Corporeal Theology and the Politics of Pregnancy:
Abortion and the Pregnant Body in Eastern Christian Thought

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Abstract

This thesis examines the theology of pregnancy within the Eastern Orthodox Church. In particular, it explores the understanding of the pregnant body as an image of the church, as well as the Orthodox view of biological pregnancy. Drawing upon some patristic sources, as well as the writings of contemporary Orthodox theologians including John Zizioulas, John Breck and Vigen Guroian, it reveals that, though the Orthodox Church opposes abortion, this opposition cannot be grounded in an appeal to the idea of the “rights of the foetus.” This is because an emphasis upon the individual’s “rights” undermines much of the Eastern Church’s understanding of personhood. Rather, the Orthodox Church’s opposition to abortion is grounded in a eucharistic approach to justice, and in its positive theology of pregnancy, wherein particular pregnancies within the church are contextualized by the pregnancy of Mary the mother of Christ, and therefore stand as an icon of the larger church body.

Résumé

Cette thèse étudie la théologie de la grossesse de l’église Orthodoxe. En particulier, elle examine la vue du corps enceinte comme symbole de l’église, et la perspective Orthodoxe sur la grossesse biologique. Employant des sources patristiques, ainsi que les œuvres de théologiens Orthodox contemporains comme Jean Zizioulas, John Breck et Vigen Guroian, elle découvre que l’opposition à l’avortement de l’église Orthodoxe ne peut pas se baser sur l’idée des “droits du fœtus.” Ceci est parce qu’une insistance sur les “droits de l’individu” infirme la vision de la personne humaine qu’on retrouve dans l’église Orthodoxe. L’église Orthodox s’oppose à l’avortement plutôt à cause de sa perspective eucharistique de la justice, et sa théologie de la grossesse positive dans laquelle des grossesses particulières sont contextualisées par la grossesse de Marie, mère de Jésus, et par conséquence sont identifiées comme icônes de l’église entière.
As children in the Canadian public school system at the end of the twentieth century, my peers and I were inculcated with the idea that we owned ourselves—more specifically, that we owned our bodies. In the fourth grade, we learned a song, taught as a kind of charm to ward off sex offenders: “My body’s nobody’s body but mine! You run your own body, let me run mine!” By the eighth grade, this self-ownership was tied explicitly to the idea of the “reproductive rights” we had, with the health class slogan “My body; my choice!” Both the slogan and the song suggest a conceptual relationship between “human rights”—“reproductive rights,” or the “rights of the child,” respectively—and ownership. This correlation between ownership and rights is not, however, a contemporary invention. Historically speaking, the development of human rights in the context of liberal democracy relies heavily upon the concept of ownership. In some sense, all rights are property rights: we begin with the ownership of our bodies, to which we add the ownership of our labour and so, by extension, the ownership of the product of our labour. What is unique to our time is the belief in the absolute self-ownership expressed in the “my body” song. Even John Locke, with all of his emphasis upon the individual agent’s autonomy, understood a person’s self-ownership to be qualified by God’s prior ownership of all people, and on this ground rejected the lawfulness of selling oneself into slavery or of committing suicide.¹

Today, the institution of human rights has come under the scrutiny of opposing political fronts. To stress the rights of the individual—specifically, the rights of the individual to buy and sell—over the economic well-being of the community as a whole provokes objections from those on the so-called “left.” Those on the “right” of the political spectrum tend to support rights that uphold the freedom to buy and sell, free speech and the freedom of religion, but object to rights when they are used by “left-wingers” to challenge traditional social structures—exclusively heterosexual marriage, for instance, or the definition of

the family as a married man and woman and their offspring. On either side of the political divide, there is the concern that “rights talk” is inherently self-centred, and the suspicion that it somehow misses a fundamental aspect of what it means to be human.

Amidst the current misgivings surrounding rights discourse we are also seeing a renewed appreciation for the physical body and for corporeal experience, which spans a number of different intellectual circles—philosophical, theological and political alike. This appreciation of all things corporeal even seems to have crossed the right-left divide, and can be found among both conservatives and liberals, whether we are using these terms politically or theologically. From the work of poststructuralist philosophers like Gilles Deleuze or Jacques Derrida, to Pope John Paul II’s *Theology of the Body*, human embodiment is generally esteemed—arguably more so than it has been since René Descartes’ fateful dictum “I think therefore I am,” which signalled the rise of a hierarchical dualism that relegated embodiment to a secondary aspect of human experience. Moreover, within many intellectual circles, there appears to be a departure from the ownership model of the human body. The tendency is instead to consider the relational and interdependent qualities of bodies. Of particular interest to many who study the body philosophically or theologically is the question of boundaries: a body is physically distinct from all other bodies, but insofar as it remains dependent upon the physical world around it, the body is never entirely separate from bodies. The fluid boundaries of physical bodies can remain a matter of mere thought experiments (e.g., When does the apple I eat become a part of my body?), a matter of the most critical ethical questions (e.g., When is a foetus an entity distinct from its mother?), or even become a matter of theological inquiry (e.g., How does partaking of the Eucharist constitute membership in the Body of Christ?). Although the implications are different within each of these spheres, the distinct-but-not-separate character of human bodies reveals the relational character of human experience, and therefore raises questions about personal and collective responsibility in human interactions. It is likewise because of the relational character of the embodiment of particular human beings (and I
deliberately avoid the term “individual” in describing them) that the body is used as a metaphor for how smaller social segments operate within a larger social context.

When considering particular bodies and responsible or ethical behaviour for distinct human persons, the relationship between the larger “body” of the state and smaller social “bodies” comes into play. This is because both the state and smaller social structures routinely make claims upon the particular body, understanding the person as a “member” of a larger collective body, be it the state or another social body. In her lecture “Freedom of Religion and the Rule of Law: A Canadian Perspective,” our Chief Justice, the Right Honourable Beverley McLachlin addresses what she calls “the clash of commitments” which may arise for the Canadian citizen who is also a religious adherent. Within a democratic society such as our own, which purports to protect religious freedom, there may arise a conflict between the state and a given religious community wherever there is a divergence between the laws of the state and the behavioural or conceptual norms posited by that community.²

Among those religious communities that sometimes struggle to maintain their way of life and their conception of life in a society with a different set of philosophical and ethical assumptions is the Eastern Orthodox Church in Canada. In our nation, Orthodox Christians face the challenge of living in the context of a society from which the Orthodox Church diverges fundamentally. This divergence includes, but is not limited to, conceptions of humanity, of family structures, and of moral living. Though the state may attempt to grant religious communities an ancillary authority to posit behavioural norms for their adherents, it legally upholds practices condemned by the Eastern Orthodox Church—marriage laws, for instance, or the sanctioning of abortion on demand. Conflicting assumptions about the world and differing ethical norms compel the Orthodox Christian to exercise much caution before endorsing even the most commonplace

social customs. Education as it is conducted in the public school system, for instance, may pose a serious problem for Orthodox Christian parents, as it may seek to instil in their children beliefs that directly oppose the theological, cosmological and ethical stance of the eastern Christian church. This is particularly true with respect to public education about the human being, which often conflicts with the Orthodox understanding of the human person. My introductory example of classroom curriculum serves to illustrate the difficulty of navigating Canada’s socio-political climate while seeking to preserve principles central to Orthodox theology. For the Orthodox Christian, membership in the church, which is understood as participation in the Body of Christ, precludes a belief in the unqualified “ownership” of one’s body. It may even undermine some of the claims made on one’s body by the state (paradoxical though these claims are in a society that prides itself on autonomy.)

Since the idea of self-ownership was developed in the Western intellectual tradition, eastern Christianity does not have recourse to the philosophical deliberation wherein this concept originated in its less extreme form. In fact, from the Orthodox perspective, even the limited Lockean self-ownership is problematic, for reasons that we shall discover. Thus, the emphasis upon “rights” in the Canadian legal system is less tenable for the Orthodox Christian than it might be even for those within Catholic or Protestant churches. The Orthodox Church remains unable to adopt the view of the human body upheld by the courts, or the rights-based understanding of justice found in the Charter of Rights and Freedoms. This is in part because the eastern Christian conception of the body has

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3 Some Orthodox Christians object to the term “eastern” as an external imposition: “The Orthodox Church, though commonly referred to as Eastern, considers herself none the less the universal Church; and this is true in the sense that she is not limited by any particular type of culture, by the legacy of any one civilization (Hellenistic or otherwise), or by strictly eastern cultural forms.... Orthodoxy has been the leaven in too many different cultures to be itself considered a cultural form of eastern Christianity. The forms are different: the faith is one,” Vladimir Lossky, *The Mystical Theology of the Orthodox Church* (Crestwood: Saint Vladimir’s Seminary Press, 1976), 16-17. Nevertheless, Orthodoxy’s relatively late appearance in North America has prevented it from incorporating some of the key concepts that currently shape the western world. The terms “western” and “eastern” therefore remains useful in distinguishing between a church that originally emerged in the West, and one that was later established here.
have been shaped largely by the liturgy of the Orthodox Church, and its idea of justice has been informed by the writings of Orthodox theologians.

In this thesis, I will argue that the Eastern Orthodox Church's relational and communal understanding of the human body in general, and of the pregnant body in particular, as expressed in its liturgical practice, both precludes a full endorsement of the prevailing idea of subjective human rights and provides the foundation for its rejection of abortion. I will begin by examining liturgical texts of the Orthodox Church, focusing especially upon the hymns for feast days devoted to Mary the Theotokos (or "God-bearer"). Although theological writings and canon law about abortion will be relevant to this paper, I will be viewing both as derivative of theology already present in the worship of the church. Beyond prohibitive injunctions, the hymns of the church reveal a positive "theology of pregnancy" that is contextualized within an incarnational, pneumatological and eucharistic understanding of the body of Christ. In particular, I will show how the pregnant body of Mary is understood as an icon of the larger church body, within which Christ is made physically manifest by the power of the Holy Spirit. I will

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4 "Subjective rights" refer to "rights" attached to distinct moral agents and rooted in their own person or powers, rather than to a "right" or "rightness" which is derived from something beyond such agents, to which they may appeal for justice.

5 This is a typically eastern Christian manner of understanding the relationship between worship and theological writings. Likewise, the Latin principle lex orandi lex est credendi, which expresses the early church's conviction that the "rule of prayer" and the "rule of faith" are inseparable, is still upheld by much of the Christian West. See Alexander Schmemann, *Introduction to Liturgical Theology*, trans. Ashleigh E. Moorhouse (Portland: American Orthodox Press, 1966), 9-13.

6 See, for instance, Kenneth Paul Wesche, "Eastern Orthodox Spirituality: Union with God in Theosis" in *Theology Today* 56:1 (April 1999), 35: "The church's personal character is made clear from her identification with the Theotokos, as is evident from liturgical texts, where both the church and the Theotokos are the "New Jerusalem" and the "bride and Mother of God," and in the church's liturgical calendar. Beginning with the feast of the nativity of the Theotokos, and concluding with her falling asleep, the church year is in essence the life of the Theotokos. As the Theotokos holds the Christ in her womb, so the church year holds in its bosom the whole mystery of Christ, from his conception to his birth, to his death, resurrection, and glorification, and finally to his eschatological presence in the world in the mystery of Pentecost. The church and her mysteries are revealed in the 'icon' of the liturgical calendar to be the extension into time-space—the embodiment or incarnation, the manifestation—of the eschatological mystery of the Theotokos and her Son, Jesus Christ, Lord and Saviour."

7 Cf. Vladimir Lossky, *In the Image and Likeness of God* (Crestwood, New York: Saint Vladimir's Seminary Press, 2001), 195: "Based on Christology, the dogma of the Mother of God has a strong Pneumatological accent; and through the economy of the Son and the Holy Spirit, it is inextricably bound up with ecclesiological reality."
address also the metaphor of "pregnancy with the Holy Spirit" used by eastern Christian theologians, as it pertains to distinct persons within the church body.

Following this discussion of the Eastern Church's positive theology of pregnancy, I will trace the origin of our current concept of rights to its fourteenth-century roots, comparing our prevailing understanding of "rights" to that propounded by those who first made use of the concept. Here I will show that, while the originators of rights discourse contextualized this discourse within a theological tradition that grounded both the moral agent and the rights themselves in a network of reciprocal relations, our contemporary understanding seeks primarily to sever those relations. The result is the fundamental alienation of this autonomous, self-possessed and, arguably, amoral agent. I will then show that this concept's emphasis upon self-ownership renders it incompatible with the eucharistic conception of the human body and the human person upheld within the Orthodox Church. Following western theologians Joan O'Donovan and William Cavanaugh, I will argue that a eucharistic understanding of the human body undermines the "possessive individualism" that provides a foundation for human rights as they are asserted in present ethical and political debates. This is because a eucharistic understanding of the human being is based upon an ethic of self-offering, rather than upon an ethic of self-ownership. (A kind of self-ownership may be implicit in the idea of self-offering, but the theological and ethical ideal resides in the offering, not the ownership.) An ideological conflict thus arises between the conception of the human person found in the Orthodox Church (and other eucharistic communities), and that of a secular society wherein particular human bodies are understood primarily in terms of property rights or ownership, and generally thought to be the property of a disembodied "self."

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Furthermore, I will show in what way the Orthodox Church’s understanding of Mary’s pregnancy as an ecclesial icon and its eucharistic approach to justice, embodied in the liturgy, work together not only to provide the theoretical grounds for rejecting the ethical validity of abortion, but also to elevate the bodies of particular pregnant women to the status of icons for the incarnational and pneumatological “pregnancy” of the church “body.” This is possible because, from the eastern Christian perspective, the miraculous form of human embodiment that takes place in the Eucharist involves both an extension of physicality, wherein a number of people are understood as a single body, as well as a voluntary offering of one body for the sake of others within the larger body. As such, the Eucharist itself can be seen as a political act, serving as a kind of ecclesial resistance to the state, which goes beyond the political realm to an eschatological event wherein the kingdom of God is made manifest within the midst of the members of Christ’s Body. The eastern Christian emphasis upon the relational and sacrificial character of the human body in general, and of the pregnant body in particular, thus stands in direct opposition to our contemporary society’s individualism, such that people are not identified as singular physical entities, but rather in terms of their relationships of self-offering to one another. The doxological approach of the Eastern Church will thus be shown to overcome the dilemma posed by western secularism between the “right” to life and the “right” to have an abortion.

Finally, I will address briefly the contemporary Orthodox Christian response to the inevitable conflict between its own ethical stand and the Canadian practice of sanctioning abortion on demand. Here, I will show that the Orthodox approach to such conflicts is to focus its energy inward, instilling in its members the long-standing teaching of the church, while maintaining a willingness to engage in ethical or political dialogue, where there is the opportunity to do so.

Throughout this study, the Eastern Orthodox tradition remains my primary focus, and so I will be concentrating upon the works of Orthodox ethicists and theologians such as Vigen Guroian, John Breck, Paul Meyendorff, Stanley Harakas, Frederica Mathewes-Greene, John Zizioulas, and the late Alexander
Schmemann. Nevertheless, I acknowledge a debt to western theologians such as Cavanaugh and Joan O’Donovan for their scepticism about the legitimacy of rights language in general, and to O’Donovan and Michael Banner for their insistence that rights discourse fails to provide an authentically Christian rejection of abortion. Within the eastern Christian context, I am similarly indebted to Schmemann for his general criticism of rights discourse, and to Vigen Guroian and John Breck for their insistence that an appeal to rights in the abortion debate is the wrong approach.

It is significant that the objection to rights discourse within the context of the Christian response to abortion crosses the east-west divide, and can even be found outside Christian circles (in the work of pro-choice feminist theorist Naomi Wolf, for instance). Within the eastern Christian tradition, however, this objection can be grounded specifically in Orthodox liturgical practice—that is, in the Orthodox Eucharist and in the feasts that celebrate the birth of Christ from the Theotokos. It is therefore by means of an examination of the Orthodox liturgical tradition that we discover what is unique to the Orthodox Christian response to abortion. To this inquiry we now turn.
CHAPTER 1
The Pregnant Church, the Body of Christ and the Eucharistic Liturgy

Beyond all political programmes, ethical treatises, or even theological texts, an inquiry into the eastern Christian view of the pregnant body begins with the liturgy, which the church understands as the wellspring of all theological writing. According to Orthodox bishop and theologian Kallistos Ware, "[t]he Orthodox approach to religion is fundamentally a liturgical approach, which understands doctrine in the context of divine worship."11 This approach is therefore distinct from some other Christian traditions, which assign this foundational role elsewhere—to scripture exclusively, for instance, such that the Eastern Church's iconography and set liturgical services would be viewed as excesses or, at best, secondary to the development of doctrine.12 On the central role of liturgy for the formation of theology, however, Alexander Schmemann offers us the following words of caution in Church, World, Mission: Reflections on Orthodoxy in the West:

To affirm that liturgy is the source par excellence of theology does not mean, as some seem to think, a reduction of theology to liturgy, its transformation into "liturgical theology." ... All theology, indeed, ought to be "liturgical," yet not in the sense of having the liturgy as its unique "object" of study, but in that of having its ultimate term of reference in the faith of the Church, as manifested and communicated in the liturgy, in that catholic vision and experience which now, in its alienation from liturgy, it lacks.13

According to this view, the church's life of prayer offers a compass for all theological investigation, which itself may pursue questions that are not obviously linked to the liturgy—questions of psychology, for instance, or of political theory. In fact, seeking answers to such questions may prove, from an Orthodox

12 Other such tendencies include the prioritization of doctrine as expressed in creedal statements or in canon law above the liturgy.
13 Schmemann, Church, World, Mission: Reflections on Orthodoxy in the West, 140.
perspective, a necessary part of liturgical and sacramental living.\textsuperscript{14} Divorced from the liturgically lived experience of the church, however, theological speculation becomes meaningless, no matter how lofty or imperative the subject matter. As the oft-quoted Evagrius of Pontus (4\textsuperscript{th} century AD) would have it, “a theologian is one who prays truly, and one who prays truly is a theologian.”

The orientation of theology by liturgical faith is particularly significant when we consider the eastern Christian view of the relationship between theology and politics. For Schmemann and other eastern Christian theologians, the eucharistic liturgy is the locus of the world’s transformation and is therefore the church’s central mission to the world. Offered “on behalf of all and for all,” the Eucharist is the church’s “fulfillment … of its priestly function,” wherein the world is both sacrificed and reconciled to God.\textsuperscript{15} The Orthodox identification of the liturgy as the source of transformative power in our world is contested by some who believe this leads to a failure to become active in a more properly political realm. We will, however, return to this debate in the third chapter, where we will investigate the Eastern Church’s eucharistic approach to political conflict. For the moment, it is sufficient to recognize that Schmemann and other Orthodox theologians begin with an attempt to understand the liturgy on its own terms, allowing themselves to be immersed in it and shaped by it, rather than seeking to draw direct intellectual parallels between liturgical practice and particular political or ethical positions. Nevertheless, to seek a relationship between the liturgy and Orthodox conceptions of the human person, the human body, and the pregnant body, is much less of a jump. As we shall see, such conceptions are, in fact, suggested by the liturgy itself.\textsuperscript{16} This therefore will be our initial quest.

Due to the central role of liturgical practice for theological reflection, it is likely that one would better understand the eastern Christian view of the pregnant body by participating in various liturgical celebrations or even by entering an

\textsuperscript{14} Alexander Schmemann, \textit{For the Life of the World} (Crestwood, New York: Saint Vladimir’s Seminary Press, 1998), 21, 150-151.

\textsuperscript{15} Schmemann, \textit{Church, World, Mission}, 214-215. See also Ware, 285-287.

Orthodox temple\textsuperscript{17} than through academic study. One can see the importance
given to pregnancy and childbirth, for instance, in the iconic role that the
Theotokos has for the church, which is intimated by the shape of the liturgical
year insofar as it begins with the celebration of her birth and ends with the
commemoration of her death.\textsuperscript{18} (This is not, of course, to suggest that pregnancy
and childbearing are the only images in the Eastern Church for the formation of
the ecclesial Body of Christ, or that Marian feast days are the only feast days of
the church—simply that these images and feasts are significant within the life of
the Orthodox Church.) Even without witnessing the community in prayer,
however, a visitor might be able to see the beginnings of a theology of pregnancy
in the temple’s iconography. High in the apse of most Orthodox temples, we find
a large icon of Mary, the Theotokos, with arms outstretched. In the centre of her
body is an image of Christ. The inscription, “More spacious than the heavens,” is
a recurring phrase in hymns to the Theotokos, such as that in the Liturgy of Saint
Basil:

\begin{quote}
In thee rejoiceth, O full of grace, all creation: the angelic hosts and the
race of men. O hallowed temple and supersensual paradise, glory of
Virgins, of whom God was incarnate and became a little child, even our
God who is before all the ages; for he made thy body a throne, and thy
womb he made more spacious than the heavens. In thee rejoiceth, O full of
grace, all creation: glory to thee.\textsuperscript{19}
\end{quote}

The theological significance of this icon begins with its position: standing at the
front of the temple, the Theotokos appears to embrace the entire assembly in her
arms. For the Orthodox Christian, this is a reminder of the vital connection
between the Theotokos and the church. In her initial acceptance to bear Christ, she
is emblematic of the life of the church. Bearing in her body the body of Christ,\textsuperscript{20}
and drawing the congregation into this body, she reveals the eucharistic and the
incarnational understanding of the church as Body of Christ. Like Mary, the
Church is called to “bear God,” and members of the Body of Christ are called to

\textsuperscript{17} Many Orthodox Christians reserve the word “church” for the people gathered in a place of
worship, and not the place itself.
\textsuperscript{18} Georges Florovsky, “The Background and Meaning of the Feasts” in The Festal Menaion, 49.
\textsuperscript{19} Service Book of the Holy Eastern Orthodox Catholic and Apostolic Church, 12th ed. (Antiochian
Orthodox Christian Archdiocese of New York and all North America, 2006), 139.
\textsuperscript{20} Cf. 2 Corinthians 4:10.
be theotokoi, just as Mary is Theotokos. In many of these icons, Mary’s body appears to bear Christ not at the level of the womb, but rather at the level of the heart. In some, there is a mandorla—that is, a circle of glory—around the image of Christ, showing the heavenly reality that exists within the person who bears him. With such details, the “more spacious” icon draws our attention to the pneumatological dimension of the church, wherein the Spirit of God is understood to enable members of Christ’s Body to “give birth” to Christ in their hearts—that is, in the centre of their being. (It is important to note, however, that in the Orthodox mind the spiritual does not replace the physical. Rather, a physical transformation is inherent in this spiritual birth-giving.) Thus, in this one image of Mary, the incarnational, pneumatological and eucharistic aspects of the church are revealed. These three aspects—central to the church’s self-understanding—are inseparable from the church’s theology of Mary’s pregnant body and its relationship to the Body of Christ.

