

In Search of Common Ground: How Can Eastern Orthodox Theology Develop a Natural Law Theory?

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journals.sagepub.com/home/sce**Angelos Mavropoulos** 

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Abstract

While natural law theory plays an important role for Catholic moral theology, it is true that Orthodox ethics has not endeavoured to develop its own theory of natural law. This article demonstrates the existence of the concept of natural law in Eastern Orthodox theology and argues that the main reason for this neglect is Eastern Christianity's traditional focus on faith rather than reason. In addition, the author, based on biblical and patristic grounds, highlights the necessity for a balance between the two to be found and provides a way in which Orthodox moral theology could develop a natural law theory, should it ever feel the need to do so, by first redefining its relationship with the science of philosophy, after so many years of disregard.

Keywords

Natural law, Christian ethics, Orthodox theology, reason, philosophy, natural theology

Introduction

For Catholic ethics, one can appeal not only to faith but also to human reason in order to face ethical situations and the two are complementary, as divine revelation reveals to us truths that we cannot grasp by reason alone and 'affirms truths that are accessible through natural law'.¹ Hence, natural law, the law that is written in the hearts of every human

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1. Janet E. Smith, *Humanae Vitae: A Generation Later* (Washington, DC: Catholic University of America Press, 2010), p. 69.

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being, whether Christian or Gentile (Rom. 2:12-16),² which renders everyone able to discern some moral truths, is one of the most important sources of Catholic moral theology. In the words of Joseph Pieper, ‘natural law is the fundamental source of obligation’ and ‘the ultimate “ought”, given and established directly in the nature of created reality, and as such endowed with supreme binding power’.³ While Catholic theology, however, in its quest for moral life, makes extensive use of natural law theory, first as introduced by St. Thomas Aquinas and then as revived and expanded into the ‘new natural law theory’ by modern theologians, such as Germain Grisez and John Finnis,⁴ for Eastern Orthodox theology, which is mostly focused on the sacramental and liturgical life, natural law is less important, if at all.

In 2017, in his work ‘Natural Law in the Orthodox Tradition’, the Catholic scholar and priest Paul Babie spoke of the ‘failure’ of Orthodoxy to develop a systematic natural law theory. In his words:

This failure to deal systematically with natural law seems to have promoted a common view among many Orthodox clergy denying the existence of natural law, concluding that it does not form part of the Orthodox tradition. Yet, it may be that the only evidence for this stance is the very paucity itself of writing on natural law in the Orthodox tradition, unlike the situation that pertains in the Catholic Church and other Western Christian traditions.⁵

Hence, for Babie, the ambivalent, sceptical, or even hostile stance of Eastern Orthodoxy towards natural law might derive not from the non-existence of the concept in the East, but merely from its unwillingness to systematically deal with it and develop it further. The important question, however, is how such an effort can ever take place. And in order to answer this question, the reasons why still, after more than two thousand years of existence, Orthodox theology has adamantly refused to systematically address natural law have to be examined.

Natural Law in Eastern Christianity

Indeed, the actual concept of natural law is apparent in the East since the patristic period, as most Eastern Church Fathers over time, from St. Justin Martyr to St. Gregory Palamas,

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2. All scriptural translations follow the New International Version (NIV). The concept of God writing His law in the human heart exists already in the Old Testament (e.g., Jer. 31:33 and Ezek. 36:26-27). However, the Old Testament refers only to the hearts of the people of God, while Paul introduced the idea of the natural law being innate to every human being, regardless of religious beliefs.
 3. Josef Pieper, *The Four Cardinal Virtues*, trans. Daniel F. Coogan (South Bend, IN: University of Notre Dame Press, 1990), p. 182.
 4. For a comprehensive study on the new natural law theory, see Patrick Lee, ‘The New Natural Law Theory’, in Tom Angier (ed.), *The Cambridge Companion to Natural Law Ethics* (Cambridge: Cambridge University Press, 2019), pp. 73–91.
 5. Paul Babie, ‘Natural Law in the Orthodox Tradition’, in Norman Doe (ed.), *Christianity and Natural Law: An Introduction* (Cambridge: Cambridge University Press, 2017), pp. 36–57 (39).

spoke of the law written in the human hearts that renders the discernment between good and evil universally attainable.⁶ After all, the case could not have been different given the presence of natural law in the Bible. Completely neglecting and denying natural law would have been equal to denying the scriptures and the Greek Fathers did not, of course, fall into such a mistake. Addressing the issue, all these thinkers agreed on two main points.

First, natural law is closely linked to human rational capacity and conscience, which derives from our creation in God's image. As Origen, for example, saw, the ability to rightly discern and act is part of the image of God and exists within us according to this very image,⁷ while, according to St. John Chrysostom, natural law is the innate conscience that teaches us what is good or bad and, because it is innate, there is no need for any clarification by the written law:

When God formed man, he implanted within him from the beginning a natural law. And what then was this natural law? He gave utterance to conscience within us; and made the knowledge of good things, and of those which are the contrary, to be self-taught. For we have no need to learn that fornication is an evil thing, and that chastity is a good thing, but we know this from the first. And that you may learn that we know this from the first, the Lawgiver, when He afterwards gave laws, and said, 'You shall not kill', did not add, 'since murder is an evil thing', but simply said, 'You shall not kill'. For He merely prohibited the sin, without teaching. How was it then when He said, 'You shall not kill', that He did not add, 'because murder is a wicked thing'. The reason was that conscience had taught this beforehand; and He speaks thus, as to those who know and understand the point.⁸

