/news/pubring/20021121.html>. (First published November 21, 2002 by BMEZINE.COM in Tweed, Ontario, Canada.)

¹² E. Fuller Torrey, *The Death of Psychiatry* (Radnor, Pa.: Chilton Book Co., 1974), p. 180.

¹³ Lawrence Stevens, **A**UICIDE: A Civil Right, **@** (Nov. 13, 2004) <http://www.antipsychiatry.org/suicide.htm>. Cf. Thomas Szasz, *Fatal Freedom: The Ethics and Politics of Suicide*, Syracuse NY: Syracuse University Press, 2002.

¹⁴ Thomas Szasz, *Our Right to Drugs, the Case for a Free Market* (Syracuse NY: Syracuse University Press; reprint edition, 1996), posted online: <http://www.druglibrary.org/think/~jnr/szasz2.htm>.

¹⁵ Sheldon Richman, **A**he Inalienable Right to Self-Medication, **@**he Future of Freedom Foundation, November 3, 2003 <http://www.fff.org/comment/com0311b.asp>.

¹⁶ **A**usk: Pittsburgh Free Speech in the Street, **@**heNewPeople, April 2004, posted at: *The Thomas Merton Center*, http://www.thomasmertoncenter.org/The_New_People/.

¹⁷ The National Association for the Acceptance of Fat People (NAAFA) **A**general information, **@**<http://www.naafa.org/>. Cf. **A**Declaration of the Rights of Fat People in Health Care. **@**

¹⁸ Olin Robison **A**ddress on the Occasion of the Naturalization Ceremony, **@**Vermont Public Radio, 2/11/1994, 7/3/1998, 7/6/2001; at <http://www.salzburgseminar.org/>

And so on.

Academics may scoff at the vagaries of populist discourse, but this preoccupation with and dependence on rights discourse permeates mainstream political, legal and moral philosophy. The electronic index of *The Stanford Encyclopedia of Philosophy* reveals a long list of related topics: human rights, civil rights, natural rights, moral rights, legal rights, enforcement rights, inalienable rights, absolute rights, individual rights, minority rights, positive/negative rights, Lockean rights, property rights, economic rights, social rights, cultural rights, animal rights, procreative rights, medical rights, children's rights, adults' rights, rights to privacy, rights to equality, rights to freedom of speech, rights to food and shelter, rights of future generations, and so on.¹⁹

Properly cataloguing the divergent demands that fall under the rubric **Rights** is not an easy task. Contemporary philosophers often differentiate negative from positive rights. John Kekes, for one, distinguishes between negative rights seen **As** protections from unwarranted interference with the exercise of individual freedom, **and** positive rights seen **As** the obligation to provide such substantive benefits as . . . the minimum requirements of [individual] welfare.²⁰ In this paper, I want to consider the notion of negative rights, of rights understood in the former sense as protections from **An**warranted interference. **This** is in line with contemporary usage. When someone claims a **R**ight to smoke, **they** do not usually mean that the government should supply people with cigarettes; what they generally mean is that society should not interfere with their ability to use tobacco products as they see fit. Again, when a family claims that they have a right to own a pet, they do not usually mean that the government should supply people with pets, or free pet food, or even subsidized veterinary care; what they mean is that people should be allowed to own pets, that their ability to possess domesticated animals should not be interfered with. Of course, we might actually argue that government should actually provide some goods or services, but this kind of interventionism moves far beyond the kind of minimal liberalism I want to examine here.

Turning Up the Decibels

One can cite various reasons as to why rights discourse has such immense popular appeal. To begin with, the triumph of a loose liberalism has legitimized

orcomments/template.cfm?id=302. The speech continues: **You** aren't really free if you have to be right all the time. **No** comment.

¹⁹ *The Stanford Encyclopedia of Philosophy*, Edward N. Zalta Editor, <http://plato.stanford.edu/>.

²⁰ John Kekes, *Against Liberalism* (Ithaca, NY: Cornell University Press, 1997), p. 9.

the idea that we have a right to do whatever we want (subject, of course, to Mill's No-Harm Principle). No one can interfere with my ability to do as I will as long as I do not interfere with anyone else's ability to do as they will. In popular culture, the idea of non-interference has been ingrained as the first principle of justice. It has become an intuitive truth. It is the Archimedean fulcrum around which the discussion revolves; the still point of the spinning liberal universe. It is the starting point of serious discussion, a starting point which is generally taken for granted.

Secondly, there has been a shift in the onus of proof. Philosophers concern themselves with arguments, but in public controversy, the prior question as to which side is compelled to justify its own position is of paramount importance. Liberalism shifts the burden of proof so that those defending authority must demonstrate that any interference with individual liberty is somehow justified. This way of casting the subject matter lends an initial credibility to any rights claim. It loads the dice so to speak. The person or group arguing for a right has a presumption of sound opinion behind them whereas the person or group arguing against a right has some serious explaining to do.

Consider what happens in the training fields of academe. A prominent introductory textbook to political philosophy identifies as the central task of social and political philosophy the elaboration of a justification for coercive institutions.²¹ According to this way of thinking, the point of political philosophy is to make excuses, if you will, for authority. Not an easy task when any exercise of constraint against an individual will is thought to be inherently problematic. We have gone from having to defend individual liberty from the excessive claims of authority to having to defend the claims of authority from the excessive claims of liberty. An almost impossible task when, as in the liberal view, individual liberty is *prima facie* justified; authority is *prima facie* suspect.

Thirdly, liberalism separates sharply freedom from morality. As the preceding list rights-claims suggest, many of the things people claim a right to are, if not immoral, less than morally ideal. But suppose you were to demand a right to something really wicked. The reasonable response seems to be: You can't have a right to that, that's really wicked. But liberalism, *in principle*, blocks any such objection. On the new liberal paradigm, whether an activity is good or bad has no merit. We cannot, refuse particular demands for rights because they fly in the face of consensus, because they detract from the common good, because they go counter to tradition, because they violate natural law, because they violate standards of consistency, because they are self-evidently hateful or ignoble or

²¹ James Sterba, *Contemporary Social and Political Philosophy* (Belmont: Wadsworth, 1995), p. 1.

base or self-destructive. To invoke this kind of reasoning is to assume that one comprehensive doctrine of the good is better than any other; it is to impose your morals on other people and this is the cardinal liberal sin. True, we can stop you from fulfilling preferences because they interfere with other people's preferences, but this is not the same as moral condemnation. Popular accounts do not capture the thoroughness of the liberal intuition. On the liberal view, paedophilia is a crime, not because it is wrong, not because it is vicious, not because it is disgusting or shameful or is morally repugnant, not because it flies in the face of robust common sense, but because it interferes with someone's right to do what they want with their own body. Interference is the problem, not vice.

Fourthly, popular movements of vindication and protest are able to claim a right to almost anything for there is no definitive list of rights that we can consult. Jeremy Bentham famously expressed exasperation at the idea of a natural right. He writes, "Of a natural right, who has any idea? . . . What a legal right is I know. I know how it was made. I know what it means when made. To me a right and a legal right are the same thing, for I know no other. . . . A natural right is a son that never had a father . . . A natural right is a species of cold heat, a sort of dry moisture, a kind of resplendent darkness."²² Although Bentham's attempt to sever legal from natural rights has brought us to the present impasse, his evident frustration is understandable. Leaving aside the legal code, where do rights exist? Where can we find them in nature? Not in jungle red of tooth and claw? Inside the human heart perhaps? Liberals, however, claim that there is no consensus about what exists inside the human heart. There is no such thing as human nature, only a radical exercise of will or ever-changing human culture, perhaps. In the modern liberal age, the sources of any possible consensus about rights—tradition, morality, spirituality, culture, science, practical endeavour, common sense—have been disqualified from consideration. They have been replaced by a determined focus on the sole criterion of non-interference.

Unhinged from any recognizable notion of the good or of human nature, rights discourse becomes increasingly arbitrary. In the pitched battles of political and public struggle, there is no longer any authoritative or definitive list of rights or even goods we can refer to. Whatever I want to do, I can claim that you *must* allow me to do it (as long as it does not interfere with others). We can literally make rights up as we go along. We can pull them out of thin air so to speak. I can claim the right to climb trees (if I don't harm anyone else); the right to grow flowers (if I don't harm anyone else); the right to cut my grass (if I don't harm

²² Jeremy Bentham, "Nonsense on Stilts," in *Political Thought*, Michael Rosen and Jonathan Wolff, eds (Oxford: Oxford University Press, 1999), pp. 172-3.

anyone else), and so on, ad infinitum. This verisimilitude is ethically suspect, but it makes rights-discourse an invaluable polemical tool. Anyone fighting for social permission to engage in any activity whatsoever—good, bad or ugly—can invent a corresponding right that society must respect. Rights discourse is like an all-purpose wrench that can fit any size pipe.

Fifthly, rights language lends a peculiar urgency and authority to demands for social consideration. It may be that society should permit (even protect) many less than morally ideal pursuits, but to say that someone has a right to something is to say that protection *must* be provided. To say that allowing people to smoke is reasonable social policy seems weak-kneed, pusillanimous, and effete; it lacks decisive impact. To say that people have a right to smoke turns up the decibels; it makes the claim to smokers' rights impossible to ignore. It elevates the claim to a level of priority that *must* be taken seriously. In eristic discourse, exaggeration is more appealing than understatement. Rights discourse has a way of inflating claims; it makes them seem larger than they really are, something those involved in social struggle use to their advantage.

What We Should Be Allowed; What We Have a Right to

Michel Foucault famously argued that civil peace is just another way of waging war and that civilization is just the state of nature in disguise. Foucault's aberrant metaphysics vitiates the force of his own (essentially circular) argument, but there is something underlying the charge. In this paper I will argue that the current explosion of negative rights discourse is largely empty. It has little philosophical import. The liberal appeal to rights fails; it fails because liberals are unable, in principle, to make any appeal to the good. Liberalism succeeds, not because it makes a non-circular argument for rights, but because it is an effective rhetorical strategy. In a liberal age, liberalism sets the rules of engagement. In disqualifying from public consideration appeals to anything other than the principle of non-interference, it silences philosophical opposition and guarantees the acceptance of its own conclusions. This whole strategy begs the question. It is one thing to accept an argument because someone provides positive arguments; it is another thing to accept the argument by default, because all other possibilities have been surreptitiously eliminated. Liberal authors claim to provide a non-circular justification for rights, but this claim does not survive closer inspection.

If I argue against the usual liberal justifications for rights, it does not follow that no one should be allowed to do anything! If, for example, people do not have a *right* to smoke, a *right* to own a pet or a *right* to be fat, it does not follow that society should disallow these possibilities. Clearly, public policy initiatives require a certain realism, sound judgement and fairness, as well as an attention to detail and circumstance. To say that someone does not have a right to engage in

activity X is not to say that they should not be allowed to engage in activity X. It is only to say that such policy decisions are not matters of overriding moral or political obligation. They cannot be counted among the first principles of justice. I will not consider the status of specific claims to a right to this or that activity here. This would not be a matter for universal pronouncements but of case-to-case study.

Proponents of the multiplication of rights envisage a slippery slope. Take away my right to be fat, to own a pit bull terrier, to smoke marijuana, to visit the local nudist camp, and all rights will be eliminated. But the argument falters. We can contest specific claims to this or that right without arguing that there are no rights at all. The appeal to slippery slope depends on an equivocation. In ordinary parlance, to say, **A**ve have a right to smoke²³ may be synonymous with the statement **A**ve should be allowed to smoke.²⁴ It may be nothing more than an insistence that my smoking should be permitted. But this cannot be what is intended in full-fledged rights discourse. Smoking-rights argue that they should be allowed to smoke because they have a right to smoke. If **A**ve have a right to smoke²⁵ means **A**ve should be allowed to smoke,²⁶ then to say that we should be allowed to smoke because we have a right to smoke is to say that we should be allowed to smoke because we should be allowed to smoke. As we shall see, the usual liberal defence of rights deconstructs in the same way.

The Rights Game

Whatever the sincerity of the present explosion in rights-talk, the cynic might understandably view such verbalization as a rather facile strategy of moral, social and political self-justification. If we desire X, the natural tendency is to insist on our right to X. We have a right to be fat, to own a pit bull terrier, to visit a nudist camp, to earn a living as a prostitute, to smoke cigars, to hunt, to boat without a life-jacket, or more gravely, to practice incest, commit suicide, whatever. But does this claim that we have a right to _____ mean anything more than we desire _____? Granted, the received wisdom of the age informs us that we have a right to do what we want. Granted this is the default position. The burden of proof is on anyone who begs to differ. But is this just the modern political and moral equivalent of the emperor's new clothes?

The simple assertion that we have a right to X hardly counts as justification. Alan Gewirth, proposes a general formula: **A** has a right to X against B by virtue of Y²⁷ where A is the right-holder²⁸ X is the **A**bject of the right²⁹ B is the **A**uty-bearer³⁰ Y is the **A** justifying ground of the right.³¹ I want to focus on Y,

²³ Gewirth intends this as an account of the general structure of a **A** claim-right³² which he identifies as the most common kind of right. We will not enter into finer distinctions here. *The Oxford Companion to Philosophy*, Ted Honderich ed., s.v. **A** rights.³³

the justifying ground of the right to X. What is it that justifies an appeal to a right to X? In fact, when one analyses popular and even academic discourse, it often turns out that the justifying ground offered for a right to X turns out to be another right, call it the right to Z. The self-interested individual may insert claims to rights into a larger theoretical context in a more or less self-serving way. Suppose I desire to have more than one spouse. If I institute a polygamous religion, I can justify my right to have more than one spouse by claiming that society cannot interfere with my right to freedom of religion. My right to freedom of religion becomes then the justifying ground for my right to multiple spouses.

