

## **Martin Rhonheimer's *Natural Law and Practical Reason***

The recent translation of Martin Rhonheimer's *Natural Law and Practical Reason: A Thomist View of Moral Autonomy* is the first major work by this Swiss moral philosopher to be made available in English<sup>1</sup>. Because earlier articles by Rhonheimer have offered, to English language readers, some of the most rigorous and compelling articulations of Catholic teaching regarding objective morality in general, and disputed questions in sexual morality in particular, many moral philosophers and theologians have anxiously awaited the availability of this translation<sup>2</sup>. However, because of the length (620 pp.), complexity, and style of the work, and because the author suggests that it should be read as «the documentation of a process of reflection» (580), there is the legitimate possibility that its importance and specific contributions might be overlooked. To mitigate this risk, the present essay seeks to elucidate some of the main themes emphasized in the book, and situate them within contemporary Thomistic studies.

*Natural Law and Practical Reason* merits the particular attention of Catholic moral theologians and moral philosophers, and all others who draw upon the wisdom of the Catholic and especially Thomistic tradition. Especially when read alongside Rhonheimer's complementary efforts, it can be recognized as a serious work of Thomistic *ressourcement* in light of the questions occasioned by (i) the widespread dissatisfaction with the pre-conciliar, «naturalistic» interpretation of Thomistic natural law ethics, (ii) the subsequent proposals for «autonomous»,

---

<sup>1</sup> Martin RHONHEIMER, *Natural Law and Practical Reason: A Thomist View of Moral Autonomy*, trans. Gerald Malsbary, 1st English ed., Moral Philosophy and Moral Theology; No. 1 (New York: Fordham University Press, 2000). The German original *Natur als Grundlage der Moral* was published in 1987.

<sup>2</sup> The most important of these articles include «Contraception, Sexual Behavior, and Natural Law», in *Humanae vitae: Venti Anni Dopo - Atti del Congresso Internazionale di Teologia Morale* (Milan: Ares, 1989), 73-113, also printed in *The Linacre Quarterly* 56, no. 2 (1989) 20-57; «Intrinsically Evil Acts and the Moral Viewpoint: Clarifying a Central Teaching of *Veritatis Splendor*»: *The Thomist* 58 (1994) 1-40; and «Intentional Actions and the Meaning of Object: A Reply to Richard McCormick»: *The Thomist* 59 (1995): 279-311.

«teleological» or «proportionalist» ethics<sup>3</sup>, (iii) the alternative proposal of «the new natural law theory» associated especially with Grisez, Finnis, and Boyle, and (iv) the need for a retrieval and development of Thomistic moral philosophy that might complement the new appreciation of Thomas as a theologian. Moreover, *Natural Law and Practical Reason* seeks to respond to the concerns of modern, and especially Kantian, moral philosophy to articulate the «autonomous» character of moral action; it does so through a Thomistic articulation of «the autonomy of man in God», or «participated theonomy». This «participated theonomy» is evident when the second part of the *Summa* is read in light of its prologue, which teaches that man is the source (*principium*) of his actions as having free will and control over them.

Because of the enormous complexity of the questions Rhonheimer raises, the present review is intended as neither a blanket endorsement nor a refutation. Rather, its more modest objectives are (i) to sketch the main themes of *Natural Law and Practical Reason*, (ii) to indicate some of its stronger features that merit the serious consideration of Thomistic moral philosophers and theologians, (iii) to note some weaknesses, and (iv) to indicate its relation to alternative contemporary interpretations. We will proceed in seven steps: (1) an introduction to Rhonheimer's emphasis on the distinctive character of the practical reason (2); his articulation of natural law as a law of this practical reason (3); his exploitation of the theme of participation regarding anthropology and autonomy (4); the dynamics of the natural reason as the epistemological substructure of natural law (5); reason as the rule and standard of human morality (6); an application to the question of conjugal morality; and (7) some concluding comments.

For the sake of brevity, we will omit an overview of the book and embark immediately upon our study of its major themes.

### **I. The Distinctive Character of the Practical Reason**

Rhonheimer believes that a correct understanding of how human nature functions as a foundation of moral normativity depends upon a recovery of «the personal structure of the natural law», which itself «becomes clear in Thomas only in the context of a theory of the practical reason» (xviii). This is natural law as the common possession and experience of man, prior to philosophical analysis<sup>4</sup>. Toward this

<sup>3</sup> In light of his original audience of German speaking moralists, Rhonheimer generally uses the terms «autonomous» or «teleological ethics» to identify what English readers know as proportionalism (570).

<sup>4</sup> On the need to account for this common aspect of natural law, see Alasdair MacIntyre's review article «Natural Law Reconsidered»: *International Philosophical Quarterly* 37 (1997) 98-99. Here MacIntyre defends Finnis for his contribution in this regard.

end, he offers a methodological critique of the traditional, «naturalistic» derivation of moral norms from metaphysics. Drawing upon a fresh reading of Aquinas, he proposes «a new methodology of ethics as a theory of the practical reason» (xix)<sup>5</sup>. Thus, our first task is to understand his conception of practical reason and its textual basis.

### A) *Distinguishing Practical and Speculative Reason*

Rhonheimer's work is part of a significant movement in Thomistic scholarship that emphasizes the distinctive character of practical reason as reason ordered towards action. He became convinced of the need for a more adequate articulation of the practical order through the work of Wolfgang Kluxen and Germain Grisez<sup>6</sup>. In this he differs from earlier authors who stressed not the distinctive character of the practical reason but its grounding in the speculative. On this basis, they articulated the function of practical reason as «reading off», and then applying, the moral constraints imposed by the objective order of being, which was known through metaphysical reflection upon the pre-rational dimensions of human nature (9-11).

Rhonheimer points to Joseph Pieper's *Living the Truth* as a paradigmatic and relatively recent articulation of this earlier interpretation of Aquinas, which was generally associated with neo-Thomism, and has been the target of extensive criticism by revisionists. Their main line of objection was that this type of interpretation was based upon «essentialist» and «physicalist» misunderstandings of morality and was therefore unable to give an adequate account of the autonomous and personal character of ethics. Because it gives such a clear articulation of the «naturalistic» interpretation of St. Thomas, Pieper's work functions as a foil for Rhonheimer's account. Pieper's presentation emphasizes the «claims of reality», the «given structures of the external world of things», and «the true being of reality» such that «the inner truth of things becomes the norm and measure of behavior». Thus, the «moral is the yes to reality» and moral objectivity is ensured through the transformation (a «reading off» plus an application) of a speculative grasp of being into a practical knowledge of moral obligation (185-6).

---

<sup>5</sup> Here we touch upon the important relationship between anthropology, metaphysics and ethics. Rhonheimer emphasizes that philosophical anthropology and the metaphysics of the human person presuppose, depend upon, and therefore follow from knowledge of the practical good of man, which is the object of practical reason. The methodological starting point is therefore reflection upon the experience of practical reason.

<sup>6</sup> The key works were W. KLUXEN'S *Philosophische Ethik bei Thomas von Aquin* (Hamburg: Meiner, 1980), and Germain Grisez's essay, «The First Principle of Practical Reason», in *Aquinas: A Collection of Critical Essays*, ed. A. Kenny (London: 1969). Note that Rhonheimer is not a proponent of «the new natural law theory», although he accepts some of their insights. The growing recognition of the distinctive character of the practical reason is articulated in a way that is congenial to more traditional Thomism in Daniel Westberg's widely respected study, *Right Practical Reason: Aristotle, Action, and Prudence in Aquinas*, Oxford Theological Monographs (Oxford & New York: Clarendon Press & Oxford University Press, 1994).

Rhonheimer agrees completely with Pieper that we must live according to the truth of our being. His primary criticism is that Pieper ignores the methodological questions proper to ethics and therefore gives the impression that the «ought» can simply be «seen» in the being of things. However, the requirements of moral virtue cannot be recognized at the level of nature, since virtue is a perfection of nature; therefore, moral philosophy requires a methodology of reflection upon the practical reason of virtuous agents. Moreover, by so emphasizing the objective order as known by speculative reason, this naturalistic type of explanation cannot do justice to the distinctive character of the practical reason as ordered toward the performance of actions. Such a reading, with its underdeveloped account of practical reason, is truly vulnerable to the revisionist charges of heteronomy, essentialism, biologism, etc.<sup>7</sup>

Rhonheimer's interpretation of Thomistic practical reason is distinguished from that of Pieper by a different understanding of what Thomas means when he says that the practical intellect is an extension (*extensio*) of the speculative<sup>8</sup>. Whereas the reading exemplified by Pieper explains this *extensio* by speaking of the practical intellect as applying speculative knowledge to particular actions, the newer reading offers some helpful precisions. It agrees that the single power of the intellect is always speculative by nature such that both dimensions are directed to intelligible truth, and further specifies that the speculative and practical reason are distinguished only by their goal or end. Thus, while «practical judgments are an extension of the speculative act of the reason, they are not to be considered as an extension of its theoretical judgments, but rather a distinct kind of judgment» (25). In particular, they are judgments about how to achieve a desired end. As will see below, a comprehensive account of these judgments, within a broader moral philosophy, will include a consideration of not only the natural law, but also judgments of conscience and of prudence. Therefore,

---

<sup>7</sup> Rhonheimer later acknowledges that we can speak of a sort of translation from speculative knowledge of reality to moral claims, but «only in relation to *universal* and generally valid norms of morality». Moreover, he notes that «the peculiar function of the practical reason is in fact fully recognized by Pieper—if not always correctly—at the level of prudence» (193, n.5). Thus, his reproach is targeted primarily against the manualists, the early J. Fuchs, and revisionists like Alfons Auer, and only secondarily against Pieper in that his work was an important source for thinkers like Auer.

<sup>8</sup> For example, in *ST I* q. 79 a. 11 *sed contra* Thomas writes *quod intellectus speculativus per extensionem fit practicus*. He draws especially upon the previously cited works by Kluxen and Grisez. Among earlier thinkers, Rhonheimer acknowledges that Jacques Maritain «has understood in excellent way the distinction between speculative and practical knowing as well as the epistemological situation of philosophical ethics» (44, n.7). Note that he also acknowledges significant areas of agreement with John Finnis. However, whereas Finnis and his collaborators have received extensive criticism from Thomistic scholars for their presentation of the methodological independence of natural law from metaphysics and nature, Rhonheimer is less vulnerable to such critique because of his explicit account of how the natural inclinations, the human person as *imago Dei*, and human reason are all ordered within the eternal law.

