

Research Bibliography on the Natural Law

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For more titles in related areas of moral theology see James T. Bretzke, S.J., *A Research Bibliography in Christian Ethics and Catholic Moral Theology*, (Lewiston NY: Edwin Mellen Press, 2006).

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Table of Contents

<i>Articles on the Natural Law</i>	<i>1</i>
<i>Books on the Natural Law</i>	<i>51</i>

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Articles on the Natural Law

Aquinas, Thomas. *Summa Theologiae, I-II*, q. 90-97.

Arkes, Hadley; Russell Hittinger; William Bentley Ball; and Robert H. Bork. "Natural Law and the Law." *First Things* (1992): 45-54.

Responses to criticism by Robert Bork given Bork's essay, "Natural Law and the Constitution," published in the March issue of the same periodical.

Arntz, Joseph, O.P. "Natural Law and Its History." *Concilium* 5 (1/1965): 23-32.

Barton, J. "Natural Law and Poetic Justice in the Old Testament." *Journal of Theological Studies* 39 (1979): 1-14.

Beestermöller, Gerhard. "Lex naturalis--Stolperstein einer ökumenischen Ethik?" *Theologie und Philosophie* 71 (1996): 47-62.

Benedict XVI, Pope. "Address of His Holiness Benedict Xvi to the Participants in the International Congress on Natural Moral Law." 12 February 2007. Available at http://www.vatican.va/holy_father/benedict_xvi/speeches/2007/february/documents/hf_b-en-xvi_spe_20070212_pul_en.html [accessed July 13, 2012].

Occasional allocution in which the Pope stressed that the natural law is "the only valid bulwark against the arbitrary power or the deception of ideological manipulation. The knowledge of this law inscribed on the heart of man increases with the progress of the moral conscience."

Billy, Dennis, C.Ss.R. "Grace and Natural Law in the *Super Epistolam ad Romanos Lectura: A Study of Thomas' Commentary on Romans 2:14-16.*" *Studia Moralia* 26 (1988): 15-37.

Böckle, Franz. "La legge naturale e la legge cristiana." In AA. VV. La legge naturale, 197-217. Studi e ricerche, 4. Bologna: Edizioni Dehoniane Bologna, 1970.

_____. "Nature as the Basis of Morality." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 392-412. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in *Personalist Morals: Essays in Honor of Professor Louis Janssens*, 45-60. Edited by Joseph A. Selling. Louvain: University Leuven Press, 1988.

_____. "La validità dell'ordine della creazione." In *Legge e Coscienza: Problemi fondamentali di etica teologica in prospettiva ecumenica*, 44-75. *Giornale di teologia*, no. 26. Brescia: Queriniana, 1968.

Auf Deutsch: In Gesetz und Gewissen: Grundfragen theologischer Ethik in ökumenischer Sicht. Luzern und Stuttgart: Räper Verlag.

In English: In Law and Conscience. Translated by M. James Donnelly. New York: Sheed and Ward, 1966.

Bonino, Serge Thomas, O.P. "An Introduction to the Document *In Search of a Universal Ethic: A New Look at the Natural Law*. In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 95-102. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Bonino was the General Secretary of the ITC that produced the document and his essay reads a bit like a publication endorsement. It also is in the classic "dibattito" genre-jabs at the opponent like shadow boxing, without ever actually letting the opponent into the ring.

Boyle, John P. "The Magisterium and the Natural Law." *Catholic Theological Society of America (CTSA) Proceedings* 34 (1979): 189-210.

Braaten, Carl E. "Protestants and the Natural Law." *First Things* (January 1992): 20-26.

Reviews the Roman Catholic position on the natural law, and the traditional Protestant objections to its use. However, in light of secularism, pluralism and the general breakdown of moral standards in the contemporary world Braaten argues that a reformulated natural law theory can be of crucial importance.

Braaten is Professor of Systematic Theology at the Lutheran School of Theology at Chicago, and Director of the Center for Catholic and Evangelical Theology in Northfield, Minnesota.

Bresnahan, James F., S.J. "Rahner's Ethics: Critical Natural Law in Relation to Contemporary Ethical Methodology." *Journal of Religion* 56 (1976): 36-60.

Treats Rahner's approach to the natural law, and focuses on the nature of obligation in this approach.

At the time Bresnahan taught moral theology at the Jesuit School of Theology–Chicago

Bretzke, James T., S.J. . "Debating Intrinsic Evil: Navigation between Shibboleth and Gauntlet" *Horizons* 41/1 (June 2014): 116-129.

Referencing Robert Schreiter's notion of philosophical and theological "intercultural" communication, this paper engages the Catholic moral tradition's conception of *intrinsece malum in se* and proposes a taxonomy of views taken both from this tradition and how the term has been referenced by the Magisterium in documents such as *Veritatis splendor* and episcopal pronouncements connected with some hot button moral issues. At times the expression "intrinsically evil" functions as a shibboleth that only partially succeeds in demonstrating Schreiter's "competence criteria of effectiveness and appropriateness," and at other times the term functions more as a gauntlet thrown down to sharpen sides in political policy debates. Hopefully the notion of the taxonomy of conceptions and uses of "intrinsic evil" may aid in more dispassionate ethical analysis and overcoming some of the divisions that either the shibboleth or gauntlet usages effect.

_____. "The Natural Law and Moral Norms: Moving along the Rational Claim Axis," Chapter 2 in Id. *A Morally Complex World: Engaging Contemporary Moral Theology*, 43-77. Collegeville: Liturgical Press, 2004.

Bubmann, Peter. "Naturrecht und christliche Ethik." *Zeitschrift für Evangelische Ethik* 37 (1993): 267-280.

Considers the position of two German Catholic moral theologians, Wilhelm Korff and Klaus Demmer, and contrasts this with Karl Barth.

Burrell, David, C.S.C. "In Search of a Universal Ethic: A New Look at the Natural Law by the International Theological Commission." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 191-198. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

A brief, but quite positive overall assessment of the ITC document, especially in its expressed methodological openness to other religious and philosophical traditions that Burrell argues constitute in itself a "new kind of universalism" which avoids relativism.

Burrell teaches at the University of Notre Dame, Indiana.

Caffarra, Carlo. "L'alleanza colla Sapienza creatice." Parte seconda, capitolo secondo in Viventi in Cristo, 75-93. Milano: Jaca, 1981.

In English: "The Covenant with Creative Wisdom." Part II, Chapter 2 in *Living in Christ: Fundamental Principles of Catholic Moral Teaching*, 83-106. Translated by Christopher Ruff. San Francisco: Ignatius Press, 1987.

Cahill, Lisa Sowle. "The Development of the Natural Law Approach." In *Women and Sexuality*, 8-14. New York: Paulist Press, 1992.

Part of the 1992 Madeleva Lecture in Spirituality.

Cahill did her doctoral studies at the University of Chicago under the direction of James M. Gustafson. She teaches at Boston College.

_____. "The Natural Law, Global Justice and Equality." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 239-249. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Cahill first summarizes and provides an overall positive view of the ITC document's basic project. She does note, though, some key areas of unaddressed lack of agreement, as well as deficiencies and/or inconsistencies in the ITC depiction of natural law in certain key areas. She uses war and peace-building to underscore the need for a "ground-up discernment of common values [that] can be a meeting place for different religious traditions" (p. 240) and then turns to problems with the ITC version of the natural law which can come in areas such as gender ethics in which "partiality in the discernment process can result in bias, disagreement, and even oppression" (p. 240). Despite these critiques Cahill includes that both natural law theory and the ITC document make an

important contribution towards the necessary "process of common discernment and debate towards consensus" (p. 249).

_____. "A 'Natural Law' Reconsideration of Euthanasia." *Linacre Quarterly* (February, 1977): 47-63.

_____. "Thomas Aquinas: Marriage, Procreation, and the Law of Nature." Ch. 6 in id. Between the Sexes: Foundations for a Christian Ethics of Sexuality, 105-122. New York: Paulist Press; and Philadelphia: Fortress Press, 1985.

Capizzi, Joseph. "The Political Common Good: From the Nation-State to a Global Perspective?" In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 250-260. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Focuses on the treatment of the common good in the growing global political arena which Capizzi indicates the ITC document "mirror[s] the moves made by Pope Benedict XVI in *Caritas in veritate*" and the requirements of subsidiarity to help instantiate these goods (p. 256). Capizzi, though, raises cautions about the dangers of a theological and secular temptation to millennial hope which might exclude God and transcendence from the political horizon in which "'only the power of man [*sic*] would remain'" (p. 259, referencing the ITC document #97).

Capizzi teaches at Catholic University of America.

Capone, Domenico, C.Ss.R. "Pensieri leggendo lo studio del Prof. W. McDonough in questa rivista." *Studia Moralia* 29 (1991): 345-369.

First part of an article reacting negatively to William McDonough's doctoral dissertation and subsequent article published in this same number of *Studia Moralia*.

Carney, Frederick S. "Outline of a Natural Law Procedure for Christian Ethics." Journal of Religion 47 (1967): 26-38.

Carney, a Protestant ethicist, first presents eight philosophical and theological objections against the natural law in Christian ethics, and then draws an outline based on three conditions which may meet these objections and be plausibly affirmed in Christian ethics. These conditions are 1) the concept of *law* must take into account human historicity, yet

without sacrificing the objective character of moral norms; 2) the concept of *nature* must take into account the full dimension of humanity, e.g. freedom, transcendence, anxiety and guilt, as well as the biological features of human beings; and 3) the relationship of human nature to moral law must be construed in such a way that the moral "ought" embodied in the law is already present in the facts of the human nature. This last condition means that natural law statements are "mixed," i.e., statements that are both descriptive and normative. These statements are not only "factual" but also point to the morally "valuable" aspects.

Carney is professor of Christian ethics at Perkins School of Theology, Southern Methodist University.

Caspar, Ruth, O.P. "Natural Law: *Before and Beyond Bifurcation*." *Thought* 60 (1985): 58-72.

Caspar argues that natural law should better inform the bioethics debates. She gives a good description of natural law characteristics, though does not go into much depth on the bioethical ramifications.

Charlton, William. "Natural Law, Aquinas, and the Magisterium." *New Blackfriars* 2014 (published online 27 December 2014 at <http://onlinelibrary.wiley.com/doi/10.1111/nbfr.12108/pdf>).

Author provided Abstract: The Catholic Church claims that its ethical teaching, especially on sex, is based upon natural law. I first show that natural law theories prior to the Middle Ages provide no authority for the Church's teaching on sex. I then examine Aquinas's teaching on natural functions and natural law in the two *Summae*. I suggest that he partly anticipates Enlightenment thinking about law and morals. I compare his theory of natural law with that of Germain Grisez and John Finnis. Finally, I examine the notion of a principle of practical reasoning and indicate how such principles could be formulated to correspond to elements in human nature.

Chiavacci, Enrico. "Legge naturale." In Nuovo Dizionario di Teologia Morale, 634-647. A cura di Francesco Compagnoni, Giannino Piana, e Salvatore Privitera. Cinisello Balsamo: Edizioni Paoline, 1990.

Gives historical, biblical, philosophical and theological treatment, though without any real speculative innovation, or attention to some of the ramifications of more recent approaches. Basic bibliography in Italian, French, and German is given for each major section of the article.

See review by Paolo Valori, S.J., "Recenti pubblicazioni italiane di teologia morale." Filosofia e Teologia 5 (1991): 285-288.

Chirico, Peter, S.S. "Revelation and Natural Law." Theological Studies 52 (1991): 539-540.

A short note responding to a point raised by Francis A. Sullivan's earlier article on "The Theologian's Ecclesial Vocation." Chirico argues that if we accept the Vatican II position that the fullness of revelation is contained in the humanity of Christ, this would then mean that we could not speak of any aspects of the natural law as *not* being contained in revelation.

Cloutier, David. "Seeing the Whole; How Protestants Help Us Read the Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 211-221. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Cloutier, who did his doctoral work at Duke and is part of the "New Wineskins" cadret of moral theologians, presents as his thesis that "the ITC's document does display a rapprochement with Hauerwas' work" (p. 211). The bulk of the article summarizes Hauerwas' theological approach and critiques of natural law theory, while approving that the ITC document has moved more in a Hauerwasian direction by providing a "richer, more contextualized, more theological account of natural law, insofar as we read the

document's five chapters as a unified whole" (p. 221). Cloutier cautions that the search for common ethical values may rest on ground unsuited to building lasting edifices "if the development of such values requires a cosmology and a politics so at odds with dominant ideas"(p. 221). Cloutier concludes that "Hauerwas' gift to the Catholic world [is] to be a constant antidote to the Church's temptation to spend much time and energy trying to speak to 'all people of good will', while neglecting the task of forming and disciplining its own people" (p. 211).

Cloutier teaches Catholic moral theology at Mt. St Mary's University in Emmitsburg MD.

Composta, D. "Gnoseologia del diritto naturale." *Doctor Communis* 41 (1988): 224-243.

Connor, Robert A. "Natural Law versus the `Contralife Will'." *Divus Thomas* 93 (1990): 32-57.

Examines the position of Ford, Grisez, Boyle, Finnis, and May on *Humanae vitae* (i.e., that contraception is evil because it is "contra-life"), and argues that the moral theory of the encyclical would be better served by considering its grounding in the objectivity of the Thomistic *esse* of the person.

Couture, Roger A., O.M.I. "The Use of Epikeia in Natural Law: The Early Developments." *Eglise et Théologie* 4 (1973): 71-103.

