

**Thomistic Renaissance - The Natural Moral Law:  
The Reawakening of Scholasticism in Catholic Teaching as Evidenced  
by Pope John Paul II in Veritatis Splendor**

by

**Reverend John Trigilio, Jr.**

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LASALLE UNIVERSITY

**THOMISTIC RENAISSANCE – THE NATURAL  
MORAL LAW**

THE REAWAKENING OF SCHOLASTICISM IN CATHOLIC TEACHING  
AS EVIDENCED BY POPE JOHN PAUL II IN *VERITATIS SPLENDOR*

A THESIS SUBMITTED TO  
THE FACULTY OF THE PHILOSOPHY DEPARTMENT  
IN CANDIDACY OF THE DEGREE OF  
DOCTOR OF PHILOSOPHY

BY

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ERIE, PA

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In memory of my father, John Trigilio, Sr.,  
who was called home to the Lord in 1998  
and my brothers Michael (1992) and Joseph (1997)  
and my sister Mary Jo (1960)  
who went before him

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## PREFACE

This dissertation seeks to establish that there is a renaissance of Thomistic Philosophy in the Post-Conciliar Catholic Church, specifically a reawakening of Scholasticism, as evidenced by Pope John Paul II in his encyclical *Veritatis Splendor*. The Second Vatican Council (1962-1965) ushered in a new era for the Roman Catholic religion prompted by the desire of Pope John XXIII to have the 2,000 year old institution catch up with the modern world and address current problems as well as present the ancient faith in contemporary ways. Prior to Vatican II, there was a monolithic way to explain faith and reason. Theology and Philosophy were rigidly taught via textbook manuals according to a norm established under Pope Pius X who vigorously denounced the errors of Modernism in his encyclical *Pascendi* (1907). His immediate predecessor, Pope Leo XIII had issued *Aeterni Patris* (1879) which directed a restoration of the pre-eminence of Thomistic philosophy. Unfortunately, the neo-Thomism of the Leonine papacy was not as resilient as the classical Thomism before it.

The staunch Thomism which existed from 1879 to 1965 had been preceded by an era of anti-Scholasticism among the



European centers of learning during the seventeenth and eighteenth centuries. The Protestant Reformation, the advent of Humanism and the chaos of the French Revolution proved to be formidable foes for Thomistic philosophy. Scholastic reasoning alone could not address the Biblical questions being posed by Luther and the other Reformers. Logical distinctions which are the hallmark of Thomism were too complicated for world which at times violently left the Mediaeval era behind it.

Leo XIII after the conclusion of the Napoleonic wars and while Europe was relatively at peace, saw the need to resurrect the philosophy he deemed 'perennially valid' to combat religious and political errors which he saw as the causes for the wars and discord among peoples and nations. Leonine strategy was to aggressively promote and proliferate a centralized control over Catholic education, especially at the seminary and university levels. The first half of the twentieth century ironically experienced the horrors of two world wars and demonstrated the depth of human depravity and capacity for evil. No one, however, in 1879 could have envisioned the wars, hot and cold, which would define global existence.

Just as Aquinas was originally suspected and rejected by many of his contemporaries in the thirteenth and early fourteenth centuries and later vindicated in glory, so, too, Thomistic Philosophy would wax and wane through the centuries. The aftermath of Vatican II when the Latin Mass was replaced with the vernacular and ecumenical dialogue was sought with the non-Catholic religions, Thomism again took a back seat. Post-Conciliar scholars of philosophy and theology wanted to break the chains of manual style textbooks. Existentialism and Phenomenology were the predominant philosophies. Thomistic Philosophy and Scholasticism were viewed as relics of the past.

Thirty years after the Second Vatican Council, Pope John Paul II, known for his penchant for Phenomenology and Personalism, issues *Veritatis Splendor* which in essence restores the pride of place the Natural Moral Law doctrine once held before. A true student and subscriber to the moral reasoning used in *Humanae Vitae* (1967) by Pope Paul VI, John Paul II shakes the dust in Catholic intelligentsia by 'canonizing' the Natural Moral Law as the only valid means to do good moral theology. *Veritatis Splendor* ignited a firestorm of debate, essays, discussions and dissertations on the age old principle known as the Natural Law.

This paper intends to show the development of the Natural Moral Law doctrine from its beginnings to its most famous herald followed by a systematic review of *Veritatis Splendor* in order to show that Thomism is indeed alive and well in Catholic thought and has once again captured the imprimatur of Papal endorsement. While there are many non-Catholic theologians and moralists who dispute some or all of the major tenets and propositions of the Natural Law as the means to discern ethical behavior, Pope John Paul II makes it clear where he wants to shepherd the Roman Catholic religion in terms of morality, faith and reason.