The Eastern Orthodox Church sees the biblical tradition and the liturgical tradition as a unified expression of spiritual reality. Within the liturgy, one therefore finds a theology that Orthodox Christians consider consonant with language about the Body of Christ in the New Testament and frequent scriptural quotations. According to the Orthodox reading, Gospel accounts of the Last Supper, together with Saint Paul’s instruction about eucharistic participation and membership in the Body of Christ in I Corinthians 11 and 12, tie this corporeal language explicitly to the Eucharist. Moreover, from the eastern Christian perspective, to pray the liturgy is to live out and not merely to act out or illustrate scriptural teaching about the Body of Christ. As John D. Zizioulas points out in Being as Communion, the Orthodox Church understands the Eucharist as constitutive of the church, rather than the other way around: “[T]he eucharist was

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23 Ware, 199.
24 Ibid., 201.
not the act of the pre-existing Church; it was an event constitutive of the being of the Church, enabling the Church to be. The eucharist constituted the Church’s being." 25 This means that the church as Body of Christ is brought to life through its enactment of the Eucharist, which then becomes much more than a mere dramatization of Christ’s life or of the Last Supper, a reality that Schmemann also stresses in his Introduction to Liturgical Theology:

[P]eople love to explain the Divine Liturgy as the depiction of the life of Christ. But who explains it as the expression of the life of the Church, as the action by which she is eternally realized? Who ever sees that in this action she is not depicting the life of Christ before the congregation, but is manifesting, creating and fulfilling herself as the Body of Christ? 26

In our consideration of the Orthodox Church’s understanding of pregnancy and the pregnant body, scriptural imagery of childbirth such as that found in the fourth gospel’s Last Supper account is of particular interest. This passage has caught the attention of Orthodox theologian John Meyendorff, who quotes it explicitly in his discussion of childbirth and family planning in Marriage: an Orthodox Perspective:

Jesus Himself, on the eve of His death, at the solemn moment when He participated with His disciples in their last Supper together, recalled the joy of childbirth: “When a woman is delivered of a child, she no longer remembers the anguish, for joy that a child is born into the world” (John 16:21). 27

In his use of John 16:21, Meyendorff is trying to emphasize the Orthodox Church’s affirmation of childbirth as “great joy” and “God’s blessing.” What is more significant for our immediate purposes, however, is that in this passage Jesus is using the pain and joy of childbirth to illustrate the suffering of his disciples at being separated from him and the joy that they will know once reunited with him. That this image occurs in the context of a meal that is considered the foundation of eucharistic practice today suggests a possible link between the idea of childbirth and the eucharistic Body of Christ. The scriptural

25 Zizioulas, 21.
link between childbirth and the constitution of a Christian community is made even more explicit in Paul’s letter to the Galatians, where pregnancy and childbirth become images for the “formation” of Christ in a given community (4:19). Indeed, images of pregnancy and childbirth are common in Paul’s letters, and are often used eschatologically—that is, to point to God’s ultimate transformation of the world through Christ and in his body. This hearkens back to the eschatological use of childbearing language in the Hebrew scriptures, where a woman giving birth is made a symbol for God’s destruction, judgement and renewal of his people. Rather than addressing such passages immediately, however, we will turn instead to an investigation of related themes found in liturgical texts, attempting to address scriptural passages as they arise in a liturgical context, or when they express a theme emphasized in the liturgy even where there is no explicit quotation. Because of the Eastern Church’s own perspective, wherein the living and lived liturgical tradition is viewed as the source of theological insight, this will help us to understand the Orthodox Church’s perspective on the relationship between pregnancy and the manifestation of the Body of Christ.

_Flesh and Blood: Pregnancy, Incarnation and the Resurrection of the Body_

In the Orthodox Church, there is great emphasis upon the flesh and blood relationship between Mary and Jesus. The full name of the Feast of the Nativity (i.e., Christmas) is The Nativity According to the Flesh of Our Lord and God and Saviour Jesus Christ. Moreover, the Matins service for this feast claims that it is from Mary that the Creator takes “all man’s substance, being made truly flesh.”

Certainly, the paradox of such a statement is not overlooked by the Eastern Church—rather it is celebrated, as we see, for instance, in one of the hymns sung on Christmas Eve: “For our God the Creator has clothed Himself in created flesh, and He who with His strong arm fashioned the creation reveals Himself in the

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womb of her that He formed.”30 Similarly, Mary herself is given the following words in the Feast of the Nativity, acknowledging the paradoxical and mysterious nature of her role as the mother of God:

Rejoicing at once and weeping, she raised her voice and said: “Shall I give my breast to Thee, who givest nourishment to all the world, or shall I sing Thy praise as my Son and my God? What manner of name shall I find to call Thee, O Lord whom none can name?”31

Even if we simply consider the bodily relationship between Jesus and his mother, we see a tension inherent in the incarnation—Jesus is not Mary, and yet it is of her very body that he takes his humanity.32 The Matins service for the Forefeast of the Nativity draws out this tension, emphasizing the distinction between the bodies of Jesus and his mother, while showing the incarnation to be the vehicle for intimacy between Christ and the world: “Behold, the Most Holy Word comes unto His own in a holy body that is not His. By a strange birth He makes His own the world that was estranged.”33 The second part of this proclamation may prove baffling at first. Should the hymn not be instead: “By a strange birth He makes His own a body that was not his”? In what sense does Christ make the entire world his own through the taking on of Mary’s flesh?

This question can only be answered adequately within the context of the ancient Hebrew understanding of the body. With its emphasis upon flesh and blood relationships and corporate as opposed to individual identity, this view of corporeality refuses neat divisions between one body and another and, more to the point, between one body, those prior bodies that engendered it, and the future bodies of its offspring. Such an emphasis is evident in the many genealogies recorded in Hebrew scripture, as well as in the practice of circumcision, which marks a relationship to God as member of the covenant people into one’s very flesh. In the Orthodox Church, this relational view of the body is preserved, such that Mary is bound inextricably to the people of Israel. According to Georges

30 Ibid., 238.
31 Ibid., 199.
33 The Festal Menaion, 216. Emphasis added.
Florovsky, both Mary's flesh and blood heritage and the grace of Christ's conception in her womb give her a unique role in salvation history: "Forming as she does the link between the Old and the New, between the Law and Grace, it is most important not to isolate her from her context within Israel after the flesh."³⁴

For Orthodox Christian theologians, the phrase "Israel after the flesh" contains within itself not only the idea of the Israelite people, but also that of the bodily corruption with which Adam and Eve were cursed at the fall. Corruption usually refers to the body behaving in a way that it should not behave, though the meaning of this word is also extended and applied to attitudes of the heart. From an Orthodox perspective, this includes bodily suffering and death, which have begun to be eradicated by Christ's own participation in them. The pain of childbirth with which Eve is cursed (Genesis 3:16) and barrenness, a problem that is mentioned repeatedly throughout Hebrew scripture,³⁵ are also seen as examples of corruption, and not as an original part of the created order. From the Orthodox perspective, both are integrally related to the human failure to live up to the vocation of eternal life and, therefore, are extensions of death itself. There is thus, in the Orthodox understanding of birth pangs and infertility, a certain continuity with ancient Hebrew beliefs, which, as John Meyendorff points out in *Marriage: An Orthodox Perspective*, included the belief that an abundance of offspring was a sign of God's blessing. Consequently, infertility and childbearing problems were seen not only as a particular curse upon women, but also a general curse upon all humanity.³⁶

³⁴ According to Florovsky, this is one of the reasons that many Orthodox theologians have reservations about the Roman Catholic dogma of the Immaculate Conception, which they suspect separates Mary excessively from the rest of humankind. Florovsky, "The Background and Meaning of the Feasts" in *The Festal Menaion*, 48.
³⁵ E.g., Genesis 11:30; Exodus 23:26; 1 Samuel 2:5.
³⁶ Meyendorff, 12. It is significant that Meyendorff then contrasts the ancient Hebrew view with that of the Orthodox church, which sees the primary aim of marriage as the union of the couple, thus leaving room for the possibility of great spiritual fecundity even in the event that a married couple is not granted children: "[O]ne of the essential differences between the Old Testament Judaic conception of marriage and the Christian one was that, for the ancient Jews, marriage was a means for procreation only, while, for Christians, it is an end in itself—a union of two beings, in love, reflecting the union between Christ and the Church. And indeed neither in the Gospels nor in Saint Paul does one find the idea that childbirth 'justifies' marriage," Meyendorff, 60. Likewise, the chapter entitled "The Proper Aim of Marriage," in Evdokimov's *The Sacrament of Love* presents the dignity of marriage first and foremost as the union of the couple, iconic of the union
In light of this, it is especially significant that, in the Orthodox tradition, Ann, the mother of Mary, is said to have been barren. Throughout the feast honouring the birth of the *Theotokos*, Mary is presented as she through whom and in whom this curse is defeated: “[F]rom a barren mother has she been born, renewing our nature that had grown barren.” Moreover, according to the liturgical tradition, God granted to Mary a labour without pain and so, as the Nativity hymns would have it, “He looses the unhappy womb of Eve from the bitter curse of old.” Mary’s own birth and her birth-giving are thus seen as grace from God, who lifts the corruption of procreation—infertility and birthing pains—in and through her, such that the Orthodox Church affirms that Mary gave birth to Christ “without corruption.” Thus, as Schmemann points out in *The Virgin Mary*, the Orthodox Church views Mary as the “new Eve,” an Eve who has been freed from the bodily suffering with which the first Eve was cursed. Schmemann is clear, however, that this title is theologically derivative of Christ’s own as the “new Adam”: “Mary is the ‘icon’ of the new creation, the new Eve responding to

of Christ and the Church, and not as its procreative capacity: “The modern Western distinction between the objective aim of (procreation) and the subjective aim (the nuptial community) is inadequate; it does not take account of the basic hierarchy. The texts of the Orthodox Church, when they are not showing the influence of Western handbooks, are unanimous in placing the aim of nuptial life in the spouses themselves. In his Dogmatic Theology, Metropolitan Macarius gives this definition, the most recent, one which is very clear and explicit, and says nothing about procreation: ‘Marriage is a sacred rite. The spouses promise reciprocal fidelity before the Church; the grace of God is bestowed through the blessing of the minister of the Church. It sanctifies their union and confers the dignity of representing the spiritual union of Christ and the Church,’” Evdokimov, 119. (Considered in light of the iconic role that the *Theotokos* has for the church as a whole, the eastern Christian view of marriage primarily as an icon of the relationship between Christ and the church offers a hint of why the Orthodox church tends not to emphasize the marriage of Mary and Joseph—certainly not as much as the Roman Catholic church does with the prominent position it gives to the Holy Family. Further discussion between the Orthodox and Roman churches with respect to this matter is merited, but an adequate investigation of these differences would be beyond the scope of this paper.)

37 Florovsky, “The Background and Meaning of the Feasts,” 47. See also *The Festal Menaion* 99-102.

38 *The Festal Menaion*, 100.


40 In the Divine Liturgy of Saint John Chrysostom, which is used on most Sundays throughout the liturgical year, the following hymn is sung at the conclusion of the Anaphora: “It is truly meet to bless thee, O Theotokos, ever blessed, and most pure, and the Mother of our God. More honorable than the cherubim, and beyond compare more glorious than the seraphim. Without corruption thou gavest birth to God the Word. True Theotokos, we magnify thee.” For the full text of this service, see http://www.ocf.org/OrthodoxPage/liturgy/liturgy.html.
the new Adam, fulfilling the mystery of love.” Moreover, that Mary is the “image” and “personification” of this new creation means that she is iconic of the church, wherein God has inaugurated his transformative re-creation of the world. As we see in the compline service for the Feast of the Nativity, Christ’s incarnation in Mary’s womb and his subsequent birth begin the reversal of sin and bodily corruption:

The sinful vessel that brought death upon all flesh has through the Theotokos become the first fruits of salvation for the whole world. ... Through His swaddling clothes he looses the bands of sin, and through becoming child He heals Eve’s pangs of travail.

Although the reconciliation of woman to God takes place “through” the Theotokos, it is important that God—not Mary—be the agent of salvation from sin and death. The hymn above and those like it help to contextualize liturgical language, which might otherwise sound idolatrous, such as Mary’s words to Gabriel in one of the canticles for the Feast of the Annunciation: “May the condemnation of Eve be now brought to naught through me; and through me may her debt be repaid this day. Through me may the ancient due be rendered up in full.” It is indeed through Mary that Christ enters the world, and so such language remains appropriate from an Orthodox perspective so long as one remembers that it is God and not Mary who initiates salvation.

Likewise, careful attention to theological and liturgical context is required when one encounters the liturgical portrayal of Mary not only as she through whom Eve’s birthing-related curse is conquered, but also as “she who by her birthgiving overthrows the curse of Adam that weighed upon us.” Certainly, the Orthodox Church views Christ uniquely as the New Adam by whom death was

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42 Ibid., 65.
43 Here, the “sinful vessel” is the woman who was deceived by the serpent in Genesis 3, as is clear from the beginning of this hymn: “Paradise is opened to us: the serpent is laid low. Of old he deceived the woman in Paradise, but now he sees a woman become Mother of the Creator,” *The Festal Menaion*, 265.
44 *The Festal Menaion*, 265-266.
46 Ibid., 99.
overthrown and God as the ultimate agent of salvation. However, when we consider that much of Adam’s curse had to do with his relationship with the earth that God originally intended him to tend for his nourishment (“[C]ursed is the ground because of you; in toil you shall eat of it all the days of your life,” Genesis 3:17), the meaning of this claim about Mary becomes more apparent. The hymn to Ann that follows, which draws a conceptual parallel between human infertility and that of the earth, offers us a further clue: “The soil which formerly was barren gives birth to fertile ground and nourishes with milk the holy fruit sprung from her sterile womb.” In this, we begin to see something of the cosmic spectrum of redemption initially suggested both in the hymn to the Theotokos which calls “all creation” to rejoice because of her birth-giving, and in the claim that, by his incarnation, Christ “makes His own the world that was estranged.” Indeed, Schmemann insists that in the Orthodox liturgical tradition, Mary is portrayed as the locus of Christ’s transformation not just of woman, but of all humankind, and even of the entire creation: “Mary is not the representative of the woman or women before God, she is the icon of the entire creation, the whole mankind as response to Christ and to God.” According to Schmemann, an understanding of Mary as the new Eve—what he calls “the ‘cosmological’ aspect of Mariology”—allows one to understand the relationship between God and the world or, as Schmemann puts it, “the mystical marriage between God and his new creation.” An even clearer example of the role of Mary’s childbearing in this cosmic redemption can be found in the Nativity hymn, which addresses the city of Bethlehem and the cave into which Christ was born:

O Bethlehem, receive Christ: for, made flesh, He comes to dwell in thee, opening Eden to me. Make ready, O Cave, to behold most strangely contained in Thee, Him who cannot be contained, who now is made poor in the wealth of His tender mercies. Christ comes to be born, granting in

47 Unless otherwise noted, direct scriptural quotations will be taken from the Revised Standard Version.
48 The Festal Menaion, 99.
49 Service Book of the Holy Eastern Orthodox Catholic and Apostolic Church, 12th ed. (Antiochian Orthodox Christian Archdiocese of New York and all North America, 2006), 139.
50 The Festal Menaion, 216.
51 Schmemann, Celebration of the Faith, Volume III: The Virgin Mary, 91.
52 Ibid., 62, 64.
His goodness a strange rebirth to those sprung from Adam. Be glad, the whole nature of mortal man, though that art barren and bearest not: the Master has come to make thee a mother of many children.\textsuperscript{53}

Here, the cave is typologically linked to Mary herself, containing “Him who cannot be contained,” and the life in Mary’s womb is understood to bring new life into the earth itself. In this, the antagonism between Adam and the ground, between humanity and the natural world, is undone. A human woman becomes God’s gateway into fallen creation, as we see in the feast celebrating the birth of the \textit{Theotokos}: “Today, the barren gates are opened and the virgin door of God comes forth.”\textsuperscript{54}

The theology of such hymns is akin to that found in Paul’s epistle to the Romans, where he applies the image of a labouring woman not only to the entire human race, but indeed also to creation as a whole, thus extending the transformation of humanity through Christ to the entire cosmos:

For the creation waits with eager longing for the revealing of the sons of God; for the creation was subjected to futility, not of its own will but by the will of him who subjected it in hope; because the creation itself will be set free from its bondage to decay and will obtain the glorious liberty of the children of God. We know that the whole creation has been groaning in travail together until now; and not only the creation, but we ourselves, who have the first fruits of the Spirit, groan inwardly as wait for adoption as sons, the redemption of our bodies (Romans 8:19-23).

In this passage, Paul is suggesting that the process by which God transforms all of creation may be a difficult or painful one—one that causes all to “groan” like a woman in labour. Nevertheless, Paul maintains that human suffering, as part of this cosmic labour, is not in vain. Rather, the whole creation longs for “the revealing of the sons of God” (Romans 8:19). Although “creation was subjected to futility,” it labours in the hope of being set free for, as Paul writes, “creation itself…will obtain the glorious liberty of the children of God” (Romans 8:20-21), which includes even the freedom from any “bondage to decay”—that is, to corruption. In this, we see that Paul posits a profound relationship between the life of creation as a whole, and the spiritual life of the people of God: the redemption

\textsuperscript{53} \textit{The Festal Menaion}, 211.
\textsuperscript{54} Ibid., 101.
of creation begins with the “first fruits of the Spirit”—that is, with the Spirit’s indwelling of the children of God.

In the Romans passage, the physical body takes a central role: human beings are portrayed as groaning with labour pains while awaiting its redemption. Returning to the subject of curses overthrown by the incarnation, let us consider that one which, from an Orthodox perspective, lies at the root of all forms of corruption—that is to say, death itself. The Feast of the Dormition, which honours Mary’s death, treats the dying of the one who bore the creator of all life in the following way:

Life arose from thee without destroying the seals of thy virginity. How then could the spotless tabernacle of thy body, the source of Life, become a partaker of death? Having become the temple of Life, thou hast obtained the life eternal: for thou who hast borne the Life in Person, hast now passed over through death into life.\(^{55}\)

Here, the question is posed: How is it possible that the woman who bears Life himself suffer death? Moreover, if Mary was spared the ‘corruption’ of Ann’s infertility, and the more widespread ‘corruption’ of pain during childbirth, was she not also spared the ‘corruption’ of death? The Orthodox answer seems to be that she was, in fact, spared both kinds of corruption—that which, since the fall, is brought about when a new life enters the world as well as that which occurs in the flesh as a person enters the next life in Christ:

In thy giving birth conception was without seed: in thy falling asleep\(^{56}\) death was without corruption. A second wonder followed swiftly on the first, O Theotokos: how did she who knew not a man give suck while still remaining pure? And how was the Mother of God embalmed and carried to burial as dead?\(^{57}\)

To be spared from the corruption of birth and death is not, as we see, to be spared of birth and death altogether—from the Orthodox perspective, Mary experiences both. She experiences them, however, without their “normal” counterparts: her

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\(^{55}\) Ibid., 520.

\(^{56}\) “Falling asleep” or “falling asleep in the Lord” is common Orthodox language for the death of a Christian.

\(^{57}\) The Festal Menaion, 513.
motherhood is virginal, and her death is without bodily decay.\(^5^8\) As we have seen, the motherhood of Mary points to the close relationship that God has taken with the world through Christ. The eastern Christian understanding of Mary's death and resurrection springs from a similar theological source, insofar as Mary is believed to participate fully in Christ's life even now.\(^5^9\) Nevertheless, the Orthodox liturgical tradition is clear that Mary's resurrection life is derivative of her son's in that she participates in it, but the life remains his—that is to say, though she participates in the life of Christ, she does not become Christ.

This is significant in establishing that, despite the intimacy between son and mother, which makes possible the intimacy between God and the world and is iconic of the intimacy between Christ and the church, Mary does not take Christ's unique role. As his mother, she has her own. From the Orthodox perspective, Mary's resurrection is made possible only through Christ's. Fully human, and not by nature divine, she remains entirely bound by fallen human nature, which is subject to death, as we see in the matins service for the Feast of the Dormition: “O

\(^{5^8}\) In order to understand the relationship between Mary's perpetual virginity and the preservation of her body after death, one must note the Orthodox understanding of Mary's virginity is shockingly physical as well as profoundly theological. That is to say, it is theologically significant that the physical “seal” of Mary's virginity be left intact. The liturgical tradition is clear that Christ did not “destroy” Mary's virginity by being born of her, as we see, for example in the Forefeast of the Nativity, which puts the following words on Mary's lips: “O Most High God, O King unseen, how is it that I look upon Thee? I cannot understand the mystery of Thy poverty without measure. For the smallest of caves, a strange dwelling for Thee, finds room for Thee within itself. Thou hast been born without destroying my virginity, but Thou hast kept my womb as it was before childbirth, and Thou dost grant the world great mercy” (The Festal Menaion, 200). Thus, like the creedal belief in the resurrection of the body, the Orthodox insistence upon Mary's perpetual virginity is intended to affirm the goodness of the creation that God has made and especially the goodness of the physical body as it has been made by God. Using the image of the cave to draw an analogy between the body of Mary and the finite world into which Christ was born, this hymn maintains that God shows love for the world he made not only in that he deigns to enter it, but also in that, in so doing, he preserves it from destruction. Both this hymn and the following one from the Synaxis of the Theotokos are clear that this preservation from destruction must certainly include the woman within whom God became incarnate: “Thou art my life: from Thee have I learnt that I remain what I was. Thou art my God: for seeing the seal of my virginity unbroken, I proclaim Thee to be the unchangeable Word, now made incarnate. I have known no seed, and I know that Thou art the destroyer of corruption: for I am pure, yet Thou hast gone forth from me. As Thou hast found my womb, so Thou hast left it. Therefore all creation shares in my joy and cries to me: Hail, thou who art full of grace” (The Festal Menaion, 292-293). In this second hymn, Mary acknowledges the destructive aspect of God's power with respect to corruption, yet thanks God for preserving the integrity and goodness of her body.

\(^{5^9}\) Schmemann, *Celebration of the Faith, Volume III: The Virgin Mary*, 40-41 and Florovsky, “The Background and Meaning of the Feasts,” 64.
pure virgin, sprung from mortal loins, thine end was conformable to nature: but because thou hast borne the true Life, thou hast departed to dwell with the divine Life Himself.  

60 This is a point upon which Alexander Schmemann insists in *The Virgin Mary*: “[The Christian East] affirms that Mary shared original sin with mankind and that she fell asleep—i.e., died. The wonderful thing about her is not that, having no original sin, she did not have to die, but that her death was filled up to capacity with God and, therefore, changed into ‘blessed assumption.’” 61 Nevertheless, as Florovsky insists, Mary has a place of honour among human beings, standing as one who already shares in the bodily resurrection that Christ has extended to humanity through his own death and resurrection:

[T]he Holy Virgin underwent, as did her Son, a physical death, but her body—like His—was afterwards raised from the dead and she was taken up into heaven, in her body as well as in her soul. … The Resurrection of the Body, which all Christians await, has in her case been anticipated and is already an accomplished fact. This does not mean that she is dissociated from the rest of humanity and placed in a wholly different category: for we all hope to share one day in that same glory of the Resurrection of the Body which she enjoys even now. 62

Bearing in mind the importance given to the flesh and blood relationship between Jesus and Mary, as well as Mary’s role in God’s reversal of the corruption of flesh, we begin to see a relationship between the pregnancy of the Theotokos and the church’s understanding of itself as the Body of Christ. The incarnational character of Mariology within the Orthodox Church reveals a flesh

60 *The Festal Menaion*, 516.
61 It should be noted that, by Schmemann’s own account, “[T]he Christian East has never rationalized this mystery [i.e., the mystery of Mary’s resurrection], has not expressed it according to the categories of original sin, immaculate conception, donum superaditum, etc.” Alexander Schmemann, *Celebration of the Faith, Volume 3: The Virgin Mary*, 92. Here, Schmemann is responding to perceived differences between the Roman Catholic and Eastern Orthodox churches on the subject of Mariology—specifically as concerns the Roman Catholic beliefs in the Immaculate Conception, the Blessed Assumption, and any possible relation between the two. Nevertheless, some might be inclined to suspect that these differences are primarily lexical, originating in the development of two different ways of speaking about the fall, each with its particular emphasis—“original sin” in the West, and “corruption” in the East. That is to say, it is sometimes difficult to draw a sharp distinction between the theological content of the Roman Catholic insistence upon Mary’s freedom from original sin, and the Orthodox insistence that her birth-giving and death were free from corruption. On the other hand, the Orthodox Church generally seems less concerned about Mary’s own conception than the Catholic Church, except to emphasize that her birth was an answer to the prayer of infertile parents, stressing its miraculous nature, but by no means proclaiming it to be immaculate.
62 Florovsky, “The Background and Meaning of the Feasts,” 64.
and blood relationship between Mary and the God who has taken on her humanity, which makes possible the resurrection of her body. Likewise, those within the church believe themselves to be members of Christ’s body, called to act as God’s gateway to fallen creation by bearing the life of Christ in their bodies and, therefore, to participate in God’s overturning of the curse and his inauguration of a new creation. Thus, as Schmemann writes in *The Virgin Mary*, “being the icon of the church, Mary is the image and personification of the world”—that is to say, of the new world that God is making. It is only together with the pneumatological and eucharistic aspects of Mariology, however, that this incarnational character can truly reveal Mary’s iconic relationship with the church body. As we shall see, this is because the pneumatological dimension of Mariology emphasizes the personal, voluntary and vocational nature of membership in the Body of Christ through the descent of the Holy Spirit, while the eucharistic dimension explains in what sense members of the church claim their flesh and blood relationship with Christ.