Primarily traces the use of epikeia by medieval theologians and notes that a number of theologians, beginning in the late thirteenth century, "were willing to subscribe to the notion that moral norms, even when grounded in the nature of man, demand constant reevaluation and can tolerate exceptions. The theory of *epikeia* provided a rationale for dealing with these exceptions." (p. 101).

Coyle, Sean. "Can Natural Laws be Derived from Sociability?" *New Blackfriars* (Posted May 23, 2018) DOI:10.1111/nbfr.12381 and also available at <https://onlinelibrary.wiley.com/doi/epdf/10.1111/nbfr.12381>

Abstract: The article questions whether it is possible to derive natural laws from human sociability. It examines the work of Aristotle, Augustine and Aquinas, and concludes that there are certain natural laws that can be derived from the social character of human beings. Some of these hold across all societies and at all times (*semper et ad semper*) whereas others hold only in general but are subject to exceptions (*semper sed non ad semper*). The article concludes by confronting an anti-social and immoralist challenge to the idea of natural laws of sociability.

_____. "Natural Law in Aquinas and Grotius —An Ethics for Our Times?" *New Blackfriars* 2016. Also found at <http://onlinelibrary.wiley.com/doi/10.1111/nbfr.12212/epdf>

From the author's introduction: "[S]cholastic ethics divides into two parts. The first part concerns aspects of a good life that it is necessary for everybody to obtain, irrespective of their particular preferences and desires: this is the part Aquinas calls the 'public good' [*bonum publicum*]. It consists of duties (a) of the state; and (b) of all citizens within a state. ... The second part concerns the identity of our supreme end, as well as the properly best way to attain it. In this essay I propose to examine the first of these parts of ethics, to show how the scholastics' view is just as relevant to our own times. I will explain that the public good consists in something that every person values: the good of peace. ... I will explain that Aquinas and Grotius are not addressing separate subject-matters in their works on natural law, but considering the same subject-matter (Part I). Then, I will describe how natural law is concerned only with our natural (i.e. temporal) ends, namely the pursuit of virtuous goods in the present (Part II). Next, I will consider how peace is a universal end that everybody desires (Part III), and recount the virtuous goods that are required for peace (Part IV). Finally, I use these arguments to call for the recognition of a universal ethics for modern times."

Crowe, Michael Betram. "Aquinas Faces the Natural Law Tradition." In The Changing Profile of Natural Law, 136-165. The Hague: Martinus Nihoff, 1977.

Discusses Thomas Aquinas' position on *synderesis*, the definitions of the natural law, and the natural law and its relation to the principles of morality.

_____. "Aquinas Makes Up His Mind." In The Changing Profile of Natural Law, 166-191. The Hague: Martinus Nihoff, 1977.

Discusses Aquinas' notion of law, the eternal law, the natural law and its precepts (primary and secondary), and the variability of the natural law.

_____. "Beginnings." In The Changing Profile of Natural Law, 1-27. The Hague: Martinus Nihoff, 1977.

Discusses the beginnings of the natural law tradition in the Pre-Socratics, Socrates, Plato, and Aristotle.

_____. "The Break of the Profile and Its Remaking." In The Changing Profile of Natural Law, 192-222. The Hague: Martinus Nihoff, 1977.

Discusses Duns Scotus, the Nominalists, the Reformation, and late Scholasticism.

_____. "The Christian Face of the Natural Law." In The Changing Profile of Natural Law, 52-71. The Hague: Martinus Nihoff, 1977.

Discusses the natural law in St. Paul, the early Church Fathers, St. Augustine, and St. Isidore of Seville.

_____. "The False Face of the Natural Law." In The Changing Profile of Natural Law, 223-245. The Hague: Martinus Nihoff, 1977.

Discusses Hugo Grotius, the Age of Reason, and Human Rights.

_____. "Fresh Lineaments of the Natural Law." In The Changing Profile of Natural Law, 111-122. The Hague: Martinus Nihoff, 1977.

Discusses the early Scholastics, the Franciscan School and Albert the Great.

_____. "Medieval Canonists and Civilians." In The Changing Profile of Natural Law, 72-110. The Hague: Martinus Nihoff, 1977.

Discusses the natural law in Gratian, the Medieval Civilians, and the Decretists.

_____. "Natural Law Theory Today." In The Future of Ethics and Moral Theology. Edited by Richard McCormick, S.J. Chicago: Argus Communications, 1968.

_____. "Natural Law: A Twentieth-Century Profile?" In The Changing Profile of Natural Law, 246-290. The Hague: Martinus Nihoff, 1977.

Discusses biological and evolutionary aspects of human nature, moral absolutes, and the possibility of a rehabilitated natural law.

_____. "The Profile Emerges." In The Changing Profile of Natural Law, 28-51. The Hague: Martinus Nihoff, 1977.

Discusses the development of the natural law tradition in the Stoics, Cicero, the Roman jurisconsults and Ulpian.

_____. "The Pursuit of Natural Law." In Readings in Moral Theology, No. 7: Natural Law and Theology, 296-332. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in 1977 in Irish Theological Quarterly.

Crysdale, Cynthia S.W. "Revisioning Natural Law: From the Classicist Paradigm to Emergent Probability." Theological Studies 56 (1995): 464-484.

Uses Lonergan's thought to delineate two aspects of nature in the created order: classical "laws" of causality and statistical "laws" of probability. From this discussion Crysdale then outlines some ramifications and conditions for a more nuanced understanding of the natural law.

Crysdale teaches at the Catholic University of America.

Curran, Charles E. "Natural Law." Chapter 5 in Directions in Fundamental Moral Theology, 119-172. Notre Dame: University of Notre Dame Press, 1985.

This chapter originally appeared in Curran's 1970 Contemporary Problems in Moral Theology, (Notre Dame: Fides, 1970), and is essentially identical with Curran's "Natural Law," chapter 2 in his Themes in Fundamental Moral Theology, 27-80, (Notre Dame and London: University of Notre Dame Press, 1977). It has been most recently republished under the title "Natural Law in Moral Theology" in Readings in Moral Theology, No. 7: Natural Law and Theology, 247-295, ed, Charles E. Curran and Richard A. McCormick, S.J., (Mahwah: Paulist Press, 1991).

- _____. "Official Catholic Social and Sexual Teachings: *A Methodological Comparison*." Chapter 5 in Tensions in Moral Theology, 87-109. Notre Dame: University of Notre Dame Press, 1988.

Also found under the title, "Catholic Social and Sexual Teaching: *A Methodological Comparison*," in Theology Today 44 (1988): 425-440.

Compares and contrasts the ethical models, including the interpretation of the natural law, used in magisterial teaching on social and sexual ethics in the last century, with particular emphasis on the last half of the twentieth century.

- _____. "Paul Ramsey and Traditional Roman Catholic Natural Law Theory." In Love and Society: Essays in the Ethics of Paul Ramsey, 47-65. Edited by James Johnson and David Smith. JRE Studies in Religious Ethics, 1. Missoula: American Academy of Religion and Scholars Press, 1974.

Curran's contribution to a *Festschrift* with essays by Protestant and Roman Catholic authors meant both to criticize as well as embody the principles of Ramsey's ethics.

- Daly, Daniel. "The Relationship of the Virtues and the Norms in the *Summa Theologiae*." *Heythrop Journal* 60 (2010): 214-229.

Daly, who at this writing, taught at St. Anselm's College in Manchester NH, investigates "how secondary moral precepts, or moral norms, relate to acquired virtues. Three questions drive this study. First, what is the purpose of moral norms in the *Summa theologiae*? Second, how are moral norms generated in the *Summa*? Finally, how are moral norms applied in the *Summa*?" (P. 214).

Deinhammer, Robert, S.J. "Can Natural Law Ethics Be Tenable Today? Towards a Critical Natural Law Theory" *Heythrop Journal* (July 2016) Online version published at <http://onlinelibrary.wiley.com/doi/10.1111/heyj.12345/epdf> (Accessed July 17, 2016).

From the author's introduction: "Can natural law ethics be tenable today? I argue for an affirmative answer to this question by outlining the basics of a critical natural law theory as a proposal for debate. This approach attempts to reconcile the legitimate concerns of the Aristotelian-Thomist natural law tradition with (broadly) Kantian and especially contemporary philosophical insights."

Delicata, Nadia. "Natural Law in a Digital Age." *Journal of Moral Theology* 4/1 (2015): 1-24.

Argues that we now have moved from a "mechanistic" mind-set to a digital one of "information," and if natural law theory is to be successfully "rehabilitated among the Christian faithful it will need to consider digital culture's emerging cultural assumptions" (p. 4).

Delicata teaches at the University of Malta and more on her can be found at http://www.um.edu.mt/theology/moral/staff/dr_nadia_delicata

Emon, Anver M. "On Islam and Islamic Natural Law: A Response to the International Theological Commission's *In Search of a Universal Ethic: A New Look at the Natural Law*." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 125-135. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

A very interesting essay that briefly develops his central critique of the ITC document vis-à-vis Islamic thought, namely that "the ITC's representation of natural law in Islam is not only incorrect, but also suffers from overprivileging theology over jurisprudence as the primary medium of religious argument in Islamic thought" (p. 128).

Emon teaches in the Faculty of Law at the University of Toronto.

Fay, Thomas A. "La teoria della legge naturale di San Tommaso: Alcune recenti interpretazioni." *Divus Thomas* 97, no. 2 (Maggio-Agosto 1994): 209-16.

_____. "Maritain on Rights and Natural Law." *The Thomist* 55 (1991): 439-448.

Finnis, John, and Grisez, Germain. "The Basic Principles of Natural Law: A Reply to Ralph McNerny." In Readings in Moral Theology, No. 7: *Natural Law and Theology*, 157-170. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared American Journal of Jurisprudence in 1981; See McNerny's earlier article in the same periodical (1980), or the version published in the same volume of Readings.

Finnis, John. "The Natural Law, Objective Morality and Vatican II." In Principles of Catholic Moral Life. Edited by William E. May. Chicago: Franciscan Herald Press, 1981.

Flannery, Kevin, S.J. "Thomas Aquinas and the New Natural Law Theory on the Object of the Human Act." *National Catholic Bioethics Quarterly* 13/1 (Spring 2013): 79-104.

One of several articles in this issue critiquing NNLT in light of Grisez's contention that in the medical case of a craniotomy in which both the mother and the fetus would certainly die, the skull of the fetus could be crushed to save the life of the mother.

Flannery is Ordinary Professor of Philosophy at the Pontifical Gregorian University.

Fletcher, Joseph. "Anglican Theology and the Ethics of Natural Law." In *Christian Social Ethics in a Changing World*. Edited by John C. Bennett. New York, 1966.

Also found in Fletcher's *Moral Responsibility*. Philadelphia, 1967.

Fuchs, Josef, S.J. "Epikieia Applied to Natural Law?" Chapter 10 in Personal Responsibility and Christian Morality, 185-199. Translated by William Cleves and others. Washington, D.C.: Georgetown University Press, and Dublin: Gill and Macmillan, 1983.

Translation of "*Epikieia circa legem moralem naturalem?*" Periodica 69 (1980).

_____. "Faith, Ethics and Law." Chapter 8 in Id. Christian Ethics in a Secular Arena, 114-127. Translated by Bernard Hoose and Brian McNeil. Washington, D.C.: Georgetown University Press, and Dublin: Gill and Macmillan, 1984.

Originally presented in a 1983? German symposium on natural law, 1983. Fuchs presents his understanding of natural law in terms of contemporary language of human rights.

_____. "Legge Naturale." In Essere del Signore. Un corso di teologia morale fondamentale, 205-213. Trascirzioni per gli studenti 1981. Roma: Pontificia Università Gregoriana, 1981.

_____. "The Natural Law in the Testimony of the Church." In Readings in Moral Theology, No. 7: Natural Law and Theology, 5-16. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

This chapter originally appeared in Fuch's Lex naturae. Zur Theologie des Naturrechts. Düsseldorf, 1955.

In English: Natural Law: A Theological Investigation. Translated by Helmut Reckter, S.J. and John A. Dowling. Dublin: Gill and Son, 1965.

En français: La droit naturel, essai théologique. Paris: Tournai, 1960.

_____. "Naturrecht oder naturalistischer Fehlschluss?" *Stimmen der Zeit* 206 (1988): 407-423.

In English: "Natural Law or Naturalistic Fallacy?." Chapter 2 in Idem. Moral Demands and Personal Obligations, 30-51. Washington, D.C.: Georgetown University Press, 1993.

_____. "Il «Peccato del Mondo» e la morale normativa." In *Sussidi 1980 Per Lo Studio Della Teologia Morale Fondamentale*, 415-435. (Per l'uso privato degli studenti). Roma: Pontificia Università Gregoriana, 1977, 1980.

Gehman, H.S. "Natural Law and the Old Testament." In *Biblical Studies in Memory of H.C. Alleman*, 109-122. Edited by J.M. Myers, et. al. New York: Augustin, 1960.

Girgis, Sherif, and George, Robert P. "Reasonable Faith and Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 304-314. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

The authors critique the ITC document for failing to address adequately the relation between faith and reason vis-a-vis the proper understanding of the natural law, which results in turn in a failure to "block common misunderstandings that can have adverse moral, theological and pastoral consequences" (p. 305). Happily the authors have a solution ready at hand, namely the "basic goods theory" of the New Natural Law Theory which would protect us from a mistaken divine command ethics that might call upon the

Church to “relax” its teachings on direct abortion, ... embryo-destructive research, contraception, ...non-marital sexual conduct, and divorce and remarriage—norms that it cannot alter any more than it can alter human nature to make life or marriage no longer basic human goods” (p. 309).

