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# DEEPER LONGINGS: THE RELEVANCE OF CHRISTIAN THEOLOGY FOR CONTEMPORARY RIGHTS THEORIES

*Kevin P. Lee<sup>†</sup>*

## INTRODUCTION

This essay argues for the relevancy of political theology<sup>1</sup> for contemporary natural rights theories. The belief that human beings have rights that cannot be denied or abrogated has evolved in the West for at least the past six hundred years. Standard accounts<sup>2</sup> hold that natural rights theories have their origins in medieval natural law ethics, which sought to understand the nature of human dignity in terms of the final cause (*telos*) that was held to be the Divine person of the Holy Trinity. But by the end of the seventeenth century, the idea of final causes had lost philosophical respectability.<sup>3</sup> It was no longer possible to hold that political communities were ordained by God's Providence to serve the ends of eternal peace and justice. A new tradition of political theory developed that sought to explain society entirely by reference to efficient causes.<sup>4</sup> It created the idea of a social compact wherein each individual was supposed to have surrendered self-sovereignty to the state in return for guarantees that certain

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1. By "political theology" I mean, broadly, thinking critically about social arrangements from the perspective of various modes of thinking about the nature of the divine.

2. See, e.g., BRIAN TIERNEY, *THE IDEA OF NATURAL RIGHTS: STUDIES ON NATURAL RIGHTS, NATURAL LAW AND CHURCH LAW, 1150-1625* (1997); 1 QUENTIN SKINNER, *THE FOUNDATIONS OF MODERN POLITICAL THOUGHT* (1978).

3. See, e.g., ANTHONY KENNY, *A BRIEF HISTORY OF WESTERN PHILOSOPHY* 202-29 (1998) (arguing that Aristotelian metaphysics was replaced by other theories in the thought of notables like Thomas Hobbes and John Locke in England, and Spinoza and Leibniz on the Continent).

4. An exemplar here is Hobbes's *Leviathan*, in which he describes a materialist view of the human being. See generally THOMAS HOBBS, *LEVIATHAN* (Edwin Curley ed., Hackett Publ'g Co. 1994) (1651).

natural rights would be protected.<sup>5</sup> Questions about the ultimate purpose and meaning of human existence (and the moral consequences of the answers to these questions) were extricated from public life, since to bring them into public discourse seemed too evocative of theocratic temptations. Accordingly, religious beliefs were set to the margins of public life, if not driven from the field.

Nonetheless, as William T. Cavanaugh and Peter Scott observe,<sup>6</sup> those who argued in the wake of the collapse of the Berlin Wall that Western liberalism had no viable challengers (as Francis Fukuyama famously did in the early 1990s)<sup>7</sup> “are still sorting through the rude awakening from this fantasy”<sup>8</sup> that dawned on that clear blue morning of September 11, 2001, with the collapse of the walls of the World Trade Center. Religious belief, it turns out, will not long remain relegated to the sidelines of history. It remains a force in society for good and ill. Religion cannot be privatized because political life is eminently concerned with the meaning and purpose of human life in community.

For several decades now, political thinkers have affirmed this by wondering publicly whether natural rights theories must reference a comprehensive account of the human person (for example, in accounts that locate the human person as a moral being in relation to a traditional conception of God,<sup>9</sup> in relation to Being itself,<sup>10</sup> or in a complex social ontology<sup>11</sup>). At root here is the belief that contemporary natural rights theories are disconnected from the sources of meaning that structure a decent political society. The modern attempt to root politics in the sovereignty of the self has led to political theories that embrace boundless autonomy, banal versions of tolerance, and the “possessive individualism” (to use C. B.

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5. Famous exemplars of the social contract theory are Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. See Michele Goodwin, *Rethinking Legislative Consent Law?*, 5 DEPAUL J. HEALTH CARE L. 257, 301 (2002).

6. William T. Cavanaugh & Peter Scott, *Introduction to THE BLACKWELL COMPANION TO POLITICAL THEOLOGY 1-2* (Peter Scott & William T. Cavanaugh eds., 2004).

