

Fides et ratio, the Western Medieval Synthesis and the Collapse of Secular Bioethics and Morality#

Fides et ratio, a Síntese Medieval Ocidental e o Colapso da Bioética Secular e da Moralidade

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I. WESTERN CHRISTIANITY: A FAITH IN REASON

There is a crisis at the roots and in the substance of secular morality and bioethics. This crisis is a function of excessive, indeed false expectations regarding metaphysics and moral philosophy, as well as a loss of a God's-eye perspective. Unwarranted philosophical expectations grounded in the philosophical synthesis that shaped the emergence of Western Christianity at the beginning of the second millennium produced a metaphysics that promised to prove the existence of God and to justify a canonical moral philosophy. The contemporary West inherited an unfounded faith that reason could supply what faith had previously warranted. Among other things, this peculiarly Western European project of moral philosophy promised a rationally warranted account of morality that would provide a canonical moral *lingua franca*, a moral discourse accessible to all. This has failed. As a consequence, state power has been invoked to substitute for the power of reason and/or a canonical morality.

Among post-Christian Western Europeans, the expectation persisted that there is one content-full canonical morality, and that it can be warranted through sound rational argument. Such expectations regarding the possibility of a

rationally justifiable secular canonical morality, which were defended by philosophers such as Immanuel Kant (1724-1804), Jeremy Bentham (1748-1832), and John Stuart Mill (1806-1873), are expressions of this faith. As we have seen, this ethnically particular faith began to collapse in the 19th century as the inadequacies of its grounding assumptions became clear, so that by the end of the 20th century many appreciated that this faith lacked an adequate basis. The difficulty for a purported canonical secular morality, or for that matter for a purported canonical bioethics, is that it has now become clear that there is an intractable plurality of moral rationalities. The presence of intractable moral pluralism is a challenge to both secular morality and the Western Christian morality that grew out of Roman Catholicism. In order to put this state of affairs into context, one must appreciate that the original Christianity did not have such a faith in moral philosophy. It was not committed to the view that sound rational argument can establish a canonical morality. Nor did it seek to substitute state power for the power of reason, although it did anoint the Christian state.

II. KNOWING GOD VERSUS KNOWING ABOUT GOD: THE ENCOUNTER WITH TRANSCENDENCE

Christianity did not begin in the arms of philosophy. Christ did not walk through Palestine

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A partir desta edição, publicaremos uma seção especial, denominada "*Bioética no Mundo da Saúde*", criada para comportar trabalhos de grande relevância na área da Bioética e da Saúde. Para inaugurarmos a seção, escolhemos dar continuidade, a partir do quarto capítulo, à publicação da obra "After God: Morality and Bioethics in a Secular Age", do importante bioeticista Prof. Tristram Engelhardt, Jr, que gentilmente nos cedeu os direitos. Tal trabalho foi primeiramente apresentado na seção "artigos em séries", da revista *Bioethikos* em 2014;8(1):80-88. This chapter has been developed from a lecture, "The Deflation of Morality: Rethinking the Secularization of the West", given originally at the University of Salento, Lecce, Italy, on 1 February 2012. Distantly ancestral versions of some of the material in this chapter were also given as lectures: "Religion, Politics, and the State: Rethinking Morality in Modern Secularized Societies," Politeia, University of Milan, January 30, 2012, and "Religion, Politics, and the State in Modern Secularized Societies," Comune di Napoli, February 6, 2012.

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preaching natural law. The early Church was not a philosophical seminar. The Apostles did not embrace the bond of *fides et ratio*, faith and reason. The Christianity of the first half-millennium marginalized pagan Greek philosophical faith in reason. This Christianity turned to Jerusalem, not to Athens. Although this Church took terms and distinctions from pagan Greek philosophers, it did not ground its theology in their philosophy. Quite to the contrary, as Tertullian records, this Church maintained a critical distance from and suspicion of philosophy.

Writing to the Colossians, he [St. Paul] says, “See that no one beguile you through philosophy and vain deceit, after the tradition of men, and contrary to the wisdom of the Holy Ghost” [Col 2:8]. He had been at Athens, and had in his interviews (with its philosophers) become acquainted with that human wisdom which pretends to know the truth, whilst it only corrupts it, and is itself divided into its own manifold heresies, by the variety of its mutually repugnant sects. What indeed has Athens to do with Jerusalem? What concord is there between the Academy and the Church? what between heretics and Christians? Our instruction comes from “the porch of Solomon” [Acts 3:5] who had himself taught that “the Lord should be sought in simplicity of heart” [Wisdom 1:1]. Away with all attempts to produce a mottled Christianity of Stoic, Platonic, and dialectic composition! We want no curious disputation after enjoying the gospel! With our faith, we desire no further belief. For this is our palmary faith, that there is nothing which we ought to believe besides (Tertullian 1994, “On Prescription Against Heretics” VII, p. 246).

In the same spirit, St. John Chrysostom (ca. 347-407) made his famous remark regarding the Greek pagan philosophers.

[Christians are] Not like Plato, who composed that ridiculous Republic, or Zeno, or if there be any one else that hath written a polity, or hath

framed laws. For indeed, touching all these, it hath been made manifest by themselves, that an evil spirit, and some cruel demon at war with our race, a foe to modesty, and an enemy to good order, oversetting all things, hath made his voice be heard in their soul (Chrysostom 1994, “Homily I on the Gospel of St. Matthew” 10, p. 5).

The Christians of the first centuries lived in a canonical morality grounded not in philosophy but in an experience of the living God Who commands.