If such strategizing seems to be too cynical to countenance, consider an actual incident from the recent culture wars. The so-called Church of Body Modification purports to be an organization that help[s] with the spiritual needs of the modified community. (The modified community being made up of those individuals who engage in cosmetic surgery involving ritual scarification, tattooing, piercing, branding, silicon implantation, amputation, and so on.) An associate of the church disingenuously describes how it came into existence: "I saw Steve Haworth there, and he plied me with information about his latest scheme to form The Church of Body Modification. The idea is that if we form a church based on this, if anyone gets fired for having a nose ring or something, we can squeal and cry 'religious discrimination.' I'm not sure if I'm not sure if that will fly with the courts, but he seemed quite excited by the idea."²⁴

What is going on here? The right to have a nose ring is being justified by an appeal to a second right, the right not to be subject to religious discrimination. In formal terms, A, the employee, has a right to X, the wearing of a nose ring, against B, the employer, by virtue of Y, a right to freedom of religion. So one right is justified by an appeal to another right. But surely this justification of rights by an appeal to rights cannot go on indefinitely. We will be left with an infinite regress. Right A will have to be justified by an appeal to right B which will have to be justified by an appeal to right C which will have to be justified by an appeal to D, and so on. Surely, this is just avoiding the real question: what does the whole chain, wherever it leads, rest on? One wants to know: what appeals to rights are ultimately grounded on? To defer the answer endlessly is circular and uninformative. Yet, as we shall see, this is the only consistent response liberalism offers to such probing.

²⁴ *The BME Encyclopedia*, (an online encyclopedia), s.v. Church of Body Modification, http://encyc.bmezine.com/?Church_of_Body_Modification.

Academics may scoff at the inanities of populist discourse, but the strategy of anchoring rights in other rights is rife in academe as well. Consider how eminent scholar Ronald Dworkin establishes a so-called **A**right to pornography. **@**workin does not claim that pornography is moral; he claims that citizens have **A**right to moral independence. **@**n his cumbersome prose, pornography-users **A**ve the right not to suffer disadvantage in the distribution of social goods and opportunities, . . . just on the ground that their officials or fellow-citizens think that their opinions about the right way for them to lead their own lives are ignoble or wrong."²⁵ In formal terms, **A**, the pornography-user, has a right to **X**, depictions of whatever, against **B**, the **A**moral majority, **@**y virtue of **Y**, a right to moral independence. So the first right, the right to pornography, is secured by the elaboration of a second right, the right to moral independence.

Ronald Dworkin: Human Dignity

But this is perhaps to jump to conclusions too quickly. Academic philosophers, one would like to think, do eventually get round to grounding rights-discourse in something other more rights-discourse. If, however, the usual justifications for negative rights offered in the academic literature may be more sophisticated, they do not seem more substantive. Ronald Dworkin, the enormously influential defender of liberal American orthodoxy, writes: **A**n anyone who professes to take rights seriously . . . must accept at the bare minimum, one or both of two important ideas. **@** Consider Dworkin's two ideas.

First, Dworkin argues that negative rights can be justified by **A**ne vague but powerful idea of human dignity. **@**He continues, **A**his idea, associated with Kant, but defended by philosophers of different schools, supposes that there are ways of treating a man that are inconsistent with recognizing him a full member of the human community, and holds that such treatment is profoundly unjust. **@**²⁷ Second, Dworkin argues that negative rights can be justified by an appeal to equality. He writes, **A**he second [key idea] is the more familiar idea of political equality. This supposes that the weaker members of a political community are entitled to the same concern and respect of their government as the more powerful members have secured for themselves, so that if some men have freedom of decision whatever the effect on the general good, then all men must have the same freedom. **@**²⁸

²⁵ Ronald Dworkin, "Do We Have a Right to Pornography?" in *A Matter of Principle* (Cambridge, MA: Harvard University Press, 1985), p. 353.

²⁶ Ronald Dworkin, *Taking Rights Seriously* (London: Duckworth), 1978), pp. 1989.

²⁷ Ibid.

²⁸ Ibid.

Consider first, Dworkin's account of dignity and second, his account of equality.

Dworkin wants to secure rights in an account of human dignity, but the way he understands dignity undermines any attempt to provide a non-circular justification for rights. Dworkin links human dignity to the liberal ideal of personal autonomy. But Dworkin significantly alters the original account of autonomy elaborated by an earlier author such as Kant. For Kant, the autonomous agent is rational and moral. For a contemporary liberal author such as Dworkin, autonomy has been stripped of moral content. There is no objective moral standard autonomous agents can measure up against. (And even if there was, liberal neutrality would not allow any appeal to it.) Autonomy reduces then to freedom to choose. But this is seriously problematic. Consider Dworkin's line of reasoning.

Individuals deserve negative rights because they possess human dignity, and they possess human dignity because they possess autonomy, because they are able to decide for themselves. In short, individuals deserve negative rights because they are able to decide for themselves. But this is meagre justification for rights. A negative right is the ability to decide for oneself. So Dworkin argues, in effect, that society should allow individuals to decide for themselves because they are able to decide for themselves. Does this really follow? Does it follow that society should allow me to smoke because I am able to smoke; to use pornography because I am able to use pornography; to amputate my hand or commit suicide or practice polygamy because I am able to amputate my hand or commit suicide or practice polygamy? Why should the ability to do something be considered a reason for doing it unless, of course, participating in such behaviour is somehow good or beneficial or intrinsically worthwhile or an aid to human flourishing? Because liberals cannot base political or legal policy on any comprehensive philosophical or moral doctrine, they cannot argue that we should have a right to particular activities because they are good or beneficial or intrinsically worthwhile or an aid to human flourishing. They can only insist that we ought to be allowed to participate in specific activities because we can choose to participate in such activities. A very weak argument indeed.

To summarize Dworkin's position: Negative rights mean being allowed to choose for ourselves. We should be given negative rights because we possess dignity. We possess dignity because we possess autonomy. And we possess autonomy because we can choose for ourselves. So human beings should be allowed to choose for themselves because they can choose for themselves. This sounds plausible but only because it trades on an ambiguity. **Can** is a success word. Someone who can swim successfully keeps themselves afloat. Someone who can speak French successfully converses *en français*, Someone who can juggle successfully juggles. When liberals argue that human beings should be

allowed to choose because they can choose, it sounds as if they are arguing that they should be allowed to choose because they can successfully choose. But liberals cannot invoke any substantive standard for successful choice, for that would involve the imposition of some value perspective. On the liberal view, anyone who decides for themselves **A**an@decide for themselves. That is all. **A**ble@choosers may make incorrect, disastrous, self-defeating, ignorant, wicked decisions**B**t does not matter. As long as they themselves make a choice, they decide for themselves.

Dworkin links negative rights to an **A**bility@o choose for oneself. When we unpack the rhetorical flourish, however, we are left with mere assertion instead of argument. We cannot argue that because agents can choose, society should allow them to choose. That is, we cannot move from the observation that we *are* able to choose to the normative recommendation that we *ought* to be allowed to choose. This is to move from **A**@o **A**ught,@o commit the naturalistic fallacy, an error every modern textbook warns against.

As modern epistemologists never tire of telling us, we cannot derive normative conclusions without invoking at least one normative premise. Dworkin's line of argument does presuppose an important normative claim; he simply smuggles in the normative content without owning up to it. We can restate the logical move he makes in an Aristotelian syllogism:

Premise 1: Human beings decide for themselves.

Hidden premise: Beings that decide for themselves ought to be allowed to choose for themselves.

Conclusion: Human beings ought to be allowed to choose for themselves.

Note that the crucial hidden premise is just a bare-bones assertion. It is not argued for. It is something Dworkin and colleagues take for granted, but it operates as the linchpin of their argument.

Dworkin's appeal to human dignity is, in fact, a disguised appeal to this normative criterion. To say that human beings ought to have negative rights because they have dignity is, on his liberal account, to say that they ought to have negative rights because they choose for themselves. Dignity reduces to autonomy. Note, however, that this is an extremely odd account of human dignity. After all, **A**ignity@s an honorific term; it indicates merit or worth, and it is hard to see how the mere ability **A**o choose anything whatsoever as long as you choose it@ould be a source of merit or worth. Historical authors such as Kant and Aquinas and Aristotle told a different story. They thought that human dignity comes from our ability to choose what is objectively good, noble, excellent, brave, magnanimous, admirable, wise, etc. Dignity does not derive from a mere ability to choose. It depends on what you choose! If you choose to

be an ass, a parasite, a coward, a paedophile, a lazy, shiftless, self-absorbed **A**ain-in-the-butt, **@**why should any merit arise from that? The liberal critic might complain (in offended tones) that we are all human beings and that even the worst criminals have the same inalienable dignity. But the traditional idea is that *all* human beings possess an inalienable dignity because all human beings possess free will, the ability to choose the good. They do not always choose it, but this is where their dignity comes from. The glory of missed opportunity secures a tragic dignity even for the wicked.

Older authors could trace human dignity to an ability to choose an objective good because they believed in an objective good, but liberalism scrupulously eschews such commitments. Present-day liberals have to be value-neutral. They cannot impose a value orientation or even a comprehensive philosophical perspective on other people. How then can Dworkin claim that the notion of rights derives from the basic intuition that there is something specially valuable about human beings? Historical authors believed that human beings were made in the image of God, that they were superior to other animals, that they were capable of transcendental reason, that they were part of a valuable cultural and historical community, and so on. Present-day liberals cannot defend this historical heritage. We are left with an emphasis on the value of the individual that, so to speak, hangs there in empty space, unsupported by anything but the self-assured proclamations of the liberal faithful.

Equality

Consider Dworkin's second justification for rights. Dworkin argues that negative rights can be secured by an appeal to political equality. But equality arguments can only be used to show that we should have equal rights. They cannot be used to show that rights are inherently worthwhile or wise or good. After all, in a society where no one had any rights, there would still be political equality. In fact, Dworkin does not really argue that because rights should be equally distributed, they are a good thing to have. He moves in the other direction. He assumes that rights are a good thing to have and then concludes that they should be distributed, not just equally, but generously.

Even if we accept that negative rights are a good thing to have, does it follow they should be equally distributed? Money is a good thing to have, so does Dworkin believe that it should be equally distributed? Clearly not. If equality is what we should aim at, how do we know that the goal is **A**egative rights equality **@**nstead of **A**inancial equality. **@**A simple appeal to the value of equality will not secure the liberal view. Someone could argue, with at least equal plausibility, that treating people with equal concern and respect means preserving and enhancing human welfare. Perhaps it means ensuring that everyone has the same standard of living. Dworkin simply assumes that liberty is

more important than welfare; he does not demonstrate that this is the case.

Liberals like Dworkin (and Rawls) argue that we should have as many negative rights as possible. This is not at all obvious. Suppose I do not want a right to hard-core pornography. Suppose I believe that hard-core pornography detracts from human flourishing. Why should I want or need a right to it? Because if your right to hard-core pornography goes, then my right to freedom of religion is next? Why should this follow? Given that liberalism cannot consider or evaluate the substantive content of rights, it considers all rights to be identical or equivalent. A half a dozen of one, six of the other. But rights are not identical or equivalent.

To argue that because I have a right to _____ you should have a right to _____ begs the question. If someone makes this kind of argument, the critical thinker surely needs to ask: **What rights are we talking about?** The cogency of the argument depends on how what it is you are claiming a right to relates to what it is I already have a right to. And we cannot begin to know if the analogy works without more information. Liberalism does not allow us to consider the matter in more detail; it forces us to place all negative rights on an equal footing. By limiting the information included in the debate, it inevitably secures its position. You wouldn't want to lose all your rights would you? So clearly, you must support my right to _____.

Conclusion

Dworkin's account provides very little support for a liberal account of negative rights. Liberal notions of negative rights flounder on the premise of value-neutrality. Implicit in the notion of a negative right is the underlying idea that the self-chosen activity is so overwhelmingly good or necessary to human welfare that withholding access to such an activity would be unconscionable. But liberals cannot make value-claims without betraying their claim to value-neutrality. They cannot claim that we have a right to a certain activity because that activity is good. All they can do is insist that we have a right to engage in that activity because we have a right to choose. But why do we have a right to choose? Well, because we are **able** to choose for ourselves. But what does it mean to say that we are able to choose for ourselves? It does not mean that we are able to choose anything beneficial or noble or worthwhile; it only means that we can choose anything whatsoever. So, it seems, we should have negative rights because we can choose anything whatsoever! The conservative critic, confronting the evil possibilities inherent in human nature, would see this as an argument *against* rather than in support of negative rights.

Liberalism derives from an important and enlightened historical tradition. But present-day liberalism is so extreme (with exceptions) that it is unable to elaborate any substantive account of the good. The incessant clamouring for

negative rights is not based on a sincere belief in the goodness of human nature, in the goodness of rationality, in the goodness of God's creation, or in the goodness of the miracle of life or existence itself. We are left with a bald assertion that we should be able to do what we want. This kind of incessant plea is, no doubt, dressed up in noble-sounding euphemisms that sound like they mean something larger and more grandiose, but human beings are very good at dressing up even their basest desires and motivations in extravagant discourse.

The academic literature rarely faces up to the kind of rationalization that permeates discourse about rights. James Sterba writes, **A**he problem is that to recognize any institution as legitimate, and therefore, as having a right to be obeyed by us seems to conflict with our obligation to do what we think is right.²⁹ But do people who argue say for smoking rights really think that smoking is right? Do they believe that they are morally obliged to smoke? Would it be immoral if they did not smoke? They just want to smoke, that is all. It is pleasant, or a habit, or fashionable, or sexy, or a way to while away the time, whatever. They may point out that the dangers are vastly overrated in this health-conscious society and that they should be allowed to do it. They think it is not wrong or only a minor wrong. The argument is not that we are obliged to smoke because we think it is right. The argument is rather that smoking is in a grey area somewhere between ideally right and atrociously wicked, and that if it is wicked, it is so mildly wicked, they should be allowed to do it.

