

THE TRUTH IN THINGS (AND LOVE IN THE WORLD)

Accessing the Natural Law's Metaphysical and Theological Foundation

SHANE ULBRICH

TROUBLED BY THE FRUITS OF CONTEMPORARY PHILOSOPHICAL AND SPIRITUAL NIHILISM AND HAVING DISCERNED THE INADEQUACIES OF POSITIVISM, A GROWING NUMBER OF PEOPLE EXPERIENCE PROFOUND DISSATISFACTION WITH MODERNITY AND ARE RENEWING THE SEARCH FOR "THE TRUTH IN THINGS," AS ANSELME OF CANTERBURY ONCE STATED. SOME SEEK A CORRECTIVE ELEMENT THROUGH A TRADITIONAL UNDERSTANDING OF NATURAL LAW, AND A NUMBER OF CATHOLIC SCHOLARS HAVE MADE IT THEIR TASK TO RE-APPROPRIATE AND ARTICULATE THE NATURAL LAW FOR THE MODERN AGE, BOTH WITH VARIED SUCCESS. THIS ARTICLE TRACES SOME OF THE FOUNDATIONAL NOTIONS THAT GROUND NATURAL LAW THINKING. IT ILLUSTRATES HOW THE NATURAL LAW MIGHT BE BETTER RECOVERED AND CLARIFIED IN LIGHT OF MODERN PHILOSOPHICAL ASSUMPTIONS. FINALLY THE ARTICLE SUGGESTS THAT THE NATURAL LAW MUST BE VIEWED THROUGH THE THEOLOGICAL LENS OF CHRISTIAN CHARITY FOR ITS FULL SUBSTANCE TO BE APPARENT.

A TWENTY-FIRST CENTURY SEARCH FOR NATURAL LAW

In many ways, the intellectual history of the twentieth century is the history of the dissemination of nineteenth century philosophy, particularly its hermeneutics and language, into popular consciousness. In the twentieth century, various strands of nihilistic philosophy, avant-garde literature, and scientific theory—once the preserve of an intellectual elite—came to influence various social, political, cultural, and religious institutions and were suddenly (and subtly) thrust upon popular sensibility. Darwinian and Marxist theory, the modern literary turn begun by Baudelaire, and Nietzsche's challenge to the entire western tradition are some of the intellectual movements which profoundly affected everyday men and women, creating a mixed modern consciousness unlike any other in human history. The dominant values of the century were those of liberal democracy, especially equality, with appeals to human rights as the preeminent moral category. Beneath this, though, the century held a strongly positivistic view of law and politics (i.e. the view that the existence and content of the law depend primarily on societal

positivism and nihilism. Young people in particular tend to seek a movement, a way of thinking, a group, or a person in which they can believe and to which they can commit themselves. Some seek a return to traditional wisdom, often connected to religious conversion, in which natural law seems to play an important, if unclear, role. It has mostly been particular historical events of the past century, rather than abstract philosophical ruminations, that have prompted the new search for the natural law.

In the rise of National Socialism, the Nazis seem to have used pseudo-Nietzschean thought as the philosophical rationale behind their project, or at least to have seized upon the weaknesses of the modern soul that Nietzsche so well understood. But Nietzsche's thought, as well as the problems of modernity that he both saw and created, appears elsewhere—even in Boston. Allan Bloom indicates the ways in which late nineteenth-century German thought and language have quietly infiltrated American sensibilities to the detriment of the liberal arts.ⁱⁱ Parallels may be found in the legal sphere; a well-known opinion of Justice Anthony Kennedy in *Planned Parenthood v. Casey* (1992) il-

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conditions). Nietzsche shows, moreover, that once modern optimism fades, a deadly nihilism is revealed as that which dwells deepest in the contemporary psyche.

Prominent Catholic intellectuals like Karol Wojtyła and Joseph Ratzinger tend to believe that philosophical developments have real consequences for human communities. In light of the troubling history of the twentieth century, their belief seems compelling.ⁱ It is this realization that has prompted many people from different walks of life to seek an alternative to modern—and now postmodern—

illustrates some of the strange notions at the end of the twentieth century: “At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life.” Absent the inculcation of nineteenth-century philosophical conclusions, it would be hard to imagine that such a view of liberty could ever be taken seriously.