This moral epistemology of Christianity is reflected in the way in which the Church of the first centuries understood the first and second chapters of St. Paul’s Letter to the Romans. St. John Chrysostom recognized that St. Paul in the second chapter of Romans was not embracing the moral epistemology that lies at the roots of much Greek moral philosophy and that as a consequence lies at the basis of much of secular bioethics, as well as of Roman Catholic natural-law theory. Western Christian moral epistemology, which developed in the second millennium, among other things held that, even apart from an at least minimally religiously rightly-ordered life, one could by natural reason reliably discern between right and wrong actions. The Christians of the West by the early second millennium no longer engaged in serious ascetical discipline, including strenuous fasting and all-night vigils, as a necessary condition for moral theology or theology in general, so that moral theology became primarily an intellectual and academic, rather than a liturgical and ascetic undertaking. An epiphany of this change is the morbidly obese Thomas Aquinas. Given the Fall, natural reason, as the early Church appreciated, is a fallen reason. It is not philosophical rationality, but a noetic knowing, a knowing that can only be engaged when one is free from the domination of the passions so that it becomes possible, through an ascetical-liturgical life, for one to do theology, to know God.¹

1. In Orthodox Christianity, the ascetic life is recognized as a necessary condition for doing theology in the strict sense. In describing the journey towards union with God, the journey of theology, Metropolitan Hierotheos states: “The stage of illumination constitutes the first dispassion. A characteristic trait of this level is the knowledge of beings; the ‘theoria’ of the causes of beings and the participation in the Holy Spirit. The benefits of illumination are the purification of nous by the divine grace, which consumes the heart like fire; the noetic revelation of the ‘eye of the heart’ and the birth of the Word within the nous, expressed in noble sense. In other words, in this state man acquires knowledge of God and unceasing noetic prayer. Moreover, man comes to know things human and divine and experiences the revelation of the mysteries of the kingdom of Heaven” (Hierotheos 1994, p. 50).

St. John Chrysostom saw that in the first chapter of St. Paul's letter to the Romans St. Paul was underscoring that, if one's life is distorted by false worship, if one worships the creature rather than the Creator, one will perceive wrongly the norms that should guide conduct.² In addition, one will be beset by misguiding passions, further distorting one's life.³ There will be a cascade of perversions. The works of the law in one's heart (*to ergon tou nomou*) will not be distorted only if one lives a morally and liturgically rightly-ordered life. Only then will one's knowing not be misguided. Given one's nature as a being called to be a god by grace (St. Athanasius, "De incarnatione verbi dei" 54.3), one can by this nature begin to know what one ought to do, but only through right worship and right action, which maintains the rightly ordered character of that nature, for we are beings that by nature are called to worship God and be united with Him. Again, this knowledge is achieved only insofar as one turns rightly to God. In commentary on chapter 2 of Romans⁴ St. John Chrysostom underscored:

But by Greeks he [St. Paul] here [Rom 2:12-16] means not them that worshipped idols, but them that adored God, that obeyed the law of nature, that strictly kept all things, save the Jewish observances, which contribute to piety, such as were Melchizedek and his, such as was Job, such as were the Ninevites, such as was Cornelius (Chrysostom 1994, Homily V on Romans, vol. 11, p. 363).

The Church of the first centuries did not expect that pagans could reliably embrace the equivalent of a Christian morality and bioethics. In particular, there was no view that secular moral philosophy could of itself bring one to the norms for right action, for "God made foolish the wisdom of this world" (I Cor 1:20).⁵ Among the many consequences of this state of affairs is that the early Church knew that there is no neutral moral-philosophical standpoint that can blunt the collision of traditional Christianity with non-Christian morality and the non-Christian bioethics of the contemporary post-Christian, indeed secular culture.

There is an important similarity between the position of the Christianity of the first millennium and the position embraced by Orthodox Jews. In particular, traditional Christians, along with Orthodox Jews, recognize a fully transcendent God Who commands, Who has been experienced and Who gives precedence to the holy over the good, to the personal over the universal. The God's-eye perspective of the early Church of Orthodox Christians is not a perspective that discloses general moral principles, universal ideas, or abstract norms, but one that reveals the perspective of the Persons of the Trinity. The God's-eye perspective of Orthodox Christians and Orthodox Jews is not that of an anonymous judge, but that of a personal Father Who turns to persons as persons. Unlike with Plato's universalist vision of justice, everything is personal.

2. As St. Paul emphasizes, if one worships, that is, if one worships the creature rather than the Creator, one's life will be distorted. "For this reason [worshipping the creature rather than the Creator] God gave them up to degrading passions. Their women exchanged natural intercourse for unnatural, and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another. Men committed shameless acts with men and received in their own persons the due penalty for their error. And since they did not see fit to acknowledge God, God gave them up to a debased mind and to things that should not be done" (Romans 1:26-28).

3. As St. Paul argues regarding those who did not worship the Creator: "for though they knew God, they did not honor Him as God or give thanks to Him, but they became futile in their thinking, and their senseless minds were darkened" (Romans 1:21).

4. The passage in Romans 2 about the law written in our hearts reads: "When gentiles, who do not possess the law, do instinctively what the law requires, these, though not having the law, are a law to themselves. They show that what the law requires is written on their hearts, to which their own conscience also bears witness; and their conflicting thoughts will accuse or perhaps excuse them" (Romans 2:14-15).

5. St. John Chrysostom, for example, underscores the noetic knowledge of a true theologian such as St. John the Evangelist. Regarding him, Chrysostom says: "For when a barbarian and untaught person utters things which no man on earth ever knew," this "affords another and a stronger proof that what he says is divinely inspired, namely, convincing all his hearers through all time; who will not wonder at the power that dwells in him?" (Chrysostom 1994, Homily II.4 on the Gospel according to St. John, vol. 14, p. 5). Chrysostom combines this account of St. John the Evangelist's noetic knowledge with a criticism of philosophy.