Am I morally obliged to wear a T-shirt that advertises beer, to sun-bathe nude on a beach, to own an American Staffordshire Terrier, to smoke marijuana? Rights-language makes all the practical, prudential civic policy decisions about such issues sound like an epic battle between individual consciences and evil authority. But is that what is going on in most rights discourse? The underlying logic seems to be: this is something I want to do, therefore allow me to do it. I have propensities, urges, habits, I like to satisfy, let me do them! In a strange way, the right to smoke marijuana becomes a justification for smoking marijuana. It legitimizes the practice; it makes it sound dignified, a part of the ambit of serious human conduct. To say that **A**have a right to smoke marijuana²⁹ invests the demand with gravitas, to say **A**want to smoke marijuana²⁹ makes it sound like an adolescent plea for some sort of soft self-indulgence.

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²⁹ Sterba, p. 2.

***AFTER CHRISTENDOM:
MARITAIN, SPINOZA AND US***

Graeme Hunter

In the preface to his provocative book of essays published in 1922 under the title *Antimoderne* Maritain invites his readers to look at their own time more deeply and more critically than many were willing to do then or have been since. He puts not this or that modern idea on trial, but modernism itself. It is true that Pope Pius X had already led the way in denouncing the false doctrines of the modernists in the 1907 Encyclical, *Quas primas* to which Maritain's book is one of many rejoinders. But the Papal denunciation was *theological* both in the sense of modernity it intended and the grasp of the modern problem it conveyed. As a specialist of *philosophical* modernity, Maritain was well placed to broaden its scope and sharpen its philosophical edge. No doubt the papers of *Antimoderne* are an imperfect guide to the thought of Maritain as a whole, but they do give eloquent expression to one Roman Catholic position regarding modernity which, for the sake of concreteness, I shall say is Maritain's.

The timeline for modernity in this early work includes everything from the early Renaissance to the period in which Maritain was writing. But although he belonged chronologically to the modern age as he understood it, for religious reasons he self-consciously exempted himself from it. **A**f I am anti-modern, **h**e says,

it is certainly not for personal reasons. It is because the spirit of what is modern,

rising as it does from the anti-Christian Revolution, forces us into it; it is because modernism, making antipathy to the human patrimony its particular distinction, hates and disdains the past, while worshipping itself; it is because I hate and disdain that hatred and disdain and the spiritual impurity it entails.¹

Maritain is at least partly right. A powerful anti-Christian animus indwells the modern age. The Enlightenment produced atheism; the nineteenth century brought forth materialism, naturalism and nihilism, and the early twentieth century exhibited the first glimmers of totalitarianism. All these *isms* were implacably opposed to Christ and profoundly challenging to Christian thought. But I do not agree with Maritain's judgement that the anti-Christian spirit he detects in the modern age belongs to its essential character.

Given that he thinks so, however, we can hardly be surprised that after a brief undergraduate fling with that modern icon, Spinoza,² he entered into a lasting intellectual marriage with Thomistic philosophy. Thomas, after all, is the last great philosopher whom we do not normally see as anticipating the modern period. It makes sense. If you don't like the moderns, you hook up with someone important who wasn't one of them.

But then, just when we might think we have him figured out, Maritain blows such a convenient theory out of the water. "As to the philosophy of St. Thomas," he writes,

from which we derive our inspiration in this book, it is not the thought of one century or of a single sect. ... It is in reality a universal and enduring thought, first elaborated by the natural reason of humanity, next made into superior and self-conscious wisdom by the intelligence of the Church, and only then knit together and formed into doctrine, defined and formulated one day by a man...³

Like the eternal Logos, that is and always was itself, though one day it became incarnate in a man, so, Maritain claims, the Thomistic philosophy is the expression of universal and abiding *human* reason, recorded in a profound, but limited form, by a particularly gifted man at a propitious time and place. And just as Cardinal Newman had argued for the possibility of Catholic doctrine developing in a way that deepened, without changing it, so Maritain envisions a perennial philosophy that nevertheless succeeds in being new every morning:

We would like to see restored in a new world, **h**e tells us:

and informing new material, the spiritual principles and eternal norms which the civilization of the Middle Ages, even at its apogée, presented only in one

¹ Jacques Maritain, *Antimoderne* (Paris: Desclée, 1922), p. 21.

² Raissa Maritain, *We Have Been Friends Together* (Garden City, NY: Image Books, 1961), p. 64

³ Maritain, *Antimoderne*, p. 15.

particular historical instantiation, a qualitatively excellent one, despite its enormous deficiencies, but one which is definitely over.⁴

And to make his point in one forceful word, he adds: **A**us we wish nothing so much as to be *ultramodern*.⁵ The perennial, but ultramodern, Thomism he envisions will not only out-modern the moderns but go beyond modernity itself (the true meaning of “ultra”). Maritain⁶ envisioned philosophy will be to modern thought what the abiding always is to the merely fashionable **B**miles ahead of it, and yet ever consistent with itself. Eighty-two years later, in an age resigned to its own graying post-modernity, such an ultra-modern challenge has not lost its power to grip the imagination.

Even more intriguing is the idea of an ultra-modern *Christian* philosophy, if, as I suppose to be indisputably the case, we are living in the period after Christendom. I mean **A**fter Christendom⁷ not just in the obvious way in which the theocracy of the Middle Ages is gone and will never return. But also in the more wistful sense in which even the mellow afterglow of that theocracy, that long illuminated our nation **B**her laws, her mores, her domestic arrangements and her etiquette **E**ven that afterglow is now, I recognize, all but extinguished.

Not everyone views the sunset of Christendom with disapproval of course, but few find on the horizon any trace of a radiant new dawn. Imre Kertész, in accepting the Nobel prize for literature in 2002, spoke of the “broken voice of Western art.” Its obsessive emphasis on the sordid and dysfunctional he takes to be not an accident, but an essential feature of life after the Holocaust. The broken voice of art alerts us to the mutterings of another voice, un-Christian, disturbed and often menacing, in the darkness after Christendom.

Christians are not wholly discouraged by the end of Christendom, however. New forms of Christian piety and faith have been discovered that can be practised whether or not they receive any political sanction. We have begun to see more clearly than has any generation in the West since Constantine, that Christianity is not the same thing as Christendom. While we may share the melancholy to which Matthew Arnold gave such eloquent expression in 1867, from his room overlooking Dover Beach, we now see the subject of his lament more clearly than he did. It was only the ebbing of Christendom he was witnessing, not, as he supposed, of the Christian faith. **A**Now I only hear,⁸ he wrote:

[Faith⁹] melancholy, long withdrawing roar,
Retreating, to the breath
Of the night-wind, down the vast edges drear
And naked shingles of the world.

⁴ *Ibid*, p. 21

⁵ *Ibid*. My italics.

Christendom has ebbed away. Yes, but *not* the Christian faith. Contrary to the fears of its friends and fervent hopes of its enemies, Christianity, unlike its political counterpart, Christendom, is flourishing, both in its Roman Catholic and Protestant forms and precisely in those expressions of each that are most passionately engaged in pious works as their respective traditions understand them.

And yet not all is well with Christianity either. The believing Church today is afloat on an ocean of martyr's blood, more of which was spilled in the twentieth century than in the previous nineteen put together. Martyrdom and serious faith have always gone hand in hand, of course, but it is not surprising that many Christians peer into the darkness that has followed Christendom with dismay. Certainly we should welcome an **U**ltramodern **C**onversion of Christian faith, such as Maritain claims to have. If it were perennial in its content, it would satisfy our religious longings; if it were contemporary in its form it might also be acceptable to our present age. Something *ultra*-modern might raise us out of a condition that is merely and dully **P**ost-modern. **M**any of us would be eager to trade up.

However, although the general idea of Maritain's ultramodernism is attractive, the detail is disappointing, at least to me, on two counts. The ultramodern religious philosophy as Maritain understands it in 1922 will exclude both every trace of Protestantism and every trace of modernity, two developments he sees as coeval and, to coin a word, "coeval." They are hatched from the same egg and it was a rotten one to begin with, he thinks. Thus, Maritain says, if we understand civilization as a state in which:

the individual born into the world finds here much more than he brings to it, then it must be admitted that the modern schism, actually, though not intentionally begun by ... the Reformation, and continued with greater awareness by Descartes is, despite its eloquent protestations and its appearance of decorum, purely and simply a celebration of barbarism.⁶

My question then is to what extent a Christian who does not think that everything about the Reformation was a barbaric mistake and who neither sees Descartes as a conspirator driving the Reformation forward, nor as the father of a type of philosophy which must be rejected as a whole, my question is the degree to which such a Christian can nevertheless make common cause with Maritain in the search for a form of Christian thought which is, in Maritain's sense, *ultramodern*?

One of the hated moderns, G.W. Leibniz, said that philosophers are usually right in what they affirm, but wrong in what they reject. Let us consider whether this might be true, in the first place, about Maritain's wholesale rejection of the Reformation. I am inclined to treat his attitude to the Reformation with a dose of

⁶ *Ibid*, p. 18

his own historicist medicine, and to say that it only reveals Maritain to be unconsciously a creature of the competition between Catholicism and Protestantism that was still hotly raging during his own formative years at the beginning of the twentieth century. At that time it was *de rigueur* for each side to look at what separated it from its opponent and ignore what they had in common.

We, who know ourselves to be living after Christendom, however, see things differently. The common threat all Christians face from secularism and other enemies has driven us to recognize how much we have in common. But we don't really need an argument to win Maritain to *our* side, despite the determination with which he spoke against it in 1922. A little thought experiment will suffice. Simply project his spirit forward in your imagination into our present context and he will tamely disavow his old hostility without any prompting from us. Unless his hatred of the Reformation was stronger than his Roman Catholic faith, he would have to renounce the hatred today in order to reflect the profound ecumenism espoused in the whole career of Pope John Paul II and defended with deeply biblical insight in such Papal encyclicals as *Ut unum sint* (1995).

Maritain's sweeping rejection of Descartes and modern philosophy presents a more formidable challenge, however. Simply bringing him up to date on contemporary developments of Catholic thought would not dispel it, because the old suspicion of modern philosophy in general and Descartes in particular continues to be entertained in the highest Catholic circles today.⁷ So the *antimoderne* ideas of Maritain in 1922, if we could summon his spirit before us, would not meet with any specifically religious refutation. Let us challenge him then in another way that he would equally have appreciated and understood: philosophically.

-**A**ou are wrong, O Spirit of Maritain, in your dismissal of the modern age, for it is shaped by the very ultramodern Christianity toward which you were feeling your way. The most natural proof-text to begin with would be the *Meditations*, that masterpiece of the Catholic philosopher you reject by name, René Descartes. As you well know he laid it before the Dean and Doctors of the Faculty of Sacred Theology in Paris to serve as a textbook of Christian apologetics.

But that is not the only text I could choose. It is hard to name a great philosopher of the early modern period who would not serve my turn. Should I begin with John Locke's book called *The Reasonableness of Christianity* or Bishop Berkeley's *Alciphron* or Leibniz's *Theodicy* or Malebranche's *Christian*

⁷ For example, even the present Pope mistrusts Descartes as an underminer of Catholic orthodoxy and compares him unfavourably with St. Thomas. See *Crossing the Threshold of Hope*, p. 38.

Conversations. But no, let me choose your own first love, the one whom you put aside long ago, Baruch Spinoza. @

-**A**o@ you say, **A**hat is impossible. Spinoza was an ethnic Jew who was excommunicated by his coreligionists, and hated thereafter by Jews and Christians alike. He is often hailed as the father of modern atheism and has been called, among other things, ~~the~~ prince of atheists, ~~the~~ new Mahomet ~~and~~ ~~Christendom's~~ chief foe. ⁸ Spinoza embodies all that is seductive in modern philosophy, and exactly what Christian philosophy must necessarily oppose. @

-**B**ut as you well know, O Spirit, Spinoza also wrote the *Tractatus theologico-politicus*, a treatise aimed at reforming the politics and religious practice of Christian Holland. @

-**A**ot to reform@ you say, **A**ut to destroy. @

-**B**ut then why does he say he is trying to ~~show~~ a way for rulers who will cause the public to be instructed in piety, in conformity with public welfare? ~~o~~ @

-**A**h@ you say, **A**pinoza is speaking cunningly, in the hope of deceiving his readers, pushing them along what seems a familiar path, but one that drops suddenly into the abyss. @

-**A**vell let me tell you a different story, then, about another Spinoza. And see which you find more credible. I shall not weary you with quotations from his works to support this picture. If you want to find them, you can look for them in my soon forthcoming book on this subject. @¹⁰

(Here Maritain ~~s~~ spirit sorrowfully extends its spectral hands, which can turn no page, much less heft any book, and he envies my still living readers, who, at only a tiny expense, can read all these wonderful references for themselves. But here, free of charge, I offer you the gist of my tale.)

Even before his excommunication in 1656 Spinoza seems to have befriended a group of radical Protestants, called Collegiants. After the excommunication they became his closest friends.

The Collegiants came into being as the unintended consequence of a meeting of the Dutch Reformed Church in 1618, called the Synod of Dort. At that Synod

⁸ See Jonathan Israel, *The Radical Enlightenment* (Oxford: OUP, 2001), p. 161.

⁹ Spinoza, *Theological-Political Treatise*, trans. by Samuel Shirley (Indianapolis: Hackett), p. 219.