Rhonheimer's study is a response to the widely recognized need for a more adequate account of the unique character of practical reason<sup>9</sup>.

B) *The Proper Subject Matter of Ethics: Practical Reason and Human Action*

In his further efforts to correct both autonomous ethics or proportionalism, and a «naturalistic» presentation of Thomistic ethics, Rhonheimer offers a methodological proposal to specify that the proper subject of philosophical ethics is precisely the order of [practical] reason (*ordo rationis*) and the human actions that it directs.

In support of this proposal, he marshals textual support from the first lecture of Aquinas' commentary on Aristotle's *Nicomachean Ethics* in which the Dominican Doctor writes «the practical reason does not have the task of considering an order of being that is independent of it, such as the order of things in nature. This is, rather, the task of natural science and metaphysics». The practical reason is concerned, rather, with *an order that the reason itself creates* consciously among the acts of the will [emphasis added]. This ordering activity (*ordinatio*) of the practical reason has a «preceptive or imperative character». The order, or *ordo*, thus created is not the «order of natural things» (*ordo rerum naturalium*), but rather an «order of reason» (*ordo rationis*) that is created by the reason in the acts of the will, and is the subject matter of moral philosophy (*moralis philosophia*).

Later in the same lecture Thomas further specifies that «ethics has to do with actions that arise from the will in accordance with the ordering of reason: that is, with "human actions" (*actus humani*) or with "human actions ordered to an end" (*operatio humana ordinata in finem*), or simply with "man insofar as he acts voluntarily for the sake of an end" (*homo prout est voluntarie agens propter finem*)». In light of this last formulation, Rhonheimer offers the synthetic observation that «the analysis of the practical reason is always an investigation about the human being, and from the very distinct point of view of actions. To this extent, ethics «is already part of anthropology, without having to

<sup>9</sup> In his *Right Practical Reason*, published after Rhonheimer's German original, D. Westberg acknowledges Rhonheimer's contribution «towards relating practical reason and natural law» but cautions that «the integration with the actual process of practical reasoning is still needed» (229, n. 1). Westberg's study elucidates this process and thereby provides a framework for the integration of Rhonheimer's contributions. See also RHONHEIMER'S *Praktische Vernunft und Vernünftigkeit der Praxis: Handlungstheorie bei Thomas von Aquin in ihrer Entstehung aus dem Problemerkonnex der aristotelischen Ethik* (Berlin: Akademie Verlag, 1994), in which he elucidates the relation between natural law and prudence. Denis J. M. Bradley interacts with this book in his *Aquinas on the Twofold Human Good*, (Washington, D.C.: CUA Press, 1997).

be derived directly from metaphysical anthropological statements» (32-33)<sup>10</sup>.

## 2. Natural Law as a Law of the Practical Reason

Rhonheimer seeks to distinguish the *practical* level of reason as oriented towards action from the *descriptive-reflexive* level of moral philosophy, and to articulate the widely neglected, and in his view primary, dimension of natural law at the former level of common human experience.

### A) Natural Law as an Ordering Law of the Practical Reason

Through his own exercise of the reflexive activity of moral philosophy, Rhonheimer describes natural law as «the preceptive activity of the practical reason, as it constitutes the order of the virtues (*ordo virtutis*) and as it constitutes the content of this order —itself an *ordo rationis*» (59). Therefore, «the natural law is not *primarily and per se* [emphasis added] a collection of normative statements that the practical reason simply finds already there to follow: instead, it is the first, immediate, result of the practical reason's perceptive acts». He argues that natural law is properly identified as «the preceptive subject matter of the human reason», which, upon the reflection that is the beginning of moral philosophy, becomes «descriptive subject matter» and which is «objectified in the *habitus* of moral science in the form of prescriptive statements». Thus, it originates in practical realm, becomes speculative, and then practical again «when it is applied to concrete acts by judgments of the conscience» (58-61).

Following a lengthy, and often difficult argument for understanding natural law as a law of the practical reason, chapter 2 concludes with an important summary of Rhonheimer's position. «The natural law (or *lex naturalis*) is essentially “an ordering of the reason in regard to virtue” (*ordinatio rationis ad virtutem*). It is not a “law of being” as in the natural sciences, but rather is a law in the original sense of the word: a “command” of the practical reason»<sup>11</sup>. Notice that, although Rhon-

<sup>10</sup> This crucial anthropological perspective is most clear in the postscript where he emphasizes that his primary objective is «to make clear that here we are dealing neither with “reason” nor with “nature”, but with human persons in whom nature and reason form a unity, where reason is itself “nature”, and where the natural becomes visible as “human nature” only on the horizon of the reason» (569). He further emphasizes that “my body is what I am, and I am my body» (570). See also 333.

<sup>11</sup> Later, he offers the various Latin terminology used by Aquinas for law (or perhaps legislating) to emphasize that it is a work or *ordinatio* of the practical reason (561). These terms include *ordinatio rationis*, *propositio universalis rationis practicae*, *aliquid a ratione constitutum*, *opus rationis* and *dictamen rationis*. Rhonheimer states they all «contradict the

heimer clearly recognizes the measuring function of the eternal law<sup>12</sup>, he wants to emphasize that the natural law, in the neglected perspective of distinctively practical reason, is precisely where the human agent participates most fully in the eternal law as a lawgiver.

This preceptive law is rooted in a multiplicity of natural inclinations, which must be integrated in the context of the person (*suppositum*), but do not yet have in themselves the character of a law, since they are still undetermined in their *ordinatio* to what is right (i.e., the *debitum*). Along with the inclination of the natural reason (*ratio naturalis*) towards the right act and end, these inclinations are integral components of the *suppositum*, and are therefore oriented by nature to a rational ordering (*ordinatio rationis*) by the natural reason. «This means that they are subject to a law, and that law is the natural law» (138). It is the *formal* participation of the rational creature in the eternal law (*lex aeterna*) because it is rational, actively measuring, and legislative (95).

Rhonheimer relies upon several key texts from the *Summa* for this understanding of «natural law as a law of the practical reason». From the programmatic article from the treatise on law in general (*ST* I-II q. 90 a. 1), he emphasizes with Thomas «law is something pertaining to reason», but not as a power, a *habitus*, or an act, but rather as something produced or constituted (ad. 2). Moreover, from the definition of law in q. 90 a. 4, he specifies that the generic sense of law is most fundamentally «an ordering [act] of reason» (*rationis ordinatio* or *ordinatio rationis*).

Moving from law in general, Thomas applies his previously cited doctrine about the constitutive character of law to the natural law (q. 94 a. 1). «The natural law is something constituted by reason (*per rationem constitutum*), just as a proposition (*propositio*) is a work of reason (*opus rationis*)». The second half of this text indicates that this «constitution» of the natural law is analogous to the creation of a *propositio*; Rhonheimer argues that this *propositio* should be understood, not in the grammatical sense of a sentence or statement, but as a judgment, command, precept, or dictate of reason (*dictamen rationis*), as Thomas emphasizes in the response of *ST* I-II q. 92 a. 2. Thus, in the context of the practical realm that Rhonheimer seeks to distinguish, recover and develop, he also works toward a correlative recovery of the

---

view that Thomas understood the natural law as «a regularity of nature» (like the law of gravity); thus, he sees them as evidence against a «naturalistic» interpretation of natural law.

<sup>12</sup> The notion of eternal law will be important as we progress. Thomas defines it as «the plan (*ratio*) of the divine wisdom, as directing all actions and movements». In God, it has the character of an *exemplar* or *idea*, whereas in the creature the eternal law is «what is exemplated» (*ST* I-II q. 93 a. 1). All *Summa* translations will be taken from the Christian Classics version, originally translated by the English Dominican Fathers, unless a quotation from *Natural Law and Practical Reason* is indicated.

primary sense of the natural law as regulative judgments *constituted* by the practical reason and comprising the preceptive subject matter thereof (62)<sup>13</sup>. As we will see below, Rhonheimer's attempt to recover and develop this preceptive, practical dimension of natural law is combined especially with his deeper reflection on the participatory character of human existence in an effort towards a more adequate interpretation of Thomas's primary text on the natural law, namely *ST I-II q. 94*<sup>14</sup>.

### B) *Natural Law as a Law of Virtue*

Rhonheimer seeks to recover the harmony that Thomas articulated between reason, law, and virtue. In *ST I-II q. 94 a. 3* Thomas explores the question of «whether all acts of the virtues are of the natural law». He answers that «all virtuous acts belong to the natural law», although «many things are done virtuously, to which nature does not incline us at first, but which through the inquiry of reason have been found to be conducive to well-living». The first part of this answer follows his teaching that action in accordance with virtue is also in accordance with both reason and natural law. The second part recognizes that moral virtue involves the integration of natural inclinations through the constitutive ordering of the reason. As Rhonheimer explains, the proper good (*bonum proprium*) of a given inclination, which is already a human good (*bonum humanum*), must be integrated into a particular human action such that it becomes a good specified and commanded by the practical reason (*bonum rationis*) as a good to be pursued (*bonum debitum*) here and now. In this way, although the inclinations were not originally ordered to a sufficient degree so as to move the person towards the good and rational actions in question, the order of reason becomes impressed upon them as virtuous dispositions are formed. Thus, within the unity of the person, the natural law is not only a part of the order of reason which has its ground in the natural inclinations; in its preceptive function, the natural law also puts virtuous order into the inclinations. In other words, because of the diversity of human goods, man does not possess a determination (*determinatio*) toward a single thing (*inclinatio ad unum*) through a natural form (*forma naturalis*), but must freely orient himself toward

<sup>13</sup> Later in the book, we find that Rhonheimer relies especially upon the work of Joseph de Finance for this interpretation of the «constitutive and measure-giving function of the reason». De Finance explains that human reason has this power and authority «because our autonomy is a participation of the divine reason, it is a *participated* autonomy» (319).