7. See generally FRANCIS FUKUYAMA, *THE END OF HISTORY AND THE LAST MAN* (1992).

8. Cavanaugh & Scott, *supra* note 6, at 1.

9. See generally Charles E. Rice, *Rights and the Need for Objective Moral Limits*, 3 AVE MARIA L. REV. 259 (2005).

10. See generally Kenneth L. Schmitz, *The Ontology of Rights*, 3 AVE MARIA L. REV. 275 (2005).

11. See generally Kenneth L. Grasso, *The Rights of Monads or of Intrinsically Social Beings? Social Ontology and Rights Talk*, 3 AVE MARIA L. REV. 233 (2005).

Macpherson's phrase)<sup>12</sup> of the sovereign self seeking to be the principle of its own being. A number of proposals have been made that seek reform through reconnecting political theory to a deeper search for meaning (and the attendant moral consequences).<sup>13</sup> According to this view, at least a part of the problem with contemporary rights theories lies in separating rights from the probing questions about the meaning and purpose of human life that have always carried with them a tantalizing scent of mystery.

It is here that theology has something to offer political theory. Rather than privatizing questions about the ends and purposes of society, political theology seeks to understand the proper structures for society as disclosed to lives lived in obedience to Scripture and the rightful authority of tradition.<sup>14</sup> It boldly reasserts the Aristotelian conception of the nature of politics as the genus to which moral reasoning is the species, where political action is constrained by societal reflection and judgment about the meaning and purpose of human life and human communities.<sup>15</sup> A space is opened by political theology in which political actions do not trundle along blindly but are rooted in critical self-reflection and repentant judgments. By reasserting the rightful place of moral reflection in political deliberation, political theology holds the potential to reunite natural rights theories with inquiry into the deepest longings of the human heart.

## I. POLITICAL DISCOURSE AS THE SEARCH FOR MEANING

Oliver O'Donovan has argued that with the loss of teleological perspectives on the nature of human goodness and being, political thought came to be dominated by the rationality of efficient causality, which can be examined through the scientific method.<sup>16</sup> This has had

12. C. B. MACPHERSON, *THE POLITICAL THEORY OF POSSESSIVE INDIVIDUALISM: HOBBS TO LOCKE* (1962).

13. Broadly construed, the idea of re-invigorating Aristotelian modes of political theory is a project shared by thinkers as diverse as John Stewart Mill, Karl Marx, Amartya Sen, Martha Nussbaum, John Finnis, and Alasdair MacIntyre. See RICHARD A. POSNER, *THE PROBLEMATICS OF MORAL AND LEGAL THEORY* 42 & n.66, 78, 83 (1999); ALASDAIR MACINTYRE, *AFTER VIRTUE: A STUDY IN MORAL THEORY* (2d ed. 1984).

14. See, e.g., OLIVER O'DONOVAN, *THE DESIRE OF THE NATIONS: REDISCOVERING THE ROOTS OF POLITICAL THEOLOGY* 12-13 (1996) (discussing political philosophy and political ethics within the context of Christian history).

15. For a description of political theology, see *id.* at 6-29.

16. See *id.* at 8.

devastating effects on the conceptualization of human rights. The sorts of reasoning involved in science and technology proved so successful in extending human knowledge and power that other forms of rationality (especially classical philosophy's search for the meaning) were ignored or even driven from the field.<sup>17</sup> Today at most major universities politics is viewed as the product of social processes which properly are studied through the social sciences.<sup>18</sup>

Social sciences use the modern scientific method to study the processes of society in order to provide the unity that classical political theory, in its innocence, found in the harmony of the divine, the natural, and the political orders. By examining human persons empirically, the social sciences hope to unite nature and society, having long relegated God to the margins of the private sphere. In the end, however, the social sciences ultimately fail because they cannot supply the moral ends or purposes of politics by looking solely to the exterior behavior of persons while remaining blind to the hearts of men and women struggling to live meaningful lives in community. A number of years ago, Robert Bellah made this point when he contrasted the humanities, which "have to do with the transmission and interpretation of cultural traditions in the realms of philosophy, religion, literature, language, and the arts," with the social sciences, which "involve [solely] the scientific study of human action,"<sup>19</sup> something known only through its external appearance in the world. Therefore, "[t]he assumption is that the social sciences are not cultural traditions but rather occupy a privileged position of pure observation."<sup>20</sup> The social sciences do not concern themselves with the mysteries of life and its many values, but can only examine what are taken to be objective facts.