Such a philosophical climate does not much countenance appeals to natural law. Those interested in the natural law tradition often find themselves teetering on the fringes of

what is politically and academically permissible; those who take it seriously in turn find it difficult to be taken seriously themselves. It is then a cause for wonder to see a number of people responding to contemporary crises of international crime, global atrocities, and racism, as well as questions of reproductive rights, marriage, and abortion, from the perspective of the natural law. They seem to believe that the present age, despite its successes, is weak in its inability ever to provide satisfactory solutions, from sound theoretical bases, to these serious problems. A positivistic mind and a nihilistic spirit are not up to the task.

Some then have turned to the natural law because it provides something that positivism cannot. Prosecutors at the Nuremburg International War-Crimes Trials of 1945-1946 found it necessary to appeal to natural law arguments in the absence of any positive law that could account for the crimes of the Third Reich. Jacques Maritain, as a member of the Commission on Human Rights that drafted the Universal Declaration of Human Rights, considered it a great step forward to enlist the natural law in support of natural rights. Dr. Martin Luther King, Jr., frequently appealed

phy: what Ernest Fortin has described as “unconscious but rampant” nihilism.^{iv} An examination and re-appropriation of the natural law and its theoretical foundations promises to save contemporary men and women from an otherwise dismal fate. On one level, it guards society from the totalitarian rule of a purely positive human law, wherein might defines what is right and naked power is able to revoke tomorrow the rights it protects today. Even more profoundly, the natural law and its foundations could save modern man from the prospect of the “existential” individual standing finally alone, without any truth or good worth living for, overcome by what Charles Taylor calls the “spectre of meaninglessness.”^v

Many Catholics in particular have taken up this task of articulating the natural law anew. They have in their philosophical and theological tradition some of the richest resources for undertaking the task. In such a context, the natural law should be newly appropriated in terms of a comprehensive Thomist realism, smartly aware of present and past challenges, and with a sound understanding of its roots in the Christian theological tradition.

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to the natural law and to its traditional sources as he struggled in the 1950s and 1960s against segregation statutes. He saw that justice would only be guaranteed in civil society if natural law were to inform and check the positive law. In 1963, from Birmingham City Jail, he wrote to fellow clergymen, “Never forget that everything Hitler did in Germany was legal.”ⁱⁱⁱ

For many twenty-first century men and women, the natural law offers a corrective not only against positivism, but also against that second prong of nineteenth century philoso-

TOWARDS UNDERSTANDING NATURAL LAW THROUGH *IS-AND-UGHT*

It is necessary to articulate, even in limited scope, some of the foundational underpinnings of the natural law. To accomplish this, it will be helpful to engage some modern philosophers, and to address some of the difficulties—of both tacit sensibility and explicit philosophical understanding—that hinder the modern mind’s grasp of the metaphysical and epistemological foundations of the natural law.

One way to enter into such theoretical considerations is through the problem of *is-and-ought*. In some sense, all problems in natural law thinking of intellect-and-will, and duty-and-right, first require some grasp of the *is-ought* question. The modern philosophic tradition, beginning with Machiavelli, has long rejected the classical conception of *is-ought*. It has replaced it with a hermeneutic that makes it difficult for the modern mind to sympathize with Thomist realism. A brief exposition of some key moments in the history of modern philosophy and modern scientific and political theory may enlighten consideration of this subject. This exploration should make clear what was lost when classical theories were sidestepped.

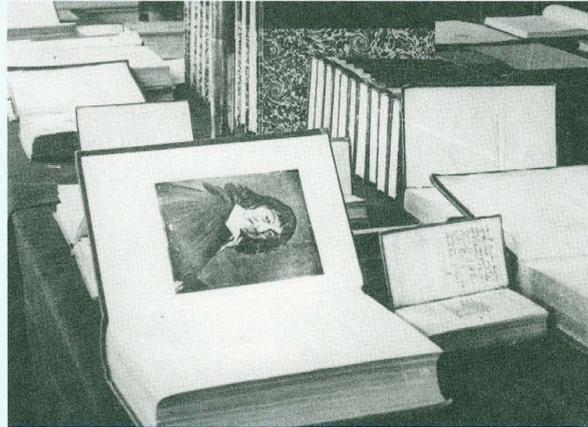
MODERN DOCTRINES OF IS-AND-UGHT

The issue of *is-and-ought* provides a powerful lens for viewing the history of Western philosophy at its most important moments. The most revolutionary thinkers each propose, more or less explicitly, new definitions of *is* and *ought* and a new understanding of their relationship.

