

unity and procreation, as complementary manifestations of the call to love. Actions such as rape, contraception, and artificial reproductive technologies all reduce one's partner or child to an object of use and so are inherent violations of human dignity. The companion chapter is a convincing critique of contemporary rationalizations for extramarital sex and so-called homosexual marriage.

The last pair of chapters consider man's end as a rational being, the contemplative life in society. Returning to Aristotle, Berquist first establishes the supremacy of the contemplative life, which becomes the controlling principle of the life of human dignity. Because this life can only be attained in community, Berquist then offers a summary consideration of political philosophy, contrasting the polis as a natural institution to theories based on the social contract. This discussion is completed in the following chapter, where he argues that natural political rights are derived from our duty to attain happiness; thus, we "have natural rights to the social conditions that will enable us to achieve the life of virtue" (188). This vision of human rights is edifying because it is simultaneously conservative

and progressive: it conserves the truths of human nature, but for that very reason allows humanity to make true progress.

The final chapter examines why the natural law is so widely neglected today. The fact is that we live *as if* natural law were true, since in protecting human dignity it is the sole foundation for the common-sense ethics of lived experience. Berquist also shows that the alternative modern ethical theories are all in fact self-defeating, for if there were no natural order, any moral rule would be arbitrary and so there would be no basis for critiquing injustice.

Berquist modestly writes that there is little new in this book. Yet his concise review of the basic principles underlying the Catholic moral tradition, and his compelling application to a broad range of contemporary moral controversies, is enlightening for anyone wanting an introduction to the natural law. It is, in particular, a fine classroom resource for generating intelligent reflections on contemporary morality and public policy.

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JOHN HENRY NEWMAN ON TRUTH AND ITS COUNTERFEITS: A GUIDE FOR OUR TIMES. By Reinhard Hütter. Washington, DC: The Catholic University of America Press, 2020. Pp. xiii + 267. Paper \$24.95, ISBN: 9780813232324.

This book is meticulous Newman scholarship, but the narrative never gets lost in the details. While Reinhard Hütter provides very helpful historical context, momentum toward larger issues is never lost. Closely following Newman,

Hütter's polemical target is the principle of private judgment exercised by an allegedly sovereign subject (14).

The book is neatly organized into a prologue, four main chapters, and a remarkable epilogue about Hütter's own

faith journey. Each of the four main chapters is constructed on the same pattern: a theological desideratum and its counterfeit. These four chapters are "Conscience and Its Counterfeit"; "Faith and Its Counterfeit"; "The Development of Doctrine and Its Counterfeits"; and "The University and Its Counterfeit." Hütter repeatedly portrays how a would-be sovereign subject twists truth into a counterfeit, and he shows how Newman, whom he frequently couples with Aquinas, had already anticipated the problems of late modernity—and solutions that work when tried.

Just as a wrong musical note is exacerbated by close proximity to the right one (e.g., a minor second), so too does the late-modern counterfeit of conscience come very close to Newman's emphasis on conscience—and thereby presents the worst sort of dissonance with it. After Hütter lays out what conscience is for Newman, the ugliness of modern and late-modern counterfeits becomes clear: "Conscience is not simply a human faculty. It is constituted by the eternal law, the divine wisdom communicated to the human intellect" (24–5). Hütter highlights what is at stake by calling Newman's sense of conscience theonomic. In Newman's description, "He [God] implanted this Law, which is Himself, in the intelligence of all His rational creatures" (25, citing *Certain Difficulties Felt by Anglicans in Catholic Teaching*, ii, 246; hereafter "*Diff.*"). If God has "implanted" himself in our minds to guide our sense of truth, then the moral enormity of ignoring the divine voice in favor of one's own constructions is unmistakable. Thus Newman: "The Divine Law, then, is the rule of ethical truth, the standard of right and wrong, a sovereign, irreversible, absolute

authority in the presence of men and Angels" (25, citing *Diff.* ii, 246). Yet since the divine law implanted within us is not dictatorial or coercive, its human implementation requires training and experience. The 1992 *Catechism of the Catholic Church* affirms and cites Newman in a passage that concludes with Newman's gem, "Conscience is the aboriginal Vicar of Christ" (26, citing *Catechism*, 1778, *Diff.*, ii, 248). Conscience is the reliable, unceasing delivery of the divine message; but we must learn to hear and enact the message. By contrast, rejecting or ignoring the divine message is the widespread folly of our age, the sovereign subject fashioning its own private judgment.