Hannah Arendt refers to this tendency in modern thought as "functionalism," which she views as an attempt to think about mere appearances alone, without questioning the depths of reality that might lie behind, below, above, or beyond the visible surface.<sup>21</sup>

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17. See, e.g., Karl-Otto Apel, *Types of Rationality Today: The Continuum of Reason Between Science and Ethics*, in HANS GEORG GADAMER & THEODORE F. GERAETS, *LA RATIONALITÉ AUJOURD'HUI [RATIONALITY TO-DAY]* 307 (1979).

18. For a discussion of the difference between political science and political theory, see JAMES V. SCHALL, *ROMAN CATHOLIC POLITICAL PHILOSOPHY* 1-10 (2004).

19. ROBERT N. BELLAH ET AL., *HABITS OF THE HEART: INDIVIDUALISM AND COMMITMENT IN AMERICAN LIFE* 301 (1985).

20. *Id.*

21. HANNAH ARENDT, *THE LIFE OF THE MIND* 27 (1978).

Arendt believes that this mode of thinking has some appeal today over more ancient philosophies that struggled to find meaning in the metaphysical truth of things:

The great advantage of functionalism is that it presents us again with a unitary world view, and the old metaphysical dichotomy of (true) Being and (mere) Appearance, together with the old prejudice of Being's supremacy over appearance, is still kept intact, albeit in a different manner. The argument has shifted; appearances are no longer depreciated as "secondary qualities" but understood as necessary conditions for essential processes that go on inside the living organism.<sup>22</sup>

As Arendt observes, "Since we live in an *appearing* world, is it not much more plausible that the relevant and the meaningful in this world of ours should be located precisely on the surface?"<sup>23</sup> The hope of living on the surface, of skimming like a water bug over the glassy smoothness of appearance without slipping into the depths of mystery, gives respite to the mind's restless grasp for the meaning that lies above, below, behind, and beyond. This is indeed tempting precisely because it provides a certain soothing balm for the mind in turmoil by what Leszek Kołakowski unforgettably referred to as "metaphysical horror."<sup>24</sup>

History, too, when read apart from the human search for meaning and self-understanding and divorced from theology and literature, falls into the sort of functionalism to which Arendt refers. Reading the history of rights discourse and of the use of words like *jus naturale*, without developing a sensitivity for and deeper understanding of the idea of human rights, deadens the discourse, since human rights are given full meaning only when viewed as a response to the human search for meaning and for acceptance in community and in the cosmos.<sup>25</sup> Shorn from any depth of meaning and purpose,

22. *Id.*

23. *Id.*

24. LESZEK KOŁAKOWSKI, *METAPHYSICAL HORROR* (Agnieszka Kołakowska ed., Univ. of Chicago Press rev. ed. 2001) (1988).

25. Brian Tierney, for example, takes a functionalist stance in his approach to the historical origins of the idea of natural rights. His basic orientation toward efficient causality is evident in his description of the agenda of his exploration of the origins of human rights in this series of questions: "When *did* the idea of natural rights find 'explicit recognition and elucidation'? What historical context made such a development possible? How did the idea come to survive once it had grown into existence?" TIERNEY, *supra* note 2, at 3. His concern as a historian is with root causes, not ultimate purposes. And his failure to grasp the significance of the shift from

rights themselves are set adrift of purpose and meaning. The endless seeking of rights becomes banal without some understanding of what rights are for. By focusing on the function of rights in historical social processes, political science loses contact with questions about what direction a society ought to take. Social processes, including rights claims, bluster ahead blindly. Lost is the ability of political theory to encompass the direction a society ought to take and the place of rights claims in pursuing that course.

To determine the norms for directing society, political theory must move beyond the reverie of mere appearance. Deep questions must be addressed about the purpose and meaning of human rights, the source and significance of human dignity, and the importance of rights for the morally good life. This is not an epistemological claim, but an anthropological one. It is the claim that human beings are the kind of creatures who have a thirst for meaning and understanding. This great insight was expressed by Aristotle in the opening lines of his *Metaphysics*: "All men by nature desire to know. An indication of this is the delight we take in our senses; for even apart from their usefulness they are loved for themselves . . ." <sup>26</sup> Desire and delight are powerful human responses to the richness and splendor of the world, and the human desire to apprehend the great and mysterious meanings of human existence has been the inspiration of contemplative philosophy throughout history. One cannot, therefore, exhaust the desire to know mystery by remaining on the surface. As Arendt puts it,