Chapter One sets the scene as it were by giving a brief description of the principal players in this dissertation: the Natural Law itself, Thomism in general, Leo XIII and John Paul II. Chapter Two describes the historical development of the Natural Law and Thomism, from Aristotle to Maritain. Chapter Three examines the pertinent text of *Veritatis Splendor* itself. Chapter Four discusses the critical role Natural Law played in the nomination confirmation hearing for the U.S. Supreme Court. Chapter Five looks at contemporary Thomists and their views on the Natural Law. Chapter Six, examines reaction to the Encyclical, *Veritatis Splendor*, and its impact.

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## CHAPTER 1

### Introduction

What is the Natural Moral Law? It is **natural** insofar as it is based on human nature, specifically the concept that every man and woman possesses a rational intellect and free will. As such, it applies to every human person regardless of gender, religion, social or economic status. It is also perennial in that its precepts are timeless and are thus equally binding in the past, present and future. The Natural Law is **moral** because it is primarily concerned with the ethical teachings and doctrines which affect moral activity. Moral acts are actions of the human free will. They are deliberate and volitional thereby making them *acti humani* (human acts, i.e., moral acts) in distinction from *acti hominis* (acts of man, i.e., merely peculiar to our species). Ergo, to laugh or to speak is an **act of man** but a **human act** requires an act of the free will, such as to tell a lie or to speak up in defense of another. Finally, it is **law** due to the binding obligation it imposes on anyone and everyone who has the use of reason. The

principles of the natural moral law are not options or suggestions but they are to be dutifully obeyed.

It can be seen that the natural law manifests itself as the totality of principles of practical reasonableness, which not only moves us to act and to do the truly good but also compels us to refrain from committing injustice. Natural Law is the proper law of a good will. It orients human persons, as *striving* subjects, to the good-for-man, on the level of himself and of his fellow men. It equally makes him refrain from evil, from poisoning his soul. A life that maintains this orientation to the good-for-man in each and every single act of choice may rightly be called a successful life. A person who lives such a life therefore deserves praise, and we consider him or her as a person who is on the way to sharing in true happiness, of participating in what the Greek philosophers called *eudaimonia* (ευδαιμονια)<sup>1</sup>

Aristotle and Cicero would lay the foundation but it would take Augustine and especially Aquinas to develop the entire methodology of using logic and objective human reason to discern and interpret the constituent precepts of good behavior. Akin to the laws of science where one discovers the preexisting rules that govern the cosmos, from gravity to nuclear fusion, natural moral law

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<sup>1</sup> Martin Rhonheimer, "Intrinsically Evil Acts and the Moral Viewpoint," *Veritatis Splendor* and the Renewal of Moral Theology, J. A. DiNoia, OP, ed. (Princeton, NJ: Scepter Press, 1999) p. 187

proponents maintain that the norms of acceptable human behavior are not created or determined, rather they are known and then must be followed. Jews, Christians and Muslims would rely predominantly on the notion of a Divine Positive Law being revealed by the Supreme Being, and yet, even these three monotheistic religions would also embrace a notion that the Lawgiver established natural laws even before He would give the famous Ten Commandments. This is why in the story of Cain and Abel (Genesis) the former cannot claim ignorance of the evil of murdering the latter even though Moses has not yet been born and neither were the Ten Commandments yet written. When Cain kills his brother he nevertheless knows it was wrong before he did it due to the natural moral law. The Divine Positive injunction "thou shalt not kill," merely confirms and ratifies by revelation what is previously known by reason.

The Natural Law uses fundamental principles and when applied to everyday situations, it is presumed that one can reason his or her way to know what is the morally right thing to do. There is no exhaustive list of do's and don'ts rather a methodology to ascertain the truth.

Opposition to the Natural Moral Law doctrine would not truly erupt until the era of skepticism of Descartes

and the advent of Freud, Darwin and Marx. These "fathers of the modern era" would move away from an objective and predetermined human nature accompanied by an ability to discern the natural laws governing human behavior in order to enter an age where human freedom is defined in completely different perspectives. Instead of a set of natural laws which the human intellect can ascertain and the free will can embrace, these modern giants take a quite opposite direction. Freud reduced it to the **psychological** struggle between the *id*, the *ego* and the *superego*. There are no moral choices but resolutions to the battle of the *id* for predominance.

Marx reduced everything to a **political** struggle between the proletariat and the bourgeoisie, between capital and labor. His system has no room for moral codes but seeks economic and political power as being the determining factors in human behavior. Darwin on the other hand, saw man as an evolved animal. Instinct drives the species and the race where the survival of the fittest determines what ought to be done. He sought a **biological** solution where nature is constantly adapting and leaves little room for absolutes.



The nineteenth century then is the crucial era where formerly accepted values and mores based on a universal, equitable and immutable laws no longer determine human behavior. Economics, evolution and psychology would replace the natural moral law and thus lay the groundwork for the possibilities and atrocities of two world wars. Political perspectives and solutions, economic institutions and scientific discovery eclipsed any nostalgia for a natural law or natural rights ethic.

