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David F. Forte
Cleveland State University, d.forte@csuohio.edu

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The Heritage Foundation
214 Massachusetts Avenue, N.E.
Washington, D.C. 20002-4999
202/546-4400
http://www.heritage.org

Eve Without Adam: What Genesis Has to Tell America About Natural Law

By David F. Forte

In the spring of 1992, I was ensconced here on the fifth floor of the Heritage Foundation. There I was, ferreting out the historical basis of the Supreme Court's right to strike down legislation, when, from a few blocks away, the Justices graced my work with the following statement:

> At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. (*Planned Parenthood of Southeastern Pennsylvania v. Casey*, 112 S.Ct. 2791, 2807 [1992].)

All that was mine? I thought. You mean, I—on the fifth floor of the Heritage Foundation—could define "existence," "the mystery of human life," and the "universe" too? Yes, said the Court. All I need do, the Justices said, was accept the right of the Court to "speak before all others" on constitutional ideals and to follow its lead no matter what qualms of conscience I might have. The Court made that statement, of course, to support the right of a woman to terminate the life of the developing human fetus within her. But somehow, the Court's declaration had a more ancient ring to it.

Normally when I speak at the Heritage Foundation, I talk about law. But I am not going to talk about law today, even though the Supreme Court has inspired this reflection. Instead, I want to talk to you about a cultural moment, a moment Russell Kirk worked for and, I am sure, prayed for all his life. We are at a time when faith and reason, which moderns regard as antagonists, are resuming a partnership long overdue. Faith and reason are, in fact, two pillars of Western civilization, and their reintegration comes at a time when the hallmarks of that civilization are disintegrating around us.

I need not chronicle the statistics of our decline. You are familiar enough with them. William Bennett, Gary Bauer, Marvin Olasky, and so many others have described a society where each person has become disconnected with his fellows, where we create zones of privacy to find ourselves and lose everyone else in the bargain. We are a citizenry where to a large extent, metaphorically speaking, Eve exists without Adam, Adam without Eve, where neither truth nor permanence are seen as real and relationships of all sorts are fitful, episodic, and transient.

This may be an America where there are a thousand points of light, but each one illuminates only itself. Faith is an outlaw in the public square, and philosophy deconstructs reason itself.

It was not always this way. It certainly was not this way at the founding of the country. For, as the Founders knew so well, Western civilization was built upon both reason and faith: the faith of the Judeo-Christian revelation and the reason that discovered and applied the natural law.

David F. Forte is Professor of Law at Cleveland-Marshall College of Law, Cleveland State University.

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Today, I wish to make but three points. First, I want to discuss something of the history of the alliance between faith and reason in Western intellectual history and their estrangement. Second, by referring to some of the elements in the Book of Genesis, I would like to affirm the basic compatibility between the principles of the natural law and the values of our religious heritage. Finally, I raise a caution regarding religious doctrine and liberty that any effective and principled alliance between faith and reason must deal with.

Faith and Reason

The Greeks, who gave us so much, gave us the natural law school of thought, particularly in the writings of Aristotle. Natural law was subsequently universalized by the Stoics, incorporated into the law by the Romans, allied with Christianity, and finally raised to its highest exposition by St. Thomas Aquinas in his Scholastic philosophy. The school of natural law championed man's reason, his being, his capacity for sociability, and his virtue. The values espoused by that school dominated Western thought through the end of the 18th century and were included in the principles of the American Founding.

The Judeo-Christian revelation provided the other, complementary notion of the nature of man: created by God, fallen, covenanted, and graced with a divinely inspired mission.

In the high Middle Ages, the traditions of faith and reason reached their greatest level of integration in the natural law philosophy of Thomas Aquinas. Scholasticism constituted the most fully developed version of natural law, while of the faith of the Church unified Europe. Then came the Renaissance, the Protestant Reformation, and the age of scientific inquiry. The link between faith and reason was weakened, and eventually broken. The age of Reformation and Rationalism was launched. Faith sought to undo the shackles of reason, while reason tried to free itself of the shackles of religion.