The human soul is simply unable thus to philosophize on that pure and blessed nature; on the powers that come next to it; on immortality and endless life; on the nature of mortal bodies which shall hereafter be immortal; on punishment and the judgment to come; on the enquiries that shall be as to deeds and words, as to thoughts and imaginations. It cannot tell what is man, what the world; what is man indeed, and what he who seems to be man, but is not; what is the nature of virtue, what of vice (Chrysostom 1994, Homily II.3, vol. 14, p. 5).

For example, God declares in Exodus, “I will be gracious to whom I will be gracious. I will have compassion on whomever I will have compassion” (Exodus 33:19). It is this perspective that allows King David, a murderer and adulterer but also the ancestor of Christ, to state: “Against Thee alone have I sinned and done evil in Thy sight” (Psalm 50). This paradigm places centrally an acknowledgement of the personal God Who commands, Who has mercy, and Who forgives, not an independent morality and the values that such a morality might affirm.

Because the root of Christian and Jewish moral norms is in God’s commandments, not independent values and/or views of the virtuous life, strictly speaking there are, for Orthodox Jews and traditional Christians, no Judeo-Christian values. That is, life is not to be oriented by reference to things or states affairs that have intrinsic value, apart from reference to God in terms of Whom desires and values must be oriented. Otherwise, one comes to love the creature (e.g., the values) independently of a proper orientation to the Creator, with the result that one has a distorted view of what one should value and desire. Unlike the discursive secular values that aspire to be a moral *lingua franca*, there are instead the laws given to the sons of Noah, which are different from the laws given to the Jews. God’s commandments, unlike values, create a personal relationship between the One Who commands, and the one who is commanded. By a command, God establishes a personal injunction as to how one should approach Him. Values in contrast can be dispassionately and impersonally contemplated. A command of God enters personally into one’s life.

In this important sense, Orthodox Christians and Jews do not have a morality. That is, morality is not an independent normative framework between God and man, which philosophers can define, shape, contemplate, and expound. Nor is morality a fabric of moral norms that would benefit from a critical philosophical re-assessment. There is instead a recognition of the God Who gave seven laws to the sons of Noah and 613 laws to the Jews. Of course, these different laws

have implications for what values one might appropriately affirm or reject, as well as what goods one should pursue. But as already argued, the norms for behavior embraced by Orthodox Jews and Orthodox Christians are not grounded in a moral-philosophical foundation, vision, or account of values, but rather in an encounter with a fully transcendent, incomprehensible, personal God. A very distant and imperfect analogy to point to this relationship with God is that of the black hole at the heart of our galaxy, around which all the galaxy’s stars revolve, but of which nothing is empirically known within its Schwarzschild horizon. The West entered the second millennium as the original Christian moral paradigm in the West was being transformed by a synthesis of Aristotelian, Platonic, Stoic, and Christian understandings of reality and morality. It was this shift in the meaning of behavioral norms and in the character of theology, not just the generation of new dogmas, that created Western Christianity. The second millennium in the West produced a radically new life-world.

III. THE CREATION OF WESTERN CHRISTIANITY

Already with Blessed Augustine of Hippo (A.D. 354-430), Western Christianity had begun to take on an identity of its own and to erect a new vision of Christianity. Augustine was widely influential in the West because he was the only one of the four Latin Fathers (with St. Jerome, St. Ambrose, and St. Gregory the Dialogist) who wrote extensive philosophical-theological works. Most importantly, he had a discursive philosophical sensibility, thus seeing things as a philosopher. Last but not least, the church of North Africa and Augustine spoke to a wide range of theological issues that shaped Western Christian views regarding (1) priestly celibacy, (2) the moral status of early abortion, (3) the nature of the Trinity, (4) the morality of lying, and (5) the meaning of free choice. As a result, under Augustine’s influence a new Christianity began to take shape.

A very particular feature of Western Christianity was priestly celibacy. Already at the First

Council of Nicaea in 325 there was a proposal that celibacy be imposed on all priests. Socrates Scholasticus gives the following record of the discussions at Nicea:

It seemed fit to the bishops to introduce a new law into the Church, that those who were in holy orders, I speak of bishops, presbyters, and deacons, should have no conjugal intercourse with the wives whom they had married while still laymen. Now when discussion on this matter was impending, Paphnutius having arisen in the midst of the assembly of bishops, earnestly entreated them not to impose so heavy a yoke on the ministers of religion: asserting that "marriage itself is honorable, and the bed undefiled"; urging before God that they ought not to injure the Church by too stringent restrictions. "For all men," said he, "cannot bear the practice of rigid continence; neither perhaps would the chastity of the wife of each be preserved": and he termed the intercourse of a man with his lawful wife chastity (Scholasticus 1994, p. 18).

Socrates Scholasticus' report is confirmed by Sozomen.⁶ Although the proposal of celibacy was rejected by Nicea I, the church of Carthage at a council in 418 or 419 in Canon IV forbade bishops, priests, and deacons from having sexual intercourse with their wives. "It is decided that Bishops, Presbyters, and Deacons, and all men who handle sacred articles, being guardians of sobriety, must abstain from women" (Nicodemus & Agapius 1983, p. 607). The priesthood was considered incompatible with marital sexuality, even though Canon LI of the 85 Apostolic Canons deposes any priest who does not marry, save for reasons of asceticism or health.⁷ In the West, however, the view was developing that the

priesthood was incompatible with the marriage bed, even though Christianity teaches that the marriage bed is undefiled (Heb 13:4).

