



THOMAS AQUINAS  
ON VIRTUE AND  
HUMAN FLOURISHING

*Stephen Theron*

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By

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## INTRODUCTION: INCLINATIONS AND BEATITUDE

The crisis of ethics in our time calls for a synoptic view capable of kindling confident teleological motivation, in persons and societies. It is futile to search for the "clear and distinct idea" in a field of such universal importance as ethics, for which the ordinary discourse of humanity is well suited. Rather, our notions must be open, open to the analogies in things and situations, and open too to the real human situation in all its depth and breadth, such things as the desires of the human heart, the burdens of finitude, misfortune and death, the polarization of the sexes, the insights and traditions of religion, the exigencies of politics, the compelling witness of the arts and of literature.

The reason for this universal importance, such that a field of discourse considered especially intractable or even, recently, "queer" (J.L. Mackie), cannot be isolated as if somehow less scientific and hence inherently problematical or "emotive", was clearly stated by Aristotle when founding this science, this *theoria of praxis*. It is that ethics is concerned with the nature and end of man, with man, that is, in view of his characteristic action or praxis. That is to say, to take the short way for the present, it is the science of human happiness, of how to be happy. But this is the object of all human endeavour without exception. Hence, if its content be ever identified, e.g. as the vision of God, then it will follow that this content is the ultimate aim of all our civil and social arrangements, a conclusion that St. Thomas unhesitatingly draws.<sup>1</sup>

Such an identification, however, before it would explain the hidden motor of society externally considered, would more proximately explain ourselves to ourselves. And so the young person reading for the first time the treatise on *beatitudo* in the *Summa Theologica* is led within himself to that state of mind so habitual to, say, St. Augustine, when he said "You have made us for yourself, and our heart is restless until it finds its rest in thee."

There are any number of phrases from the Psalms of David which say the same thing. For what is here logically and metaphysically grounded by St. Thomas is actually the most natural of our inclinations, whereby we are

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<sup>1</sup> *Summa contra gentes* III 37.



not merely open to the transcendent but crying out for it, so that the eye looks on at the passing show of this world forever unsatisfied. The most natural of our inclinations is to the supernatural (perhaps to "knowing as we are known"), from the side of which we long for an initiative, if only we might hope for such a thing. There is no human beatitude short of that, and hence it is that when we read the touching pages of St. Thomas about the fate of infants who have died unbaptized, we find that the natural felicity which indeed he there attributes to them is ultimately a species of deprivation of the fundamental human hope.

Nonetheless, to speak of the most natural of our inclinations is to concede that we have a plurality of inclinations, among which, however, there has to be a certain order, both because order itself is something to which we are clearly inclined and because that inclination to universal good (*bonum in communi*) which we discuss in the text, identifying it as an end with that end which in fact specifies the human will in its being as a will and indeed with God, is already sufficient to order the rest.

We might ask how it is that we can have this plurality of inclinations if inclinations are to perceived goods and "good" has the meaning of "end", such that there is just one ultimate end not only of all human life but even, St. Thomas makes clear, of each and every human action. Here already, I believe, is the place to introduce the essential notion of participation. Human beings are so situated that there are a variety of ways of participating, of taking part in, the universal goodness of beings, whether in the order of learning or in the order of desire, use and enjoyment. The basic realities of birth and education to maturity are sufficient evidence of this. Before one even asks the question why do I live, how shall I be happy, not to speak of answering it, one has lived some years with one's energies bent upon nourishment, play, the search for love, or whatever it may be. Again, after those first, typically adolescent days of spiritual enlightenment in which, it may be, one discovers one's eternal destiny and the dignity of one's own soul as a necessary being, after those intense days of conversion the exhausted spirit will be forced to remember its continuing need for, and hence inclination, at least at some level of its nature, towards those finite goods which in its ardour it had forgotten, a recurring pattern to which we must not forget to add the need for healing and forgiveness of our own wounded being.

In all these ways we participate in the ultimate good which draws us to itself, and so it is only good for us to use these other goods when they do, in the particular circumstances as evaluated by the virtue of prudence, constitute such a participation. Hence we are advised never to seek

fulfilment in them on their own, and even that such a desire defiles the soul. It is possible, however, to abstract such goods in the mind for separate consideration as to what is or is not to be done with respect to each, assuming the circumstances are otherwise right, and hence we arrive at those formalities of justice which are enunciated as laws .

It is indeed characteristic of the legal mode that it be analytic, considering each element on its own. Nor is there anything wrong with such a mode. Hence if it be said that there is a law such that adultery is forbidden, then, as law, this holds without respect to circumstances of place or person. The example is Aristotle's, and we may say that the whole thrust of the Kantian ethic, for example, arises from Kant's insistence upon viewing matters of behaviour exclusively in the legal mode, this of course being in pronounced tension with his wish to deny any real role to an external legislator, so as to secure "autonomy".

The tension is pronounced because it is this external reference that specifies the legal mode itself, and which is the reason why, as we said, laws, whether moral or societal, do not in themselves reflect consideration of the total situation or intrinsic aims of those subject to these laws, this being the very ground, in fact, upon which Kant praised the dignity of duty.

It cannot be denied that this is the mode under which morality is presented to us in scripture, precisely in consideration of the infinite dignity of the law-giver. Even if we see the wisdom of a given commandment and how it will help us to attain our ultimate end, yet that is not the reason why we are to obey it, if we are religious. Justice though the heavens fall!

In this perspective the doctrine of natural law faces in both directions at once, preserving that complete reality which is deformed in one way or its opposite by the positivist theologian and philosopher of duty or by the consequentialist humanist respectively. There is no need to stress the doctrine's analogical character as a legal theory. For the claim is that our inclinations really promulgate to us laws, as arising from the reflected divine light in our immortal souls, it being through the weakness of our minds and not because of some positive open-ended quality (of the laws) that we for the most part do not, prior to metaphysical analysis, perceive them to be laws. "What is in fact law is only inferentially grasped by us as law " (L. Dewan). We simply grasp, straight off, the goodness of being, a seed in the mind which the mind, after some labour according to its own laws, will come to see as the law of loving God more than oneself, something which we in fact do without realising it in that initial grasping of the goodness of being. And so with the other laws in their proper order. An angel would know from the first that these are laws.

The strength of natural law doctrine, however, lies precisely in this internal derivation of law from inclination, since, as we have explained, law is superficially the opposite of inclination, as what comes from outside is opposed to what comes from inside. The claim is that in coming to know our own inclinations, and there is no human inclination that is not a known and indeed willed inclination, we are having the creator's law promulgated to us. We are not just using our inclinations as a way of working out what ought to be done.

In fact what Kant and St. Thomas have in common, as philosophers in the Christian tradition, is just this insight both that law must be preserved in all its dignity ("not one jot or one tittle shall pass away") and that it must and can be internalized ("I will plant my law within their hearts"). Now Kant's solution internalizes law by the simple expedient of transferring the alienation experienced by the subject of positive law into the depths of the human soul itself. So it seems, at any rate, to most interpreters, this being the effect of proposing a nobler end than human happiness to the point of an absolute altruism divorced from all inclination.

It is clear though that no other consistent outcome can be expected once one has accepted the Suarezian definition of law as something proceeding essentially from will, as a compulsion from outside (which can then only be quasi -internalized in all its externality, so that reason itself becomes the heteronomous enemy of any natural appetite). If, however, law be understood as a principle of rational order, intrinsic to reason in the first place, reason as in its own intellectual nature being the cause of the very faculty of will, then it becomes possible to understand the Thomistic and Augustinian view according to which the New Law of the Gospel is not written down but poured into the depths of our own hearts severally by the Holy Spirit. We can then understand, furthermore, in virtue of this superior vision which the Christian philosopher has at his disposal (though without needing to make formal appeal to it), how, in the very being of man himself prior to this infusion of divine law, there is implanted a law which is nothing other than a reflected divine light in our souls whereby we know good from evil just as participants in the eternal law which is God himself creating and governing his creation. It is the view of the nobility of intellect and of its potentially directive role which is paramount.

Nor is this in any sense part of a project of reducing the majesty, the uncompromising demand in particular of divine law, in general of any law. That is why we said that one should not feel bound to view natural law as an analogy, a mere way of speaking, so that we might describe natural law, with Vasquez, as *lex indicans* only. It is *lex praecipiens*; i.e. it consists of precepts and even, says St. Thomas, of enunciations, corresponding, for

example, to the Ten Commandments. He adds, however, that it belongs to the very ratio or essence of a precept that it be given for some end, and this, as much as anything else, is a doctrine of God, that God is wise, good and loving, and not evil, stupid and indifferent. Indeed one might say that this is the only intelligent doctrine of God and that any other view, as history has demonstrated, is simply a camouflage of the loss of God under a cloud of theological or even merely legal language. Thus, in his discussion of the nature of law, which includes the eternal law which is God himself, St. Thomas, clearly thinking of God himself as preceptor and law-giver, writes that "it is because someone wills the end that reason ordains those things needed for the end", adding to this that "otherwise the will of the prince would more be iniquity than law."<sup>2</sup>

The giving of law, then, is part of God's eternal willing of himself just as universal good, in virtue of his nature as universal being, *ipsum esse subsistens*. A God who does not will good, not as set above him but as grounded in his very nature as end of all things, is not even a possible being.

This, indeed, is the only possible solution. Kant would seem to have enthroned law to the exclusion of God and hence of that happiness which is ultimately founded in the divine being. He could see no other way to preserve its majesty, due to the voluntarist conception of law just referred to. But then law loses the very majesty which he is emphasising, being now immanent to a human reason which stands alone, no longer reflecting the divine, and which seeks to exalt itself as an absolute end in virtue of a purely negative freedom from even the first determinations of a thing's nature. St. Thomas had stressed that just because intellect is open to all being, able to have the form as the other as other, it needs, since it is a nature, and a very exalted nature, to have, like God himself, its own natural inclination, from which proceeds the faculty of will as such and, indeed, all the inclinations of our nature.<sup>3</sup>

Before we were to go on to examine more closely the nature and role of the inclinations, however, it would be desirable to remove a few remaining doubts and ambiguities. It was perhaps the fear of Kant and his predecessors that the law, in Aristotelian and Thomist perspective, had been made the servant of the inclinations and of happiness in utilitarian and consequentialist fashion. There is a certain imputation of guilt by association here but in fact, and whatever the tendencies of Aristotle in this regard, St. Thomas, guided, we may suppose, by the light of revelation, is perfectly free of them, as may be seen, for example, in the different emphases in the doctrine of *epieicheia*

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<sup>2</sup> Ia-IIae 90, 1 ad 3um.