While not an exclusively "Catholic" or even "religious" doctrine, the Natural Law theory became the basis of Catholic morality while still in essence it remained a philosophical and not theological method. Pre-Christian pagans like the Greeks and Romans used the Natural Law method to discern a code of ethics. Since it was based on human nature, it was applicable to all citizens.

Early Christianity would adopt and embrace Hellenistic and Stoic philosophies as a way to explain and comprehend the seminal theologies of sacraments and morality. Using biblical foundations regarded as divinely revealed, the Church would also invoke logic and the natural moral law to persuade unbelievers that Christian

morality was not only in conformity with general ethics but it was also the fulfillment and perfection of it.

Mediaeval Christianity particularly at the time of Saint Thomas Aquinas (13<sup>th</sup> century) sought to bridge the gap between the natural and the supernatural; between revealed religion and reasoned philosophy. Vatican I would not only define Papal Infallibility but also the doctrine that natural human reason can provide some valuable philosophical truths about the world and its Creator unaided by supernatural revelation.

Pope John XXIII convened the Second Vatican Council in 1962 and it was closed by Pope Paul VI in 1965. This assembly of Catholic bishops, cardinals, theologians and scholars would produce sixteen documents that would affect Thomistic Philosophy (Thomism) and its broader application (Scholasticism) is much more than a Mediaeval school of thought. This dissertation seeks to recognize the renewal of Aquinas' philosophical principles in the dawn of the twenty-first century. I maintain that a true Thomistic Renaissance has occurred in contemporary Catholic thinking vis-a-vis the rediscovery of the Natural Moral Law. Specifically, this paper attempts to show the reawakening of Scholasticism in Church teaching, especially in the

works of Pope John Paul II. His encyclical *Veritatis Splendor* (The Splendor of Truth) written in 1993 is a modern synthesis of Catholic ethics and moral theology. Coming from the Roman Pontiff as Chief Shepherd, it is not only his personal opinion but official Church doctrine. Roman Catholics are obliged to render a religious submission of mind and will to the Papal teaching (*Lumen Gentium* #25; Code of Canon Law #752; Catechism of the Catholic Church #891-892), which even though not *ex cathedra* and thus part of the extraordinary Magisterium, is nevertheless considered part of the ordinary Magisterium. Consequently, the heavy application of Natural Law ethics and morality by the Pope in authoritative documents compels Roman Catholic Christians to reacquaint themselves with this philosophical perspective.

The secular world has waxed and waned over the Natural Law philosophy of Thomas Aquinas for the past seven hundred years. While he was not the original author, the Dominican philosopher-theologian did become the most articulate spokesman for this moral law concept. While it is not a *per se* "Catholic" doctrine, the Natural Moral Law (as interpreted by Aquinas) is the foundation for Catholic moral teaching and ethical philosophy. Pope John Paul shows in *Veritatis Splendor* that Thomism is not a relic of

the pre-Vatican II Church but a vital and fundamental component of basic teaching. Supreme Court Justice Clarence Thomas shares more than a name with Saint Thomas Aquinas. Until the eleventh hour allegations of sexual harassment were made by Professor Anita Hill, Judge Thomas was already in the hot seat at his confirmation hearings before the Senate. His usage of Natural Law jurisprudence made him the object of fierce debate well before media frenzy which would ensue after the accusations of lewd conduct. Like Thomas Aquinas, Clarence Thomas had contended that the Natural Law is a universal norm for human behavior, ethically, morally and legally. In 1989, he wrote of "the higher law political philosophy of the Founding Fathers."<sup>2</sup> His concept that the Constitution does not create nor give human rights to anyone, rather that it protects and defends that which is inherently present in human nature, elicited heated debate and strong controversy. Some feared that the Natural Law would be invoked by a conservative Supreme Court to overturn *Roe v. Wade* which legalized abortion on demand. If human rights come with personhood and not from citizenship, then the

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<sup>2</sup> Clarence Thomas, "The Higher Law Background of the Privileges or Immunities Clause of the Fourteenth Amendment," *12 Harvard Journal of Law and Public Policy* 63 (1989)

argument that the unborn child has the right to life whether the Congress or Supreme Court says so or not would prove to be most volatile in the political debate on abortion. On the other hand, a woman's right to privacy was equally compelling and not easy to dismiss from the argument. Ironically, it was a Senator 140 years beforehand who appealed to the existence of a "higher law than the Constitution." William Henry Seward, an abolitionist, argued that the Fugitive Slave Law was unconstitutional because it violated the 'higher', Natural Law.