We begin at the end of classical political philosophy with Niccolò Machiavelli who, in the midst of the flourishing of Renaissance humanism, proposes what seems to be a profoundly anti-humanist doctrine. Machiavelli turns the mind to practical considerations in a radically new way. He definitively breaks from the entire tradition before him, from metaphysics and virtue, when he writes in *The Prince*:

... my hope is to write a book that will be useful . . . and so I thought it sensible to go straight to a discussion of how things are in real life [*la verità effettuale della cosa*] and not waste time with a discussion of an imaginary world . . . for the gap between how people actually behave and how they ought to behave is so great that anyone who ignores everyday reality in order to live up to an ideal will soon discover he has been taught how to destroy himself, not how to preserve himself.^{vi}

Machiavelli here defines what *is* simply as “how things are



RENÉ DESCARTES EXPOUNDED VOLUMINOUSLY ON THE IS-AND-UGHT DICHOTOMY.

in real life”; human nature is simply “how people actually behave,” observed empirically.^{vii} The old *ought* is identified with *is* in an entirely new way: in his political realism, one simply pursues, by whatever calculated, even cruel means possible,^{viii} those goals that “all [men] share” and do not question: “the acquisition of glory and riches.”^{ix}

One can see how Machiavelli opens the way for what follows, including Hobbes’ “warre of every man against every man.”^x It begins with Machiavelli’s repudiation of the classical moral *is*—of the Platonic forms, the Aristotelian virtues, Christian beatitude—for the sake of the *is-and-ought* of “practical realities” and self-preservation. Machiavelli says something with which everyone before him agrees—that “we do not live in an ideal world”—but he means to say much more: that effectively there is no ideal world.

René Descartes accomplishes a parallel recasting of *is-ought*, through science rather than political philosophy. Despairing over his own uncertainties after years of serious education, and only further discouraged by the perennial clashes among great philosophers past and present, Descartes resorts to a new understanding of *is-and-ought*, of our capacity for knowledge and the role of nature. Descartes would ultimately have students grow into techni

cians mastering nature, rather than lovers after wisdom who learn from nature:

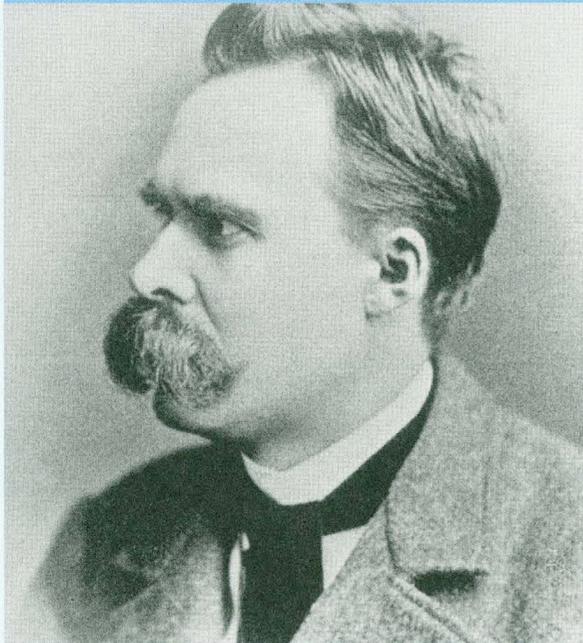
. . . it is possible to arrive at knowledge that would be very useful . . . in place of that speculative philosophy taught in the schools, it is possible to find a practical philosophy, by means of which [we might be able] to use [the force and actions of nature] for all the purposes for which they are appropriate, and thus render ourselves, as it were, masters and possessors of nature. This is desirable not only for the invention of an infinity of devices that would enable one to enjoy trouble-free the fruits of the earth . . . but also principally for the maintenance of health, which unquestionably is the first good and the foundation of all the other goods of this life.^{xi}

Descartes here dramatically redefines the scope of philosophy. Whereas speculative philosophy—and even common sense—might question in what sense health is the “first

good,” Descartes’ practical philosophy accepts it as “unquestionably” the first and foundational good, and proposes to redirect the whole potentiality of human reason to purely instrumental work. His *Discourse on Method* and its philosophical progeny laid the foundation for a profound technologization of the Western mind, which is trained to seek the most effective means to presupposed ends, not unlike the schema of Machiavellian realism. *What is* are the certainties of math and science, subjected to methodical doubt, that can bring man and society to axiomatically assumed “oughts,” such as health and mastery over nature.