Second, this law is identified with the law of the Decalogue or, as Harakas put it, in patristic thought, the two laws 'are not sharply divided, but rather, point to different dimensions of the same reality'.⁹ Both teach the same principles, are of equal honour and dignity, and neither is nobler than the other, while the written law simply clarifies and expresses in words what we have been given the innate capacity to know by nature. St. Irenaeus, for instance, in his influential work *Against Heresies*, was one of the first Eastern Fathers who expressed the view that the permanent natural law coincides with the written law of the Old Testament.¹⁰ Furthermore, several centuries later, St. Maximus the Confessor, commenting on the Transfiguration of Christ, likened the natural law to His radiant body and the written law to the garment that became radiant as well due to His bodily splendour. Both the flesh and the garment

6. For a comprehensive presentation on the conception of natural law by the Greek Fathers, see Stanley S. Harakas, 'Eastern Orthodox Perspectives on Natural Law', *The American Journal of Jurisprudence* 24.1 (1979), pp. 86–113 (97–103).

7. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 101.

8. John Chrysostom, *Homilies on the Statues* 12.9. The English translations of the works of the Greek Fathers, unless otherwise indicated, are taken from the New Advent website (<https://www.newadvent.org/fathers/>).

9. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 88.

10. Irenaeus of Lyons, *Against Heresies* 4.16.4–5.

manifest the same glory and splendour of Jesus just like both the laws reveal the same will of God.¹¹

For Chrysostom, although the two are indeed closely tied, the written law is a lot broader.¹² Natural law does not explain all the written commandments, but only the 'leading' ones, as he calls them, those against adultery, murder, and stealing. Only these three commandments are innate, whereas all the rest need some kind of clarification. He explains,

Wherefore when He [God] speaks to us of another commandment, not known to us by the dictate of consciences He not only prohibits, but adds the reason. When, for instance, He gave commandment respecting the Sabbath; 'On the seventh day you shall do no work'; He sub-joined also the reason for this cessation. What was this? 'Because on the seventh day God rested from all His works which He had begun to make' (Exodus 20:10). And again; 'Because thou were a servant in the land of Egypt' (Deuteronomy 21:18). For what purpose then I ask did He add a reason respecting the Sabbath, but did no such thing in regard to murder? Because this commandment was not one of the leading ones. It was not one of those which were accurately defined of our conscience, but a kind of partial and temporary one; and for this reason it was abolished afterwards. But those which are necessary and uphold our life, are the following; 'You shall not kill; You shall not commit adultery; You shall not steal'. On this account then He adds no reason in this case, nor enters into any instruction on the matter, but is content with the bare prohibition.¹³

Thus, although Chrysostom affirmed the close connection between the two, he adopted a fairly narrow definition of natural law. The written law is broader and the natural law deals only with the three 'leading' commandments that are 'accurately defined of our conscience'. Hence, for Chrysostom, since the day we are born, we discern three moral rules, not to murder, not to commit adultery, and not to steal.

However, the Greek Father who addressed the issue the most and, according to the Orthodox Archpriest, Michael Butler, the one who presented the only developed theory of natural law in the East,¹⁴ is St. Maximus the Confessor, especially in his work *The Responses to Thalassios*. For Maximus, the Logos of God, Jesus Christ, is the maker of every divine law, the natural, given in creation, the written, given in the Old Testament, and that of grace, which is given in the New Testament by Christ and actually is Christ Himself. All three constitute revelations of Him and are gathered in

11. Maximus the Confessor, *The Ambigua to John* 10.18; *On the Difficulties in the Church Fathers: The Ambigua*, Vol. 1, ed. and trans. Nicholas Constas (Cambridge, MA: Harvard University Press, 2014), p. 197.

12. This view is aligned with the one expressed by Aquinas, for whom the Old Law contains more precepts. The commandment about the Sabbath, for instance, does not belong to the natural law. Thomas Aquinas, *ST I-II*, q. 100, a. 7. The translation of *Summa Theologiae* (ST) is taken from Timothy McDermott (ed.), *Summa Theologiae: A Concise Translation* (Westminster, MD: Christian Classics, 1991).

13. Chrysostom, *Statues* 12.9.

14. Michael Butler, 'Orthodoxy and Natural Law' (Lecture delivered at Acton University on 21 June 2013): https://www.ancientfaith.com/specials/episode/orthodoxy_and_natural_law.

Him.¹⁵ However, each one of the three has a different function. The function of the natural law is to equally distribute the goods to everyone ‘according to equality of honor’, that of the written law is to rescue humans from passions that are contrary to nature, while the law of grace leads to the likeness of God, *theosis* (deification).¹⁶ Even more, the latter is connected with faith, whereas natural law is associated with reason, and, since, in the view of Maximus, nothing is more important than faith, the law of Christ is much more valuable than the natural law.¹⁷

Nevertheless, the Confessor holds that this law also has importance, as it puts knowledge into operation, ‘bringing to reason the modes of virtue present in sensible things’,¹⁸ while he emphasises its social dimension. ‘And among those who share one and the same ethical conduct and way of life’, he concludes, ‘it is obvious that they share one and the same bond of mutual affection according to the inclination of their wills, leading them all in unity of will toward the one principle of human nature, in which there is absolutely no division of nature such as we now see prevailing because of self-love’.¹⁹ Natural law, therefore, is significant for interpersonal respect, understanding, and interaction amongst the people who possess reason, that is, the people of the whole of humanity. As Conostas puts it, for Maximus, the work of the natural law is ‘the relation of the will’s inclination toward equality of honor among all people with all people’,²⁰ while the Confessor even criticises those who reject the natural law, as they are those who also deny both the spiritual aspects of the Old law, confining it to strict obligation, and the law of grace that leads to *theosis*. The three laws are closely interconnected, as ‘whoever rejects the contemplation of the natural principles of things is absolutely incapable of arriving at the true understanding of Scripture; instead he clings to the material symbols, and as a result cannot arrive at any spiritually elevated meanings’.²¹