It is more than likely that men, if they were ever to lose the appetite for meaning we call thinking and cease to ask unanswerable questions, would lose not only the ability to produce those thought-things that we call works of art but also the capacity to ask all the answerable questions upon which every civilization is founded. <sup>27</sup>

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teleologically metaphysical accounts of Being to efficient causality is evident in his naïve statement, "There is no reason why such a [teleological] metaphysics should be incongruous with an emphasis on individual rights." *Id.* at 31. The atomistic metaphysical presuppositions tend to thwart understanding of the deeper search for human meaning upon which rights theories rested.

26. ARISTOTLE, *METAPHYSICS*, in 2 *THE COMPLETE WORKS OF ARISTOTLE*: 1552, 1552 (Jonathan Barnes ed., W. D. Ross trans., 1984).

27. ARENDT, *supra* note 21, at 62.

What is needed now, Arendt contends, is a way of thinking that recognizes both the value of the surface and the value of looking behind or beneath it.

This attempt to live on the surface like a water bug—skimming along without diving—has led, as Pope John Paul II has lamented, to the “increasing fragmentation of knowledge,”<sup>28</sup> especially the attempt to cordon off social sciences from the humanities and, in particular, philosophy. He cautions that a “philosophy which no longer asks the question of the meaning of life would be in grave danger of reducing reason to merely accessory functions, with no real passion for the search for truth,”<sup>29</sup> and he argues that “at the present time in particular, the search for ultimate truth seems often to be neglected.”<sup>30</sup> The philosopher today “is expected to rest content with more modest tasks such as the simple interpretation of facts or an enquiry into restricted fields of human knowing or its structures.”<sup>31</sup> This has been a disaster for philosophy and the overall culture. The pope explains the effects of this narrowing of philosophy in the following passage:

Sundered from that truth, individuals are at the mercy of caprice, and their state as persons ends up being judged by pragmatic criteria based essentially upon experimental data, in the mistaken belief that technology must dominate all. It has happened therefore that reason, rather than voicing the human orientation toward truth, has wilted under the weight of so much knowledge and little by little has lost the capacity to lift its gaze to the heights, not daring to rise to the truth of being. Abandoning the investigation of being, modern philosophical research has concentrated instead upon human knowing. Rather than make use of the human capacity to know the truth, modern philosophy has preferred to accentuate the ways in which this capacity is limited and conditioned.<sup>32</sup>

In this rich passage, the pope suggests that modern philosophy’s twin focus on epistemology and the dichotomy between facts and moral values caused human reason to become “wilted” and philosophical reflection to have “lost . . . its gaze to the heights.” It has forced its focus to be confined narrowly to questions of mostly scientific and

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28. Pope John Paul II, *Fides et Ratio* [*Encyclical Letter on the Relationship Between Faith and Reason*] ¶ 81 (St. Paul ed. 1998) [hereinafter *Fides et Ratio*].

29. *Id.*

30. *Id.* ¶ 5.

31. *Id.* ¶ 55.

32. *Id.* ¶ 5.



technical reasoning, which view instrumental satisfaction as the highest expression of rationality. Against this crisis of modern philosophy, the pope calls on Catholic philosophers to ask “radical questions”<sup>33</sup> and to shun the “false modesty”<sup>34</sup> of views that claim to be humble in their neutrality, while in fact asserting false comprehensive claims about human nature and the nature of reality.

If the pope is right about this, then it should not be surprising that it is common to describe the current state of affairs as a period of fragmentation.<sup>35</sup> Although fragments of Christian moral culture are still present—although certain words and rituals are still followed and some people even seek to build cocoon-like communities against the modern world—most political actors today do not understand themselves as partaking of the Christian narrative. They may, from time-to-time, deploy a stray Christian word or concept, but the coherence of the vision is lost, and with it, much of the true meaning of Christian words and symbols. In the words of Alasdair MacIntyre,

What we possess, if this view is true, are the fragments of a conceptual scheme, parts which now lack those contexts from which their significance derived. We possess indeed simulacra of morality, we continue to use many of the key expressions. But we have—very largely, if not entirely—lost our comprehension, both theoretical and practical, or morality.<sup>36</sup>

All that is left are fragments, and these fragments we cobble together to give justifications for our actions. But the sort of comprehensive moral anthropology that once underwrote moral and political theory appears to be no longer possible for the vast majority of persons who are formed more by materialism and consumerism than by the Church.

