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Josef Fuchs on Natural Law. By Mark Graham (Book Review)

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Josef Fuchs on Natural Law. By Mark Graham. Washington, DC: Georgetown University Press, 2002. xvi + 276 pages. \$49.95.

Mark Graham offers a lucid, substantial, and important treatment of a pivotal figure in Catholic moral theology in the 20th century. Despite Josef Fuchs's large body of work and his profound influence on several generations of moral theologians, his natural law theory has not yet received a full-length, critical analysis. Graham's book fills that gap admirably. In the first half of the book, treating Fuchs's theory from 1941 to 1966, Graham identifies the strengths of his defense of the objectivity of morality and the weakness of his neglect of the historicity of the moral agent. This part concludes with the gripping story of the "intellectual conversion" that Fuchs underwent, galvanized by his participation in the Pontifical Commission on Population, Family, and Birth from 1963 to 1966. The testimony of the married couples on the Commission concerning the burdens of the artificial contraceptive ban convinced Fuchs that individuals need to exercise their consciences; they, not the magisterium, are the best authorities for determining the application of general norms to their concrete circumstances.

The second half of the book examines Fuchs's postconversion natural law theory. The substance of this conversion was a shift from a static to an historical interpretation of natural law, in which the locus of natural law reasoning is no longer abstract or biological "nature," but the totality of the human person. The main topics of this part are theological anthropology, right reason, and the role of Christian faith in shaping moral norms. Overall, Graham commends Fuchs's new stresses on experience as a moral source and on the individual's competence in applying norms to concrete circumstances. Fuchs's main fault is his highly formal anthropology which leaves vague how to weigh specific moral goods and deficits. Fuchs tells us to use our reason to determine how to act morally but he does not describe a clear set of goods we should be striving for.

An under-appreciated feature of Fuchs's method is that it allows us to evaluate complex patterns of behavior overlooked by traditional moral analysis. It does so by considering the totality of the values and disvalues of various courses of action and connecting individual choices to their broad, systematic circumstances. Using the example of soil erosion spurred by the American public's heavy beef consumption, Graham says that grave ecological effects emerge from millions of choices that coalesce into patterns of action for which no individuals seem culpable. Yet Fuchs's method requires that we analyze these patterns and determine responsibilities for action at every level—from public policy to business investment to individual consumption. Graham is not condemning an individual for eating a hamburger. Rather, he is placing one's everyday moral choices in a broader context and putting this systematic analysis on the agenda of Catholic ethics and education.

Catholic theologians who wish to understand better the profound changes in natural law theory over the last fifty years should read this book. It will reintroduce Fuchs's ethics to the current generation of theologians, many of whom know much less about him than they should. Few undergraduates receive sufficient exposure to modern theological movements to allow them to

appreciate this book in its entirety. Graham partly adds to that problem by his use of untranslated Latin and technical theological terms. Still, because it is so well organized and clearly written, this book can be profitably read by advanced undergraduates and graduate students. Teachers of Catholic theology will want to know this work as background to their presentations about the contraception controversy specifically and contemporary natural law theory in general.

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