The requirement of celibacy for priests by Christians in the West eventually prompted a condemnation from Constantinople. In particular, Canon XIII of the Quinisext Council (the Council in Trullo, 692) states:

Since we have learned that in the church of the Romans it is regarded as tantamount to a canon that ordinands to the diaconry or presbytery must solemnly promise to have no further intercourse with their wives. Continuing, however, in conformity with the ancient canon of apostolic rigorism and orderliness, we desire that henceforward the lawful marriage ties of sacred men become stronger, and we are nowise dissolving their intercourse with their wives, nor depriving them of their mutual relationship and companionship when properly maintained in due season, so that if anyone is found to be worthy to be ordained a Subdeacon, or a Deacon, or a Presbyter, let him nowise be prevented from being elevated to such a rank while cohabiting with a lawful wife. Nor must he be required at the time of ordination to refrain from lawful intercourse with his own wife, lest we be forced to be downright scornful of marriage, which was instituted by God and blessed by His presence, as attested by the unequivocal declaration of the Gospel utterance: "What therefore God hath joined together, let no man put asunder" (Matt 19:6); and the Apostle's teaching: "Marriage is honorable, and the bed is undefiled" (Heb 13:4), and: "Art thou bound unto a wife? Seek not to be free" (I Cor 7:27). ... If, therefore, anyone acting contrary to the Apostolic Canons require any person who is in sacred orders – any Presbyter, we

6. At the Council of Nicea (A.D. 325),

...Paphnutius, the confessor, stood up and testified against this proposition; he said that marriage was honorable and chaste, and that cohabitation with their own wives was chastity, and advised the Synod not to frame such a law, for it would be difficult to bear, and might serve as an occasion of incontinence to them and their wives; and he reminded them, that according to the ancient tradition of the church, those who were unmarried when they took part in the communion of sacred orders, were required to remain so, but that those who were married, were not to put away their wives. Such was the advice of Paphnutius, although he was himself unmarried, and in accordance with it, the Synod concurred in his counsel, enacted no law about it, but left the matter to the decision of individual judgment, and not to compulsion (Sozomen 1994, "The Ecclesiastical History" Chap. XXIII, vol. 2, p. 256).

7. Orthodox Christianity recognizes the goodness of marriage, indeed the goodness of things in this world such as meat and wine. "If any Bishop, or Presbyter, or Deacon, or anyone at all on the sacerdotal list abstains from marriage, or meat, or wine, not as a matter of mortification, but out of an abhorrence thereof, forgetting that all things are exceedingly good, and that God made man male and female, and blasphemously misrepresenting God's work of creation, either let him mend his ways or let him be deposed from office and expelled from the Church. Let a layman be treated similarly" (Nicodemus and Agapius 1983, Canon LI, pp. 91).

mean, or Deacon, or Subdeacon – to abstain from intercourse and association with his lawful wife, let him be deposed from office. Likewise, if any Presbyter or Deacon expel his own wife on the pretext of reverence, let him be excommunicated; and if he persist, let him be deposed from office (Nicodemus & Agapius 1983, pp. 305-6).

The Church of the Councils affirmed that marital sexuality is blessed by God, and that this blessing did not depart from the marriage bed of a priest and his wife. The imposition of priestly celibacy was recognized as against the Tradition and the canons.

The West, however, persisted in its condemnation of a married priesthood, a condemnation renewed by Popes Gregory VII (1073-1085), Urban III (1085-1087), and Pascal II (1099-1118), although until at least the 12th century and somewhat beyond priests continued to marry and live openly with their wives in the West, especially in outlying lands such as England. The result was a very unstable state of affairs for priests and their wives, marked by considerable persecution. For example,

The London council of 1102 had forbidden under heavy penalties the marriage of the clergy. ... But the king continued to make a financial matter of it and 'received large sums from the priests for licence to live as before.' ... It seems certain that a large number of the parish clergy and even the higher clergy openly continued their intercourse with women. [Given the opposition of Rome,] [t]he legislation [often] merely substituted an illicit for a legal relationship (Poole 1955, p. 183).

The parish priest ... was usually married, or at least 'kept a hearth-girl (focaria) in his house who kindled his fire but extinguished his virtue' and kept 'his miserable house cluttered up with small infants, cradles, midwives, and nurses' (Poole 1955, pp. 224–225).

Finally, in what Roman Catholics considered their Tenth Ecumenical Council, Lateran II (A.D. 1139), they proclaimed in its seventh canon:

Adhering to the path trod by our predecessors, the Roman pontiffs Gregory VII, Urban and Paschal, we prescribe that nobody is to hear the masses of those whom he knows to have wives or concubines. Indeed, that the law of continence and

the purity pleasing to God might be propagated among ecclesiastical persons and those in holy orders, we decree that where bishops, priests, deacons, subdeacons, canons regular, monks and professed lay brothers have presumed to take wives and so transgress this holy precept, they are to be separated from their partners. For we do not deem there to be a marriage which, it is agreed, has been contracted against ecclesiastical law. Furthermore, when they have separated from each other, let them do a penance commensurate with such outrageous behaviour (Tanner 1990, p. 198).

It is worth noting that the canon treats wives and concubines on a par. The requirements of celibacy have over the centuries caused mischief and, among other things, helped occasion the Reformation.