Important Protestant theologians found the good solely through the will of God as revealed in His Word, while rationalists forsook natural law thinking as being too close to religion. The Reformation disparaged the Scholasticism of the high Middle Ages. God's law was divine positive law, and no natural law could independently find the good.

Not that natural law was extinguished at the end of the high Middle Ages. On the contrary, the cultural force that the alliance of faith and reason had created lasted for centuries. Even though Protestant theology rejected Scholasticism, Biblical values paralleled the norms of natural law. Magnanimity was charity, courage was fortitude, fidelity was faithfulness, community was congregation. On the other hand, although few philosophers "did" natural law from the 14th century on, most traded on its fundamental norms. Sir Edward Coke found natural justice to be "right reason," which was the basis of the common law. John Locke presumed those norms to be in the law of nature, which both limited and gave legitimacy to individual liberty. When international politics degenerated into self-interested discord, Grotius, Pufendorf, and Vattel sought to revive a modified natural law to restore some moral order to the relations between states.

The Founders fully understood that a civil society could not be maintained without recourse to the intellectual values of the natural law and the parallel spiritual values of revelation. Washington knew how crucial that bond was. As he said in his farewell address:

> Of all the dispositions and habits which lead to political prosperity, Religion and Morality are indispensable supports.... In Vain would man claim the tribute of Patriotism, who should labour to avert these great pillars of human happiness, these firmest props of the duties of Men and Citizens. The mere Politician, equally with the pious man ought to respect and to cherish them....

> And let us with caution indulge the supposition, that morality can be maintained without religion.

By the 19th century, however, the connection between the mind and the spirit was finally severed. When religion and revelation could no longer restrain reason and positivism, the power of the state and the power of the unconstrained individual came to the fore. It is not much of an exaggeration that the problems of politics since the 19th century in the world lie in the contest between the supposedly self-sufficient power of the state on the one hand and the supposedly self-sufficient power of the individual on the other. The higher law that tames both is absent.

In the 19th century, natural law had retreated to being a Catholic intellectual discipline. It was disdained in the academy. A character in Stendahl declares, "There's no such thing as natural law. This expression is nothing but old nonsense." A lot of "old nonsense" was done away with in Fichte, Hegel, and Marx, in Austin, Bentham, and Holmes.

It was not until the aftermath of World War II, in confronting the Holocaust, that natural law stirred again in the conscience of the philosopher and the judge. If the Holocaust was evil, pure and simple, then there must be a good, pure and simple. If we shrink from thinking that the Final Solution can ever have been a valid human law because its purpose was so utterly perverse, there must be a purposive standard by which we can know what laws are indeed legitimate or not.

And so the revival began, kindling in different places: Jacques Maritain in France, Russell Kirk in the United States, the Hart/Fuller debate. By the 1980s, natural law had once again become an independent philosophical discipline. Dozens of books and hundreds of articles poured out. Natural law as a vibrant school of philosophy has returned. It is something we have not seen for six centuries.

Today, in the face of the dissolution wrought by positivism, there is a renewed alliance between faith and reason. Natural law thought is flourishing, pursued by Catholics, Jews, and Protestants, while a reawakening to faith stirs throughout the country. Pope John Paul II calls a return to natural law values essential to saving Western civilization itself, while Protestant ministers and political activists from the late Martin Luther King, Jr., to Ralph Reed find in the natural law those essential human values that are confirmed by revelation. The "law written on men's hearts," as St. Paul puts it, is once again recognized by Protestant Christianity.

Genesis and the Natural Law

The renewed alliance between faith and reason makes eminent sense, for the fundamental view of nature and of humanity articulated in the natural law school parallels the divine definition of creation and man taught by revelation. The example I use today is Genesis, though there are myriad other instances. I do not do so as a Biblical exegete. I am not qualified for that. But I do know something about the natural law and find that its insights are confirmed in many parts of the saga of creation in the Book of Genesis, at least according to many common interpretations of that text.

Every culture's creation stories reveal its basic concept of what is human, what is nature, and what is divine. In Genesis, we have a compilation of creation stories. Taken together, they tell us in mythic language what reason has brought us to apprehend in natural law. In its own terms, Genesis tells us what natural law tells us. It speaks to us of natural man and created man, of conjoined man and disunited man. It affirms man's reason, his goodness, his unity, and his ego. Let me discuss just three parts of Genesis in relation to the natural law:

the creation of the material world, the creation of man, and the tree of knowledge of good and evil.