As Georgios Mantzaridis, quoting Maximus, says, the written and the natural law are equal, as the former merely reveals in written words what already exists within us, but is hidden due to man’s fallen state.²² Sin and death render human beings incapable of making the right choices, even though their innate conscience agrees with the law of God and they instinctively can discern good from evil.²³ The introduction of sin,

15. Maximus the Confessor, *The Responses to Thalassios* 19.2; *On Difficulties in Sacred Scripture: The Responses to Thalassios*, ed. and trans. Maximos Conostas (Washington, DC: The Catholic University of America Press, 2018), p. 138.

16. Maximus, *Thalassios* 39.4; Conostas trans., pp. 227–28.

17. Maximus, *Thalassios* 51.7; Conostas trans., pp. 307–308.

18. Maximus, *Thalassios* 63.27; Conostas trans., p. 478.

19. Maximus, *Thalassios* 64.31; Conostas trans., p. 511.

20. Note 8, in Maximus, *Thalassios*; Conostas trans., p. 518.

21. Maximus, *Thalassios* 65.13; Conostas trans., pp. 527–28.

22. Georgios I. Mantzaridis, *Χριστιανική Ηθική II: Άνθρωπος και Θεός, Άνθρωπος και Συνάνθρωπος, Υπαρξιακές και Βιοηθικές Θέσεις και Προοπτικές* (*Christian Ethics II: Man and God, Man and Fellow Man, Existential and Bioethical Views and Perspectives*) (Thessaloniki: Pourmaras, 2009), p. 35.

23. Georgios I. Mantzaridis, *Χριστιανική Ηθική I: Εισαγωγή, Γενικές Αρχές, Σύγχρονη Προβληματική* (*Christian Ethics I: Introduction, Basic Principles, Contemporary*

therefore, is what makes the need for the law of nature to be explained by the written law, a notion aligned with the connection of the natural law to the image of God, since it is an established view that original sin did not completely destroy, but simply ‘wounded’ the image of God in the human nature. Finally, for Maximus, there is a very close relationship between natural law and the *logoi*, the principles that are intrinsically shared by all existing beings and which all find their ultimate fulfilment in the supreme Divine Logos, Christ Himself. As Brandon Gallaher puts it, ‘the *logoi* are the means, the laws or wills, by which God through his Spirit guides each thing’s orderly development’,²⁴ while ‘the natural law or the *logoi* of the commandments is itself always speaking of the one Logos whose rule of the kingdom is love’.²⁵

Although a complete exposition of Eastern patristic teachings on natural law is beyond the scope of this work, all the above show that, regardless of any different understandings and interpretations, natural law is accepted and indeed has a place within the Eastern Orthodox tradition.

The Absence of an Orthodox Natural Law Theory

However, although the concept of natural law clearly and indisputably exists in the thought of the Eastern Fathers, Orthodox theology never developed a natural law *theory*, a developed system of ideas, on which Christian Orthodox ethics could base its moral considerations. The reason for that, in the mind of one of the very few modern Eastern Orthodox theologians who dealt with the issue, Stanley Harakas,

is found in patristic theology itself. While natural law has a place in the theological fabric of the East, the doctrines of creation, anthropology, grace, and soteriology in Orthodoxy simply do not permit or call for an understanding of the natural law in any fashion distinct or autonomous from the whole understanding of revealed truth. The West, on the other hand, has tended to sharply distinguish between nature and grace, natural knowledge and revelation, natural law and evangelical ethics. The East’s relatively high regard for the created cosmos, the capacities of fallen man, the salvation and theosis of the soul *and* the body, tend to keep natural law thinking closely related and integrally tied to the full Christian experience.²⁶

In addition, Harakas emphasises the social character of natural law, stressing that the Fathers saw it as ‘an expression of the basic conditions permitting and protecting the

Concerns) (Thessaloniki: Pournaras, 2008), pp. 44–45. Apostle Paul first expressed this view in Rom. 7:14–24.

24. Brandon Gallaher, ‘Tangling with Orthodox Tradition in the Modern West: Natural Law, Homosexuality, and Living Tradition’, *The Wheel* 13/14 (2018), pp. 50–63 (56).

25. Gallaher, ‘Tangling with Orthodox Tradition in the Modern West’, p. 58. For more on the idea of *logoi* in the theology of Maximus, see Dionysios Skliris, *On the Road to Being: St Maximus the Confessor’s Syn-odical Ontology* (Vrnjačka Banja: Sebastian Press, 2018) and Sotiris Mitralaxis, ‘Maximus’ “Logical” Ontology: An Introduction and Interpretative Approach to Maximus the Confessor’s Notion of the Logoi’, *Sobornost* 37.1 (2015), pp. 65–82.