There were other moral points of conflict. The Church originally recognized, as Orthodoxy today still appreciates, abortion's categorical prohibition. Augustine accepted the prohibition but revised what should count as an abortion. Given Augustine's commitments to discursive reflection, he came to regard the Christian prohibition of abortion in terms of its involving the killing of a person. This led Augustine to hold that an early abortion was not the equivalent of murder, because the early embryo was not ensouled and therefore not a person ("Quaestio-num in Heptateuchum," ii, 80, *Patrologia Latina*, XXXIV, 626). Augustine thus contributed directly to the philosophical character of the Western Christian struggle with its appreciation of the Christian prohibition of abortion.

The prohibition of abortion exists from the very beginning of the Church. For example, the *Didache*, a work probably from the latter part of the first century, lists the following prohibitions:

Thou shalt do no murder; thou shalt not commit adultery; thou shalt not commit sodomy; thou shalt not commit fornication; thou shalt not steal; thou shalt not use magic; thou shalt not use philtres; thou shalt not procure abortion, nor commit infanticide; thou shalt not covet thy neighbour's goods; thou shalt not commit perjury, thou shalt not bear false witness; thou shalt not speak evil; thou shalt not bear malice. Thou shalt not be double-minded nor double-tongued, for to be

double-tongued is the snare of death. Thy speech shall not be false nor vain, but completed in action. Thou shalt not be covetous nor extortionate, nor a hypocrite, nor malignant, nor proud, thou shalt make no evil plan against thy neighbour. Thou shalt hate no man; but some thou shalt reprove, and for some shalt thou pray, and some thou shalt love more than thine own life (The Didache 1965, pp. 311, 313, II.2-7).⁸

The original prohibition was independent of any view of when ensoulment occurs. St. Basil the Great reaffirmed the Orthodox position regarding abortion as a *sui generis* prohibition when he stated: “She who has deliberately destroyed a fetus has to pay the penalty of murder. And there is no exact inquiry among us as to whether the fetus was formed or unformed” (St. Basil 1955, vol. 2, p. 12).⁹ This categorical prohibition of abortion accords with one of the laws given to the sons of Noah.¹⁰ However, the Western church recapitulated the distorting effect of philosophical reflections, as had occurred previously with the Alexandrian school of theology, which had also been dominated by philosophical concerns that nested Origen’s teaching

within speculations, leading to their condemnation. Roman Catholic moral-philosophical reflections regarding abortion focused Roman Catholic thought on the question of when the soul enters the embryo.

Given the influence of Aristotelian philosophy on Roman Catholicism, beginning in the 13th century, especially given Aristotle’s argument that the rational soul enters the body only after conception (40 days for males and 80-90 days for females [*De Generatione Animalium* 2.3.736a-b and *Historia Animalium* 7.3.583b]), Western theologians such as Thomas Aquinas held that early abortion was not the equivalent of the taking of a human life.¹¹ The consequence was that in Western canon law early abortion was not treated as murder¹² from 1234¹³ to the revision of canon law in 1917 that went into effect on 19 May 1918 (Denzinger 1965, p. 704), save for the period between 1588-1591 (Sixtus 1588). The underlying dogma supporting the recognition that early abortion is murder was once more in place for Roman Catholics as of at least 1854.¹⁴ The point is that Augustine took

8. Prohibitions against abortion and infanticide are recorded as well in “The Epistle of Barnabas,” a 2nd-century work. “Thou shalt not procure abortion, thou shalt not commit infanticide” (Barnabas 1965, p. 403, XIX.5).

9. The editor of the translation of St. Basil’s remarks notes: “By a ‘formed’ fetus is meant one in which the rational soul has already been infused; by an ‘unformed’ fetus is understood one in which the rational soul has not yet been infused. The distinction between the formed and the unformed fetus is recognized in Exodus 21:22-23 (LXX)” (St. Basil 1955, vol. 2, p. 12).

10. Orthodox Jews recognize a prohibition of abortion that applies to the Gentiles. The Jews knew that seven laws had been given to Noah and his sons. “Seven precedents were the sons of Noah commanded: social laws; to refrain from blasphemy; idolatry; adultery; bloodshed; robbery; and eating flesh cut from a living animal. R. Hanania b. Gamaliel said: Also not to partake of the blood drawn from a living animal (Sanhedrin 56^b). A Jewish court, giving a gloss on the prohibition against bloodshed, at the time of Christ held “[A son of Noah is executed] even for the murder of an embryo. What is R. Ishmael’s reason? – Because it is written, Whose sheddeth the blood of man within [another] man, shall his blood be shed. What is a man within another man? – An embryo in his mother’s womb” (Sanhedrin 57^b).

11. Thomas Aquinas’s arguments regarding the rational soul entering only some time after conception involve a restatement of Aristotle’s position. See *Summa Theologica* I, 118, art. 2, as well as II, 64, art. 8. See also Aquinas commenting on Aristotle’s *Politics* and Aristotle’s proposed use of abortion: Aquinas 1875a, vol. 26, p. 484, Book VII, Lectio XII. Aquinas also addressed this issue in his Commentary on the Sentences of Peter Lombard: Aquinas 1875b, vol. 11, p. 127.

12. For the history of the development in canon law of a distinction between the metaphysical and moral significance of early versus late abortion, see *Corpus Juris Canonici Emendatum et Notis Illustratum cum Glossae: decretalium d. Gregorii Papae Noni Compilatio* (Rome, 1585), *Glossa ordinaria* at book 5, title 12, chap. 20, p. 1713.