## II. CHRISTIANITY AND THE TRINITARIAN SEARCH FOR MEANING

To confront this fragmentation and loss of meaning, Christianity (and therefore the recovery of Christian concepts) offers a fully

33. *Id.*

34. *Id.*; see also *id.* ¶ 56.

35. See, e.g., DAVID TRACY, *THE ANALOGICAL IMAGINATION: CHRISTIAN THEOLOGY AND THE CULTURE OF PLURALISM* 3-27 (1981) (describing the fragmented nature of the “three principal ‘publics’ for a contemporary theologian: the wider society, the academy and the church”).

36. MACINTYRE, *supra* note 13, at 2.

integrated Trinitarian view of the person. In order to gain purchase on this assertion, it is helpful to consider the nature of Christian doctrine, and to do this it is useful to consider a conceptualization of religion known as the “cultural-linguistic” theory, developed a number of years ago by the Yale University theologian George Lindbeck.<sup>37</sup> According to Lindbeck, “religions are . . . comprehensive interpretive schemes, usually embodied in myths or narratives and heavily ritualized, which structure human experience and understanding of self and world.”<sup>38</sup> In this view, individual religious doctrines are viewed as parts of whole interpretive schemes that lose their meaning once dissociated from the context of their religious culture. The Eucharist, for example, viewed by an Enlightenment philosopher will undoubtedly hold different meaning, significance, and possibilities than it would for a contemporary Catholic layperson. An eleventh century Japanese Zen Buddhist would likely look upon a cup of tea with a different eye—different meanings and possibilities—than anyone would today.<sup>39</sup>

The theologian Bruce Marshall observed in his recent book *Trinity and Truth* that belief in the Trinity is essential to Christian thought.<sup>40</sup> This belief gives a comprehensive structure to the Christian narrative and thereby provides a central feature to the interpretive scheme by which Christians find meaning and interpret the world. Father Augustine DiNoia has written of Marshall’s work in the following passage:

I also borrow from [Marshall] the expression, “epistemic primacy.” In effect, this doctrine says that you always must start with the Trinity. Or to put it another way, also borrowing a wonderful phrase from another Lutheran theologian, “the Trinity is not a puzzle, but is itself the solution to all of the other puzzles.” The reason I think we have to say this is that it is what Christ taught us, and therefore, what the apostles commended to the Church to continue to preach and what Christ himself bears witness to in our midst. It is the awesome truth that, God, who is in need of no one,

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37. GEORGE A. LINDBECK, *THE NATURE OF DOCTRINE: RELIGION AND THEOLOGY IN A POSTLIBERAL AGE* 32 (1984).

38. *Id.*

39. For an interesting engagement of the Advaita/Śāṅkara tradition in India from a perspective informed by Lindbeck’s work, see FRANCIS X. CLOONEY, S.J., *THEOLOGY AFTER VEDĀNTA: AN EXPERIMENT IN COMPARATIVE THEOLOGY* (1993).

40. BRUCE D. MARSHALL, *TRINITY AND TRUTH* 3-5 (2000).

desires to share the community of Trinitarian life, with what is not God.<sup>41</sup>

According to Marshall, it is the doctrine of the Trinity, understood from within the believing community, that provides not only the interpretative stance, but also the standards of rationality by which a Christian can justify his belief.<sup>42</sup> A Christian epistemology, according to Marshall, must be fully Trinitarian.<sup>43</sup>

There are, of course, implications for political theory as well. The Trinitarian narrative has God the Father at its apex, as both the source and sustainer of Being and as the sovereign upon whose judgment a well-ordered society is founded. Political theology is explained by Oliver O'Donovan in this way:

[T]he root of any true political order, in which human beings can relate to God and to each other lovingly, is the conspicuous judgment of God. The good order of society is founded upon a judgment (*dikaiōma*), a declarative act which establishes a justice (*dikaïosunē*). Without God's judgments we cannot comprehend how we may live together. In judgment the paradoxical conflict between the freedom of the Word of God and the necessity of immanent justice in history is resolved. God's Word becomes judgment, in that its freedom creates the order of a concrete society; and the necessity of history becomes judgment, too, in that its tragedy is turned into the freedom of the saints' corporate obedience.<sup>44</sup>