<sup>14</sup> In a later article, Rhonheimer further specifies the regulative dimension of his understanding of natural law. He writes «natural law is properly the law by which particular judgments of practical reason are rectified». It is both a law *constituted by* reason, and a law *regulating* reason. See his «Intrinsically Evil Acts and the Moral Viewpoint», 33.



the good through a form conceived by reason (*forma a ratione concepta*). In this light, Rhonheimer quotes Thomas's *De Virtutibus* a. 9: «Virtue of the appetitive part (that is, moral virtue) is nothing other than a certain disposition or form, stamped and impressed upon the appetitive power by the reason» (85).

### C) *The Constitution of the Natural Law through the ratio naturalis*

Let us further consider Rhonheimer's attempts to articulate this constitutive quality of the natural law at the practical level, especially as it is grounded in the dynamic of the *ratio naturalis*. As we saw above, he argues that, within the process of practical reason, natural law should be interpreted as a command or precept. This implies that the first principle of practical reason (good is to be done and pursued and evil is to be avoided, from *ST* I-II q. 94) should be taken primarily as a precept directing the pursuit of good ends, and only secondarily as a reflexive, normative statement.

In a broader perspective, his account of this «constitution» of the natural law depends upon the relation between realities like the eternal law, inclinations, goods/ends, and these commands of reason. As a creature, man's mode of being (*modus essendi*) includes a measured participation in the eternal law through the natural inclinations, each ordered toward a proper good (*bonum proprium*), which is not yet a good in the moral or operative sense (*bonum operabile*). The specification of a moral good depends upon the natural reason (*ratio naturalis*), which has a natural inclination toward the right act and end (*inclinatio naturalis ad debitum actum et finem*) and functions as the basic dynamism through which the whole complex of natural inclinations is integrated within the unity of the person. Thus, in the process of moral action, these inclinations are concretely ordered toward their proper act and goal (*ad proprium actum et finem*), and therefore to the *proprium* of the practical reason, the «right» or «good» (*debitum*) which it commands<sup>15</sup>. «The "rational ordering" (*ordinatio rationalis*) that effects all of this is called the natural law (*lex naturalis*); it is the formal participation (formal because rational, actively measuring, and legislative) of the rational creature in the eternal law (*lex aeterna*)» (95).

In summary, Rhonheimer's understanding of the constitution of the natural law through the natural reason is rooted in the inclination of the intellect towards the truth, which itself reflects the anthropological and theological foundations of the human person as oriented towards God (*ad imaginem Deo*), and especially the human intellect as

---

<sup>15</sup> Later, Rhonheimer writes that «the human reason is able to constitute the natural law in the other natural inclinations, insofar as it puts them in order; this is an *ordinatio* that corresponds to the eternal law» (244).

image of God (*imago Dei*)<sup>16</sup>. Within the realm of practical reasoning towards the achievement of good ends, this constitution of the natural law refers to the rational formulation of «commands» that actively measure the «means» under deliberation against the standard of reason, which is necessarily in harmony with the ordering of the natural inclinations and the eternal law. Moreover, in Rhonheimer's interpretation, we can speak of the shaping of the inclinations in virtue, according to the order of reason, as the constitution of the natural law as it persists in the character.

#### D) *Natural Law as a Participation in the Eternal Law*

For many Thomistic philosophers, the doctrine regarding the participation of the *lex naturalis* in the *lex aeterna* represents a metaphysical or theological addition that is really outside the interest of a philosophical ethics, since it does not contribute anything essential to a proper understanding of St. Thomas's conception of natural law (64).

Rhonheimer, on the other hand, emphasizes that «the key to understanding the concept of natural law in Thomistic ethics» is «understanding the natural law as a participation of the eternal law in the rational creature» (236)<sup>17</sup>. Therefore, he works towards a more adequate articulation of this participative foundation while granting that it «does not constitute either the preceptive act of the practical reason or the reflective experience of this act as law» (64). Although one might attribute concerns for the eternal law and the theme of participation to theological presuppositions, Rhonheimer emphasizes that there is «also a philosophy of the eternal law» (236) and that the «standpoint of the eternal law», then, is necessary for an integration of philosophical ethics into a «metaphysics of action» (235)<sup>18</sup>.

He begins his case for the importance of this participation with the observation that it is essential to grasp the binding character of law

<sup>16</sup> Unfortunately, Rhonheimer does not integrate his presentation of practical reason in light of a clear account of the stages in the process of moral action, such as that offered by Daniel Westberg. However, Westberg's work can complement Rhonheimer's by offering a basis for this integration. See WESTBERG'S *Right Practical Reason*, 229, n.1.

<sup>17</sup> However, we should note that for Rhonheimer, natural law as a participation in the objective eternal law is fully compatible with its autonomous character, through which it can be known, at least in principle, without revelation. His affirmation of this autonomous character of the natural law needs to be situated within a broader discussion of the role of principles and norms within the process of moral action; as we will see below, this occurs primarily in his later works.

<sup>18</sup> In my view, this notion of a philosophy of the eternal law reflects too great a distinction between Aquinas's theology and philosophy. See, for example, Mark JORDAN, «Theology and Philosophy», in *The Cambridge Companion to Aquinas*, ed. Norman Kretzmann and Eleanor Stump (Cambridge: Cambridge University Press, 1993), 232-51. Moreover, *Fides et Ratio* also offers a contemporary discussion that addresses the relationships between faith and reason, and theology and philosophy. For a balanced discussion of these aspects of the encyclical, see Avery R. DULLES, «Can Philosophy Be Christian»: *First Things* 102 (April 2000) 24-29.

(65). Recalling that the eternal law is the *ratio*, or order-giving element, of the divine governance of all things (*ST* I-II q. 91 a. 1) and that the natural law is a certain participation of it, Rhonheimer further distinguishes between the *passive* participation in the eternal law that is common to all animals through their natural inclinations, and the *active* participation that is uniquely exercised by human beings through reason (66-8). On the basis of this participatory understanding, he will argue that the order of reason (*ordo rationis*), which exists from eternity in God, is actively constituted *for the realm of human actions* through the natural law (65-6). Because free and contingent human actions have not been previously determined by nature, their order must be constituted by the practical reason in a way that respects its basis in the natural inclinations, its proximate measure in human reason, and its ultimate and participated measure in the eternal law. Later (243) he writes that the natural law in man is a participation in the ordering (*ordinatio*) of the divine reason itself, and it has two aspects: a participation *per modum cognitionis* (through knowing) and a participation *per modum principii motivi* (through a moving principle, or natural inclination see I-II q. 93 a. 6).

Rhonheimer's argument for an increased emphasis on the participatory character of the natural law becomes more compelling in light of his subsequent considerations of the participatory dimensions of metaphysics, anthropology, and epistemology. We will consider the first two immediately below (Part 3), and the third in the following section (Part 4).

### 3. Participation, and Moral Autonomy as Participated Theonomy

St. Thomas's account of «the participation of the natural law in the eternal law» is best understood in the context of his metaphysics of participation<sup>19</sup>. In Rhonheimer's fifth chapter, entitled «Participated Autonomy: Toward a Metaphysics and Anthropology of the Natural Law», he explores several dimensions of participation that contribute, not only toward an understanding of the participatory character of the natural law, but also towards an account of moral action that can be called «participated autonomy» or «participated theonomy». The most important of these include the participatory character of the anthropology of man as *imago Dei*, our participation in divine providence, and our twofold participation in the eternal law.

<sup>19</sup> For the best contemporary treatment of this topic, see Rudi A. TE VELDE'S *Participation and Substantiality in Thomas Aquinas*. Studien und Texte zur Geistesgeschichte des Mittelalters, Bd. 46 (Leiden & New York: E.J. Brill, 1995).

A) *The Participatory Character, and Autonomy, of Man as imago Dei*

Thomas introduces the *Secunda Pars* of the *Summa* with the celebrated prologue that concludes «it remains for us to treat of His image, i.e., man inasmuch as he too is the principle of his actions, as having free-will and control of his actions». With this, Thomas signals his intent to offer an account of man's free movement towards his fulfillment in God (*motus ad Deum*). Rhonheimer finds in this prologue the interpretive key that opens for us Thomas's profound articulation of the personally autonomous character of human actions. He notes «the theme of participation is present in this passage, because the *imago* is a participation in the exemplar» (237), and builds upon this insight to elucidate the participative character of the *imago* (238), balancing a recognition of the radically imperfect degree to which we image the divine exemplar, with the complementary truth that our movement towards God is precisely a deepening participation in his likeness (i.e., *ad imaginem Deo*). It is important to recognize that, although the *imago Dei* in man is defined by our intellectual nature (*ST I q. 93 a. 3*), it must be understood especially in light of the human capacity to know and love God (*a. 4*). Therefore, when Thomas distinguishes the three modes of human participation in the *imago*, he does so according to their degrees of knowledge and love of God (*ad cognoscendum et amandum Deum*): (i) the natural aptitude to know and love God, (ii) the conformity of grace, (iii) and the similitude of glory.

In conclusion, Rhonheimer emphasizes that the *imago Dei*, «precisely because of its participative character», orients man towards a knowing and loving relationship with God (239). Indeed, the moral life involves a deepening participation in the divine likeness through free action. Because of this inherent orientation toward God, the freedom and dominion that humans exercise in their moral action cannot be understood as autonomy in the modern sense, but must be a participated theonomy<sup>20</sup>.

B) *Participation in Divine Providence*

For St. Thomas, the universal scope of God's knowledge (*ST I q. 14*) implies that «the type of the order (*ratio ordinis*) of things towards

<sup>20</sup> «The human reason that provides the norm or measure for human action receives its regulating power from outside (i.e., from the divine intellect), even though it bears this normativity in itself, as a participated and received normativity. As a natural light of knowing, human reason is molded in its intentionality by the intentionality of the divine reason, or eternal law» (321). «When it is unhindered in its operation as reason, it expresses the deepest claims of human existence, participating effectively and formally in the nomothetic function of the divine reason» (321). Following de Finance, we can say that «God gives us His law, not as an external lawgiver, whose measures presuppose a constituted structure of obligation in order to bind us; he gives us his law by giving us reason». See also 333, 350.

their end should preexist in the divine mind» (q. 22). This *ratio ordinis*, or intelligible dimension of God's ordering of all things is called providence, and is distinguished from the execution of this order (*executio ordinis*), which Thomas calls government (ad. 2)<sup>21</sup>. Similarly, and quite contrary to modern ways of thinking, the scope of God's power (q. 25) and government (q. 103) is universal, extending to «all the acts and movements that are to be found in each single creature» (a. 5).