26. Harakas, ‘Eastern Orthodox Perspectives on Natural Law’, p. 98.

existence of human society',²⁷ while he also critically evaluates its place in Christian ethics, in general. In his words, it is a mistake to 'interpret the Decalogue as a statement of the whole Christian ethic', as the Decalogue itself is limited. And since, for most Eastern Fathers, natural law coincides with the Decalogue, basing Orthodox moral theology on natural law would be a 'low level morality'.²⁸ Even more, since after the introduction of sin, Christians have both this law in written form and a more perfect divine law, that of the New Testament, the general usefulness of natural law is questioned. However, due to its pluralistic character, as it is innate to every human being, Harakas, agreeing with Maximus, recognises its value for interpersonal interactions within modern multicultural societies. In other words, natural law is a useful tool for intercultural and interreligious societies, as it can provide a common, universal code of morality for both the people who, in Paul's phrase, 'do not have the law' and those who do. As for bioethics, however, and its connection to natural law, Harakas seems to be absolute, as, in his thought, bioethics based solely on the natural law would be superficial. All in all, for Harakas, natural law is only 'limited to certain basic and elementary ethical affirmations', as it merely 'seeks to speak to some moral issues in a pluralistic society'.²⁹

Agreeing with Harakas, in the view of the Russian Orthodox moral theologian, Vigen Guroian, 'The natural law does not have an independent life of its own', while the main reason why Orthodox theology has shown a little interest in it is because it has 'not made the sharp distinctions between nature and grace which gave rise to such questions in the West'.³⁰ Guroian goes on to say that 'In view of Orthodoxy's approach to natural law it is not surprising that love predominates over law as the ruling aspect of Orthodox ethics', while he adds that, for Eastern Orthodox theology, rules and commandments are relative to God's plan of salvation.³¹ Although, therefore, Harakas and Guroian admit the existence of natural law, they both base its neglect in the East on two main arguments, on Orthodoxy's refusal to emphasise rules, laws, and commandments as well as on the fact that Orthodox theology does not distinguish between grace and nature.

It is true that both arguments are correct. Western Christianity has traditionally distinguished between nature and grace,³² unlike its Eastern counterpart, the view of which is summarised by Vladimir Lossky as follows:

27. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 104.

28. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 108.

29. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 109.

30. Vigen Guroian, *Incarnate Love: Essays in Orthodox Ethics* (Notre Dame, IN: University of Notre Dame Press, 1987), p. 21.

31. Guroian, *Incarnate Love*, p. 22.

32. For more on this Western distinction, see Stephen J. Duffy, *The Graced Horizon: Nature and Grace in Modern Catholic Thought* (Collegeville, MN: Liturgical Press, 1992); Matthias Joseph Scheeben, *Nature and Grace*, trans. Cyril Vollert (Eugene, OR: Wipf & Stock, 2009); and Ian A. McFarland, 'Rethinking Nature and Grace: The Logic of Creation's Consummation', *International Journal of Systematic Theology* 24.2 (2022), pp. 56–79.

The Eastern tradition knows nothing of 'pure nature' to which grace is added as a supernatural gift. For it, there is no natural or 'normal' state, since grace is implied in the act of creation itself. The eternal determinations of the 'divine Counsel', the divine ideas cannot really be made to correspond with the 'essences' of things which are postulated in the so-called natural philosophy of Aristotle and of every other philosopher whose experience reaches only to nature in its fallen state. 'Pure nature', for Eastern theology, would thus be a philosophical fiction corresponding neither to the original state of creation, nor to its present condition which is 'against nature', nor to the state of deification which belongs to the age to come. The world, created in order that it might be deified, is dynamic, tending always towards its final end, predestined in the 'thought-wills'... For there is no 'natural beatitude' for the creation, which can have no other end than deification.³³

Moreover, the Catholic Church's traditional legalistic view of morality has been the subject of constant criticism by Eastern Orthodoxy, which, on the one hand, respects rules and commandments, but, on the other, emphasises 'an open, free personal, "ontological" understanding of the Christian life'.³⁴ Between these two seemingly contradictory realities, the Orthodox Church, for the sake of divine economy (*Economia*), although she speaks of obedience to God's laws, does not absolutise them, or, as Peter Bouteneff put it, she avoids the two extremes of legalism and anarchism.³⁵ As Harakas explains,

The commandments make sense for us only within the larger framework of the whole Christian life. Obedience to God's commandments is the mode of behavior appropriate to those persons united with Him. And oppositely, at its heart 'sin is not really the violation of a law—the violation of a law is sinful when it reflects the breaking of the relationship of unity, which ought to exist between man and God'. Thus, the Eastern Church is spared from legalism, even though it has a high regard for commandments. The practice of 'Economia' respects the law and the commandments, but permits a certain flexibility of application without abrogating the law or setting up precedents. All this is done in the name of the same reality; the fitting and appropriate mode of behavior for those in 'ontological' relationship with God.³⁶

However, the very important proponent of the new natural law theory in the West, Germain Grisez, denied natural law's association with extreme legalistic perspectives. In his words,

33. Vladimir Lossky, *The Mystical Theology of the Eastern Church* (Crestwood, NY: St. Vladimir's Seminary Press, 1976), p. 101. The concept of the 'thought-wills' is related to the idea of God's plan for creation, which is believed to have been formed in the divine mind or will before the world was created. According to this view, the world is not a static, fixed entity, but rather a dynamic process of growth and development towards its ultimate goal of deification.

34. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 111.

35. Peter Bouteneff, *Sweeter than Honey: Orthodox Thinking on Dogma and Truth* (New York: St. Vladimir's Seminary Press, 2012), pp. 140–41.

36. Harakas, 'Eastern Orthodox Perspectives on Natural Law', p. 113. For more on the place of law in the Orthodox Church, see Andrei Psarev, 'Canon Law', in John Anthony McGuckin (ed.), *The Encyclopedia of Eastern Orthodox Christianity* (Oxford: John Wiley & Sons, 2011), pp. 98–106.