Traditionally, Christian political theory encompasses all order and all judgment. It "identif[ies] the political with the sphere of judgment, divine and human, that gives order to the human community in history."<sup>45</sup> But the political arena is also viewed as a morally ambiguous sphere, one in which order is given and sustained by God through law, while also being the sphere in which humans rebel against God—as evidenced by the crucifixion of Christ and the

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41. Augustine DiNoia, *Divine Wisdom and Christian Humanism* (Feb. 23, 2000), LECTURES & SEMINARS: A SERIES OF TALKS BY THE FAITH & REASON INSTITUTE, at <http://www.frinstitute.org/dinoia.htm> (on file with the Ave Maria Law Review).

42. See MARSHALL, *supra* note 40, at 72-107.

43. *Id.* at 259.

44. OLIVER O'DONOVAN & JOAN LOCKWOOD O'DONOVAN, *BONDS OF IMPERFECTION: CHRISTIAN POLITICS, PAST AND PRESENT* 43 (2004).

45. *Id.* at 2.

persecution of Christian martyrs.<sup>46</sup> Political power brings no lasting peace, but it opens a space where a Christian life is possible. Thus, as St. Augustine taught, the measure of justice that is obtained on earth is tragically inadequate.<sup>47</sup> Only the coming of the Kingdom of God brings the true and lasting peace of Christ. Until then, it is not law and political force that are forward-looking toward the triumph of Christ, but the coming together of Christians in communities—communities that are fragile gifts of God—that long for the eschaton.

### III. THE THOMISTIC EXEMPLAR

If a recovery of a Christian basis for discussing rights is to be made, it must be rooted in the Trinity—rooted within a theological and Christological understanding of human beings, church, politics, and law. One useful place to begin (although certainly not the only place) is by considering an exemplar of this sort of grand vision: St. Thomas Aquinas. Far too often, the massive synthesis of Thomistic thought is reduced to the few questions in the *Summa Theologica* devoted to the law, without giving proper attention to the theological context of the thought of the Angelic Doctor.<sup>48</sup> The *Treatise on Law* is richly theological and eminently Christological. Human law, for St. Thomas, is rooted in the eternal law, which is expressed by God the Father in the Son, and through the Holy Spirit conveyed to the disciples.<sup>49</sup> Properly understood, the *Treatise on Law* is fully Trinitarian because it begins with the Eternal Law and ends with the new law of Christ.<sup>50</sup> Within this context, St. Thomas finds room for a natural and human law.<sup>51</sup> He argues that because there is a natural law that is written on the human heart, it is possible for a limited version of moral goods to be realized in societies.<sup>52</sup> This version is limited because, while they are truly moral goods,<sup>53</sup> they are not fully

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46. *Id.*

47. See AUGUSTINE, *THE CITY OF GOD*, Book XIX (Henry Bettenson trans., Penguin Books 1972). The leading commentary on St. Augustine's political thought is R. A. MARKUS, *SAECULUM: HISTORY AND SOCIETY IN THE THEOLOGY OF ST. AUGUSTINE* (1970).

48. A useful article that makes this point is Frederick Christian Bauerschmidt, *Aquinas*, in *THE BLACKWELL COMPANION TO POLITICAL THEOLOGY*, *supra* note 6, at 48.

49. THOMAS AQUINAS, *SUMMA THEOLOGICA*, Part I-II, Question 91, Articles 1, 4; Question 106, Article 2 (Fathers of the English Dominican Province trans., Christian Classics 1981) (1911).

50. *Id.* Part I-II, Question 109, Articles 2, 5.

51. *Id.* Part I-II, Question 91, Article 3.

52. *Id.* Part I-II, Question 91, Article 2.

53. *Id.* Part I-II, Question 109, Articles 2, 5.

actualized or fully understood. The good of the natural law peers dimly through foggy analogy at the full light of the Eternal law.