¹⁰ Graeme Hunter: *Radical Protestantism in Spinoza's Thought* (Aldershot: Ashgate, 2005).

it was decided to suppress the Arminian doctrine that everyone has the power to believe in Christ and be saved. Suppression would be achieved by forbidding the so-called Arminians to hold Church meetings. The result of the Synod was that some people thought better of their Arminianism and became proper Calvinists, as intended. Others remained Arminian, and took their worship services underground. A third group, however, studying the exact nature of the prohibition against them, saw that it could be circumvented if they were willing to stop regarding themselves as a church. They therefore began describing themselves as a College instead, and held meetings, instead of worship services, with discussion leaders in the place of ministers. Because there is no justification for dogmatic requirements for studying at a college, the Collegiants had none.

What began as a necessity soon became a virtue in Collegiant eyes and more than one Arminian minister who offered his clandestine services was shocked to learn that the Collegiants had grown to prefer the form of worship that had so recently been forced upon them. The numbers of those who liked it grew by surprising leaps and bounds. Between 1620 and 1650 it spread throughout the whole of the Dutch Republic. Democratic participation in the ministry appealed to many people in other denominations as well, especially other socially marginal sects, such as Mennonites and Quakers, who found an unconditional welcome in the broad-minded Collegiant assemblies. In the midst of repression was born a movement that has been called the most radical and perfect expression of Dutch religious tolerance.

Spinoza's *Tractatus theologico-politicus* articulates the political and theological conditions under which a Republic inspired by Collegiant principles would be possible. One of the most important of them involves devising a method by which we can know genuinely know, not just have passionate opinions about what the Bible really means. That task occupies Spinoza for a large part of the TTP and the success he had with it has secured him an enduring reputation in the field of hermeneutics.

The result of his careful and learned labour was to discover that the Bible can only be known with certainty to teach a single lesson. It sets forth a unique command and enjoins no more upon any of us than to obey it. All the other things that it has been thought to say and do cannot be attributed to it with certainty, according to the hermeneutical method Spinoza discovered.

That sole commandment, certainly enjoined upon us, is that we love God, and love our neighbour as ourselves. Whoever perfectly fulfils this commandment has the mind of Christ, as Spinoza puts it, even if he be a member of some other religion. And all Christian denominations that elevate and enforce this commandment are free to have at their periphery any other beliefs consistent with it. Thus Spinoza, like the Collegiants, looked upon the Reformation as a piece of unfinished business. To them it appeared that the Reformers had lost

heart midway in their attempt to purify Christianity from unwarranted dogmatic and ritualistic accretions. The first Reformers had grown tired and had acquiesced in dogmas and rituals that cannot be proven essential to Christian belief. The completed Reformation that Spinoza envisioned made of Christianity a loose, pluralistic family of congregations with a common, but very simple, dogmatic core. Each Christian would be left free to believe as he saw fit and to join with any other Christians who believed as he did. But none could force his beliefs on any other, except, perhaps for the common dogma of love of God and neighbour. But since that dogma of love enjoins nothing not recognizable as a moral good by natural reason, it would not have had to be imposed on many, and would be a salutary imposition on those who, owing to some defect in themselves, did not embrace it voluntarily.

Spinoza, like the apostle James, believes that a faith without works is dead. At the core of his political vision is a state united by its works of charity, but diverse in thought and colourful in its confessional variety. Such a political order, he contends, would foster not only piety, equity and happiness, but also stability and prosperity.

It is of course true that neither Holland nor any other state took the slightest interest in Spinoza's proposal, except to deplore it. It remains therefore, like Plato's *Republic*, a mere **A**ing of words. **@**But if that is supposed to be a reproach, rather than merely an observation, Spinoza could reply just as Plato did to the same reproach. "Perhaps it is a model," Plato says,

laid up in heaven, for him who wishes to look upon, and as he looks, set up the government of his soul. It makes no difference whether it exists anywhere or will exist. [The wise man] would take part in the public affairs of that city only, and of no other.¹¹

-**A** *this* is Spinoza, O ghost of Maritain, does it not approach the ultramodern Christianity you have in mind, the thing itself, stripped of all its historical accidents, apt to be instantiated in different forms in different ages?**@**

-**A**o,**@**you say in what would be a shout, if you still had the use of lungs. **A** is a mad Protestant parody of what is essential to Christianity. It is Christianity without the Incarnation, the Cross or the Resurrection.**@**

And here, friends, we must allow the spirit of Maritain to depart in peace, to sink into the cellarage, like the ghost of Hamlet's father. It is an honest ghost. Denominationally minded Christians will of course object to Spinoza's apparent disregard for dogma. Not only Roman Catholics but Protestants also, the dwindling number of them who still find their own views best expressed by the traditional articles of faith of a particular denomination. I say the dwindling

¹¹ *Republic* IX, 592b.

number because, in many years of association with serious Protestants I have met no more than a handful of laymen who both knew and thought decisive the distinctive articles of their denomination. But there are some Protestants who do, and many Roman Catholics, and they will find Spinoza's lack of dogma unacceptable. So that leaves us just with ourselves. After Christendom, after Maritain, after Spinoza. It all comes back to us.

The problem created by dogmatic differences is still our problem. In 1994 the journal *First Things* published a manifesto by a group of leading Evangelicals and Catholics that later appeared as a book under the title *Evangelicals and Catholics Together*.¹² It pointed to the grassroots co-operation between Evangelicals and Catholics that is already far advanced, particularly in such matters as the pro-life movement and the charismatic revival. They referred to the dogmatic beliefs (in the supremacy of Christ and the veracity of the Bible) and the sacramental rite of Baptism both parties have in common and insisted that these common tenets represented a sufficient basis to allow Catholics and Evangelicals to work together, hope together and witness together. And where Christians are still divided on doctrinal matters, the authors asked, what prevents us from *searching together* for a resolution of our differences?

This proposal, attractive as it was, proved to be naive in its optimism. It foundered on the very kinds of objections I put into the mouth of the spectral Maritain. While among Christian laymen denominationalism may be declining it is still a significant factor among clergy and theologians. For many of them the distinctive articles of their denominational creed continue to matter to a degree that overrides any advantage or comfort that could be won from co-operating with others who are not in full agreement with it. Articulate Catholics, Baptists, Reformed and no doubt others have denounced the program of *Evangelicals and Catholics Together* as a lie, a deception and a disservice to Christians. Many of the same epithets are used about it that once were attached to Spinoza's *Theological-Political Tractatus*. Like the Reformers of the early modern age, the ECT group fell victim to the very denominationalism they had set out to overcome.

Yet I wonder whether some version of Spinoza's radical Protestantism would not furnish a way around the denominational impasse. The essence of the Christian message for Spinoza, its only command, is *agape*, the word that we miserably translate in English by **Love**. But **Love** at its best is too vague and, in English, it is no longer at its best. It has been abused by playboys, pornographers and politicians: first purged of all the obligations it might entail,

¹² Charles Colson and Richard John Neuhaus eds., *Evangelicals and Catholics Together* (Dallas: Word, 1995).

then crazed with ejaculatory sexuality, and also inflated with phoney sentimentality. So let us stick to the Greek word **Agape**, which an older English translated as **Charity**.

Spinoza understands the command of *agape* less as a belief we are supposed to hold than as an incitement to activity. That is where he becomes suspect in the eyes of denominationalists. But his love of activity is a matter of emphasis, not of exclusiveness. He is well aware that any form of purposive activity presupposes a context of belief. The *agape* enjoined upon Christian believers will not be properly exercised except by those who embrace some Christian beliefs or other. The different denominations, because they inhabit different constellations of dogma, will also create different frameworks in which the works of *agape*-love can be performed. Spinoza's recommendation is therefore not a recommendation of barren **Orthopraxy**, though the Christianity of some of the Collegiants (perhaps including Spinoza himself) may have amounted to no more than that.¹³

Spinoza does not even mean that there can be no standards for what counts as a Christian denomination. To be legitimately Christian the dogmatic structures of a given denomination must facilitate the *agape*-work that Christians are required to perform. All and only those structures that do facilitate it, constitute the mystical body of Christ, which the Church has always believed herself to be.

Spinoza's idea of action does not simply mean social action. It is not that the Church with the biggest soup kitchen wins. Anyone concerned with Christian outreach knows that the *agape* command extends much further. In addition to caring about social justice, *agape*-love includes unpopular activities such as proselytizing, mission work, and taking intellectual positions that make one a sign of contradiction to one's age. What Spinoza's position does do, is point us resolutely toward our activity, rather than our doctrines, as the measure of our orthodoxy.

Spinoza does not envision setting up any human court in which the achievements of the denominations or their adherents will be ranked. The ultimate ranking is left to God and each individual need only be concerned with it in the self-examination which all Christians agree to be regularly required by their faith. It is legitimate to ask myself not only whether I am performing as I should, but also whether in some other denominational setting I would perform better? Spinoza's pluralistic vision is one expression of that very deep injunction of St. Paul to the Church of Philippi, telling them to **Work out [their] own salvation with fear and trembling**.

¹³ I include this sentence as a gesture (falling for short of an answer, I realize) toward the fine question about **Orthopraxy vs. orthodoxy** asked by Father Lawrence Dewan at the Maritain Association meeting from which this paper derives.

Activity in pursuit of agape-love must be in the first place our goal, and in the second place it must stand in judgement of our doctrine. Only on charitable activity can we take our dogmatic rest.

Understanding the ways in which activity takes precedence over rest is one of the keys to grasping modern thought. It is, I am arguing, closer to modernity's heart than is the anti-Christian animus which modernity also produced and which caused Maritain to dismiss it.¹⁴

The early modern period has rightly been called the great age of apologetics. Christianity was under attack and needed to articulate itself afresh. It did so, clearly and successfully. Catholics and Protestants against infidels, but also, alas, against one another. Spinoza's radical Protestantism showed how they might overcome the internal conflict which detracted from their apologetic success. They could become one in their activity, without any cost to their doctrine. They might be like the different members of a family enterprise, pursuing different tasks but to one end. Or in the Church's famous picture of itself, they might be like the different organs of a single body.

But because Maritain was so impressed with the force of the attack Christianity had to withstand in the modern age, he overlooked the depth of its reply and went searching for the perennial and ultramodern elsewhere. Should he not have asked himself how any philosophy could really be perennial, if it had no possible instantiation in the modern age?

Descartes, Leibniz, Malebranche, Berkeley, Pascal and I suspect even Locke, when properly understood, were on Maritain's side. They were not trying to bring the grand narrative of Christianity to some ignominious conclusion, nor were they even trying merely to modernize it. Ending it would be anti-Christian; mere modernization is unworthy of their greatness. Like all great philosophers they were trying to articulate the thing itself as it has always and everywhere been believed. Spinoza, however, more than any of them, can lay claim to having had an *ultramodern* conception of where the Christian Faith might go.

I wonder whether the ghost of Maritain, if his ghost could be summoned before us once again, would not be willing to see his Spinoza in his first philosophical love in a new light and know his meaning for the first time?

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¹⁴ For a discussion of this point see "Motion and Rest in the *Pensées*: A Note on Pascal's Modernism" in *International Journal for Philosophy of Religion* 47 (2000), pp. 87-99.

BOOK REVIEWS

Western Encounter with Indian Philosophy [Dharmaram Philosophy Series No. 1] **Edited by Augustine Thottakara, cmi.** Dharmaram Publications: Bangalore, 2002. [distributed by Merging Currents, Inc.] 362 pages. ISBN: 8186861408. U.S. \$22.95

Bharathi Sriraman, University of Ottawa

The volume is an anthology of essays. The contributing authors explore new paradigms for interpreting Indian philosophy from the cultural perspective of Indian Christians and the authors all share a positive interest in the phenomenon of 'transformative' philosophy. The essays address the parallels between Vedic, Upanisadic, Vedantic thought, and Christian religious theology, emphasizing the inculturation of Christian ideas within the Indian sub-continent. The authors begin from the general premise that the Indian-Christian perspective is also a living representative of the Vedic tradition; the domain of religious experience is clearly defined as 'Indian-Christian,' to refer to Hindu-Christians as opposed to merely Christian or Western. The aim is to establish an inter-cultural dialogue, and to bring out the points of convergence between a conventionally western approach to ideas and themes and their Indian counterparts. The scholarly investigation of comparative issues for the most part attempts to synthesize different approaches using a holistic paradigm. The authors want to justify the overall synthesis of Christian values and Indian ideas based on a dialectical understanding of history that combines Hegelian idealism and Vedanta.

What are the allegedly conventional Western ideas and themes, since Being, God, substance and universals are notions that occupy a central place in both Indian and western schools of thought? On closer reading what is conventionally Western is not the theme, but rather the discipline to which the inquiry is assigned. For example, in *Being as Tad Ekam [That One]*, the discipline of Ontology is considered paradigmatically western. However, in clear opposition to the author's thesis, although the Indian Rg Vedic approach to the Ontology of Being is cosmogenic and mythological, the subject matter of Being is not

absent. In fact, the question of Being, though not expressed in terms of the Aristotelian ‘science of being,’ dominates a significant portion of Vedic and Upanisadic texts.

What results from the analysis of the meaning of Being is scholarly, accompanied by the citation of original texts and a clear and precise translation of the terms. This style of investigation is applied to other closely related topics. The essay “Ascent-Descent Dialectics of Being” compares the theory of creation in the Upanisads with the Biblical book of *Genesis*, where the universe is depicted as originating in the Word. “Hindu-Christian Values of Life” goes a step further. The author, Thomas Mannikam not only draws on parallel Hindu-Christian motifs, but brings the preceding essays into a renewed cultural context when he asks whether there is a holistic ecological perspective that underlies ‘Hindu-Christian values’.