<sup>3</sup> Cf. *QD de veritate* 22, 10 ad 4um; *Summa theol.* Ia-IIae 9, 1 ad 2um; 49, 4 ad 2um.

as presented by the two thinkers, or in the way that St. Thomas stresses, in contrast to Aristotle, that to live well it is necessary to know what it is in which man's ultimate end consists.<sup>4</sup>

St. Thomas, again, is more definite about man's natural inclinations and their role, thus resolving Aristotle's circular definitions of right reason and right appetite in terms of each other merely.<sup>5</sup> These inclinations, consequently, are presented as a real, majestic and all-demanding law, to which, however, man is inclined in the depths of his own nature in its noblest aspect, viz. its aspect as a reflection and image of the eternal law, under which aspect, specifically, man is called upon to be a providence for himself in the freedom of individual personality.<sup>6</sup>

On this view of law as proceeding from the divine goodness happiness, in the sense of living well, flourishing, personal fulfilment, is in fact the highest development of life according to law and hence of morality; so it is the fulfilment of all the virtues. Hence St. Thomas will describe charity as the end of all precepts and moral life. It is a question not of being for or against the relevance of happiness in a moral context but of what view one holds of happiness, that is to say, of motivation, without which there can be no meaningful consideration of law in the first place, if law is given to agents and if indeed it is a physical truth that every agent acts for an end.

Now St. Thomas, inspired by the Gospels, holds the very highest view of happiness. To accuse him of an instrumentalist eudemonism is to miss all that he has to say about that *participatio* which we mentioned earlier. St. Thomas is quite uncompromising in saying that happiness is not to be had in its perfection in this life, not even in the practice of virtue. One of the virtues, in sign of this, and indeed it is a theological virtue of the highest dignity, is hope, hope indeed of a *praemium*, a reward. This reward, however, is intrinsic to virtue in so far as virtue, as we know it on earth, is already an initial participation in this reward which it thus genuinely merits, as a light growing ever stronger, or rather as a sick body recovering vigour in such a way that each new access of strength is itself used to develop more of the same, the compound interest principle so to say.

Such is St. Thomas's perspective on the beatitudes of the Sermon on the Mount, which, with the gifts of the Holy Spirit, hold a central place in the Second Part of the *Summa*, the book of man as on the way to that same beatitude. For St. Thomas, in fact, takes his conceptions of happiness from this most Christian source, the beatitudes of the Sermon on the Mount. Once we have realised this then the strictures upon his teaching as unworthily

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<sup>4</sup> Cf. Aquinas, *Sententia libri Ethicorum*, Rome 1969, Bk. I, lesson 2, p.8, ll.52-71.

<sup>5</sup> *Ibid.* Bk. VI, lesson 2, p.337, ll. 109-127.

<sup>6</sup> See the Prologue to Pars IIa of the *Summa*, and the treatise on prudence in general.

eudemonistic appear misplaced and even uninformed.

For what we are presented with is an exact replica of the Gospel teaching upon human blessedness,<sup>7</sup> that same Gospel which Kant (like J.S. Mill or R.M. Hare) had claimed to translate into philosophical terms, but with lamentable effect. St. Thomas claims, in sober truth, that they are happy who are poor, meek, merciful, pure in heart, who mourn over their sins and hunger and thirst for justice, who seek to make peace and who are persecuted and reviled by the generality of men. This last characteristic, in fact, shows that it is an aristocratic account of happiness. Each person must detach himself from the crowd and enter by the narrow gate. This move in itself, however, is natural to the dignity of personality and not peculiar to the Christian dispensation in any particularist sense.

If it seems paradoxical that these categories, in various ways categories of suffering or at least of painful effort, are the categories of happiness here on earth, then this is so in proportion as it is stressed that beatitude, in which they participate, lies outside the world, simply because it lies in God, whom no man may see and live, in the kingdom of heaven, to be peopled by those who shall inherit the earth, who shall be comforted, who shall obtain mercy, who shall be filled with justice, who shall see God and be called his children and who now rejoice in being persecuted like the prophets before them as a sign, they may hope, of their predestination. In St. Thomas's conception this Christian vision follows as it were naturally upon consideration of the greatness of God in comparison to the creature, of eternity in comparison to time, considerations which of course this teaching in turn fortifies and confirms.

The idea that the purity of virtue is somehow compromised by its association with these hopes springs from that same failure to see that they are internal to virtuous living, as good and the end are internal to law. Hence indifference to hope, like despair, is a sin, a vice, sloth perhaps. Indeed, if the patristic doctrine common to St. Augustine, St. Gregory and St. Anselm, that to live according to the rule of *rectitudo voluntatis propter se servata*<sup>8</sup> is just to live "according to God" (*secundum Deum*), a doctrine which St. Thomas's endorsement of the eternal law shows that he too teaches, besides his explicit affirmations of it, then indeed the blessedness of divinity cannot be other than intrinsic to the moral effort, to the arrow aimed at the unseen

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<sup>7</sup> Ia-IIae 69, 2.

<sup>8</sup> This is St. Anselm's definition of justice. St. Thomas corrects it at Ia-IIae 58, 1 ad 2um: *rectitudo* is what the habit of justice, the will to give each his own, attains, as giving a straight course (*recte*) to the ultimate end, the common good (*bonum in communi* possessed as *bonum commune*), for which justice, as an initial participation in it, is required.

glory above the clouds not merely at the same time but inasmuch as it is aimed at that visible point which is purity of heart. For this aim of its nature participates in the other, as was the doctrine of Cassian and St. Benedict and indeed of St. John the Apostle when he said that a man who loves God cannot be other than a man who loves his brother, whom he has seen, as well. Since he cites love of the brethren as proof of love of God<sup>9</sup> he cannot mean, as is sometimes supposed, that the latter could be the foundation. That desire for God is intrinsic to moral rectitude means that the latter must be understood as religious, as participating in the transcendent, or else become a form of spiritual vice. This vice indeed is present where one seeks to misrepresent these texts as primitive foreshadowings of secularist altruism in the manner of Feuerbach.

Thus St. Gregory the Great explicitly denies that there can be a rule of right which abstracts from the law, cult and love of the true God<sup>10</sup> while, conversely, St. Augustine states, in tune with St. Thomas's endorsement of the beatitudes, that those are happy who have wished, not merely to be happy, as do all men, but to live "rightly, i.e. according to God, as evil people do not wish to do."<sup>11</sup>

This is why St. Thomas says, as we noted, in correction of Aristotle, that to live well it is necessary to know in what our ultimate end consists. And this, incidentally, explains those Gospel paradoxes about losing one's life as a condition for finding it; not, be it noted, as a means to finding it since that would be the seeking to find or save it which we are told will fail, but as a participation in the new life by losing the old, something only to be explained by what God is, the total good to which one can only give oneself totally, as being the secret of one's own being ("closer to me than I am to myself"), and what we are, viz. images, reflections, of that supreme good, who find our fulfilment in the return to our common exemplar.

The Gospel, that is, never fails to promise a reward to those who live in this way and it is indeed this reward, like Christ's own resurrection, which is the essential justification of virtue, the proof that the wicked were mistaken in despising it. This reward, however, is itself, in the divine wisdom, the

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<sup>9</sup> I *John* 3, 14.

<sup>10</sup> *Moralia* 5, 37.

<sup>11</sup> St. Augustine, *On Free Choice of the Will* I 14, *The City of God* XIV 9; cf. St. Anselm, Letter 156: "the things that are done in God are done according to God, that is, they are done *recte*". To translate by rightly would be misleading, as if Anselm were a moralist of the order of Kant or Sir David Ross. "*Recte*" has ultimately to do with the divine government of the world and the ordering of things to their final end, which those pursue *recte*, on a straight course, who live *secundum Deum*, being already, by participation, *in Deo*.

intrinsic flowering of the virtues, a doctrine which in some form the virtuous man is required to believe, at least through some commitment to the beauty of virtue, beauty of life being unintelligible except as some form of participation in blessedness, in that which pleases. But any such concession to the theory of *fides implicita* should in no way be confused with making of the religious dimension of ethics an optional superstructure. "This is perverse and repugnant to charity."<sup>12</sup>

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<sup>12</sup> IIa-IIae 25, 8.





# 1. ETHICS

This term is derived from Greek *ethos*, custom, corresponding to Latin *mos* (gen. *moris*), hence morals, moral philosophy.

As founded by Aristotle ethics is the science of action, of human acts (*actus humani*, see Chapter Two), already extensively considered in the dialogues of Plato, building upon the life and work of Socrates.

Ethics is a practical science in the sense that it aims to achieve something, viz. man's good. It does not, however, aim at secondary goods (as does, say, the science of medicine, as aiming at health), but at man's absolute good, the *finis ultimus* or ultimate purpose (meaning) of life. For this reason it is a part of philosophy, given that philosophy studies the first causes or highest principles of things (in so far as these belong to the natural order alone, i.e. apart from revelation).

As science ethics is a theory of practical living, however, and hence it is not essentially practical, like an art or a moral virtue. There are degrees of practicality, in other words. Ethics is imperfectly practical. It does not, for example, apply rules to practical cases; it merely supplies or provides such rules.

Hence ethics is distinct from (the virtue of) prudence. This is more clear in St. Thomas than in Aristotle (See his Commentary to *Nicomachaeon Ethics*, Bk. 1).<sup>1</sup> St. Thomas agrees that ethics aims at making men good<sup>2</sup>, but in several places in the Commentary he stresses, as Aristotle had not done, the difference between ethics as a science and practical prudence, which he says uses ethical knowledge.

Again, where Aristotle supplies a somewhat circular dialectic between right reason and right desire (each, to be right, must accord with the other), St. Thomas stresses the existence of a hierarchy of natural inclinations in human nature<sup>3</sup> as supplying the order of the precepts of morality, which are thus established as the natural law, a doctrine in some continuity with early Stoic doctrine, but fundamentally a development of the thought of St. Augustine, employing his doctrine of the eternal law, *lex aeterna*, which

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<sup>1</sup> Cf. Leo Elders: "St. Thomas Aquinas' Commentary on the Nicomachaeon Ethics", *Autour de Saint Thomas d'Aquin* I, Bruges 1987.

<sup>2</sup> NE 1103b 27.

<sup>3</sup> Cf. *Summa Theologica* Ia-IIae 94, 2.

natural law as enunciated by human reason reflects. It is only as being this reflection that natural law can exert any authority or obligation upon us.<sup>4</sup>

Later moral philosophy often focussed upon this element of obligation while at the same time attempting to divorce it from its roots in the eternal law, making it a purely formal quality of reason (Kant and the rationalists; cf. the later philosophy of value). Existentialism was the reaction to this rationalist moral theory.<sup>5</sup>

That the material object of ethics is human actions, considered as free and deliberate, entails that ethics is in some respects subalternated to anthropology or rational (philosophical) psychology, since this studies human actions in relation to the faculties of intellect and will, viz. as part of the philosophy of nature. Ethics adds to this object the accidental difference of morality, i.e. it considers actions in relation to an actual or possible rule of behaviour, of customs.<sup>6</sup> The ethical thought of St. Thomas includes and is indeed indissolubly united to a considerable work of metaphysical reflection upon this, the specifically ethical situation. In this respect it is ideally suited to our times, when all foundations have been shaken, as having sought to address the most fundamental questions.