Incidentally, if the Church did not use the expression 'natural law', we very likely would not—not because there is something wrong with it, correctly understood, but because, misunderstood, it can give rise to legalism and lend support to conventional morality, especially to the mistaken idea that specifically Christian moral norms are no more than counsels for the few and impractical ideals for the many.³⁷

Nevertheless, it is true that both differences mentioned by Harakas and Guroian, the divergent approaches to law and to the grace–nature dichotomy, have indeed played an important role in the contradictory stance of the two traditions towards natural law.

However, what neither mentioned is perhaps the most critical reason for this neglect: Eastern Orthodox theology's emphasis on faith rather than reason and its general disregard for any philosophical dimension. And although Harakas argued that natural law is not a philosophical concept per se, providing evidence for its existence in the Bible, even if it were not a prior Stoic development,³⁸ one could easily suppose that only natural law theory's emphasis and even dependence on human reason is enough to associate it with both the philosophical thought of ancient Greece and its revival by Western Scholasticism.

Tristram Engelhardt spoke of this connection between natural law theory and human intellect, based on the general Orthodox conception of the Catholic Church being too rationalistic in contrast to Eastern Christianity, which focuses on divine grace.³⁹ Distinguishing between 'heart' and 'reason', he stressed that 'The Orthodox interpretation is that Paul was in fact talking about the human heart, a faculty of the soul able, with proper disposition, to appreciate the guidance of God ... The Roman Catholics, in contrast, came to hold that reason, not the heart, could discern the law of God'.⁴⁰ It is true that, although Orthodox theology, in its majority, is not *fideist*, this distinction between heart and reason as well as the belief that human intellect is incompatible with the Christian faith and incapable of leading to moral life have been expressed by some Eastern Orthodox theologians.

Nevertheless, a closer and more holistic examination of the Bible would identify a definite scriptural connection between heart and mind, faith and reason, or else, between emotions and cognition.⁴¹ In the first book of Kings, for example, Solomon requests a 'discerning heart' so as 'to distinguish between right and wrong' (1 Kgs 3:9); for Isaiah, eyes and ears are for sight and hearing respectively, but heart, and not mind, is for understanding (Isa. 6:10); in Proverbs, the discerning heart seeks and acquires knowledge (Prov. 15:14; 18:15), while Jesus asks people why they have evil thoughts in their hearts (Lk. 5:22). Even more, in the thought of several Eastern Fathers, who followed this

37. Germain Grisez, *Fulfillment in Christ: A Summary of Christian Moral Principles* (Notre Dame, IN; London: University of Notre Dame Press, 1991), p. 75.

38. Harakas, 'Eastern Orthodox Perspectives on Natural Law', pp. 89–97.

39. H. Tristram Engelhardt Jr., *The Foundations of Christian Bioethics* (Lisse: Swets & Zeitlinger, 2000), p. 68.

40. Engelhardt, *The Foundations of Christian Bioethics*, p. 93.

41. What in modern psychology is often called the 'cognitive theory of emotions', the theory, according to which, emotions are closely connected with cognition. For example, see Keith Oatley and P.N. Johnson-Laird, 'Towards a Cognitive Theory of Emotions', *Cognition and Emotion* 1.1 (1987), pp. 29–50.

biblical association, intellect and heart are not distinguished, a notion followed by many modern Orthodox theologians, such as John Zizioulas, who took the heart ‘not merely in the restricted sense of a “seat of emotions” but in a more expansive biblical sense of the volitional, emotional, and cognitive centre of human personality’.⁴² As Paul Andrei Mucichescu concludes,

The only acceptable dissociations of ‘heart’ and ‘intellect’ are past historical ones, grown out of linguistic differences and out of rhetorical emphases of apophatism, which were directed against real or imagined foes. Therefore, in what concerns faith and reason, behind all appearances the fact has to be seen that actually, ‘even though it always advocated the superiority of faith, theology was not preoccupied with their separation, but with their bond’. It can only be hoped that this endeavor will continue.⁴³

Based on scriptural and patristic developments, therefore, modern Orthodox theology, as part of this very endeavour, ought to get rid of the notion that dualistically separates the heart from intellect, devaluating the latter, and considering it futile or even useless for Christian ethics. In this respect, the correlation of faith and reason should be seen as that of soul and body; although the former is nobler, they complement each other and are regarded as one, since the human being is one undivided psychosomatic unity. Toward this direction, the contemporary Orthodox theologian Panagiotis Nellas, for example, underlined the value of intellect and the importance of its connection with love, articulating,

In the natural man the intellect (*nous*) is the sum total of his cognitive functions and the center of their unity. It is the eye of the soul, the light of man’s Godlike reason, which illuminates and directs the human person. But when it is alienated from God, it functions as simple intellectuality. Thus when knowledge functions naturally, it is a full communion in love of the knower with the known. But in its contranatural state it becomes mere observation, that is, a gathering of information for the sake of its objective apprehension and correct exploitation. When the contents of the intellect, the thoughts, abandon their natural center, which is the heart, they wander over the external world and make a person lose touch with reality, go out from himself, and chase outside himself insubstantial idols of his own making.⁴⁴

42. Paul L. Gavrilyuk, ‘Modern Orthodox Thinkers’, in William J. Abraham and Frederick D. Aquino (eds.), *The Oxford Handbook of the Epistemology of Theology* (Oxford: Oxford University Press, 2017), pp. 578–90 (587).

43. Paul Andrei Mucichescu, ‘Intellect or Heart, Reason or Faith? Some Instances of *crede ut intellegas* in Damascene and Maximian Reflections’, *Diakrisis Yearbook of Theology and Philosophy* 3.1 (2020), pp. 115–43 (140–41).