13. On the 5th of September, 1234, Pope Gregory IX declared in his bull, *Rex pacificus*, that his *Corpus Iuris Canonici* was the official code of canon law for Roman Catholics. Gregory IX’s decretals incorporated material from Gratian’s collection of canon law, the *Decretum Gratiani* or *Concordia discordantium canonum*. This code distinguished between early abortion, which does not involve an ensouled fetus, and later abortion when the fetus is ensouled.

14. The Roman Catholic debate as to when the rational soul enters the body after conception both influenced and was influenced by Roman Catholic reflections on the date to be set for the conception of Mary, the mother of God. This was tied as well to the novel Roman Catholic doctrine of the immaculate conception. The view was that “Before the creation of Mary’s soul, that which was to become her body shared the common lot; but before the creation of her soul Mary did not yet exist” (Nicolas 1958, p. 333). In the early 18th century, the feast for the conception of Mary the mother of God was in Roman Catholicism set nine months before her birthday (December 8). On September 8, 1854, Pope Pius IX declared “infallibly” that Mary the mother of God was conceived immaculately, that is, without the consequences of the sin of Adam, in *primo instanti suae conceptionis* (Denzinger 1965, *Bulla Ineffabilis Deus*, p. 562), indicating that ensoulment took place at the time of conception. The distinction between early and late abortion had been effectively undermined.

one of the major steps to conforming Western Christianity's morality to the requirements of moral philosophy, which meant that dogma was changed as philosophical fashions changed. The transformation of Western Christian moral theology into a form of moral philosophy, or at least into a moral theology bound by constraints and moved by goals set by moral philosophy, had been accomplished by the late 13th century.

Other defining dogmas of Western Christianity can also be connected with Augustine. Contrary to the Nicene-Constantinopolitan Creed (the Latin text of which regarding the Holy Spirit reads, "ex Patre procedentem"; *Conciliarum* 1962, p. 20) and to John 15:26 ("When the Advocate comes, whom I will send to you from the Father, the Spirit of truth who comes from the Father, he will testify on my behalf"), Augustine argued for the novel position that the Holy Spirit proceeds not just from the Father but also from the Son, because of which the term *filioque* (and from the Son) was inserted into the Creed (Augustine, *de Trinitatem* Book XV, ch. 27.48). The result was that the West lost the appreciation of the truth that all comes from one Person, the fully transcendent Father. The result was the emergence of a quite different way of turning to and experiencing God that had its origin in philosophical-theological reflection, rather than in theological experience. The West no longer experienced all coming from the Father Who begets the Son and gives procession to the Holy Spirit.

Also unlike the Church of the Apostles and the early Fathers,¹⁵ Augustine held that telling a falsehood with the intention to deceive was always forbidden. "Mendacium est locutio contra mentem ad fallendum prolata (S. Aug. contra Mendacium c.4)" (Génicot 1902, vol. 1, §413,

p. 390). In this he framed a novel moral understanding of how, among other things, one ought to act in defending the innocent (Ramsey 1985). When the Nazis come to the door looking for Jews, the Orthodox tell the most effective lie possible in order to defend them, rather than to craft some statement of the truth that one hopes will deceive. In contrast with Augustine, St. John Cassian the Just Roman (360-432) states:

Holy men and those most approved by God employed lying, so as not only to incur no guilt of sin from it, but even to attain the greatest goodness; and if deceit could confer glory on them, what on the other hand would the truth have brought them but condemnation? Just as Rahab, of whom Scripture gives a record not only of no good deed but actually of unchastity, yet simply for the lie, by means of which she preferred to hide the spies instead of betraying them, had it vouchsafed to her to be joined with the people of God in everlasting blessing. But if she had preferred to speak the truth and to regard the safety of the citizens, there is no doubt that she and all her house would not have escaped the coming destruction, nor would it have been vouchsafed to her to be inserted in the progenitors of our Lord's nativity, and reckoned in the list of the patriarchs, and through her descendants that followed, to become the mother of the Saviour of all (Cassian 1994, vol. 11, p. 465).

Contrary to Augustine, Christianity had recognized that one ought to tell a falsehood with the intention to deceive in order to protect life, preserve chastity, and avoid idolatry and blasphemy. Last but not least, Augustine also laid the basis for the Western doctrine of original sin, which eventually led to the Calvinist dogma of predestination.¹⁶ When human nature is fully

15. For a discussion of Augustine's crucial role in developing the Western Christian view that lying is always forbidden, see Ramsey 1985.

16. Because Augustine of Hippo misread the Greek in Romans 5:12 ("Therefore, even as through one man sin entered into the world, and death through sin, thus death passed to all men, on account of which all have sinned" – *Orthodox New Testament* 1999, vol. 2, p. 98), Augustine held that all men had inherited from Adam not just corruption, death, and through death an estrangement from God, but the guilt of Adam's sin as well. Augustine therefore contends:

I see the apostle has most plainly taught us: That owing to one man all pass into condemnation who are born of Adam unless they are born again in Christ, even as He has appointed them to be regenerated, before they die in the body, whom He predestinated to everlasting life, as the most merciful bestower of grace; whilst to those whom He has predestinated to eternal death, He is also the most righteous awarder of punishment, not only on account of the sins which they add in the indulgence of their own will, but also because of their original sin, even if, as in the case of infants, they add nothing thereto (Augustine 1994, vol. 5, p. 361).

For a further account of the ancient Church's (as well as Orthodox Christianity's) account of original sin, see Romanides 2002.

corrupt, can one ever freely turn to God's redemptive grace, or must one receive grace in order to ask for grace and thus be predestined?