This book is principally concerned with what the scholastics call general ethics, i.e. human action as generally and directly ordained to the end or purpose of life. However it will also touch upon special ethics, which considers human acts as ordained mediately to other human beings (*ius naturae*).<sup>7</sup>

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<sup>4</sup> Cf. G.E.M. Anscombe, "Modern Moral Philosophy", *Philosophy* (London), 1958; S. Theron, *Morals as Founded on Natural Law*, Frankfurt 1987-8, ch. V.

<sup>5</sup> For the history of this development away from Aristotelian Thomist teleology one may profitably consult A.C. MacIntyre's writings, principally *After Virtue*, London 1981, *Whose Justice, which Rationality?* Notre Dame 1988.

<sup>6</sup> So one can also say that ethics treats of virtues and vices, as habits (rules?) of action, the matter of which, in turn, are the passions.

<sup>7</sup> Cf. J. Gredt, *Elementa Philosophiae Aristotelico-Thomisticae*, Freiburg 1929, Vol. II, p. 297, paragraph 880.

## 2. HUMAN ACTS

Human acts (*actus humani*) are those of our acts which are voluntary and deliberate or conscious. These are the acts which are proper to man (*proprii hominis*). They are distinguished from mere *actus hominis*, where we act at least to some extent involuntarily (e.g. in scratching one's chin); but the passions, which form the material of many virtues and vices, are also treated by St. Thomas under this head, viz. as *actus hominis*, acts common to men and other animals (*qui sunt homini aliisque animalibus communes, qui dicuntur animae passiones*).<sup>1</sup>

Such properly human acts (*actus humani*) proceed from intellect and will, which are powers of the rational soul proper to man, according to Aristotelian and Thomist psychology. It is because the soul is immaterial or spiritual that it is able to know and hence to love (*immaterialitas est radix cognitionis*<sup>2</sup>). It is able to have the form or nature of the other as other, so as to identify with it. These two powers, then, are said to "flow" (*fluunt*) from the soul's essence.<sup>3</sup>

Every agent acts for an end. *Omnis agens agit propter finem*.<sup>4</sup> This is a fundamental principle, for, says St. Thomas (*art. 3*), it is the end (*finis*) which specifies the act as what it is morally, *finis* here being understood as end of the (human) will, which as coming to the action from outside is contrasted with the act's own proximate or natural end, also called its object.

This *objectum* is intrinsic to the act, and so acts which have bad or forbidden objects, e.g. the death of an innocent, cannot be justified by any good intention or end in the will whatever. Such acts are intrinsically bad. An act is an act of a certain kind before anyone's intention is brought to bear upon it. *Prima bonitas actus moralis attenditur ex obiecto... primum malum in actionibus moralibus est quod est ex obiecto... Et dicitur malum ex genere*, i.e. it is intrinsically or unalterably bad.<sup>5</sup>

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<sup>1</sup> *Summa Theologica* Ia-IIae, VI (Prologue).

<sup>2</sup> *Ibid.* Ia 14, 1 et al. One should not underestimate the role played by a positive doctrine of the spiritual soul in St. Thomas's ethics.

<sup>3</sup> *Ibid.* Ia 77, 6. Cf. Lawrence Dewan, "The Real Distinction between Intellect and Will", *Angelicum* LVII (1980), pp. 557-593.

<sup>4</sup> *Ibid.* Ia-IIae, 1, 1.

<sup>5</sup> *Ibid.* Ia-IIae 18, 2. "The primary goodness of the moral act derives from its

At the same time St. Thomas distinguishes a twofold act in voluntary action, viz. the individual interior act of the will, of which the end (*finis*) is in fact also the object, and the exterior act, which, as being of a certain kind, has its own (natural) object, which the acting person's end may not contradict.<sup>6</sup> Parallel to this is his distinction between the *finis operantis* (end of the agent) and the *finis operis* (end of the work or thing done), or again between the remote and the proximate end. Hence the first and specific moral quality of the human act derives from the moral object; only secondarily does it derive from the circumstances and from the end intended by the agent.

As we say, stealing is stealing, and Aristotle too speaks of acts which are wicked no matter where or by whom or for what reason they are performed. If there were no such acts it would, it can be argued, prove impossible to have any ethical theory whatever.<sup>7</sup>

*Finis* and *bonum* are in many ways equivalent (*bonum habet rationem finis*, good has the meaning of end). Hence *bonum* is characterized by Aristotle as what all desire (sc. as end). The good of a being is explained by St. Thomas as the perfecting of a being, as what perfects it. Hence the ultimate good of any rational being, i.e. of any person, is that person's happiness, when he is all that he could wish to be.<sup>8</sup>

Bonum, good, is one of the transcendental predicates, *ens, unum, verum, bonum*, etc. Hence it is really identical with *ens*, being. *Bonum* as such is a mere *ens rationis* or being of reason, naming *ens* as considered in relation to the human will (the faculty of desire), since this takes the whole of being (as *bonum in communi*) for its province. Similarly, *verum*, true (or the true), names an *ens rationis* which is being as considered in relation to intellect. There is only being, but *omne ens est verum*.<sup>9</sup> This is the ultimate reason for

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object... the primary evil in moral actions from their object. When this is evil the actions are called generically or intrinsically evil." Cp. Pope John Paul II, *Veritatis Splendor*, Rome 1993: "The reason why a good intention is not itself sufficient, but a correct choice of actions is also needed, is that the human act depends on its object, whether that object is capable or not of being ordered to God... and thus brings about the perfection of the person... Christian ethics, which pays particular attention to the moral object, does not refuse to consider the inner "teleology" of acting, inasmuch as it is directed to promoting the true good of the person; but it recognizes that it is really pursued only when the essential elements of human nature are respected."

<sup>6</sup> *Ibid.*, 18, 6.

<sup>7</sup> Cf. John Paul II (Karol Wojtyła), *Veritatis Splendor*, especially Chapter Two, section IV, "The Moral Act".

<sup>8</sup> Cf. *Summa Theol.* Ia, Q5, *De bono in communi*.

<sup>9</sup> Cp. St. Thomas, *QD de Potentia* IX, 7 ad 6um; Theron, *The Recovery of Purpose*, Frankfurt 1993, pp. 108-109; J. Pieper, *Die Wirklichkeit und das Gute*, Munich

criticizing the separation of ethics from metaphysics pretended by I. Kant.<sup>10</sup> The moral order is distinct from the ontological order in general but it depends upon it for its own being.<sup>11</sup>

It is only in the specifically moral order that anything actually existing, e.g. an action, can be characterized as totally bad. Ontologically, since being and goodness are identical, any action, insofar as it is real or occurs, is good, and what might make it bad is precisely something (especially something due) that it would lack (as a *privatio boni*), e.g. mercy, or justice. Hence St. Thomas says of evil in general, *malum est semper in subjecto*, evil is always in a subject, i.e. a good subject, as corrupting it.

In the moral order, however, the absence of one due circumstance, and still more the badness of the object (of the act), makes the act totally bad morally. All the same, moral good and evil are a species of good and evil generally, and neither radically different from nor merely analogous to other types of good and evil. For example, it is not, as Kant taught, that only the will in man can be "good without qualification". Rather, moral goodness or badness (i.e. the goodness of human acts qua human) resides in the will because of the physical (natural) circumstance that will determine the use to which everything else, e.g. every other faculty, is put. Hence St. Thomas can distinguish the proper object of the rational will, *bonum in communi* (sc. *finis ultimus*), from the proper object of each of the other faculties:

For it is not only things pertaining to the will that the will desires, but also that which pertains to each power, and to the entire man. Wherefore man wills naturally not only the object of the will, but also other things that are appropriate to the other powers; such as the knowledge of truth, which befits the intellect; and to be and to live and other like things which regard natural well-being; all of which are included in the object of the will, as so many particular goods.<sup>12</sup>

At the level of meaning the moral good is a good like all the other goods and vice versa. It is not *sui generis* as belonging to some separate realm of value, even if it is (much) more important than other goods, as D. von Hildebrand<sup>13</sup> rightly stresses. This is why Maritain says that

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1963, or other (translated) texts of this author.

<sup>10</sup> Cf. G.M. Manser O.P., *Das Naturrecht in thomistischer Beleuchtung*, Freiburg in der Schweiz, 1944; Theron, *op. cit.*, pp. 31, 91 *et passim*.

<sup>11</sup> Cf. J. Maritain, *Introduction to the Basic Problems of Moral Philosophy*, Albany NY, 1990 (Magi Books), chapter 2.

<sup>12</sup> St. Thomas, *Summa Theol.* Ia-IIae, 10, 1.

<sup>13</sup> *Christian Ethics*, London 1953.

The desire to see God, for the pure philosopher, and on the pure plane of nature, is simply one of the desires which exist in us, and which can remain unsatisfied without destroying the happiness to which human life is naturally directed, since this happiness is an imperfect felicity.<sup>14</sup>

a remark which can also be applied to the Kantian motive of pure duty. *Plikten framför allt*, duty before everything, as was in living memory inscribed on the coins of the erstwhile Lutheran kingdom of Sweden, but that *allt* (Sw. everything) still exists at the natural level and includes many natural goods. In fact St. Thomas can say, indeed he insists, that two things at least stand above the moral good and virtue, viz. God and man's ultimate happiness (as ends of virtue).

This point is essential for the setting up of an order or hierarchy of moral precepts in parallel with and as based upon the order of the natural inclinations (see below).<sup>15</sup> Otherwise nothing would be wrong which was willed as a good, even though everything, even the most evil act, is, when committed, willed as a good (since *finis habet rationem boni and omnis agens agit propter finem*).

Although then the agent's end is secondary to the role played by the act's object (if this is bad the act is *malum ex genere*; the end, by contrast, is not of the substance of the act<sup>16</sup>), yet the end is important enough to specify the act morally within this genus of good or bad acts. Thus Aristotle says that "he who steals that he may commit adultery is, strictly speaking, more adulterer than thief",<sup>17</sup> this being a specification between two bad acts. One reason for this importance of the agent's end is that the act's being desired, as good or end, is the main cause of the act's coming to be (performed) at all.

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<sup>14</sup> Maritain, *op. cit.* p.111.

<sup>15</sup> St. Thomas, *ibid.* Ia-IIae 94, 2.

<sup>16</sup> *de substantia actus*: Ia-IIae 7, 1 ad 2um.

<sup>17</sup> Aristotle *NE* V, 2.

### 3. *FINIS ULTIMUS*

Granted the general truth that all action, and hence all laws and even divine commands, are for some purpose<sup>1</sup>, it then appears that there must be some one supreme end to human living and activity.

If then there is some final purpose of the various forms of activity, which we seek for its own sake, while the others are sought only for the sake of this purpose, and if we do not make every choice with reference to a further goal (for this would be a step towards infinity, and hence an empty and meaningless striving), then it is clear that this final purpose is the Good, and indeed the highest good.<sup>2</sup>

A contemporary critique of the argument for this one "dominant" end<sup>3</sup>, is that it commits the "quantifier shift fallacy", viz. that it argues as follows:

all chains of means and ends have an ultimate purpose, therefore there is some one ultimate purpose to life (cp. all roads lead somewhere, therefore there is somewhere that all roads lead to).