There is thus a mystical dimension to the thought of St. Thomas, even when he is writing on natural rights. He assures us that these natural rights are good,<sup>54</sup> but not fully good, because the fullness of the good (the *summum bonum*) is itself not knowable through reason alone; reason was in the end subordinate to faith, mystical experience, and the beatific vision.<sup>55</sup> Even the metaphysical edifice that St. Thomas created, the theory of Being and of He whose essence is to be, is not the actualization of the highest good. It must be recalled that for the Angelic Doctor, the highest truth and the highest good were united in the beatific vision, knowledge of which is not expressible in words. If the last days of St. Thomas's prolific life can be used as a guide, silence is the proper response. It is the silence of St. Thomas that embraces the mystical experience of the beatific vision, wherein he could marvel, "all that I have written seems like straw to me."<sup>56</sup>

54. *Id.* Part I-II, Question 90, Article 1; Question 92, Article 1.

55. As Pope John Paul II has explained, "at the summit of its searching reason acknowledges that it cannot do without what faith presents." *Fides et Ratio*, *supra* note 28, ¶ 42. Therefore, at that lofty summit, Christ brings the philosophical quest for meaning to an unsurpassable fulfillment. *Id.* ¶ 34.

56. JAMES A. WEISHEIPL, O.P., *FRIAR THOMAS D'AQUINO: HIS LIFE, THOUGHT, AND WORK* 321 (1974). The traditional account of the end of St. Thomas's life given by Reginald of Piperno, Thomas's personal secretary, holds that he experienced an ecstatic awakening in which he surpassed his previous metaphysical understanding. The story is told by Fr. James A. Weisheipl, O.P. in the following passage:

On Wednesday morning, December 6, the feast of St. Nicholas, Thomas arose early as usual to celebrate the Mass of the feast in the chapel of St. Nicholas. During Mass, Thomas was suddenly struck (*commotus*) by something that profoundly affected and changed him (*mira mutatione*). "After this Mass he never wrote or dictated anything." In fact, he "hung up his instruments of writing" (an allusion to the Jews who hung up their instruments during the exile) "in the third part of the *Summa*, in the treatise on Penance." When Reginald realized that Thomas had altered entirely his routine of more than fifteen years, he asked him, "Father, why have you put aside such a great work which you began for the praise of God and the enlightenment of the world?" To which Thomas answered simply, "Reginald, I cannot." But Reginald, afraid that Thomas was mentally unbalanced from so much study, insisted that he continue his writing and return to his former routine, at least at a slower pace. But the more Reginald insisted, the more impatient Thomas became until he replied, "Reginald, I cannot, because all that I have written seems like straw to me." Reginald was mystified at this reply. But Thomas was serious; he could not go on. He was physically and mentally unable to do so. The only recourse he had was to prayer for himself, and acceptance of his inability to work.

*Id.* (quoting an account by Bartholomew of Capua).

St. Thomas's silence should be read as a warning against becoming overly committed to theories. Rights theories necessarily deal with moral, philosophical, and religious conceptions. The moral meaning of rights, the philosophical description of that meaning, and the religious context in which the person is conceived as the bearer of rights are unavoidable issues to anyone who would seek to understand natural rights. It is essential for the rights theorist to recognize when he or she is dealing with issues beyond the competency of the discipline. As St. Thomas found that even his massive systematization of metaphysics could turn to straw before God, so too will disciplined approaches to issues as central to human meaning as rights. It is not that the straw is not useful, and to engage in the study of human rights is in itself transformative. The warning that St. Thomas gives us at the end of his life is the warning against reckless hubris—the reminder that the reality of God that makes human rights meaningful and human lives purposeful transcends the reach of reason.

#### CONCLUSION

To conclude, I suggest that theology's ability to plumb the depths of human meaning allows it to boldly reassert the connection between the moral life and the political life that was present in classical thought, but appears to have been lost in contemporary attempts to understand the political. This holds obvious implications for understanding the nature of natural rights theories. The space opened by theology allows for critical assessment of the way rights theories strengthen and denigrate justice and the common good. Development of a sensitivity to the Christian understanding of the human person as created in the image of God stands as a hopeful means of critiquing and reforming modern liberal theories that tend toward over-emphasizing the subjective atomism of the individual isolated person. As liberal democracies face the post-9/11 world, the triumph of free-market liberalism over Marxism that seemed to presage a new era of consumerist peace and materialist prosperity has been blasted from its foundations by the reality of theological meaning and purpose for ill and good. It is now well worth giving pause to consider the project of political theology, which seeks to secure human rights in a comprehensive account of politics and moral understanding.