Hütter trenchantly observes that the appeal to freedom of conscience is now a "conversation stopper . . . an emotionally charged last resort" of the counterfeit of conscience (66). He adds, "The flight from theonomic conscience is therefore perfectly compatible with the surprisingly frequent rhetorical appeal in the public life of secularist democratic regimes to conscience—that is, of course, to the counterfeit of conscience" (66n125). Elaborating on Hütter's thought, it is not difficult to see that this appeal to the (counterfeit) conscience has been used ad nauseum as an unfortunately effective shield for relativism. Newman was already "aware of the danger that Catholics living under the present conditions of modern subjectivity will capitulate to the counterfeit of conscience" (60). The danger that Newman saw in the nineteenth century has not decreased.

Seeing that conscience is now commonly taken to mean its counterfeit, Hütter targets a wide range of writers who have in one way or another supported the counterfeit: "Abelard elevates

subjective conscience to the highest moral authority and thereby contributes to the eventual invention of the counterfeit of conscience. This is not a matter of purely antiquarian interest, for Abelard's approach to conscience found a sophisticated modern advocate in the voice of Karl Rahner" (46n73). Hütter contrasts the theonomic account of conscience in Aquinas and Newman to Rahner's grounding of conscience in transcendental freedom: "according to Rahner, theonomy is realized by way of autonomy" (84). Hütter sees a very small distance between Rahner's transcendental freedom and the common counterfeit of conscience. Moreover, he thinks that "Rahner's account endangers if not makes principally inconceivable the very possibility of an erroneous conscience" (85).

Other prominent targets include Kant, who proposes, instead of a "well-formed theonomic conscience" (69), "a dangerously unmoored interior forum" (79). Even worse is Johann Gottlieb Fichte's glorification of the counterfeit: "*Synderesis* and *conscientia* coincide in the infallible decision posited by the Fichtean conscience" (83). Fichte embraces without reserve the autonomous judgment of the sovereign subject.

Against such counterfeits, Hütter cites John Paul II's pointed remarks: "To the affirmation that one has a duty to follow one's conscience is unduly added the affirmation that one's moral judgment is true merely by the fact that it has its origins in the conscience. But in this way the inescapable claims of truth disappear, yielding their place to a criterion of sincerity, authenticity and 'being at peace with oneself,' so much so that some have come to adopt a radically subjectivist conception of moral judgment" (51, cit-

ing *Veritatis Splendor*, par. 32). *Synderesis* is rooted in the soul and therefore cannot be extinguished; however, because it can be deflected toward error and, so, is very often misdirected, accounts that celebrate the self's ungrounded choosing are throwing fuel on a very harmful fire. As Hütter puts it, "What looks to the person fleeing theonomic conscience like the sovereign decisions of self-determination is rather the product of a profound self-deception" (53). Vulnerable to such self-deception, the self of late modernity typically experiences an incoherent bundle of passions and desires that resembles Aquinas's account of sin (53).

A crucial interlude, "Aquinas on *Synderesis* and *Conscientia*," links Newman's developments to Aquinas. Thus Newman, in his discussion of conscience, cites Aquinas: "'The natural law,' says St. Thomas, 'is an impression of the Divine Light in us, a participation of the eternal law in the rational creature.' . . . This law . . . is called 'conscience'; and though it may suffer refraction in passing into the intellectual medium of each, it is not therefore so affected as to lose its character of being the Divine Law" (33, citing *Diff.*, ii, 247). Newman draws on Aquinas's distinction between *synderesis* and *conscientia*, wherein the innate first principle and first precept of *synderesis* is distinguished from applying the first principle and precept to a particular case—*conscientia* or "knowing together" (33–4). The first principle is, "good is that which all things seek after," and the first precept is, "good is to be done and pursued, and evil is to be avoided" (37, citing ST I-II, q. 94, a. 2, c.). In the virtue of prudence, right practical reason determines the means to the good end, and prudence is moved toward the end

by synderesis as a final cause (57, citing ST II-II, q. 47, a. 6, ad. 1 and 3).

