

**Enrique Colom**  
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**Bruce Williams**

Enrique Colom, professor of moral theology at the Pontifical University of the Holy Cross in Rome and co-author of the first volume (Fundamental Moral Theology) in the EDUSC series *Scelti in Cristo per essere santi*, offers in the present fourth volume a comprehensive, detailed and synthetic presentation of the social Magisterium of the Catholic Church. In much of its structure and argument it follows the pattern of the *Compendium of the Social Doctrine of the Catholic Church* (2004), although here the content is elaborated much more extensively.

The first two of its eight chapters are foundational, devoted respectively to the *sequela Christi* as it applies to life in society and to a survey (historical and thematic) of the documents of the social Magisterium. Chapter 3 treats of the family in its relation to the larger social whole, and chapter 4 expounds on labor (work) in its various dimensions. Chapters 4 through 7 then speak directly of the wider society under diverse aspects: cultural, political, economic, and the globalization factor.

Given that the over-all structure of the volume is thematic, discussions of the historical development of social teaching are necessarily subordinated to the articulation and explanation of church doctrine. Still there are several instances of admiral historical nuance to be found in the course of doctrinal exposition. Examples include: acknowledgment of developments within “socialism” between the papacies of Leo XIII and Pius XI, reflected in their respective social encyclicals (83); attention to the too-often-neglected magisterium of Pius XII on social questions (83-4); the progressive highlighting of international dimensions of the social question beginning with the encyclicals of John XXIII (84-5); the dramatic broadening of the discourse, from Vatican II onward increasingly directed to the wider world beyond the boundaries of Catholic faith communities (85-7); the newly forceful emphasis on human rights, solidarity, and political/economic freedom in the magisterium of John Paul II (88-93).

No less commendable is C’s balanced treatment of some modern issues in sociopolitical discourse. For instance, he expressly prefers the term “individualism” instead of “liberalism” in labeling social philosophies opposed to the Church’s outlook, since not all “liberalism” is radically individualistic and in some forms it might even converge with the Church’s central tenet of the inviolable dignity of the human person (67). Clearly he sees liberalism as a lesser error than collectivism precisely because it at least affirms human freedom – albeit without adequate anthropological foundation – whereas collectivism denies freedom in principle. C points to 20<sup>th</sup>-century totalitarianism as witness to his point here (69-70).

Likewise commendable is C’s exposition of the distinction between *secularity (laicità)* and *secularism (laicismo)* – the former an affirmation of healthy autonomy for the secular realm, the latter a negation of the legitimate presence of religion in the public square (70-72). Since the publication of this volume in January 2008, Pope Benedict XVI effectively highlighted this distinction by warmly praising the “positive secularity” of public life in the United States of America during his April visit there.

Naturally in a work of such vast scope, there are particular points where a reviewer is apt to have misgivings. Regarding the historical dimension of the discourse, first of all, C omits mention of several points that I think warrant some attention.

Item: the affirmation by Leo XIII of the right of resistance against unjust governments or laws is noted, along with a citation from Thomas Aquinas (250-251). But left unmentioned anywhere is the strongly negative assessment of resistance in Leo’s most celebrated encyclical, *Rerum novarum*. Nor are we ever told that both Paul VI and John Paul II, with all due caution and clear preference for collaborative dynamics whenever feasible, went beyond *Rerum novarum* in expressly defending the right of confrontational resistance to injustice. Item: Nowhere do we learn of the blanket

condemnation by Pius XI in *Divini Redemptoris* (1937) of any outreach to Communism – “no one who would save Christian civilization may cooperate with it in any undertaking whatsoever” – and its virtual retraction by John XXIII in *Pacem in terris* specifically in reference to disarmament negotiations. Item: The right of private property is admirably explained as a derivative of the universal destination of the goods of the earth (124-125), with due reference to unbroken Catholic tradition from the Church Fathers through the modern Magisterium. But unmentioned is the fact that *Rerum novarum* itself upholds this right also on the basis of the human person’s entitlement to the fruits of his own labor (n. 7, *fine*), an argument more reminiscent of John Locke than of Thomas Aquinas. The Lockean perspective reflected in this passage of *Rerum novarum* lends itself more readily to seeing private property as a natural human right, as Pope Leo held, and not merely, as Aquinas would have it, an element of the *ius gentium* (II-II, q. 57, a. 3) necessitated by the heritage of Original Sin (I, q. 98, a. 1 ad 3).