But this does not appear to be the way that either Aristotle or St. Thomas argues. Rather, they begin by treating life as one connected whole and then argue that it cannot have more than one ultimate purpose.<sup>4</sup> They (but especially St. Thomas) go on to argue that this end must be the ultimate purpose of any action whatever, i.e. not just of my activity as a whole but of each and every thing that I choose to do. This final end is identified as *beatitudo* or happiness (*eudaimonia*). St. Thomas, accepting the definition of Boethius that happiness is *status omnium bonorum aggregatione perfectus*<sup>5</sup>, argues in great detail that, negatively, it cannot be had in this life

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<sup>1</sup> Such laws would be part of some purpose that God has given to us, since he himself, as omnipotent, needs no means to his end.

<sup>2</sup> Aristotle *NE* I,1; cp. St. Thomas, *Summa Theol.* Ia-IIae I, 4.

<sup>3</sup> G.E.M. Anscombe, "Aristotle", in *Three Philosophers*, Oxford 1967.

<sup>4</sup> Cf. S. Theron, "Happiness and Transcendent Happiness", *Religious Studies* 21 (1985), pp.349-367.

<sup>5</sup> Boethius, *On the Consolations of Philosophy* III, cf. St. Thomas *op. cit.* Ia-IIae 2, 1, obj.2.



or in the enjoyment of any created thing<sup>6</sup> and, positively, that it consists in the intellectual vision of God<sup>7</sup>, no other good whatever being necessary to it.

This is St. Thomas's theory of what happiness consists in. All men seek happiness as such, i.e. it is the natural end of the rational will, as *bonum in communi*, but not all men agree as to whether or where it is realised.

We can speak of the last end in two ways: first, considering only the aspect (ratio) of last end; secondly, considering the thing in which the aspect of last end is realised.<sup>8</sup>

St. Thomas concludes his argument here with a comparison with the aesthetic sphere, with taste. All find what is sweet pleasant (*sic*), but some prefer sweet wine, others honey etc. But the best sweet will be preferred by the man or woman with the best taste. Similarly, the most perfect good is desired (as last end) only by the man with well-disposed affections. This argument echoes the Aristotelian circle of right reason and right desire. Elsewhere St. Thomas overcomes this circularity by an appeal to our natural inclinations.

For St. Thomas, as for St. Augustine (and of course Aristotle) happiness is a natural end of the will (*bonum in communi*) and of man as such. This means that he is not free to choose or reject it. Many later thinkers, beginning with Duns Scotus, would deny that the will is naturally bound to anything, even to happiness. But whereas for Kant happiness has nothing whatever to do with the strictly moral motive or categorical imperative, for St. Thomas it is the highest development of morality (*höchste Entfaltung der Sittlichkeit*).<sup>9</sup> It is thus internal to morality, which is therefore not a pure means to happiness, as in that utilitarianism which Kant sought to avoid. Virtuous living somehow participates in the end; it is *vivere secundum Deum*, living according to God, in St. Augustine's words.

It seems mistaken to prefer a philosophy of value to this ultimately eudemonistic vision. "He's a hedonist at heart," says C.S. Lewis's *Screwtape* of God, quoting the psalm, "At thy right hand are pleasures for evermore". Value in such systems (D. von Hildebrand's *Christian Ethics*, J. Seifert's writings *et al.*) seems to be somehow conceived of as apart from the natural universe, and as von Hildebrand himself says, St. Thomas "does not use this

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<sup>6</sup> St. Thomas, *ibid.* Q2.

<sup>7</sup> *Ibid.* QQ 3-5.

<sup>8</sup> The whole of this question 1, article 7, should be studied and reflected upon.

<sup>9</sup> M. Grabmann S.J., *Thomas von Aquin*, Munich 1959.

concept". As Etienne Gilson explains it<sup>10</sup> the Christians stood the old pagan philosophy of virtue (and hence of value, the *bonum honestum*<sup>11</sup>) on its head, by making union with and enjoyment of God the end of all things (see next section). "Only this is desirable for itself, and all else for the sake of it" (St. Augustine). To this corresponds the primacy of being over the good argued for by the Christians, following Exodus, as opposed to the Neoplatonic primacy of the Form of the Good (and ultimately of the One) over being; they stressed this especially in the disputes with the Manichaeans and Albigensians. Modern thought often slips back into this worship of pure morality, altruism and so forth. But "this moral theory does not correspond to the truth about man and his freedom."<sup>12</sup> Here we can understand G. Marcel's remark:

I would accordingly be inclined to make the following undoubtedly paradoxical affirmation that the introduction of the idea of value into philosophy, an idea virtually unknown to the great metaphysicians of the past, is as it were the sign of a fundamental devaluation of reality itself... It is true that we may think here of a certain compensation which, incidentally, remains imaginary which seeks in an ideal manner, i.e. basically in the imagination, to find again that which on the level of reality one has a tendency to do away with.<sup>13</sup>

The Thomistic philosophy is personalistic as giving to each man an eternal destiny, in contrast to any political arrangement. So for the Christians ethics could not merely form part of politics, as seems the case with Aristotle. Thus St. Thomas states that all social and political arrangements are for the sake of the eternal fulfilment of the person, at the same time as he agrees with Aristotle that it is natural to man to be born into a political state, something Augustine had seen, on a par with slavery, as a mere necessity attributable to the effects of sin.

And so, if things are considered aright, it will be seen that all human states and occupations serve as means to the contemplation of truth.<sup>14</sup>

The virtues are thus habits which man needs to acquire so as to attain his end. In his theology St. Thomas develops further this philosophical doctrine

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<sup>10</sup> E. Gilson, *The Spirit of Medieval Philosophy*, New York 1940, pp. 325, 473.

<sup>11</sup> But see in this connection the final chapter of this present work, on temperance.

<sup>12</sup> Pope John Paul II, *Veritatis splendor*, Rome 1993, 48.

<sup>13</sup> G. Marcel, *Les hommes contre l'humain*, Paris 1951, p.127. Cf. Leo Elders, *The Metaphysics of Being of St. Thomas Aquinas*, Leyden (Brill), 1993, p.76f.

<sup>14</sup> St. Thomas, *Summa contra Gentes* III 37.

into a general teaching concerning supernatural wisdom (theological virtues, beatitudes, gifts and fruits of the Holy Spirit). This Personalist doctrine, however, is wholly distinct from individualism, which has no doctrine of the common good (*bonum commune*). It is precisely because certain actions, e.g. offences against justice committed for utilitarian motives, harm the common good which justice enshrines that the person responsible of necessity turns away from his own ultimate and personal good in so acting.

This philosophical doctrine of the ultimate end is not the same as the "one thing needful" as interpreted in the mystical tradition, for example. *Bonum in communi* is the good of the will, and hence of the man. Yet the various faculties have each their own particular goods which it is natural for man to desire as well as the *bonum in communi* as such. As Maritain says, again, the natural desire for God is just one of man's desires. There is a hierarchy of the natural inclinations, from which indeed the order of the precepts of the natural law is derived (Ia-IIae 94, 2). Man has, for example, a natural desire to marry, to live in political society and so on. On the other hand, the (supernatural) doctrine of "using the world as though one used it not" seems prefigured in statements by Plato and Aristotle such as when the latter says that just a little of the contemplation of divine truth is worth more than all the other goods together and that the wise person should practise death (*athanatizein*) in relation to these things for the sake of gaining wisdom.

This Aristotelian ideal of scientific study, knowledge in this world, as being the *finis ultimus*, is knowingly transposed by St. Thomas into a doctrine of divine vision only to be realised in eternity. Yet, and again in contrast to Aristotle, he states that it is necessary to know what the end is in order to live well.

## 4. TELEOLOGY

*De ratione praecepti est quod importet ordinem ad finem, in quantum scilicet illud praecipitur quod est necessarium vel expediens ad finem.*<sup>1</sup>

I.e. it is of the very meaning of a precept that it involves an ordering to an end, inasmuch, namely, as those things are made obligatory or commanded which are necessary or expedient for a given end.

This is a basic principle for St. Thomas. He argues like this: the precept of the law, since it is obligatory, concerns something which ought to be done. But that something ought to be done arises from the necessity of some end. In other words, he has absolutely nothing to do with any theory of pure duty or obligation, duty, that is, as divorced from any good to be sought. This is not to deny that duty can indeed receive a sacred character, as being divinely commanded, but one must consider that in the divine wisdom it is given to us as essentially a means to an end, at least in the general sense of *propter finem*.

For this is so even if the behaviour commanded (e.g. love) is already some kind of participation in the end. In that case it is a necessary condition for the end, i.e. for *beatitudo*, happiness. Love one another. Why? Because then you will be children of God, like him, and so all will be well (cp. the beatitudes: happy are the pure of heart etc.). So to give oneself up to love is to understand that this is the way to life and joy. If one did not believe this, then to proclaim that one "lives for others" would seem merely perverse. Why do it, if no good comes of it (cp. *bonum habet rationem finis*)? It is only the good coming from it that makes love itself intrinsically good, i.e. the end is internal to the act (in this case, love) as specifying it as what it is.

The whole philosophy of pure duty as found in Kant and some other writers might thus seem to be a mistake. Its roots can be traced back to those fourteenth century theologians who argued that the divine commands had to be arbitrary in order to safeguard the freedom and absolute power of God (*potentia absoluta Dei*). One must only obey, and not pretend to understand what has no foundation other than the infinite divine liberty. But this seems to destroy any definite idea of God. One should rather see the divine commands and teaching as expressing how God is (cp. St. John: "God is

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<sup>1</sup> St. Thomas, *Summa Theologiae* Ia-IIae 99, 1.

love"). That, after all, is why they are put forward as a divine pedagogy, teaching man the way to God.

Thus ethics is explained as essentially teleological, related to the ends and purposes of life, to the element of purpose in natural reality. Aristotelian ethics is built up by analogy (or even in univocal conformity) with the rest of nature, which is seen as ordered to an end, ultimately to God. Hence, for example, St. Thomas's fifth argument (*via quinta*) for God's existence argues from the element of order, and hence of order to an end, in nature to the existence of an ordering intelligence as cause of that order.

Thus Aristotle argues that men, too, like everything else, must be ordered to an end, for the sake of which the various moral precepts, and the corresponding need to develop virtues, impose themselves. Around the seventeenth century, however, this teleological view of nature became obscured, being replaced by a mechanist view which explained things in terms of efficient causality only. Final causality was denied, or at least regarded as unknowable. The bird flies because it has wings (efficient causality); it does not have wings in order to fly (finality).

This development could only weaken the traditional explanation of moral reality as needed for the good life<sup>2</sup>, leading either to empiricist utilitarianism (Bentham, Mill) or to rationalist formalism (Kant), both of which agree in denying the existence of real or natural ethical laws. Thus Kant's categorical imperative tells us to adopt principles which we could wish were universal laws. The imperative is itself a merely formal, a priori requirement of reasoning, but why such consistency should be preferred above the other goods of life is not made clear.