From this non-reductionist, theologically-informed perspective, Rhonheimer works against some recent proposals that would reduce God's universal foresight and causality within providence and government to a «transcendental framework» within which man has «a free space that God does not enter», leaving him to creatively shape the order of «good» actions in a way that would be strictly autonomous (243)<sup>22</sup>. His alternative proposal involves a recovery of Thomas's understanding of the participation of moral action in divine providence (and government), building upon the participative dimension of the doctrine of the *imago Dei*. Rhonheimer outlines Thomas's teaching about how our free action participates in divine providence through an account of the relationship between God's universal causality, and the secondary causality exercised by human agents<sup>23</sup>. He argues that the key to an adequate account is to uphold both the presence of the universal cause in every particular cause, and the real causality of the particular cause. Thomas is able to meet these requirements through his metaphysics of participation and robust understandings of causality, which provide the foundation for an understanding of human autonomy as participated theonomy. In such an account, human action is both free and completely within the scope of the universal providence and causality of the God of biblical revelation (241-2).

In Rhonheimer's view, a recovery of the universal scope of God's knowledge and power excludes not only reductionist understandings of providence, but also the autonomous notion of natural law that allows for «a normative free space for creative-rational governance by

<sup>21</sup> Whereas *ST I* q. 22 treats the topic of providence, qq. 103-119 consider God's (conservation and) government of all things.

<sup>22</sup> David Burrell has recently articulated how this modern reduction of God to «the biggest thing around» has contributed to the development of modern atheism. He writes that «the history of philosophical theology clearly shows that when philosophical strategies are unable to respect these originating religious convictions, what results is a forced option between a pietism bereft of the critical philosophical edge which theological skills demand (as «faith seeking understanding») or an atheism triggered by the failure of philosophy to rise to a properly divine *theos*». See his «Creation, Metaphysics, and Ethics», forthcoming in *Faith and Philosophy* (2001).

<sup>23</sup> The key text from the *Summa* is *ST I* q. 22 a. 2 ad 4: «human providence is included under the providence of God, as a particular cause under a universal cause». In *De Veritate*, q. 5 a. 5 Thomas teaches that human agents, as spiritual beings, are not only cared for by divine providence, but are provident themselves. In *Summa Contra Gentiles*, III, 113 (no. 2873) he writes that «the governance of the actions of the rational creature, insofar as they are personal actions, pertain to divine providence».

man» (243-4). A more adequate account, on the other hand, will rely upon a deepening understanding of our participation in providence and in the eternal law. For example, Rhonheimer observes that man participates in the rule or standard of the *ordinatio rationis* of God's providence in a twofold manner: «in one way, through the fact that our being is "stamped" (*impressio*) with the various natural inclinations that all tend toward their own actions and goals (*actus et fines proprii*); in another way through being stamped by the light of natural reason (*impressio divini luminis in nobis*), on the basis of which we can decide between what is good and what is evil» (244). We will see this twofold participation in providence mirrored below in a discussion of our twofold participation in the eternal law.

### C) *Man's Twofold Participation in the Eternal Law*

Thomas introduces his understanding of the eternal law (*ST* I-II q. 93) with reference to his previous treatments of the divine providence and governance upon which it depends. He defines eternal law as «the plan (*ratio*) of the divine wisdom, as directing all actions and movements». Commenting upon this article (*ST* I-II q. 93 a. 1), Rhonheimer (245) observes that this directive plan of the eternal law has the character of an *exemplar* or *idea* in God, whereas in the creature it is «what is exemplated» (an *exemplatum* or *ideatum* or *participatum*).

To foster a more precise understanding of our participation in the eternal law, Rhonheimer considers Aquinas's distinction (in *ST* I-II q. 93 a. 6) between «participation through a moving principle» (*per modum principii motivi*), and «participation through knowing» (*per modum cognitionis*)<sup>24</sup>. The former is common to all creatures and is manifest in the natural inclinations. Considered in themselves, they «do not as yet possess the character of law. They are a participation of the law, not through the mode of law (*per modum legis*) but through the mode of the first mover (*per modum principii motivi*)»<sup>25</sup>. The latter «participation through knowing» is unique to the rational creature, and is the mode where the eternal law is «formally and really effective as law» (244-9). It is a fuller participation that respects the natural

<sup>24</sup> Rhonheimer explains that this twofold manner of participating in the eternal law follows from the character of human existence as created, *esse per participationem*. In contrast to the divine simplicity, where there is no separation between knowledge and motion, the human subject «is a *compositum* of act and potency, or of "form" and "matter" (whereby "matter" denotes potentiality in respect to a formal determination».

<sup>25</sup> The natural inclinations, when considered «from above», and in connection with the divine *ordinatio*, «actually are law». However, to the extent that they are considered as a *participation* in the eternal law, as something created and existing in nature, they are not law because they don't contain the «ordering to the right end» (*ordinatio ad debitum*) in themselves. Rather they are in accordance with the divine *ordinatio* and the presupposition for law (249).

inclinations as «the foundation in man of the *ordinatio rationis*» and as «seeds» of the virtues. By so doing, it contributes to a true human freedom in which man becomes connatural to the divine *ratio* of the eternal law such that his free cooperation in divine providence through moral action reflects the spontaneity of sharing in the divine goodness and wisdom.

#### 4. The Dynamics of the Natural Reason as Epistemological Substructure of Natural Law

In this section, we will consider Rhonheimer's proposal to interpret ST I-II q. 94 in light of his recovery of its epistemological substructure in the dynamics of the natural reason. We will see that our participation in the natural law through the mode of knowledge (*per modum cognitionis*) is an impression (*impressio*) of the divine light within us (257). This will help us to understand the «constitutive» function of human reason in formulating the natural law (247) as an aspect of the unfolding of the eternal law within the free, rational creature.

##### A) *The Light of the Natural Reason*

From St. Thomas's ubiquitous references to the teaching that the light of natural reason (*lumen rationis naturalis*) is an impression of the divine light within us (*impressio divini luminis in nobis*), Rhonheimer draws the reasonable conclusion that Aquinas considered this doctrine to be an integral component of an account of human knowledge. He interprets St. Thomas's reference to the divine light as «the divine being under the aspect of its intellectuality, its making visible of the truth» (257-8). Thus, to affirm that «the light of natural reason an *impressio* of the divine light within us» is to speak of our participation in the truth manifesting character of the divine intelligence. Rhonheimer equates this human participation in the divine light with Thomas's understanding of the «agent intellect». The function of this agent intellect can be described as rendering actually intelligible that which was previously only potentially intelligible, a task it performs by extracting the intelligible form from matter (290)<sup>26</sup>.

Thomas's teaching regarding the intellect as a light corresponds not only to the epistemological implications of his metaphysics of participation, and to his epistemological doctrine of the agent intellect, but also

---

<sup>26</sup> Rhonheimer wants to correct a reductionist understanding that the human intellect is merely a pure faculty of knowing, «the capability for making a rational/discursive *collatio* (comparison) from the material of sense experience». In his view, such a perspective neglects the metaphors of light and the doctrine of the human intellect as a participation of the divine intellect (288, n. 7).

to his theological anthropology of man as *imago Dei*. As we have seen above, Thomas interprets this biblical and traditional notion according to a threefold gradation of human intellectuality including (i) the natural light of the intellect, (ii) the light of faith and (iii) the light of glory. The christological dimension of the theological realities underlying Aquinas's accounts of the *lumen intellectuale* and the *imago Dei* are most clear in his biblical commentaries. For example, in his commentary on the Gospel of John, the Divine Word (*Verbum Divinum*) is referred to as «the light of man» in two senses, as an object, and as a participated light. The usual citation of Psalm 4:6 is now presented with a christological specification in which «the light of the divine face is the Son, the perfect *imago Dei*» (264). Of course, for Thomas, the theological and explicitly christological dimensions of human knowing are carefully harmonized with the Aristotelian components of epistemology, which are given such prominence in more philosophical readings of Aquinas<sup>27</sup>. Rhonheimer builds upon Thomas's teaching that sense perception should be understood as the *material cause* of knowledge (*ST I q. 84 a. 6 responsio*), to offer the further distinction that the intellect itself, a light which makes known what is already there but hidden, should be understood as the *formal cause* of knowledge (265-266).

Shifting from knowledge in general to knowledge of the natural law, Rhonheimer notes that the above doctrine and language regarding the *lumen rationis naturalis* is central to the argument of *ST I-II q. 91 a. 2*, which introduces Thomas's treatment of the natural law. Thus, it is appropriate to understand the specifically human participation in the natural law, i.e., «through the mode of knowledge? (*per modum cognitionis*), as a participation in the divine knowledge through the *lumen ratio naturalis*.<sup>28</sup>

<sup>27</sup> Rhonheimer observes that «What for Augustine was an actual illumination by the divine intellect, becomes for Thomas an intellectual power, existentially anchored in man as *causa secunda*, but still participating in the divine intellect as image» (262). Thus, in *ST I q. 84 a. 5*, Thomas can echo Augustine's Platonic understanding that «the human soul knows all things in the eternal types, since by participation of these types we know all things. For the intellectual light itself which is in us, is nothing else than a participated likeness of the uncreated light, in which are contained the eternal types». In the same article he also clearly acknowledges that «besides the intellectual light which is in us, intelligible species, which are derived from things, are required in order for us to have knowledge of material things; therefore this same knowledge is not due merely to a participation of the eternal types». This balance between Platonic and Aristotelian elements is mirrored by article 6, which affirms that intellectual knowledge is derived from sensible things, but also emphasizes (in ad 3) that «sensitive knowledge is not the entire cause of intellectual knowledge. And therefore it is not strange that intellectual knowledge should extend further than sensitive knowledge».