George teaches law at Princeton and Girgis is a PhD candidate at Princeton and a law candidate at Yale.

Goldstein, Joshua D. and Robin Blake. "A (Reconstructed) New Natural Law Account of Sexuate Selfhood and Rape's Harm." *The Heythrop Journal* 55 (2015):

From the author's abstract: The relative neglect of the New Natural Law Theory (NNLT) as a non-sectarian theory is unfortunate, for it contains theoretical resources under-appreciated and under-utilized by both the new natural lawyers and their critics, which, when recovered and deployed, can bring new insights into sexual ethics. Is there a harm uniquely intrinsic to rape? Our answer unfolds in four sections: (1) identification of three common logics of inquiry used to identify nature of rape's harm; (2) a reconstruction from NNLT a robust account of embodied (but not yet sexuate) selfhood as something self-constituted; (3) recovering a NNLT account of the sexuate self; (4) a demonstration of how the NNLT reveals rape's uniquely intrinsic harm as a particular wrong to selfhood.

Gordley, James. “Suarez and Natural Law.” In *The Philosophy of Francisco Suarez*, 209-229. Edited by Benjamin Hill and Henrik Lagerlund. Oxford: Oxford University Press, 2012.

Goyette, John J. “On the Transcendence of the Political Common Good: Aquinas versus the New Natural Law Theory.” *National Catholic Bioethics Quarterly*, 13.1 (2013): 133-156. Also available at <http://thomasaquinas.edu/sites/default/files/pdf/goyette-transcendence-political-common-good.pdf>

Author supplied abstract: The article aims to articulate and defend St. Thomas Aquinas's understanding of the transcendence of the political common good and argues against the new natural law theory's view of the common good as limited, instrumental, and ordered toward the private good of families and individuals. After a summary of John Finnis's explanation of the common good in *Aquinas: Moral, Political, and Legal Theory*, the article presents an analysis of the political common good in Aquinas's *Summa theologiae* and *De regno*. This analysis shows, contrary to Finnis, that for Aquinas the political common good transcends the private good of individuals and families, that it consists in the virtuous life of the political multitude, and that the family is insufficient to lead men to virtue apart from the *civitas*.

One of several articles in this issue critiquing NNLT in light of Grisez's contention that in the medical case of a craniotomy in which both the mother and the fetus would certainly die, the skull of the fetus could be crushed to save the life of the mother.

Goyette has his PhD in philosophy from the Catholic University of America, and has taught philosophy at Sacred Heart Seminary in Detroit and at his alma mater, Thomas Aquinas College in Santa Paula, California.

Grisez, Germain. "A New Formulation of a Natural-Law Argument against Contraception." *The Thomist* 30 (1966): 343-361.

_____. "Natural Law and the Fundamental Principles of Morality." Chapter 7 in *The Way of the Lord Jesus. Volume One: Christian Moral Principles*, 173-204. Chicago: Franciscan Herald Press, 1983.

Grisez follows a manualistic format in organizing his material into "Questions" followed by point-by-point responses. This volume is the first of a projected three volume work.

Gula, Richard. "Natural Law Today." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 333-368. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared as Chapter 16, "Natural Law Today," in Gula's *Reason Informed by Faith: Foundations of Catholic Morality*, 231-249. New York: Paulist Press, 1989.

Hamel, Edouard, S.J. "L'usage de l'épikie." Studia Moralia 3 (1965): 48-81.

_____. "La vertu d'épikie." Sciences ecclésiastiques 13 (1961): 35-56.

Hamilton, Bernice. "Some Arguments Against Natural Law Theories." In Light on Natural Law, 38-56. Edited by Illtud Evans, O.P. Baltimore: Helicon Press, 1965; and London: Burns and Oates, 1967.

Häring, Bernard, C.Ss.R. "Dynamism and Continuity in a Personalistic Approach to Natural Law." In Norm and Context in Christian Ethics, 199-218. Edited by Gene H. Outka and Paul Ramsey. London: SCM Press, 1968.

_____. "Traditions, Laws, Norms and Context." Chapter 7 of Free and Faithful in Christ: Moral Theology for Priests and Laity. Volume I: General Moral Theology. Middlegreen, Slough: St. Paul Publications, 1978.

Traduzione italiana: "Tradizioni, leggi, norme e contesto." Capitolo 7 in Liberi e fedeli in Cristo. Teologia morale per preti e laici, 357-444. Alba, 1981.

Translations in many other languages as well.

Hauerwas, Stanley. "Natural Law, Tragedy and Theological Ethics." *American Journal of Jurisprudence* 20 (1975).

_____. "Nature, Reason, and the Task of Theological Ethics." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 43-71. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared Chapter Four in Hauerwas' *The Peaceable Kingdom: A Primer in Christian Ethics*, 50-71. Notre Dame and London: University of Notre Dame Press, 1983.

Heaney, Robert P., M.D. "Sex, Natural Law and Bread Crumbs." *America* (26 February 1994): 12-16.

Argues from a scientific stand-point that the Church's traditional teaching on marriage as derived from its interpretation of natural law is flawed, being based on both bad biology and poor reductionistic analysis.

See response by Janet Smith, "Barnyard Morality." *America* (13 August 1994): 12-14.

Herd, Jennifer A. "Free Choice, Self-Referential Arguments, and the New Natural Law." *American Catholic Philosophical Quarterly* 72 (4/1998): 581-600.

Critiques the "new natural law theory" of Grisez, Finnis, Boyle, et. al. as being flawed in its presentation of free choice in reference to the commensurability issue of weighing options amongst the so-called basic goods. The theorists argue that no one may ever legitimately choose an action which would ever, regardless of any other consideration, be judged as "acting against" any of the basic goods. Herd argues that this position seriously attacks the essential understanding of the inter-relation between freedom and

choice, since “free choice” means, among other things, being able to weigh options amongst goods and evils in the concrete and making one’s choice in conformity as to which is the greater realizable good (to choose), or the worse evil (which is to be avoided).

_____. “Natural Law as a Source of Inspiration; Unpacking *In Search of a Universal Ethic: A New Look at the Natural Law*.” In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 201-210. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Writing from a Protestant perspective Herdt begins with a careful summary of the structure and main arguments of the ITC document before concluding that much (though not all) of what is presented could be readily accepted by classic Protestant thinkers and stands in the tradition of Luther and Calvin. Herdt does note some inconsistencies of style and argument though in the ITC document, such as over how the document moves from the universal in all societies while largely ignoring whether we can therefore conclude that the same level of universality applies to each and every individual. Thus while heterosexual unions exist universally in all societies can we "conclude which form of forms of human sexual orientation constitute a fundamental inclination, rather than a blind impulse of desire" (p. 209).

Herdt teaches in the Yale Divinity School.

Henry, Carl F. H. "Natural Law and a Nihilistic Culture." *First Things* 49 (January 1995): 54-60.

Henry is an evangelical theologian, and provides a critique of all natural law traditions, including recent efforts of some theologians, such as the Lutheran Carl Braaten, to recover what might be a legitimate "Protestant" understanding of the natural law. For Henry all such efforts are wrong-headed as they divert the proper understanding of Christian ethics from its necessary dependence on biblical revelation.

Hittinger, Russell. "The Situation of Natural Law in Catholic Theology." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 111-122. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Hittinger focuses on two aspects of the ITC paper which he finds to be "disappointing," namely the under-emphasis of clear "universal moral norms" which are "universally binding in a normative sense of the term" (p. 117-118), and too many strategic concessions to a dialogue with secular modernity which likely "will not relieve the misgivings of secular interlocutors" (p. 120) and therefore might contribute to the lack of sufficient stress on clear moral norms in a number of "disputed questions about sexual and biomedical ethics" such as contraception, abortion, sexual differentiation, and so on. In the author's view *Veritatis splendor* is by far the stronger magisterial document both in terms of extrinsic authority and internal argumentation, and echoes the calls made by Popes John Paul II and Benedict XVI to an "intellectual, moral and spiritual conversion" on the part of secularists leading them to "re-attach" themselves to the natural law tradition they have abandoned.

_____. "Theology and Natural Law Theory." *Communio* 17 (1990): 402-408.

Delivered as a response to Marc Ouellet's "The Foundations of Ethics According to Hans Urs von Balthasar," Hittinger concentrates on presenting Thomas' concept of nature and the natural law in relation to Urs von Balthasar's theology of Christian ethics.

Honnefleder, Ludger. "Naturrecht und Geschichte. Historisch-systematische Überlegungen zum mittelalterlichen Naturrechtsdenken." In Naturrecht im ethischen Diskurs. Herausgegeben von Marianne Heimbach-Steins. Münster: Aschendorff, 1990.

_____. "Rationalization and Natural Law: Max Weber's and Ernst Troeltsch's Interpretation of the Medieval Doctrine of Natural Law," *The Review of Metaphysics* 49 (1995): 275-294.

Hughes, Gerard, S.J. "The Authority of Christian Tradition and of Natural Law." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 17-42. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

This article originally appeared as Chapter One of Hughes' *Authority in Morals: An Essay in Christian Ethics*, 1-25. Washington, D.C.: Georgetown University Press, 1978.

_____. "Natural Law." In *Christian Ethics: An Introduction*, 47-56. Edited by Bernard Hoose. Collegeville: Liturgical Press, 1998.

International Theological Commission. "In Search of a Universal Ethic: A New Look at the Natural Law." 2009. Available at http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20090520_legge-naturale_en.html

For an extended series of essays reflecting on this document see John Berkman and William C. Mattison, III, eds., *Searching for a Universal Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*. Grand Rapids: Wm. B. Eerdmans, 2014.

Irrgang, Bernard. "Naturrecht als Entscheidungshilfe? Am Beispiel der Bewertung gentechnischer Verfahren aus ethisch-theologischer Perspektive." In Naturrecht im ethischen Diskurs. Herausgegeben von Marianne Heimbach-Steins. Münster: Aschendorff, 1990.

Johnson, James Turner. "Natural Law as a Language for the Ethics of War." Journal of Religious Ethics 3 (1975): 217-242.

Considers three examples of appeals to the natural law in just war theory: contemporary international lawyers Myres McDougal and Florentino Feliciano, American Protestant ethicist Paul Ramsey, and 16th century Spanish theorist, Franciscus de Victoria.

Kaveny, M. Cathleen. "From a Heart of Stone to a Heart of Flesh: Toward an Epideictic Rhetoric of the Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 229-238. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

A quite positive overall assessment of the ITC document seen especially from its rhetorical style which Kaveny believes illustrates historian John O'Malley's notion of "epideictic" language widely used in humanistic discourse in general and most of the documents of Vatican II in particular that aims at "persuasion, not coercion" (p. 231).

Lawyer-theologian Kaveny taught for many years at the University of Notre Dame and currently has a joint appointment in the Theology and Law faculties at Boston College.

Keane, Philip S., S.S. "The Objective Moral Order: Reflections on Recent Research." *Theological Studies* 43 (1982): 260-278.

Kelly, Anthony J., C.Ss.R. "The Global Significance of Natural Law: A Communication Problem." *Studia Moralia* 47/1 (January–June 2009): 141-168.

_____. "Revisiting Natural Law: An Ongoing Challenge." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 103-110. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Kelly was a member of the drafting sub-committee for the ITC document, and raises a number of issues that would aim to help in a "critical reading" of the text. A marked contrast to the Bonino piece, Kelly's essay is particularly helpful, as it indicates questions and approaches that no doubt had been raised in the discussions prior to settling on the final text, but views that were marginalized-if not mostly obliterated from the final document. It therefore might function as a "minority report" to the "majority report" that won in the final drafting process.

Kennedy, Terence, C.Ss.R. "The Originality of John Finnis' Conception of Natural Law." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 124-138. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in *Euntes Docete* 40 (1987): 87-101.

Kerr, Fergus, O.P. "Hume and Moore: An Ambiguous Legacy." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 167-178. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Begins by noting that while the ITC document uses a hermeneutic of generosity in regards to non-Christian religions such as Hinduism the ITC dismisses tout court philosophers such as Hume and Moore in particular and the analytic philosophical tradition in general. Kerr goes on to probe more deeply the concepts of the naturalistic fallacy and the "is/ought" distinction and concludes that the positions attributed by the ITC document in this regard are insufficiently grounded in what the philosophers actually wrote, and even less in regards to what the philosophers were striving to deal with. In particular Kerr counters the view that a philosopher such as Hume would deny the existence of the natural law and "would have been astonished to hear that, according to some commentators, his 'no ought from an is' remark would exclude ever appealing to natural law" (p. 175). Kerr concludes by asserting that conversation with these philosophers regarding the natural law certainly would not be fruitless.

Kerr teaches in the School of Divinity at the University of Edinburgh

Kopfensteiner, Thomas R. "Historical Epistemology and Moral Progress." *The Heythrop Journal* 33 (1992): 45-60.

Uses the concept of paradigm shift of Thomas Kuhn to discuss the notion of moral progress in conception and application of moral norms and the natural law. Also refers considerably to the work of Klaus Demmer.

Kopfensteiner, who was a priest of the Archdiocese of St. Louis, taught at the time at Fordham University, and did his doctoral dissertation on paradigm shift theory in moral theology at the Pontifical Gregorian University under Klaus Demmer.

Kroh, Werner. "Aufklärung und katholische Soziallehre. Kritische Anfragen an eine naturrechtlich argumentierende Sozialethik." In Naturrecht im ethischen Diskurs. Herausgegeben von Marianne Heimbach-Steins. Münster: Aschendorff, 1990.