*From a Virgin: Pregnancy and Pneumatology*

The Feast of the Annunciation draws our attention to the miracle of God within a human womb, in the words of Gabriel to Mary, “Hail, thou vessel containing the Nature that cannot be contained.” With this miracle, most Christian denominations affirm a second—that Mary was a virgin when she gave birth to Christ—and understand the two as integrally related. Thus, while Eastern Orthodox and Roman Catholic churches make the significance of Mariology for Christology explicit in their theological writings, even Protestant churches

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63 Cf. 2 Corinthians 4:10.
65 *The Festal Menaion*, 442.
66 Those churches that consider the veneration of Mary in the Orthodox and Roman Catholic churches excessive might perhaps be comforted by understanding that this reverence always hinges on the maternal relationship she has with her son. In his discussion of the liturgical feasts honouring the *Theotokos*, Georges Florovsky is careful to point this out: “Mary is honoured by the Church, not primarily for herself, but as Mother of the Lord—because it was within her womb that the hypostatic union between God and man was brought to pass. ... Always Mary is venerated because of the Child that she bore: Mother and Son are not to be separated, but Mariology is to be understood as an extension of Christology.” Florovsky, “The Background and Meaning of the
recognize a certain link between the two: Mary’s virginity indicates Christ’s divine origin. The Orthodox express this idea in the Synaxis of the Most Holy *Theotokos*, celebrated December 26: “He who before the morning star was begotten without mother of the Father, is today without father made flesh upon earth of thee.” Orthodox and Catholic churches go further than most contemporary Protestant churches, however, claiming that Mary remained a virgin even after giving birth to Christ. In the Orthodox feast commemorating Mary’s birth, we see that the preservation of her virginity is understood as an act of Christ himself: “The Lord, who is a spring of life to all, led forth the Virgin from a barren womb. Into her He deigned to enter, preserving her virginity inviolate after childbirth.”

When we consider the following Nativity hymn, we see that both Mary’s motherhood and her ever-virginity are understood vocationally in the Orthodox mindset: “For God the all-perfect is born a babe of her, and by His birth He sets the seal upon her virginity.” The theology here is clear: Orthodox Christians believe that Mary’s virginity was not merely preserved until after the birth of Christ, but that it was rendered permanent by his birth. This points to the active role that God is believed to have in the initiation and sanctification of human vocation. A belief in the “preservation” or more active “sealing” of Mary’s virginity by Christ does not mean that Orthodox Christians have a dim view of married sexual love. Indeed, in the Feast of the Annunciation, the Theotokos herself claims such love and its biological results to be God-given (and is therefore baffled by the angel’s message about the child to be born of her): “Childbirth comes from mutual love: such is the law that God has given to

Feasts,” 49. The *Catechism of the Catholic Church* similarly states the following: “What the Catholic faith believes about Mary is based on what it believes about Christ, and what it teaches about Mary illumines in turn its faith in Christ.” *The Catechism of the Catholic Church with Modifications from the Editio Typica* (New York: Image, Doubleday, 1995), 136.

In the Orthodox Church, a “Synaxis” of a particular saint is a liturgical service celebrated in honour of that saint.

The Festal Menaion, 292.

It is interesting to note, however, that key figures in the Reformation, such as Luther, Calvin and Zwingli affirmed the ever-virginity of Mary! Hilda Graef, *Mary: A History of Doctrine and Devotion, Vol. II* (New York: Sheed and Ward, 1965), 12-14.

The Festal Menaion, 112.

Ibid., 265.
man." Rather, the claim that Mary and Joseph had no sexual relationship serves to reveal Mary’s particular gift from God, which she accepted voluntarily—and not to condemn the happily married. Thus, the liturgical language is reminiscent of the sacrament of chrismation, where the priest anoints the new convert with oil, saying “The seal of the gift of the Holy Spirit,” and the people reply “Sealed!” For Mary, virginity and maternity are gifts from God. What is strange about Mary’s particular case is that these gifts are not understood to be mutually exclusive.

The Orthodox Church even goes as far as to posit a causal relationship between the two, as we have seen: in giving birth to Christ, Mary’s virginity is “sealed.” Mary is ever-virgin because she is Christ’s mother: “The Prophet spoke of the holy virgin as the Gate through which none might pass, save our God alone. Through her did the Lord go, from her did the Most High come forth, yet he left her still sealed, delivering our life from corruption.” Moreover, in The Sacrament of Love, Paul Evdokimov claims that the causal relationship also works the other way, that Mary is the archetypal mother because she is ever-virgin:

The man Jesus knew no human father, but He knows His mother; His relation is son-mother, His bond with humanity is through maternity. The Eastern Church cherishes the word of the Lord to John, “This is your mother,” and sees in it the completion of Eve; Mary is “Mother of the living,” a figure of the Church in her fundamental truth of motherly protection. ... As the New Eve in Christ, Mary brings us the truth about human nature; the Church declares her eternally virgin, virgin in her essence and thereby mother. It is because virginity, in its norm, blossoms

72 Ibid., 456.
73 “‘The Incarnation,’ it has been rightly said, ‘was not only the work of the Father, of His Power and His Spirit: it was also the work of the will and the faith of the Virgin.’ On the feast of the Annunciation, therefore, Orthodoxy commemorates not only the divine initiative whereby God in his lovingkindness took flesh from a Virgin; it commemorates also the human response, whereby Mary freely accepted the vocation set before her. God always respects human liberty; and so, when He elected to become man, He desired to do so with the willing agreement of her whom he chose as His mother,” Florovsky, “The Background and Meaning of the Feasts,” 60.
74 This sacrament of the Orthodox Church is similar to Western confirmation, but it normally follows the sacrament of baptism immediately, rather than being performed as a separate service. (There is an exception when an adult previously baptized in another Christian tradition is entering the Orthodox Church, in which case only the sacrament of chrismation is performed.)
75 The Festal Menaion, 113.
into motherhood that every woman is called to the maternal.\footnote{Evdokimov, 38.}

To say that virginity normally or regularly flowers into motherhood is biologically untrue. What then does Evdokimov mean by calling motherhood virginity’s “norm”? Even if we understand “motherhood” in a metaphorical sense (or, for that matter, “virginity”), it seems unlikely that all sexually inactive women will necessarily be “maternal” (or that every biological mother is a chaste person). Nevertheless, if we understand Mary’s role as an icon of the entire church body, the theological significance of Evdokimov’s claim becomes clearer. From the Orthodox perspective, the body of Mary becomes a fruitful vessel insofar as she is wholly devoted to God alone; likewise, the church is rendered fruitful in the world through its total devotion to God, rather than by any devotion to the world for its own sake. In her maternal virginity, Mary thus becomes the biological instantiation of this theological truth: that it is \textit{God himself} who brings forth life.\footnote{Cf. Schmemann, \textit{The Celebration of the Faith, Volume III: The Virgin Mary}, 19.} Of course, the fruitfulness of believers within the church, which includes the vocational maternity of “every woman,” need not be limited to biological fertility, but may include life-giving acts of a more spiritual nature—extending forgiveness to someone, for instance.

According to Schmemann, understanding the vocational character of Mary’s maternal ever-virginity is essential if one is to understand the relationship between Mariology and pneumatology.\footnote{Ibid., 75-77. In his chapter “Mary and the Holy Spirit,” Schmemann makes the following comment about the increased interest in pneumatology found in contemporary theology and, conversely, the diminishing emphasis upon Mariology: “[I]t is precisely this double phenomenon—a revival of pneumatology and a decline of Mariology—that calls for their joint investigation. ... I am convinced that pneumatology and Mariology are organically connected in the \textit{experience} of the Church and therefore must be connected in her theology. ... I am further convinced that the contemporary and confused interest in the Holy Spirit, valuable and promising as it is, will not lead to His genuine rediscovery unless it becomes at the same time an interest in the most spiritual one [i.e., the \textit{Theotokos}]; that the Mariological decline will not be overcome unless Mariology is no longer viewed as a devotional department of the Church, but integrated into pneumatology.” 72.} It is important, he claims, that this calling be understood as one that is utterly unique and particular to Mary:

\[ \text{[T]he descent of the Holy Spirit reveals a personal relationship. More than that, it fulfills Mary as a person; this means as an absolutely unique being, as totally herself. ... Her divine motherhood is not one single event which,} \]
having taken place, leaves her, so to speak, available for other events and other fulfillments. It is the decisive and all-embracing event which consumes all of her being, yet at the same time, makes and fulfills that being for all of eternity. 79 Nevertheless, Schmemann insists, “the relationship between Mary and the Holy Spirit is both unique and archetypal” and claims that it is the latter insofar as “it reveals the very nature of the Holy Spirit in His relationship with the creature, the true nature of what we call sanctification.” 80 Certainly, the liturgical tradition supports this, with hymns that show the distinctiveness of Mary’s role in the church, while at the same time evoking the relationship both between the Holy Spirit and the covenant people, as well as between the Holy Spirit and the church. Drawing upon language used in Luke 1:35 (“The Holy Spirit will come upon you and the power of the Most High will overshadow you”), the Feast of the Annunciation has the angel Gabriel explain to Mary how she will conceive by telling her “The Holy Spirit shall overshadow thee with his creative power.” 81 This encounter with the angel, though particular to Mary, is suggestive of the creation account in Genesis, which has the Spirit of God “hovering over the waters.” 82 Likewise, the Feast of the Nativity recalls the story of Moses’ encounter with God through the burning bush (Exodus 3:2): “Plainly foreshadowed by the burning bush that was not consumed, a hallowed womb has borne the Word.” 83 Thus, this time in their treatment of the role of the Holy Spirit in the incarnation, we see the liturgical hymns yet again preserving the link between Mary and the entire creation that has come before her, with a special emphasis upon her connection with the chosen people: “The descent of the Holy Spirit has purified my soul and sanctified my body: it has made of me a Temple that contains God, a Tabernacle divinely adorned, a living Sanctuary, and the pure Mother of Life.” 84 Moreover, the liturgical hymns, particularly those for the Feast of the Dormition, present Mary as an archetype not only of the created order and

79 Ibid., 75, 77.
80 Ibid., 75.
81 The Festal Menaion, 450.
82 Genesis 1:2, NIV.
83 The Festal Menaion, 270.
84 Ibid., 455.
of the Israelite people, but also, in a special way, of the church itself. Hymns from this feast day present her as the mother of the church because she is the mother of Christ, which we see when the people ask for her protection on this basis: “[P]ray without ceasing that thy newborn people be guarded on every side. ... “Forget not, O Lady, thy ties of kinship with those who commemorate in faith the feast of thine all-holy Dormition.” According to both Schmemann and Florovsky, it is Christ himself—Christ on the cross—who makes Mary’s motherhood universal by giving her as mother “to all the children of God” in Jesus’ words to “the disciple whom he loved” in John 19:27, “Behold your mother!”

Both the unique and the archetypal nature of the relationship between Mary and the Holy Spirit are taken into account in the writings of earlier Orthodox theologians, as we see for instance in Saint Ambrose of Milan’s commentary on the Gospel of Luke (4th century CE): “For a soul that has believed has both conceived and bears the Word of God and declares his works. ... She is the one mother of Christ according to the flesh, yet Christ is the Fruit of all according to faith.” Likewise, Saint Symeon the New Theologian (949-1022 CE) writes about the joy of “becoming pregnant with the Holy Spirit,” though in his commentary on Galatians 4 he is also careful to distinguish between the formation of God within his people’s hearts and the formation of God within Mary’s womb.

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86 The Festal Menaion, 507, 509.
88 Schmemann, The Celebration of the Faith, Volume III: The Virgin Mary, 93.
89 Ambrose of Milan, “Christ the Fruit of the Faithful” in Arthur A. Just Jr. and Thomas C. Oden, eds. Ancient Commentary on Scripture, Vol. III: Luke, (Downer’s Grove, Illinois: InterVarsity Press, 2003), 22-23. Saint Ambrose is, of course, a theologian of the Western tradition. Writing before communion between the eastern and western churches was broken, however, he is revered by both East and West.
90 Symeon the New Theologian “On the Love of God and Faith” in On the Mystical Life: The Ethical Discourses, Vol. II, trans. Alexander Golitzin (Crestwood, New York: Saint Vladimir’s Seminary Press, 1996), 110. See also Symeon the New Theologian, “The Tenth Ethical Discourse” in On the Mystical Life: The Ethical Discourses, Vol. I, trans. Alexander Golitzin (Crestwood, New York: Saint Vladimir’s Seminary Press, 1995), 169: “[J]ust as a woman surely knows when she is with child that the babe leaps in her womb and could never be ignorant of the fact that she has it within her, so the one who has Christ take form within himself and is aware of His stirring, which is to say His illuminations, is in no way ignorant of His leaps, that is His gleamings, and sees His formation within himself.”

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thereby safeguarding the singular event of Christ’s incarnation and ensuring that the unique role given to the *Theotokos* is not in any way usurped:

Now then, where or in what place or part of our body does he [i.e., Paul] say that Christ takes form? Do you think he means on the brow, or in the face, or in the breast? Assuredly not! It is rather inside, in our hearts. Perhaps you supposed that He takes form bodily? Away with the notion! Rather, He indeed takes form, but bodilessly and as is proper to God.  

Thus, in these earlier theological writings, Mary not only stands as a representative of the collective church—she also stands for every particular person within the church who receives God. In her voluntary acceptance to become the Mother of God by the power of the Holy Spirit, she represents each member of the church who voluntary accepts his or her own calling through the descent of the spirit in the Sacrament of Chrismation. This personal understanding of Mary’s role in the church continues even today in the works of contemporary Orthodox theologians. In *The Sacrament of Love*, for example, Evdokimov writes that “[s]anctification is the action of the Spirit who brings about the miraculous birth of Christ in the depth of the soul,” appealing, like Symeon the New Theologian, to Galatians 4:19, where Paul likens himself to a woman in labour.

Thus, from the Orthodox perspective, every Christian is called, like Mary, to be “spiritually vaster than the heavens.”

One should not imagine, however, that the theology of the Orthodox Church limits the transformation of the human person to the realm of the soul. As we have seen, the creedal belief in the resurrection of the body is central in Orthodox theology, which is the reason that Mary’s death and resurrection are celebrated in the Feast of the Dormition as archetypal for the entire church, revealing a theology that is consonant with 2 Corinthians 4:10: “[We are] always carrying in the body the death of Jesus, so that the life of Jesus may also be manifested in our bodies”. Although our discussion of the church’s

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92 Evdokimov, 35.
93 *The Festal Menaion*, 219.
pneumatological understanding of pregnancy has emphasized the formation of Christ in the heart or in the soul through the work of the Holy Spirit, our examination of the relationship between pregnancy and the Eucharist will exhibit the more corporeal dimension of the Eastern Church’s theology of pregnancy.

The Bread of Heaven: Pregnancy and the Eucharistic Body

If the Orthodox Church affirms Mary’s participation in Christ’s death and resurrection, so too it insists upon her participation in the eucharistic mystery. In fact, the story of Mary’s childhood, as it is recounted in the church’s liturgical hymns for the Entry of the Most Holy Theotokos into the Temple, prefigures the self-offering of Christ in the Eucharist. According to the story, Mary lived in the temple as a child, and was brought into the holy of holies by the high priest Zachariah—the same Zachariah who would later father John the Baptist. It is believed that there, in the holy of holies, she was fed miraculously by the hand of an angel. The matins service for this feast day draws a parallel between this angelic feeding and God’s gift of the Eucharist to the church: “[T]he Virgin, receiving food from an angel, offers us an image of the divine dispensation.” Moreover, the matins service for the Feast of the Dormition refers to Mary as the “vessel of manna,” in the context of a theological tradition that understands God’s gift of manna to the Israelite people as a type or prefiguration of the Eucharist.

Furthermore, in the vespers service in honour of Mary’s birth, the incarnation is portrayed eucharistically in an explicit way: “Dread wonder: she who sustains our life, who received within her body the Bread of Heaven, feeds at her mother’s

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95 Ibid., 51. Like the feast for the birth of the Theotokos, the background for this feast day is taken from the Protoevangelion of James, to which the Orthodox Church does not grant the same authority as it does to Scripture. Thus, unlike feast days celebrating events recorded in Scripture, commitment about the historical exactness of the events recounted varies within the Eastern Church. Nevertheless, the liturgical celebration of these feast days is important to the life of the church. As Florovsky comments in “The Background and Meaning of the Feasts,” “it is possible...to accept the spiritual truth which underlies this narrative, without necessarily attributing a literal and historical exactness to every detail,” 47. See also Schmemann, The Celebration of the Faith, Volume III: The Virgin Mary, 26-27.
96 The Festal Menaion, 179.
97 Ibid., 519.
breast." The theological significance of this is clear: by her pregnancy, Mary received Christ into her own body—a receiving that Orthodox Christians liturgically embody in the Eucharist. From the church’s perspective, Mary is at the same time the only one to have received Christ as a child in her womb, and the first to have received him into her body. Thus, from a eucharistic perspective as well as a pneumatological one, she is understood as both unique and archetypal.

The Synaxis of the Most Holy Theotokos also uses language clearly intended to evoke the Eucharist: “The mystical Vine put forth the bunch of grapes that was never husbanded, and with her arms as branches she carried Him, saying: ‘Thou art my fruit, Thou art my life.” Although Mary is here described with a metaphor that Christ uses of himself, which may seem to reverse the biblical order wherein Christ is the vine and the faithful are branches (see John 15:5), Christ is nevertheless proclaimed as the source of Mary’s own life. This is significant because the theology surrounding events in the life of Mary point to the church’s understanding of Christ. At stake beneath such considerations are questions of boundaries and relationships: To what extent or in what manner does Mary partake in the life of Christ? To what extent or in what manner do members of the church?

When we consider further the hymns of the Eastern Church which address the eucharistic character of Mary’s birth-giving, it seems that the church’s intention is not to give Mary honour due to Christ alone. Rather, in claiming the life of Christ as Mary’s own, the church is proclaiming her to be an icon of the church body and insisting upon her full participation in the life that Christ offers to all members of the church in the Eucharist. This is made explicit, for example, in the compline service for the Feast of the Annunciation, where Mary’s own body is understood as the consecrated tabernacle, which bears Christ’s body: “Today... the tabernacle of the human nature which the Lord took upon Himself, making divine the substance He assumed, is consecrated as a Temple of God.”

In *The Sacrament of Love*, Evdokimov draws out the voluntary character of

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98 Ibid., 99.
99 Ibid., 292.
100 Ibid., 445.
Mary's childbearing: "Christ could not take human flesh and blood if humanity—Mary—had not offered them freely as a gift, a pure offering." Here, the claim is that Mary's own offering is both eucharistic in character and also profoundly human. An icon of the entire human race, Mary offers herself to God as mother, and through Mary's birth-giving God offers himself to the entire world.

Earlier (p. 15-17), we considered the constitutive role of the Eucharist for the church, and its relationship to childbearing images, and especially to Mary’s bodily reception of Christ and subsequent birth-giving. There, as well as in our discussion of the incarnational and pneumatological understanding of Mary and of the church, we saw that the eucharistic liturgy is understood not only as constitutive of the church, but also as transformative of the church, of humankind, and of the entire cosmos. The church's commitment to this eucharistic transformation relies both upon a belief in Christ's unique sacrificial action for the sake of all. Likewise, it relies upon a belief in the real presence of Christ in the Eucharist and, therefore, to the intimate relationship that exists between human bodies therein, according to which Christ's action can effectively eradicate corruption, death and sin in distinct created beings. Though utterly particular and without (created) equal in the theology of the Orthodox Church, Christ remains not entirely separate from the mother who bore him, nor from the generations of people who came before her, nor from those who partake mystically of his body in the Eucharist.

In considering the transformative nature of the eucharistic liturgy, Florovsky writes that the unifying action of Christ with distinct members of his body conquers divisions between these members:

In the Eucharist those who are separated and estranged from each other by human frailty are brought together into the perfect and intimate unity of the One Body in Christ. Human exclusiveness and the mutual impenetrability of men are overcome. The faithful are "co-members" of each other through Christ in the Church, or even "con-corporeal," with each other and with Christ in His Body, to use the phrase of St. Cyril of Alexandria.

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101 Evdokimov, 38.
102 Florovsky, 35.
Likewise, the transformative character of the Eucharist is what causes Zizioulas to distinguish between “biological” and “ecclesial existence” in *Being as Communion*. According to Zizioulas, the church “brings man into a kind of relationship with the world which is not determined by the laws of biology.” As Zizioulas explains, ecclesial personhood transcends physical boundaries between distinct persons by extending the language of familial love beyond the confines of one’s biological family:

[A] characteristic of the ecclesial hypostasis is the capacity of the person to love without exclusiveness, and to do this not out of conformity with a moral commandment (“Love thy neighbour,” etc.), but out of his “hypostatic constitution,” out of the fact that his new birth from the womb of the Church has made him part of a network of relationships which transcends every exclusiveness.

For Zizioulas, this “new birth” is not merely figurative, but rather refers to a spiritual and physiological process by which particular people are brought into perfect communion with God and with other people, a process that reverses much of what we consider biological norms, including the inevitability of death:

The body, for its part, as the hypostatic expression of the human person, is liberated from individualism and egocentricity and becomes the supreme expression of community—the body of Christ, the body of the Church, the body of the eucharist. ... In this hypostasis which it has, the body transcends together with its individualism and separation from other beings even its own dissolution, which is death.

There is thus an overlap for Zizioulas between the church’s birth-giving and the eucharistic mystery, which he believes to be constitutive of the church. In this, Zizioulas seems to have internalized the Orthodox Church’s liturgical language, wherein the childbearing of the *Theotokos*, iconic of the entire church body, is understood eucharistically. Like Christ, Mary offers her body to the entire church. Participating in Christ’s own self-giving life, she offers herself as mother, as icon, and as the physical gateway for God.

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103 Zizioulas, 49-65.
104 Ibid., 56.
105 Ibid., 57-58.
106 Ibid., 63-64.
107 Ibid., 21.
If the Eastern Church contextualizes the ecclesiological significance of pregnancy with reference to the Eucharist, this is because, for Orthodox Christian theologians, the Eucharist is at the centre of the church’s sacramental life. Indeed, like Zizioulas, Schmemann insists that the enactment of the Eucharist is the church’s very formation, wherein each person’s private existence is transformed by being brought into the shared life of the church:

The purpose of worship is to constitute the Church, precisely to bring what is “private” into the new life, to transform it into what belongs to the Church, i.e. shared with all in Christ. In addition its purpose is always to express the Church as the unity of that Body whose Head is Christ. And, finally, its purpose is that we should always “with one mouth and one heart” serve God, since it was only such worship which God commanded the Church to offer. The Eucharist is the Sacrament of the Church, i.e. her eternal actualization as the Body of Christ, united in Christ by the Holy Spirit. Therefore the Eucharist is not only the “most important” of all offices, it is also source and goal of the entire liturgical life of the Church. Any liturgical theology not having the Eucharist as the foundation of its whole structure is basically defective.  

Thus, for Schmemann, the “distinction between ‘corporate’ and ‘private’ worship is a contradiction of the basic and ancient concept of Christian worship as the public act of the Church, in which there is nothing private at all, nor can there be, since this would destroy the very nature of the Church.” In this way, which we will explore in greater detail in the second chapter, the Orthodox Church rejects the heightened status to which the individual has been elevated in the modern society, insisting instead upon what it considers the greater reality of the church body, and the new birth of persons in communion with God and each other “from the womb of the Church.”