In keeping with this general holistic perspective, the authors of the volume connect the evolution of Christianity in India with Hindu ideals and values. All values of life, existential or otherwise, are seen as originating in religious dialogue since it is in a dialogue that the relations of ‘self’, ‘man’ and ‘nature’ are sought and realized. The religious turf on which selfhood evolves is the world that is also a cultural web of relations – a ‘Divine Milieu’, a ‘House of God’...a ‘sacred space.’ It is also in this world that one becomes aware of one’s limitations and seeks inner perfection through the act of self-surrender [sanyasa]. The essays “Indian Sanyasa and Western Asceticism” and “The Spiritual Process according to the *Bhagavad Gita*,” historically and thematically examine asceticism as an ideal that aims at self-surrender. Augustine Keemattam, author of “The Spiritual Process according to the *Bhagavad Gita*,” presents the *Bhagavad Gita* as a paradigm for Christian spirituality. He thinks that the *Gita* offers an ‘integrated paradigm’ of religious experience because it addresses the “participation [of humanity] in the divine work” as “an active commitment [of believers] to the promotion of harmony, freedom, and equanimity”.

Like Kantian ethics, the *Bhagavad Gita* is widely studied for its depiction of human freedom and the ethical imperatives governing human action. True freedom in the *Gita* does not consist in the total renunciation of action. In fact, it is achieved when duty is not driven primarily by the expectation of desirable or undesirable consequences. What Keemattam justifiably extracts from the philosophy of the *Gita* is a holistic paradigm for religious experience – but the *Gita* in its original form is not itself based on a holistic view of religion. What emerges from the narrative of the epic poem is a universal ideal of duty and self-surrender that has philosophical implications. Still, it is not clear whether the holistic paradigm, which the author ascribes to the *Gita*, is intrinsic to the epic narrative, since it assumes a view of religion that not all theistic religions necessarily and readily agree with.

The relative ease and comfort with which the comparative study of theological and philosophical subjects is undertaken is praiseworthy, since the ambitions of the authors are matched by their overall linguistic and cultural grasp of the issues. Yet, from the point of view of a Western reader, the breadth of the philosophical reflections within a single essay may be far too extensive. As a general rule, the essays seek to gather a common set of impulses from Western and Indian traditions. The ideas are not only viewed in relation to a particular school of thought in the history of philosophy and religion; there is also the consistent attempt to achieve a kind of synthesis of viewpoints. For it is generally held that the divergent viewpoints are bound to interact in the history of their evolution. The history

of ideas is conceived as a unity in multiplicity, to use a Hegelian phrase, or even a harmony in diversity.

What is the rationale behind the title *Western Encounter with Indian Philosophy*? Maya Milcinski's "European and Asian Philosophies Contrasted" summarizes the rationale behind the anthology. The convergence of the Indian non-dualist Vedanta with Hegelian-style dialectic would not come as a surprise to scholars of Indian philosophy. At the same time, the ideas of God as a projection of the self in nature and man used interchangeably to represent both Western Christian and Hindu-Christian religious philosophy, would be considered very controversial by the average Western scholar who has little patience for Hegelianism, either Western or Eastern. For one, Hegelian absolute idealism is not without problems, nor is the non-dualism of the Vedanta, especially for those who wish to emphasize the point of contrast rather than that of convergence among religions and philosophies. Hence the title of the book is puzzling as it seems to allude to an absent audience, one that would strongly disagree with the holistic viewpoint of the essays.

Milcinski's essay seems to support this overall impression of an audience in absentia. She regards the negative view of Asian philosophies as originating from Hegel. Milcinski brands the hitherto contrastive methods of study as a distinctively 'Western' invention guided by a civilizational bias. The standard Eurocentric approach attempts to assimilate non-European ideas to fit European conceptions by insisting upon the distinction between "logically discursive pattern of thinking" and the "mystical pattern of experience". Consequently, non-standard expressions of philosophical ideas conveyed metaphorically or poetically are very superficially dismissed.

Although Milcinski's criticism is warranted, the authors of the essays provide little reassurance. Almost all of them aim at a synthesis of ideas without actually initiating a formal theoretical discussion of the alternative paradigm of interpretation that is being assumed. On reading the essays, one is implicitly led to engage in a dialogue of some sort. The encouragement to think of the comparative approach as a synthesis of Hegel and Vedanta, a combination of hermeneutics and phenomenology, is highly suggestive. At the very least, one may be able to identify the general approach by what it is not: it is certainly not "the realization of history to the detriment of multiplicity."

The Two Eyes of Spinoza & Other Essays on Philosophers. By **Leszek Kolakowski**. South Bend, IN: St. Augustine's Press, 2004. 311 pp. ISBN 158731875X

Graeme Hunter, University of Ottawa

Leszek Kolakowski is a philosopher of immense learning, breadth and delightful humour. His career has taken him from Poland to the leading universities of Canada, the United States and Britain, and from orthodox Marxism through unorthodox socialism to a sharp-eyed scepticism toward all who pretend to explain everything. He was recently the deserving recipient of the Library of Congress's *John W. Kluge Prize* for lifetime contribution to the humanities.

The present collection of papers draws on three central decades of his writing and experience. It ought to be a better book than it is. And it would be better, were it not so

heterogeneous. Although every essay in it has merit and some that have a great deal, taken together they do not make a book. It gives the reader the impression that Kolakowski inadvertently handed his publisher not the intended manuscript, but his “miscellaneous” folder.

The papers of this collection were gathered from far-flung places and times (1950s-1970s) and have in many cases been translated out of their original Polish, French or German. They are uneven in length, intention and in style. As the author himself says in his foreword: “There is no common theme in it, although most of these texts deal with seventeenth-century philosophy and theology. They were written independently of each other.”

On the other hand, almost any reader interested in the history of ideas will learn something from this diverse collection. Substantial essays on major figures like Spinoza, Bayle, Gassendi, Luther and Marx are complemented by studies of minor ones like Uriel Da Costa and Richard Avenarius.

As that list of names suggests, Kolakowski is interested as much by religious as by philosophical history. And this collection contains representative essays dealing expertly with early modern non-denominationalism, religious radicalism and dissent.

Readers who have no scholarly interest in either the religious or philosophical history of the early Enlightenment may still be intrigued by Kolakowski’s thoughts on Louis Althusser’s approach to Marx, or on the theological heritage of contemporary thought or, if all else fails, on the epistemology of strip tease.

The disheartening diversity of theme is at least mitigated to some extent by an underlying unity of approach. In the thinkers he deals with, in the intellectual movements and philosophical systems he discusses, Kolakowski is usually able to uncover a similar pathology. Like the Spinoza of the title essay, each of them has, so to speak, two eyes. Kolakowski is interested in philosophers and philosophies where there are two ill-matched eyes, eyes that do not present a single vision, as they do in normal people, but see different and usually irreconcilable things.

Thus the two eyes of Spinoza are the two incompatible freedoms to which he seems equally attached: In his metaphysics he recognizes divine freedom of a kind which makes individual freedom impossible. Spinoza’s pantheistic God is Nature itself. Therefore to call him free is only to say that nothing outside him constrains his action, not that his actions are unconstrained. To call God free is simply to say that he acts according to the necessity of his own nature. All nature’s parts, including ourselves, lack even that freedom. Our actions are caused by other parts of nature impinging upon us. If we think we are free, it is because we are unaware of the causes of our action. So Spinoza the metaphysician.

In his politics, however, Spinoza is a liberal, who encourages and defends the same individual freedom his metaphysics denies. Kolakowski does not try to reconcile these two competing ideas, but rather to assist the reader to see the value of each of them as deeply as Spinoza does.

You can see another version of this same conflict in the collection’s second essay, “Spinoza: A Metaphysics of Suicide or of Survival?” If Spinoza is a pantheist, then he is also a monist, meaning that he recognizes only one substance as fully real. The innumerable individual substances we normally imagine to exist, including ourselves, are really only modes of the one true substance, who is God or Nature. According to Spinoza’s

monism, God alone is completely actual. We are no more individuals than are waves on the surface of the sea.

And yet that is not all of Spinoza. In seeming contradiction to his monism Spinoza tries to allow for individual substances after all, by assigning to each a *conatus*, a sort of life-force, or principle of self-individuation and self-assertion, which works to maintain its integrity within the system of nature. “There is no solution for this inconsistency,” Kolakowski tells us

no way out that would bring Spinoza’s thought into inner harmony without destroying what is the most genuine in it. ... This contradiction cannot be set aside within the world of Spinoza’s thought. It repeatedly reappears in all the pieces of his philosophical edifice. (p. 21f)

A related contradiction also lies at the heart of the Protestant Reformation of a century earlier. Martin Luther came to believe that there is nothing in our corrupt nature that could in itself lead us to God, and that nature therefore had to be rejected in favour of a total reliance on God. On the one hand, this can lead – and, according to Kolakowski, it has led – to mysticism of two kinds. First, we can be led to reject nature and identify with God, striving to be absorbed into his all-sufficiency. Or, on the other hand, we may identify God with nature in a form of pantheism, as did the German philosophers of the nineteenth century (pre-eminently Hegel) who were among Luther’s heirs.

The most common philosophical outgrowth of Lutheranism, however, is not mysticism of any kind, but radical existentialism, which involves an individualism that rejects fixed dogma or creeds and is hostile to the religious community that grows up around assertions of dogma. According to such radical believers (the most famous of which is probably the nineteenth century Lutheran, Søren Kierkegaard), faith must be existential and individual, not creedal and communitarian. Yet faith without doctrine is itself a religious paradox. Because it precludes finding any dogmatic resting place, it inevitably leads believers away from religion toward a secular society.

Kolakowski presents many of the different religious and philosophical faces which contradiction has assumed. The only moral he is willing to draw from the whole picture, he says ironically, is: “Quod nihil scitur. That nothing can be known. But even this might be exaggerated.” (p. vii).

I don’t know how many people will want to work through all these scholarly papers for that sparse reward. And yet there are many essays here that historians of religious and philosophical ideas will want to consult individually. The solution: order it for your university library.

Philosophy of Being - A Reconstructive Essay in Metaphysics. By **Oliva Blanchette**. Washington DC: The Catholic University of America Press, 2003, pp xxiii + 563. ISBN: 0813210968

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There are two ways in which to read this very considerable essay in metaphysics. The first way is to read it as the latest essay in what has generally been termed “neo-Thomist” philosophy. Read in this light and in this tradition, we are presented with a work of great

thoroughness and systematicity which is clearly the fruit of many years of teaching and research. Apart from an occasional reference to Gilson and Lonergan, Blanchette for the most part takes Aquinas's interpretation of Aristotle as his starting point and does not embroil himself in other neo-Thomistic studies. This has the advantage of avoiding the distraction of sifting through the various strands of Thomistic interpretation of the last century and allows the reader to deal directly with a single line of interpretation. Blanchette works through the discernment of "being" in the distinction between the formal properties of propositions and their affirmation in judgements of existence. As I understand it, the notion of being into which, as Avicenna had noted, all other conceptions are resolved, has three aspects: essence or quiddity, this-or-that-ness or haecceity and existence or the act of existence. Further exploration of being, thus characterised, calls for the recognition of its "analogical" character.

I am not sure that all Thomists will agree with Blanchette's account of analogy, which he identifies as a species of "equivocation" (repeatedly, e.g., pp. 121-122). The more usual account is to distinguish between three types of predication: univocal, equivocal and analogical as reducible to neither of the others. Blanchette proceeds through a discussion of the transcendental modes or properties of being, largely along traditional lines, though he does not at this point make much of the traditional property of otherness or difference ("aliquid"). This is surprising after his espousal of "haecceity" which is central to argument that being is not abstract but concrete. He does, however, add "Being as Active" and "Being as Universe" in his endeavour to avoid the abstractness of the empty notion of being with which Hegel's Logic begins.

The fourth part of the essay is devoted to what the author calls the "structure of being". In this section he deals with "becoming", substance as being-in-itself, matter and form, act and potency, concluding with an argument for a real distinction between a determinate essence and its act of being. The fifth part of the essay, titled "the communication of being" treats of causality in the natural order and in the order of human activity, and concludes with the priority of act over potency in the universal orders of Nature and of History. The final, sixth part of the essay turns to the traditional outcome of metaphysics in the question of a totally transcendent order of Being.

There is however a second way of reading Blanchette's text, and it is the one that he suggests is how it should be read. Blanchette clearly wishes to situate his essay in the context of on-going debate about the nature and possibility of speculative metaphysics. The historical line of the debate in which he situates his work is one that leads out of medieval thought by way of Suarez to Wolff and Kant, thence to Hegel and, in Blanchette's view, on to Heidegger (whom he chooses as representative of post-modern deconstructionist thinking). Seen from this point of view, Blanchette's task is to perform what Heidegger might have called a "retrieval" of those elements of Aquinas's metaphysics which can be re-constructed in a post-post-modern context. Heidegger did well, Blanchette believes, in setting out in quest of a new ontology from the starting point of the phenomenological analysis of *Dasein*. One can only begin a journey from where one is, and Blanchette essentially accepts the Heideggerian account of human being as finding itself already situated in the world and faced with its own being as questionable. The advantage of this starting point is that it becomes possible to raise the question of being in an entirely concrete context. Thus he is able to skirt the neglect of being epitomised by Kant's reduction of being to mere positing, as well as the initial impoverishment of being

as the entirely indeterminate with which Hegel opens his logic of being. Being, as Thomists insist, is disclosed as existence (or “be,” as Blanchette has it) only in affirmative judgements. In other words, if “be” is a predicate and a meaningful one, it is only the “being” which is predicated in an affirmative judgement of a concrete and not a merely speculative nature. Somewhat surprisingly at this point Blanchette does not feel the necessity to engage in any kind of dialogue with Fregean and post-Fregean analytic concerns that existence is simply the instantiation of a propositional function.