Levering, Matthew. "Natural Law and Natural Inclinations: Rhonheimer, Pinckaers, and McAleer." *The Thomist* 70 (2006): 155-201.

Asks the question whether natural law is "*discerned* by human reason as a normative order inscribed in nature" or whether it is "*constituted* by the judgments of practical reason, which transform and elevate (humanize) inclinations found in nature by reorienting these inclinations to the personal ends known by spiritual creatures" (p. 156).

Liermann, Hans. "Zur Geschichte des Naturrechts in der evangelischen Kirche." In *Festschrift Alfred Bertholet gewidmet*, 294-324.. Tübingen: J.C.B. Mohr, 1950.

Little, David. "Calvin and the Prospects for a Christian Theory of Natural Law." In *Norm and Context in Christian Ethics*, 175-197. Edited by Gene H. Outka and Paul Ramsey. London: SCM Press, 1968.

Examines John Calvin's approach to some of the problems inherent in developing a "rehabilitated" Christian natural law theory.

Long, Kevin G. "The Nine Commandments: The Decalogue and the Natural Law." *Aquinas Review* 3 (1/1996): 137-152.

Long, Steven A. "Fundamental Errors of the New Natural Law Theory." *National Catholic Bioethics Quarterly* 13/1 (Spring 2013): 105-131. Available at http://www.academia.edu/4343240/Fundamental_Errors_of_the_New_Natural_Law_Theory

While acknowledging the "orthodoxy" of Grisez in opposition to artificial contraception, Long here argues that the NNLT (New Natural Law Theory) of Grisez et al. is guilty of a number of serious "strategic" errors which depart from traditional Thomistic natural law central to the Magisterium's use of natural law, such as NNLT's denial of the primacy of speculative truth over practical reason, its use of "incommensurability," mistaken notions associated with teleology, negation of the natural law as a theonomic ethics and an over-emphasis on the role of intention in moral action. One of several articles in this issue critiquing NNLT in light of Grisez's contention that in the medical case of a craniotomy in which both the mother and the fetus would certainly die, the skull of the fetus could be crushed to save the life of the mother.

Long teaches at Ave Maria University in Florida.

_____. "Natural Law or Autonomous Practical Reason: Problems for the New Natural Law Theory." In *St. Thomas Aquinas and the Natural Law Tradition: Contemporary Perspectives*, 165-193. Edited John Goyette, Mark S. Latkovic, and Richard S. Myers.

Washington, D.C.: Catholic University of America Press, 2004.

Long's views here are critiqued as being quite confused by Martin Rhonheimer in his "Natural Law as a 'Work of Reason': Understanding the Metaphysics of Participated Theonomy." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 272-281. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

_____. "Reproductive Technologies and the Natural Law." *National Catholic Bioethics Quarterly* (Summer 2002): 221-228.

Long's views here are critiqued as being quite confused by Martin Rhonheimer in his "Natural Law as a 'Work of Reason': Understanding the Metaphysics of Participated Theonomy." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 272-281. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

_____. "Teleology, Divine Governance, and the Common Good: Thoughts on *In Search of a Universal Ethic: A New Look at the Natural Law*." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 261-271. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Applauds the ITC document's "deep understanding of the history of metaphysical obscuration ... engendering a false ethos of absolute autonomy of the human agent vis-à-vis divine providence: an apotheosis of arbitrary will criticized in *Veritatis splendor*." The two principal foci of the ITC document are its teaching that "vindicates the primacy of the speculative in relation to the practical" and which affirms "the strategic importance of a noncompetitive account of divine and human causality for the understanding of natural law as a mode of divine providence." (all from p. 261). For a contrary view see in the same volume Martin Rhonheimer's "Natural Law as a 'Work of Reason': Understanding the Metaphysics of Participated Theonomy."

_____. "Yves Simon's Approach to Natural Law," *The Thomist* 59: 1 (Jan. 1995): 125-135.

Lustig, Andrew. "Natural Law, Property, and Justice: The General Justification of Property in Aquinas and Locke." *Journal of Religious Ethics* 19 (1991): 119-150.

MacNamara, Vincent. "Theories: The Greatest Good: Natural Law." Chapter 5 in The Truth in Love: Reflections on Christian Morality, 86-109. Dublin: Gill and Macmillan, 1988.

Same book as Love, Law and Christian Life: Basic Attitudes of Christian Morality.
Wilmington: Michael Glazier, 1988.

Macquarrie, John. "Rethinking Natural Law." In Three Issues in Ethics, 82-110. New York: Harper and Row, 1970.

Also found in Readings in Moral Theology, No. 2, 121-145. Edited by Charles E. Curran and Richard A. McCormick, S.J. New York: Paulist Press, 1980; as well as in Curran and McCormick's Readings in Moral Theology, No. 7: Natural Law and Theology, 221-246. Mahwah: Paulist Press, 1991.

Macquarrie, an Anglican theologian, argues for a reformulated natural law theory which could help solve the problems of linking of Christian and non-Christian morals, shaping of a contemporary Christian ethic, and describing the relation between faith and morals. Macquarrie considers the *proprium* of Christian ethics to be the distinctive Christian *context* in which the moral life is perceived. Also includes a brief historical overview of the concept of the natural law in the Western tradition.

Mahoney, John, S.J. "Nature and Supernature." In Readings in Moral Theology, No. 7: Natural Law and Theology, 413-463. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared as Chapter Three in Mahoney's *The Making of Moral Theology: A Study of the Roman Catholic Tradition*, 72-115. The Martin D'Arcy Memorial Lectures, 1981-2. Oxford: Clarendon Press, 1987.

Mahoney is Professor of Moral Theology at King's College, University of London.

Malloy, Edward A. "Natural Law Theory and Catholic Moral Theology." American Ecclesiastical Review 169 (1975): 456-469.

Discusses various criticisms of the physicalist approach to the natural law.

Maritain, Jacques. "Natural Law in Aquinas." In Readings in Moral Theology, No. 7: Natural Law and Theology, 114-123. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in Maritain's Man and the State. Chicago: Phoenix Books and the University of Chicago Press, 1951.

_____. "Quelques remarques sur la loi naturelle." Nova et Vetera 53 (1978): 1-12.

French version of an article which appeared originally in English as "Natural Law and Moral Law" in Moral Principles of Actions (New York and London: Harper and Brothers, 1951). The French manuscript is based on the first two of Maritain's "Neuf leçons sur la loi naturelle» given in 1950 at Soisy.

Mattison, William C. III. "Part of the 'New Look' at the Natural Law: The Use of 'Orientation' alongside 'Inclination'." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 282-292.

Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Traces the usages of the term “natural inclinations” as well as “orientation,” “dynamism,” and “tendency” throughout the ITC document to support his thesis that these terms, and especially “orientation” do “not replace the use of ‘inclination’ but complements it, perhaps ultimately in order to rehabilitate that traditional term to its fuller meaning” and thereby avoiding some of the problems associated with physicalism (p. 284). Puzzling though is Mattison’s absolute avoidance of any discussion of how the term “orientation” might figure in disputed natural law arguments such as the function of sexual orientation in what could constitute “natural” and “unnatural” expressions of that basic orientation.

Mattison teaches at the Catholic University of America.

May, William E. "*Humanae vitae*, Natural Law and Catholic Moral Thought." In «Humanae vitae»: 20 anni dopo. Atti del II Congresso Internazionale di Teologia Morale, Roma, 9-12 novembre 1988, 43-72. Milano: Edizioni Ares, 1989.

Paper read at a congress supporting *Humanae vitae* sponsored by the John Paul II Pontifical Institute for the Study of Marriage and the Family (Lateran University) and two institutions of Opus Dei: Centro Accademico Romano della Santa Croce and the Università di Navarra. The same article is found also in *Linacre Quarterly* 56 (1989): 61-87.

_____. "The Natural Law and Objective Morality: A Thomistic Perspective." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 333-368. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in May's *Principles of Catholic Moral Life*. Chicago: Franciscan

Herald Press, 1981.

Mayrand, Nicholas. "Herbert McCabe's Genius: Language, Natural Law and Unity." *New Blackfriars* (2014): 648-661.

Argues that McCabe's linguistic model provides invaluable insight into human communication and the moral life, showing the natural law to be more life scaffolding than a list of stipulations.

McCormick, Patrick. "The Church might be approaching natural law in the wrong way." *US Catholic* 10/29 (October 2014): 34-36. Also available online at <http://www.uscatholic.org/articles/201410/church-might-be-approaching-natural-law-wrong-way-29429>

Written for a popular audience, McCormick notes that many people remain unconvinced by the Church's natural law arguments in sexual ethics which seems to overlook or skew the bigger picture of human individuals, and suggests a different approach is called for that is more open to discussion and dialogic reasoning such as is often found in Catholic social teaching.

McCormick did his STD at the Pontifical Gregorian University in Rome and is professor of Christian ethics at Gonzaga University in Spokane.

McCormick, Richard A., S.J. "The Natural Law: Recent Literature." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 173-183. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in *Theological Studies* in 1967.

McDonagh, Enda. "The Natural Law and the Law of Christ." Chapter 2 in Invitation and Response: Essays in Christian Moral Theology, 22-37. Dublin: Gill and Macmillan, 1972.

Also found in Duty and Discernment, 51-63. Edited by G.R. Dunstan. London: SCM Press, 1975.

Traduzione italiana: Dio chiama, l'uomo risponde: Saggi di teologia morale cristiana. Torino: Leumann, 1976.

McDonough, William. "Domenico Capone's Distinction between *Operatio* and *Operatum*: Help for a Renewed Natural Law Morality?" Studia Moralia 29 (1991): 323-344.

Article derived from McDonough's Alphonsianum doctoral dissertation. See the negative reaction by Capone himself, "Pensieri leggendo lo studio del Prof. W. McDonough in questa rivista," published in the same number of Studia Moralia.

McInerny, Ralph. "On Knowing the Natural Law." In *The Ethics of St. Thomas Aquinas*, 133-160. Edited by Leo J. Elders and Klaus Hedwig. Vatican City: Libreria Editrice Vaticana, 1984.

_____. "The Principles of Natural Law." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 139-156. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in *American Journal of Jurisprudence* in 1980.

See reply by John Finnis and Germain Grisez.

McNeill, J.T. "Natural Law in the Teaching of the Reformers." Journal of Religion 26 (1946): 168-182.

Historical overview of natural law teaching in the early Protestant reformers such as Luther, Calvin, Melancthon, and Zwingli.

Meilaender, Gilbert. "Can't We All Just Get Along?" In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 222-228. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Well-known conservative Protestant ethician Gilbert Meilaender begins by noting he can "find relatively little that is new in the overall presentation" of the ITC document, and suggests that what seems to be that its "animating spirit" is grounded in "a belief and hope that getting clear on the structure of the natural law will help us all to get along. This is the admirable, though touchingly naïve starting point of the document" (p. 222). Meilaender outlines three major deficiencies in the ITC document: 1) it "has simultaneously too much theory and too little anthropology"; 2) fails to "sufficiently recognize the need for virtue if one is to discern the natural law" and 3) it does not "think through to the end the implications of its assertion that Jesus Christ is the fulfillment of the natural law" (p. 222).. The remainder of his articles fleshes out these points in support of his summary conclusion that the ITC document "is careful, thorough and instructive. What it is not, however, is the path toward helping us all just get along" (p. 227).

Meilaender is emeritus professor of theology and Christian ethics at Valparaiso University and long-time teacher at Oberlin College (1978-1996).

Mejía, Jorge. "La legge naturale nella Scrittura." *L'Osservatore Romano* 30 dicembre 1990.

Keynote address given by Bishop Mejía at the 5th Seminar on the Gospel and Society at

the Institute Catholique in Paris.

Melina, Livio. "Pragmatic and Christological Foundations of Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 293-303. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

The article makes only occasional and rather superficial reference to the ITC document itself, but does outline Melina's notion of the natural law as involving both a "grammar" of structure, evidenced in divine creation, and a "pragmatics" of action illustrated by Jesus. Thus, Revelation is crucial for seeing the natural law reality "not only as a fact (*datum*), but also as a gift that is the result of an ongoing divine action" which orients "man" [*sic*] to "the call to live in friendship with God, who first loved us" (p. 300).

Melina teaches with the John Paul II Institute for Marriage and the Family in Rome.

Merks, Karl-Wilhelm. "Naturrecht als Personrecht? Überlegungen zu einer Relektüre der Naturrechtslehre des Thomas von Aquin." In Naturrecht im ethischen Diskurs. Herausgegeben von Marianne Heimbach-Steins. Münster: Aschendorff, 1990.

Mobbs, Frank. "Is Natural Law Part of Revelation? The Answers of the Manualists, Germain Grisez and Timothy O'Connell." Irish Theological Quarterly 59 (1993): 188-203.

Holds that Grisez and O'Connell are using different concepts of the natural law, and so the claims made about the relationship of Revelation and natural law will necessarily be different claims.

Mooney, Christopher, S.J. "The Claim of the Church to be Guardian of a Universal Natural and Moral Law," Concilium 135 (May, 1980): 23-32.

_____. "Natural Law: *A Case Study*." In Public Virtue: Law and the Social Character of Religion, 140-150. Notre Dame: University of Notre Dame Press, 1986.

Compares the natural law approaches developed in magisterial documents in sexual and social ethics.

Murphy, Mark C. "Natural Law, Impartialism, and Others' Good," *The Thomist* Vol. 60, No. 1 (Jan. 1996): 53-80.