Modern philosophy’s treatment of *is-and-ought* moves forward through variations in Bacon, Hobbes, Rousseau, Kant (who, uniquely, seeks to preserve something like the old moral law, though on a rationale that has definitively discarded the old metaphysics), Darwin, and Nietzsche. Nietzsche offers a radical reevaluation of all former conceptions of *is-and-ought*—from the Platonic to the Darwinian. He does to modern philosophy what Machiavelli had done to classical political thought. In light of the “death of God,” Nietzsche rejects classical idealism, Machiavellian realism, and Cartesianism, along with the emptiness of technological progress. In their place, Nietzsche proposes that man has another kind of *ought* to answer to: a responsibility to himself by virtue of his own potential for greatness, seeking security and solace from the traditional moralities. The truly great are called to abandon life-denying religious illusions and Kantian rationality. Instead, man must seek his self-divinization and embrace the greater potentiality within himself, the “will to power” which a true view of history reveals as the deep driving force of humanity. Instead of a passive conformity to the *natura naturata*—created nature as the non-existent God has fashioned it or as the everyday world simply operates—to be pursued is the action of *natura naturans*, a singular “creating nature” that pronounces “so things *ought* to be” rather than a passive, stupid “so it is.”^{xii} For Nietzsche, at the center of reality, of *what is*, are the will and strength of the singular man who becomes a law unto himself, and who creates meaning and his own *ought* out of chaos.^{xiii}

FRIEDRICH NIETZSCHE URGED MAN TO EMBRACE HIS INNER
“WILL TO POWER.”



This survey of modern intellectual history begins to suggest how Thomistic metaphysics and its natural moral law have been rendered radically foreign and therefore incomprehensible to the modern mind. Natural law can only be grasped through an intelligent criticism of these many layers that form the contemporary consciousness. It is a difficult project, to say the least.

THE METAPHYSICS UNDERLYING THE NATURAL LAW

To see the classical theory against which modern thought defines itself, we may begin with Josef Pieper, a popular Catholic philosopher of the twentieth century. He provides some keen insight into the clash of the classical and modern, and also indicates what Thomist realism positively consists of. In a lucid exposition of the realist ethics of St. Thomas Aquinas, he begins by capturing a key metaphysical insight of the scholastics by two brief statements: “*Omne ens est verum*,” (all that is real, is true); and “*omne ens est bonum*,” (all that is, is good).^{xiv} With different historical emphases than those of this paper, Pieper demonstrates how this key metaphysical principle of “the truth of all things” has been impatiently dismissed in modern philosophy. Hobbes characterized the old metaphysical principle as “inane and childish,”^{xv} Spinoza claimed that truth “could only reside in a statement,” since things on their own are “mute,”^{xvi} and Kant judged the scholastic doctrine sterile and tautological.^{xvii}

In the understanding offered by “*omne ens est verum*,” however, knowledge of being yields moral knowledge; *is* teaches *ought*. This view involves a conception of reason different from the one to which the modern mind, as a product of the Enlightenment, is accustomed. The modern, technologized mind envisions a sharp division between practical and theoretical reason. It devotes its energy to instrumental rather than contemplative reasoning (à la Descartes). Theoretical contemplation and reason is tacitly dismissed as idle, uncertain speculation—the preserve of irrelevant hermits—while progress in technology bears real fruit for the world. But Thomas’ understanding is fundamentally

different. His epistemology assumes the underlying unity of practical and theoretical reason; both operate in the same human person. The theoretical reason at bottom involves *seeing* reality, grasping real things’ essences (in some mysterious fashion). Having grasped a *res* in intellection, having come to a theoretical knowledge of it—through experience and the senses as much as any purely cerebral activities—the mind also gains a practical knowledge of what is its nature, and what that nature demands and seeks as an end. What someone or something *is* indicates how it *ought* to be approached, treated, and used.^{xviii}

Thomas Fay offers a clear summary of Jacques Maritain’s understanding of this approach by his understanding of the ontological and “gnoseological” aspects of the natural law:

. . . man has a being-structure which is the locus of intelligible necessities. . . . He possesses ends which necessarily correspond to his essential constitution and which are common to all men. This means that there is, by virtue of human nature itself, an order or a disposition which human reason can discover and according to which the human will should act if it is to attain the necessary and essential ends of being human.^{xix}

Maritain soundly appropriates Thomistic realism and natural law, including its integral philosophic foundations, which commentators like Ralph McInerny consider crucial for recovering the natural law in the present age.