Just as the Phoenix of ancient mythology would rise from its own ashes, Thomistic Philosophy (Thomism) and the Natural Moral Law have been resurrected in modern times. Their resiliency is remarkable considering that both have waxed and waned throughout the history of Western Civilization. As we enter the Third Millennium, it is almost incredulous that Stoic and Mediaeval philosophies would be seriously considered. Paradoxically, at one time or another, both Thomism and the Natural Law were viewed as very innovative if not borderline revolutionary while at other times in history they would be seen as vestiges of the past no longer relevant.

When Saint Thomas Aquinas first introduced the Middle Ages to Aristotle, it was quite unsettling for a neo-Platonic world. When he also proposed that morality and ethics can be known by reason as well as by faith, it startled many. Scepticism, suspicion and even condemnation would be levied against this new thought which ironically would become the predominant and even the official philosophy of the Roman Catholic Church. Aquinas sought to bridge the chasm between faith and reason; theology and philosophy.

The Natural Law or Natural Moral Law as it is sometimes called, is a theory to some and doctrine to others. The nomenclature alone can evoke passion or apathy, debate or discourse in philosophical, theological and even political circles. It is not the purpose of this paper to prove or disprove the existence of the Natural Law but to show its rediscovery and application in the post-conciliar, (i.e., after the Second Vatican Council) Roman Catholic Church. As such, it comes back with all its Thomistic distinctions and indeed give evidence of the simultaneous renaissance of the Scholastic Philosophy of its most erudite disciple, the Angelic Doctor himself, Saint Thomas Aquinas.

The death of Pope Pius XII and the advent of Vatican Council II was a turning point for Catholic intelligentsia and academia. Pope John XXIII succeeded Pius as Bishop of Rome and he convened Vatican II to usher in an era of what he himself called "*aggiornamento*," i.e., opening the windows to let in the fresh air. Changes in liturgical worship were paralleled with serious but critical considerations for non-traditional theologies and philosophies. In this milieu one can detect a dramatic shift away from the philosophy and theology of the Mediaeval intellectual colossus of Thomas Aquinas to more contemporary systems. His preeminence, however, was never constant throughout Church history but it was resilient. Since his own thirteenth century, Aquinas' philosophy would always confront and indeed cause controversy. Official endorsement would also be followed by suspicion and condemnation only to be more vigorously embraced and promoted the next cycle.

The last decade of twentieth century experienced a Thomistic Renaissance which is found in Catholic theology and philosophy. The modern church has rediscovered her patrimony in Aquinas' thought as incorporated into the Universal Catechism and the papal encyclical *Veritatis*

*Splendor.* No other authoritative source since the convocation and conclusion of the Second Vatican Council has more strongly endorsed and embraced the concept of the Natural Law as has that encyclical. John Paul is a philosopher in his own right well before he became Roman Pontiff. Trained by the Dominicans for seminary studies, the Pope also demonstrates a pronounced Personalism and phenomenology in his writings. As the visible leader of more than a billion Roman Catholics, his philosophical influence as well as his theological authority have inaugurated this Thomistic Renaissance.

The nomination/confirmation hearings for Supreme Court Justice Clarence Thomas in 1991 and Pope John Paul II's publication of his Encyclical Letter *Veritatis Splendor* (the Splendor of Truth) in 1993 appear as isolated events and yet both focused on the same fundamental premise. Before the media frenzy over the allegations of Dr. Anita Hill charging Thomas with sexual harassment, the judiciary committee first took issue with his incorporation of the Natural Law into American jurisprudence. His perception of natural rights and higher law to which even the Constitution are subservient were more succinctly elucidated two years later by the Pope in Rome. John Paul



on the eve of the Third Millennium saw the necessity of addressing the global erosion of moral values. Rather than relying solely on his papal authority to teach the world's one billion Roman Catholics on matters of Faith and Morals, the Pontiff, a philosopher in his own right, and in the tradition of Thomas Aquinas, integrated Faith and Reason, Theology and Philosophy. Using the Natural Law principle, the Pope appealed to rational argument as well as to revealed truth. Richard John Neuhaus would aptly describe the scenario in which the leader of the Roman Catholic Church felt the need to issue this encyclical letter.

Modernity, [Pope John Paul] notes appreciatively, has been very big on freedom. But now freedom has been untethered from truth, and freedom cannot stand alone without degenerating into license. License, in turn, is the undoing of freedom, for then, as Nietzsche and others recognized, all personal and social life becomes simply the assertion of power. If freedom is to be secured, power - and freedom itself - must be accountable to truth. Or, as John Paul puts it repeatedly, "authentic freedom is ordered to truth." This, he emphatically insists, is not a new idea. . . . from Aristotle through to the American Founders ("We hold these truths to be self-evident, . . ."), it has been thought that there is a necessary connection between freedom and truth. The apparently new thing about our time is the proposal that freedom can get along without truth. That proposal, John Paul argues, is