<sup>28</sup> Similarly, the teaching regarding the *lumen rationis naturalis* is prominent in *ST I-II q. 19 a. 4*, which considers whether the goodness of the will depends on the eternal law. Rhonheimer writes that the point of the article is that the eternal law not only constitutes the human *ratio* as a rule but also really rules the good and evil in our conduct by way of a participation of this divine light of knowing in man. This participative light of knowing operates as a second cause, and this is precisely why the efficacy—the regulation or measure of the will and



B) *The Natural Reason's Process of Inventio  
as Discovery or Explication*

In addition to recognizing the intellect as a *lumen intellectuale*, Rhonheimer's re-reading of question 94 on the natural law builds upon his own interpretation of how Thomas understands the intellect (*intellectus*) to be actualized through reason (*ratio*). Although this distinction between *intellectus* and *ratio* is widely recognized by contemporary Thomists, the relationship between these two dimensions is not well understood<sup>29</sup>.

The common reading recognizes correctly that the prime analog for the *intellectus* is the divine mind, or God's knowledge of all things through a simple act of understanding. This reading further affirms that, because of its limited character as *intellectus imperfectus*, human knowing involves both *intellectus* and *ratio*, with reason working to remedy our defects in understanding.

Through a fresh reading of Aquinas, Rhonheimer offers what appears to be an original, plausible, and important contribution to our further understanding of the relationship between understanding and discursive reasoning. Thus, we will summarize his basic account of the discursive explication of the *intellectus* through the *ratio*, before re-considering question 94 in light of what he argues is its necessarily presupposed epistemological substructure (section C below).

According to Rhonheimer's reading, the discursive activity of the *ratio naturalis* is an unfolding of the truth that is initially grasped by the human intellect<sup>30</sup>. In contrast to the divine exemplar, human under-

---

of actions— must, above all, be ascribed to the first cause «because the second cause is able to operate only in virtue of the first cause» (258).

<sup>29</sup> An important contribution toward the recovery of this distinction was Pierre ROUSSELOT's *L'intellectualisme de saint Thomas* (Paris: Beauchesne, 1909), ET: *The Intellectualism of St. Thomas*, trans. James E. O'Mahoney, O.F.M. Cap. (New York: Sheed & Ward, 1935). It has contributed to the recovery of a dimension of St. Thomas that was neglected in some earlier readings that were, perhaps, overly influenced by 19th-century rationalism. At this point, some readers will jump to the conclusion that Rhonheimer's epistemology is unduly influenced by Maréchal, transcendental Thomism and Kant; however, the text is replete with evidence to the contrary. As I read him, he clearly upholds against Kant the priority the thing known over the knower in the act of knowledge, and St. Thomas's understanding that we gain true, but limited, knowledge of reality through concepts. A further discussion of this important topic is beyond the scope of this essay.

<sup>30</sup> Rhonheimer's reading complements David Schindler's argument for the recovery of Aquinas' understanding of our implicit knowledge of God. In his «God and the End of the Intelligence: Knowledge as Relationship»; *Communio* 26 (1999) 510-540, Schindler writes that «this feature of the implicit has not been central in Catholic or at least Thomistic accounts of knowledge in the modern period, even though Aquinas appears to assert it as an almost axiomatic principle» (520). He discusses the implications of Aquinas' important principle from *De Veritate* (q. 22 a. 2) that «all knowers know God implicitly in whatever they know». In particular, this understanding of our implicit knowledge of God follows from the biblical doctrine of creation, and is of particular importance in restoring the harmony between faith and reason (520ff).

standing is characterized by an inherent imperfection that implies a potency toward further knowledge. «The discursive process of the reason is understood as an explication of what is implicitly contained in the naturally known (*naturaliter cognitum*) principles, but cannot be grasped in a natural or spontaneous way because of the weakness of the human intellect» (268). Thus, human knowing departs from first principles known simply, and proceeds through a process of *inquisitio/inventio* that concludes with a *resolutio* or return to the first principles in which the result is tested by a judgment (*iudicium*). The decisive point in this interpretation is that *ratio* comes to a conclusive judgment only in and through the more fundamental reality of *intellectus*. At this point, we once again have understanding, but now in a more refined and explicit sense. Thus, discursive reasoning or *inventio* is a transitional stage of knowing and not knowledge itself because knowledge, according to St. Thomas, is in the judgment where conclusions are comprehended in their principles (268-9).

To gain a more specific understanding of how human knowledge advances beyond things naturally known (i.e., first principles) through this «inventive» or discursive explication, Rhonheimer observes that Thomas frequently contrasts that which is known naturally (*naturaliter cognitum*) with that known through discovery or teaching (*per inventionem vel doctrinam*)<sup>31</sup>. Aquinas does not devote a specific question or article to an explication of *inventionem*, but he does devote *ST I* q. 117 to the topic of teaching (*docere*). Because Thomas frequently treats discovery and teaching as analogous processes (i.e., *per inventionem vel doctrinam*), Rhonheimer draws upon his account of the latter in q. 117 for insight regarding the former. Here, Thomas presents the learning effected by teaching «as the actualization of an intellect that stands in a state of potency toward knowledge of the conclusions». This process of learning/teaching involves a movement from principles to conclusions, which is occasioned by the movement of the teacher as external mover making use of words, pictures, or other signs (271-2). Thus, any transfer of knowledge, whether by learning/teaching or discovery (*inventio*) follows a similar process<sup>32</sup>. Significantly, Thomas

---

<sup>31</sup> Thomas actually distinguishes *three* ways in which this advance in knowledge occurs. His teaching is most clear in his *Quaestiones quodlibetales*, VIII, q. 2 a. 2 where he specifies these as (i) through one's own discovery (*per inventionem propriam*), (ii) and through being taught by another (*per doctrinam alienam*) and (iii) through divine revelation (*per revelationem divinam*). See Rhonheimer, 296, n. 40.

<sup>32</sup> Note that the acquisition of knowledge through teaching should be recognized as an authentic cognitive process that does not violate personal autonomy (283). This account can easily accommodate the Catholic understanding of the Magisterium as teacher, although such teaching appeals not only to the *lumen rationis naturalis* but also to the *lumen fidei*, the reason as illumined and supported by the theological virtue of faith (303). Thus, for example, a Thomistic account of the failure to grasp difficult moral norms would include not only the influence of the passions and the moral virtues on reason, but also the influence of the theological virtues, and the resulting light of faith.

applies to the natural law his basic contrast between things naturally known (*naturaliter cognitum*) and those learned through instruction or teaching (*per inventionem vel doctrinam*).

C) *The Discursive Explication of the Natural Law  
by the Ratio Naturalis*

Based upon his retrieval of the epistemological infrastructure of the natural law, as found in Aquinas's teachings regarding (i) the natural reason as a participation in the divine power of knowing through an *impressio divini luminis in nobis*, and (ii) the *inventio* or explication of the *intellectus* by means of discursive reasoning (*ratio*), Rhonheimer proposes a reconsideration of the much-interpreted question on the natural law (ST I-II q. 94). His reading offers a plausible account of how, within a practical as opposed to a reflexive context, the secondary principles of the natural law function as an explication of the primary principles<sup>33</sup>.

Rhonheimer seeks to present a harmonized account of the relationship between the «first and universal» and the «secondary and remote» principles of natural law by showing how the latter are «discovered» in the former through the discursive process of the natural reason, thereby providing the proximate rule or measure for actions. The basic movement that initiates this process of discovery is grounded in *synderesis*. As the *habitus* of first principles, it «provides a “natural” source of light, acquired without any discursive movement, but belonging to the practical reason and thus “bringing movement” and forming the “seeds” of all subsequent knowledge» (279).

Although the conclusions that result from this «inventive» process are considered secondary, this does not mean they are relatively insignificant; they are secondary in the sense of their subsequent cognitive explication. In the order of actions, however, they are less remote and therefore have more legislative significance than the first principles, due to their being closer to the object of action (279-80). Thus, these secondary principles, as part of the natural law itself, provide the proximate determination of the first principles as rule and measure of an action under consideration<sup>34</sup>. However, the concrete

<sup>33</sup> Here we should recall again that, as opposed to a reflexive, philosophical rendering of natural law, Rhonheimer is especially interested in the natural law as it functions precisely as law (an *ordinatio rationis*), within the practical reason of the acting person. Although his emphasis is not upon a reflexive account of the principles of natural law, he explicitly acknowledges that he is in basic agreement with a standard treatment, such as R. A. Armstrong's «very circumspect and comprehensive», but underappreciated, *The Primary and Secondary Precepts of Thomistic Natural Law Teaching* (The Hague: 1966). Unfortunately, Rhonheimer does not give this dimension sufficient attention in this book.

<sup>34</sup> Rhonheimer emphasizes that this understanding of natural law—as an *ordinatio* unfolding from first principles according to the dynamic of the *ratio naturalis*—is quite different from a «legality» of the natural order or a «code» of laws «hidden in the very (i.e., material) existence of things» (276-7).

judgment of action (*indicium electionis*) that provides the proximate rule (*regula proxima*) comes from prudence as right reason about things to be done (*recta ratio agibilium*). This proximate rule has for its object «the action to be done here and now» (*hic et nunc*), the concrete «doable» (*operabile*). Thus, the secondary principles are «proximate determinations of the first principles as they pertain to [the regulation of] our concrete actions» whereas the proximate rule of action itself comes from prudence (280).<sup>35</sup>

When natural law is understood within this context of the dynamism of human reason, Thomas's reference to the «constitution» of the natural law by the natural reason can be seen as «an unfolding of the participation of the eternal law in man. This participation is two-fold: the consists, on the one hand, in the natural inclinations and, on the other hand, in the light of the natural reason, through which these natural inclinations become cognitively integrated into the context of human goods». This «unfolding of the natural law» takes place according to an autonomy that man has in virtue of being a *causa secunda*. It occasions a recognition of the moral life as a participated theonomy which reveals the *imago* character of self-reflective consciousness and of the way we share in God's role as lawmaker; it further «shows in what sense «nature» can be called the foundation of moral normativity» (286).

### 5. Reason as Rule for Human Action and Moral Objectivity

In contrast to a common interpretation of St. Thomas, according to which a metaphysical understanding of the pre-rational components of human *nature* provides the rule and measure for human action, Rhonheimer advances an interpretation in which *reason* is normative. Of course, the real challenge is to specify the particular sense in which reason is the rule and measure, and how both the natural inclinations and a philosophical understanding of human nature, pertain to the objectivity of moral action.