THEOLOGICAL CONSIDERATIONS: THE NATURAL LAW AND CHRISTIAN LOVE

Yet even while articulating the natural law’s classical philosophical foundations, we may ask whether something theological is also necessary for a coherent account of the natural law. Given the natural law’s historical development, it may be asked whether the natural law can substantially survive if abstracted from its original, Christian theological setting. Several scholars have recently suggested that the structure of the *Summa Theologiae* implies the necessity of

theology for the natural moral law. Aquinas' *Treatise on Law* is located in the *Secunda Pars*, which is couched by the *Prima Pars* (on natural and sacred theology), and the *Tertia Pars* (on Christ). This structural decision may be more than a coincidence; it may indicate something about a necessary interrelation of the three parts. In a recent essay, Brian J. Shanley, O.P., suggests exactly this in terms of human beings as *imago Dei*:

The doctrine of imago Dei means that human action . . . can only be understood in the light of the exemplar of the Trinity. The Secunda Pars makes sense only in the light of the Prima Pars and as pointing to the Tertia Pars.^{xx}

To similar effect, Glenn W. Olsen writes in a recent issue of *Communio*:

Thomas' account of the relation between natural and divine law . . . reveals its deepest meaning when read against the background of his doctrine . . . that nature, as such, desires a fullness that it can attain only within the context of gracious elevation to the visio beatifica.^{xxi}

Claiming the necessity of Christian theology as the sure locus of natural law does not necessitate fideistic conclusions, such as the argument that the natural law is something inaccessible to man's reason, dependent completely upon divine revelation. In such a case, there would be nothing natural about the natural law. The involvement of theology in our speculative considerations does not necessarily mean that simply the will of God—by voluntarist, divine

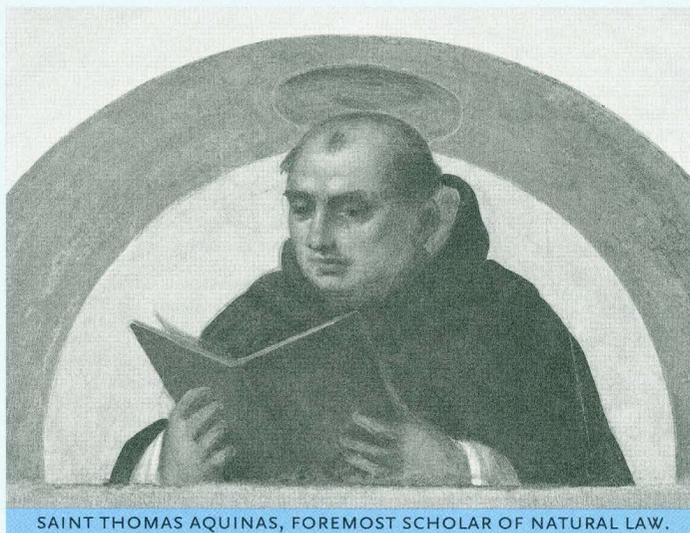
fiat—imposes arbitrary laws, an arbitrary *ought*, upon chaotic creation.^{xxii} Instead, the classical understanding affirms: *omne ens est verum*. Indeed, it maintains not only that intellect has priority over will, but also that, absent God and his act of creation, the natural law can have no ultimately coherent foundation.^{xxiii} Yet, as St. Thomas understood, this does not mean that natural law can only be known by the “privileged communication” of revelation.^{xxiv}

Natural law thinking, in the way that we understand it from the High Middle Ages, could not have developed as it had were it not for the setting of Christian theology. Though intimations are made

of it in Stoic philosophy, its high development in the Christian tradition is unique. Ernest Fortin explains that the natural law came to fruition out of the need “to complement the moral teaching of the New Testament by means of a law that takes into account the realities of the political and social life.”^{xxv}