Now, I am not going to talk about the creationism, or sin, or sex. If you want to talk about evolution, let's discuss it over coffee. If you want to talk about sin, perhaps we can do that over a beer. If you want to talk about sex, sorry, I'm a married man.

Let us start with the account of creation in the first chapter:

> In the beginning, when God created the heavens and the earth, the earth was a formless waste, and darkness covered the abyss, and the mighty wind [the spirit of God] swept over the waters. (Genesis 1:1-2.)

In that one majestic verse, God's creation astonishes us in two simultaneous ways. First, He creates everything ("the heavens and the earth") out of nothing. Second, He brings order out of chaos. In the image of the ancient Hebrews, the stuff of the cosmos was water, and water symbolized chaos—which God orders. Think for a moment of the difference between farmers and fishermen: A farmer subdues the land and makes it his servant, but an experienced fisherman knows he is always a stranger on the sea and is never home till he reaches shore.

In Genesis, God's mighty spirit moves across the water, pushing it where He wills. He orders chaos itself. Recall in the New Testament, when Jesus awakens in the boat to still the storm that was threatening to overwhelm the disciples. "Who can this be," they ask in awe, "that the wind and the sea obey him?" (Mark 4:41.) The disciples understood that this was no ordinary wonder-worker. In Genesis, God pushes the water out of the world by creating a domed firmament and separates the remaining water in the world into seas while permitting some of the remaining cosmic waters to sluice in as rain through holes in the dome, or bubble up from below through springs (oases perhaps) or rivers.

The point of creation is that without order, there would not be nothingness, but utter chaos. Let us reflect on that. People will give up their lives for order. They will die for their country, their faith, their family, or their friends. But a life without meaning leads to despair. Chaos, not death, holds the real terror for man. In the most primeval sense, a terrorist does the devil's work.

Notice also in this first chapter, that as soon as God controls chaos, pushing a mighty wind over the seas, He creates light. (Genesis 1:3.) Light is the greatest of the elements. Light is good. It illuminates the order he is creating. It is understanding. Throughout scripture, the notion of light is always seen as illuminating an understanding of the inner reality of things.

Finally, God proceeds, in a measured and deliberative manner, to create the remainder of material reality. Even with their pre-scientific notions, the Hebrews understood that everything created was logically and organically interrelated, and that reality was created in a purposeful manner from the most basic to the more refined. There is a purpose and a point to creation. It leads to man. And in finishing the work of creation, God said that it was good. (Genesis 1:31.)

In this most fundamental description of reality, natural law concurs. In natural law, reality is objective and ordered, and man is organically part of it. Socrates taught that man's reason could apprehend and illuminate this reality. He spent his life battling the Sophists, who saw only chaos underlying everything. Plato sought to discover the good that was the ultimate reality. Aristotle found that the world was the result not of chance, but of intelligent intention. He taught that change was not chaotic, but purposeful, wherein each thing moves to

fulfill its own nature, and that being—existence itself—was in its very nature, good. All these elements were synthesized in Aquinas.

Similar parallels are in the account of man.

In the first chapter of Genesis, God creates man and woman equally in His image; that is, unlike the animals, men and women are to reflect the divine. In the second story of creation, God creates man (*adam* = universal humanity) and finds that "it is not good for man to be alone, I will make a suitable partner for him." (Genesis 2:18.) God's creation is incomplete. It is not yet "good." In natural law, too, things are good only when their nature is fulfilled, when their potentialities are brought to completion.

In Genesis, for man (that is, mankind in its individualization) to be complete, he needs a helpmeet. Likewise, in the natural law tradition, Aristotle insists that man cannot truly flourish as a human unless he is associated together in the polity. From Aristotle on, the natural law tradition emphasizes the fundamental good of friendship, defined as seeking the good of the other. In Genesis, there is a special complementarity in the friendship of a man and a woman, which becomes the fundamental experience of the good of sociability of each individual.