The mention of Locke here directs attention to a more serious gap. C’s account of the baneful influence of Social Contract philosophy refers to Thomas Hobbes and Jean Jacques Rousseau, but is altogether silent on John Locke (242). It can be shown easily enough that Hobbes and Rousseau began with contrary starting-points yet finally converged on the need for a totalitarian state. This is convenient for C’s thesis that the social contractarians’ program for securing freedom is self-defeating, but that line of argument becomes problematic when Locke is brought into the conversation. Although historians of political philosophy have often lumped Hobbes and Locke together as simply two varieties of the same basic outlook – seeing Locke as “Hobbes lite”, so to speak – more nuanced recent works have concluded that Locke’s vision is essentially diverse from the extremism of both Hobbes and Rousseau. Locke’s version of the social contract may also of course be seen as inadequate, particularly in its epistemological and anthropological underpinnings, but he was neither totalitarian nor secularist. Interestingly enough, it is specifically Locke’s vision, via his ardent American admirer Thomas Jefferson, that finds expression in the foundations of the United States as a republic committed to religious, political, and economic freedom – arguably the most successful experiment in “liberal” democracy yet known to the world.

One more significant problem in C’s discourse requires mention, i.e., his account of the doctrine of “human rights”. Distinguishing at the outset between the “subjective” and “objective” senses of “right” (*ius*), he identifies “subjective right” – “*il titolo che possiede una persona per operare in un determinato modo e/o per esigere dagli altri una certa condotta nei propri confronti*” (252) – as the sense that is relevant to the present discussion. Agreed; this is also the sense understood by people generally, including the modern Magisterium. What I find problematic is that the author then proceeds to define “objective right”, in a footnote, as “*l’ insieme dei precetti...che regolano la condotta e l’ organizzazione dei rapporti sociali*” (252 n. 79). This effectively reduces objective right to law, specifically the legislative enactments and authoritative customs of particular societies. Subjective rights (moral claims) are not founded on objective right (law), but they are or should be recognized and protected by appropriate laws.

Thomas Aquinas’ teaching, unmentioned by C in this discussion, presents a very different vision of *ius*. In line with the philosophical and political givens of his time, Thomas leaned decidedly toward objective *ius* as the primary sense of “right”. In the very opening article of his treatise on justice in the *Summa theologiae*, he proposes *ius* – clearly in its objective sense – as the defining object of that virtue (II-II, q. 57, a. 1). As the subsequent articles in that question show, Thomas does not shrink from the convergence of “right” thus understood with the notion of “law”; all right is rooted in some law, first of all divine and natural law which have force even if human law is deficient or corrupted. In sum, *pace* C, objective *ius* for Thomas is much vaster than an ensemble of human societal legislation or customs. It would also follow that subjective *ius* is based on objective *ius* – especially as it pertains to *ius naturale* – and not the other way around as C is forced to conclude by restricting objective *ius* to human enactments/customs (*ius positivum* for Thomas).

The confusion in this part of C’s account is unfortunate not only because it neglects the older tradition exemplified by Thomas Aquinas, but also because, owing to this neglect, it ultimately ends in an inadequate account of the development of the Church’s tradition on subjective rights. It is certainly true that the content of what the Church holds to be basic human subjective rights can be derived easily enough from the relevant texts of Thomas, though the language of “rights” in its

subjective meaning is not his primary language. The general consensus of medievalists is that, at the very least, Thomas did not have a developed theory of subjective human rights; arguably he never even asserted the existence of such rights. Nonetheless, recent studies indicate that the notion of subjective rights was already gaining currency among Thomas' contemporaries, especially canonists. Thomas could be plausibly supposed to have been aware of these currents, even if he did not use rights-language himself. In any case, the basic human rights (life, immunity from various kinds of coercion) are derivable easily enough from what Thomas does say about these issues, notwithstanding the absence of explicit rights-talk from his discourse about them.

The upshot of the preceding discussion is that the modern and contemporary insistence of the Church on (subjective) human rights is solidly based on tradition going back at least as far as the High Middle Ages. It is not, as some Christian believers think (cf. Alasdair MacIntyre, Stanley Hauerwas), a concession to "liberal" patterns of thought inherited from the Enlightenment. Also entailed here is a more nuanced and benign

assessment of the Enlightenment itself. Instead of seeing it in radical discontinuity with the Christian tradition, we could view it as a sort of Christian heresy – accentuating what had already been a Christian idea (human rights) even while often impoverishing it by exaggerated emphasis on individual freedom and obscuring its connection with the imperatives of the common good and the Godly roots of human dignity

The preceding paragraphs have suggested perspectives that could enhance C's otherwise masterful presentation of the Church's social Magisterium in terms of both its historical evolution and its systematic exposition. This review has necessarily been selective; much more could be written concerning the merits of C's book as well its problematic aspects, and even so, the last word would not be said – because here there is no "last word". The author himself, concluding his discussion of the Church and human rights, remarks: "*La Chiesa...ha arricchito, attraverso le vicissitudini e gli eventi storici, la propria concezione integrale dei diritti dell' uomo...*"(269). Clearly, he sees this enrichment via the encounter with history as a still-ongoing reality.