44. Panagiotis Nellas, *Deification in Christ: Orthodox Perspectives on the Nature of the Human Person*, trans. Norman Russell (Crestwood, NY: St Vladimir’s Seminary Press, 1987), p. 180. For the discussion of the relationship between the mind and heart in contemporary Orthodox thought, see also Mother Maria, *Her Life in Letters*, ed. Sister Thekla (London: Darton, Longman & Todd, 1979).

Redefining the Place of Philosophy in Theology

Since, now, natural law is connected with the heart, ergo with reason, as the link between the two has been established, and since human reason/intellect is undeniably associated with philosophical thought, rather than with divine revelation and faith, it can be said that, in order for Eastern Orthodox theology to cultivate a natural law theory, the first step would be to redefine its relationships with philosophy and natural theology,⁴⁵ just as Aquinas did in the West, incorporating Aristotelian thought in theology and paving the way for the cultivation of the Catholic natural law theory. However, Orthodoxy has to follow the exact reverse way, as, whilst Catholicism, until Vatican II, was arguably too dependent on philosophy and natural law, the *Ressourcement* movement, which called for a return to biblical and patristic sources⁴⁶ as well as the modern efforts, mainly by John Paul II, to emphasise the importance of faith along with reason, attempted a theological renewal in the West. As the pope characteristically stated, 'I make this strong and insistent appeal—not, I trust, untimely—that faith and philosophy recover the profound unity which allows them to stand in harmony with their nature without compromising their mutual autonomy. The *par-rhesia* of faith must be matched by the boldness of reason'.⁴⁷

Hence, in the same way, although completely conversely, Orthodoxy has to approach philosophy and affirm the significance not only of faith but of reason too, which has been so much neglected in the East. However, interestingly, during the patristic period and especially since the fourth century, although the Western Church's dominant view was against the study of secular pagan authors, the case was different in the East. This was due to the huge influence of the Cappadocian Fathers, St. Basil the Great, St. Gregory of Nyssa, and St. Gregory of Nazianzus, followed by the sister of the first two, St. Macrina, 'the Fourth Cappadocian'. These four figures adopted a more open view, seeing philosophy and reason as legitimate foundations for the study and comprehension of Christianity and valuing Hellenistic literature and thought, in general.⁴⁸

More specifically, Basil dedicated a work named *Address to Young Men on Greek Literature*, speaking of the goodness and usefulness of ancient pagan philosophy and literature.⁴⁹ Moreover, Gregory of Nyssa characterised moral and natural philosophy as

45. Natural theology is 'the attempt to support the existence of God, and to investigate the divine attributes, through philosophical reasoning'. David Bradshaw, 'Introduction', in David Bradshaw and Richard Swinburne (eds.), *Natural Theology in the Eastern Orthodox Tradition* (St. Paul, MN: IOTA Publications, 2021), pp. 1–22 (1).

46. Gabriel Flynn, 'Introduction: The Twentieth-Century Renaissance in Catholic Theology', in Gabriel Flynn and Paul D. Murray (eds.), *Ressourcement: A Movement for Renewal in Twentieth-Century Catholic Theology* (Oxford: Oxford University Press, 2011), pp. 1–19 (1).

47. John Paul II, 'Fides et Ratio', para. 48, *The Holy See*, 14 September 1998: https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.html.

48. See Jaroslav Pelikan, *Christianity and Classical Culture: The Metamorphosis of Natural Theology in the Christian Encounter with Hellenism* (New Haven, CT; London: Yale University Press, 1995).

49. See N.G. Wilson, *Saint Basil on the Value of Greek Literature* (London: Duckworth, 1975).

'comrade, friend, and companion of life to the higher way',⁵⁰ while, placing great value on mind and reason, he blamed the lack of intelligence and discernment in humans for their fall and the introduction of sin.⁵¹ As for Macrina, as her brother Gregory explains, she drew chiefly on the ideas of Greek pagan philosophical writers, while, for her, 'it is most true what one of heathen culture is recorded to have said, that it is the mind that sees and the mind that hears'.⁵² Finally, Gregory of Nazianzus, although the most 'apophatic' of the Cappadocians, expressed the view that reason and theology can be in agreement and held the human intellect in high regard, speaking of 'the gift of reason' that animals lack in contrast to superior creations, such as humans and angels.⁵³

At about the same time, Athanasius the Great made a similar point, saying that God, unlike irrational creatures, gave humans reason in order for them to live the true life and remain in a state of blessedness.⁵⁴ In addition, whereas in his early writings Chrysostom was critical of philosophy, seeing it as a distraction from the pursuit of God, maturing as a theologian, he became more appreciative of it, recognizing that philosophy could be a useful tool for understanding and interpreting the teachings of Christianity. Regarding it as a way to clarify and defend Christian doctrine against heresies, and believing that it can help Christians develop the virtues of wisdom and moral excellence, John saw the study of philosophy as a way to cultivate the mind and deepen one's understanding of God and the world.⁵⁵ Similarly, a couple of centuries later, John of Damascus, influenced by the Cappadocians, highly praised philosophy, reason, and knowledge, holding that there is nothing more estimable than the latter, for it is 'the light of the rational soul'.⁵⁶ Moreover, characterising philosophy as 'the art of arts and the science of sciences', and expressing the view that, although some people try to suppress it, it can indeed lead to the divine, as it is the consideration of God and the love of true wisdom, which is God Himself,⁵⁷ John did not even hesitate to call the advocates of classical philosophy 'wise and godly men'.⁵⁸ Several centuries later, Gregory Palamas pointed out that, even though philosophy on its own is inadequate and cannot save human life, it is still of value to us, but only if used correctly. Just as, Gregory holds, even the vile flesh of the serpent can be a life-saving medicine only after it is killed and cut into pieces, 'so there is something of benefit to be had even from the profane

50. Gregory of Nyssa, *The Life of Moses* 2.37; *The Life of Moses (Classics of Western Spirituality Series)*, trans. Abraham J. Malherbe and Everett Ferguson (Mahwah, NJ; New York: Paulist Press, 1978), p. 63.