In all this we see the church’s positive theology of pregnancy, which is contextualized within an incarnational, pneumatological and eucharistic understanding of the Body of Christ. The iconic relationship between Mary and the church, wherein Mary’s birth-giving is seen as archetypal for the Christian community, reveals the church’s understanding of itself as the inception of a new creation, called to participate in Christ’s resurrection life. This participation—

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109 Ibid., 19.
Mary’s as well as that of others within the church—is made possible because of
the incarnation: Christ has assumed human nature, taking flesh and blood from
Mary, who gave of herself voluntarily. The descent of the Holy Spirit upon Mary,
wherein her vocation was sealed and confirmed by God is likewise a model for
particular people within the church who receive God’s call in the sacraments of
baptism and chrismation. Moreover, the childbearing of the *Theotokos* is placed
within the context of the Eucharist: in giving birth to Christ, Mary offers her body
to God himself and is given in turn to the church as mother, as an icon and as the
physical gateway for God. The eucharistic aspect of the Orthodox Church’s
understanding of the pregnancy of the *Theotokos* thus unites the pneumatological
and incarnational aspects: the pregnant body of Mary is viewed as an icon of the
larger church body wherein, by the power of the Holy Spirit, Christ is made
physically manifest in the sharing of the Eucharist and in the resurrection life
promised to those who partake of Him therein.
CHAPTER 2
The Roots of Rights Discourse and the Eucharistic Alternative

Having explored the Eastern Church’s positive theology of pregnancy as it is expressed in the Marian feasts of the church and the iconic status given to Mary the Theotokos, we may now turn to the ethical and political climate in which the Orthodox Church finds itself in North America. As we prepare to consider the ideological conflict that arises between the eastern Christian conception of the human person in the church, which takes Mary as its “icon,” and conceptions of the “self” which emphasize ownership of one’s physical body, let us consider two different ways in which the Eastern Church’s stance might be interpreted. First, one might encounter a kind of anthropological pessimism, which would seek to deny any kind of exalted status either to Mary or to humanity in general. According to such a view, human beings are mere instruments—the instruments of physical laws, of one another, even, perhaps, of God—and the human will is thus illusory and therefore merits no attention, let alone honour. Schmemann acknowledges this perspective in *The Virgin Mary*, dubbing it “anthropological minimalism.” In Schmemann’s view, the church’s veneration of Mary and its Mariological understanding of the created order is the only antidote to this kind of reductionism. For him, the Theotokos embodies all creation’s perfect response to God, allowing him to enter and fill all with himself:

She—Mary—is the ultimate “doxa” of creation, its response to God. She is the climax, the personification, the affirmation of the ultimate destiny of all creation: that God may finally be all in all, may fill all things with himself. The world is the “receptacle” of his glory, and in this it is “feminine.”

Similarly, Evdokimov believes that the exaltation of Mary signals the exaltation of feminine nature in particular, and of human nature in general, for its capacity to receive God:

*The Bible exalts woman as the instrument of spiritual receptivity in human nature.* Indeed, the promise of salvation has been given to woman: it is she

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111 Ibid., 48-49.
112 Ibid., 66.
who receives the Annunciation, it is she to whom the Resurrected Christ first appears, it is the woman adorned with the sun who represents the Church and the Heavenly City in Revelation. Likewise, it is the image of the Bride and of the Betrothed that God has chosen above all others to express His love toward man and the nuptial nature of His communion. And what is ultimately most decisive, the Incarnation is accomplished in the feminine being of the Virgin who gives to it her flesh and blood. ... To the divine fatherhood as qualifying the being of God corresponds directly the motherhood of woman as the distinctive religious quality of human nature, its capacity to receive the divine. The aim of the Christian life is to make of every human being a mother, predestined for the mystery of birth, "in order that Christ be formed in you." 113

Thus, for both Schmemann and Evdokimov, Mary is the revelation of what it means to be feminine, but also of what it means to be human and even creaturely. They do not view this creaturely essence negatively, as a being that is merely less than God. Rather, they understand the creaturely mode of being relationally, insofar as it receives its completion and perfection from him who made it. Moreover, in their view, the created human being is made to receive Christ, the fully human and incarnate God. 114


114 One might object to this gendered understanding of the relationship between God and his creation on the grounds that it leaves little room for the human male. If, however, one understands the human male as an icon of Christ, the God-man, and the human female as an icon of the church, which the eastern Christian church does, the "femininity" of creation does not minimize the importance of male humanity. Rather, it makes both men and women icons of the incarnation—but in very different ways. It is thus that the Orthodox Church interprets Ephesians 5:29-32: "For no man ever hates his own flesh, but nourishes and cherishes it, as Christ does the church, because we are members of his body. 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh.' This mystery is a profound one, and I am saying that it refers to Christ and the church." One could even argue that this gendered understanding of God and creation helps to elucidate the following obscure passage from 1 Corinthians: "For a man ought not to cover his head, since he is the image and glory of God; but woman is the glory of man. (For man was not made from woman, but woman from man. Neither was man created for woman, but woman for man.) That is why a woman ought to have a veil on her head, because of the angels. (Nevertheless, in the Lord woman is not independent of man nor man of woman; for as woman was made from man, so man is now born of woman. And all things are from God.)" (11:7-12) Here, there are two sets of iconic relations being addressed: the hierarchy originally established in the created order between Adam and Eve, and the mitigated hierarchy of the new creation, wherein God has become a man and a woman has been given the very special honour of bearing him.
A second response to the Eastern Church's anthropology, however, might be to consider it altogether too low, for, as Schmemann points out, there are many for whom the human being is ultimate and the human will of absolute importance:

[O]ur culture is permeated with and truly based on an unprecedented exaltation of man, is the expression of an anthropological maximalism of proportions unknown in the past. The pathos of our "modern world" is the endless affirmation of man's absolute rights and freedom, the seeking of his liberation and self-fulfilment, the rejection of any limits to his "potential." 115

According to Schmemann, the corresponding objection to the Eastern Church's Mariology from such an anthropological standpoint would be that it makes of Mary an instrument of divine action, rather than viewing her as an agent in and of herself:

[In the economy of Christian faith Mary stands, first of all, as the ultimate expression of that fundamental humanity and obedience to God's will and this means to "nature" itself which is ultimately the "instrument" of that Divine will and design .... This, incidentally, is one of the reasons for Mary's "rejection" by many "modern" Christians: she can hardly be construed as the symbol of that "liberation" which stresses the absolute "right" of man to dispose of his life and of his body in a manner which he himself chooses, to a "self-fulfillment" which he himself determines. 116

An excellent example of this type of objection can be found in the reaction of some feminist theologians to traditional Mariology, such as that which Amy-Jill Levine describes in A Feminist Companion to Mariology:

Mary negates women's sexuality and contributes little to women's emancipation. ... [A]s Queen of heaven, she perpetuates hegemonic structures; as consoling mother, she can perpetuate the picture of a violent, vengeful God. Reduced to motherhood, and a motherhood defined by the traits of gentleness, sweetness, nurturing, patience and the home, Mary supports an ontological dichotomy between men and women. 117

For Schmemann and other Orthodox theologians, however, the cooperative instrumentality of Mary, her "synergia," is no disgrace, but rather the highest honour. Synergy—cooperation between God and the human being—is, for them, at the centre of what it means to be human. This is why Schmemann believes that

116 Ibid., 51-52.
the Eastern Church’s veneration of Mary paves the way for a healthy anthropology, which avoids both a minimalism that reduces the human will to nothing, or a maximalism that makes it supreme. It is this second, maximalist trend that provides the prevailing framework for “rights” discourse and ownership issues surrounding the pregnant body. As we turn to an examination of the historical roots of subjective rights, the relationship between rights discourse and “anthropological maximalism” will become more evident. That is to say, we shall see how, over the course of its development, rights discourse has tended towards a quest for the kind of self-determined and self-determining “freedom” that from the Orthodox perspective, is entirely illusory.

Fourteenth-Century Subjectivism

In “Rights, Law and Political Community,” Joan O’Donovan distinguishes between two ways of understanding political right. The first is the objective right of natural law theory, wherein right (ius) is synonymous with justice (iustitia), and has its origin in laws that exist external to and apart from the moral agent. The second is the idea of a right as something “ascribable to individuals and groups.” According to O’Donovan, this second understanding originated in the fourteenth century with the political writings of Marsilius of Padua and William of Ockham. Writing in defence of the Franciscan order, which was under the attack of Pope John XXII, both Marsilius and Ockham appeal to the idea of “right” as something that can be possessed—in this case, by the Franciscan monks.

Although Marsilius introduces a subjective definition of “right” in his Defensor Pacis, he presents this definition as a derivative one:

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118 Schmemann, Celebration of the Faith, Volume III: The Virgin Mary, 48-49.
120 Joan Lockwood O’Donovan, “Rights, Law and Political Community,” 31-33. O’Donovan admits “a few scattered appearances” of the concept of subjective rights before the Marsilius and Ockham, but insists that the concept “was not theoretically developed,” 31.
In one sense right is the same as law, divine or human, or what is commanded or prohibited or permitted according to these laws. ... “Right” is used in a second sense to refer to every controlled human act, power, or acquired habit ... whenever these are in conformity with right taken in its first sense. It is in this sense that we usually say: “This is someone’s right,” when he wishes or handles some thing in a manner which is in conformity with right taken in the first sense.  

As O'Donovan points out, both Marsilius and Ockham believed in an objectively just order existing apart from the moral agent. The subject is understood to “have rights” only insofar as the particular right that is claimed lines up with this objective order. (For the moment, let us note that contemporary rights discourse often does not acknowledge a need to ground subjective rights in an objective justice. We will return to the implications of this later.) Moreover, the context in which Marsilius and Ockham were writing—that is, to defend the Franciscan vow of absolute poverty against the attacks of a property-owning church—seems to distance them from the proprietary understanding of the human being often implied by the “rights talk” of our time.

Nevertheless, O'Donovan insists that their introduction of the conception of rights as something that can be possessed, even while the possession of external property is itself denied, ends up committing them implicitly to a vision of the human person as a self-possessing agent: “As soon as you get into the language of having rights, you are into a language of proprietary subjectivity.”

Indeed, in this respect, Marsilius’s description of the human will in terms of ownership supports O'Donovan’s analysis:

Again, this term, “ownership,” is used to refer to the human will or freedom in itself with its organic executive or motive power unimpeded. ... It is for this reason that man alone among the animals is said to have ownership or control of his acts; this control belongs to him by nature, it is not acquired through an act of will or choice.

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121 Marsilius of Padua, Defensor Pacis in From Irenaeus to Grotius: A Sourcebook in Christian Political Thought, Oliver O'Donovan and Joan Lockwood O'Donovan, eds. (Grand Rapids: Eerdmans, 1999), 439-440. My emphasis.

122 Joan Lockwood O'Donovan, “Rights, Law and Political Community,” 33; See also A Preserving Grace, 164.

123 Marsilius of Padua, Defensor Pacis, 441.
Here, Marsilius understands a person’s ownership of his or her acts as the foundation of human freedom. Furthermore, Ockham’s use of subjective rights is not restricted to the defence of absolute poverty. While he does insists upon the right of the monk to make use of goods without owning them and thus to maintain their status of absolute poverty,¹²⁴ he also upholds the right of non-Christians to own property:

If...God has given unbelievers the blessing of bodily health, the best of all blessings, and reason, knowledge of various things, wife, children, and countless other good things, it must not be said that God has deprived them of lordship of temporal things and temporal jurisdiction and every other right.¹²⁵

According to Ockham, before the fall God conferred upon all human beings a common lordship over all temporal things, which involved only the use of these things and not their appropriation. Since the fall, however, human greed made it necessary for God to allow appropriation and not mere use (otherwise, some might use more than they needed and leave nothing for others), and to establish rulers who would see to the “proper management and administration of temporal things.”¹²⁶ Ockham’s claim is that God does not deprive unbelievers of this concession any more than he deprives them of life itself. Thus, for Ockham, property rights have existed by divine dispensation, for believers and unbelievers alike, since the fall.¹²⁷

Although Ockham uses the language of subjective rights to defend property right per se, it is perhaps Marsilius more than Ockham who has shaped our present understanding of rights insofar as it rests upon a belief that each human person is his or her sole “owner.” According to O’Donovan, Ockham’s insistence upon the divine origin of subjective rights and his incorporation of the Christian doctrine of the fall into his political thought differentiated him from

¹²⁴ Ockham argues that mere use of goods (e.g., the eating of food) must be distinguished from the appropriation of goods. He defends the right of the Franciscan monks to use donated goods without laying a proprietary claim. Marsilius makes a similar argument in Defensor Pacis. William of Ockham, A Short Discourse on the Tyrannical Ascendancy of the Pope, in From Irenaeus to Grotius, 474; Marsilius of Padua, Defensor Pacis, 442.


¹²⁶ Ibid., 474.

¹²⁷ Ibid., 473-475.
Marsilius: "While a theologian like Ockham was clear that all communal political rights were *divinely imparted, post-lapsarian rights*, a theologian like Marsiglio of Padua neither made the distinction of pre- or post-lapsarian nor mentioned God's authorship of them."\(^{128}\)

Ockham’s view of rights as God-given allows for a degree of self-possession, but only in a penultimate sense. Moreover, his belief in human sin and in a prior "state of innocence" serves as the grounds upon which he rejects an understanding of the human being that views the acquisition of material possessions as integral to human nature. We see this clearly in his distinction between "common lordship" and "exclusive lordship": "The first kind, namely lordship common to the whole human race, existed in the state of innocence, and would have continued if man had not sinned, but without power to appropriate anything to anyone except by use, as has been said."\(^{129}\)

For Ockham, human beings are not created to be owners of anything but themselves, and even this self-ownership is a gift from God, and so remains contingent. It is clear from Marsilius’s writings that he shared many of Ockham’s general theological presuppositions. Be that as it may, Marsilius’s claim that we own our acts "by nature" renders implicit the theological foundation for subjective rights that Ockham explicitly states—that human authority comes from God. Thus, Marsilius paves the way for our current understanding of rights, grounded in a belief in absolute self-ownership.

*Seventeenth-Century Contractarianism*

Although not quite so alien as Ockham’s appeal to God, Marsilius’s appeal to nature as the origin of rights distances him nonetheless from much of contemporary political discourse. This is because the very idea of a "human nature," or of a natural law that orders human action, or of an objective justice, is perplexing to the postmodern mind. In "The Dignity of the Human Person and the Idea of Human Rights," Jean Bethke Elshtain maintains that our prevailing conception of freedom, greatly influenced by later political theorists like John


Locke, Thomas Hobbes and Jean-Jacques Rousseau, is largely a negative freedom—that is to say, it is a freedom from something, as distinct from a positive freedom to act toward some end. Today, this includes both freedom from a defined “nature,” and freedom from other human beings:

Much of the regnant version of the primacy of rights understood as wants or preferences—for that is the current view—is derivable...from seventeenth-century contractarianism which posits the self as given prior to any social order. A view of a primordially “free” self haunts the modern rights project. ... Human freedom and choice become nigh absolutes that are somewhat restricted by rights. That is, rights becomes a way in which we both confront and are protected from each other. 130

Thus, according to Elshtain, our conception of freedom requires us to break any bonds that would bind us—be it to a particular conception of what it means to be human, or to one another.

It is difficult, however, to maintain both of these negative freedoms without running into contradiction. This seems to be a contradiction that Locke and Hobbes recognized, and avoiding it appears to have served as one of the major dividing lines between these two political theorists. In his Second Treatise of Government, Locke rejects the lawfulness of selling oneself into slavery, upholding the right to freedom from one another that he believes human beings have by appealing to the idea of a law of nature by which human beings are bound. In Locke’s view, ownership is established through craftsmanship or creation, and human beings have been created by God. Thus, although Locke affirms a measure of authority over oneself, he understands this authority to be God-given and therefore to be mitigated by God’s prior ownership. Any attempt to nullify God’s creative act by harming oneself or another human being is therefore illegitimate:

The State of Nature has a Law of Nature to govern it, which obliges every one: And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions. For Men being all the Workmanship of one Omnipotent, and infinitely wise Maker; All the

Servants of one Sovereign Master, sent into the World by his order about one business, they are his Property, whose Workmanship they are, made to last during his, not anothers Pleasure.\textsuperscript{131}

Likewise Locke determines that slavery cannot be lawful, understanding it as something that places a person's life under another person's authority, thus giving a person the "right" to choose whether another would live or die:

For a Man, not having the Power of his own Life, \textit{cannot}, by Compact, or his own Consent, \textit{enslave himself} to any one, nor put himself under the Absolute, Arbitrary Power of another, to take away his Life, when he pleases. No body can give more Power than he has himself; and he that cannot take away his own Life, cannot give another power over it.\textsuperscript{132}

From the Lockean perspective, the God-given law of nature seeks to limit the human will in order to keep people free from enslavement to one another.

By contrast, Hobbes appears to reject any such limitations upon the human will. Rather, in \textit{Leviathan}, he claims that by an act of the will one person can confer to another the authority over his or her life and death:

Dominion acquired by Conquest, or Victory in war, is that which some Writers call Despoticall, from \textit{Δēσποτής}, which signifieth a \textit{Lord, or Master}; and is the Dominion of the Master over his Servant. And this Dominion is then acquired to the Victor when the Vanquished, to avoyd the present stroke of death, covenanteth either in expresse words, or by other sufficient signs of the Will, that so long as his life, and the liberty of his body is allowed him, the Victor shall have use thereof, at his pleasure. ... It is...not the Victory, that giveth the right of Dominion over the Vanquished, but his own Covenant. ... The Master of the Servant, is also Master of all he hath; and may exact the use thereof; that is to say, of his goods, of his labour, of his servants, and of his children, as often as he shall think fit. For he holdeth his life of his Master, by the covenant of obedience; that is, of owning, and authorizing whatsoever the Master shall so. And in case the Master, if he refuse, kill him, or cast him into bonds, or otherwise punish him for his disobedience, he is himselfe the author of the same; and cannot accuse him of injury.\textsuperscript{133}

Here, it seems that Hobbes is placing the human will above an objective natural law according to which such servitude would be understood as a violation of human nature. Like Locke, he recognizes that a person may be free from other


\textsuperscript{132} Locke, \textit{Two Treatises of Government}, 2.IV.23, 284.

people or free from natural law, but not free from both—only he asserts our freedom from “nature.” In so doing, however, he allows the individual human being to override his or her own freedom. Unbound by any particular account of what it means to be human, a person remains free to choose to be enslaved.

Rousseau picks up on this paradox in the opening line of the Social Contract:

“Man is born free, and everywhere he is in chains.”

The attempt in our own time to maintain a Hobbesian elevation of the will over and above the law of nature together with a Lockean belief in the inherent freedom of every human being from all others seems decidedly inconsistent. We seem to have capitulated to Rousseau’s contradiction.

To be fair to Hobbes, we should note that he does attempt to make a distinction between servitude and slavery and, like Locke, seems to reject the latter, as well as the validity of direct suicide on the grounds that both are contrary

134 Jean-Jacques Rousseau, On the Social Contract in The Basic Political Writings, ed. and trans. Donald A. Cress (Indianapolis: Hackett, 1987), I.1, 141. That Rousseau understands these chains as the social contract with which a person binds himself or herself to the “general will” becomes clear when he describes the social contract as follows: “Each of us places his person and all his power in common under the supreme direction of the general will; and as one we receive each member as an indivisible part of the whole,” I.4, 148. That he presents this deliberate self-binding as the basis of all other freedom is equally clear: “[I]n order for the social compact to avoid being an empty formula, it tacitly entails the commitment—which alone can give force to others—that whoever refuses to obey the general will will be forced to do so by the entire body. This means merely that he will be forced to be free. For this is the sort of condition that, by giving each citizen to the homeland, guarantees him against all personal dependence—a condition... which alone bestows legitimacy upon civil commitments,” (my emphasis) I.7, 150. William T. Bluhm claims that Rousseau himself did not believe true freedom to be possible in civil society:

“Rousseau...used the language of freedom in a purely mythical sense, for popular consumption.... [T]he values that he found in the patriotic society of The Social Contract...have nothing to do... with freedom, in the only sense of that term meaningful to Rousseau.... ‘Civil freedom,’ for Rousseau, could be nothing but a salutary illusion that in obeying the general will one could still be obedient only to one’s own will. Freedom in political society is a legitimating myth—morally meaningless, but psychologically useful to the sagacious legislator of egalitarian perfectibility.”

William T. Bluhm, “Freedom in ‘The Social Contract’: Rousseau’s ‘Legitimate Chains,’” in Polity 16:3 (Spring 1984): 363, 383. However, even Bluhm admits that Rousseau presents—however deceptively—the act of binding oneself to the general will as a prerequisite for freedom in civil society: “Rousseau’s prescription for freedom defined in terms of citizenship is found in The Social Contract, whose focal concept is the ‘general will.’ Establishing the mutual dependence of all citizens upon an impersonal system of law obviates, in Rousseau’s view, the dependence of anyone on the will of another, which was the great impediment to individual freedom,” 372.

135 How any distinction can actually remain once the master is authorized to kill or to chain up the “servant” is by no means clear! For Hobbes, the difference seems to be entirely a question of the will of the dominated party: if the party accepts domination, he or she is a servant, not a slave. In this, however, Hobbes does not consider the human will over time. The artificiality of Hobbes’s static and unified representation of the will renders his distinction between slavery and servitude unsatisfactory for this reader.

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to the law of nature. Nevertheless, we must be careful in assuming either that Hobbes and Locke mean the same thing when they refer to the "law of nature," or that they intend the same thing by it as earlier political thinkers like Marsilius and Ockham. Much depends upon whether "natural law" is to be understood as descriptive or prescriptive. Theologically speaking, the concern that O'Donovan raises about whether Marsilius confuses pre- and post-lapsarian subjective rights might very well be rephrased in this context: is the political theorist in question making a distinction between created nature and fallen nature? To fail to do so, it seems, is to conflate the "is" and the "ought," which some might argue is to annihilate the grounds upon which we condemn genocide or pedophilia, rendering moral discourse meaningless. Even if one can put forward a moral system that does not rely upon the belief that there are some things that are and that should not be, however, such a conflation gives an appeal to "nature" a very different meaning from that intended by those who first appealed it. It is thus likely to prove inadequate for many moral or political theorists who maintain theological convictions—even those who believe in "natural law."

Although Locke attempts to incorporate the Christian doctrine of the fall into his political thought, he nevertheless equivocates with respect to the term "nature," sometimes failing to let us know whether he is referring to human nature as it was created or as it is now. A good example of this is the difference between Locke's treatment of slavery and his treatment of the relationship between the sexes. In rejecting the validity of slavery, Locke uses the concept of nature prescriptively. In so doing, he is resting upon the bulk of the Christian political tradition, which understands the institution of slavery as a post-lapsarian development. Thus, in claiming that slavery is "against nature," he is claiming that it is against created nature. In writing about the relationship between men and women, however, it becomes unclear whether he intends "nature" to serve a prescriptive or a descriptive function:

God in this Text [i.e., Genesis 3:16], gives not, that I see, any Authority to Adam over Eve, or to Men over their Wives, but foretells what should be

136 Hobbes, Leviathan, 1.14, 189.
137 Locke, Two Treatises of Government, 1.V.44-50, 171-176.
the Womans Lot, how by his Providence he would order it so, that she
should be subject to her husband, as we see that generally the Laws of
Mankind and customs of Nations have ordered it so; and there is, I grant, a
Foundation in Nature for it. 138

Although Locke maintains that the subjection of woman to man is a post-lapsarian
development, he nevertheless uses the term “nature” in describing this subjection.
Thus, despite the lip service paid to the doctrine of the fall, Locke fails to
differentiate clearly between “created nature” and “fallen nature” in his treatment
of the relationship between the sexes.