All of these developments contributed to Christianity in the West taking on a novel character that set it apart and eventually separated it and the bioethics it would produce from the Christianity of the first centuries. The character of the Christianity of the West already had a distinctly different texture, beginning at least with the creation of a rival Western Christian empire as a consequence of Pope Leo III crowning Charles the Great as emperor after the third Mass on Christmas, 800. As James Bryce aptly puts it, "The coronation of Charles is not only the central event of the Middle Ages, it is also one of those very few events of which, taking them singly, it may be said that if they had not happened, the history of the world would have been different" (Bryce 1959, p. 41). This act of coronation had effectively divided what had been one Christian empire, one Christendom. Of course, Fyodor Dostoevsky places the defining change earlier with the Donations of Peppin (A.D. 756), by which the pope was established not only as priest, but also king, as the ruler of a secular state.¹⁷ However, the crowning did create an effective, though not complete, separation of the West from the original vision of a united Christendom.

The West by the mid-9th century in its views regarding priestly celibacy, the status of the early embryo, the nature of God (i.e., the Trinity), the morality of lying, the meaning of free choices, and the authority of the pope of Rome was already manifestly different from the original Christianity of the first seven councils. Western Christianity had changed the traditional Wednesday fast to Saturday, and employed unleavened bread for the Eucharist, even though the Gospels and St. Paul's Letter to the Romans say that Christ took *artos*, a loaf of bread, not unleavened bread.¹⁸ Areas of the West had begun no longer to abstain

from fish, eggs, and dairy on days of fast. Also, men were at least nominally required to be celibate if they became priests. These theological differences combined with the *filioque* and the growing papal claims to universal jurisdiction led to the excommunication in A.D. 867 of Pope Nicholas I (ca. 800–867, elected 858) by St. Photios the Great (c. 810–c. 893, patriarch 858–867 and 877–886), and finally to Rome being removed from the diptychs in 1009.

A new understanding of church had arisen. It continued to grow through the dialectic of the roles of king and priest. On this point, Pope Gregory VII, Hildebrand (ca. 1015–1083, elected 1073), transformed Western Christianity further. Western Christianity became an ecclesial community with an imperial papacy that claimed the authority to depose kings and emperors, which claims brought Heinrich IV to submission at Canossa in 1077. Struggles between pope and emperor continued, through which the temporal power of the pope came to eclipse that of the emperor. Finally, out of the dialectic of the struggle with King Philip IV of France (1268–1314, crowned 1285), papal claims of robust spiritual and temporal authority were articulated by Pope Boniface VIII in 1302 in his bull *Unam sanctam* (ironically just before the papacy moved to France in 1305 with Pope Clement V). By the Fourth Lateran Council (A.D. 1215) and the Second Council of Lyons (A.D. 1274), the Roman Catholic dogma of the pope's universal original jurisdiction had created an ecclesial structure that was non-conciliary and in which the pope was in an important sense the one and only bishop with full Episcopal authority. (This assertion of consummate episcopal authority was reflected, for example, when Pope Paul VI signed Vatican II's "Declaration on the Relationship of the Church to Non-Christian Religions" [*Nostra aetate*], as well as other declarations, as "I, Paul, Bishop of the Catholic Church" [Abbott

17. Dostoevsky criticized and condemned the radical transformation of Christianity in the West connected to the pope's becoming a civil ruler, thus assimilating kingship to priesthood. He appreciated the moral and theological consequences of Western Christendom's attempt directly to wield political power. "[T]he State is eliminated and the Church is raised to the position of the State. It's not simply Ultramontanism, it's arch-ultramontanism? It's beyond the dreams of Pope Gregory the Seventh!" (Dostoevsky 1949, p. 57).

18. With regard to the use of leavened bread in the Eucharist, see Matthew 25:26, Mark 14:22, Luke 22:19, and I Corinthians 11:23. The Greek word *artos* at the time of Christ identified a loaf of wheat bread.

1966, p. 668].) But by the end of the 13th century, papal authority had reached a zenith.

The papacy maintained the upper hand in Western Europe, although this became difficult when after 1378 there was both a pope of Rome and one of Avignon, and even more complicated with three popes after a pope was installed in Pisa as of 1409. As a consequence, the papacy spent much of its social and spiritual capital on the Avignon papacy (1309–1376) and then on the feuding of two and subsequently three separate, sparring popes of Rome (Urban VI, 1378–1389; Boniface IX, 1389–1404; Innocent VII, 1404–1406; Gregory XII, 1406–1415), of Avignon (Clement VIII, 1378–1394; Benedict XIII, 1394–1415), and of Pisa (Alexander V, 1409–1410; and John XXIII, 1410–1415). The monarchical papacy was not set aside by the Conciliar movement, which asserted authority at the Council of Constance (1414–1418), and which reduced the number of concurrent popes from three down to Martin V of Rome, who was elected in 1417. In important ways, the West remained crippled after the Council of Ferrara-Florence (Ferrara 1438–1439, Florence 1439, Rome 1439–1445, which continued the Council of Basil of 1431). Less than eighty years after the Council of Ferrara-Florence, the West shattered irrevocably as the Reformation began. The result was the emergence of a distinctively new ecclesial structure.