51. Gregory of Nyssa, *On the Soul and the Resurrection*.

52. Gregory of Nyssa, *On the Soul*.

53. Gregory of Nazianzus, *Orations* 45.18.

54. Athanasius the Great, *On the Incarnation of the Word* 3.

55. See, for example, John Chrysostom, *Homilies on Colossians* 6.

56. John of Damascus, *The Philosophical Chapters* 1; *The Fathers of the Church, Vol. 37: Writings*, trans. Frederic H. Chase Jr. (Washington, DC: The Catholic University of America Press, 1999), p. 7.

57. John of Damascus, *Chapters* 3; Chase trans., pp. 11–13.

58. John of Damascus, *Chapters* 2; Chase trans., p. 10.

philosophers', as 'if you put to good use that part of the profane wisdom which has been well excised, no harm can result, for it will naturally have become an instrument for good'.⁵⁹

Although, however, the Eastern patristic appreciation of philosophy is obvious, philosophical thought did not enjoy the same respect in the East from the mediaeval period onwards. Whereas, with Scholasticism, Catholic morality 'took a decisively scholarly and eventually academic turn through nesting its theology within a philosophical framework', Orthodox theology largely remained 'noetic or mystical'.⁶⁰ The modern Eastern stance has remained unaltered. Instead of adopting a more religious-philosophical approach, modern Eastern Orthodoxy chose the so-called Neo-patristic thought. This development, founded by the important Russian theologians Georges Florovsky and Vladimir Lossky, with its contemporary focus on the Church Fathers, was primarily a reaction to what Christos Yannaras even regarded as one of the heresies of the West,⁶¹ that is, Western rationalism.⁶² In the words of Marcus Plested,

Virtually all Orthodox theologians of the twentieth century have been content to accept the methodological gap between East and West, but with the sympathies reversed. Thus, the philosophical rationalism of the West is routinely contrasted with the experiential and mystical theology of the Christian East. This is true across the board, pertaining both to the so-called neopatristic and Russian religious schools of Orthodox thought.⁶³

The general stance of Neo-patristic thought on the issue is blatantly manifested by the fact that Florovsky vehemently attempted to minimise the Cappadocians' use of natural philosophy. As Jaroslav Pelikan wrote,

Basil, Florovsky said, 'did not so much adapt Neoplatonism as overcome it'; as for Gregory of Nazianzus, 'the idea which he expresses in Platonic language is not itself Platonic'; and of Gregory of Nyssa, Florovsky wrote, also somewhat paradoxically, that 'Gregory's enthusiasm for secular learning was only temporary ... However, he always remained a Hellenist'.⁶⁴

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59. Gregory Palamas, *In Defense of Those Who Practice Sacred Quietude* 1.1.20–22; *The Triads*, trans. Nicholas Gendle (Mahwah, NJ: Paulist Press, 1983), pp. 25–27.
 60. H. Tristram Engelhardt Jr., 'The Orthodox Christian View of Suffering', in Ronald M. Green and Nathan J. Palpant (eds.), *Suffering and Bioethics* (Oxford: Oxford University Press, 2014), pp. 249–61 (249). Butler traces this discrepancy even earlier, during the patristic period, as St. Augustine, who later influenced Aquinas, followed Platonic philosophy, while the Greek Fathers did not embrace it at all. Butler, 'Orthodoxy and Natural Law'.
 61. Christos Yannaras, *Τίμιοι με την Ορθοδοξία: Νεοελληνικά Θεολογικά Δοκίμια (Honest with Orthodoxy: Modern Greek Theological Essays)* (Athens: Aster, 1968), p. 68.
 62. Paul Valliere, 'Introduction to Modern Orthodoxy', in John Witte Jr. and Frank S. Alexander (eds.), *The Teachings of Modern Christianity: On Law, Politics, and Human Nature, Vol. 1* (New York: Columbia University Press, 2006), pp. 503–32 (505).
 63. Marcus Plested, "'Light from the West": Byzantine Readings of Aquinas', in George E. Demacopoulos and Aristotle Papanikolaou (eds.), *Orthodox Constructions of the West* (New York: Fordham University Press, 2013), pp. 58–70 (60).
 64. Pelikan, *Christianity and Classical Culture*, p. 8.

Florovsky also spoke of the ‘triumph of Christianity over Classical culture’,⁶⁵ while, as already mentioned in the words of Lossky, natural philosophy fails to understand creation in its natural state, as it is limited to the knowledge and comprehension of its fallen one. All these beliefs and their huge influence in modern Orthodox Christianity led to the neglect of philosophical thought in the East and constitute probably the main reason why Eastern Orthodoxy has not attempted the development of a natural law theory. As Babie reasonably asks, ‘Why does one find so little reference to the ancient Greek philosophers, particularly Plato and Aristotle, in the modern Orthodox writing on natural law?’⁶⁶

Engelhardt, in his influential article ‘Critical Reflections on Theology’s Handmaid: Why the Role of Philosophy in Orthodox Christianity is So Different’, attempted to address this issue and to defend this Eastern rejection of philosophy, advocating that Orthodoxy severely confined its role in theology due to the fact that it can contribute to neither the preservation and development of old doctrines nor to the formulation of new ones.⁶⁷ Nevertheless, as seen above, human reason and intellect can indeed be a useful tool for the theological approach of natural law in the East, not as an end in itself but as a service to theology and, in line with patristic thought, some modern Orthodox attempts to engage with philosophy and natural theology have been made.