For in this rationalist philosophy (of the time of the Enlightenment) no reason is given for human dignity sufficient for making obligatory any duty of acting according to reason, while the Kantian notion of freedom consists in a purely negative freedom of constraint from any kind of determinate human nature. That this negativity does not itself imply any kind of dignity is clearly brought out by Sartre, who uses the same negative concept of freedom and whose book, *Being and Nothingness*, ends with the statement that "man is a useless passion", since, he claims, "man is what he makes himself and nothing else."<sup>3</sup> For St. Thomas and the tradition it is necessary to show the spirituality of reason, and even that it is a reflection of the divine reality (this is how St. Thomas defines natural law, which is only law on this supposition), if one is metaphysically to guarantee the possibility of any truth at all (*veritas est in mente*) and hence establish the dignity of the

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<sup>2</sup> Cf. A.C. MacIntyre, *After Virtue*, London 1981.

<sup>3</sup> From Sartre's essay, "Existentialism is a Humanism".

human soul or mind.<sup>4</sup>

Today, in any case, there is a move to reinstate teleology in nature, as would implicitly be required by a natural law or teleological ethics. Meanwhile the name of teleology has been misappropriated by theologians calling themselves "consequentialists" or "proportionalists" who teach what is really a variety of utilitarianism in the sense of a refusal to admit moral absolutes referred to external human acts (cf. John Paul II's *Veritatis splendor*, 74-83, for a discerning critique of these theories).

True teleology, on the other hand, does not require us to deny that there are intrinsically evil acts. For these are acts which will never lead to the end, which of themselves avert us from the end, from God, on account of their objects. In traditional theological terminology, they are materially sinful, whatever is to be added concerning the degree of culpability of the agent.<sup>5</sup>

Hence a justification of moral principles in terms of man's ultimate end is compatible with the defence of the existence of intrinsically evil acts and of absolute (deontological) moral principles.<sup>6</sup> One recognizes the traditional Christian scheme.

(T)he Christian moralists sought first to attach all moral worth to the voluntary act as its root; ... at the same time they gathered up the concepts of the beauty and honour of human acts into a concept still more comprehensive, that, namely, of the good; then referred the good to a transcendent principle worthy of all honour in itself and absolutely, more truly even than virtue, which is only honourable on account of this. They regarded the soul of a just man as beautiful and worthy of honour because virtuous, but virtue itself as honourable only because it leads man to God. It is therefore not the supreme good, the *nec plus ultra* that it was to the Greeks, the all-sufficient unconditioned condition of all morality.<sup>7</sup>

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<sup>4</sup> This is a profound question. Cf. the argument of C.S. Lewis in his book *Miracles* (1947) against materialist "naturalism" (what is at stake is the question of truth, sabotaged in much of contemporary philosophy). But if there is no argument for human dignity then there is no binding argument against the absolute wrongness of murder, as Robert Spaemann has well shown (e.g. in "*Über den Begriff der Menschenwürde*", *Scheidewege* 15, 1985/86, p.25ff.). One is thrown back upon ethical intuitionism.

<sup>5</sup> Cf. S. Theron, "Consequentialism and Natural Law", in *Persona, Verità e Morale, Atti del Congresso Internazionale di Teologia Morale*, Rome, 7-12 April 1986, pp. 177-195.

<sup>6</sup> Cf. Theron, *Morals as Founded on Natural Law*, Peter Lang, Frankfurt 1987.

<sup>7</sup> E. Gilson, *op. cit.* p.325. Cf. p. 473, note 4.

This might seem to contradict, at least in emphasis, Maritain's notion<sup>8</sup> of moral value. A careful reading of Maritain, however, shows underlying agreement with Gilson (cp. Maritain pp.28-43, esp. 42-43; also pp. 20-24).

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<sup>8</sup> J. Maritain, *op. cit.*

## 5. THE VIRTUES

It is strange that a basic Thomistic text such as Maritain's Introduction to the *Basic Problems of Moral Philosophy* (1950) has so little to say about the virtues, speaking instead about value judgments, right, obligation and the last end: strange, because St. Thomas himself not only had so much to say about the virtues but presented by far the greater part of his moral philosophy in terms of them.<sup>1</sup>

Thus he treats of man (in the *Summa Theologica*) as having free will and power over his actions.<sup>2</sup> This leads him to begin the *Pars Secunda* (of the *Summa*) with a treatise on the ultimate purpose of life, since all action is for a purpose.

He then (Q6) treats of human acts, by which we attain (or miss) the last end. Action and operation is always individual or particular, he says; first, however, we must consider action generally (in *universalis*: this will take up the whole of Ia-IIae), before considering human acts in individual detail (IIa-IIae, where all action is considered under the headings of various virtues and vices).

As far as the general treatment (Ia-IIae) is concerned, he first takes human acts themselves (QQ6-48), secondly their causes or *principia* (Q49-end). Here the virtues come in, as we shall now explain.

Of human acts themselves, some are proper to man, some are common to us and other animals. The first are more closely connected with the attainment of happiness since this is man's proper good. The second, common type of act are called collectively, as we have already noted, the passions of the soul.<sup>3</sup>

So under the first type, viz. human acts properly so called, which are voluntary, he treats of the voluntary in relation to the involuntary, of the goodness or badness of such acts and of the properties which result from that, viz. uprightness or sinfulness, praiseworthiness or culpability, merit or demerit.

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<sup>1</sup> Among moral theologians Servais Pinckaers O.P. has lately much emphasised this point.

<sup>2</sup> Cf. Prologue to Ia-IIae.

<sup>3</sup> We should here recall the distinction between *actus humanus* and *actus hominis*, bearing in mind also that *actus* has a wider meaning than the English "action". The soul, for example, is for Aristotle an or, rather, the *actus* (of the body).



Then he comes to those acts common to us and animals, viz. the passions, which he treats first in general, then in particular (the concupiscible, viz. love, hate, desire, flight, delight, sadness: the irascible, viz. hope, despair, fear, boldness, anger). As irrational, the passions do not have moral goodness or badness; this resides rather in the reason as governing or failing to govern them (Q 24, art.2).

This concludes the treatment of human acts in themselves. He now comes to the principles (causes) of such acts, which are either intrinsic to man (QQ49-89), viz. the powers of the soul (already treated of in the *Prima Pars* of the *Summa*) and its habits, or they are extrinsic to him, viz. the Devil (Ia, Q114) or God, who, as moving to good, instructs us by law (QQ90-108) and helps us by grace (QQ109-114).

So even though the natural law might seem to be intrinsic to human nature, yet St. Thomas treats it as (exterior) divine instruction, in contrast to good habits (virtues), which are intrinsic to us. Is this arbitrary? We don't think so. There is a long tradition which holds that in acknowledging this law in conscience (treated in Ia) we are responding to the voice of God<sup>4</sup>, i.e. to an extrinsic principle. This is at the root of the controversy about whether a morality of obligation presupposes a divine law-giver<sup>5</sup>. As is well known, Kant wished to deny this, making of reason as such an empowered legislator.<sup>6</sup>

As P.T. Geach puts it, "for some time.. moral philosophers rather neglected the virtues". He refers to Philippa Foot's contribution to British moral philosophy as reviving the virtues, in reaction to R.M. Hare's approach.<sup>7</sup> She attacks the stress on principles and values, putting forward her idea of a "background".<sup>8</sup> This is the tradition of virtues and vices which she refers to somewhat too blithely as a "collection", serving to give moral discourse a descriptive and cognitive reference, rather than the emotive prescriptiveness favoured by Hare. She concludes:

For this reason understanding what someone says about what is right and wrong is not like understanding an order.

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<sup>4</sup> Cf. especially Cardinal Newman's (1801-1890) writings on this topic, in *The Grammar of Assent* and elsewhere.

<sup>5</sup> G.E.M. Anscombe argues thus, in "Modern Moral Philosophy", *Philosophy* (London) 1958.

<sup>6</sup> Cf. S. Theron, "Does Reason Legislate?" *The Downside Review* 1983.

<sup>7</sup> Cf. Theron, op. cit. ch.1, where R.M. Hare's *Freedom and Reason* (Oxford 1952) is discussed.

<sup>8</sup> Cf. Philippa Foot, "When is a Principle a Moral Principle?" *Aristotelian Society Supplement* XXVIII, 1954.

Behind this lies the whole debate about fact and value.<sup>9</sup> But for the present we return to St. Thomas so as to complete our account of the place of virtue in his scheme. Virtues come under habits, habit being the second intrinsic principle of human acts (after the powers of the soul). St. Thomas treats first of habits in general, saying that they are qualities (dispositions) ordering us to certain types of action. They are necessary, and their subject is the soul. This distinguishes them from instincts (or *vires sensitivae*)<sup>10</sup> There are habits of intellect (the intellectual virtues, e.g. knowledge, understanding, wisdom, prudence, art) and of will (the moral virtues and vices).<sup>11</sup> These are habits by which the will is well disposed to its proper act.

St. Thomas then asks a few questions about the causes of habits, e.g. if we can have them by nature (Q 51, 1, very important), or as a result of actions, as well as whether they can be infused by God, increased, corrupted, lost. He asks about distinctions between habits, e.g. according to good and bad (virtues and vices).

Thus we come to the virtues (QQ 55-67), their essence or definition, viz.: *bona qualitas mentis, qua recte vivitur, qua nullus male utitur* (55, 4, *obj.1*: a good quality of mind by which one lives rightly and which no one can use badly). This applies to both acquired and infused virtues. He treats firstly of the intellectual virtues (57), especially the role of prudence, then of the moral virtues, in relation to the passions and to one another, first the cardinal and then the theological virtues.

He then discusses the causes of virtue, such as nature, effort, infusion. The virtues are not by nature perfected in us. We have only natural seeds of virtue (63, 1). Next he discusses the idea of virtue as a mean between two evils, and the relative importance of the various virtues, their unity and whether they remain after this life.

As a theologian he comes then to the gifts and fruits of the Holy Spirit and to the Beatitudes (“Sermon on the Mount”),<sup>12</sup> before discussing bad

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<sup>9</sup> Mrs. Foot's collection is at least as much a fact as Lockean secondary qualities, conceived of as essentially rooted in human responses. This, however, need not be a qualification (of their factuality), but rather a specification of it as to do with man (and not just with some *Lebenswelt*) and his rational life rather than with, say, elephants.

<sup>10</sup> Cf. Ia-IIae 50, 3.

<sup>11</sup> Prudence, according to St. Thomas, is essentially, as *recta ratio agibilium* (right reasoning about things to be done), a virtue of the practical intellect. With regard to its matter, however, viz. actions, it is a moral virtue as requiring right desire and purpose (Ia-IIae 58, 3 ad 1um).