Blanchette’s decision to include “Being as Active” among the transcendental attributes or properties seems to suggest that being as activity will take account of transformations of the notion of being in more recent philosophy, notably in the line of Hegel, Bergson, Whitehead and Peirce. However, it is only in the wake of an already prior account of being that Blanchette comes to treat becoming. It is here and in the subsequent sections on substantial change, on potency and act and on matter and form, that we realise how thoroughly nothing has changed. For Blanchette, essence or quiddity is “first nature,” and activity (which is determined by and flows from essence) is “second nature”. There is no attempt, so far as I can see, to relate activity directly to *esse*. The account of becoming is dominated by the conception of becoming as proceeding from a lack (steresis) of determinate being for which there exists a potentiality towards the *terminus ad quem* of act or realisation. Becoming is a difference within being which has to be accounted for and is not to be understood as an essential characteristic or transcendental property of being. Blanchette seems to take no account of the more recent philosophies of difference of, say, Derrida or Deleuze. Not that he must agree with them but, as constituting one of the more urgent challenges to Thomist metaphysics by what is referred to as post-modernism, they do perhaps deserve some discussion. Blanchette does recognise that his position on becoming is a conscious decision against Hegel and Whitehead, whom he selects for special treatment in the crucial sections (on pp. 247ff) on “The Principles of Becoming in Being”. Having recognised that “the question of becoming can thus become the most radical question of metaphysics, as it does in Whiteheadian philosophy....” Blanchette reaches the conclusion that: “It is not being that has to be accounted for in terms of becoming, but becoming that has to be accounted for in terms of being” (p. 249) And so the course is set for a retrieval of the traditional “Thomistic” interpretation of Aristotle.

By confining himself rigorously to the pre-theological metaphysics of Aquinas until the final arguments of natural theology for the existence of a “totally transcendent being,” Blanchette deprives himself of the rich insights of Aquinas’s trinitarian theology. Providing that one does not predetermine the notion of becoming as the movement from a lack of determinate form, it could well be argued that, in the divine nature, being and becoming are indeed one and the same. The divine movement (processions) by which the divine life is constituted is not one of bare self-identity but a dynamic activity of *perichoresis* which might indeed be mirrored, however imperfectly, in the “world of becoming”. As St Thomas’s *theology* concludes, the divine essence is nothing other than the movement of the divine processions as they give rise to those relations of opposition by which the divine persons are constituted. There is no need to be frightened by the Heideggerian strictures on “onto-theology”. Heidegger’s notion of retrieval stemmed from the belief that, once de-constructed, ancient achievements of thinking can yield abundant fruit for the contemporary re-thinker – and there is indeed plenty of de-constructed theology to be found in Heidegger. But the primacy of unity as self-identity in the notion

of being precludes any immediate identification of being with activity. Blanchette wrestles not infrequently with the Parmenidean dilemma – perhaps unnecessarily, once the notion of being as activity, for which Aquinas paved the way with the priority of *esse*, has been acknowledged. (The index lists no less than 31 references to Parmenides!)

In concluding, it has to be allowed that what Blanchette offers us is a huge achievement in putting forward for current debate an eminently intelligent re-presentation of a recognisably Aristotelian-Thomistic metaphysics. It is presented in a consciously systematic manner. It is not clear that St Thomas himself actually developed a system of metaphysics. He certainly embraced systematicity fairly thoroughly in his theology – at least, as he presented it for novices in the *Summa theologiae*. The same is not true of most of his other writing, whether theological or philosophical which, in its adherence to the format of *quaestio disputata*, resonates with what Edward Booth has dubbed the “aporetic” character of Aristotle’s metaphysics. But it is of the nature of systems to be able to account for all the phenomena, and it would have to be allowed that Blanchette offers us a very systematic treatment of metaphysics. Systems, however, have the disadvantage of unwarranted stabilization. There is something unhistorical about Blanchette’s Aquinas, which is all the more surprising in that he makes so much of, and gets so much out of, the notion of “haecceity”. Blanchette reminds us, not infrequently, that the being he is talking about is always a *this* or a *that*, and insists that there are three principles of being: quiddity, haecceity and the act of existence. Some acknowledgement of his debt to Duns Scotus for the very important concept of haecceity might have seemed in order, yet the Doctor Subtilis receives not a mention in 560 pages (other than a brief reference on the question of the “subject of metaphysics” in which Blanchette sees Scotus’s view as essentially leading to all that abstractness of being which characterises metaphysics in the modern period). In a work which covers such a vast area as the whole of metaphysics not all the battles can be fought in detail, and it remains to the reader to decide whether s/he agrees with the ground chosen. It remains true that Blanchette’s work is valuable for the enormous amount of ground that he covers in a challenging and thought provoking manner.

Selfhood and Authenticity. By Corey Anton. Albany, NY: State University of New York Press, 2001, 181 pp. + x. \$18.95 Paperback. ISBN: 0-7914-4899-1
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Corey Anton's *Self and Authenticity* is a phenomenological exploration of how the self can become authentic in today's modern society. Anton's analysis of authenticity is Taylorian in nature. To develop his phenomenological theory of the self, Anton draws from several phenomenologists and existentialists, such as Heidegger, Bakhtin, Merleau-Ponty, Goffman, Schrag, and Taylor. One of Anton's main themes throughout the book is the necessity, and perhaps urgency, for individuals to become increasingly authentic in order to transcend the indifference of modern mass society. We live in a post-modern society that sometimes celebrates inauthentic behavior and lifestyles. Anton's book is an invitation toward authenticity which is characteristic of Charles Taylor's *Ethics of Authenticity* which argues that authenticity must be developed by individuals in order not to sink to the level of "bored mediocrity". Like Taylor, Anton believes that each individual is responsible for

developing an authentic self, since there is an urgency for each of us to contribute to the new culture of authenticity.

Anton's book addresses two main questions. First, Anton examines "What is the basic character of selfhood?" In the process of this analysis, he engages in an extended phenomenological analysis of selfhood by investigating four dimensions: embodiment, sociality, symbolicity, and temporality. Anton then addresses the above question in Part II of the book, in which he brings together some of the most important reasons why individuals should become authentic. Second, Anton asks "How are we to understand selfhood so as to effectively further the quest for authenticity?" Becoming authentic is not based on a fixed, formulaic equation of what an individual should strive to avoid. Instead, being authentic is a unique, phenomenological experience that is developed by an individual in relation to him/herself, others, and the modern world in which one finds oneself. The most important part of Anton's book focuses on this last question, since it puts the phenomenological framework which he develops into practice. Anton's chief claim is that individuals are inauthentic since they do not have a proper grasp of what constitutes the self. The best way to derive a characterization of the self is through a phenomenological and existential analysis of selfhood.

Phenomenologically, the self has an embodied, social, symbolic, and temporal character. As an embodiment, the self is viewed as a lived-through experience of the world and self. Embodiment is a special activity within which the world, objects and selves come to exist. To be a body and a self is to be spatially in the world. As lived-bodies, we should not merely be concerned with our bodies per se, since the body is a medium through which the world comes into being. The lived-body should also be viewed as an intentional nexus which refers to the various powers that the lived-body maintains for itself. The phenomenological notion of intentionality depicts the human being as a project of the world, toward which it is perpetually directed. To understand the world is to understand oneself. The self and world belong together in a single entity since they are the basic determination of *dasein* itself in the unity of the structure of being-in-the-world.

Secondly, the self can be defined in terms of its sociality, since it is part of the human condition and not a product of human making. Through sociality, an individual can gain both world-understanding and self-understanding within one's lived-through world-experience. Aspects of an individual's body become manifest only through others. For instance, faces are expressive fields through which an individual is present for another person's viewing. In addition, qualities of character are issued and maintained through interpersonal encounters. An individual's social character is achieved through various communicative practices and is implicated according to what is appropriate and acceptable. Through facial expression and interaction, social identity is developed. Part of an individual's sociality implies that we should develop and cultivate our otherness to others, which is what locates and specifies us as social beings.

Thirdly, the self can also be characterized through its sonorous qualities. Sonorousness is the manner in which lived-bodies release and appropriate the sayableness of their existence. Linguistic prowess is one of the lived-body's powers for articulating meaningful configurations of lived-through world-experience which allows us to make sense of our experiences. Sonorousness is a social and intentional nexus by which aspects of the world and self become manifest. Thus, sonorousness radically challenges rigid divisions between the self and others. Individuals are not usually conscious of their patterns of speech;

although speech can suggest various types of meaning, it can also imply different levels of sociality. Sonorousness is grounded in ecstatical temporality. Anton lastly characterizes the self as a temporal being by showing that the world and selfhood are accomplished through a temporal constitution. Human beings are not simply contained in time. Despite this, temporality is a basic fact of the lived-body and the human condition. The world and self are not simply given in extended space, since the body occupies and inhabits space. Temporality is usually the product of our sonorous activities. To be a body is to be an ecstatical temporal clearing, an interpretation of the future, past, and present.

Authenticity is tied back to an individual's understanding of selfhood as an embodied, social, sonorous and temporal being. The quest for authenticity relates to the phenomenological dimensions of selfhood which is not merely a kind of egoism nor a species of moral laxity. Nor should authenticity merely be considered to be a radical autonomy that is manifest in doing one's own thing. To become authentic, an individual must curtail shallower forms of selfhood which are mostly self-serving. Self-realization and self-fulfillment cannot be accomplished through the acquisition of artifacts which may be taken as signs of authentic selfhood. Authenticity can only be developed by examining one's self concretely and passionately, so that one can become responsible for living the most self-actualized life. Each individual must develop the various phenomenological manifestations of the self and gain the necessary self-knowledge in order to become authentic. Authenticity cannot be reduced to a socially constructed and typified identity. In order to be authentic, each individual must critically assess mass culture. Authenticity demands creativity and a sense of originality which is usually in opposition to mass culture. The self is a creation, a timeless birthing, of an original self. Creative originality can be considered a passionate response toward the world and others. Authenticity is not an occasional act that occurs in time; it must exist as a habit of passionate responsibility and become part of the fabric of the self.

Dr. Radhakrishnan and Christianity. An Introduction to Hindu-Christian Apologetics. By **Joshua Kalapati**, Delhi: Indian Society for Promoting Christian Knowledge (ISPCK), 2000. [distributed by Merging Currents, Inc.] 209 pages. ISBN: 8172146906. U.S. \$14.95

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Joshua Kalapati wants to concentrate on the apologist Radhakrishnan; but is it really so clear that Radhakrishnan is an apologist? There is a philosophic dimension to Radhakrishnan's *Vedantic monism* (advaita Vedanta) which the author declines to take into account. It is eminently clear that a Christian who believes in the literal truth of the Bible cannot accept any philosophical criticism or interpretation of Christianity. The question that Kalapati fails to answer is whether Radhakrishnan has anything to offer to Christians who are not believers in the literal sense. An author who chooses to ignore the philosophical elements and focus on the apologetic elements of Radhakrishnan's works unsurprisingly rejects Radhakrishnan's general evaluation of Christianity. However, in doing so Kalapati entirely misses the point.

In what sense does Radhakrishnan, according to Kalapati, misrepresent Christianity? On deeper inquiry we discover that this supposed inaccuracy consists in Radhakrishnan's tendency to favour figurative over literal interpretations of religion, and of 'the human Jesus' as opposed to 'the divine Jesus'. Conveniently, the author has already eliminated all of the philosophical reasons behind Radhakrishnan's methodology. Hence it is unsurprising that Kalapati should find groundless misinterpretation everywhere in Radhakrishnan: he has dismissed Radhakrishnan's presuppositions and methodology at the very start.

Kalapati correctly points out that Radhakrishnan is attempting to turn the tables on Christianity. The comparative and contrastive approach Radhakrishnan adopts was originally introduced by the Christian theologian A.G. Hogg to expose the limitations of Indian religious beliefs. The author here openly refers to the aim of the contrastive rather than the comparative study of the Hindu religion. "The Christian thinker, whether missionary, theologian or evangelist, must selectively draw certain fundamental contrasts between the beliefs of Christianity and Hinduism, and then subject these to a more rigorous philosophical analysis. In the process the person would inevitably disturb the 'Hindu equilibrium', resulting in the feeling that there is a lack in Hindu religion "which can be met with satisfaction in Christianity."

Kalapati appears fairly convinced that an academic approach has an essential connection with the faith of the person who invents it, so that it is then a mistake for Radhakrishnan to have used Hogg's approach to criticize Christian beliefs. This is, however, highly questionable. The author also refers to "Christians" without specifying which denomination of Christianity he means. It would have made Kalapati's basic thesis that Radhakrishnan's position is incompatible with Christianity more credible if he at the very least made reference to a specific denomination of Christianity rather than assuming that all of the many sects of Christianity are in agreement on basic issues of interpretation such as 'the Christ of faith' versus 'the Jesus of history'.

Kalapati further ignores the speculative aspect to Radhakrishnan's historical investigation of Christianity in the work *Eastern Religion and Western Thought*. Radhakrishnan is not the only scholar of his time to have undertaken the task of exploring the non-Christian sources and influences of Christianity. The 19th century works of Heinrich Zimmer, Max Müller and Paul Deussen are also widely known for their comparative survey of Eastern and Western thought. The hypothetical idea that "India was the spiritual mother who cradled other civilizations" was common to most comparative disciplines interested in the Indo-European connection in Radhakrishnan's time. Additionally, Kalapati's extreme skepticism with regard to the historical influences on Jesus' personality appears rather exaggerated. He is suspicious of even banal and fairly well known historical connections such as the influence of John the Baptist and the Essenes on Jesus. Surely assuming an influence of John the Baptist on Jesus' personality is not unreasonable?