What begins as occasional equivocation in Locke’s thought, however,
becomes outright conflation in that of Hobbes. In his description of how “Nature
hath made men”—and note that the question is not how God has made them—
Hobbes posits a war “of every man against every man,” commenting that “the life
of man, [in such a condition, is] nasty, poore, brutish, and short.” 139 This leads
him to divorce the idea of justice from that of nature: “To this warre of every man
against every man, this also is consequent; that nothing can be Unjust.” 140 For
Hobbes, inalienable rights are founded upon his conception of human nature as
inherently self-seeking:

> Whenssoever a man Transferreth his Right, or Renounceth it; it is either in
consideration of some Right reciprocally transferred to himselfe; or for
some other good he hopeth for thereby. For it is a voluntary act: and of the
voluntary acts of man, the object is some Good to himselfe. And therefore
there be some Rights, which no man can be understood by any words, or
other signes, to have abandoned, or transferred. As first a man cannot lay
down the right of resisting them, that assault him by force, to take away
his life; because he cannot be understood to ayme thereby, at any Good to
himselfe. 141

Though Hobbes initially distinguishes between “law” and “right,” claiming that
the first pertains to obligation and the second to freedom, 142 he appears to
undermine this distinction in his discussion of inalienable rights. Beginning with a

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140 Hobbes, *Leviathan*, I.13, 188. This is, of course, precisely the position that Plato attacks in the
first book of the *Republic* (338c, 347d), where Socrates rejects Thrasmachus’s definition of
justice as “the advantage of the stronger.”
conception of the human person wherein all deliberate action is, in some way, self-seeking, Hobbes seems to be viewing the *right* to self-defence (or, objectively stated, the *justice of defending oneself*) as an *instinct* for self-preservation or, at most, as a *will* to preserve one’s life. This rests, however, upon a prior conflation of the “is” and the “ought”—or, in theological terms, upon a conflation of post- and pre-lapsarian “nature.” What it means practically speaking, in light of the variability of human strength, is that the rights of some people are more “inalienable” than those of others—under duress, “rights” become a function of brute strength.

This conflation is further radicalized in Rousseau’s *Social Contract*, such that the citizen’s right to go on living becomes contingent upon whether or not the state determines that his or her life is profitable. Rousseau’s initial perspective resembles Locke’s, insofar as he deems suicide illegitimate on the basis that people do not have absolute authority over their own lives. He then considers the grounds whereby people can give the state total authority over their lives, despite the fact that a person does not possess such authority in the first place:

The question arises how private individuals who have no right to dispose of their own lives can transfer to the sovereign this very same right which they do not have. This question seems difficult to resolve only because it is poorly stated. Every man has the right to risk his own life in order to preserve it. Has it ever been said that a person who jumps out a window to escape a fire is guilty of committing suicide? Has this crime ever been imputed to someone who perishes in a storm, unaware of its danger when he embarked? The social treaty has as its purpose the conservation of the contracting parties. Whoever wills the end also wills the means, and these means are inseparable from some risks, even from some losses. Whoever wishes to preserve his life at the expense of others should also give it up for them when necessary.143

For Rousseau, to enter into the social contract is legitimate because one does so in order to preserve one’s own life, and not to lose it. However, once Rousseau has established that people do, in fact, have a right to enter into such a contract, he insists that to do so places them at the mercy of the state, granting it a total authority over their lives:

For the citizen is no longer judge of the peril to which the law wishes he be exposed, and when the prince has said to him, “it is expedient for the state that you should die,” he should die. Because it is under this condition alone that he has lived in security up to then, and because his life is not only a kindness of nature, but a conditional gift of the state.\textsuperscript{144}

Thus, although “Man is born free,” he is bound by the larger will of the society to which he has given himself in order to preserve his own life. In so doing, his life itself becomes a state matter, and a sovereign can legitimately demand self-sacrifice, should it be deemed beneficial for the larger body.

\textit{Twentieth-Century Self-Determinationism}

This leads us to a second problem with our progressively negative conception of freedom as shaped by Locke, Hobbes and Rousseau. If negative forms of freedom are central to one’s idea of human nature, one’s conception of human nature may itself remain without positive content. This lack of definition is believed to encourage self-definition and self-actualization, where a person’s life becomes a “choose your own identity” adventure. It is this open conception of what it means to be human that Schmemann considers “anthropological maximalism.”\textsuperscript{145} Championing the values of “self-actualization” and “liberation,” this trend leaves the category of personhood open to be defined and redefined as many times as an individual or a society see fit. If, however, there is no positive content to one’s idea of human nature, such that the value of human life is not determined merely by the consensus of those in one’s midst, what is to keep the state from deciding arbitrarily to exterminate an “inconvenient” group of people? Given this understanding of the relationship between the particular people and the collection of people known as the state, is it any wonder that Rousseau presented the law of the land expressed by the “general will” paradoxically as the “chains” that set us free?\textsuperscript{146} However, to view social convention as an infringement upon

\textsuperscript{144} Rousseau, \textit{On the Social Contract}, II.5, 159.

\textsuperscript{145} Schmemann, \textit{Celebration of the Faith, Volume 3: The Virgin Mary}, 47-48, 52.

\textsuperscript{146} See John Charvet, \textit{The Social Problem in the Philosophy of Rousseau} (Cambridge: Cambridge University Press, 1974), 120: “Rousseau’s aim...is not to show how the chains can be abolished and natural freedom recovered in society, for political society requires constraints and natural freedom consists in the absence of such constraints. His aim is rather to show how the necessary
human nature rather than determinative of it leaves us to wonder what might establish human nature if not people themselves. To leave it as an empty concept seems profoundly dangerous. If personhood itself becomes a malleable category, what is to prevent a society from excluding a smaller or weaker subsection from that category, and then to deny that this subsection is entitled to protection? Certainly this rhetorical move has a bloody history and has contributed to some of the ugliest things human beings have ever done—things now recognized as "crimes against humanity."

Although, for his part, Rousseau charges religion—and especially Christianity—with inciting precisely such acts of violence, we must admit that many of the wars and the violence of this past century, though certainly ideological, have been irreligious in character. In fact, in *Eucharist and Torture*, which investigates the Chilean Catholic church’s response to the torture of its members under the Pinochet dictatorship, William T. Cavanaugh argues that some such instances of violence are not simply irreligious, but antireligious and anti-Christian in spirit. For Cavanaugh, this is especially true of the type of church-free state that Rousseau believes to be a necessary condition for keeping the peace:

My suspicion is that the establishment of a political realm which fundamentally excludes the body of Christ as a body does not so much solve conflict as enact it. The rise of the modern centralized state is predicated... on the transfer of authority from particular associations to the state, and the establishment of a direct relationship between the state and the individual. ... Despite good intentions to limit the state in theory, in fact state and society are inseparable, and the state becomes pedagogue once it is given a monopoly on coercive power. ... In modernity, we have been scripted into a drama in which state coercion is seen as necessary to subdue a prior violence already inherent internally in civil society and externally in the form of other nations-states. Given that the state arises in conjunction with the atomization of civil society and the creation of national borders, however, it can be said that the state defends us from threats it itself creates. The church buys into this performance by acknowledging the state’s monopoly on coercion, handing over the bodies

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constraints of political society can be legitimate and thereby compatible with, if not natural freedom, then an essential human freedom nevertheless,” quoted in Bluhm, 360.

148 Ibid., IV.6, 226-227.
of Christians to the armed forces, agreeing to stay out of the fabricated realm of the “political.” Acquiescence to this drama saps the church’s ability to resist where and when states become violent.\textsuperscript{149} Throughout, Cavanaugh insists that the church must be involved in resisting violence, though he is clear that the church is not to “reimplicate itself in the use of coercive power.”\textsuperscript{150} Nevertheless, according to Cavanaugh, the church is responsible for the bodies of its members, and not merely for their souls,\textsuperscript{151} and must therefore work to protect those bodies in the political realm—but in a manner that is authentically Christian. (We will be returning to Cavanaugh’s view of authentic Christian resistance in the third chapter during our analysis of Eucharistic justice and its relationship to pregnancy.)

Today, Rousseau’s proposal to exclude the church body from the body politic is no longer championed as the answer to acts of violence—perhaps in part because of the irreligious and even anti-religious violence witnessed this century. Rather, the language of subjective rights was popularized retrospectively in 1948 by the Universal Declaration of Human Rights in an attempt to prevent atrocities like Hitler’s genocide from happening ever again. In \textit{Human Dignity, Human Rights}, Michael Novak argues that by means of a kind of ethical \textit{via negativa}, the drafters of the Universal Declaration were able to formulate “a few practical ‘don’ts’” which were “virtually universally sustained.”\textsuperscript{152} According to Novak, the drafting of this document was made possible, in part, by Jacques Maritain’s distinction between theory and practice, despite the variety of conflicting political and religious commitments:

Maritain…raised two…questions that suggested an answer: Are there not some things so terrible in practice that no one will publicly approve of them? Are there not some things so good in practice that no one will want to seem opposed to them? Since the answer to both questions likely was “yes,” the relatively simple yet overlooked distinction between agreement in theory and agreement in practice broke the logjam.\textsuperscript{153}

\textsuperscript{150} Ibid., 10.
\textsuperscript{151} Ibid., 16.
Unfortunately, history seems to suggest that there are not, in fact, things so terrible that they will not gain public approval. Certainly, Novak is correct in his claim that “[s]ometimes, people do quite well in practice what they cannot explain in theory, even as people who are excellent in theory often fail in practice.”\textsuperscript{154} However, when it comes to political and legal structures developed in order to protect human life, we would be well advised to consider whether “sometimes” is good enough. What would happen, for instance, if according to our negative conception of freedom and our empty “personhood” category, old people were deemed a “drain upon society”? Some might dismiss such questions as alarmist, and yet we appear to have lost the theoretical grounds for protecting the weak from the strong. It is by no means clear that this deficiency will not continue to play out in practice.

\textit{Human Rights, Ownership, and the Nebulous Self}

To acknowledge that present human rights discourse relies upon a malleable conception of human nature and a view of freedom as inherently negative is not, however, to say that human rights are themselves negative concepts, nor even that they have no positive foundation. It is simply to say that their positive foundation, if it exists, cannot be either “freedom” or “nature.” In his analysis of the Universal Declaration of Human Rights, however, Novak insists that the Western idea of rights is itself fundamentally negative. He thereby differentiates between the “individual rights” advocated by the West and the economic and social “entitlements” incorporated into the Universal Declaration under the influence of the communist countries:

In the earlier set of rights, the state does not really have to \textit{do} anything, except follow the law and otherwise stay out of the way, avoiding abuses. In the case of the social and economic rights, by contrast, the role of the state is vastly expanded, some might say to an almost infinite degree. These rights are not spoken of as \textit{immunities} from oppression \textit{by} the state but as \textit{entitlements} to goods and benefits \textit{from} the state. Further, these goods and benefits are stated in the vague language of moving targets, as in the locution (article 22) “in accordance with the organization and

\textsuperscript{154} Michael Novak, “Human Dignity, Human Rights,” 40.
resources of each state.” The assumption seems to be that these are not, precisely, rights (in the way the American Bill of Rights speaks of rights) but, rather, goods—or even goals to be striven toward.155

Novak’s analysis, however, fails to acknowledge the historical development of subjective rights discourse, which grounds all rights, whether or not they are explicitly economic, in a single positive concept—that of ownership. In The Political Theory of Possessive Individualism: Hobbes to Locke, C. B. Macpherson draws out the connection between a negative conception of freedom, and positive rights, which rest upon the positive concept of property: “As to civil and religious liberty, it was plain, first, that property in one’s own person required a guaranteed freedom from arbitrary arrest, trial and imprisonment, and the right to due process of law. It was equally plain that property in one’s own mental and spiritual person required freedom of speech, publication, and religion.”156 Novak’s distinction between the “economic and social ‘rights’” advocated by the Soviets and the “individual rights” put forward by the West seems historically nearsighted insofar as it fails to take this connection into account. (Note the use of quotation marks, which signal where Novak’s own sympathies lie.) His implied critique of these rights on the grounds that they are difficult to actualize in a society is similarly problematic from a historical perspective: “It is only a fairly rich and developed state that can provide its people the high standard of living, securities, and benefits held out as goods (‘rights’ in this new sense) in articles 23-26. Most nations in history have failed that test.”157 What Novak neglects to mention is that if historical actualization is the “test,” then most nations have also failed with respect to “individual rights”—if for no other reason than that most nations throughout history have been without the concept of an “individual”!

It seems, however, that there is another reason for this failure. If all rights are rooted in the general concept of ownership, it seems logical to understand them as a “limited resource.” Novak’s analysis of the Universal Declaration of Human Rights is helpful insofar as it draws our attention to this. If we consider

the child’s right to education, for instance, we must acknowledge that this right might be given at the expense of that same child’s right to free healthcare. No nation has unlimited resources. The same is true, however, about those rights that Novak deems “negative.” This is most obvious when the perceived interests of two people come into conflict. Perhaps the best example is that the creation of reproductive rights has meant the retraction of protection from the human foetus. (Under Canadian law, the foetus remains a candidate for elective abortion throughout all nine months of pregnancy.\textsuperscript{158}) The implications for the foetus are the same even as these reproductive rights are phrased as a negative freedom that the self-owning woman has from a state that would seek to meddle with her body.

Of course, the question of “reproductive rights” is bound up with the question of what constitutes “self” and what constitutes “other”—categories that, like “personhood” and “nature,” are becoming increasingly nebulous in our postmodern era. As O’Donovan comments, “[a] common thread throughout rights theories from their inception is the idea of the bearer of rights as a self-transcending will who uses the world around as well as his own body and capacities to achieve certain self-referential ends.”\textsuperscript{159} It seems, however, that the concept of self-ownership is fundamentally at odds with this idea of a “self-transcending will,” which may or may not be attached to any particular body. Conceptually speaking, this is likely another manifestation of the contradiction raised in the seventeenth century, between the freedom from “natural law” on the one hand, and the freedom from other people on the other. In \textit{Body Parts: Property Rights and the Ownership of Human Biological Materials}, E. Richard Gold expresses concern for the use of “ownership language” in the legal treatment of the human body: “The human body, which has largely escaped discussion within property law, ought not now to be treated as property.”\textsuperscript{160} Although to


legislate proprietarily about the human body seems to follow naturally from the conceptual grounding of human rights in self-ownership, Gold's concern is that "if human biological materials are to be treated as property, they will be valued primarily in terms of their market price." The only problem with this analysis is Gold's use of the future tense: the fact that his book does not once mention the proprietary issues surrounding foetal body parts, which are currently assigned a market value, is noteworthy.

A Eucharistic Proposal

Among those suspicious of contemporary human rights discourse are a number of politically minded Christians. Some, like Joan O'Donovan, seem nostalgic when it comes to the older language of natural law. There is the concern that the increasing interest in the subject from the fourteenth century onward marked a turning point in the way justice is understood. Whereas with fourteenth-century subjectivism and even with some forms of seventeenth-century contractarianism, "rights" remained derivative of a prior justice or just order, the opposite relationship is now often posited. Today, it seems that "justice" is often rendered derivative of "rights," such that a just society becomes no more and no less than a society in which every one gets his or her rights. The question of whether inalienable rights are a necessary or a sufficient condition for a just society is well worth asking. Nevertheless, some Christian political thinkers see the language of subjective rights as potentially useful. As Robert P. George remarks in response to O'Donovan's critique of proprietary rights, "claims of rights—like...claims of justice more generally—are either true or false; our goal

161 E. Richard Gold, Body Parts, 110.
162 See http://www.freerepublic.com/focus/f-chat/1306761/posts for an article on the subject. In their website, planned parenthood also speaks of the mother's "donation" of foetal organs and tissue in a laudatory way, but does not address the trafficking of these organs and tissue that occurs once they have been "donated". See http://www.plannedparenthood.org/pp2/portal/files/portal/medicalinfo/abortion/fact-010600-fetalix.xml#1097841867473::4679424113062439103.
163 "It is precisely the adequacy of 'rights' as an element of theological-moral discourse that I wish to challenge, in the light of the pre-modern traditions of Christian natural law, particularly the Augustinian tradition with its evangelical and Christological approach to natural law." Joan Lockwood O'Donovan, "Rights in Christian Discourse," 144.
is to affirm the claims that are true and to deny the false ones.\textsuperscript{164} O’Donovan herself sees any use of subjective rights language by Christians as a giant compromise, and asks “why Christian thinkers have been and are willing to adopt a child of such questionable parentage as the concept of human rights.”\textsuperscript{165} According to O’Donovan, claims to “subjective” or “proprietary” rights are bad theological propositions because they imply a self-ownership that the Christian cannot assert. She insists further that the concept of self-ownership leads to bad policies.

If O’Donovan is concerned about the self-ownership model giving people a license to do whatever they will, however, natural law theory, though to a lesser degree, also may be suspect. In “Property Rights and the Making of Christendom,” William Kingston traces Christian natural law theory back to its roots in the Roman legal system, claiming that it finds its way into scriptural writing as a result of the Roman occupation:

Individual property rights in Rome applied to human beings through the institution of slavery as well as to land. The power of ownership (\textit{dominium}) was \textit{absolute} in the sense that it was hardly restricted at all in the general interest by public law. This is perfectly expressed by the employer in the parable of the labourers in the vineyard: “Am I not entitled to do just what I like with what I own?”\textsuperscript{166}

That later Christian thinkers like Augustine and Aquinas were able to “baptize” the Roman concept of absolute \textit{dominium} by tempering it with the idea of divine donation suggests that the prevailing idea of subjective rights should not be dismissed on the basis of its “questionable parentage” alone! Rather, Christian thinkers must consider whether the concept is fundamentally and inevitably at odds with the Christian tradition, or whether it can be adapted and adopted. O’Donovan recognizes this, and cites Wyclif as an example of someone who objected to the fundamental and inevitable incompatibility of a pagan legal framework with Christian theological commitments:

\textsuperscript{164} Robert P. George, “A Response” in \textit{A Preserving Grace}, 160.
It may be that rights are indispensable tools in the legal field, but to bring them into essential theological and philosophical language about the community is precisely what Wycliffe opposed the papal church for doing: bringing the tools of the institutions of fallen humanity into the most fundamental conceptions of what man was created to be. They are dispensations for sinful humanity, but theological language has to put them in that perspective.\(^{167}\)

In light of O’Donovan’s sympathies with natural law, her appeal to Wyclif is particularly interesting, since Wyclif himself was attacking the papal church for its use of the Roman conception of *dominium* (i.e., lordship), which has a central place in the natural law tradition! In the midst of her preference for natural law over and against subjective rights, O’Donovan appears to acknowledge that both must be tempered with one’s theological commitments.

From a theological perspective, the question of whether a pagan concept ought to be anathematized or baptized is certainly not without complexities. Wyclif’s analysis of “civil lordship” and his insistence upon its demarcation from “divine lordship” can perhaps prove instructive in our current situation:

[There is] a clear distinction between natural, or evangelical, lordship and civil lordship. Natural lordship is instituted by God and rests on the primary ground of justice. It allows for any number of people to share wealth on equal terms, but not for lordship to be alienated without injustice. Civil lordship is occasioned by sin and of human institution. It is not capable of being shared or communicated, either with one other person or with more than one on equal terms, but it may without injustice be alienated. ... Lordship, as such, implies the claim to property in a possession, and property, as such, implies the claim to lordship without communication on equal terms. So Augustine makes the distinction between divine and civil lordship on this basis: the one is communicable, the other incommunicable. God’s lordship, as an aspect of its perfection, has the property of communicability.\(^{168}\)

Here, we see Wyclif differentiating between post-lapsarian civil lordship and divine lordship according to the latter’s capacity to be communicated to others. Certainly, Marsilius also distinguishes between different meanings of “lordship,” and also between “private” and “common” possession.\(^{169}\) Moreover, Ockham divides the two kinds of possession along similar lines as Wyclif, understanding


\(^{168}\) Wyclif, *Civil Lordship* in *From Irenaeus to Grotius*, 495.

\(^{169}\) Marsilius, *Defensor Pacis*, 441-442.
private possession as a post-lapsarian dispensation. Nevertheless, Wyclif enriches the discourse by viewing the gospel as that which ultimately divides the two kinds of lordship—that is, the *evangelical* from the civil. He thus makes explicit what is likely implicit in Marsilius's own distinctions, particularly his appeal to the book of Acts as an example of possessing things in common.

In his description of "communicable lordship," Wyclif appears to be echoing the association of dominion and fertility granted by God to the Adamic community: "And God blessed them, and God said to them, 'Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth" (Genesis 1:28). In opposition to this evangelical, communicable lordship, Wyclif describes a civil lordship based upon ownership—much as subjective rights are today. Since property is limited, civil lordship is incommunicable. It is, for Wyclif, a post-lapsarian dispensation, designed to enable human beings to deal with the limitations of a fallen world. Because of their relationship to ownership, we might perhaps understand subjective rights in a similar way.

However, Joan O'Donovan maintains her objection to subjective rights on the grounds that they are based not only upon ownership as such, but upon self-ownership, which she believes to be incompatible with the Christian faith:

> The most fundamental insight of [the Franciscan and Wycliffite] theological ethic is that we are *not our own but Christ's* (1 Cor. 6:19): we are not self-possessors, not proprietors of our physical and spiritual being and powers, but rather are possessed by Christ and receive all the good that we are, have, and do from him, as a "loan." Nevertheless, if we consider the biblical text, it seems that there might be room for a *mitigated* self-ownership within the Christian tradition, just as there is for communicable lordship. In 1 Thessalonians 4:1, for instance, Paul uses the idea of self-ownership to encourage the church at Thessalonica in a holiness of life:

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171 Marsilius, *Defensor Pacis*, 441.
Finally then, brethren, we urge and exhort in the Lord Jesus that you should abound more and more, just as you received from us how you ought to walk and please God; for you know what commandments we gave you through the Lord Jesus. For this is the will of God, your sanctification: that you should abstain from sexual immorality; *that each of you should know how to possess his own vessel in sanctification and honour.*

We should note, however, that this passage has been the subject of interpretive disputes since the fourth century, if not before. Apparently, it is unclear whether the "vessel" in question is a person's own body, or the body of a spouse! In some ways, the second interpretation would be more in keeping with the spirit of 1 Corinthians 7:4, where Paul insists that the body of each spouse belongs to the other. On the other hand, in the 1 Corinthian passage, Paul does not tell the spouse that the other's body belongs to him or her—rather he addresses each party (i.e., "husbands" and "wives"), and tells them that they belong to the other. A subtle difference, perhaps, but an important one insofar as it counteracts the cultivation of a proprietary spirit with respect to the other person's body. Even if we take the 1 Thessalonians passage to refer to self-ownership, however, it is tempered by Paul's paradoxical language in 1 Corinthians 6:18-20, which treats the same subject (i.e., sexual ethics) but suggests anything but an unqualified self-ownership:

Shun immorality. Every other sin which a man commits is outside the body; but the immoral man sins against his own body. Do you not know that your body is a temple of the Holy Spirit within you, which you have from God? You are not your own; you were bought with a price. So glorify God in your body.

The paradox lies, of course, in Paul's reference to a man's "own body," which he follows with the claim that the reader is not his or her "own." Nevertheless, the weight of this passage—its force or meaning—is that one's body is not at one's disposal for any behaviour that one sees fit.

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173 NKJV, my emphasis. The New King James Version is actually closer to the Greek than the Revised Standard Version or the New Revised Standard Version insofar as it conveys the idea of ownership of the body, and not mere control.
Despite the presence of a restrained self-ownership in the biblical text, Christian political theorists might be wise to reconsider the promotion of absolute self-ownership, the acquisitive spirit, and the glorification of freedom from one another that run rampant in our society. In light of these excesses, they might do well to seek a model that attempts to move in the opposite direction, such as we find, for instance, in the Franciscan insistence upon the “use” of goods without “ownership” of them, which they saw as embodying the gospel call to discipleship:

Renunciation of the legal right of possession was for the Minorites inseparable from the Son of Man’s perfect destitution, because the claim created by legal property right for oneself and against another involved the right-bearing will in a degree of self-possession, separation from other wills and self-referential attachment to the material good, which approximated selfishness and covetousness. The renunciation of property right as well as transient wealth was an efficacious sign that the apostolic wayfarer was not a self-possessor, not a proprietor of his physical powers, but was possessed by Christ, from whom he received all the good that he was, had, and did.