As a crude but suggestive simplification,

it could be said that this need became more apparent as Christians realized in the first centuries that the Second Coming was not so imminent as was first believed. They would have to sojourn—to live, think, and participate in the world down through the generations—and would have to involve themselves in ordinary work, family, and even government—mundane matters no doubt relativized by the Gospel, but nonetheless a necessary part of the earthly life to which God calls his people for his purposes. The New Testament itself by no means provides concrete guidance for all worldly concerns, and Christians needed some sup-



SAINT THOMAS AQUINAS, FOREMOST SCHOLAR OF NATURAL LAW.

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plementary wisdom. Fr. Fortin spells out this problem and illustrates the function that natural law came to serve:

The great novelty of the New Testament is that, while it begins by abrogating the Old Law, it does not replace it by a new one but by something that transcends all divine and human law, namely, faith in Christ. . . . Nowhere does the New Testament give us any specific rules to live by or any inkling as to how the general rules that it does give us might apply to society at large. In all interesting cases, one is at a loss to draw any definite conclusions from the universal commandment of love, which lends itself to the most diverse interpretations. . . .

[The natural law] injected an element of rationality into the moral ideal of the Gospel, enabled people to discover in that ideal a universality that it might otherwise be thought to lack, insured its effectiveness by spelling out some of the modalities of its application to concrete situations, and provided an added safeguard against the misuses to which it easily lends itself. [This] explains why medieval Christendom is the only society in which the natural law ever played anything like a determinative role.^{xxvi}

The natural law thus fills a “gap” in the New Testament by

complementing it.

Moving beyond Fortin’s analysis, if we consider that the *Secunda Pars* is only comprehensible in light of the doctrine of *imago Dei* and the Christ to whom it points as fulfillment, we see that the natural law employs human reason and the metaphysics of a classical realism, ultimately to carry out the mandate of Christian love on earth. In this theological view, the Natural law is eminently rooted in love and represents an authentic movement of deepening Christian love for the world and humanity, rationally rooted in the ontology of “the truth of all things.” The use and development of the natural law in the Christian tradition down to the present is in one way an attempt to spell out rationally the promptings of love—love for the created world in which Christians find themselves, a world which in turn finds its end in love itself, in love’s natural, human forms as well as its divine fullness.

The natural law then appears as an element of Love’s Incarnation in Jesus Christ and His loving affirmation of creation—of man’s own mundane life and mundane loves, which he desires to see flourish as the beauty of created nature grafted onto the Gospel’s grace. Divine love does not obliterate natural, human love—there is no radical opposition between *agape* and *eros*, for instance—but rather draws it up into completion. As Thomas writes, “*gratia perficit naturam secundum modum naturae*”: “grace perfects nature according to the manner of nature.”^{xxvii}

This connection between the natural law and love is precisely what seems, if quietly, to lay at the center of many contemporary Catholic philosophical searches for the natural law. In this hermeneutic, the natural law is not at heart a matter of casuistic theorizing, of reactionary traditionalism, or even primarily of justice, but of love, and love in two senses. First is the Christian, Gospel-motivated love for the world which seeks the integral good of man and society; as St. Ignatius of Antioch wrote, “the glory of God is man fully alive.” Second, and perhaps more interesting, is love as the end to which the natural law itself, with its primary and sec-

ondary principles, strives. In Christian natural law, then, even the virtue of justice is incomplete as an end: it must itself serve love.^{xxviii} Especially striking in this vein is a passage from Heinrich Rommen. In the midst of treating contemporary legal issues, he suddenly and surprisingly places love at the center of the classical vision, and in very concrete terms:

We do not start with a fictional status naturalis in which man existed as a quasi self-sufficient individual and which he left for utilitarian, even material, reasons or for greater economic security. We see man being begotten of the union of man and woman in the protected and protective enclosure of the family. We see man being begotten of an eminently social act, however much it be surrounded by emotions and the urges of the animal part of man. We see man being born and growing up in the loving circle of the family, the first, foremost and indispensable educative society. We see the family again as the member of many societies. . . .