_____. "Self-Evidence, Human Nature and Natural Law." *American Catholic Philosophical Quarterly* 69 (1995): 471-484.

Discusses the natural law theory of John Finnis.

Murray, John Courtney, S.J. "The Doctrine Lives: The Eternal Return of Natural Law." In *Readings in Moral Theology, No. 7: Natural Law and Theology*, 184-220. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared Murray's *We Hold These Truths*. New York: Sheed, 1960.

Nielsen, Kai. "The Myth of Natural Law." In Law and Philosophy, 122-143. Edited by Sidney Hook. New York: New York University Press, 1964.

Argues that it is impossible to discover any essential definition of human nature, and therefore a natural law. Man does not have "some essential nature, some function that he was cut out or made to achieve." p. 132. Thus, Nielsen avers that natural law theories make "unverifiable statements" about ultimate human ends, and that despite the possible theological persuasiveness of theological assertions about human destiny, there would be

no logical way to move from these *descriptive* statements to *prescriptive* judgments.

Northcott, Michael S. "Ecocide and Christian Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 179-190. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Northcott begins by asserting that we are in such a grave ecological crisis that without rapid, serious reparative measures "will see the end of most presently living species" (p. 179). He then considers the ITC document's recognition of "sins against nature" and its case "for an ecological repristination of natural law," especially in its intersection with key ecologists.

Northcott teaches at New College, University of Edinburgh

Novak, David. "Some Questions for the International Theological Commission Document on Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 136-145. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Novak writes out of the Jewish tradition and is sympathetic to natural law theory, but raises a number of practical considerations for the usage of natural law by the Magisterium in general, as well as some philosophical and theological critiques of the ITC document in particular.

Novak teaches at the University of Toronto.

Pavlicsek, Keith J. "Questioning the New Natural Law Theory: The Case of Religious Liberty

as Defended by Robert P. George in *Making Men Moral.*” *Studies in Christian Ethics* 12 (2/1999): 17-30.

Peerenboom, R.P. "Natural Law in the *Huang-Lao Boshu*." *Philosophy East and West* 40 (1990): 309-329.

Discusses a Confucian approach to natural law, based on the *Huang-Lao Boshu*.

Peschke, Karl H. "Natural moral law." Part II, Chapter 2:C in *Christian Ethics: Moral Theology in the Light of Vatican II: Volume I: General Moral Theology*, 133-167. Alcester and Dublin: C. Goodliffe Neale, 1985.

Traduzione italiana: Etica cristiana; teologia morale alla luce del Vaticano II. 2 vol. Roma: Pontificia Universitas Urbaniana, 1985-1986.

Korean Translation of Volume I is also available.

Porter, Jean. "Contested Categories: Reason, Nature, and Natural Order in Medieval Accounts of the Natural Law." *Journal of Religious Ethics* 24 (Fall 1996): 207-232.

Porter is professor of theology at the University of Notre Dame.

_____. "The Natural Law and Innovative Forms of Marriage: A Reconsideration." *Journal of the Society of Christian Ethics* 30/2 (2010): 79-97.

Considers the possibility of support for the legalization of same-sex unions based on the natural law theories developed by scholastic theologians and jurists in the 12th and 13th

centuries, and concludes that while these theorists never would have conceived of the possibility of same-sex marital unions the trajectory they developed might give support to the legal recognition of such unions.

- _____. "Natural Law as a Scriptural Concept: Theological Reflections on a Medieval Theme." *Theology Today* 59 (July 2002): 226-243.

While contemporary moral theologians tend to look at biblical and natural law ethics as distinct approaches, for medieval theologians the natural law was seen as a scriptural doctrine since Scripture attested to the existence of a natural law. Aims also to explore the implications for the interpretation of Scripture itself.

- _____. "Natural Law, Legal Authority, and the Independence of Law: New Prospects for a Jurisprudence of the Natural Law." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 146-155. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Porter begins by recognizing a "refreshing departure from the tendency to identify the natural law with a specific set of fixed norms," and "the ITC's readiness to acknowledge the value of personal and communal autonomy, and to commend a robust doctrine of natural or human rights" (p. 147). The bulk of the article, though, expands upon her basic critique of the ITC document's treatment of legal positivism which she believes is too sharply drawn and fails to pay sufficient attention to the actual state of discourse among contemporary secular jurists. Porter believes that there are definitely grounds for a fruitful dialogue and points out the tradition among Medieval legal philosophers as suggesting ways in which contemporary natural law theory might contribute to this discussion.

- _____. "Natural Law, Moral Discernment, and Authority of the Church." Paper presented at the Catholic Theological Society of America Annual Convention, Miami, June 1999.

Taken from a forthcoming book, *Natural and Divine Law: Reclaiming the Roots of Christian Ethics*. Ontario: Novalis, and Grand Rapids: Eerdmans, 2000.

_____. "What the Wise Person Knows: Natural Law and Virtue in Aquinas' *Summa Theologiae*." *Studies in Christian Ethics* 12 (1/1999): 57-69.

Ramsay, Hayden. "Natural Law: A Reply to Brian Scarlett." *Pacifica* 7 (1994): 347-352.

Disputes Scarlett's reading of Thomas Aquinas in the article the latter wrote about the use of the natural law argumentation in *Veritatis Splendor*.

Ramsey, Ian T. "Towards a Rehabilitation of Natural Law." Chapter 20 in Christian Ethics and Contemporary Philosophy, 382-396. Edited by Ian T. Ramsey. London: SCM Press, 1966.

Traduzione italiana in Etica cristiana e filosofia contemporanea. Bologna: EDB, 1971.

Rhonheimer, Martin. "Contraception, Sexual Behavior, and Natural Law. Philosophical Foundations of the Norm of *Humanae vitae*." In «*Humanae vitae*»: 20 anni dopo. *Atti del II Congresso Internazionale di Teologia Morale, Roma, 9-12 novembre 1988*, 73-114. Milano: Edizioni Ares, 1989.

Paper read at a congress supporting *Humanae vitae* sponsored by the John Paul II Pontifical Institute for the Study of Marriage and the Family (Lateran University) and two institutions of Opus Dei: Centro Accademico Romano della Santa Croce and the Università di Navarra.

Rhonheimer teaches at the Opus Dei Santa Croce (Holy Cross) University in Rome.

_____. "Natural Law as a 'Work of Reason': Understanding the Metaphysics of Participated Theonomy." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*, 272-281. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Riordan, Patrick. "Natural Law Revivals: A Review of Recent Literature." *Heythrop Journal* 51/2 (2010): 314-323.

Rogers, Eugene F., Jr. "Aquinas on Natural Law and the Virtues in Biblical Context: Homosexuality as a Test Case." *Journal of Religious Ethics* 27 (Spring 1999): 29-56.

_____. "The Narrative of Natural Law in Aquinas's Commentary on Romans 1." *Theological Studies* 59 (June 1998): 254-276.

Discusses how for a full and correct understanding of Thomas Aquinas' teaching on the natural law one must study his Commentary on Romans 1 since Thomas' treatment of the natural law refers to a Pauline context. This Commentary fleshes out Thomas' understanding of the relation of the New Law to the natural law, and how reason is influenced by God's grace.

Römelt, Josef, C.Ss.R. "Der neue Streit um den Naturbegriff." *Theologie der Gegenwart* 31 (1988): 187-192.

Rooney, Paul. "Divine Commands, Natural Law, and Aquinas." *Scottish Journal of Religious Studies* 16 (1995): 117-140.

Rowland, Tracey. "The Role of Natural Law and Natural Right in the Search for a Universal Ethic." In *Searching for a University Ethic: Multidisciplinary, Ecumenical, and*

Interfaith Responses to the Catholic Natural Law Tradition, 156-166. Edited by John Berkman and William C. Mattison, III. Grand Rapids: Wm. B. Eerdmans, 2014.

Rowland begins by considering Joseph Ratzinger's lament that "'The idea of the natural law presupposed a concept of 'nature' in which nature and reason interlock, nature itself is rational. The victory of the theory of evolution has meant the end of this view of nature' (p. 156)." While applauding developments in the ITC document in terms of recognition of the roles prudence and emotional intelligence play in appropriating the natural law, Rowland observes that the ITC fails to "address the 'elephant in the room', that is, the value of the natural law and natural right idioms when dealing with contemporary liberal and postmodern interlocutors who reject the whole notion of creation and a stable and intelligent order within it" (p. 165). Rowland calls for a "strategic plan" that would supplement theological reflection "with the insights of intellectual and social historians as well as political and linguistic philosophers" (p. 165).

Rowland teaches at the John Paul II Institute for Marriage and the Family at the University of Notre Dame, Australia. She has since been named to the International Theological Commission itself by Pope Francis in September 2014.

Ryan, Columba, O.P. "The Traditional Concept of Natural Law: *An Interpretation*." In *Introduction to Christian Ethics: A Reader*, 413-427. Edited by Ronald P. Hamel and Kenneth R. Himes, O.F.M. New York: Paulist Press, 1989.

Appeared originally in *Light on Natural Law*, 13-37. Edited by Illtud Evans, O.P. Baltimore: Helicon Press, 1965; and London: Burns and Oates, 1967.

Sacchi, Alessandro. "La legge naturale nella bibbia." In AA. VV. *La legge naturale*, 17-59. Studi e ricerche, 4. Bologna: Edizioni Dehoniane Bologna, 1970.

Sala, Giovanni B., S.J. "L'imperativo morale e la legge naturale." *Civiltà Cattolica* 124 (4-18 agosto 1973): 220-235.

Nel contesto attuale caratterizzato dalla ricerca di nuove vie nell'attività libera e responsabile dell'uomo, lo studio si propone di esaminare la coscienza umana, essendo essa il principio dal quale l'attività propriamente umana procede. La coscienza si rivela come un'intenzionalità che si svolge in quattro fasi distinte: quella del senso, quella dell'intelligenza, quella della ragione, quella dell'imperativo morale, ciascuna operante secondo norme proprie. Lo studio si ferma particolarmente sulla fase morale. Questa è connessa con la vita psichica come un movimento di autotrascendenza. Il bene umano o valore viene quindi definito in rapporto a questa fase dell'intenzionalità. Alla fine lo studio esamina come la coscienza morale, nel suo esercizio per determinare e attuare veri valori, trovi indicazioni normative dell'imperativo morale a queste indicazioni è la legge naturale; su di essa va configurata ogni cultura perché sia portatrice di veri valori.

Schneewind, J.B. "Natural Law, Skepticism, and Methods of Ethics." Journal of the History of Ideas 52 (1991): 289-308.

A rather historical overview of positions on the natural law of various ethicists from the time of Kant onwards.

Schneewind is at Johns Hopkins University.

Schrey, Hienz-Horst. "Diskussion um das Naturrecht 1950-1975." Theologische Rundschau n.f. 41 (1976) 59-93.

Schrey is a Protestant.

Schubeck, Thomas L., S.J. "The Reconstruction of Natural Law Reasoning: Liberation Theology as a Case Study." Journal of Religious Ethics 20 (1992): 149-178.

Treats the work of Gutiérrez and Ellacuría in reference to the natural law tradition.

Schubeck maintains that the criticisms raised by these two against the neo-Thomistic perspectives of the natural law are essentially the same views held by Karl Rahner and Josef Fuchs.

Schüller, Bruno, S.J. "A Contribution to the Theological Discussion of Natural Law." In Readings in Moral Theology, No. 7: Natural Law and Theology, 72-98. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Originally appeared in Theologie und Philosophie, Herder & Herder, apparently around 1967 or 1968.

_____. "Wieweit kann die Moraltheologie das Naturrecht entbehren?" Lebendiges Zeugnis 1/2 (1965): 41-65.

A digested version of this article was published in English in Theology Digest 15 (1967): 94-99. This same version is also found under the title "Can Moral Theology Ignore Natural Law" in Introduction to Christian Ethics: A Reader, 407-412. Edited by Ronald P. Hamel and Kenneth R. Himes, O.F.M. New York: Paulist Press, 1989.

Seipel, Peter. "Aquinas and the Natural Law: A Derivationist Reading of ST I-II, Q. 94, A. 2." *Journal of Religious Ethics* 43/1 (March 2015): 28-50.

Author supplied abstract: Recent decades have seen a shift away from the traditional view that Aquinas's theory of the natural law is meant to supply us with normative guidance grounded in a substantive theory of human nature. In the present essay, I argue that this is a mistake. Expanding on the suggestions of Jean Porter and Ralph McInerny, I defend a derivationist reading of ST I-II, Q. 94, A. 2 according to which Aquinas takes our knowledge of the genuine goods of human life and their proper ordering to one another to be self-evident only to the wise who are able to discern the truth about our God-given human nature. I then show that this reading provides a better account of Aquinas's view than two recent alternatives: John Finnis's brand of inclinationism and

Daniel Mark Nelson's virtue-based interpretation.

At this writing Seipel is a philosophy doctoral student at Fordham University.

Selling, Joseph A. "Magisterial Authority and the Natural Law." *Doctrine and Life* 47 (August 1997): 334-342.

Very negative review of Frank Mobb's *Beyond Its Authority: The Magisterium and Matters of Natural Law* (Sydney: E.J. Dwyer, 1997), and concludes with a thoughtful exposition of Selling's own positions in this area. Mobb's basic thesis is that inasmuch as the natural law is not part of revelation the authority of the Magisterium does not extend to authoritative pronouncements on the natural law. Selling's views are much more nuanced.

Selznick, Philip. "Natural Law and Sociology." In Natural Law and Modern Society, 154-193. Edited by John Cogley, et. al. Cleveland and New York: The World Publishing Co., 1962.