Newman does not offer proofs for the existence of God, but the closest he comes is the great weight he places on conscience: "Were it not for this voice, speaking so clearly in my conscience and heart, I should be an atheist, or a pantheist, or a polytheist when I looked into the world" (74, citing *Apologia* without page). Given Newman's own stress on conscience, Hütter rightly makes it the first and most in-depth of his narratives of truth and its counterfeits.

The second chapter, "Faith and Its Counterfeits," compares the ephemeral nature of private judgment to Newman's sturdy, uncompromising understanding. But first, Hütter presents angelism and animalism—flawed outlooks that are driven by scientific and technological progress. In the self-image of angelism, "the putatively disembodied sovereign subject . . . subjects to its will an absolutely malleable and fluid external world." In animalism, the self-image is "a super-primate allegedly determined by its genetic make-up and its particular ecological niche" (91). Each of these options is a flailing response to the context of unbelief and irreligion. Hütter thinks it natural that their advocates fail to understand the faith that they have come to despise, "but it is tragic when the practitioners of the faith themselves mistake faith for what might very well belong to it but is not its essence" (92). The danger here, as it was with conscience, is mistaking a counterfeit for faith grounded in revealed religion.

Altogether different from angelism and animalism, Newman understands faith as "a divinely infused supernatural virtue" (93). Although acts of faith are always human, "the disposition that facili-

tates these acts and the first movement of such acts are caused directly by God" (106). For Newman, authentic faith is always apostolic faith, and apostolic faith always submits to a living authority: "the incarnate Logos first, then the apostles, then their successors" (98). Newman's strict either/or—either apostolic faith or private judgment—presupposes a rock-solid delivery of faith through the apostles: "Either the Apostles were from God, or they were not; if they were, everything that they preached was to be believed by their hearers; if they were not, there was nothing for their hearers to believe" (100, citing *Discourses to Mixed Congregations*, 197; hereafter "*Mix.*"). Hütter somewhat softens the extreme either/or by allowing for "innumerable intellectual difficulties" as well as the possibility of "objections," which are to be distinguished from doubts. As Newman wrote, "An objection is not a doubt—ten thousand objections as little make one doubt, as ten thousand ponies make one horse" (101, citing Ward, *Life of Newman*, 2:250).

Because Newman understands the Church as the living authority that delivers divine teaching, Hütter recognizes that some of his positions will seem "jarring, inhospitable, and inopportune" (95). Newman would thus oppose today's ecumenical agreement for a "differentiated consensus" (95). Newman instead links faith to joining the Catholic Church: "The very meaning, the very exercise of faith, is joining the Church" (93, citing *Mix.*, 193). Hütter believes that Luther, Calvin and many of their followers "would have denied any role for something like private judgment in matters of faith." However, he follows Newman in adding that the principle of *sola scriptura* severed "from any living

apostolic authority” inevitably gravitates toward the criterion of private judgment (104n29).

Hütter, like Newman, like Aquinas, insists that the entirety of what the Church teaches must be assented to. Otherwise, the sovereign subject’s private judgment will come to the fore, and “the defining mark of the sovereign subject, the dictatorship of relativism” will take the reins (99).

Hütter’s third chapter, “The Development of Doctrine and Its Counterfeits,” presents two ecclesial dangers that are polar opposites—antiquarianism and presentism—and their avoidance through the Church’s development of doctrine. In the Gospel of John, Christ makes clear that human understanding must develop over time: “I have many things to say to you, but you cannot bear them now. When the Spirit of truth comes, he will guide you into all the truth” (Jn 16:12–3; RSV). Antiquarianism is a counterfeit because, being “stuck in the past,” it fails to develop; presentism is a counterfeit because its eagerness to accommodate “an ever-changing present” fails to bring forward the deposit of faith (135). As Hütter summarizes the possibilities, “The present is the fruit of history and history is the root of the present. What connects the one with the other is the development of doctrine” (135).