Whether or not one is willing to go to the Franciscan extreme of advocating a general renunciation of material goods, we might consider at the very least returning to a definition of justice that does not rely upon self-ownership. One fourth-century definition offered by Ambrose of Milan in _The Duties of Clergy_ 175 Some might even try to argue for the endorsement of subjective rights in the biblical text on the basis of passages such as Acts 16:37 and 23:3, where Paul defends himself by claiming that his status as a Roman citizen ought to exempt him from being ill-treated while under arrest. Although the language used is closer to an appeal to the objective right (i.e., what is “lawful”), the contingency of protection upon one’s Roman citizenship suggests an ideological kinship between Paul’s appeal and a contemporary claim that one has a particular subjective right within a given society. The question of what, from a Christian perspective, constitutes the best model for justice, be it natural law, subjective rights, or some other model, is naturally too complex to be answered by proof-texting in this way. After all, an appeal to whatever _just_ laws a society may have imposed need not entail a full-scale endorsement of that society, of the ideological framework upon which its laws are based, or of any _injustices_ committed by that society, be they the result of an unjust law or of the failure to legislate where there is the need. Likewise, just because Paul claims that it is not lawful for him to be struck, and that this is not lawful by the state’s standards because he is a Roman citizen, does not mean that Paul endorses the abuse of any non-Romans unlucky enough to be imprisoned! Neither does it mean that the biblical text is advocating the widespread implementation of subjective rights. It is simply recounting an instance in which a Christian defended himself from bodily harm at the hands of the state (Acts 16) and at the hands of religious authorities (Acts 23) by appealing to the state’s rules.

176 O’Donovan, “Bonaventure” in _From Irenaeus to Grotius_, 310.
not only avoids defining justice in terms of unmitigated self-ownership—it presents justice as the very opposite:

Justice...is a resplendent quality. By serving the good of others rather than self, it makes community and association possible. ... For the faith of all believers is simply Christ; and the Church is, as it were, the form that justice takes, the common right of all. Her prayer is the prayer of the community; her works are the works of the community; her trials are the trials of the community. A just man, in sum, worthy of Christ, is someone who accepts that he is not his own. 177

According to this definition, both the unconditional self-possession of human rights and the incommunicable lordship of civil law are ruled out: within the context of the church, Ambrose attempts to undermine distinctions between “mine,” “yours,” and “God’s.” Thus, within that context, justice is revealed to be profoundly eucharistic in character: everything the person “has” is a gift from God—our bodies, our labour, and the fruits of our labour—and the only way of honouring that gift is to offer it back in thanksgiving.

Given the eastern Christian emphasis upon the Eucharist both as a liturgical practice and as an ethical ideal, it is no surprise that Alexander Schmemann finds little use for subjective rights as an overarching ideology. In his Journals, Schmemann writes scathingly against socialist ideology because of its emphasis upon equality as a right:

Possession is what God gave me (which I usually use selfishly and sinfully), whereas equality is what the government and society give me, and they give something that does not belong to them. Equality is of the devil because it comes entirely from envy, which is the essence of the devil. What is the right to equality? Nobody fights with such frenzy for titles, private offices, etc. as the champions of equality. 178

In fact, for Schmemann, it is largely in embracing an ethic of self-sacrifice as opposed to an ethic of subjective rights that the church is necessarily set apart from the contemporary world:

Outside the Church, in “this world,” pride—as well as death, power, lust—is lawful. Forms are found for them that are sublimating them, transforming them into a well-founded phenomenon. Hence, nowadays,

177 Ambrose of Milan, The Duties of Clergy in From Irenaeus to Grotius, 85-86.
the fuss with "rights," democracy, etc. The main moving force, nowadays is not "freedom" as one usually thinks, but *equality*. It's a passionate denial of hierarchy in life, the defence not at all of the right of each one to be himself, but a subconscious affirmation that essentially all are the same, that is, there are no "first," no irreplaceable, no unique, no called.... [I]n the Church, there are no rights, nor connected with those rights, no [sic] equalization. No equalization, hence no comparison—which is the main source of pride. The call to perfection addressed to each person is the call to find one's self, but not by comparing, not by self-analysis (where is my potential?) but in God. Hence, a paradox: one can find one's self only by losing one's self and it means in identifying one's self totally with God's calling, design for one's self revealed not in one's self but in God! 179

It is thus possible to see immediately where the Orthodox understanding of the person conflicts with the prevailing notion of the rights-bearing individual. As we saw in our examination of the development of rights, there is an overall lack of consensus about the theoretical grounds for the Universal Declaration of Human Rights, which raises the difficulty of living out in practice what one lacks the theory to support. For the Orthodox Church in particular, the inherent commitment to self-ownership that exists in contemporary western rights discourse prevents a theologically consistent endorsement of rights-based ethics. Beyond the positive basis for rights that lies in the idea of self-ownership, rights discourse is also guilty, from the eastern Christian perspective, of certain "sins of omission"—namely, the lack of positive content given to the ideas of freedom and human nature. The refusal to give positive content to the idea of human nature, which is carried out in the name of a negative freedom, stands in direct opposition to the Orthodox conception of the human person who, as we see through the icon of the *Theotokos*, is given his or her identity by God and whose freedom is enacted by pursuing God's call. (The idea of "reproductive rights" in particular pose an obvious problem for the Orthodox Church, which sees them as championing a kind of anti-icon of the *Theotokos*, wherein one seizes control of her body, often against the life-giving capacity that God has given her and sometimes even against a distinct life, given to her by God to protect and nurture.) The danger of what is, in the Orthodox mind, our culture's anthropological deficiency is that it leaves us open to a redefinition of the word "human" that

179 Ibid., 290-291.
allows for acts of state-sanctioned violence against those who, according to the church, are fully human. From an ecclesial perspective, Rousseau’s charge that religion is responsible for inciting such acts of violence and his insistence that it therefore must be eliminated from the public forum is unacceptable, for reasons that we will discover in the third chapter. In any case, the ideologically driven irreligious and even antireligious violence of our previous century suggests that Rousseau’s analysis somewhat misses the mark!

Looking back over the historical development of subjective rights, further ideological problems emerge from the Orthodox perspective. The twentieth-century refusal to assign positive content to the ideas of freedom and human nature appears to be a reaction to the Enlightenment insistence upon a positive and, therefore, binding conception of human nature used to promote a freedom from other people. If the insistence upon freedom from others rather than the cultivation of eucharistic intimacy were not problematic enough, the seventeenth-century equivocation and eventual conflation of descriptive and prescriptive understandings of human nature—an implicit denial of the Christian doctrine of the fall—renders it theologically unacceptable from the Orthodox Christian standpoint, wherein human nature is understood as awaiting its perfection in Christ. This theological deficiency finds its roots in the earlier fourteenth-century version of subjective rights where Marsilius of Padua appeals to nature rather than to God explicitly as the author of these rights and makes no reference to the fall in his account of their origins. Ockham’s account of divinely imparted subjective rights, grounded in the objective “right” or justice of natural law, is by far the least theologically objectionable from the eastern Christian perspective. Qualifying the self-possession implicit in the idea of subjective rights with the belief that these rights are given by God as a post-lapsarian dispensation, and using subjective rights in defence of absolute poverty as well to defend property rights, Ockham refuses to make the acquisition of material possessions central to what it means to be human. Nevertheless, the older framework of natural law, though perhaps not theologically objectionable from the eastern Christian perspective, developed within the western Christian tradition and therefore is not
currently championed by Orthodox ethicists in the same way as it is within Roman Catholic circles. (With this in mind, one should consider whether natural law, with its emphasis upon a God-given *dominium* or “lordship,” is not too concerned with ownership to function as an antidote to the acquisitive spirit of our cultural climate and whether a more eucharistic approach to justice might not offer a necessary corrective for our current age.) Moreover, the way in which the fourteenth-century thinkers developed the idea of subjective rights within this framework by appealing to even a restricted form of self-possession is at odds with the earlier eucharistic understanding of justice, articulated in Anselm’s definition of the just man as “someone who accepts that he is not his own.” This is not to say that a eucharistic approach to justice utterly denies self-ownership in this limited form, only that it locates the ethical and theological ideal in the very opposite—that is to say, in self-offering.

Thus, according to Schmemann, the church’s rejection of rights is bound up with its ethic of self-giving and self-sacrifice, which stands against the quest for equality—a quest that Schmemann believes to be based upon envy and pride, which he considers demonic. Given Schmemann’s understanding of Mary as an icon of the church, it is no surprise that his rejection of rights in favour of an emphasis upon self-offering and his belief that the self is found only in God’s calling are reminiscent of his words about the unique and utterly selfless vocation of the *Theotokos.*180 As Schmemann would have it, Mary’s entire being is fulfilled in her “obedience to God’s will” rather than in “self-fulfillment,” and by relinquishing any supposed right to dispose of her life and her body as she sees fit.181 Nevertheless, he claims that in this kind of selflessness lies the true vocation of Mary, for it is in cooperating with the divine will that a person lives with meaning and true freedom:

> [W]hat in the revelation of Mary—in the Gospel and then in the faith and the Tradition of the Church—is truly crucial, stands at the very centre, and inspires the veneration of Mary with awesome amazement and endless joy, is...the dependence...of the Incarnation itself, of the Divine plan itself, of the free and personal choice of Mary, on her free acceptance of

180 Schmemann, *Celebration of the Faith, Volume 3: The Virgin Mary,* 77-78.
181 Ibid., 51-52.
the Divine challenge. The Divine plan and therefore "nature" are revealed as focused in a free person, i.e., a person capable of transcending all limitations, of revealing "nature" itself as fulfilling itself in freedom. Salvation is no longer the operation of rescuing an ontologically inferior and passive being; it is revealed as truly a synergia, a cooperation between God and man. In Mary, obedience and humility are shown as rooted not in any "deficiency" of nature, aware of its own "limitations," but as the very expression of man's royal freedom, of his capacity to encounter Truth itself and to receive it. ... In Mary, the very notions of "dependence" and "freedom" cease to be opposed to one another as mutually exclusive. ... In the unique experience of Mary, "freedom" becomes the very content of "dependence," the one eternally fulfilling itself in the other as life, joy, knowledge, communion and fullness. 182

It is in this sense that Mary stands outside the rhetoric of possessive rights. She is thus an icon of the church as "she" 183 is called to be. Unconcerned about getting her due, she is concerned only about honouring the gift that God has given her—that is, the gift of himself—which is more than could ever be hers "by right."

182 Ibid., 53, 54-55.
183 When making reference to the church, Schmemann repeatedly uses the feminine article rather than the neuter, drawing attention to its relationship with Mary as well as its self-understanding as the "bride of Christ."
Despite the widespread acceptance and implementation of subjective rights language in the West, we are currently seeing a renewed theological interest in the relationship between the Eucharist and social justice, sometimes even in conjunction with a reluctance to endorse subjective rights. Joan O'Donovan is not alone in challenging "the adequacy of ‘rights’ as an element of theological-moral discourse." In *Eucharist and Torture*, Cavanaugh eschews the language of subjective rights altogether, and instead explores the central role of the Eucharist for a Christian understanding of justice, drawing upon his own western Christian tradition, and especially upon Augustine’s *City of God*. Defining torture as a "performance [that] atomizes the citizenry through fear, thereby dismantling other social bodies which would rival the state’s authority over individual bodies," Cavanaugh claims that social bodies, rather than individual bodies, are the true targets of state torture. It is, Cavanaugh insists, due to the mistaken belief that torture is primarily an attack upon individual bodies that human rights language is employed to stop acts of torture, and this is why recourse to rights is bound to fail in such instances.

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185 "Augustine ‘is engaged in a redefinition of the public itself, designed to show that it is life outside the Christian community which fails to be truly public, authentically political.’ ... [W]hat is crucial for a true politics, Augustine argues, is that a commonwealth must be based on justice, and justice depends on giving each his or her due, but this is impossible where God is not given God’s due in sacrifice. A true social order is based on sacrifice to God, for only when God is loved can there be a love of others, and the common acknowledgement of right. The true story of the world as revealed in the Scriptures is not one of the restraint of a primordial violence, but of a peaceful creation fallen and restored in Christ’s self-sacrifice. A true social order is not based upon the defeat of enemies but on identification with victims through participation in Christ’s reconciling sacrifice. According to Augustine, then, a true sacrifice on which true politics is based is the Eucharist: ‘This is the sacrifice of Christians: we, being many, are one body in Christ. And this also is the sacrifice which the Church continually celebrates in the sacrament of the altar, known to the faithful, in which she teaches that she herself is offered in the offering she makes to God,’” William T. Cavanaugh, *Eucharist and Torture* (Malden, MA: Blackwell, 1998), Cavanaugh, 10-11, quoting from Augustine’s *The City of God*, trans. Marcus Dods (New York: Modern Library, 1950), 310 [X.6].
186 Ibid., 2.
187 Ibid., 3.
In his insightful analysis of the failure of rights language to prevent acts of terror at the hands of the state, Cavanaugh draws a parallel between the atomizing power of torture and the individualizing power of the social contract. "[F]ounded in the same atomization of the body politic from which the state derives its power," the aim of human rights is to "build a protective wall around the individual." According to Cavanaugh, however, the aim of torture is likewise "the destruction of social bodies" and the construction of walls—only in this case, of walls that are the opposite of protective. Thus, as Cavanaugh points out, the contractual relationship between the state and the individual, upon which the language of subjective rights depends, and whereby the individual is offered protection from others, can become perverse should the state become antagonistic once it holds all the power. 188 This is, of course, reminiscent of Rousseau’s foreboding claim that the citizen’s life is "a conditional gift of the state." 189

Beyond the contribution of rights language to the atomization of society, Cavanaugh offers their "notorious malleability" as a second reason for the failure of human rights to counter acts of state torture in Chile. 190 In the second chapter, we discussed the negative forms of freedom that human rights language presupposes (i.e., freedom from other people, freedom from a particular conception of what it means to be human) and the danger of the malleable idea of human nature that such negative freedom entails. If a person’s safety from acts of violence relies upon the state’s recognition of his or her personhood, then people or groups of people remain open to the threat of violence should the state deny them this status. As Cavanaugh points out in his examination of the Pinochet dictatorship, "the secret police are unlikely to respond to the language of human rights, since they do not think of a Mapuche woman as ‘human’ in the same way that they are." 191 With a malleable understanding of human nature, the question of who is entitled to claim personhood status, together with the rights and freedoms

188 Ibid., 4.
190 Cavanaugh, 3.
191 Ibid., 3.
that it has to offer, is an open one. (This kind of question is, of course, precisely what lies at the heart of debates over “reproductive rights” in North America.)

According to Cavanaugh, the church must resist when the state becomes violent illegitimately or sanctions illegitimate violence—especially when the violence is committed against its members. Throughout *Eucharist and Torture*, Cavanaugh emphasizes the image of the body, paying special attention to the corporeal dimension of Christian political life as he tries to describe an authentically Christian response to acts of violence. The image of the body is, he claims, a crucial one. As he points out, not only is a singular body the ostensible object of torture, the body is also an important metaphor for groups of people, whether we are speaking of the “body politic” or of the church as the “Body of Christ.” Using the example of the eucharistic liturgy, Cavanaugh also claims that, like singular human bodies, social bodies are always “invested in certain performances or practices,” which “involve the coordination of many members into coherent shared activities or performances.” It is in this sense, he argues, that the church is “social”—that is, it is “social” as opposed to individual. It is not, however, in Cavanaugh’s view, called to be social rather than political.¹⁹²

Cavanaugh understands the Pinochet dictatorship as a clear example of illegitimate state violence to which the church was compelled to respond because of the use of torture in order to ensure compliance. As he notes, the potential rivalry of social bodies and the divisive fear that a state may seek to inspire through torture is precisely what makes social bodies the primary target of state torture. However, it is also for this reason that the church, with its theology of the body, is able to resist. According to Cavanaugh, Christian resistance to state torture depends upon the church’s “visible body,” or what he calls a “counter discipline” and “counter performance.”¹⁹³ For Cavanaugh, “the resources for the church’s enacting the true body of Christ, and thus for resisting the social strategy of torture, are found in the Eucharist.”¹⁹⁴ This is, in part, because participation in the Eucharist involves the actualization of a *visible body*, joining the bodies of

¹⁹² Ibid., 17.
¹⁹³ Ibid., 58.
¹⁹⁴ Ibid., 16.
particular people who might remain invisible alone, to a larger body. Cavanaugh thus stresses the intimacy between eucharistic participants, which allows for their transformation into the body of Christ. At the same time, he claims that this transformation necessarily involves an entrance into Christ’s self-sacrificing death:

One of the peculiarities of the Eucharistic feast is that we become the body of Christ by consuming it. Unlike ordinary food, the body does not become assimilated into our bodies. ... The fact that the church is literally changed into Christ is not a cause for triumphalism, however, precisely because our assimilation to the body of Christ means that we then become food for the world, to be broken, given away, and consumed. It is true...that the church is called to embody the very promise of the future Kingdom of God, given long ago, in the present, so that the promise might not be discredited or simply shoved to the margins of history. But it does so not by conquering bodies but by making a sacrifice of its own body. 195

Because Cavanaugh understands the larger body into which eucharistic participants are transformed as the body of Christ, violence committed against it is given meaning through the Eucharist, which embraces and participates in Christ’s suffering. Characterizing torture as “an anti-liturgy for the realization of the state’s power on the bodies of others,” Cavanaugh claims that the Eucharist is “the liturgical realization of Christ’s suffering and redemptive body in the bodies of His followers.” Thus, whereas torture isolates bodies through fear, thereby generating victims, the Eucharist “effects the body of Christ, a body marked by resistance to worldly power” in the bodies of the members of the church, thereby creating martyrs—that is witnesses: “Isolation is overcome in the Eucharist by the building of a communal body which resists the state’s attempts to disappear it.” 196

To participate in the Eucharist is, as Cavanaugh claims, to accept self-sacrifice in the image of Christ. It is therefore the liturgical foundation upon which a person accepts even physical martyrdom as a sacrifice for the sake of the body of Christ, which bears witness to that very body and to Christ himself:

[Martyrdom is] the Christian locus where the contest is most acute. ...Torture and disappearance work to refuse a visible body to the church

195 Ibid., 232.
196 Ibid., 206.
by denying it the possibility of martyrs, those who keep alive the subversive memory of Christ through their public witness, and thus make the body of Christ visible.\footnote{Ibid., 58.}

Although Cavanaugh acknowledges the church’s role as a witness of Christ’s kingdom to the world, he is less careful elsewhere, seeming to suggest that suffering is the church’s \textit{sole} function: “The true body of Christ is the suffering body, the destitute body, the body which is tortured and sacrificed. The church is the body of Christ because it performs an \textit{anamnesis} of Christ’s sacrifice, suffering in its own flesh the afflictions taken on by Christ.”\footnote{Ibid., 267.} Indeed, though he is clear that martyrdom makes the body of Christ visible,\footnote{Ibid., 58, 63.} he often remains fixated upon the suffering body to the near exclusion of Christ’s resurrection body: “The church’s discipline then is only the discipline of martyrdom, for Christ’s body is only itself in its self-emptying.”\footnote{Ibid., 271.}

In his introduction to \textit{Eucharist and Torture}, Cavanaugh acknowledges the Orthodox identification of the liturgy as the source of transformative power in our world, quoting Alexander Schmemann’s exposition of sacramental living in \textit{For the Life of the World}:

As Orthodox theologian Alexander Schmemann writes, the original sense of \textit{leitorgia} was “an action by which a group of people become something corporately which they had not been as a mere collection of individuals.” ... \textit{To participate in a communal and public discipline of bodies is already to be engaged in a direct confrontation with the politics of the world.}\footnote{Ibid., 12.}

Like Cavanaugh, Schmemann insists upon the church’s embodiment of Christ’s sacrifice in the Eucharist. However, he remains more theologically balanced than Cavanaugh, insofar as he incorporates the resurrection more forcefully into his overall understanding of eucharistic participation, insisting that the church’s role, while sacrificial, goes beyond that of sacrifice. Indeed, the church also embodies the salvation that Christ extends to the world:

\begin{itemize}
\item \footnote{Ibid., 58.}
\item \footnote{Ibid., 267.}
\item \footnote{Ibid., 58, 63.}
\item \footnote{Ibid., 271.}
\item \footnote{Ibid., 12.}
\end{itemize}
[Christ] remains the priest and intercessor for the world before the Father, and thus the Church, his body, a participant in his flesh and blood, takes part in his priesthood and intercedes by his intercession. She offers not a new sacrifice, for all the fullness of salvation has been given to the world “through the offering of the body of Jesus once for all” (Heb 10:10), and “by a single offering he has perfected for all time those who are sanctified” (Heb 10:14), but, being his body she herself is priesthood, offering and sacrifice. … We are ordained so that, together constituting the Church, we may offer his sacrifice for the sins of the world, and in offering it, witness to salvation.202

It is thus, claims Schmemann, in the unified body of Christ that the particular bodies of Christians are best able to minister to the world—whether personally or politically. It is, however, for the same reason that the eucharistic approach to justice precludes any appeal to “rights.” Where there is but one body, there should be no argument about what is “owed” to each member. Rather, as a single body, the church should seek the health of all its members, each member being willing to give of itself for the sake of the whole body. Moreover, the church as a whole ought to remain unconcerned about “receiving its due,” but should instead be concerned with Christ’s act of self-offering, ever willing to participate in that offering by giving itself for the sake of the world.

To Pray or To Picket? Eucharistic Ethics and Political Responsibility

As both Schmemann and Cavanaugh insist, participation in the body of Christ does not mean abandoning the world to its own devices. Neither, however, does it mean attempting to turn the Eucharist into a merely secular event—an event limited to the current age, which ultimately fails to enter into the world to come. (This is why Cavanaugh views the purported necessity of “theme liturgies”—such as those for world hunger, or various wars in the world—“to rescue the Eucharist from practical irrelevance” as a gnostic internalization of the Eucharist as “meaning” that must be applied “out there” in the real world. This, he claims, “misses what is essential to the Eucharist as liturgy.”203) Rather, for both

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203 Cavanaugh, 11-12.
Schmemann and Cavanaugh, the eucharistic liturgy is a profoundly eschatological event that brings communicants into Christ's awaited kingdom:

In the Eucharist, we commemorate not only the incarnation but its completion in the death and resurrection of Christ. In the Eucharist, ... we are lifted up from this world and given a foretaste of the heavenly Kingdom. As Schmemann says, though, “this is not an ‘other’ world, different from the one that God has created and given to us. It is our same world, already perfected in Christ, but not yet in us.” A Eucharistic counter-politics is not otherworldly or “sectarian”—it cannot help but be deeply involved in the sufferings of this world—but it is in sharp discontinuity with the politics of the world which killed its saviour. The point is not to politicize the Eucharist, but to “Eucharistize” the world.204

Thus, Cavanaugh affirms Schmemann’s insistence upon the Eucharist’s direct capacity to transform the world, such that it needs no “application,” nor must it be “made relevant.”