#### A) Reason, Law or Nature as Measure and Standard of Human Acts?

Rhonheimer presents a convincing argument that reason is the proper standard of moral action according to St. Thomas<sup>36</sup>. He specif-

<sup>35</sup> «The measuring function of reason comes to its fulfillment, and becomes immediately relevant and effective right here, where the universal practical judgment of the reason [natural law] is communicated to the level of those judgments that trigger concrete actions» (323).

<sup>36</sup> In the programmatic first question of the *Secunda Pars* (a. 1 ad. 3), Thomas teaches that reason is «the proper principle of human actions» (*proprium principium humanorum actuum*). Later, in the first question of the treatise on law (*ST I-II q. 90 a.1*), he (i) reemphasizes that

ies that the eternal law or God's reason is the *ultimate* standard for human actions, whereas human reason provides the *proximate* rule and standard, and the natural inclinations form a *remote or indirect* standard (566-7)<sup>37</sup>. In so doing, he argues against a more naturalistic interpretation of St. Thomas, as exemplified by Joseph Pieper and widespread in preconiliar neo-Thomism, which holds that a meta-physical account of human nature provides the methodological starting point and rational standard for natural law and ethics.

Rhonheimer's broader objective «is to make clear that here we are dealing neither with "reason" nor with "nature", but with human persons, in whom nature and reason form a unity, where reason is itself "nature", and where the natural becomes visible as human nature only on the horizon of the reason» (569). Thus, he stands in contrast to both autonomous ethics (or proportionalism), in which reason «stands over against the natural, in order to impose norms upon it» and a naturalistic interpretation of St. Thomas, in which reason «merely» grasps the natural and determines the moral obligation. Instead he holds that the originally non-spiritual (i.e., as found in pre-rational human nature) but standard-giving natural inclination is «constituted» through practical reason as a practical good and given a new «form» at the level of the person. Thus, for example, the truth of human sexuality at the personal level respects the intelligible standard as evident in the sexual inclination and, through the practical reason, freely constitutes particular actions that embody the full truth of married love: namely, the free, mutual self-giving of indissoluble permanence between two persons of opposite sex, in the totality of their body-soul existence, and in service of the transmission of human life (569-70).

Rhonheimer follows the explicit teaching of St. Thomas «that the *inclinatio naturalis* has a standard-giving function in relation to the *ratio naturalis*» (*ST* I-II q. 93 a. 3 ad. 2), which he understands to mean «that every act of knowing is somehow determined by a *res naturalis*, by some natural reality or object that comes "from outside"» (565). Of course, the «practical reason is the reason of a bodily and sexually constituted human person» who recognizes the ends towards which the natural tendencies are oriented as «already *bona humana* [human goods] by the fact of their belonging to the human being». They «become practical goods only in the context of action, and that means as

---

reason is the first principle of action (*ratio, quae est primum principium in agendis*), (ii) specifies that it is «the rule and measure of human acts» (*Regula autem et mensura humanorum actuum est ratio*), and (iii) distinguishes it from law, which is «a certain rule and measure of acts» (*lex quaedam regula est et mensura actuum*).

<sup>37</sup> Rhonheimer writes that, «if the light of natural reason is not hindered in its proper action by the will or the disorder of sensitive appetites, [it] infallibly reveals the good to man» (316). Of course, in the existential state of original sin, it is far from infallible. Note that for this section, we will rely primarily upon the postscript, as it is more clear and concise than Chapter 7, which treats in detail «the normative function of reason and its fulfillment in moral virtue».

objects of willing, which in turn means as objects of rational judgments» (566-7). «The natural inclinations in themselves are only an indirect rule or standard, or in other words they form the basis of this standard; they still do not have the power to govern actions. They are rather a standard and rule for the natural reason, which in its turn is the rule and standard for actions, through its causing of order in the natural inclinations» (567).

### B) *The Object of the Moral Act*

Interpreters of St. Thomas recognize that his vital contribution towards an account of the difficult question of the moral object includes a number of ambiguities. This lack of a fully intelligible account of the moral object has contributed to not only the deficiencies in the preconconciliar manualist tradition, but also to both postconciliar revisionism, and also to various differences between scholars who rely upon Thomas to articulate traditional moral teachings. In *Natural Law and Practical Reason*, Rhonheimer considers several aspects of this complex subject, especially as it pertains to practical reason<sup>38</sup>. In this section of our study, we will summarize his account of the moral object as treated in this work, while in subsection 2 we will complement this with some brief observations on other aspects of the moral object as he develops them in some later works.

Rhonheimer devotes a section of chapter 2 to «The Moral Object, and How It Is Constituted». This initial treatment of the moral object should be understood in light of his efforts to develop a deeper understanding of the natural law in its practical context, as distinguished from the reflexive. In this section he draws upon St. Thomas to specify that, within the process of practical reasoning, the object of the act in its moral quality (*genus moris*) should be recognized as «a form conceived by reason (*forma a ratione concepta*)»<sup>39</sup>. This observation helps him to highlight the «parallelism between the constitution of the objects of action (as moral objects) and the constitution of objects of natural law precepts», since both are constituted by the reason and have their origin in an *ordinatio rationis* (93)<sup>40</sup>.

<sup>38</sup> In so doing, he draws widely on both primary and secondary sources. He agrees with the major thrust of an early article by Servais Pinckaers, although he judges that «his solution was not fully thought out in some of its aspects». He agrees more with T. G. Belmans, but considers his criticism of Pinckaers and subsequent refinements to be «somewhat exaggerated» (159, n. 60).

<sup>39</sup> See p. 90. Rhonheimer's primary text for this formulation of the moral object is *ST I-II* q. 18 a. 10, which states «the species of moral actions are constituted by forms as conceived by the reason». See also a. 2 ad. 2: «the object stands in relation to the act as its form». This notion of the object as an intellectual form conceived by reason is similar to the notion of the «proposal», as articulated in «the new natural law theory», although for Rhonheimer it also retains an inseparable connection to «the exterior act» as its form.

<sup>40</sup> He goes so far as to say that they are «really one and the same phenomenon, studied under two aspects and—in part—unto different levels: the two aspects mutually complement and illuminate one another» (87). Unfortunately he fails to adequately distinguish them.

As we have already seen, one of the defining characteristics of Rhonheimer's moral philosophy is his location of the natural inclinations, practical reason and the natural law within the broader intelligible and directive order of the eternal law. As we would expect, he situates the object of individual moral acts within this same order. On this basis, he argues that the primary sense of morally «objective» is to be integrated into, and measured by this eternal, intelligible and rational order (93)<sup>41</sup>. Thus, a good act will follow the order of reason, not only in the «order of specification» (*ordo specificationis*) where the intellect conceives the object and presents it to the will, but also within the «order of execution» (*ordo executionis*) where the moral quality of the action depends upon our free choice to do what we understand to be good.

In this section of the second chapter, Rhonheimer further specifies the moral object as the proximate end of an action (*finis proximus actus*). It is precisely the intelligible, rational, or formal element (i.e., the form) of the action (*materia circa quam*), which exists only within the context of practical reason, as distinguished from the material aspect (*materia ex qua*), which is considered outside the context of practical reason<sup>42</sup>. He emphasizes that the object is not determined through an abstract consideration of the proper goods (*bona propria*) towards which the various natural inclinations tend. To understand the moral object at this level of physical nature (*genus naturae*) is a crucial error, common to both a naturalistic interpretation of St. Thomas and to proportionalism. For example, when proportionalists judge, in abstraction from the human person and his moral action, that the natural inclinations are «morally indifferent» they have made an illegitimate moral qualification. Instead, a legitimate qualification at the properly moral level will depend upon whether the action in question respects the order of these proper goods (*bona propria*) within the broader order of reason such that they are integrated at the level of the person (87-90).

Later, in chapter 10, Rhonheimer explores several other dimensions of moral objectivity. His primary discussion distinguishes the object with respect to reason and will<sup>43</sup>. We will treat this distinction in

<sup>41</sup> On p. 475ff, he addresses the question of «intrinsically evil action» (*actio intrinsece mala*) and articulates an account of the «ethical context»; this notion enables a more adequate description of the action, beyond the physical level, and therefore allows an illuminating discussion of apparent «exceptions». It corresponds to what he later calls «intentional basic action».

<sup>42</sup> For Thomas, «a formal and material aspect can be seen in every object», including the object of an action and the object of choice (91 and 160, n. 63). They are related as color (material) to light (formal). Just as light is required to perceive color, the formal aspect (i.e., in the context of the practical reason of the acting person) is required to grasp the moral character underlying the material aspect.

<sup>43</sup> He borrows this distinction from THOMAS'S *De Malo*, q. 2 a. 3: «The exterior act can be considered in two ways: in one way, according as it is apprehended with respect to its own reasoning; and another way, according as it is carried out in deed» (443, n. 24).

subsection 1 below, followed by a consideration of the relationship between object and intentionality in subsection 2, drawing upon some of his later writings to contextualize his contribution in *Natural Law and Practical Reason*.

### 1. The Object of Action as Object of Practical Reason and Will

Within the «order of specification» (*ordo specificationis*), the practical reason constitutes the moral object as the form of the external act. In Rhonheimer's reading, Thomas speaks of this formal element of the *materia circa quam*, or «matter concerning which» as giving the action its species as «right or fitting» (*materia debita*), such as «feeding the hungry», or «wrong» (*materia indebita*), such as «taking what belongs to someone else» (421).<sup>44</sup> When this moral object is properly constituted as a fitting object (*materia debita*), it «is constituted through understanding the *convenientia*, the *debita proportio*, the *debita materia*, or simply the *debitum* of definite exterior actions» (422). Rhonheimer concludes this discussion of the object from the perspective of *reason* by suggesting «in a certain sense, then, it would be preferable to speak of the «objective contents» or «meaning of the exterior act» instead of the «object of the exterior act», since the object is the exterior act itself, as ordered by the reason» (424). It is the external act, but precisely as understood by the agent.