For example, some Russian theologians endeavoured to revive natural theology in modern Russian Orthodox thought.⁶⁸ So did several theologians of the Greek theological thought of the twentieth century, not, however, without any objection from others, such as Zizioulas and Yannaras.⁶⁹ Even more, as Christoph Schneider remarks, although ‘Even in the twenty-first century, critical and creative engagement with modern and postmodern philosophy is still a rarity in Orthodox theological circles ... the situation is changing rapidly now’.⁷⁰ Following the Fathers, Schneider went on to argue that Christianity’s foundation should always remain theological, using philosophy merely ‘for the intellectual elucidation of its beliefs’,⁷¹ while, similarly, Nellas pointed out that philosophical

65. Pelikan, *Christianity and Classical Culture*, p. 170.

66. Babie, ‘Natural Law in the Orthodox Tradition’, p. 50.

67. See H. Tristram Engelhardt Jr., ‘Critical Reflections on Theology’s Handmaid: Why the Role of Philosophy in Orthodox Christianity is So Different’, *Philosophy and Theology* 18.1 (2006), pp. 53–75.

68. See Paul L. Gavrilyuk, ‘Natural Theology in Modern Russian Religious Thought’, in David Bradshaw and Richard Swinburne (eds.), *Natural Theology in the Eastern Orthodox Tradition* (St. Paul, MN: IOTA Publications, 2021), pp. 89–124.

69. See Dionysios Skliris, ‘Reactions of Modern Greek Theologians to Natural Theology’, in David Bradshaw and Richard Swinburne (eds.), *Natural Theology in the Eastern Orthodox Tradition* (St. Paul, MN: IOTA Publications, 2021), pp. 125–48.

70. Christoph Schneider, ‘Introduction’, in Christoph Schneider (ed.), *Theology and Philosophy in Eastern Orthodoxy: Essays on Orthodox Christianity and Contemporary Thought* (Eugene, OR: Pickwick Publications, 2019), pp. 6–15 (8).

71. Schneider, ‘Introduction’, p. 10.

researches are not bad or even tolerable, but ‘positively good and valuable’,⁷² adding, ‘It would in fact be very useful if contemporary Orthodox theology would reflect, for example, on what elements of modern philosophy—the philosophy of matter, of ideas, of life, of essence, of existence, of being—can be accepted by the theology of the incarnate God’.⁷³

All the above showed that if Eastern Orthodoxy chooses to redefine its relationship with natural law and develop a moral theology more interconnected to a natural law theory, it will first need to adopt one main element from its Western counterpart: its appreciation of reason and philosophical thought. Orthodox theology, although recognising the existence and goodness of human rationality, which derives from our creation in the image of God, limited it to the comprehension of divine revelation and not to the understanding of philosophical concepts or the fashioning of new ones in order to strengthen theological faith. Just as modern Catholicism, therefore, after its prior turn to the religious-philosophical model that started in Scholasticism, which strongly influenced much subsequent Western thought, tries to give more emphasis to theology and faith, in a similar way, but conversely, Orthodox theology would be benefited if it rediscovered the value of philosophy and reason. This is the first and foremost prerequisite for the Eastern Orthodox Church to cultivate a coherent natural law theory. The question, of course, is whether she actually wants such an enterprise to take place. And if she decides that she does, the hard part is not to actually achieve it, as she is blessed to abound in brilliant and talented minds but to honestly admit her omissions and decide to change them. And maybe, in the final analysis, this is the first lesson that Orthodoxy can learn from Catholicism after the latter learned it itself the hard way: how to acknowledge its mistakes or deficiencies and strive to correct them.

Ultimately, it is unarguably true that Orthodox moral theology has not developed a natural law theory. However, the characterisation of this as a ‘failure’ and Babie’s, among others, view that Orthodoxy has to ‘catch up with the developments of the second millennium of Christianity’⁷⁴ might be excessive or even unjust. The ‘failure’ to achieve something presupposes the prior effort to achieve it, and perhaps the Orthodox Church simply never cared to ‘catch up’, believing that she is not in need of such a development. This work provided a way by which such an effort could be realised.

Conclusion

Although natural law, as a concept, has its place and significance in both Catholicism and Eastern Orthodoxy, the latter has not attempted to develop a natural law theory. Important reasons for this neglect, as thinkers such as Harakas and Guroian advocated, are the little emphasis that Eastern Orthodox ethics puts on law, in contrast to traditional Catholic moral theology, and its denial to discern between the notions of grace and nature. Nevertheless, the paramount cause of the omission of a natural law theory in the East

72. Nellas, *Deification in Christ*, p. 101.


73. Nellas, *Deification in Christ*, p. 103.

74. Babie, ‘Natural Law in the Orthodox Tradition’, p. 57.

has been Eastern Christianity's focus on faith rather than reason and, consequently, its general indifference towards philosophical thought.

Examining, however, the place of reason and philosophy in early Eastern Christianity, it can be easily understood that, in the Bible as well as in the thought of most Eastern Church Fathers, reason is highly interconnected with faith, while philosophy and natural theology are considered good and are regarded as valuable means to the comprehension of theological teachings and doctrines. Thus, in order for the Eastern Orthodox Church to cultivate its own natural law theory, she must first of all reconsider her stance towards philosophy and return to this former patristic appreciation of human reason and intellect; whether she will ever feel the need to do so remains to be answered in the future.

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