<sup>12</sup> But he comes to them just here because, theological or not, infused or not, they are conceived of as acts and habits of the rational soul.

habits or vices and sin (QQ 71-89). Only after that does he come to God and the Devil (the extrinsic causes of human acts) and hence to law and grace, as we said above. In the long part IIa-IIae which follows he treats of virtues and vices in particular, as well, finally, as of prophecy, of different types of life (active, contemplative etc.) and of offices and states (episcopal, monastic etc.). These last three divisions are intended to cover things pertaining to the habits and acts of the rational soul which are nonetheless only relevant to some men, or which (types of life) differ from man to man, or woman. Virtues and vices, by contrast, pertain to the conditions and states (*conditiones et status*) of all men.<sup>13</sup> This conclusion of the *Pars Secunda* serves to remind us that what is treated here is, in the vision of St. Thomas, not virtues and vices as such, but these as, together with the gifts, the beatitudes<sup>14</sup>, and now prophecy and types or states of life not to be confused with beatitude. They are states of life, falling under human acts (*actus humani*). Thus he refers to the beatitudes as distinguished from the virtues and the gifts (of the Spirit) "as acts are distinguished from habits".<sup>15</sup> We cannot ignore this if we wish to know how he understood the moral life. Whether as instrumental or as essential condition it is related to the good life as part to whole. Our present day political arrangements and laicist frame of mind can lead us all too easily to pass over this essential fact.

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<sup>13</sup> IIa-IIae, Q 171, Prologue.

<sup>14</sup> *Beatitudo* in general as treated of in the preliminary treatise (QQ1-5) on the ultimate purpose of human life (*finis ultimus*). All the same one should argue that St. Thomas implies a close connection between these Beatitudes, so paradoxical to human nature, and ultimate beatitude, in that those who live according to them are following the way to participate in *beatitudo* as much as one may under conditions of temporal corruptibility. This imperfect, graced participation in perfect happiness is clearly distinguishable from the Aristotelian doctrine, which St. Thomas endorses, of imperfect happiness, proper to this life alone and in principle attainable without special divine help (grace). Hence St. Thomas envisages infused moral virtues (e.g. of temperance) alongside but different (in object and end) from the acquired moral virtues (see Ia-IIae 63, 4).

<sup>15</sup> Ia-IIae, 69, 1.

## 6. DUTY, OBLIGATION, LAW

We saw how for St. Thomas the virtues, good habits, are intrinsic principles of good action; laws are extrinsic principles, as given to us by God (or the government!), even when we find them at the heart of our being.<sup>1</sup> They presuppose a divine lawgiver. One should perhaps not press this distinction too far however. It is true that St. Thomas denies that natural law is a habit<sup>2</sup>, as are the virtues (one reason for his denial is that it is not always used, e.g. in babies or the damned). Yet he asserts that there is a habit of the principles of natural law, called *synderesis* (compared to conscience as habit to act), which is naturally inborn.<sup>3</sup>

The duty that these God-given laws create has therefore a kind of religious colouring. It is in fact analogous to religion. Now St. Thomas explains religion as itself a virtue which is part of the more general virtue of justice, since it consists in paying back to higher, invisible powers what is due to them (praise, thanks etc.).<sup>4</sup> *Religio*, the word, is explained from *ligare*, to bind. Like duty, it binds. And thus a person motivated by pure duty is at least similar to a religious person as paying an invisible debt (*debitum*, from which the word "duty", i.e. something owed, comes).

We have our duties to one another in just this way; we speak of our duties to society, and we can indeed ask whether it makes sense even to speak of a duty, "pure" duty, which is not a duty to someone or something. Thus in response to a statement that someone acted thus because it was his duty we can always ask "Duty to whom (or what)?"

We have spoken of Kant as the philosopher of duty<sup>5</sup>, but duty as such is a basic traditional notion which Kant in fact rather distorts, so that conscience itself can protest against Kant's view of things, according to which the individual will is dominant, pretending to make law instead of

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<sup>1</sup> There is an analogy with grace here, also an extrinsic principle of action. Cf. St. Paul's "I live yet not I..."

<sup>2</sup> Ia-IIae 94, 1.

<sup>3</sup> Ia 79, 12 & 13.

<sup>4</sup> It is a potential part (*pars potentialis*) of justice (see Chapter 19 for explanation of the different ways in which one virtue can participate in another). Cf. IIa-IIae 81 *et seq.*

<sup>5</sup> See his *Fundamental Principles of the Metaphysic of Morals* (tr. Abbott), New York 1949 (orig. *Grundlegung zur Metaphysik der Sitten*, 1785).

humbling itself before an existing duty ("So act that you can will that your principle be a universal law." This principle, the categorical imperative, contains an implicit denial that any law already exists).

This contrasts with the view of St. Anselm, for example, who defines moral goodness, *justitia*<sup>6</sup>, as *rectitudo voluntatis propter se servata*<sup>7</sup>, i.e. uprightness (or straightness) of the will preserved for its own sake. In that proper sense we have the notion of pure duty. But the difference from Kant lies in Anselm's notion of *rectitudo*. Such uprightness is essentially measured by that subsisting goodness which is God. Thus his predecessor in this Augustinian tradition, St. Gregory the Great, states that it would be wrong to think oneself morally upright if one departed from, ignored or did not know "the rule of the highest righteousness" (*regulam summae rectitudinis*). This is just what Kant seems to do. The subject measures himself purely by his own reason, itself made into the plaything of the will.

Thus Anselm links his concept of *rectitudo* with theoretical truth, which he defines as *rectitudo mente sola perceptibilis*. The practical sphere thus preserves its rational character, as it does not do in Kant, who separates it entirely from theoretical reason.<sup>8</sup> For Kant the truths of morality are all derived from so-called "practical postulates" (God, the soul, judgment) which cannot be proved. We have to act as if we knew we were immortal. All that supports Kant in this are his strong moral intuitions. It is even doubtful whether any deliverances of his practical reason (which he virtually equates with the will), such as moral principles, can be properly called true or false.

The tradition in which Anselm stands presents morality as a matter of fulfilling duties (ultimately to God) out of love. "The lot marked out for me

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<sup>6</sup> Justice is often a generic name for righteousness in general, this in itself showing what a central notion duty is, too important to leave to Kant. St. Thomas, for his part, concludes his treatment of each virtue (in *Ila-IIae*) with a section on the precepts or duties (*debita*) proper to that virtue, which in the case of justice itself are, in fact, all the ten precepts of the Decalogue. For it is only through justice that any precepts at all are attached to the other virtues (when they are), since justice is the virtue which is other-directed (*ad alterum*) and this relation is the essence (*ratio*) of debt or obligation. But this must be supplemented by St. Thomas's teaching, in the same treatise, on charity as the form and end of all the virtues (23, 8) and on the two precepts of charity whereby the order of charity falls under a precept of the law (44, 8). Cf. 122, 1, ad 4um: the precepts of the Decalogue belong to charity as to their end, but to justice immediately.

<sup>7</sup> St. Anselm, *De Veritate* XII.

<sup>8</sup> For St. Thomas practical reason is not a separate faculty from theoretical reason, but is defined as reason directed to action (*ordinata ad opus*). Cf. *Summa Theol.* Ia 79, 11.

is my delight" (Psalm XV, 6, *Vulg.*). *Vivere secundum Deum*, to live according to God, is, we noted above, how Augustine describes the virtuous life. We will see how in the tradition there is a definite link of the moral life with spiritual life in the thought of the Church Fathers, such as the Desert Father Cassian, who links purity of heart and the overcoming of the Seven Deadly Sins with the attainment of divine blessedness. It is in this Patristic tradition of biblical commentary that St. Thomas ultimately stands.<sup>9</sup>

Against Kant we can say that unless there is a real law there is no real duty in the strict sense. So if in practice we find we cannot deny duty then we have to find a philosophy that makes it possible to admit the existence of a real law which we did not create for ourselves.<sup>10</sup>

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<sup>9</sup> Cf. Ia-IIae QQ68-70, on the beatitudes, gifts and fruits of the Spirit. Cf. S. Theron, *The Recovery of Purpose*, Frankfurt 1993, Chapter Five, "Relating to the Religious Tradition".

<sup>10</sup> This was the argument of C.S. Lewis in *Mere Christianity*, London 1952 (Fontana). Cf. our *Morals as Founded on Natural Law*, ch. 2 et passim.



## 7. MORALS AND METAPHYSICS: FACT AND VALUE

The Dominican, G.M. Manser, located the great error in Kant's ethics in his separation (*Trennung*) of morals from metaphysics:

We find in Kant the separation (divorce) of ethics and metaphysics... In contrast to Kant the true Aristotelian extracts from the flux of sense-experience something permanent, the essential, without which there could be no flux, even. He abstracts all ideas from experience. Thus they keep the content of the world of sense, even the highest transcendental concepts do, which in the form of principles of proof support the practical and moral life, there being no divorce of the speculative and the practical order. With that ethics is based on metaphysics and the existence of God becomes speculatively demonstrable, i.e. it is not just a postulate of practical reason. Thus the moral-practical life receives its measure from outside through things, from above through the unchangeable speculative principles and finally from God: thus it escapes the continuous variability of daily life. The doctrine of duty keeps its necessity beside that of freedom.<sup>1</sup>

This separation found expression in later ethical theory chiefly in the assertion of a deep-lying difference between statements of fact and statements of value, a linguistic difference in the sense of a logical difference. This is the end-result of Kant's view of practical reason as constituting a different faculty from theoretical reason. For the tradition, on the other hand, reason is normally theoretical or speculative, i.e. focussed upon being, and only becomes practical by extension, when it is brought to bear upon action, upon something which is to be done (*faciendum*, the gerundive<sup>2</sup>).

Here it is most important to note St. Thomas's teaching that reason, not will, orders, also in the sense of commanding (*imperare est actus rationis*, ST Ia-IIae, 17, 1), even of commanding someone (*alicui*). We order or

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<sup>1</sup> G.M. Manser, *op. cit.* p. 139 (author's translation).

<sup>2</sup> The gerundive is not to be conflated with the imperative (Ia-IIae 17, 1), even though the latter also be finally an act of reason, the will's act being presupposed (as might not be the case with the gerundive or absolute form of practical intimation, when as it were "loosed from" a resolve to act, e.g. in an ethics class).



command ourselves by reason, and thus also St. Thomas will teach that law, as an ordinance given to others, is also an ordinance given to others by or according to reason, not will<sup>3</sup>, even though reason gets its motive power in general from the will. Will without reason, even of a prince, "would be more iniquity than law".

Now value, properly understood, ranges over the whole of reality, in so far as everything has some value (or disvalue). It is misused when it is given only a subjective application, as contrasted with the objectivity of pure fact. Talk of such "value-free" facts, "value-free" science, naturally devalues reality. We found Gabriel Marcel, above, making the same point.<sup>4</sup>

Thus the tendency among linguistic analysts (and those, such as empirical scientists in the field, who use the language and concepts created by them) is to divide statements up into statements of fact and statements of value. This is false to our language and thinking, however, since the factual-theoretical and the evaluative aspects are almost always intertwined in one and the same statement. This, of course, is what one would expect if one has understood that the good is ultimately being (i.e. being understood as presented to the rational will). Thus calling someone a communist may be pure statement of fact or it may be an entirely emotive term of abuse, depending on context.

Similarly, the judgment that an argument is valid in logic would seem entirely factual and, so to say, mathematical. Yet "valid" is clearly an evaluative term. For to call an argument valid is to commend it as good and, in general, validity (of arguments) is for the sake of reaching truth, i.e. it is teleological. If we had no interest in truth we would be indifferent to the validity of arguments.