To understand the moral object in «the perspective of a complete vision of human action» Rhonheimer argues that, besides the previous perspective of *reason*, i.e. the *ordo specificationis*, we must consider it within the «order of execution» (*ordo executionis*) as an object of the *will*, and therefore as carried out in deed (425). He draws upon *ST I-II* q. 1 for his fundamental understanding of the moral object as «the goal or end that the will seeks», or similarly «the goal or practical good that is pursued in doing»<sup>45</sup>. Of course, this object recognized by the will as a desirable good has been presented to it as such by reason. Thus, Thomas emphasizes «the good considered as such, i.e., as appetible, pertains to the will before pertaining to the reason. But considered as true it pertains to the reason, before, under the aspect of goodness, pertaining to the will: because the will cannot desire a good that is not previously apprehended by reason» (q. 19, a. 3, ad. 1).

<sup>44</sup> See also *Natural Law and Practical Reason*, 442, n. 18, and the quotation from *ST I-II* q. 72 a. 3 ad. 2.

<sup>45</sup> The first article of *ST I-II* q. 1 specifies «those actions are properly called human which proceed from a deliberate will», and that «the object of the will is the end and the good». Thus, the object of willed *human acts* is the end and the good. In article 3, Thomas clarifies that such «human acts» are equivalent to «moral acts». Building upon the response to article 3, Rhonheimer draws his basic definition of «the object of a *moral action*», in the perspective of the will, as the goal or end (*finis*) that the will seeks; it is this object that gives the act its moral qualification and specification (414-15).



Lest we neglect the anthropological and theological character of Thomas's account of how we perceive the true and good object, we must take note of the teaching of the article that immediately follows (i.e., q. 19 a. 4). In the context of an explicit reference to the imagery of light (Ps 4:6) and the intellectual character of the *imago Dei*, this article emphasizes «the goodness of the human will depends on the eternal law much more than on human reason». Therefore, in accord with the interpretation of the participatory character of human knowing as sketched above, we can see that the choice of the object of action should be understood in the context of our participated theonomy. Thus, in the unified perspective of the acting person, Thomas presents a harmonized account of the moral object as both a form constituted by the practical reason, and as end of the interior act of the will, while receiving its ultimate measure from the eternal law that man recognizes through various levels of participation in the Divine light.

## 2. Moral Object and Intentionality

In the above discussion from *Natural Law and Practical Reason*, we sketched Rhonheimer's articulation of Thomas's teaching about «the connection between object and practical reason»; namely, that the practical reason constitutes the object and presents it to the will as practical good and end. He also refers to some subsequent publications in which he articulates more fully «the intentional structure of the object of action», according to which «the object of action always includes within itself a basic intentionality formed by the reason» (408–9, n. 18). In these later writings, he works toward a more adequate account of the moral object by emphasizing that it must be understood in an «intentional» perspective<sup>46</sup>. By this he means the distinctively «ethical» and «first-person» perspective of the «acting person», in contrast to the «causal-eventistic» understanding of human action from the perspective of the external observer, as presumed by proportionism. This means that the act is not simply described in its natural or physical species, but precisely in its moral species and as a human act, whose proper description requires reference to the act of the will. Of course, his articulation of this intentional perspective presupposes his earlier teaching that a good object must be within the order of reason as established by the eternal law and manifest in the natural inclinations<sup>47</sup>.

---

<sup>46</sup> See his «Intrinsically Evil Acts and the Moral Viewpoint», and «Intentional Actions and the Meaning of Object». Thomistic scholars will quickly specify that Aquinas's incorporation of intentionality is a carefully qualified one, developed as an explicit correction to the exaggerated intentionality of Peter Abelard. On this see David M. Gallagher's lucid study, «Aquinas, Abelard, and the Ethics of Intention», in *Studies in Thomistic Theology*, ed. Paul Lockety (Houston, Tex.: Center for Thomistic Studies, University of St. Thomas, 1995), 321–358.

<sup>47</sup> Thus, Rhonheimer holds with Thomas that there are naturally given limits to the intentions that correspond to a given behavioral pattern. Thus, for example, «it is not simply up to me to decide whether my shooting at a person's heart is or is not in an act of punish-

He specifies that the object, understood as a *forma a ratione concepta*, includes both the «matter» of the action and its «why» or «what for». The object «is a material doing chosen under a description», where this «description» actually contains the intentional content of the action. Thus, for example, the merely material description of «raising one's arm» does not adequately specify the object of an action whereas «to greet somebody by raising one's arm» does so, precisely because it includes an intentional structure<sup>48</sup>. The object understood as end of the act (*finis operis*) is «the *basic* intentional content of a concrete action» and therefore something like the «formal object» of an action». It is the agent's goal understood «independently of the further goals he may pursue by choosing this concrete action. It is the goal which specifies the performed action as a determinate *type* of intentional action, the one which Aquinas usually calls the *finis proximus* of a human action, i.e., its object»<sup>49</sup>.

In these later works, Rhonheimer is working to articulate the teaching of *Veritatis Splendor* regarding the existence of objectively evil acts. However, he does not do so from the perspective of «normative ethics» because he believes that only a virtue ethic is capable of considering actions in light of the rightness of appetite that enables the actor to perceive the concrete good within its narrative context, which includes a network of morally qualified relationships. As part of this broader strategy to address the question of moral objectivity within the context of virtue ethics, Rhonheimer works toward a further articulation of this «intentional» perspective, especially regarding what he calls an «intentional basic action» and the «moral object» as its «intentional basic content»<sup>50</sup>.

Before moving on to a short discussion of how Rhonheimer's reading of Thomistic ethics applies to the difficult question of contraception, let us conclude our study of the moral object and intentionality with a few comparative remarks that will reach somewhat beyond the immediate subject matter. Rhonheimer's approach can be located somewhere between more traditional interpretations of Thomistic

---

ment». See «Intentional Actions and the Meaning of Object», 298.

<sup>48</sup> See «Intrinsically Evil Acts and the Moral Viewpoint», 30, and «Intentional Actions and the Meaning of Object», 294-5.

<sup>49</sup> See «Intrinsically Evil Acts and the Moral Viewpoint», 31-2. We should acknowledge that he is working directly against the proportionalist understanding of intentionality, which expands the understanding of the moral object beyond the immediate act to include the intended consequences, which are then used to justify particular acts which have been understood by the Tradition to be evil.

<sup>50</sup> See «Intrinsically Evil Acts and the Moral Viewpoint», 26, 34. He develops these notions in his *La prospettiva della morale: Fondamenti dell'etica filosofica*, trans. Anselm Jappe, Studi di filosofia (Rome: Armando Editore, 1994), and also the expanded version *Die Perspektive der Moral: Grundlagen der philosophischen Tugendethik* (Berlin: Akademie Verlag, 2001). He applies them to sexual ethics in his *Etica Della Procreazione*, trans. Ellero Babin (Rome: Mursia, 2000).

moral philosophy<sup>51</sup> and «the new natural law theory» of Grisez and Finnis. With the former, his interpretation recognizes the normative and standard-giving quality of the divinely established moral order, including the significance of natural inclinations. His qualified inclusion of a basic level of intentionality within the object of the act can also be found in more traditional accounts, although these tend to emphasize the moral intelligibility of the physical dimension of the object, and exhibit greater caution about explicitly including intentionality within the object<sup>52</sup>. We might locate Rhonheimer as a circumspect and creative Thomist with a leading role in the effort to develop a more precise vocabulary regarding the moral object<sup>53</sup>. Moreover, this presentation reflects his interaction with recent work in virtue theory, «the new natural law theory», proportionalism, more theological interpretations of St. Thomas, and the encyclical *Veritatis Splendor*.

With the proponents of «the new natural law theory», he emphasizes the distinctive «order of the practical reason» as the proximate standard of morality over the remote standard of nature; and also explicitly rejects a naturalistic understanding of the object of moral action, which would describe the act in its physical structure excluding even immediate intentionality. Like Grisez and Finnis, he emphasizes that the natural law is not originally known through the derivation of moral norms from a metaphysical understanding of human nature, but instead is recognized through subsequent reflection upon moral action<sup>54</sup>. Moreover, he accepts, at least on the surface, the famous

---

<sup>51</sup> In this category, we might include Janet E. SMITH, *Humanae Vitae: A Generation Later* (Washington, D.C.: Catholic University of America Press, 1991), Ralph M. MCINERNEY, *Ethica Thomistica: The Moral Philosophy of Thomas Aquinas*, Rev. ed. (Washington, D.C.: Catholic University of America Press, 1997), especially 77-89, and Steven A. Long's recent critique of John Finnis's reading of Aquinas «St. Thomas Through the Analytic Looking Glass»: *The Thomist* 65 (2001) 259-300.

<sup>52</sup> For example, Russell Hittinger cautions against the proportionalist strategy of including what might be called «remote» intentionality within the moral object in his «The Pope and the Theorists»: *Crisis* 11 (December 1993), esp. 34-35, whereas Rhonheimer defends his «basic intentionality» in his «Intentional Actions and the Meaning of Object», 297ff. Although I suggest that these perspectives are complementary, compare also Hittinger's emphasis on the natural law as promulgated by God and imposing moral obligation on man, in his «Natural Law as Law», with Rhonheimer's emphasis how natural law is participated in and «constituted» by man.

<sup>53</sup> For an example of this development in another author, see the terminological precision of Janet Smith's recent work, «Moral Terminology and Proportionalism», in *Recovering Nature: Essays in Natural Philosophy, Ethics, and Metaphysics in Honor of Ralph McInerney*, ed. Thomas S. Hibbs and John O'Callaghan (Notre Dame, Ind.: University of Notre Dame Press, 1999). See, for example, pages 134-5 and 143, notes 2 and 6, where she acknowledges the «problematic» character of the word «intention» and borrows the notion of «specifying circumstances» from Mark Lowery to distinguish the *finis operis*, as the «specifying circumstantial intention», from the ultimate end or intention of the agent, which she calls the motive, and associates with the traditional notion of *finis operantis*. Her «specifying circumstantial intention» corresponds directly to Rhonheimer's «basic intention».