At its best, Kalapati's *Dr. Radhakrishnan and Christianity* provides an interesting account of Radhakrishnan's initiation into apologetics, but it greatly undermines the philosophical and speculative quality of Radhakrishnan's comparative study of religions in general, and not just that concerning Christianity and the figure of Christ, taken either literally or figuratively. It presents Vedantic monism as fundamentally hostile to scripture, rituals and organized religion and, therefore, also Christianity without acquainting the

reader with the details of this intellectual tradition in India and its role during the Hindu Renaissance. One is inclined to ask: Is it impossible for more literal forms of religion to co-exist with the more intellectual forms? In reading Kalapati's book one is bound to reach a negative conclusion.

God and Argument / Dieu et l'argumentation philosophique, Edited with an Introduction by William Sweet, Ottawa: University of Ottawa Press, 1999. 275 pages. \$32.00. ISBN 0-7766-0499-6

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God and Argument contains a series of essays dealing with approaches, problems and solutions to the existence of God. The diversity of essays respecting the philosophical parameters of the discussion are the primary strengths of this collection.

In the first part, "Conditions for God and Argument," James Bradley introduces weak and strong theories of God's existence from the Humean and Kantian perspectives. Bradley maintains that in the strong theory of metaphysics, the concept of God is undergoing changes replacing meta-cause with a loving redeemer on the one hand, to God's finite self-actualisation, concealed in Being, on the other. It is not clear, however, how a strong theory can replace a meta-cause with a redeemer. James Ross provides a practical analysis of argument, and shows that being "certain" about God's existence is not possible as far as satisfactory demonstrations are concerned. Rational certainty is the basis of how we conduct our lives, through our trust in others, institutions, and regularity in nature (pp. 32-33). Ross convincingly suggests that the affective domain plays a role in our beliefs. Jean Ladrière's phenomenological reinterpretation of paths to God is examined by Louis Perron. From a phenomenological perspective, the article is interesting and unique, as in its discussion of the ontologico-transcendental which leads to God through "principles." God is manifested through the visible and through that which is "readable" for the mind.

William Desmond focuses on Anselm's ontological argument and the historical influence of Kant's critique. Kant opens the way to God through a metaphysics of morals; this is because the moral law is given to us by God, even if we do not know who God is (p. 72). Desmond observes that "the affinity of philosophy is with prayer rather than geometry"; this suggests a way of reaching God is from the exterior to the interior, or from the inferior to the superior in a Platonic-Augustinian model expressing a mystical knowledge of God. Desmond's argumentation on the basis of ethics offers one of the most compelling arguments leading to God: we are neither the ethical absolute, nor can we produce it, though something of it exists in us; this ethical absolute transcends us. Cognizant of the "excess" of this absolute, we discover something of the primal ethos making the approach to the divine possible (p. 80). Alvin Plantinga's Reformed epistemology is handled by D. Goldstick. For Plantinga right reason is theistically oriented; a belief that obstructs a theistic response is due to sinfulness. Reformed epistemology actually shows how we can be side-tracked with misreadings of Augustine. Goldstick refers to the "Plantinga slip," arguing that thinkers are within their epistemic

rights reject Reformed epistemology – and can rightly avoid Plantinga’s charge that doing so is irrational. The essay does raise the problematic question of the relation between faith and reason.

Part Two, “(Re)situating Arguments about God,” starts off with an essay by Leslie Armour, and the recurring difficulties with Anselm’s ontological argument. Armour believes that the main issues concern “reference” and “meaning.” Anselm’s *Proslogion* IV expresses the referential power of the word “God.” The Anselmian assertion that “God is that than which nothing greater can be thought” creates some difficulty. Armour points out that to think of non-existent entities the composite still requires things that exist in the real world. God whose nature is “Deity” still is complex. When something is thought about even if it does not exist, “such being is still in something that *does* exist” (p. 100). The question the fool would want to ask is why God might exist *in intellectu* without existing *in re*. In Armour’s analysis, Anselm leads to God by fitting concepts together and positing the necessity of a “highest order determinable.” The basic notion of God is that the Deity gives order to the world by being the source of its meaning and the “ground of the possibility of existence” (p. 105).

The disagreement between Joseph Owens and Etienne Gilson concerning the Five Ways resurfaces with Lawrence Dewan’s essay. For Owens, they are different Ways of representing the same argument: God’s existence is based on the act of being; the source of this proof is to be found in *De ente et essentia*. Gilson holds that *De ente et essentia* does not offer any proof of God’s existence, and the Five Ways of the *Summa Theologiae* are not based on the act of *esse*. In response to Owens, Fr. Dewan believes that the argument found in *De ente et essentia* depends on the *reality* of the distinction between essence and existence “in the things we use to conclude to a God” (119). But Dewan differs from Gilson in that he sees the Ways as a means of understanding Thomistic being; for Gilson it is by studying the Ways themselves that Thomas leads the individual towards a concept of being. Dewan’s essay reflects the ongoing debates on “what does Thomas mean?” Another discussion of Thomas appears in Peter Harris’s essay, that looks at Thomas’s Five Ways in terms of contingency. Harris maintains that the purpose of the Five Ways is to connect faith and reason, while reason needs justifying and not faith. Contingency itself, based on the third Way, develops from creation, and serves as a bridge from the causality of the two previous Ways and the participation that begins the fourth Way. Harris seems to offer a solution to the relationship between faith and reason (and Reformed epistemology) through the third Way. Bernard Vinaty argues from the Kantian thesis that God is both indemonstrable and indubitable. Three Kantian proofs of the existence of God are examined: the physico-theological, the cosmological and the ontological. *A posteriori* arguments are rejected in favour of an *a priori* argument. To question God is to question the place of the person in the universe; Vinaty shows that natural theology for Kant becomes pure reason. Still within Thomistic thought and continuing with Kant, J.L.A. West gives another interpretation of Kant’s cosmological argument drawing from Thomas. For Kant, the cosmological argument reasons from concepts *a priori* since we do not have the experience of an absolutely necessary being or things-in-themselves. The cosmological argument would presuppose the ontological one. The significant difference between Kant and Thomas is that Kant demonstrates divine nature in *a priori* concepts, while for Thomas demonstrating divine nature in the third Way involves *a posteriori* experience. The essay shows the centrality of Thomas’s third Way in arguments on God. I found William Sweet’s

article one of the most crucial on any discussion about God, since the essay questions our epistemological premises, and in this case, those tied to evidentialism and foundationalism. Sweet argues that the claims first made in evidentialism were far less rigid than the standards set today. Referring to Richard Whately, “sufficient reason” for believing what we believe does not require a foundationalist standard. Sweet also shows that William Clifford’s use of evidentialism is not tied to foundationalism: religious belief could be rationally and morally justified “when the conditions and grounds gathering and evaluating testimony and for engaging in our own investigation were met” (p. 207).

In the third section, “Reconsidering Questions Concerning God’s Existence,” Denis Hurtubise offers a Whiteheadian discussion of the existence of God, drawing from two of Whitehead’s works, *Science in the Modern World*, and *Religion in the Making*. Though Whitehead refuses to identify substantial activity and an ordering principle with a creator God, the Whiteheadian principles favour the acceptance of a substantial source of activity and order. Science as the sole arbiter of the real is considered to be a form of “unwarranted reductionism” in John Haldane’s essay (p. 233). In this well-argued essay, Haldane maintains that scientific realism or materialism reducing cosmic order to chance fails to account for the emergence of life and the development of species; theism’s hypothetical design argument offers an explanation for an orderly universe. The difficulty with miracles is treated by Robert Larmer who does not exclude miracles from philosophical discourse. The essay challenges Hume’s interpretation of miracles but, in spite of Haldane’s teleological arguments, Hume is still more convincing. I think miracles would have to belong to the domain of faith, rather than arguing, as Haldane does, that events such as the resurrection could be explained through the order of an intelligent designer. The volume concludes with an essay by Elizabeth Trott, who rejects a relationship between design and the existence of God, concluding that the linguistic imagination coupled with its mental capacity “the idea of God joins the endless mutations, possibilities and chance events of the future or the present, depending on one’s point of view” (273). God is one choice among many in the way we organise our world.

In spite of the wealth of material in these fifteen essays, especially on Thomas and Kant, discourse on God still seems incomplete without mention of Plato, Aristotle, Plotinus and Augustine. After reading *God and Argument*, we might wonder how we choose to organise our world, but it would appear that many of the authors believe that divine assistance has given us a “head-start.”

Truth Matters: Essays in Honor of Jacques Maritain. Edited, with an introduction by John G. Trapani, Jr. Washington, D.C.: American Maritain Association; distributed by the Catholic University of America Press, 2004, 316 pp + xiii. Paperback. ISBN: 0-9669226-6-2

Walter J. Schultz

In his editorial note, John G. Trapani, Jr. establishes a dual focus for this collection of papers: first, asserting that truth matters in distinction from the relativism of post-modern epistemology; and second, indicating the preservation of knowledge concerned with the truth-matters of the various disciplines. It may appear that here one is concerned solely

with the apprehension of intelligible truth. In fact, this collection of papers exhibits a balance, also encompassing what one might call the existential truth of the subject which transcends conceptualization, a truth essential to Maritain's own epistemology. This duality of focus, involving the intelligible truth of the object and the existential truth of the subject, is woven through three sections: Truth and Theoretical Matters; Truth and Ethical Matters; and Truth and Practical Matters.

It is most fitting that James V. Schall, S.J. initiates the publication with his *On the Prospect of Paradise on Earth: Maritain on Action and Contemplation*. Forthrightly acknowledging the affinity between Eric Voegelin and Maritain (concerning their mutual disdain for the prevalent Western gnostic eschatology which would replace the mystery of Divine action with an immanent *eschaton*), Fr. Schall instantiates paradise within the existential condition of the individual human person or subject. The Kingdom of God concerns the human appropriation of knowledge, whereby the object of contemplation is known and loved in such a way as to engender inclusive activity among human subjects seeking their common good. Following St. Augustine, Maritain defines paradise simply as **A** joy of truth. Surely encompassing the intelligible truth of objectivity, such **A** joy involves the interpersonal sharing through love which (albeit initiated by the downward action of God) is human activity. Fr. Schall expresses this dual focus, which he attributes to a uniquely Christian extension of truth as already perceived in the classical Greek and Eastern notions of contemplation, in the third paragraph of his paper:

The object both of creation and redemption always remains individual persons, albeit in the very social nature given to them because their minds can, properly speaking **know** all things. The Dominican model has the implication that we need to set aside much time and effort to know the order of being, of *what is*. But within it, there is also a very vivid feeling that, welling-up within us, is a joy that wants truth to be known, a realization that what is indeed properly **for us** is also **for others** (p. 13).

The remaining papers in the first section of this collection, Truth and Theoretical Matters, retain Fr. Schall's dual focus. John A. Cuddeback, in *Truth and Friendship: The Importance of the Conversation of Friends*, and Gregory J. Kerr, in *The Sine Qua Non of Love: A Pluralism Within*, emphasize loving relationship as the key to effective communication of truth. Cuddeback notes, *a la* Maritain, that there are

... two ways of appealing to others to bring them to see what you see: by rational demonstration or by the testimony of love. *It is friends who are in the position to do both of these at the same time, and in a most excellent manner*. The conversation of friends always has the character of being a testimony of love, and is, once again, the natural context for a common consideration of demonstrations (p. 33).

Furthermore, Kerr acknowledges a plurality within each of us, which requires nurture and the mortification of pruning so that the whole person (appetite, will and intellect) may be oriented toward truth. Herein follows a more direct explication and appreciation of Maritain's personalist approach to education and his insistence on truth in opposition to pragmatic method, along with some kind words for an actual institution and a tribute to Rev. Gerald B. Phelan: Gavin T. Colvert, *Maritain and the Idea of a Catholic University*; Michael D. Torre, *A Fellowship Founded on Truth: The History of the St. Ignatius Institute*; Timothy S. Valentine, S.J., *Truth or Consequences? Maritain and Dewey on the*

Philosophy of Education; Ann M. Wiles, *Becoming Oneself: Maritain on Liberal Education*; and Desmond J. FitzGerald, *A Tribute to Rev. Gerald B. Phelan: Educator & Lover of Truth*. The final paper in the first section of this collection, Peter A. Pagan Aguiar's very informative and able *Darwin and Design: Exploring a Debate*, reminds us that for Maritain genuine human fellowship is not jeopardized, but rather fostered by zeal for truth, *if only love is there* (p. 103, n. 1). Pagan Aguiar, reminiscent of Maritain's own admonition concerning the imperialism of the disciplines, goes on to argue for a humble relegation of various categories and the development of a sound philosophical theology in the current debate concerning evolution and the design argument for the existence of God (primarily attentive to the arguments of William Dembski and Kenneth Miller).

The heart of the second section of this collection, Truth and Ethical Matters, consists of three attempts to answer recent challenges to conventional natural law theory which aligns natural law with metaphysics and philosophical anthropology, the approach adopted by Maritain himself. Arguing against Germain Grisez, A. Leo White, in *Truthfulness, the Common Good, and the Hierarchy of Goods*, maintains that strict adherence to the beatific vision as our final or eternal goal need not diminish the integrity of temporal goods:

. . . the discovery that only union with God, as the common good of the universe, can satisfy the longings of the human heart need not instrumentalize other goods. This discovery does not annul the goodness of all other things that one sought, so that they are now seen as worthless; rather, it intensifies our appreciation of their goodness, for one who acquires a theocentric moral perspective loves himself, his friends, and fellow members of society more deeply than before (p. 149).