The attempt to separate values from the real world of science just will not work. R.M. Hare makes the same kind of mistake, with his theory of two different types of meaning, viz. descriptive and prescriptive.<sup>5</sup> Actually it is because the analysts fail to see that statements of fact are substantial or real that they think that serious moral statements must be of a different logical type, thus cutting the ground from under their own feet.

In fact it is this stress on moral language, hence on statement and on "principles", that is their weakness. Hare, we noted, needs to take note of the moral "background", "that collection of things we call virtues and vices".<sup>6</sup> We do not make something moral just by praising it, by using prescriptive or "commendatory" language, as when we might praise taking short steps.

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<sup>3</sup> Ia-IIae, 90, 1: "Whether law is something belonging to reason".

<sup>4</sup> Cf. also S. Theron, *Philosophy or Dialectic*, Frankfurt 1994, pp.96-101.

<sup>5</sup> R.M. Hare, *The Language of Morals*, Oxford 1952; *Freedom and Reason*, 1974.

<sup>6</sup> P. Foot, *art. cit.*

The behaviour has to be already recognizable as moral. Here we hit upon the point about tradition and custom stressed by C.S. Lewis in his *The Abolition of Man*.<sup>7</sup> Custom, in any case, *consuetudo*, was identified by Aristotle and St. Thomas as supplying the first principles of ethical science, in abstraction from its metaphysical justification. Hence a badly brought up person, without traditional manners, cannot meaningfully begin to study ethics, says Aristotle.<sup>8</sup>

So morals are "materially"<sup>9</sup> more important than other departments of life, perhaps, but that does not make statements about them logically different. Hence there is a role for metaphysics, with its doctrine of goodness as a transcendental property of being, in ethics.

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<sup>7</sup> Bles, London 1943.

<sup>8</sup> *Nicomachean Ethics* 1095b 4-6.

<sup>9</sup> Thus Hare refers to "matters of substance" in contrast to what is "purely verbal". Cf. Theron, *op. cit.* II, 1, also "Classificatory Expressions and Matters of Moral Substance", *Philosophical Papers* (Grahamstown, South Africa) XIII, May 1984, pp.29-43.



## 8. WHAT IS LAW?

We have seen that passions and habits, together with the powers of the soul, are the intrinsic principles of human action, leading us to act when and as we do. But what actually causes us to act is the desire for some good, consented to by the will. Indeed it is upon goods that the passions themselves are focussed, sometimes with a strength which increases intensity of will at the same time as it reduces freedom of choice.

Again, those habits are accounted virtuous, and good, which lead us to the good life and hence to the ultimate end or purpose of our lives.<sup>1</sup> It is this fact, the dominant causality of the good (which has the sense of end, what is wanted), which gives us the connection with law. For we remember that it is of the meaning of a precept, and hence of a law, that it is for the sake of some end, some good. Hence it is that the first, controlling precept of natural law (and of course we have still to show that it consists of precepts) is that good is to be pursued and evil avoided (*bonum est persequendum et malum evitandum*). This is indeed the primary, unique precept, so that St. Thomas actually asks whether natural law consists of just this one precept or of many (Ia-IIae 94, 2). All law whatever is in a sense brought under it.

We might ask, how do we know that it is a law, having in consequence a prescriptive element? What we see more immediately is that *omnis agens agit propter finem*.<sup>2</sup> If we want something we have to act, and it is the teaching of St. Thomas that by nature we cannot avoid wanting things. We have our natural inclinations, and we will see that it is these natural inclinations that supply the controlling order and content of morality, i.e. of natural law as behavioural morality's foundation.

Many later thinkers deny this necessity of natural inclination as prior motor of action because they think it limits our free will. They think that we also ought to be free to choose all our goals (i.e. as well as the means to them). St. Thomas replies that it is just because the will (like the intellect)

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<sup>1</sup> The idea of a gross equivocation on *finis* in Latin Christian philosophy (P.T. Geach, *The Virtues*, pp. 139-40) is purely imaginary. See St. Augustine, *The City of God*, 19, 1; Theron, "Happiness and Transcendent Happiness", *Religious Studies* 21, p.357.

<sup>2</sup> I.e. every agent in fact (and of definitional necessity, as it were) acts for an end. Cf. Ia-IIae 1, art. 1 & 2.

extends itself to all things, to all of being, that it must have something giving it its own character as a distinct being, and this role is supplied by what is willed by it with natural necessity, as the *objectum* actually specifying this power of rational will (Ia-IIae 10, 1, a most important article).

This object of the will is goodness as such (*bonum in communi*), to which the will naturally tends as *objectum*. Hence *bonum in communi* coincides with the ultimate end, howsoever it may differ from it in notion, while indeed it covers quantitatively all the other objects or aims of the various parts of human nature:

For through the will we desire not only what pertains to the faculty of will, but also whatever pertains to every other faculty severally and to the whole man. Hence man naturally wills not only the object of the will (i.e. the last end, *bonum in communi*), but also what belongs to the other powers, such as knowledge of truth, which belongs to the intellect, being and living, etc., which belong to our natural integrity,... as certain particular goods (Ia-IIae 10, 1).

To this scheme corresponds the major precept (*bonum est perseguendum*) as somehow comprehending all the secondary precepts of natural law. We might think that these are just hypothetical truths rather than laws, e.g. if you want to be happy, act thus and thus, and it is especially puzzling how the first precept, to seek the good, can be a command (as in the song, "be happy"). Before treating this problem however, we have to be clear as to what law is, its definition.

Addressing this question (at Ia-IIae 90), St. Thomas begins with an unanalysed notion of law, as some kind of rule or measure of actions, connected etymologically with a word for binding (*ligare*) and hence for obliging (*obligare*). He points out that it is reason that is the measure of human acts, ordering them to their end, and hence concludes that in the first place law belongs to reason rather than to will, an immensely important truth. It means that force and compulsion are not of the essence of law, that even obligation is imposed ultimately by how things are, and not by some will. The view destroys legal positivism at its root.

He goes on to argue that every law is ordained to the common good, since it proceeds from reason which as practical has the last end as basic principle. It is a corollary of this that happiness, as last end, is ultimately the common happiness, since "every part is ordered to the whole."

As far as making law is concerned, this pertains to him who "has the care of the whole community"<sup>3</sup>, whether God or "the Prince", since as being for

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<sup>3</sup> It is significant that also in the democracies someone's personal signature appears

the common good law pertains to the whole multitude. Finally, law must be made known or promulgated if it is to have effect, and so he arrives at the definition: law is

an arrangement of reason for the common good, promulgated by him who has the care of the community.<sup>4</sup>

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to be required for any legislation "passed" by parliament actually to become law.

<sup>4</sup> *Quaedam rationis ordinatio ad bonum commune, et ab eo qui curam communitatis habet, promulgata.* (Ia-IIae 90, 4)..



## 9. NATURAL LAW IN ST. THOMAS'S THOUGHT

The account of natural law favoured by St. Thomas is explicitly theistic. As natural, however, it belongs to philosophy. He makes use of the definitions of lawyers, such as the definition of natural law as "that which nature teaches all animals". But his own view is directly linked to the Augustinian<sup>1</sup> conception of the eternal law (*lex aeterna*). Assuming, he says, that the universe is a perfect community governed by divine providence,<sup>2</sup> i.e. by divine reason, then this reason, as existing in the ruler of the universe, has the sense and force of a law. But such a law is eternal, since the divine mind does not change.<sup>3</sup>

Natural law, he continues, is the sharing of this eternal law (*participatio*) in (and by) the rational creature. Indeed all things share in it (*ex impressione eius habent inclinationes in proprios actus et fines*<sup>4</sup>), but the rational creature participates in it "in a more excellent way", in that he has to be a providence for himself<sup>5</sup>, having a natural inclination (but not a compulsion) to fulfilment of his duty. This inclination, however, is itself, he says, the above-mentioned participation, which is thus the natural law (*lex naturalis*<sup>6</sup>), immediately made known by the natural light of reason (*lumen rationis naturalis*).<sup>7</sup> We can say, therefore, that reason is (by participation) divine, an "impression of divine light in us", and therefore law. The Rationalists and their successors, on the other hand, suppressed the premise (concerning reason's privileged status in relation to the divine) and therefore could not really say why, as they claimed, reason should be law, i.e. should have that binding character which the concept of duty implies. This is what

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<sup>1</sup> Cf. St. Augustine, *On Free Choice of the Will* (tr. Benjamin & Hackstaff), Indianapolis & New York (Bobbs-Merrill), 1964; *De Vera Religione* 30, 31.

<sup>2</sup> This position was upheld true and rationally perspicuous in Ia 22, 1 & 2.

<sup>3</sup> *Summa Theologica* Ia-IIae 91, 1. Compare the articles at the close of *Pars Ia* on the divine government of the world.

<sup>4</sup> It is because of its "impression" in them that they have their inclinations to their own acts and ends. Cf. Ia 103, esp. 1 ad lum: *sicut sagitta movetur directa ad signum a sagittante, qui cognoscit finem, non autem sagitta.*

<sup>5</sup> Cf. the Prologue to Pars IIa of the *Summa Theologica*.

<sup>6</sup> I.e. it is the natural law for man, for human or rational nature.

<sup>7</sup> *Ibid.* 91, 2.



the Existentialists and "Post-Modernists" have realised.<sup>8</sup> The godless freedom claimed to found human dignity could more consistently be viewed negatively, as a "hole" in being, leaving man as "a useless passion".<sup>9</sup>

The other two kinds of law are *lex humana*, i.e. "human law" or the laws of political states, which St. Thomas argues must conform to natural law, i.e. to morality, in order to be valid as laws, and, secondly, *lex divina*, divine law or revelation. This latter is in itself valid as a concept but in fact, on the Christian view, consists of the two covenants, one, imperfect although good, written on stone tablets while the other, final and perfect one, is unwritten, being poured into the hearts of men and women as the grace of the Holy Spirit (*lex indita*); the Old Law and the New Law (*lex nova*).<sup>10</sup> In that way there is a parallel between the law of grace and the natural law, which is also unwritten (unlike the laws of states).

As mentioned already, the main focus of the debate about natural law going on today<sup>11</sup> is upon its relation to the natural inclinations (of man).<sup>12</sup> The human will as such (i.e. in abstraction from the whole man, or woman) is inclined to *bonum in communi*, identifiable with God (as *finis ultimus*<sup>13</sup>), and hence the first precept of the natural law (*bonum est persequendum* etc.) could be claimed materially, as it were, to consist in the love of God (as in the first of the Ten Commandments), although formally it is the law of

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<sup>8</sup> Cp. Ivan Karamazov's remark in Dostoyevsky's *The Brothers Karamazov*: "If God does not exist, then everything is permitted." Cf. H. de Lubac S.J.: *The Drama of Atheistic Humanism* (French original). Alan Donagan's *The Theory of Morality* (Chicago 1977), extensively discussed in our *Morals as Founded on Natural Law*, was based on this Kantian and rationalist claim. The contrasting assertion that reason derives its authority specifically from being a reflection or image of the divine grounds itself solely on the reality of human knowledge, which necessarily entails that things are as man knows them to be, when he knows them (not to be confused with the assertion that "things are what science says they are", this being a backhanded refusal to consider being at all). Human knowledge, that is, is directly measured by the divine knowledge which is causative of being.