One of the great strengths of this work is the way Hütter selects citations from Newman, e.g., Newman’s rejection of antiquarianism: “In a higher world it is otherwise, but here below to live is to change, and to be perfect is to have changed often” (142, citing *An Essay on the Development of Christian Doctrine*, 40; hereafter “Dev.”).

The heart of the chapter uses *Dignitatis Humanae*, perhaps the most controversial of Vatican II documents, as a test case. According to *Dignitatis Humanae*, “It is one of the major tenets of Catholic doctrine that man’s response to God must be free” (151, citing no. 10). Drawing deeply from the work of Ian Ker, Hütter first humorously declares, “I abstain from the academic temptation to be original” (146n36); he then follows Ker in using Newman’s Seven Notes as criteria for determining whether a new teaching is a development of doctrine or a rupture. Hütter shows how *Dignitatis Humanae* successfully fits all seven of Newman’s criteria for authentic development.

The fourth chapter, “The University and Its Counterfeit,” shows how contemporary Newman is, as Hütter highlights problems that many readers of this journal may be currently facing. Our contemporary context, characterized by increasing secularism and pluralism, is the miasmatic habitation best suited for “the sovereign subject and its infinitely varied and insatiable desires” (170). In this context, the university from Francis Bacon to the present has steadily slid into commodification and instrumentalization—the counterfeit which Hütter aptly names a “polytechnicum.” Hütter predicts, “The very success of the Baconian polytechnicum carries the seed of its own undoing” (171).

Having disavowed or simply lost interest in natural theology, the polytechnicum has lost its only way of unifying knowledge. As Hütter puts it, “According to Newman, the greatest danger to the inner coherence of the university is a self-imposed normative naturalism or materialism with its foregone conclusion that God does not exist” (174). What

remains are fragmentized pragmatic interests and, I would add, the sovereign subject's creation of a loveless, ersatz religion of hard-edged social justice. A university which has devolved into normative naturalism "has simply ceased to be a university in any meaningful sense of the term" (177).

It does not appear that, apart from rediscovering God, the Baconian polytechnicum can recover. As Newman puts it, "Religious Truth is not only a portion, but a condition of general knowledge. To blot it out is nothing short . . . of unravelling the web of University Teaching" (186, citing *The Idea of a University*, 70). Hütter eloquently comments, "Bracketing religious truth is suicidal . . . Normative secularity is ultimately nothing but the university's undertaker" (186).

In his Newmanian exposé of four counterfeits of truth, Hütter raises issues of the utmost seriousness for individuals, the Church, the larger society, and the university. While it is maddening for us to watch the ascendancy of the counterfeits, Hütter's book is neither dreary nor hopeless, for again and again he points to the remedy of Christ and his Church—which have never ceased healing and edifying. The book ends with a beautiful epilogue, "A Newmanian Journey into the Catholic Church." This epilogue portrays a winsome honesty in Hütter's personal search for truth, and its very personal story continues to teach doctrine as it narrates. The book is a superb and timely account.

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INTENTION, CHARACTER, AND DOUBLE EFFECT. By Lawrence Masek. Notre Dame: University of Notre Dame Press, 2018. Pp. xiv + 242. Hard Cover \$40.00, ISBN: 978-0268104696.

Lawrence Masek has written an excellent book on the principle of double effect. Masek has a way of cutting through confusion and irrelevancies and clearing the deck for the questions that matter. The book is really quite pleasant to read, accessible to the average reader and rewarding to the specialist. A key aspect of its account of intention, however, seems problematic.

Masek argues in favor of the principle of double effect (PDE), which he interprets as the thesis that the distinction between intention and foresight is relevant for the moral evaluation of human actions (ix). The book's most

significant strength is its defense of why this distinction matters, which is the subject of chapter 1. Modern moral philosophy and public discourse have a strong tendency to focus on the goods or rights of others; with such a focus, the principle of double effect must seem out of place. What does it matter whether one intends to harm another, or merely foresees that one's action will cause him harm? The other suffers or has his rights violated just as much either way. But, as Masek argues, the moral character of the *action itself* depends not just on how it affects others, but also on how it forms the agent's own character. He calls this