Selznick's article first appeared in Natural Law Forum 6 (1961): 84-108.

Siniscalchi, G.B. "Modified Divine Commands, Atheistic Moral Realism, and Thomistic Natural Law." *New Blackfriars* (2015). Available online at <http://onlinelibrary.wiley.com/doi/10.1111/j.1741-2005.2011.01466.x/abstract?campaign=wolarlyview>

Argues that both while Divine Command theorists and atheists have insights into the grounding of moral values, both positions also have fundamental flaws. Thomas Aquinas' views on participation metaphysics understanding of human nature are outlined as offering a better approach to the grounding of moral values which in turn may bridge

both of the other positions which otherwise might well remain at a fundamental impasse.

Smith, Harmon L. "Contraception and Natural Law: A Half-Century of Anglican Moral Reflection." In The Anglican Moral Choice, 180-200. Edited by Paul Elmen. Wilton (CT): Morehouse-Barlow Co., Inc. 1983.

Begins with a brief historical overview of traditional Anglican moral theology with reference to the Thomistic natural law tradition. Smith then summarizes statements from the Lambeth Conferences of 1930, 1958, and 1968 to show the development of Anglican thinking on contraception. Finally the positions of 5 representative theologians are summarized: R.C. Mortimer, Kenneth Kirk, Joseph Fletcher, John Macquarrie, and Herbert Waddams.

Smith is professor of moral theology and community health science at Duke University.

Smith, Janet E. "Natural Law and Personalism in *Veritatis Splendor*." In *Veritatis Splendor: American Responses*, 194-207. Edited by Michael E. Allsopp and John J. O'Keefe. Kansas City, M.O.: Sheed & Ward, 1995.

Also found in *Readings in Moral Theology No.10: John Paul II and Moral Theology*, 67-84. Edited by Charles E. Curran and Richard A. McCormick, S.J. New York: Paulist Press, 1998.

Sturm, Douglas. "Natural Law, Liberal Religion, and Freedom of Association: James Luther Adams on the Problem of Jurisprudence." *Journal of Religious Ethics* 20 (1992): 179-207.

Sullivan, Francis A., S.J. "The Authority of the Magisterium on Questions of Natural Moral Law." *Readings in Moral Theology, No. 6: Dissent in the Church*, 42-57. Edited by

Charles E. Curran and Richard A. McCormick, S.J. New York: Paulist Press, 1988.

Originally appeared in *Magisterium: Teaching Authority in the Catholic Church*, 138-152. Dublin: Gill and Macmillan, 1983.

Traduzione italiana: Il magistero nella chiesa cattolica. Teologi saggi. Assisi: Cittadella, 1986.

Theron, Stephen. "Beyond Natural Law." *New Blackfriars* (September 2016)
<http://onlinelibrary.wiley.com/doi/10.1111/nbfr.187/abstract?campaign=wolearlyview>
(accessed December 13, 2016)

_____. "Natural Law in *Humanae vitae*." In *Humanae vitae»: 20 anni dopo. Atti del II Congresso Internazionale di Teologia Morale, Roma, 9-12 novembre 1988*, 487-496. Milano: Edizioni Ares, 1989.

Paper read at a congress supporting *Humanae vitae* sponsored by the John Paul II Pontifical Institute for the Study of Marriage and the Family (Lateran University) and two institutions of Opus Dei: Centro Accademico Romano della Santa Croce and the Università di Navarra.

Thorpe, Lucas. "Sayyid Qutb and Aquinas: Liberalism, Natural Law and the Philosophy of Jihad." *Heythrop Journal* (March 2015). Available at
<http://onlinelibrary.wiley.com/doi/10.1111/heyj.12256/epdf>

Deals with Syyyid Qutb, the contemporary Egyptian Islamic fundamentalist associated with the Muslim Brotherhood, investigating whether his views would be compatible with liberal values. He compares Qutb's political philosophy with Aquinas and the natural law tradition to suggest the possibility of discerning an overlapping consensus on the legitimacy of liberal Western values.

Thorpe is at Bogazici University, Istanbul

Traina, Cristina L.H. "Oh, Susanna: The New Absolutism and Natural Law." *Journal of the American Academy of Religion* 65 (1997): 371-401.

Taking up the ethical dilemma which faced Susanna in the Old Testament (Dn 13) which had been used by Pope John Paul II in his encyclical *Veritatis Splendor* to illustrate the notion of moral absolutes Traina critiques this a strong "absolutist" strain of natural law interpretation in the thought of Pope John Paul II, as well as moral philosophers such as Germain Grisez and John Finnis. Traina offers alternative solutions to the problem of relativism and consequentialism which so troubles moral absolutists by considering insights from the tradition of cooperation with evil and the epistemological nature of moral norms.

Tremblay, Réal, C.Ss.R. "Pour un approfondissement de la loi naturelle." *Studia Moralia* 40 (December 2002): 403-424.

Discusses Christ's role in confirming the particular quality of the natural law and opens it to perspectives which would have been otherwise impossible to discover alone.

Tremblay teaches at the Alphonasianum in Rome.

Vacek, Edward Collins, S.J. "Divine-Command, Natural-Law, and Mutual-Love Ethics." *Theological Studies* 57 (1996): 633-653.

Vacek argues that Divine-command ethics is humanistically inadequate and the natural law ethics is religiously inadequate. Instead, Vacek argues for a "mutual love" ethics which he believes overcomes the deficiencies of the other two systems.

Vacek taught at the Weston Jesuit School of Theology (later the Boston College School of Theology & Ministry) until 2012 when he moved to Loyola University, New Orleans.

VanDrunen, David. "Natural Law in Nohaic Accent: A Covenantal Conception of Natural Law Drawn from Genesis 9." *Journal of the Society of Christian Ethics* 30/2 (2010): 131-149.

Investigates the possibility of integrating Genesis 8:20-9:17 with a Reformed covenant theology to produce a conception of the natural law as a universal God-given standard mediated through a fallen world that could be in conversation with biblical exegets as well as the Protestant and Catholic natural law traditions.

VanDrunen is the Robert B. Strimple Professor of Systematic Theology and Christian Ethics at Westminster Seminary California.

_____. "Wisdom and the Natural Moral Order: The Contribution of Proverbs to a Christian Theology of Natural Law." *Journal of the Society of Christian Ethics* 33/1 (Spring/Summer 2013): 153-168.

Argues that the Book of Proverbs supports an understanding of the concept of a natural law in certain key areas: a natural moral order grounded in God's creation, a "realist" epistemology, and the implicit acknowledgment of moral wisdom and insights across cultures.

Vicini, Andrea, M.D., S.J. "La loi morale naturelle: perspectives internationales pour la réflexion bioéthique contemporaine." *Transversalités* 122 (avril-juin 2012): 125-151.

Gives an overview of three ways in which the term "nature" is used in contemporary discourse and then considers six approaches to the natural law, lifting up for extended consideration the work of Italian moralist Enrico Chiavacci. The article contains a good deal of helpful bibliographical material on recent work in the natural law in English, French and Italian.

Vicini is a pediatrician and holds a PhD and STD in theological ethics and teaches at the Boston College School of Theology & Ministry.

Weithman, Paul J. "McDowell, Hypothetical Imperatives and Natural Law." American Catholic Philosophical Quarterly 65 (1991): 177-187.

Discusses John McDowell's "Are Moral Requirements Hypothetical Imperatives?" Proceedings of the Aristotelian Society (1978): 13-29, as well as other philosophers (e.g. Philippa Foot). Weithman holds McDowell's claim that "the motivational force of requirements of virtue can be adequately accounted for without appeal to inclinations of the virtuous person" is untrue for at least one claim of imperatives of virtue, i.e., imperatives which "express requirements of virtue arrived at through deliberation." p. 178.

Woods, George F. "Natural Law and Christian Ethics." In Duty and Discernment, 35-41. Edited by G.R. Dunstan. London: SCM Press, 1975.

Books on the Natural Law

AA. VV. *La legge naturale*. Studi e ricerche, 4. Bologna: Edizioni Dehoniane Bologna, 1970.

Includes essays from the 1969 conference, "Convegno dei Teologi Moralisti dell'Italia Settentrionale," held at Gazzada. Contributions by A. Sacchi, C. Caffarra, D. Monglio, S. Vanni Rovighi, A. Zarri, F. Böckle, L. Sartori, and T. Goffi.

Bagnulo, Roberto. *Il concetto di diritto naturale in San Tommaso d'Aquino*. Milano: A. Giuffrè,

1983.

Battaglia, Anthony. *Toward a Reformulation of Natural Law*. Foreword by James P. Mackey. New York: Seabury Press, 1981.

Using St. Thomas, Battaglia argues for a reformulation of the natural law theory which focuses on the communal nature of moral consensus, and which accommodates an understanding of the historical development of morality.

Battaglia teaches in the Department of Religious Studies at California State University at Long Beach.

Reviewed by William C. Spohn in *Journal of Religion* 63 (1983): 87-88.

Berkman, John, and William C. Mattison, III, eds. *Searching for a University Ethic: Multidisciplinary, Ecumenical, and Interfaith Responses to the Catholic Natural Law Tradition*. Grand Rapids: Wm. B. Eerdmans, 2014.

Series of twenty essays reflecting on and/or taking up various themes connected with the 2009 International Theological Commission's "In Search of a Universal Ethic: A New Look at the Natural Law" which are introduced in a twenty-first essay by the editors. The book also contains the official English translation of the Vatican document.

Reviewed by James T. Bretzke, S.J. in *Catholic Books Review: An Online Journal* <http://catholicbooksreview.org/2015/berkman.html> [posted March 26, 2015]

Biggar, Nigel, and Black, Rufus, eds. *The Revival of Natural Law: Philosophical and Theological Essays on the Finnis-Grisez School*. Brookfield VT: Ashgate, 2000.

Black, Rufus. *Christian Moral Realism: Natural Law, Narrative, Virtue and the Gospel*. Oxford Theological Monographs. Oxford: Oxford University Press, 2001.

Böckle, Franz, ed. *Dibattito sul diritto naturale*. Brescia: Queriniana, 1970.

Auf Deutsch: [?] Das Naturrecht im Disput. Düsseldorf, 1966.

Bretzke, J. *A Morally Complex World: Engaging Contemporary Moral Theology*. Collegeville: Liturgical Press, 2004.

Buckle, Stephen. *Natural Law and the Theory of Property: Grotius to Hume*. Chicago: University of Chicago Press, 1993.

Budziszewski, J. *Written on the Heart: The Case for Natural Law*. Downers Grove IL: InterVarsity Press, 1997.

Looks at Aristotle, Thomas Aquinas, John Locke, as well as contemporary philosophy, theology, and political science.

Budziszewski is associate professor in the departments of government and philosophy at the University of Texas at Austin.

Cahill, Lisa Sowle, Hille Haker, and Eloi Messi, eds. *Human Nature and Natural Law*. London: SCM Press, 2010.

Cogley, John., et. al. *Natural Law and Modern Society*. Cleveland and New York: The World Publishing Co., 1962.

Contributions from Cogley, Robert M. Hutchins, John Courtney Murray, S.J., Scott Buchanan, Philip Selznick, Harvey Wheeler, and Robert Gordis.

Cromartie, Michael, ed. *A Preserving Grace: Protestants, Catholics, and the Natural Law*. Grand Rapids: Wm. B. Eerdmans, 1996.

Essays by Russell Hittinger, Susan E. Schreiner, Daniel Westberg, Joan Lockwood O'Donovan, Carl E. Braaten, Timothy George, William Edgar, and Robert P. George.

Crowe, Michael Betram. *The Changing Profile of Natural Law*. The Hague: Martinus Nihoff, 1977.

Presents a history of the occidental concept of the natural law, beginning with the Pre-Socratic philosophers and concluding with a tentative twentieth century profile of the natural law. Contains a particularly good analysis of St. Thomas' treatment of the natural law, plus a good bibliography. All the individual chapters are found listed under the "Articles on the Natural Law" section.

Curran, Charles E., and McCormick, Richard A., S.J., eds. *Readings in Moral Theology, No. 7: Natural Law and Theology*. Mahwah: Paulist Press, 1991.

Anthology of tradition and recent literature on the topic. The 4 articles (Fuchs, Hughes, Hauerwas, and Schüller) in Part One treat revelation and natural law; Part Two contains Thomas' Question 94 of the *Summa Theologiae* and articles by Maritain, Terence Kennedy, Ralph McInerney, plus a response to the latter by Finnis and Grisez; Part Three deals with contemporary reflections on the natural law, and includes articles by Curran and McCormick, plus John Courtney Murray, John Macquarrie, Michael Crowe, William E. May, Richard Gula, Franz Böckle and John Mahoney.

Curran, Charles E. *Moral Theology: A Continuing Journey*. Notre Dame: University of Notre Dame Press, 1982.

Volume of previously published essays, many of which treat of Curran's critique of the classical Catholic natural law tradition.

Reviewed by Lisa Sowle Cahill in *Journal of Religion* 64 (1984): 403-404.

_____. "Strand Three: Natural Law." Ch. 3 in Id. *The Development of Moral Theology: Five Strands*, 73-147. Washington, D.C.: Georgetown University Press, 2013.

Delhay, Philippe. *Permanence du Droit Naturel*. 2nd ed. Louvain et Lille: Editions Nauwelaerts, 1960.

Demmer, Klaus, M.S.C. *Deuten und handeln: Grundlagen und Grundfragen der Fundamentalmoral*. Studien zur theologischen Ethik, no. 15. Freiburg: Verlag Herder, 1985.