<sup>54</sup> In this work, Rhonheimer does not indicate either how one moves from the common experience and recognition of natural law to an account of primary and secondary principles (such as the one he cites by R. A. Armstrong), or how known principles (and norms) pertain

objections against deriving an «ought» from an «is» as articulated by both «Hume's law» and G. E. Moore's «naturalistic fallacy»<sup>55</sup>. However, his primary emphasis in such discussions is to articulate the distinctive perspective of moral action and practical reason, and to specify exactly how realities like the natural inclinations pertain to objective morality. The end result is an account that is well grounded in Thomistic texts and therefore, although it challenges the traditional interpretations at various points, retains a fundamental continuity while contributing to a genuine advance<sup>56</sup>.

### 6. Application to Conjugal Morality

In this short section, I will indicate the fecundity of Rhonheimer's presentation of Thomistic ethics through a brief sketch of his account of the Catholic teaching regarding the inseparability of the unitive and procreative dimensions of the marital act, and the ensuing prohibition of their partition through artificial contraception<sup>57</sup>. Because he works from the perspective of virtue ethics, Rhonheimer approaches the question of contraception as pertaining to the virtue of chastity, which he locates under the heading of procreative responsibility.

His concern to analyze ethical questions at the personal and not merely natural level sensitizes him to the importance of the inseparability principle, which reflects the fundamental body-spirit unity of the acting person as it pertains to procreation. Thus, he evaluates the procreative good, not at the natural level, but at the personal level, while respecting the order of reason as it is revealed in pre-rational nature. From this unified, personal perspective, we can recognize that the meaning of sexual love is revealed in the spiritual love that should inform it, whereas the sexual expression of love between husband and wife gives to marital spiritual love its particular, embodied form. Thus, on the one hand, a marital act whose object included only «procreat-

---

to the practical reasoning of the acting person. However, he treats these topics at length in his *La prospettiva della morale*, including the new and expanded German version, *Die Perspektive der Moral*. He distinguishes *principles*, understood properly as the ends of the virtues and formulated by natural law, from *norms*, which are reflexive, propositional formulations of moral principles on different levels and always related to intentional actions. Furthermore, he analyzes how these principles and norms apply to prudence and conscience.

<sup>55</sup> Unfortunately, Rhonheimer's qualified acceptance of these modern critiques is stated too strongly, especially given their subsequent refutation, which he to some extent acknowledges, citing R. MCINERNEY'S, *Ethica Thomistica*, 49-52.

<sup>56</sup> Thus, Rhonheimer's account as described above, although drawing upon selected insights from Grisez and Finnis, avoids Steven Long's criticism that the moral object for Finnis neglects the physical character of the act. See LONG'S «St. Thomas Through the Analytic Looking Glass», esp. 290, n. 85.

<sup>57</sup> This section draws upon *Natural Law and Practical Reason*, 109-138, and especially «Contraception, Sexual Behavior, and Natural Law» which presents more clearly the same basic account.

ion» or only «mutual love» would be inadequate to the body-spirit unity of the human person<sup>58</sup>. On the other hand, the object of a good marital act will be ordered toward the total self-giving of one's bodily and spiritual being with an openness to procreation and cooperation with God's creative love, while taking into account all of the factors involved in deciding the size of a family. Such an act is an act of the virtue of chastity, or procreative responsibility, through which the person exercises self-mastery under the guidance of reason and will.

When analyzed from the perspective of virtue theory, the act of refraining from sexual intercourse to avoid pregnancy is a bodily act of procreative responsibility, which will normally include appropriate expressions of marital love and reciprocal self-giving. For Rhonheimer, the essential point is that the very act of continence is a bodily and sexual act because it is performed for, and informed by, the ordering reason of procreative responsibility. This involves not merely a «guidance of reason and will» as with contraception, but a *virtuous* form of this guidance in which the bodily behavior fully participates through the virtue of temperance<sup>59</sup>. The contraceptive act, on the other hand, involves a choice against virtuous self-control by continence, rendering needless a specific sexual behavior informed by procreative responsibility and the natural law. In separating the unitive and procreative dimensions, it is not an act of virtuous dominion of reason and will in accordance with the body-spirit unity of the human person; to that extent it goes against the marital union, and the marital act itself, with its inherent ordering toward bodily and spiritual fecundity. In this way, it contributes to a disintegration of virtue, reasoning, sexuality, marital love, human society and the Church.

Rhonheimer's attention to realities such as the eternal law and the metaphysics of participation allow his analysis of procreation to be readily extended into a theological perspective. For example, the acts of procreative responsibility occur through our active, intelligent participation in divine providence, and thus through the natural law, which for Rhonheimer refers especially to «the order established by reason in man's natural inclinations». They thereby integrate the sexual inclination into the order of reason, which is also the order of human love and of the eternal law. As a free intelligent participation in this divine order, such good acts not only develop the virtue of procreative responsibility or chastity, they are also ordered toward the development of spiritual love and the promotion of the *communio personarum*

---

<sup>58</sup> Indeed, as Rhonheimer shows at numerous points, proportionalist moral theories that justify contraception exhibit the spiritualist and dualist tendencies of Rahnerian anthropology, according to which the body is reduced to an instrument of the «person», who is basically a spirit in the world.

<sup>59</sup> For this clarification, and several others, I have benefited from personal correspondence from Prof. Rhonheimer. See *Natural Law and Practical Reason*, especially 119, and 126-128.

that builds the human society in general, and the Church in particular<sup>60</sup>. Within this non-reductive philosophical framework, Rhonheimer can readily account for the sacramental character of marriage as a «third end», which is a higher perfection that builds upon the procreative and unitive ends (163, n. 78). Thus, to the degree that a marriage is integrated into the eternal law, it becomes an efficacious sacramental sign that communicates the love and life that it signifies, at the levels of both human nature and grace.

### 7. Conclusions

Martin Rhonheimer's *Natural Law and Practical Reason* merits careful study by moral philosophers and theologians because it documents a circumspect and insightful project of Thomistic *ressourcement* in light of the contemporary questions raised by proportionalism, «the new natural law theory», and a more theological reading of St. Thomas in light of 20th-century theology. It offers a thoughtful but provocative understanding of the natural law as a law of the practical reason through which man puts rational order into his inclinations and thereby deepens his participation in the eternal law through knowledge and virtue. This proposal builds upon a fascinating re-reading of Thomistic natural law in light of what Rhonheimer calls its epistemological substructure, which can be recognized in the participative character of the human intellect as *imago Dei*. Similarly, Rhonheimer proposes an understanding of the moral object as a «form conceived by reason», which when combined with his later articulations of the «basic intentional object» and the «basic intentional act», provide robust philosophical support for the Catholic teaching regarding objective morality. Moreover, in response to the modern interpretation of the human realities of freedom and self-determination as «autonomy», *Natural Law and Practical Reason* argues that they can be better understood as a «participated theonomy», through which we realize our destiny as a free intelligent participants in God's providential plan.

Of course, the book is subject to several criticisms, including what the author admits to be its «rather excessive size» (xi). Moreover, because its purpose is to document an ongoing process of reflection, the reader should not expect a concise, systematic exposition but rather a series of learned, sometimes difficult, always insightful, and often

---

<sup>60</sup> The theologian will recognize that this growth in virtue corresponds to the healing and perfection of the image of God in man, which is an important background theme within the *Summa*, and which as Anna Williams has shown, corresponds to the Eastern theology of divinization. See her «Deification in the *Summa Theologiae*: A Structural Interpretation of the *Prima Pars*», *The Thomist* 61 (1997) 219-255.

provocative studies, which should be read in light of the author's ongoing work.

Perhaps the most valuable contribution of Rhonheimer's reading of Thomistic moral philosophy is that it takes into account a series of themes of particular interest to moral theologians, including the various ways in which we participate in the eternal law, divine providence, the natural law, the divine light and the «new law» of grace, understood as a share in «the life of Christ by the power of the Holy Spirit» (546). His explicit intention to support the needs of moral theology is evident in his concluding chapter (sections VII-X), where he writes that an adequate presentation of moral theology will not only uphold moral truth and objectivity but it «must [also] be fundamentally *Christological*», meaning that it must understand man in light of his restored and elevated human nature and filial adoption «in Christ»<sup>61</sup>.

By recognizing these theological presuppositions, we can understand Rhonheimer's sensitivity to the priority of the eternal law over nature in natural law theory. In his view, theologians must go further yet, to recognize the assumption of natural law along with the rest of human nature through the incarnation. Moreover, Rhonheimer's re-emphasis on the proper location of natural law within the broader context of the eternal law helps him to avoid a problematic separation of nature and grace. This unified theological perspective helps Christians to rediscover the fundamental truth that «the moral requirements of being human overburden or simply go far beyond the moral capacity of man in his fallen condition». More positively, such a theological re-centering helps us to articulate, with an evangelical confidence that need not overlook interreligious respect and sensitivity, the «scandalous» Christian claim that our only hope for «corresponding fully to the demands of being human» lies within the mystery of the Church and depends upon the grace of the Holy Spirit (548). In this rich theological context, difficult moral questions such as the requirements of marital chastity can be understood not only through a convincing philosophical explanation relying upon natural law and virtue theory, but as an invitation to participate in the christological pattern of sacrificial love according to the Father's will, and supported by the life of grace within the Church.

Because it supports the recovery of such an authentic theological perspective, Rhonheimer's moral philosophy challenges those who evaluate it to also grapple with crucial questions regarding the relation between theology and philosophy, the thorny problems of the relat-

---

<sup>61</sup> By reading Rhonheimer's attempted retrieval of Thomistic moral philosophy in light of these theological (and biblical) presuppositions, we can recognize that his methodology is consistent with Chapter 7 of John Paul II's encyclical *Fides et Ratio*, which reaffirms the authority of Scripture through a consideration of what he calls «the requirements placed upon philosophy (and theology) by the word of God».

ionship between nature and grace, the authority of Scripture in theology, and the requirements and prospects for a more christological presentation of Thomistic ethics at the service of the new evangelization<sup>62</sup>.

WILLIAM F. MURPHY, JR.

University of Notre Dame.



---

<sup>62</sup> On these points see, Francis MARTIN, «*Sacra Doctrina* and the Authority of its *Sacra Scriptura* According to St. Thomas Aquinas»: *Pro Ecclesia* 10 (2001) 84-102, and Livio MELI-NA, «Christ and the Dynamism of Action: Outlook and Overview of Christocentrism in Moral Theology»: *Communio* 28 (2001) 112-139.