The most significant change defining the character of the new Western Christianity with major implications for the emergence of a bioethics anchored in moral-philosophical hopes was a change in the character and understanding of theology. The early Renaissance of pagan Greek learning effected by Charles the Great had achieved a subtle but eventually monumental change in how the West regarded theology. Charles' interest in encouraging learning in the West led to the establishment of his Palatine

School in Aachen, as well as cathedral schools throughout the Western empire. By the 12th century, there were strong anticipations of the Scholastic philosophical synthesis that would finally be forged in Paris in the 13th century. One might in particular think of the intellectual community that developed in Chartres. But it was in Paris where already in the 12th century anticipations of this synthesis of faith and reason were manifest. By the 12th century, Paris possessed a *de facto* university that had emerged from the cathedral school of Notre Dame and could boast such members as Peter Lombard (c. 1096–1164), the author of *Libri Quattuor Sententiarum*. In 1208, the University of Paris existed formally. It was in this environment that a full-fledged synthesis of faith and reason, of *fides et ratio*, was articulated, engendering a theology guided by philosophical rationality. Philosophy, which had been introduced as the handmaid of theology, became a ruling mistress.¹⁹ Combined with a new ecclesiology and new doctrines (e.g., purgatory and indulgences), along with the changes in the character of day-to-day life (e.g., the presence of an officially celibate priesthood and changes in the fasts), this new theological perspective constituted a paradigm change in what it is to be the Church.

Western Christianity and its history are complex. Not all Western Christianity has been in the shadow of Aristotle. For example, the Franciscan William of Ockham (ca. 1288–ca. 1348), who both studied and taught at Oxford, along with the *via moderna* he embraced and transformed, understood that the God Who lives is the God Who commands, and that He is not constrained by limits that philosophers might seek to establish. When William of Ockham fled Avignon and Pope John XXII in 1328 for the protection of Emperor Ludwig (reigned 1328–1347), who promised to protect William

19. Peter Damian (1007–1072) and Gerard of Czanad (†1046) engaged the phrase “handmaid of theology” (*ancilla dominae*) so as to put philosophy in a subordinate place. Their goal was not to expand the role of philosophy, but the very opposite, namely, to contain philosophy's aspirations to guide theology. Peter Damian, after all, understood that the dogmas of Christianity are the revelation of a fully transcendent God, Who, Damian held, could undo or annihilate the past, should He wish (Copleston 1962, vol. 2.1, p. 167). The metaphor “handmaid of theology” was introduced into Christian reflection by Clement of Alexandria (ca. 150–215) in *The Stromata*, Book I, chapter 5. For Clement philosophy in its strict sense meant love of the wisdom of God. Clement had borrowed the metaphor “handmaid of theology” from an earlier usage by Philo the Jew (20 B.C.–A.D. 50).

with his sword if William would protect him with his pen, Ockham had rejected a critical element of the 13th-century philosophical synthesis. The *via moderna* movement as Ockham affirmed it recognized the radical transcendence of God. The movement appreciated that the Lawgiver is eternal, although not His law.²⁰ Moreover, it understood that His law does not flow from, nor is it justified through, secular moral rationality. Therefore, God's law cannot be constrained by the moral requirements of a philosophically grounded natural law.

Supporters of this *via moderna*, and those who in general embrace the theocentric horn of Euthyphro's dilemma, can appropriately be characterized as authentic fundamentalists, given their recognition of the radically transcendent character of God and the grounds for His moral requirements, which sets them beyond the demands of Rawls' notion of the politically reasonable. They reject the secular culture's claims regarding the priority of its secular moral vision, along with its view of the morally rational and/or of the politically reasonable. They constituted a full reaction against the Thomistic Aristotelianism of the mid-13th century. This *via moderna* was ironically closer to the theological position of the ancient Church than the so-called *via antiqua* that emerged in the 12th and 13th centuries in the West.

Because of Western Christian medieval theology's defining engagement with moral philosophy, and despite the *via moderna* and its consequences, including its influence on Martin Luther (1483-1546), morality and eventually even bioethics for Roman Catholicism emerged in the West as a third thing between God and man. Morality, at least for modernity and the Enlightenment, became what it had been for most Greek philosophers, namely, a fabric of norms that were supposedly derivable from and justified by philosophy apart from a recognition of God. The Western Middle Ages (apart from the *via moderna*, especially with William of

Ockham) in general embraced the rationalistic horn of Euthyphro's dilemma, holding that God affirmed the good, the right, and the virtuous because they are so and are independent of Him, rather than holding that the good, the right, and the virtuous can only be such insofar as they are directed to the Holy. The embrace of the rationalist horn lies at the roots of modernity and contemporary secularity. It made it seem plausible that one can know the nature of the moral life apart from God, leading to the view that moral philosophy can be approached as a fully secular undertaking. This in turn led to the view that a secular culture could be a rightly directed moral culture. Indeed, it is not hyperbole to say that contemporary secularity, along with contemporary bioethics, was made possible by Western Christianity's faith in moral philosophy, which served as a necessary bridge from the world of the Middle Ages to modernity and from the Enlightenment, through the failure of the Western moral-philosophical project, to contemporary post-modern secularity. This faith in discursive reason promised to make moral philosophy the master of morality.

The contemporary character of the secularization of the West, including its secular bioethics, thus has important, albeit complex, roots in the Western Christian High Middle Ages. Against the background of the history of ideas so far laid out and just summarized, the question is how closely these developments are tied to Western culture and Western Christianity. Could things have been different? Is the contemporary world necessarily secular? Is it the necessary outcome of history? How closely is the contemporary secularity of the West tied to Western Christianity's dialectic of faith and reason? Because of the dominance of Western culture and power, how closely is the secularity of the dominant global culture tied to the rationalism and subsequent secularization of the West? Could the history of the West have been different?

20. Again, the early Church and orthodox Jews understood God as having at different times given different laws to different persons, as for example in the case already noted of 7 laws being given to Noah and his sons, and 613 laws being given through Moses to the Jews. Indeed, Christ himself uses the language of divine command when He states, „a new commandment I give to you: that you love one another. Just as I have loved you, you also should love one another“ (John 13:34).

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