Traduzione italiana di Mauro Pedrazzoli: Interpretare e agire. Fondamenti della morale cristiana. Cinisello Balsamo: Edizioni Paoline, 1989.

Di Blasi, Fulvio. *God and the Natural Law: A Rereading of Thomas Aquinas*. Translated by David Thunder. Foreword by Ralph McInerny; Preface by Mario A. Cattaneo. South Bend IN: St. Augustine's Press, 2001.

Evans, Illtud, O.P., ed. *Light on Natural Law*. Baltimore: Helicon Press, 1965; and London: Burns and Oates, 1967.

Finnis, John, ed. *Natural Law*. 2 vols. The International Library of Essays in Law and Legal Theory, Schools 1.1 and 1.2. Aldershot et. al.: Dartmouth, 1991.

Collection of several articles on various aspects of natural law and legal theory, though mostly within the Grisez-Finnis school of thought.

Finnis, John. *Natural Law and Natural Rights*. Clarendon Law Series. Oxford: Clarendon Press, 1980.

Forte, David F., ed. *Natural Law and Contemporary Public Policy*. Washington, D.C.: Georgetown University Press, 1998.

Focus on philosophy, political science and legal theory.

Fuchs, Josef, S.J. *Lex naturae. Zur Theologie des Naturrechts*. Düsseldorf, 1955.

In English: Natural Law: A Theological Investigation. Translated by Helmut Reckter, S.J. and John A. Dowling. Dublin: Gill and Son, 1965.

En français: La droit naturel, essai théologique. Paris: Tournai, 1960.

George, Robert P., and Wolfe, Christopher, eds. *Natural Law and Public Reason*. Washington D.C.: Georgetown University Press, 2000.

Contributions by John Finnis, Robert George, Stephen Macedo, Patrick Neal, Jeffrey Reiman, Paul Weithman, and Christopher Wolfe.

George, Robert P., ed. *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez*. With a Response by Germain Grisez and Joseph Boyle, Jr. Washington, D.C.: Georgetown University Press, 1998.

George, Robert P., ed. *Natural Law Theory: Contemporary Essays*. Oxford: Oxford University Press, 1992.

12 original essays by leading natural law theorists and their critics, including Hadley Arkes, Joseph M. Boyle, Jr., John Finnis, Robert P. George, Russell Hittinger, Neil McCormick, Michael Moore, Jeffrey Stout, Joseph Raz, Jeremy Waldron, Lloyd Weinreb, and Ernest Weinreb.

George, Robert P. *In Defense of Natural Law*. Oxford: Clarendon, 1999.

Reviewed by Edward Vacek, S.J. in *Theological Studies* 61 (December 2000): 794.

Gómez-Lobo, Alfonso. With John Keown. *Bioethics and the Human Goods: An Introduction to Natural Law Bioethics*. Washington, D.C.: Georgetown University Press, 2015.

From the promotional advertisement: Bioethics and the Human Goods offers a clear, short, and expert introduction to bioethics from a “natural law” perspective, a philosophical tradition which traces its origins to classical antiquity and is currently enjoying an exciting renaissance. With its emphasis on human goods—such as life, health, friendship, and knowledge—and the wrongness of intentionally turning against them, the book provides a valuable approach to controversial bioethical questions at the beginning and end of life. Its approach contrasts with that of the dominant bioethical theories of utilitarianism and principlism. The book includes as appendices personal statements by Alfonso Gómez-Lobo on the status of the human embryo and on the definition and determination of death.

Gómez-Lobo, Alfonso. *Morality and the Human Good: An Introduction to Natural Law Ethics*. Washington, D.C.: Georgetown University Press, 2002.

Introductory text which links morality to the protection of basic human goods: life, family, friendship, work and play, the experience of beauty, knowledge, and integrity. Discussion conducted in reference to an overview of Western philosophy from Plato onwards and makes an application to a discussion of abortion and euthanasia.

The author was Ryan Professor of Metaphysics and Moral Philosophy at Georgetown University. He died in 2011.

Goyette, John, Mark S. Latkovic, and Richard S. Myers, eds. *St. Thomas Aquinas and the Natural Law Tradition: Contemporary Perspectives*. Washington, D.C.: Catholic University of America Press, 2004.

Grabill, Stephen J. *Rediscovering the Natural Law in Reformed Theological Ethics*. Grand Rapids: Eerdmans, 2006.

Grisez, Germain G. *Contraception and the Natural Law*. Milwaukee: The Bruce Publishing Co., 1964.

Grisez's thesis is that "For one who engages in sexual intercourse directly to will any positive deed by which conception is thought to be prevented, or even rendered less probable, is intrinsically and seriously immoral" (p. 12).

Gula, Richard M., S.S. *Reason Informed by Faith: Foundations of Catholic Morality*. New York: Paulist Press, 1989.

See especially Chapter 15, "The Natural Law in Tradition," pp. 220-230; and Chapter 16, "Natural Law Today," pp. 231-249. This later chapter is also contained in *Readings in Moral Theology, No. 7: Natural Law and Theology*, 369-391. Edited by Charles E. Curran and Richard A. McCormick, S.J. Mahwah: Paulist Press, 1991.

Haag, Erich. *Die Entwicklung der neueren katholischen Naturrechtslehre*. Zürich: Juris-Verlag, 1962.

Hale, Sir Matthew. *Of the Law of Nature*. Sources in Early Modern Economics, Ethics, and Law. Edited and with an Introduction by David S. Sytsma. Grand Rapids: CLP Academic, 2015.

From the promotional blurb: Likely written as part of Hale's personal devotions, this treatise engages the concept of law in general, expounds the origin and discovery of the natural law, and relates the natural law to both biblical and human law. Sytsma's Introduction places Hale and his treatise in historical context and in relation to other intellectual giants of Hale's day, including John Selden, Francisco Suárez, and Hugo Grotius. This critical edition meticulously establishes the authoritative text through comparison of extant manuscript copies, and it includes explanatory notes that illumine Hale's terminology and sources.

Sir Matthew Hale (1609–1676) was one of the jurists of the British common law tradition. His legal treatises, including the posthumously published *Historia placitum coronae* and *History of the Common Law of England*, influenced two centuries of legal scholarship, and several religious treatises treat scholastic theology. In 1671 Hale was appointed Chief Justice of the King's Bench.

Hall, Pamela M. *Narrative and the Natural Law: An Interpretation of Thomistic Ethics*. Notre Dame IN: University of Notre Dame Press, 1994.

The author claims that natural law is known narratively, meaning that natural law is

discovered, "progressively over time and through a process of reasoning engaged by the material of experience." Thus, we learn the natural law not by deduction, but narratively as we search for what the good is for us, both individually and communally.

Hamel, Eduoard, S.J. *Loi naturelle et loi du Christ*. Studia Recherches de Philosophie et de Théologie, 17. Bruges: Desclee de Brouwer, 1964.

Hanigan, James P. *As I Have Loved You: The Challenge of Christian Ethics*. New York: Paulist Press, 1986.

This is essentially an undergraduate textbook on fundamental moral theology. Chapter 8, pp. 166-189, deals with the natural law, both in the context of Scripture and philosophy. Hanigan includes both study questions and supplementary annotated bibliography at the end of each chapter.

Heimbach-Steins, Mariane, Hrsg. *Naturrecht im ethischen Diskurs*. Schriften des Instituts für christliche Sozialwissenschaften, 21. Münster: Aschendorff, 1990.

Zur Frage nach der Tauglichkeit des Naturrechts als Argumentationsgrundlage und Bereufungsinstanz für eine theologische Ethik. Bedeutsame Stoßrichtungen der Naturrechtsdiskussion in der gegenwärtigen katholischen Moralthologie und Sozialethik werden in ihren Ansätzen und Voraussetzungen exemplarisch dargestellt und miteinander ins Gespräch gebracht. Zentrale Elemente der Tradition werden dabei deutend vergegenwärtigt und konkret problembezogen mit den aktuellen Herausforderungen theologischer Ethik konfrontiert.

Mit Beiträgen von Ludger Honnefelder, Bernhard Irrgang, Werner Kroh, Karl-Wilhelm Merks und Guido Vagedes.

Herr, Theodor. *Naturrecht aus der kritischen Sicht des Neuen Testaments*. Abhandlungen zur Sozialethik, Band 11. Paderborn--München--Wien, 1976.

_____. *Zur Frage nach dem Naturrecht im deutschen Protestantismus der Gegenwart*. Abhandlungen zur Sozialethik, Band 4. München--Paderborn--Wien: Verlag Ferdinand Schöningh, 1972.

Hervada, Javier. *Introducción crítica al derecho natural*. 4a ed. corregida. Pamplona: Ed. Universidad de Navarra, 1986.

En français: Introduction critique au droit naturel. Bordeaux: Editions Bière, 1991.

Hittinger, Russell. *A Critique of the New Natural Law Theory*. Notre Dame: University of Notre Dame Press, 1987.

Critique of the natural law theories of Germain Grisez and John Finnis.

Negatively reviewed (!) by Willaim E. May in *Linacre Quarterly* 55 (November, 1988): 85-87.

_____. *The First Grace: Rediscovering the Natural Law in a Post-Christian World*. Wilmington DE: ISI Books, 2003.

Jensen, Steven. *Knowing the Natural Law. From Precepts and Inclinations to Driving Oughts*. Washington, D.C.: Catholic University of America Press, 2015.

Argues that Thomism allows one to side-step the naturalistic fallacy and in fact move

from “is-statements” to “ought-statements.” Also critiques, to a limited extent the New Natural Law theorists. Reviewed by James T. Bretzke, S.J. in *Catholic Books Review: An Online Journal* <http://catholicbooksreview.org/2016/jensen.html> (Posted January 26, 2016).

Jensen is associate professor of philosophy at the University of St. Thomas in Houston.

Kainz, Howard. *Natural Law: A Reevaluation*. Peru IL: Open Court, 2004.

From the promotional blurb: According to natural law theory, there exists an objective law of morality based in the nature of human society or human nature. Thus, natural law is inherently true, not a product of a mutable or subjective viewpoint. This book probes the history and implications of natural law and surveys the ideas of thinkers such as Aristotle, Thomas Aquinas, and Immanuel Kant. The author analyzes the development of natural law from ancient times to the present. In addition, he discusses pressing moral issues (abortion, homosexuality, assisted suicide, and more) in light of natural law theory.

At the time of publication Kainz was a professor of philosophy at Marquette University.

Kelly, David F. *The Emergence of Roman Catholic Medical Ethics in North America*. New York: The Edwin Mellen Press, 1979.

Kelly traces the physicalist interpretation of the natural law through Catholic medical ethics in North America.

Laing, Jacqueline A., and Russell Wilcox, eds. *The Natural Law Reader*. Oxford: Wiley-Blackwell, 2014.

Reviewed by Samuel Burke, O.P. in *New Blackfriars* 96 (May 2015): 375-376, and which can be found at http://onlinelibrary.wiley.com/doi/10.1111/nbfr.12129_8/epdf (accessed April 10, 2015).

Adapted from Burke's review: Section One traces the historical development of the natural law tradition through texts from Heraclitus to Hugo Grotius, from Plato to Pinckaers. Section Two gives a survey of contemporary Natural Law including Elizabeth Anscombe, Philippa Foot, and Alasdair MacIntyre. The New Natural Law Theory is rather briefly presented though critics such as Russell Hittinger and Henry Veatch are referenced but whose works themselves are not included, and so all that remains is a critique of their critiques by Robert George. Martin Luther King Jr's famous 'Letter from the Birmingham City Jail' does make the cut. Section Three turns to an application of the natural law in the fields of the family, medical ethics, new biotechnologies, and human rights.

Levada, William . *Infallible Church Magisterium and the Natural Law*. Excerpta ex dissertatione ad Doctoratum in Facultate Theologiae Pontificiae Universitatis Gregorianaee. Rome: Pontifical Gregorian Press, 1971.

Dissertation done under Francis Sullivan, S.J.

Levada went on to become on 22 September 1986, as archbishop of Portland, OR, and archbishop of San Francisco in 1996, and then in 2005 was appointed Prefect of the Congregation for the Doctrine of the Faith by Pope Benedict XVI where he served until his retirement.

Levering, Matthew. *Biblical Natural Law: A Theocentric and Teleological Approach*. New York: Oxford University Press, 2008.

Critical of modernist conceptions of the natural law the author tries to establish an approach to moral theology which brings together a conversation in which both Scripture and the natural law can enrich one another. The author discusses Thomas Aquinas as

well as contemporary moral theologians such as Martin Rhonheimer, Servais Pinckaers and Graham McAleer.

Reviewed by Glenn B. Siniscalchi in *Theological Studies* 72 (June 2011): 442-443.

Liska, Anthony J. *Aquinas's Theory of Natural Law: An Analytical Reconstruction*. Oxford: Oxford University Press, 1996.

The author discusses the Aristotelian elements of Aquinas's natural law theory and reinterprets contemporary legal issues which hark back to Aquinas.

Maritain, Jacques. *Neuf leçons sur les notions premières de la philosophie morale*. Paris: Técqui, 1951.

Massa, Mark, S.J. *The Structure of Theological Revolutions: How the Fight Over Birth Control Transformed American Catholicism*. Oxford: Oxford University Press, 2018.

From the publisher's overview: Applies Thomas Kuhn's *The Structure of Scientific Revolutions* to the Catholic theology and argues that Pope Paul VI's encyclical *Humanae Vitae* caused a paradigm shift in American Catholic thought. Questions the theological foundations of Catholic teachings on sexuality, birth control, gay marriage and abortion.