In The Eucharist, Schmemann insists that the “lack of connection between what is accomplished in the eucharist and how it is perceived, understood and lived,” which results in attempts to make it “relevant” in the first place, constitutes a “eucharistic crisis in the Church.”205 This, he explains, is distressing because it means that the church cannot respond adequately to the “frightening and spiritually dangerous age” in which we live:

It is frightening not just because of its hatred, division and bloodshed. It is frightening above all because it is characterized by a mounting rebellion against God and his kingdom. Not God, but man has become the measure of all things. Not faith, but ideology and utopian escapism are determining the spiritual state of the world. At a certain point, western Christianity accepted this point of view: almost at once one or another “theology of liberation” was born. Issues relating to economics, politics and psychology have replaced a Christian vision of the world at the service of God. Theologians, clergy and other professional “religious” run busily around the world defending—from God?—this or that “right,” however perverse, and all this in the name of peace, unity and brotherhood. Yet in fact, the peace, unity and brotherhood that they invoke is not the peace, unity and brotherhood that has been brought to us by our Lord Jesus Christ.206

Naturally, such a perspective does not sit well with those whose concern for social justice leads them to endorse liberation theology. In Anamnesis as Dangerous

204 Ibid., 13-14.
205 Schmemann, The Eucharist, 9.
206 Ibid., 9-10.
Morrill attacks Schmemann’s approach to the political realm, giving a scathing analysis of the passage quoted above:

In light (or, perhaps, the darkness) of such a statement the reader unacquainted with the entire corpus of Schmemann’s work might wonder how the present writer can turn to it without showing grave disrespect for [Johann Baptist] Metz and the wider circle [of political theologians]. Beyond Schmemann’s rhetoric against liberation theologies, his separation of “division, hatred and bloodshed” from “rebellen against God,” entailing the logically consequent denigration of the former, is a fundamental theological error for the student of theology. This protest having been registered, however, I believe that Schmemann’s singular work on the “crisis”...of theology, liturgy, and spirituality answers in large part the concern for tradition to which Metz has led this present project.

Morrill concedes that while Schmemann shows a laudable “concern for tradition,” he is also able to recognize the current chasm between liturgical practice and the lived experience of the church. Nevertheless, Morrill remains fundamentally at odds with Schmemann’s eucharistic approach to justice and, indeed, with Schmemann’s general attitude towards questions of justice. As we have seen, Schmemann will have nothing to do with the battles for “equality” with which Morrill seems preoccupied. Moreover, Morrill rejects Schmemann’s emphasis upon the ascending motion of the liturgy, rebuffing Schmemann’s claim that “to save the world from social injustice, the need first of all is not so much to go down into its miseries, as to have a few witnesses in this world to the possible ascension.” Schmemann’s point here is not that the church ought not to suffer, but only that it ought not to suffer as the world suffers, outside of the context of Christ’s death, resurrection and ascension, and therefore, as Schmemann sees it, without hope. For Morrill, however, these words indicate an evasion of the

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207 Whereas, for Morrill, Schmemann is representative of liturgical theology, Metz is the Roman Catholic theologian that Morrill chooses to represent political theology in the “dialogue.”
church’s responsibility for the world: “Taken independently of the totality of his writings, the statement quoted could easily give the impression that Schmemann’s notion of ascension, far from taking up the brokenness of the world, spurns the world in a manner akin to Gnostic movements of old.”

The lip service that Morrill pays to the value of Schmemann’s work as a whole—this in the midst of accusing Schmemann of refusing to take seriously the suffering of people in the world—seems even more insignificant when we consider the following crucial divergence between the two. Whereas Schmemann insists that the eucharistic liturgy remains the true source of God’s transformation of the world by gathering partakers into God’s kingdom, Morrill denies that “the experience of faith known in the liturgy is the irreducible source of any [ecclesial] mission [of social justice].” In fact, Morrill seems to suggest that to profess the eucharistic liturgy as the source of God’s transformative power in the world necessarily entails a refusal to acknowledge the weight of human suffering. In The Eucharist, however, Schmemann is clearly concerned with the political aspect of eucharistic enactment, for instance, when he decries what he calls “religiously coloured and justified nationalism” in his chapter “The Sacrament of Unity.” To his credit, Morrill acknowledges that this chapter offers a tangible example of how liturgical participation can function politically to transform the world. Nevertheless, he portrays Schmemann’s liturgical stance as politically irresponsible insofar as it demonstrates insufficient concern for the plight of those elsewhere who suffer political oppression, especially when compared with the liberation theologian:

The problem that nonetheless remains is Schmemann’s obstinate refusal to consider more carefully the oppressive conditions experienced by other people in the world—those, for example, in the southern hemisphere who endure relentless social, economic, and political oppression. Christian love for those peoples requires attention to the systemic conditions of their oppression, as theologians of liberation have shown. The liturgy, in its content and shape, is clearly not capable of being the sole authoritative source for Christians’ ongoing conversion—in this case, Father

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211 Morrill, 125.
212 Ibid., 125.
The point here is not to adjudicate between Schmemann and Morrill, or even between liturgical and liberation theology. It is simply to show the uniquely contextualized way in which Schmemann, and likewise Cavanaugh, understand political theology. Rather than setting up a dichotomy between political and liturgical theology, assuming, like Morrill, that the two occupy essentially different spheres and must therefore enter into a “dialogue,” Schmemann understands the eucharistic liturgy by its very nature to bear political weight. Cavanaugh picks up on this in *Eucharist and Torture* when he insists that the “discipline of bodies” enacted in the Eucharist directly confronts “the politics of the world.” Theologians like Schmemann and Cavanaugh thus affirm an intimacy between persons, as well as a certain overlap between the sacred and the secular and between political and ecclesial reality—and they do so in the light of Christ’s incarnation, death and resurrection, and the church’s eucharistic response. Neither Cavanaugh nor Schmemann view sacramental and liturgical practice as something limited by the walls of a church building, though both would insist that the liturgical breaking of bread is the source of the church’s sacramental life. Politics can therefore be practiced liturgically and sacramentally, beginning with the practice of the Eucharist, and extending into every moment of the lives of eucharistic participants. This participation is possible because the Son accepted to be conceived in a human womb, uniting divinity and humanity in a single body, and then offered his body on the cross for the sake of all.

*Questioning Human Rights in the Abortion Debate*

Despite the contemporary theological interest in a eucharistic understanding of justice, the language of rights continues to dominate within debates about abortion and the pregnant body on both the “pro-life” and the “pro-choice” sides of the fence. The first camp stresses the child’s “right to life,” while the second insists upon the woman’s “right to choose,” by which it intends her

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213 Ibid., 129.
214 Cavanaugh, 58.
right to dispose of her body as she sees fit. Nevertheless, the theologically grounded move away from subjective rights is beginning to find its way into discussions of pregnancy and justice. In *Christian Ethics and Contemporary Moral Problems*, Michael C. Banner denies that one can adopt the conventional terms of the abortion debate while maintaining an authentically Christian anthropology, wherein our identity is God-given, and so our self-knowledge must be derived from God’s primary knowledge of us, as it is revealed in Jesus Christ. Turning to a passage from the Book of Revelation, Banner explains that Jesus describes himself in such a way that he is rendered the ground for an active human identity: “Fear not, I am the first and the last, and the living one.”215 The life, death and resurrection of Jesus means that he is alive in “a radically unqualified sense”—that his being is not bound to a fleeting moment. Describing Jesus as the “untensed” ‘I am,’ Banner claims that this eternity of being contained in Christ is intrinsically tied to his command not to fear. The very nature of Christ calls forth our actions: his being is both essence and imperative. This is because the “revelation of Jesus Christ is not a revelation of a moment in God’s being—of, as it were, an impulse suddenly formed which might just as well be suddenly recanted.”216 Instead, it is the revelation that human time, as contained in Christ, has been forever redeemed. From here, Banner points out that the Christian conception of the human being, which rests upon a belief in the life, death and resurrection of the eternally living one, must involve a profound respect for the material world in general, and for our physical bodies in particular. Thus, for Banner, questions about human life and death must be addressed in light of an ethical stance that takes seriously the goodness of the human being and the human body as created by God.217 As Banner points out, an appeal to the mother’s “right to choose” calls into question this goodness insofar as it portrays human life (i.e., the life of the foetus) as something that needs to “justify itself” in order to merit existence. However, according to Banner, an appeal to the foetus’s “right to life”

215 Revelation 1:17, NRSV.
217 Ibid., 55.
is no less problematic. For one thing, it is negative or reactionary in that it adopts the pro-choice premise that human life requires additional justification (i.e., a “right”), thereby undermining the Christian belief in the goodness of the human being as a creature of God. Moreover, Banner claims that the insistence upon a “right to life” is “too avid and unmoderated” in its regard for life, failing to see that life is a gift from God and, as such, “must always and ever be regarded not as our own, but as belonging to God.”

Not surprisingly, Joan O’Donovan also refuses to grant what have become the conventional terms of the abortion debate. Despite her characterization of abortion as utterly unethical, she nevertheless rejects the very foundations of the “right-to-life” movement. Let us consider, for instance, her comment at the end of *A Preserving Grace*: “It’s correct to say that it is wrong to kill unborn fetuses, that it is unjust to kill unborn fetuses, and that it’s against the law of God to kill unborn fetuses, but not that fetuses have rights. ... My argument is that the use of the word ‘have’ does imply self-ownership.” Here, O’Donovan resists an appeal to rights because, as she sees it, such language undermines the Christian conception of the human person, which holds that the person is not his or her own (1 Corinthians 6:19). In fact, one might argue that the appeal to rights is particularly problematic when used as an argument against abortion insofar as it endorses the very same claim made by those who support women’s “reproductive rights”—self-ownership. Without another model for understanding the ethics of pregnancy, mother and foetus often remain at an impasse, both with a purported claim to their separate “rights” as individuals.

The suspicion that subjective rights language fails to offer an adequate ethical model for the abortion debate is likewise beginning to emerge from the “pro-choice” camp as well. In *Misconceptions*, feminist theorist Naomi Wolf writes about how her own pregnancy radically shifted her views about the rights-based theoretical underpinnings of the pro-choice movement. According to Wolf,

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218 Ibid., 116-117.
the inhabited pregnant body presents a serious challenge to the idea of a selfowning individual:

[W]ith every day of my pregnancy dragging me into closer realization of the being in my body, I began to think that [a male friend’s pro-choice] views were based on an abstract ideal of the self and its rights—constituted by men—that simply could not account for pregnancy. I was still passionately pro-choice. And yet I was beginning to wonder if a pregnant woman was an implicit challenge to the idea of the autonomous “individual” upon which basic Western notions of law, of rights, and even of selfhood were based. There are two people inside me now, I thought. Everything is different. Pregnancy seemed to require a different kind of philosophy; an even better pro-choice language. ... It was, as the pro-choice slogan asserted, “my body.” But did I own this baby the way I owned my possessions, my hair, and my fingernails? 

In opposing the ownership model for understanding the relationship between mother and foetus, Wolf even goes as far as to appeal to the idea of “sanctity,” a notion usually reserved for theologically-minded “pro-lifers.” What is perhaps even more interesting, however, is that she does not appeal to the sanctity of life, but rather to the sanctity of the foetus itself:

[T]he impulse of mothers and fathers to say of a baby, Mine, mine, mine—what was lost in the culture in which I was pregnant was, I feared, something profound: the sense of the sacred “otherness” of the child. After all, the child is not there to meet our needs and expectations. What is lost in a market economy of “best” and “seconds,” in a society where babies are a form of currency, is the central paradox of true parenthood, which should be defined as our absolute commitment to a creature of whom we can claim no rights of possession.

The difference is perhaps a subtle one, but it is nonetheless crucial. Wolf is not claiming that life is a God-given or “sacred” right possessed by the foetus (or, for that matter, that the life of a child in utero is somehow owned by its mother.) Rather, she is viewing the child itself as a sacred being.

In her chapter entitled “Mysteries,” where she describes what she considers to be the spiritual implications of her pregnancy, Wolf reiterates this

221 Ibid., 56.
222 Although Wolf does not write explicitly about the “sacred ‘otherness’” of the foetus, but only that of the child, it is clear from the context that she is considering her own unborn child among these “sacred” beings. Moreover, throughout her book Wolf repeatedly refers to the foetus within her as a “baby,” avoiding the typically pro-choice distinction between the two.
point, and then presents the “sacred otherness” of the human baby as making way for unconditional love:

Babies, I speculated in that peculiar mystical state, are sort of leaky little understudies for God. With each baby the human species gets the chance to break out of the self into the service of something so “other” that the reasons for conditional love can give way to faith in unconditional love. Most of us ordinary mortals can’t manage that invitation to unconditional love on a daily, ever-renewed plane in the form of looking after the poor, the dispossessed, or the outcast all around us. But with babies we get a chance to take one manageable baby step on the long hard path of the saints. … Though I am Jewish, when I was pregnant I could suddenly see the good sense of worshipping God in the guise of a human baby.223

Thus, in contemplating her own pregnancy, Wolf is not only compelled to question the idea of the “autonomous individual,” and therefore also the use of human rights language with respect to the ethics of pregnancy—she also develops a theory of the intimate relation between self and other that relies upon religious ideas such as sanctity and unconditional love. Wolf by no means embraces the theological commitments of the Orthodox Church and, with respect to the practice of abortion, ultimately remains committed to a pro-choice ethic. Nevertheless, as we shall see, her experience of the near-divine “otherness” of the human baby is akin to the eastern Christian understanding of the human person created in the “image of God”, and of the possibility of theosis (i.e., deification). Moreover, if we remember our discussion of the matins hymn for the birth of the Theotokos, wherein Mary is referred to as the gateway of God into the world,224 it seems that Wolf’s musings later in this same chapter reveal an even deeper kinship with aspects of Orthodox thought:

We were all held, touched, interrelated, in an invisible net of incarnation. I would scarcely think of it as ordinary; yet for each creature I saw, someone, a mother, had given birth. Someone had succumbed herself to this endless yielding motion of the world, this cleaving of which I was now a part. Motherhood was the gate.225

Here, Wolf insists upon the great dignity of the pregnant woman as the person through whom another enters the world. Rather than decrying the celebration of

223 Wolf, 105-106.
225 Wolf, 102.
motherhood as “oppressive” or “antifeminist,” Wolf’s own experience of pregnancy leads her to honour it for its central role in effecting the “net of incarnation,” through which people—and indeed all living creatures—are connected to each other.

**In the Womb of the Church: Pregnancy and Eucharistic Justice**

Like that of O’Donovan and Wolf, the Orthodox Christian approach to the ethics of pregnancy generally avoids the idea of the self-owning, rights-bearing individual. Rather than insisting upon life or upon the body as possessions to which human beings are entitled because of some “God-given right,” Orthodox theologians instead tend to stress the psychosomatic unity of the human being. We see this perspective in the words of Saint Gregory of Nyssa when he claims that “[t]he beginning of existence is one and the same for body and soul” 226 and reiterated by bioethicist John Breck in *The Sacred Gift of Life: Orthodox Christianity and Bioethics*:

> From the holistic perspective of the Greek Fathers, it would be more appropriate to speak of the body not as having or possessing a soul but as being ensouled. It is animated by the God-given psyche, or life principle, at every stage of its existence. … [R]ather than affirm that the human person receives and possesses a soul, as an entity distinct from the body, it would be more accurate to say that the person is an ensouled being, and is such from fertilization onward.227

Moreover, it is important to recognize that, in eastern Christian thought, the “sanctity” of the human person is contingent: people are holy insofar as they are in relation with God as his creatures. Thus, as we see in Zizioulas’s *Communion and Otherness: Further Studies in Personhood and the Church*, the eastern Christian understanding of the “sanctity of human life” is not essentialist in character, but always relational:

> [T]he eucharistic way of being involves an act of dedication or ‘setting apart’, a sacralization of creation. *This is not because of some sacred quality inherent in created nature but because of the sacrality of

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communion, of the relation between giver and recipient. In other words, it is personal relation that makes creation sacred, not something inherent in the nature of creation itself.\textsuperscript{228}

According to Zizioulas, “[s]etting apart’ and dedicating something or someone to some Other constitutes the essence of holiness and sacrality.”\textsuperscript{229} Thus, the sanctity of one’s life remains contingent upon one’s eucharistic relation to another, whether we are considering the original gift of life from God, or the gift that one can make of one’s life to another. It is the gift of life that is emphasized, rather than life as a possession. In this way, the “sanctity of life” in eastern Christian thought does not become a covert way of affirming the sanctity of one’s own life—that is, one’s “right to life” as a possession.

Indeed, the relational character of the human person and the dependent or interdependent quality of human life (i.e., dependent upon God, dependent upon one another) become even clearer in Zizioulas’s description of the “eucharistic ethos” and its ontological implications:

Beings exist as particular…only as gifts of the Other, who grants them an identity by establishing a unique relationship with them. In this kind of ontology, in which the Other and not the Self is the cause of being, we not only leave behind the Cartesian ontology of ‘I think therefore I am’, but we also go beyond ‘I love, therefore I am’, since the latter still presupposes the Self as somehow causing being (by love). The proper way of expressing the ontological character of love in an ontology of otherness would rather be “I am loved, therefore I am’. Being is a gift of the Other, and it is this very gift that constitutes love; if love does not grant or ‘cause’ a unique identity, it is not true love; it is self-love, a sort of narcissism in disguise.\textsuperscript{230}

As Zizioulas points out, this eucharistic “ontology of otherness” requires a love radical enough to embrace the other not because of its similarities to the self, nor even in spite of its differences, but rather on the precise basis that it is other. (This is, of course, reminiscent of Wolf’s words about the necessity for unconditional love in pregnancy between a mother and the “other” within her.) Moreover, for Zizioulas, the “eucharistic ethos,” a relational ethos insofar as Eucharist is

\textsuperscript{229} Ibid., 93.
\textsuperscript{230} Ibid., 89.
communion, together with an ontology that prioritizes the other, undermines the idea of the “individual.” From this perspective, he claims, it is impossible to conceive of the other as “an autonomous or independent ‘individual’”: “As there is no Other who is not a relational being, the eucharistic ethos involves an attitude of acceptance and confirmation of the Other, including all the relations that make up his or her identity.” If we consider the implications of this ontology with respect to the ethics of pregnancy, we see that a pregnant woman could be said to exist in relation to the foetus within her, just as the foetus exists in relation to its mother. Of course, from the eastern Christian perspective, both exist, first and foremost, by virtue of their relation to God. Those who, as Zizioulas puts it, “do not happen to be loved” (and here it is hard to think of a better example than the foetus who is known only to a mother who rejects it) exist by virtue of the fact that they are loved by God.

The Eastern Church’s insistence upon the relational character of pregnancy naturally also includes a recognition of the father’s role. Certainly, technological advances, lax sexual mores, and current divorce rates have all contributed to diminishing the role of the father in Canadian culture. (The use of the phrase “child support” to signify financial support alone is merely a testimony to this marginalization.) Despite this trend, eastern Christian thinking about the relational nature of the pregnant body, together with its general refusal of body-mind duality, necessarily leads to a consideration of the intimacy that is natural to siring a child. Considered thus, the father’s role cannot be relegated to one of mere provider of genetic material or of material assets. Rather, paternity brings a man into communion with two beings at once: with the mother and with his offspring. Calling pregnancy “the icon of human intimacy,” Orthodox writer Frederica Mathewes-Green expresses this eloquently in Real Choices:

When pregnancy begins, a woman is plunged into an experience of intimacy more profound than any of her adult life; she is knit, literally, to another human, one half-made of her own self. In the same blow she is linked to the child’s father, whose half-life lives on as well within her body. Yet this being formed of two halves is more than their sum, a radical

231 Ibid., 91.
232 Ibid., 89.
third never before seen on earth.\textsuperscript{233}

Moreover, Mathewes-Green recognizes how this intimacy plays out on a practical level. While Canadian fathers, legally speaking, are excluded from a pregnant woman’s decision whether or not to carry the child to term, their willingness to support the woman, especially on an emotional level, or their refusal to do so, is likely to influence her course of action. As Mathewes-Green points out from her experience counselling women, fathers often play a critical role in the outcome of an unanticipated pregnancy: “When post-abortive women talk about the reasons for their decision, they talk most often about the failure of the baby’s father to be supportive, to fill the father’s role.”\textsuperscript{234}

Since the self-owning, autonomous individual is generally suspect in Orthodox circles, it is not surprising that, for Orthodox ethicists such as John Breck and Vigen Guroian, the eastern Christian response to the abortion debate and its protection of the human foetus is not founded upon sorting out the respective “rights” of the foetus and mother, wherein life is portrayed as a kind of “possession” to which all have a “right.”\textsuperscript{235} In their view, this approach merely muddies the waters, leaving opponents stuck in an ethical bog, with no common ground that would allow them to climb out.\textsuperscript{236} According to Breck, the Orthodox stance begins with the aim of “honour[ing] the divine image in all human persons, from conception to death,”\textsuperscript{237} which includes supporting them in what he calls their “primary vocation” of \textit{theōsis}—that is “to conform increasingly to the likeness of God.”\textsuperscript{238}

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\textsuperscript{234} Ibid., 45.

\textsuperscript{235} One exception to the general avoidance of rights discourse among Orthodox ethicists is Stanley Harakas, who defends human rights in his \textit{Contemporary Moral Issues Facing the Orthodox Christian} (Minneapolis: Light and Life Publishing Company, 1982), 130-136. However, in \textit{Incarnate Love: Essays in Orthodox Ethics} (Notre Dame, Indiana: University of Notre Dame Press, 1989), 82-83 and 143-144, Vigen Guroian claims that Harakas’s work runs the risk of “cultural accommodationism,” insofar as he mistakenly assumes that traditional American values are consistent with those of the Orthodox Church. This is particularly true of Harakas’s confusion about the ideological basis of human rights: rather than acknowledging their debt to the liberal idea of the individual, he claims that rights are grounded in the Christian idea of the human person.

\textsuperscript{236} Breck, \textit{The Sacred Gift of Life}, 154-155 and Guroian, 125-127.

\textsuperscript{237} Breck, \textit{Stages on Life’s Way}, 117. See also 22-23.

\textsuperscript{238} Ibid., 131, 140.
mindset is not only that a creature of God is being destroyed, which is grievous in and of itself, but that in cutting short a human life, one is destroying "a bearer of the divine image, the image of Christ." Breck therefore places this ethical burden upon all Orthodox Christians with an appeal to the corporeal theology of the Orthodox Church when he claims that cultivating respect for those bearing the divine image is "our responsibility, as members of the body of Christ." Quoting Romans 12:5, Breck points out that as "members of one another" all Christians are responsible for each other before God. This responsibility, he claims, begins at conception and continues beyond the grave.

Like Breck, Guroian begins with the Eastern Church’s corporeal theology in his book *Incarnate Love: Essays in Orthodox Ethics*. Moreover, he ties this theology of the body of Christ explicitly to the eucharistic liturgy in his chapter "Seeing Worship as Ethics" under the heading “The Ethics of a Eucharistic Public”:

By feeding at the Lord’s table [the faithful] are not only nourished from within by the bread and wine but they are assimilated into the very body of the one with whom and upon whom they feast. As that body they become the very presence and action of God’s reign in this world.

Furthermore, in his discussion entitled “An Ethics of the Great Supper,” Guroian returns to this corporeal theology as a basis for his rejection of individualism within the sphere of Christian ethics:

There is no such thing as a Christian ethic which is the exclusive possession of the individual. Apart from the Church there is no Christian ethic. St. Paul makes this clear when he prefices his instructions for Christian behaviour with the claim that through the eucharistic celebration believers become ‘united with Christ, [to] form one body’ (Rom. 12:5 NEB) and that when they act, whatever their individual gifts, they act as members of that one body.

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239 Ibid., 131. See also 22-23, 117 and 140.
240 Ibid., 140.
241 Ibid., 20 Here, Breck is presumably referring to the Orthodox Christian practice of praying for the dead.
242 Guroian, 65.
243 Ibid., 76.
For Guroian, an individualist Christian ethic is impossible because of the relationship between ethics and worship, and the impossibility of “private” or “individual” worship in the eastern Christian liturgy:

Liturgy is, as Guroian puts it, “an action which seeks to re-create the world through the formation of a eucharistic public which is sent out into the society to transform it into the image of God’s Kingdom of light, liberty, and love.” In fact, Guroian goes as far as to insist that liturgy makes no ultimate distinction between the “private” and the “public,” stating that the church must have a role in the creation and legitimatization of public institutions and values. (This is, no doubt, reminiscent of Cavanaugh’s claim that the church is not called to be “social” as opposed to political, but rather “social” as opposed to individualist. It is likewise the very same point that Alexander Schmemann makes in his Introduction to Liturgical Theology where, as we have seen, he explicitly attacks the possibility of individualism in Orthodox Christian worship.)