Here one is reminded of Maritain's conception of our temporal goal as an *infravalent* end, a goal in its own right receiving value and meaning in subordination to our eternal goal. Matthew S. Pugh, in *Aquinas, Maritain, and the Metaphysical Foundation of Practical Reason*, argues against Grisez and John Finis that traditional Thomism can avoid the naturalistic fallacy by moving away from essentialist interpretations toward a view which focuses on the act of being itself, *esse*. Distinguishing to unite, Pugh advances participation in existence as foundational, relegating the apprehension of nature or essence to the realm of reflection. Pugh contends that Grisez and Finis miss this distinction, and that they argue for autonomy in ethics against essentialism alone. W. Matthews Grant, in *The Naturalistic Fallacy and Natural Law Methodology*, refuses to circumvent the naturalistic fallacy. He argues (unlike Russell Hittinger, Ralph McInerney, Henry Veatch, and Anthony Lisska) that the way to go against Germain Grisez, John Finnis, and Robert George may be to postulate a first categorical ought, a first principle whereby basic goods are derived from the philosophy of human nature; such as, proposing that human beings ought to pursue those ends to which they are in fact naturally inclined. The reader is assured that no final solution is being offered, only clarification of the debate.

In addition, the second section of this collection addresses specific ethical concerns: James G. Hanink, *Maritain, Augustine & Liberalism on Judge Not!*; James P. Mesa and John R. Traffas, *Capital Punishment or Prudential Execution?*; and Katie Hollenberg, *Respect for Persons As A Guide to Genetic Enhancement*. Such concerns direct us toward the practical and foreshadow the final section in this collection.

In the third and final section of this collection, Truth and Practical Matters, art and politics give expression to Maritain's existential concern with the subject, without which the truth of doctrine can be used to further coercive ideology. Bernard Doering, in the first

paper of this final section, *Lacrimae Rerum* **T***ears at the Heart of Things: Jacques Maritain and Georges Rouault*, shows how the very biography of Jacques Maritain is indicative of the danger inherent in the failure to attain a balance between the intelligible, objective truth of doctrine and the existential, subjective truth of the human person. Echoing Yves Congar, Doering points to Maritain's initial involvement in the reactionary milieu so prevalent in the years following his conversion to Catholicism:

Everyone seemed sympathetic to *Action Française* and more or less shared in its massive over-simplifications, its solid disdain for others, its brutal conviction of being right and of possessing the truth, in sum, a group spirit completely lacking in any nuance whatsoever. To one degree or another, Maritain, the recent convert, shared in this attitude (p. 205).

However, Doering is primarily concerned with another Maritain, the real and complete Maritain who came to fully appreciate the implications of his early involvement with the radical Catholicism of Charles Péguy, Léon Bloy, and Georges Rouault. Doering accentuates the influence of the artist, Rouault on Maritain's confirmation as a person, fully committed to every facet of the truth:

The two [Rouault and Maritain] shared many things: a kind of pristine, childlike innocence, an enlightened sensitivity to beauty, a profound solidarity with the poor, the downtrodden and the disinherited of the earth, a thirst for justice, and a profound religious sentiment. On all of these matters they could communicate on an intimate basis and they did so. . . . What Rouault brought to Maritain was a sharpening of his artistic sensitivity, an intellectual liberation from the smothering constraints of his spiritual and intellectual guides at the time of his conversion (p. 223).

Another look at art, Cornelia A. Tsakiridou's *Vera Icona: Reflections on the Mystical Aesthetics of Jacques Maritain and the Byzantine Icon*, further advances Maritain's fervent commitment to the human dimension of truth, by showing how Maritain's appreciation of the Incarnation allows him to acknowledge and explore all aspects of artistic expression from within the matrix of his Christianity, in contrast with the clear demarcation concerning sacred art in the iconography of the Eastern Orthodox Church. In a similar vein, the final paper dealing with art, Sarah J. Fodor's *No Literary Orthodoxy @ Flannery O'Connor, the New Critics, and Jacques Maritain*, admirably attests to Maritain's influence on Flannery O'Connor's artistic ability to transcend technique and allow expression of human concerns with sin and doubt while maintaining her allegiance to religious faith.

The remaining four papers in the final section of this collection explore practical considerations in regard to liberalism. Cautioning that Maritain's views may be utopian, Raymond Dennehy, in his somewhat whimsical *Can Jacques Maritain Save Liberal Democracy from Itself?*, places Maritain within the broad context of a liberalism which is committed to personal freedom consistent with the maintenance of democratic institutions, and finds himself in agreement with three of Maritain's contentions:

One can agree that Maritain was correct in holding that (1) given the secularization of culture, liberal democracy is the only form of government worthy of the human person and his freedom; 2) the notions of ~~the~~ concrete historical ideal ~~and~~ democratic secular faith ~~are~~ the correct models for liberal democracy; and that 3) the ~~prophetic~~ shock minorities ~~are~~ the only hope for

defending that model against the political heretics—and thereby saving liberal democracy (p. 269).

William J. Fossati, in *Jacques Maritain and Emmanuel Mounier On America: Two Catholic Views*, argues in favor of Maritain's adaptability and willingness to work within the framework of American and French institutions after World War II in contrast with Mounier's intransigence. Henk E. S. Woldring's *The Quest for Truth and Human Fellowship in a Pluralist Society*, reminds us of Maritain's commitment to the human person throughout a variety of categories ramifying and describing pluralism:

Maritain does not discuss cooperation between worldviews, because they are abstract sets of ideas. He advocates cooperation and brotherhood between human beings founded on an intellectual duty to understand and respect each other's point of view in a genuine and fair manner. This intellectual duty is strengthened by intellectual charity: the love for each other's ideas in order to take great efforts to discover what truths they convey (p. 288).

In the final paper of this collection, *A Truth We May Serve* (BA Philosophical Response to Terrorism), John G. Trapani, Jr. reminds us of the essential dual focus which weaves throughout this important and timely publication. He forthrightly argues that relativism and fanaticism occur when we confuse the intelligible treatment of ideas with the existential concern of persons. Relativism occurs when love of persons is confused with the intellectual duty to seek truth, and fanaticism occurs when one attacks the human persons who articulate ideas one believes to be erroneous. Admittedly, maintaining a balance between the intelligible, objective truth of ideas and the existential, subjective truth of human persons is a challenge. Nevertheless, it is the conviction of the papers assembled in this publication, that the pursuit of truth directs us into this challenge:

In this way, philosophy, when and only when it speaks these truths, has everything to say about our decently human and civilized response to terrorism. They alone are the truths that work in theory and in practice, because they all, ultimately, derive from and are rooted in the good news of a truth we may serve (p. 309).

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Walter J. Schultz

This slender text (in Arabic and English), gleaned from the proceedings of the international Conference on Mysticism held by the Social and Behavioral Science Department of the University of Notre Dame, Louaize, Lebanon, in May, 2003, offers a lucid testimony to the *Christian* focus indicated in the title. Herein, Christian mysticism is presented as the interior looking outward through suffering, the Christian mystic bearing sin and tasting redemption through the Cross of Jesus Christ.

In his "Conference Statement," Bulos Sarru', Dean of the Faculty of Humanities at Notre Dame, observes that it is the proper function of the soul, vivified by revelation which

is “. . . simple, clear, general, and subtle. . . ” (p.15), to tutor the mind. The papers presented here make it abundantly clear that it is not only the mind which basks in the light beyond conceptualization, but the human composite of body, mind, and soul which acts in the world while basking in the light within. Such is the suffering and joy of which the papers collected here tell, the burden of sin disclosed within the context of the agony and the ecstasy of redemption.

Perceiving Thomistic, Arabic, and Jewish elements in the mystical synthesis of Meister Eckhart, Richard Woods, OP highlights Eckhart’s insistence on *innerkeit* (innerness or inwardness) in the context of what might easily be termed Eckhart’s Christian social conscience or looking toward spiritual consummation through action in the world: “For Eckhart, and for those who follow his guidance, the way of inwardness leads inevitably to the realization of God’s presence everywhere, in all things, as he would say” (p. 22). Within and without coalesce in the ubiquity of God, and knowledge of God entails knowledge of self and everything beyond self, presumably through revelation which remains “general and subtle” as well as “simple and clear.” Acknowledging that Eckhart has been accused of quietism, Woods compares him with Luther, who saw that although good works do not win God’s favor, they certainly express it. Content with self-sacrificing service in the world, the saint preserves all within the context of redemption. As is best when attempting to distill the instruction of a master, Woods concludes with the incisive words of Eckhart himself: “Only when the saints become saints do they do good works, for then they gather the treasure of eternal life” (p. 24).

William Sweet, Professor of Philosophy at St. Francis Xavier University in Nova Scotia, Canada offers a moving testimony to the Christian mysticism of the recently canonized Teresa Benedicta (Edith Stein). Here, inwardness is expressive of empathy, dialogue, and knowledge or science of the Cross (*kreuzeswissenschaft*). Expanding on the discussion of the nature of empathy already found in Husserl’s work, St. Teresa came to discern in the inclusion which is empathy not only the ability to *experience* the other as other, to enter into otherness through emotion, but also a bridge to knowledge of the other which establishes self and world. After her conversion to Roman Catholic Christianity, St. Teresa undertook a rich dialogue between phenomenology and Thomism. Nurtured by the uncompromising spirituality of the Carmelite tradition, which she embraced by becoming a nun of the order, she found existential and noetic fulfillment in empathy with the Cross of Jesus Christ, empathy which is the mutual indwelling of God and a human being. Through empathy, such knowledge in Jesus Christ is as much corporeal as intellectual. Indeed, such knowledge of the Cross demands experience of the Cross. Professor Sweet quotes St. Teresa: “One can [Stein wrote] only gain a *scientia crucis* [knowledge of the cross] if one is made to feel the Cross to the depth of one’s being. Of this, I have been convinced from the first moment onwards and have said with all my heart: ‘Ave, Crux, Spes unica’ [Welcome, Cross, our only hope]” (p. 42). Such experience and knowledge is suffering, but such suffering gives experience and knowledge of redemption and empathy with every other in Jesus Christ. The final victory of St. Teresa, the Christian mystic, occurred in Auschwitz: “It is her insight and her willingness to act on it, that allows us to describe Edith Stein as a mystic. This surrender – this putting oneself at the foot of the Cross, and being willing to suffer and die with Christ – was needed to complete the science of the cross” (p. 45).

Turning to Robert P. Badillo's stylistically demanding treatment of Fernando Rielo's genetic metaphysics, we have an attempt to situate inclusion and relationship at the very center of ontology, avoiding reduction to subject/object conceptualization and the solipsism of sheer identity (being *qua* being foregoing relationship through the Parmenidean dichotomy: being is being/not-being is not-being). Badillo indicates how the locutionary and visionary experience of Rielo engenders Binity prior to any theological consideration of Trinity. Once again, as with St. Teresa Benedicta, the full disclosure of lived experience establishes the mutual indwelling of persons. Logic here demands consideration of what Rielo explicates as the genetic linking of persons at the core of reality. Personal being is always being + and impersonal reality is always thing +, demanding the relational grounding of reality as Binity. In the words of Rielo quoted by Badillo: "[P1] is agent action of [P2] and [P2] is receptive action of [P1] to such a degree that the agent action of [P1] and the receptive action of [P2] constitute sole absolute act" (p. 62). Such is the philosophical prelude to a mystical experience of God which points toward the Trinity of Christian revelation: "Rielo's genetic metaphysics, then, provides a metaphysical grounding for mystical experience of God who is Binitarian (within intellectual limits) and oriented toward being Trinitarian, and this coincides with St. Teresa's [of Avila] personal mystical experience of the Divinity" (p. 64). Ontology itself establishes *homo mysticus* and the profoundly social imperative of redemption.

It is most appropriate that Bishop Nareg Alemezian of the Armenian Orthodox Church present a portrait of the Armenian Church father, St. Gregory of Nareg as a practitioner of Christian mysticism. Along with the recognition of the spread of Christian mysticism from East to West, a stated aim of the conference is to "Highlight the oneness of Christianity, not merely the unity of Christians, through, for one, the oneness of the mystical manifestation" (p. 15). St. Gregory's *Book of Lamentation*, as instruction for believers, involves the social concern of Eckhart, St. Teresa Benedicta, and Rielo, as well as their concern with the corporeal and suffering in redemption. St. Gregory's spirituality of healing focuses on the purgative suffering of the human composite (body, mind, and soul) through the transformation of the sinner in the pure light of God's grace:

You took pity, O Savior of all,
 even on demon-possessed brutes,
 and those unfortunates, stoned, beaten, and deformed,
 with their unkempt, knotted hair,
 and their wild faces, raving in delirium.

Like them, I petition you,
 turn back the legions of evil defiling
 your sanctuary within me
 so that when your Spirit arrives
 your goodness might dwell here
 and fill my body with your cleansing breath,
 bringing lucidity to my reeling mind (p. 89-90).

Once again we hear that it is through the Cross of Jesus Christ that we bear the good works of redemption:

With your strength which knows no equal,
Son of God, heal me so that I might live.

With your almighty hand pluck out
the harvest of destruction
that the various mortal illnesses,
each dressed in its own way, produce.

Pluck out the evil roots
sprouted upon the field of my unruly body
with your mighty hand
that plows and cultivates the plots of our souls
so they may bear fruit of the gospel of life (p. 90).

In the brief epilogue, Joseph R. Yacoub draws attention to the simplicity of the Christian mystic, pointing to his experience with an old woman in Lebanon, a woman apparently lacking the refinery of high *kultur*. They stand together before a Christmas display of Mary in the manger. The old woman crosses herself and comments, *in the fullness of lived experience*, on the suffering of Mary giving birth in a manger. Yacoub comments: "That woman beheld the spiritual reality of the situation; for her it was happening in the present, while for me it was only a Christmas decoration" (p. 95). He continues with the mantra of the Christian intellectual: "That woman is an artist. With simplicity and with humility she beheld the spiritual object of Christmas. She felt it deeply and she painted it on her soul. May the Lord Jesus have mercy on me and on those whose ignorance earned them a Ph.D." (*Ibid*)