From the publisher's blurb: On July 29, 1968, Pope Paul VI ended years of discussion and study by Catholic theologians and bishops by issuing an encyclical on human sexuality and birth control entitled *Humanae Vitae*: "On Human Life." That document, which declared that "each and every marriage act must remain open to the transmission of life," led to widespread dissent and division within the Church, particularly in the United States. The divide that *Humanae Vitae* opened up is still with us today. Massa argues that American Catholics did not simply ignore and dissent from the encyclical's teachings on

birth control, but that they also began to question the entire system of natural law theology that had undergirded Catholic thought since the days of Aquinas. Natural law is central to Catholic theology, as some of its most important teachings on issues such as birth control, marriage, and abortion rest on natural law arguments. Drawing inspiration from Thomas Kuhn's classic work *The Structure of Scientific Revolutions*, Massa argues that *Humanae Vitae* caused a paradigm shift in American Catholic thought, one that has had far-reaching repercussions.

Massa is professor of historical theology at Boston College and Director of its Boisi Center on Religion and the Public Life.

Mayer-Maly, D. and Simons, P. *Naturrechtsdenken heute und morgen*. Berlin, 1983.

Papers from the Symposium "Das Naturrechtsdenken heute und morgen" held at Salzburg, 5-8 October 1982. Contains an essay by Josef Fuchs, S.J. which is published in English as "Faith, Ethics and Law" Chapter 8 in Fuchs' *Christian Ethics in a Secular Arena*, 114-127. Translated by Bernard Hoose and Brian McNeil. Washington, D.C.: Georgetown University Press, and Dublin: Gill and Macmillan, 1984.

McLean, Edward B., ed. *Common Truths: New Perspectives on Natural Law*. Goodrich Lecture Series. Wilmington DE: ISI Books, 2000.

15 essays on the knowability of the natural law, the natural law in Greece, Rome, Aquinas, Locke, modern writers, natural law and dignity, positive law, natural rights, sexual ethics, and natural law and civil and criminal law.

McMahon, Kevin A. "On the Authority of the Magisterium to Teach Natural Law: A Comparison of the Thought of Thomas Aquinas and Josef Fuchs." PhD Thesis from Marquette University. Ann Arbor MI: University Microfilms, 1985.

Mobbs, Frank. *Beyond Its Authority: The Magisterium and Matters of Natural Law*. Sydney:

E.J. Dwyer, 1997.

Mobb's basic thesis is that inasmuch as the natural law is not part of revelation the authority of the Magisterium does not extend to authoritative pronouncements on the natural law.

Very negatively reviewed by Joseph Selling in the latter's article "Magisterial Authority and the Natural Law," *Doctrine and Life* 47 (August 1997): 334-342.

Murtagh, James. *Intrinsic Evil: An Examination of This Concept and Its Place in Current Discussions on Absolute Moral Norms*. Excerpta ex dissertatione ad Doctoratum in Facultate Theologiae. Pontificae Universitatis Gregorianae. Roma, 1973.

Nelson, Daniel Mark. *The Priority of Prudence: Virtue and Natural Law in Thomas Aquinas and the Implications for Modern Ethics*. University Park: Pennsylvania State University Press, 1992.

Argues that Thomas holds that prudence and the virtues have priority over natural law in moral understanding and decision-making. This is a revision of Nelson's doctoral dissertation done under Jeffrey Stout at Princeton.

Nelson is dean of upperclass students at Dartmouth College.

Novak, David. *Natural Law in Judaism*. New York: Cambridge University Press, 1998.

Argues that the natural law is part of Judaism and consistent with both its tradition and the biblical revelation of the Torah, and continues to be valuable today for conveying Judaism's meaning for life.

O'Connell, Timothy E. *Principles for a Catholic Morality*. Minneapolis: The Seabury Press, 1976, 1978. Revised edition. San Francisco: Harper and Row, 1990.

This is a revised version of O'Connell's 1976 work of the same name. Overall it is a quite successful attempt to offer a textbook in moral theology for seminarians which could replace the old moral manuals, without falling into the legalistic approach which characterized that genre. See especially Chapters 12-18.

Outka, Gene H. and Ramsey, Paul, eds. *Norm and Context in Christian Ethics*. London: SCM Press, 1968.

Quite a good collection of articles by Protestant and Roman Catholic ethicists covering a number of topics related to the notion of moral norms, and including an entire section devoted to a re-assessment of the natural law tradition.

Peschke, Karlheinz. *Naturrecht in der Kontroverse. Kritik evangelischer Theologie an der katholischen Lehre in Naturrecht und natürlicher Sittlichkeit*. Salzburg: Otto Müller, 1967.

Piderit, John, J., S.J. *Sexual Morality: A Natural Law Approach to Intimate Relationships*. New York: Oxford University Press, 2012.

Is conceived as a text for education of Catholic youth written from a quite conservative “traditionalist” perspective common before Vatican II, but “updated” by treating newer moral problems and “sins” such as sex outside of marriage, contraception, same-sex orientation, drugs, etc.

Piderit’s academic credentials are in economics, and he served as president of Loyola University in Chicago. Currently he is moderator of the curia and vicar for clergy in the

Archdiocese of San Francisco. More on Piderit can be found at <http://www.sfarchdiocese.org/home/archdiocese/vicarforadministration/FrPideritSJ> (accessed April 18, 2015).

Critically reviewed by Sain Chandy Vadakkan in *The Journal of Theological Studies* (2013) available online at <http://jts.oxfordjournals.org/content/early/2013/09/03/jts.ftl163.full.pdf> (accessed April 18, 2015)

Porter, Jean. *Ministers of the Law: The Natural Law Theory and Legal Authority*. Grand Rapids: Eerdmans, 2010.

Porter did her doctoral studies at Yale and currently is professor of theology at the University of Notre Dame.

_____. *Moral Action and Christian Ethics*. New Studies in Christian Ethics. Cambridge: Cambridge University Press, 1995.

Considers a Thomistic theory of moral action and treats this in the light of virtue theory.

_____. *Natural and Divine Law: Reclaiming the Tradition for Christian Ethics*. Grand Rapids: Eerdmans, 1999.

Reviewed by James T. Bretzke, S.J. in *Zygon*, by Susan Parsons in *New Blackfriars* 81 (July/August 2000):350-353; by James Keenan in *Theological Studies* 61 (December 2000): 777-779; and by Cristina L.H. Traina in *Religious Studies Review* 26 (October 2000): 365.

_____. *Nature as Reason: A Thomistic Theory of the Natural Law*. Grand Rapids: Eerdmans, 2005.

Sets out a theological account of the natural law, with starting points from medieval natural law theorists (especially Thomas Aquinas), and developing this in light of contemporary concerns and perspectives.

Rhonheimer, Martin. *Natur als Grundlage der Moral. Die personale Struktur des Naturgesetzes bei Thomas von Aquin: eine Auseinandersetzung mit autonomer und theologischer Ethik*. Innsbruck: Tyrolia, 1987.

English Translation: *Natural Law and Practical Reason: A Thomist View of Moral Autonomy*. Translated by Gerald Malsbary. *Moral Philosophy and Theology*, 1. New York: Fordham University Press, 2000.

Rice, C. *50 Questions on the Natural Law*. San Francisco: Ignatius Press, 1993.

Riley, Lawrence J. *The History, Nature and Use of Epikeia in Moral Theology*. The Catholic University of American Studies in Sacred Theology, 2nd Series, 17. Washington, D.C.: Catholic University of America Press, 1948.

Schockenhoff, Eberhard. *Natural Law and Human Dignity: Universal Ethics in an Historical World*. Washington, D.C.: Catholic University of America Press, 2003. German original: *Naturrecht und Menschenwürde: Universale Ethik in einer geschichtlichen Welt*. Mainz: 1996.

Schüller, Bruno, S.J. *Der menschliche Mensch. Aufsätze zur Metaethik und zur Sprache der Moral*. Düsseldorf: Patmos Verlag, 1982.

Traduzione italiana: L'uomo veramente uomo. La dimensione teologica dell'etica nella dimensione etica dell'uomo. Collectio-Etica, 3. A cura di S. Privitera. Palermo: Edi Ofes, 1987.

Traduzione di due libri di Schüller: *Die Begründung sitlicher Urteile. Typen ethischer Argumentation in der Moraltheologie*, (Düsseldorf: Patmos Verlag, 1980), e *Der menschliche Mensch. Aufsätze zur Metaethik und zur Sprache der Moral*, (Düsseldorf: Patmos Verlag, 1982).

In English: The Wholly Human: Essays on the Theory and Language of Morality. Washington, D.C.: Georgetown University Press, 1985.

Collection of several essays, many previously published elsewhere in German and/or English.

Scola, S. *La fondazione teologica della legge naturale nello "Scriptum super Sententis" di san Tommaso d'Aquino.* Freiburg: Freiburg University Press, 1982.

Elaborates a theological foundation of the natural law on the "imago Dei" concept as employed by Thomas.

Seriaux, A. *Le Droit Naturel.* Paris: Presses Universitaires de France, 1993.

Simon, Yves R. *The Tradition of Natural Law: A Philosopher's Reflections.* Edited by Vukan Kuic. Introduction by Russell Hittinger. New York: Fordham University Press, 1992.

New edition of Simon's 1965 study on natural law, which in turn were originally presented as a series of lectures at the University of Chicago given in 1958.

Reviewed by Thomas A. Fay in *American Catholic Philosophical Quarterly* 66 (1992): 517-520.

Spurrier, William Atwell. *Natural Law and the Ethics of Love: A New Synthesis*. Philadelphia: Westminster Press, 1974.

Syse, Henrik. *Natural Law, Religion and Rights*. South Bend IN: St. Augustine's Press, 2001.

Looks primarily at the relationship between law and rights in Hobbes and Locke, though in the context of the larger tradition of natural law in Western philosophy.

Thomasma, David C. *Human Life in the Balance*. Louisville: Westminster/John Knox Press, 1990.

Centers on an important task for Roman Catholic natural law ethics: to affirm a universal community of moral discourse, while recognizing moral pluralism and the historicity of belief and practice.

Reviewed, rather negatively, by Lisa Sowle Cahill in *Theological Studies* 52 (1991): 765-767.

Tierney, Brian. *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law, 1150-1625*. Emory University Studies in Law and Religion, 5. Atlanta: Emory University Press, 1997.

Reviewed by Kenneth Pennington in *Emory Law Journal* 47 (Winter 1998): 93-105.

Tierney is the Bowmar Professor in Humanistic Studies, Emeritus, at Cornell University.

Traina, Cristina L.H. *Feminist Ethics and Natural Law: The End of the Anathemas*. Moral Traditions and Moral Arguments. Washington, D.C.: Georgetown University Press, 1999.

Reviewed by Patricia Beattie Jung in *Theological Studies* 61 (December 2000): 780-782.

Trigeaud, Jean-Marc. *Metaphysique et Ethique au Fondement du Droit*. Bordeaux: Editions Biere, 1995.

Usska, Anthony J. *Aquinas's Theory of Natural Law: An Analytic Reconstruction*. Oxford: Oxford University Press, 1996.

VanDrunen, David. *A Biblical Case for the Natural Law*. Grand Rapids: Eerdmans, 2006.

VanDrunen is the Robert B. Strimple Professor of Systematic Theology and Christian Ethics at Westminster Seminary, California.

_____. *Divine Covenants and Moral Order: A Biblical Theology of Natural Law*. Grand Rapids, MI: William B. Eerdmans, 2014.

Reviewed by Katharine J. Dell in *The Journal of Theological Studies* at <http://jts.oxfordjournals.org/content/early/2016/09/01/jts.flw090.full?papetoc> (accessed September 3, 2016)

From Dell's review: "Van Drunen calls for 'a theological-ethical exploration of natural

law that is grounded in the thorough exegesis of Scripture, set in the context of the larger biblical story of creation, fall, preservation, redemption and consummation, and developed upon a distinctively Protestant theological foundation' (p. 9), In good Reformed tradition he sees the biblical covenants as the main organizational principle for biblical theology. Unlike the Reformers, however, he places a particular focus on the covenant with Noah. He does not see that as a 'covenant of grace' (as those with Adam, Jesus, other Old Testament figures, and the New Testament church) but rather as a 'covenant of works', alongside other reflections on nature/creation/life in the biblical tradition. The Noachic covenant as a universal covenant links up with the natural order and human society. Therefore the contrast is not between covenantal and not, rather it is between different types of covenant. Whilst the original covenant was of creation, with Adam, after the Fall natural law was refracted through the covenant with Noah. The original goal of a 'new creation' was postponed into an ever more eschatological future, but the plan of salvation was enacted through Jesus Christ. VanDrunen explores how the natural law involves ethical obligations and their consequences—it is law not in the sense of rules but through general principles, nature, and the moral order. It is divinely revealed through the medium of wisdom. He adopts a canonical approach in that interpreting individual parts of Scripture needs to be done in the context of the whole.”

_____. *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought*. Grand Rapids: Eerdmans, 2010.

Vendemiati, Aldo. *La Legge Naturale Nella Summa Theologiae di San Tommaso d'Aquino*. Roma: Ed. Dehoniane, 1995.

Weinreb, Lloyd L. *Natural Law and Justice*. Cambridge: Harvard University Press, 1987.

Reviewed by G.J. Hughes in *The Heythrop Journal* 32 (1991): 99.

Wu, Ching-hsiung, John. *Fountain of Justice: A Study in the Natural Law*. New York: Sheed and Ward, 1955; London: Sheed and Ward, 1959.