In “An Ethic of Marriage and the Family,” Guroian continues his argument by positing an ideal of intimacy for marriage and the family lived out within the context of the eucharistic community. He then claims that eucharistic intimacy is a means of countering the ethic of privacy upon which, he believes, the legalization of abortion has been based. One must, he believes, distinguish between “privacy” as it is defined in American law, and the intimacy that the church seeks to cultivate, since an ethic of intimacy does not entail a division of life into the “public” and the “private.” Instead, an ethic of intimacy “establishes a continuity of human community and purposive activity from the smallest units of human intercourse to the largest” and “generates a supportive network of personal relations and interactions, security, moral instruction, and ritual enactment and celebration of personal, family, and community past.” Thus, as Guroian would

244 Ibid., 67.
245 Ibid., 67.
246 “[The] distinction between ‘corporate’ and ‘private’ worship is a contradiction of the basic and ancient concept of Christian worship as the public act of the Church, in which there is nothing private at all, nor can there be, since this would destroy the very nature of the Church,” Alexander Schmemann, Introduction to Liturgical Theology, trans. Asheleigh E. Moorehouse (Portland, Maine: The American Orthodox Press, 1966), 19.
247 Guroian, 107.
have it, the right to privacy can be invoked to justify abortion, whereas an ethic of intimacy entails the rejection of this practice:

Intimacy is expansive, beginning in the primal community of the family and reaching out into the larger spheres of human activity and association. Privatism is reflexive, withdrawing from a world in which it cannot find value. Whereas family intimacy reflects a radical trust in the goodness and purposiveness of the world, the cult of privacy demonstrates a gnostic distrust of the world outside the self. Privacy becomes the clarion justification for abortion in our society. Intimacy values human presence and welcomes unknown others into a common world. The ideology of privacy undercuts all sense of vocation. Intimate life builds it up. 248

Like Breck, Guroian is deeply concerned with the fulfillment of vocation, and adds that intimacy is precisely what encourages vocational living. Unlike the self-actualizing “freedom” from others and from a fixed conception of what it means to be human which we discussed in the second chapter, the eastern Christian ideal of eucharistic intimacy has as its aim to bind human beings together, bringing them ever closer to each other, and to bring them up to the life that God would have them live:

In Christian ethics freedom is not a right of the autonomous individual to do what she would do so long as her use of it does not offend the rights of others. Rather, for Christians freedom is a gift of faith granted by a gracious and loving God to those whom he forgives of their sins and enables to serve others as he served them through the life, death, and Resurrection of his Son. 249

The eastern Christian insistence upon the vocational character of particular human lives lived within the context of the eucharistic liturgy cannot be isolated from the vocation of Mary the Theotokos, especially when we consider her role as an icon of the church body. As we have seen, Mary’s iconic vocation as Christ-bearer is significant when it comes to understanding the way in which the Orthodox Church views its own role in the world. It is likewise an important window into the eastern Christian understanding of pregnant women and their vocation as bearers of those bearing the image of Christ. Believing themselves to be united in the Eucharist to Christ and, through Christ, to Mary, communicants seek, like Mary, to participate in Christ’s life, understanding their particular lives

248 Guroian, 107-108.
249 Ibid., 76-77.
within the context of Christ’s incarnation, death and resurrection. A mother within
the Orthodox Church is thus able to understand her own vocation as a
participation in the motherhood of Mary, which itself is a participation in Christ’s
selfless life and love. (As Zizioulas points out in Communion and Otherness, “[a]
‘eucharistic ethos’ is sacrificial in that it gives priority to the Other over the
Self.”250) Responsible for the life growing within her, it is the pregnant woman’s
special mission to protect, foster and encourage the image of Christ in her child.
Certainly, it is a vocation wherein one’s self and one’s own desires become
subordinate to the well-being of others—but this is arguably true of any task that
the Eastern Church would deem a “vocation,” the idea being that selves directed
towards selfish ends are a kind of spiritual “black hole.”251

Beyond Anti-Abortion: Towards a Positive Theology of Pregnancy

The virtual unanimity with which contemporary Orthodox theologians
reject abortion undoubtedly is partially a function of the Eastern Church’s
emphasis upon tradition. This includes not only the liturgical tradition, which has
been our primary focus, but also the scriptural tradition, the iconographic
tradition, canon law, which emerged from the church councils, and the writings of
previous Orthodox theologians.252 There are, however, different ways of
incorporating these instantiations of tradition into one’s ethical views within the
Orthodox Church today, and different chosen emphases, depending on the
ethicist. Like John Breck, Stanley Harakas argues against abortion in his

Contemporary Moral Issues Facing the Orthodox Christian from the eastern

250 Zizioulas 2, 91.
251 Without labouring the point, the Orthodox Church’s iconic understanding of motherhood might
provide an interpretation of a much disputed passage from Paul’s first letter to Timothy, which
claims that “woman will be saved through bearing children, if she continues in faith and love and
holiness, with modesty” (1 Timothy 2:15). Although some have objected to this passage on the
grounds that it relegates women to mere reproductive vessels, one could understand it instead to
be a subtle reference to the possibility of participating in Mary’s divine childbearing—of
becoming theotokoi. Indeed, the passage’s subsequent reference to the sin of Eve is not unlike the
Eastern Church’s liturgical juxtaposition of the entrance of sin into the world through Eve and the
entrance of salvation into the world through Mary.
252 Abortion is condemned, for instance, in the twenty-first canon of the Council of Ancyra, in
Book VII of the Constitution of the Holy Apostles, and in the Didache, as well as by Saint Basil,
Saint Jerome, Saint Chrysostom, and Tertullian. See
Christian theology of the person as a “psychosomatic unity” whose personhood is perpetually developing as the divine image is perfected within that person—a process which begins in the womb but does not end there:

[S]ince God is perfect beyond our human comprehension, the process of growing more like God, of “developing our personhood”, is a never ending one for every human being. It begins at conception and continues to the very moment of our physical death. Thus, no human being is a “person” or entirely “human” in the fullest sense, since none of us are exactly like God. Yet all human beings share the same potential developing into “persons” whether they be in the womb, at the prime of life, or on their deathbed.253

He also appeals to the Orthodox interpretation of certain scriptural passages, arguing against abortion from events in the lives of Mary and Christ as they are recorded in the Gospel of Luke:

The potential for “personhood” of the human fetus is evident not only from the Orthodox concept of psychosomatic unity, but from Scripture. As Orthodox, we believe that the Divine Logos came to occupy the human body of Jesus from the moment of conception (Luke 1:26-38); and Mary’s cousin Elizabeth, the mother of St. John the Baptist, testifies that “the babe in my womb leaped for joy” (Luke 1:44) when she heard the sound of the Virgin Mary’s voice.254

Finally, he cites Canon 91 of the Sixth Ecumenical council, wherein the church explicitly condemns abortion: “Those who give drugs for procuring abortion, and those who receive poisons to kill the foetus, are subjected to the penalty of murder.”255

John Meyendorff also appeals to this canon in *Marriage: An Orthodox Perspective*, as well as the second canon of Saint Basil, which states that a woman who “procures abortion” must undergo ten years penance “whether the embryo were perfectly formed or not.”256 As Meyendorff points out, this even excludes any attempt to justify abortion at the earliest stages of pregnancy. Moreover, Meyendorff gives some thought to the ethical implications of the liturgical cycle,
highlighting feast days that celebrate the conception of different saints and of Christ himself:

In order to understand fully the position of the Orthodox Church on the issue of abortion, one can also refer to the solemn celebration of the Church of such feasts as the Conception of St. John the Baptist (Sept. 24), the Conception of the Theotokos (Dec. 8) and indeed the Feast of the Annunciation (March 25), when Christ Himself was conceived in the womb of the Virgin. The celebration of these Feasts clearly implies that human life—and, in those cases the life of John, of the Theotokos, and of Jesus, as Man—begins at the moment of conception and not at a later moment when, supposedly, the foetus becomes “viable.”

Insofar as he incorporates the liturgical tradition into his argument, Meyendorff’s rejection of abortion exemplifies the prominent position that Orthodox theologians tend to assign to the liturgy—that is to say, its formative role in the development of one’s theological stance.

In *Incarnate Love: Essays in Orthodox Ethics*, Vigen Guroian argues for the unification of ethics and worship, claiming that eastern Christian ethics must be approached primarily from the standpoint of the liturgical tradition. According to Guroian, “the near total disregard by Christian ethicists of the *lex orandi* as source or resource for ethics testifies to...[the] separation or divorce of ethics from dogma and religious practice.” In light of this dissociation, Guroian undertakes “to explore the relation or correlation of worship with right conduct and good works as understood from within the Orthodox tradition.”

Throughout this attempt to maintain the centrality of the liturgy for the development of Orthodox ethics, Guroian is more cautionary about direct appeals to the canons of the church councils or to the writings of early Orthodox theologians and very reluctant to endorse appeals to the “individual’s rights.”

With respect to the particular problem of abortion, he is careful to point out that the canons of the church and the writings of the church fathers were developed within a vastly different cultural context and that, as such, they cannot necessarily be used to support our own culture’s paradigms. He begins by

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257 Meyendorff, 63-64.
258 Guroian, 51.
259 Ibid., 51.
insisting that the Orthodox Church rejects the lenient abortion laws in the United States since it has always held that abortion is incompatible with “its vocation as a community whose faith is in an incarnate God, born of a human mother, who has called that community to be perfect in his divine-humanity.” He then acknowledges the ease with which the Orthodox Church might argue effectively against abortion should it approach the debate “from the standpoint of the individual’s rights to life, liberty, and the pursuit of happiness,” since this approach begins with the values endorsed by American culture. Nevertheless, as Guroian points out, the Orthodox Church cannot honestly ground its argument against abortion in these cultural values because many of these values are themselves suspect from the Orthodox perspective. Guroian fears that in attempting to do so the Eastern Church would run the risk of becoming “accomodationist” in its social ethic, becoming “just another fish in the pluralistic waters of liberal democracy.” According to Guroian, the patristic writings against abortion such as those found in the letters of Saint Basil and the homilies of Saint John Chrysostom were not fundamentally statements about “basic human rights,” nor even were they even meant as metaphysical verdicts about where life begins—despite some claims on the part of Christian pro-life advocates. Rather, they were exhortations to particular communities about what kind of behaviour is appropriate in light of their Christian identity, and which actions involve a failure to live up to their vocation as the Body of Christ. In Guroian’s view, an attempt to use them to support the individual’s rights—even the rights of the foetus—ultimately undermines the Eastern Church’s view of the human person by allowing an un-Orthodox individualism to infiltrate into these misinterpretations of earlier theological writings:

260 Although Guroian is discussing abortion in the United States of America, and not in Canada, the same comments hold true. In fact, Canada’s utter lack of laws surrounding the issue of abortion reveals an even more liberal stance and, hence, is even more objectionable from the perspective of the Orthodox Church.
261 Ibid., 125.
262 Ibid., 125. This wording is, of course, an echo of the United States Declaration of Independence. Nevertheless, these values are by no means unique to the United States for, as we have seen the development of the Canadian Charter of Rights and Freedoms was influenced by the very same Enlightenment ideals.
263 Ibid., 126.
Although having a very different style and program, the new Christian Right, like the liberal movement which preceded it, has conflated and finally confused the values, virtues, and content of the Kingdom of God with those of our secular order. Whatever the differences in the strategies and goals of these two religious movements, both owe a common debt to Enlightenment American religion, which all too easily associated the content of Christian faith with the secular precepts of the Republic—those precepts being largely the Enlightenment’s full suit of God-given and inalienable individual rights.\(^{264}\)

As we have already seen, Guroian’s own rejection of abortion is based upon the eucharistic ethic of intimacy and, as such, is grounded in the church’s liturgical practice, rather than upon an appeal to the autonomous, self-owning individual and his or her “rights.”

Some might consider Guroian a rigorist for refusing to use tools at his disposal by shunning arguments against abortion that begin with culturally accepted values. Like Cavanaugh in *Torture as Eucharist*, however, Guroian is suggesting that these values are precisely what facilitate state-sanctioned violence in the first place:

[B]y joining the debate in this fashion [i.e., with an appeal to the individual’s right to life, liberty and the pursuit of happiness], the Orthodox Church will have joined—wittingly or unwittingly, it makes little difference—a debate which finally turns out to be a “confidence game.” In that game, the argument whether the fetus is a human individual with the same rights as those of us outside the womb has already been lost or is, perhaps, in reality a nonargument because of the hidden governing rule of the game. The rule is that the only criterion of truth is a procedural one, i.e., how best do we protect the rights of the individual without influencing the character of her life or that of her society, since any attempt to influence would be an infraction of the individual’s right to privacy and self-determination? This is, after all, the final import of *Roe v. Wade*. The Court’s decision can rightly be called a sacred document of our “common faith.”\(^{265}\)

Others who, like Guroian, remain suspicious that rights discourse is inherently “accomodationist” would consider Harakas’s defence of human rights in his *Contemporary Moral Issues Facing the Orthodox Christian*, and his insistence

\(^{264}\) Ibid., 127.  
\(^{265}\) Ibid., 125-126.
upon the status of the embryo as a “human individual” from conception a non-Orthodox way of understanding the abortion debate. Certainly, Harakas uses early theological writings and the canons of the church in a way that may, as Guroian warns, improperly force the words of these earlier writings into our own cultural categories.

Even if one is not prepared to reject essentialist claims about the “rights” of the human foetus, what nevertheless remains especially interesting about the eastern Christian approach to the issue of abortion is its incorporation of the liturgical tradition, as we see especially with Guroian and Meyendorff. One might wonder, however, whether Meyendorff’s use of the liturgical tradition is as full as it might be, since his underlying argument remains primarily negative: feast days honouring the conception of different people are celebrated in the church as the point at which their lives began; therefore, abortion must be wrong. A closer look at some of the feast days he mentions, as well as the other feast days honouring the Theotokos and, more generally, theological writings about the relationship between the Theotokos and Christ himself, reveals, as we have seen, a positive theology of pregnancy which far surpasses the injunction “Thou shalt not commit abortion.”

From an eastern Christian perspective, when a woman within the Orthodox Church becomes pregnant, she becomes the bearer of one bearing the divine image. Like the Theotokos, she is called to be selfless in her love towards her child. She and her spouse each give physically of themselves at conception, and she continues to nurture their child throughout her pregnancy with her own flesh and blood, mirroring the way in which the church nurtures communicants with the body and blood of Christ in the Eucharist. The eucharistic context within which the Orthodox Church understands the pregnant body of a particular woman is no mere rejection of abortion—it is an invitation to the woman to participate in the life of the Church, in the life of the Theotokos, and, above all, in the life of Christ.

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266 Harakas, 130-136,145.
CONCLUSION
Politics and the Pregnant Body: Energy Aimed Inward

Just as there are different ways of understanding the relationship between the Eastern Church’s tradition and current ethical questions, there are also different attitudes toward the way in which one ought to go about putting forward one’s ethical stance. Is it merely a question of privately living out a life that sits well with one’s conscience, or is there an ethical imperative to voice one’s views in the public sphere? In his chapter “Do Politics Become the Christian?” Stanley Harakas argues that, for Orthodox Christians living in a democracy, political participation is not merely one’s responsibility as a citizen—it is also one’s responsibility as a Christian:

The important thing is that we participate in the political enterprise as Christians, as members of the church. And lest I be misunderstood, let me add that Christians should not become involved in politics for self-serving purposes, but in order to serve justice, to enhance citizenship, to do good works before all people and on behalf of all people. In a society such as ours, in order to render unto Caesar that which is his, Orthodox Christians necessarily will be involved in politics. Being involved in politics is part of what it means to be a Christian.267

Even if one agrees with Harakas about the necessity for political involvement, however, we have seen how differently Christians can interpret this obligation. William Cavanaugh’s call for a liturgical and eucharistic approach to political injustice in Torture and Eucharist may not prove satisfactorily political for some. Nevertheless, it seems that this approach, wherein “political action” is not limited to seeking office or to participating in a protest, but extends into multiple aspects of a person’s life, taking the eucharistic enactment of the Body of Christ as its source, is especially consonant with the eastern Christian mindset. Within this broader understanding of the political, those like Alexander Schmemann, who refuse to enter into endless battles for equality,268 might still be seen as participants in the political realm.

This is not to say that Orthodox Christians are not concerned with the laws of the state in which they live. This is especially the case if they consider that some injustice is being done, whether this is because the laws themselves are unjust, because just laws are not being applied, or because there is no law where there is need for one. From the perspective of those such as Alexander Schmemann and Vigen Guroian, however, the church’s primary responsibility is to minister to those who seek refuge within it. From the Orthodox perspective, this is not shirking a responsibility to the world. Rather, it is a centripetal understanding of mission, wherein one participates in God’s transformation of the world by drawing the world into the church, rather than by trying to have the church meet the world’s requirements. This is due to the eastern Christian insistence upon the church as the larger reality—the belief that the world is contained within the church and that, ultimately, the new world will be born from the womb of the church. From this perspective, Christ’s injunction to “Go into all the world and preach the gospel to the whole creation” (Mark 16:15) is best fulfilled by going deeper into the life of the church. Springing from such an understanding of the relationship between the church and the world, Guroian’s assessment of the Eastern Church’s role in North America advocates this more centripetal approach, and does so despite any accusations of desertion from the outside:

A truthful interpretation of its new life in North America should render a churchly ethic of presence which concentrates the energies of the faithful in the activity of making the Church itself a fitting bride of Christ and icon of perfection for the world, rather than an instrumentalist ethic of effectiveness which disperses the energies of its people into the whirl of the secular city. In doing this, the Orthodox Church will risk accusations from without of retreat. Nevertheless, it will know that its striving toward the perfection to which Christ calls it constitutes no withdrawal. In the

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269 Cf. Acts 16:37 and 23:3 where Paul objects to his abuse on the grounds of his Roman citizenship.
270 See, for instance, Kenneth Paul Wesche, “Eastern Orthodox Spirituality: Union with God in Theosis” in *Theology Today* 56:1 (April 1999), 35: “The church and her life—the life of Christ’s Holy Spirit—are not grounded in history for they are not temporal or spatial phenomena. They are the eschatological mystery of Christ and his...bride, the church. Their union is the eschatological mystery of our salvation. In the womb of the church, time and space and all they contain are sanctified, deified by being made one with God and filled with his Spirit in the mystery of Christ’s marriage with his bride, the church.”
spirit of St. Basil, who translated Christ’s love into hospitals and hospitals for the sick and the weak, the Orthodox Church in its new life within unified secular culture is required once again to direct its energies toward the creation of new incarnations of Christian philanthropia.271

No doubt, this understanding of the church’s role within the North American context is also due, in part, to Guroian’s recognition of the danger that comes with conflating the Christian faith with any particular political system—even with North American democracy. According to Guroian, the church should not be surprised that all political systems are, to a certain extent, oppressive or unjust and that it is the weak and the poor who suffer the worst injustices under these systems. In Guroian’s view, this gives the church the political responsibility “to expose the lie of every political system and ideology that with it all things are right.”272 Nevertheless, the church’s political responsibility cannot, from Guroian’s perspective, be divorced from its sacramental life:

[T]he Orthodox Church’s social ethic begins with an exorcism of the social order. Every time the Orthodox Church performs the rite of baptism it begins anew its social ethic. For through the baptismal exorcisms the Church exposes evil as a real, personal and cosmic power which holds the world in thrall. Evil holds such power through the lie that this world is an end in itself and by keeping the world in ignorance of the fact that it (for example, water and oil) is the very matter of the sacrament of the Kingdom. The lie of every state that it is an end in itself needs to be exposed over and over, and the truth that it can be of service to God needs to be revealed repeatedly.273

Moreover, Guroian insists that democracies are not ipso facto free of injustice and that Orthodox churches in North America must be aware of this when thinking through ethical questions and their theoretical basis:

It is not required that the Orthodox Church expound, confirm, or defend a theory of legitimation for democracy or any other form of government. Rather, Orthodox social ethics should be a discerning activity by which the Church strives to find effective ways of prompting the state to establish just relations within society and among political communities.274

272 Ibid., 134.
273 Ibid., 134.
274 Ibid., 135.
Here, Guroian is suggesting that a real desertion of the world on the part of the church would be for the church to allow itself to be fully identified with whatever political context in which it finds itself, thus preventing itself from being a voice of faithful dissent.

For those who, like Guroian, attempt to place the liturgical tradition at the centre of their ethics, this faithful dissent will always find its source in worship, rather than in any given political or ideological movement begun in the secular realm. This means that, although eastern Christians may become involved with a particular social justice movement, their involvement will always be penultimate, will always yield to their primary work as the people of God, the work of becoming the Body of Christ:

Seeing Christian ethics as worship is recognizing that no movement for justice, reconciliation, or peace apart from the Church can achieve all that it promises. This does not exclude Christians from participation in political movements or government services which respond to genuine and specific injustices or needs of persons. It does indicate, however, that Christians will find their ultimate reasons—even their proximate reasons, oftentimes—for engaging or not engaging in such action not in the ideologies or platforms of parties and interests of the day but from within the prayerful and worshipful life of the church. When the tormented voices of the world call out for freedom, justice and peace, Christian ethics will refer those demands and principles to the Christian experience of the Kingdom.275

From this perspective, even Christian involvement in the pro-life movement must be tempered by the experience of the worshiping church, so that ideology does not become an end in itself. To allow this to happen would mean to permit the very people whom the church is called to serve to become of secondary importance to “the cause,” as some Orthodox Christians clearly recognize.

If we look, for example, at the work of Frederica Mathewes-Green in books like Real Choices and Gender: Men, Women, Sex, Feminism, as well as in her work counselling post-abortive women, we see a genuine desire to move beyond ideology in order to care for people, regardless of their socio-political stance, their past history, or their stage of development. This approach to pro-life action means that Mathewes-Green retains the freedom to “fraternize with the

275 Ibid., 76.
enemy,” as pro-choice activists are sometimes viewed in pro-life circles. At a conference called Common Ground, for instance, she gave a joint presentation with Naomi Wolf who, as we have seen, is exploring the need for rethinking appeals to the “rights of the individual” in pro-choice rhetoric. As Mathewes-Green argues, projects like this one allow people to clear the air of common misunderstandings in order “to arrive at genuine, sincere disagreement.” Though rare, they are important in dispelling the convenient fictions that ethical and political opponents develop about each other such as “pro-life advocates don’t care about women” or “pro-choice advocates don’t care about babies.”

Keeping the liturgical tradition at the centre of an ethical or political stance, Orthodox Christians can enter into discussions with those who do not share this liturgical foundation, maintaining a firm stance without compulsive attempts to proselytize. Thus, the Orthodox Church can bypass an appeal to the culturally accepted “rights of the individual,” turning instead to its theology of Mary Theotokos, to its elevation of the pregnant body to an iconic status, to its insistence upon the relational character of personhood, and to its belief in the presence of the divine image in the human person and in the possibility of theosis—all of which supply the foundation for the Eastern Church’s rejection of abortion. Focusing their energy inward, Orthodox clergy may, as the need arises, instruct their people about the church’s rejection of abortion. This inward focus does not mean, however, that Orthodox Christians are free to neglect those who do not share in their communion. It is not simply a matter of “taking care of one’s own house,” but rather of seeing the whole world as God’s house. Because of the ministerial role that the church takes on in relation to the world, Orthodox Christians understand themselves to be called to be a voice for the defenceless—be they widows, orphans, single mothers or unborn babies. Grounding the particular experience of pregnancy within the larger experience of the church, the Orthodox Church extends to the pregnant woman the possibility of participating

276 Frederica Mathewes-Green, Gender: Men, Women, Sex, Feminism (Ben Lomond, California: Conciliar Press, 2002), 42.
277 Mathewes-Green, 43.
iconically and eucharistically in the incarnational and pneumatological pregnancy of the Body of Christ.
Bibliography