In natural law, sociability (which I think is natural law's unique contribution to understanding contemporary problems) is something without which man cannot flourish as a human person. It has its most intense fulfillment in the relations between a man and a woman in the family. That ordering of human relations is a fundamental good attached to human nature itself.

We can see already how radically similar the views of revelation and natural law are on the nature of reality and of man. Order, reason, community, purposeful action, the goodness of being, sociability, sexual complementarity are essential to both.

Now we come to the part of the story that everybody knows best: the fruit of the tree of knowledge of good and evil. Adam and Eve, you recall, could eat of all the fruit of the trees in the Garden except one. But the serpent was a persuasive advocate:

> The serpent asked the woman, "Did God really tell you not to eat from any of the trees in the garden?" The woman answered the serpent: "We may eat of the fruit of the trees in the garden; it is only about the fruit of the tree in the middle of the garden that God said, 'You shall not eat it or even touch it, lest you die.'" But the serpent said to the woman: "You certainly will not die! No. God knows well that the moment you eat of it your eyes will be opened and you will be like gods who know what is good and what is bad." The woman saw that the tree was good for food, pleasing to the eyes, and desirable for gaining wisdom. So she took some of the fruit and ate it; and she also gave some to her husband, who was with her, and he ate it. Then the eyes of both of them were opened, and they realized that they were naked; so they sewed fig leaves together and made loincloths for themselves. (Genesis 2:1-7.)

The serpent said three things about this tree. Fruit is sweet tasting. Knowledge is a delight. And you can be like God. Now, I love caramel sundaes, but I can turn down a sweet. I revel in the life of the mind, but I don't really have to know everything. But to be like a God—that's a dizzying prospect. The exegetes tell us that the temptation to Eve and to Adam was to define for oneself what the scheme of good and evil is instead of apprehending what is objectively good for man. If I can define for myself for my own world, if I can

determine what is good and evil, then for that little world of my making, I am a god. The serpent did say something else. He said Eve would not die. In the end, the promise to be a god, as enticing as it may be, is always a false promise.

By eating the fruit, Eve names good and evil for herself. Remember that earlier in this chapter of Genesis, God had given Adam the right to name the animals, to distinguish them, to find their inner scientific order. But the naming of good and evil, God retains to himself. Man was given reason to apprehend good and evil, but he does not, in his nature, possess the capacity for creating it.

Aristotle teaches that a just man is one who practices virtue, and he defines virtue as the habit of acting rightly. When one acts rightly, one reflects or participates in the objective moral order (the image of God in the words of Genesis). But when one defines the moral order for himself, he images nothing but his own will. By definition, under the natural law, one cannot act virtuously if one is knowingly acting outside of the objective moral order.

Having asserted one's own will as defining good and evil, the results ineluctably follow. For, as the story of creation predicted, without order there is not nothingness, but the terror and distress of chaos.

There is first the disorder of the soul, in the form of shame. Second, social cohesion is shattered. God strolls through the Garden of Eden and accuses Adam of eating of the forbidden tree. And Adam dissembles: "The woman whom you put here with me—she gave me fruit from the tree, and so I ate it." (Genesis 2:12.) Even in the garden of Eden, the man abandons the woman. They are no longer friends. The bonds of sociability are broken. As soon as we take unto ourselves the right to define good and evil, we jettison the interconnectedness between one another that our natures call us to have. Trust vanishes.

Lest you think that such insights come only from a religious tradition, let me read to you Cicero:

> True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts wrongdoing by its prohibitions.... It is a sin to try to alter this law, nor is it allowable to attempt to repeal any part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times, and there will be one master and ruler, that is, God, over us all, for he is the author of this law, its promulgator, and its enforcing judge. Whoever is disobedient is fleeing from himself and denying his human nature, and by reason of this very fact he will suffer the worst penalties, even if he escapes what is commonly considered punishment. (*De Republica* 3:21.)

Cicero never read Genesis.