That man is by nature social means also that to man, in his essence, belong certain acts, spontaneously, freely elicited from the innermost center of the person which are social insofar as they find the fulfillment of their intentional essence only by the answer of another person. The act of love in all its forms and "objects"—if such a term is at all permitted—such as friendship, conjugal love, patriotism, comradeship, brotherhood, parental and filial love, and finally Divine Charity, all involve another person, and are a trustful surrender of ourselves to other persons with a readiness to sacrifice self-interest and material things. We grow, we gain in personal values by love which is value-producing and implies the most tender respect for the other person. Love in all its forms is so fundamentally an essential human act, a community-building act, that the man without any love becomes "inhuman." The "Ego" then demands the "Thou" and becomes conscious of itself in the form of "We." Love in all its forms is an unconditionally essential act of man's nature. A world without love is an inhuman world.^{xxix}

The classical natural law, then, is preeminently conscious of man's social nature, at the center of which is love of all kinds: spousal, familial, fraternal, and divine. The facilitation of authentic love, the source and summit of coherent human society, is thus a preeminent concern of the classical natural law. A realist, Christian ethics based on the natural law looks to such love, the greatest good of man, and seeks to understand its complex workings, so as to refine and protect it for fellow man and society.

CONCLUSION

This essay has hopefully illuminated some aspects of the natural law in St. Thomas' thought, in his metaphysics, and in its larger theological setting. At times, the contemporary situation seems to present insurmountable obstacles to establishing the legitimacy of natural law thinking, even amongst Christians. There is pressing need for serious and resourceful reflection on the foundations of natural law. Clarity about metaphysical and theological issues is necessary for recovering a full-bodied understanding of the natural law that will be viable and responsive to the needs of the present day.

ENDNOTES

- i. Weigel (110)
- ii. Bloom (67)
- iii. King (294); in the same letter, Dr. King cites Aquinas: "An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law."
- iv. Fortin, "Natural Law and Social Justice" (1-20)
- v. Taylor (717)
- vi. Machiavelli (48)
- vii. Machiavelli provides a few cutting examples of "how people actually behave," how the world "really" operates: "all armed prophets are victorious, and unarmed ones are crushed" (20); "men are quicker to forget the death of their father than the loss of their inheritance" (50)
- viii. Moral considerations are effectively abolished: "Those who use cruelty well may indeed find both God and their subjects are prepared to let bygones be bygones" (30)
- ix. Machiavelli (75)
- x. Hobbes (110)
- xi. Descartes (34-35)
- xii. Nietzsche, *Advantage and Disadvantage* (48-49)
- xiii. Nietzsche, *Twilight of the Idols* (50-51)
- xiv. Pieper, "The Truth of All Things" (13); Pieper additionally cites two other equivalent expressions: "*ens et verum convertuntur*

- tur," and "omnis res est vera et nulla res est falsa" (Thomas Aquinas, *Quaestiones disputatae de veritate* I, 10)
- xv. Pieper, "The Truth of All Things" (16)
- xvi. Pieper, "The Truth of All Things" (17)
- xvii. Pieper, "The Truth of All Things" (19); Kant writes: "... the concepts of unity, truth, and perfection . . . are, in themselves, empty. . . . It is the same regarding truth; for truth be in this: that every thing would be what it is—which is tautological as well." (fn.19)
- xviii. *Summa Theologiae*, Ia q. 79 a. 2; *Summa Contra Gentiles*, 3, c.25
- xix. Fay (439-48); See also McNerny, "Natural Law and Human Rights" (1-14)
- xx. Shanley (345-69)
- xxi. Olsen (367)
- xxii. Ibid; "... the path to holiness revealed in Scripture is not a positivistic decree only fideists can accept, but has a purchase on the inner rational structure of human nature."
- xxiii. Olsen (366); "... the natural law is God's command as found in nature, though, as Thomas is quick to point out, commanding belongs to reason, not to voluntaristically understood will."
- xxiv. Bourke (92-96)
- xxv. Fortin, "Natural Law and Social Justice" (10)
- xxvi. Fortin (5-9)
- xxvii. *Summa Theologiae*, Ia q. 62 a. 5
- xxviii. Pieper, "On the Limits of Justice" (111); "the man who strives for justice ... realizes (Thomas says) that fulfilling an obligation and doing what he is really obliged to do are not all that is necessary. Something more is required, something over and above, such as liberality, *affabilitas*, kindness, if man's communal life is to remain human."
- xxix. Rommen (128-140)

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