The Supreme Court's definition of human nature in *Casey* has given us Eve without Adam, and Adam without Eve. We are solitary autonomous beings, unconnected, without responsibility for each other. The Court empowers us to define ourselves, to create our own universe, to be, as Genesis predicted, "like God." In the same way in which the Supreme Court makes law without a constitutional standard, it has declared that there is no rule of law against which we must measure our own actions. We make the rule of law for ourselves,

each one a different rule of law. So, for example, we often hear the familiar *non sequitur*, "I believe abortion is the taking of human life, but I would never want to impose my values on you." It denies us the fundamental natural law standard of an objective basis of morality, and equally denies us the opportunity to strive to that perfection to which we are constituted.

That is our world today, and it comes from the disdaining of religion and of reason. The world of deconstructed philosophy, of private moralities, of God that cannot be mentioned in the public square leaves Eve without Adam, unborn children without their mothers, born children without their fathers, and the dying without hope. The homeless are not just those we see on the streets. Such a world leaves us all homeless. That is the Faustian bargain that the Supreme Court offers us in *Casey*.

Thus, there is little wonder that the philosophers of the school of natural law and the followers of revealed religion find themselves in a political, intellectual, and moral alliance today.

Religious Doctrine and Human Liberty

For the alliance of reason and faith to be effective, it must contend with issues of doctrine and with issues of liberty. The beauty of the natural law philosophy is that it is universal. It calls upon all persons to consider and freely to order their lives by an objective moral standard. Whether or not creationism can be justified scientifically, the rest of our society perceives it solely as a religious doctrine. Whether or not contraception is contrary to the natural law, the rest of our society perceives it as a Catholic doctrine. A simple rule of prudence requires that those values not be imposed. This is not to say, however, that the scientific shortcomings of evolutionary theory cannot be discussed. They should be. Nor that contraceptives should be distributed in the schools. We know the objective harm that brings and the invasion of the family it constitutes. But that is different from imposing those values as doctrines. Abortion, obviously, is qualitatively different because it is a universal question of how a moral society treats dependent life.

The other issue is liberty. Two points should be made here. First, we sometimes forget that under the plan of God, mankind was utterly free, except for eating of the tree of good and evil. As Pope John Paul II emphasizes, freedom and virtue depend upon there being an objective order, which we can accept or not. Without an objective moral order, there is no true freedom, for it has nothing to measure itself against. Second, modern natural law theory must acknowledge the great advances in the justification for liberty that 18th century natural rights theory made. Modern natural law theory, in its mature form, finds the freedom of the human individual rooted in the good, and holds that political authority is contingent upon that human freedom.

But what natural law offers in addition is that the free, flourishing individual prospers in his social relations, most especially in the family. What Adam Smith and John Locke presumed in their vaguely perceived notions of natural law and in the social experience of the Enlightenment was that these social relations would flourish of themselves. For the most part they were right. But we have learned in the two centuries past, and especially in this country, that those relations, the family, are much more fragile than we imagined and that for true liberty to be enjoyed, such relations need to be fostered and nurtured. For natural law not only judges what human laws ought not to be passed, but also illuminates the benign face of the law: It looks to those laws that ought to be enacted to assist human persons in the flourishing of their free individual personalities. Natural law is not only imperative; it is aspirational.

Conclusion

When a philosophy—even one like natural law—is in the ascendancy, intellectual fatigue, as well as impatience with the imperfections any human system has, slowly brings on criticism and perhaps even rejection. But when order threatens to break down altogether, when chaos looms, then the mind reaches back to the stability of principle. Man cannot abide error for too long, for error produces a disintegration, a disorder of the soul, and a disorder of society. We can live a complex life; we can live a life of contradictions; but we cannot live an absurd life. That is our nature.

Whenever subjective relativism and objective truth have come into contest, whenever the choice is one or the other, man will ultimately opt for the truth, no matter how discomfiting it may be. Just look at whom we choose for heroes:

Is it Antigone or Creon?

Socrates or Alcibiades?

Is it Ruth, who embraces the One God despite the humiliation it brings, or her sister-in-law Orpah, who remains comfortable with the pagans?

Is it Lincoln or Douglas?

Solzhenitsyn or Brezhnev?

Jesus or Pilate?

Only when faith and reason are rejoined in mutually respecting friendship and are cognizant of liberty can the bonds of civil society, of civilization itself, be renewed. That moment may be upon us once again. May it come soon.