<sup>9</sup> J.-P. Sartre's expressions.

<sup>10</sup> Cf. Ia-IIae 91, 4 & 5; 106, 1 (*Utrum lex nova sit lex scripta*) et f. The new law also fulfils (*impleat*) the old and is not therefore entirely other than it (107, 1 & 2). This recalls the pattern whereby the precepts of the natural law are several and yet form a unity.

<sup>11</sup> E.g. in works by John Finnis, such as *Natural Law and Natural Rights*, Oxford 1980; G. Grisez, "The First Principle of Practical Reason", in *Aquinas* (ed. A. Kenny), London 1969; et al.

<sup>12</sup> Cf. Ia-IIae 94, 2, where a plurality of precepts of the law is derived from the plurality of our inclinations, even granted that we have just one *finis ultimus*.

<sup>13</sup> Ia-IIae 10, 1.

pursuing the good (*bonum in communi*).<sup>14</sup>

It is in complying with this first, foundational law that reason discovers the other, more particular precepts<sup>15</sup>, extending to "all those things to which man has a natural inclination" (since reason "naturally apprehends" such things as goods, and hence as *opere prosequenda*, to be pursued with effort<sup>16</sup>). Examples are self-preservation, marriage and family, knowledge of truth, social arrangements. These are the ends which found the obligations.<sup>17</sup>

Among the inclinations also, as we saw, is the natural inclination to act according to reason (since the intellectual soul is itself the very form of human nature and hence cause of the corresponding inclinations as constitutive actualities of that nature). But to act reasonably is to act according to virtue, i.e. according to the habits needed for reaching reason's goal, which, as form, is man's goal also. Hence virtuous living belongs to natural law, i.e. it belongs to natural law to do what we need to do to fulfil or perfect ourselves (and this in turn can also be brought under the inclination to self-preservation, which thus need not be interpreted merely individualistically, as in Hobbes's account of natural law in his *Leviathan*, but as the drive to *bonum in communi*, once again, but here under the special aspect of the fulfilment of human life. For it is natural to man, says St. Thomas, in fulfilment of his own spiritual good, to love God more than himself<sup>18</sup>).

The doctrine of natural law also implies the unity of the human race underlying all the diversities of culture<sup>19</sup>, and so fits in with the various international movements and declarations of our time. St. Thomas teaches that the natural law can be added to, but that nothing can be subtracted from

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<sup>14</sup> Good (*bonum*), for St. Thomas, is full of objective content, since it parallels being (whether *ens in communi* or some particular being) and hence, ultimately, God as *esse ipsissimum*. It can never be interpreted as a mere (comparatively vacuous) term of approval, without "factual" (*sic*) content, as the linguistic analysts (e.g. R.M. Hare, C. Stevenson, A.J. Ayer) have often treated it. Indeed, the ultimate of the intellectual virtues, viz. *sapientia*, is required for the understanding of the terms of first principles, such as *ens* or *bonum* (Ia-IIae, 51, 2, esp. ad 3; 66, 5; cf. 63, 1).

<sup>15</sup> Natural law, as "something constituted by reason" (94, 1) consists of precepts.

<sup>16</sup> Ia-IIae 94, 2.

<sup>17</sup> Cf. Chapter Seventeen below.

<sup>18</sup> Cf. Lawrence Dewan, *art. cit.*; also his "Jacques Maritain and the Philosophy of Cooperation" in *L'alterité, vivre ensemble différents* (ed. Gourgues & Mailhiot), Montreal & Paris, 1986, esp. p.116. Dewan speaks of willing as such, the inclination of the substantial soul itself to *bonum in communi* and hence to all good, as the fundamental inclination.

<sup>19</sup> Cf. C.S. Lewis, *The Abolition of Man*, London 1943.

it.<sup>20</sup> He appears to see the law of private property, for example, as an addition of this type made by human reason as of "something useful for human life". A contrast would be the law of religious sacrifice, found universally (*unum apud omnes*) as a natural imperative. The order of reason, that is, reflects an order of nature, of divine creation, which is more fundamental, so that abuse of it, e.g. in sins of unnatural vice, is correspondingly more grave (than merely irrational behaviour).

The principles of reason are those things which are according to nature; for reason, having presupposed the things which are determined by nature, disposes other things in a concordant way. And this is apparent both in the speculative and in the practical order....<sup>21</sup>

Hence St. Thomas argues that it is unjust to violate the order given by God to nature<sup>22</sup>,

not precisely because nature reveals its divine origin, but because reason sees ontological priority. Goodness is seen in ontological order, and reason's giving nature priority is the recognition of that order, which thus has ethical significance.<sup>23</sup>

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<sup>20</sup> Cf. Ia-IIae 94, 5 & 6.

<sup>21</sup> *Summa Theol.* IIa-IIae, 154, 12.

<sup>22</sup> *Ibid.* ad 1.

<sup>23</sup> Lawrence Dewan O.P., "St. Thomas, Our Natural Lights, and the Moral Order", *Angelicum* LXVII (1990), pp. 285-308. This aspect of natural law theory, deeply Thomistic, is unquestionably operative in the papal document *Humanae Vitae* (1968), though some commentators and apologists have obscured this. See our critique of M. Rhonheimer's *Natur als Grundlage der Moral* (Innsbruck - Vienna 1987) in *The Recovery of Purpose*, ch.2.

## 10. NATURAL LAW: OTHER VIEWS

The principles of reason are those things which are according to nature  
(*Summa Theol.* IIa-IIae 154, 12).

This statement is taken from St. Thomas's treatment of the sins of unnatural vice, *peccata contra naturam*. His theory of natural law has been condemned as biologicistic or physicalistic.<sup>1</sup> He takes natural reality as normative. This might seem ultimately religious, in so far as it is only if God give nature its order that such an order may convincingly be claimed normative for a free being.<sup>2</sup> Yet reason sees nature, i.e. the real, as ontologically prior to its own rational arrangements (*ordo rationis*), i.e. quite apart from God. That is to say, it has to see it that way. "Goodness is seen in ontological order", in how things are:

we must not ignore the priority, in our knowledge of natural law, of knowledge of natural order itself vis-à-vis knowledge of God. Reason puts nature first, not precisely because nature reveals its divine origin, but because reason sees ontological priority.<sup>3</sup>

Some thinkers try to limit natural law to the order set up by reason (*ordo rationis*). But St. Thomas points out that reason itself follows nature, physical reality. Hence Pope Leo XIII could say that "the natural law is itself the eternal law",<sup>4</sup> a statement quoted with approval in John Paul II's *Veritatis Splendor*. Not only is it the seeing of this natural order as God-given (and only hence an order) and hence as expressive of an eternal

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<sup>1</sup> Or, because St. Thomas's authority is so great, opponents of natural law as normally understood often prefer the strategy of trying to make out that he held a different view (cf. Dewan's remark, *op. cit.* p.287, that Finnis's account "contains a measure of misinformation as regards St. Thomas' view of things").

<sup>2</sup> The merely utilitarian constraints placed upon a disregard of nature, e.g. by the ecological movement, are never more than provisional. They apply unless and until further technological advance can be shown to remove the feared deleterious side-effects of any given exploitative venture.

<sup>3</sup> Dewan, *op. cit.* ( my emphasis)..

<sup>4</sup> Leo XIII, *Praestantissimum*, Rome 1889, 219.

law which makes it normative, but, as we found Marcel suggesting, there can be no other source, such as an intuition of "values", for the moral reality we cannot but recognize.<sup>5</sup>

Thus to violate a God-given order of things, e.g. in unnatural vice, is worse than violating the order of reason alone, as in fornication.<sup>6</sup> Many philosophers are so estranged from this view of reason (according to which knowledge consists in an intentional union with the natures of things themselves) that they do not understand St. Thomas's position, but misinterpret it according to rationalist ideas.

Other, different theories of natural law have been put forward by Thomas Hobbes (in *Leviathan*), Hugo Grotius (who divorced it from the eternal law) and others. The doctrine of David Hume (taken up by G.E. Moore as the "naturalistic fallacy") that no statements about what ought to be done can be logically derived from statements of fact (no "ought" from an "is", cf. the fashionable opposition of fact and value in educational theory and elsewhere) may be seen as the formal rejection of natural law.

On the other hand some thinkers have lately tried to combine acceptance of this principle (no "ought" from an "is") with what they claim is an account of natural law which is broadly Thomistic.<sup>7</sup> What they offer, however, seems to be nothing more than a form of ethical intuitionism. Thus Finnis tries to play down the "teleological conception of nature" which is essential to St. Thomas's account (he says it "goes along" with it), appealing instead to the

introspectively luminous, self-evident structure of human well-being, practical reasoning, and human purposive action (*op. cit.* p.52).

Such intuitionism, however, gives no basis for an objective ethics, being vulnerable to Pavlovian or Freudian-Darwinian objections, *inter alia*.<sup>8</sup>

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<sup>5</sup> That we cannot but recognize the moral order as a law not made by us forms the minor premise of C.S. Lewis's influential argument for God's existence in *Mere Christianity*, Book I.

<sup>6</sup> Cf. Chapter Twenty-Three below.

<sup>7</sup> E.g. John Finnis: *Natural Law and Natural Rights*, Oxford 1980; G. Grisez, *The Way of the Lord Jesus* and other publications.

<sup>8</sup> For extensive criticism of this view see, again, our *The Recovery of Purpose*, Frankfurt 1993, especially ch. 6. See also R. Hittinger, *A Critique of the New Natural Law Theory*, UND Press, 1987.

## 11. DOES MORALITY REQUIRE A DIVINE LAW-GIVER?

We noted that Kant tells us to act as if our principle were a universal law. One can ask whether this (categorical) imperative is itself in turn a law, or only an "as if" law. Kant does not seem able to answer this. If it were meant as a real law, then this could only, on his scheme, be a law dictated by reason. But what gives reason the power to legislate? Why should we follow reason when we don't wish to do so? Kant gives an answer to this in terms of human dignity, which he bases upon the power of freedom of choice.

In criticism of this answer one may object that mere absence of constraint (issuing in freedom of choice) does not in itself give that dignity to human nature (or reason) which it needs if it is to have the authority of a law-giver, as Sartre and others have shown.<sup>1</sup> For Kant's freedom is a negative freedom. Thus the "laws" of reason seem to be on a par with New Year's resolutions, which we know that we can break if they become inconvenient.

For St. Thomas it is clear from the beginning that the natural law is a reflection of the eternal (divine) law. Reason, that is to say, is ultimately divine, that creative reason that is in the universe. This was the doctrine of the Stoics, who spoke of "the right reason"<sup>2</sup> which pervades all things, and is coextensive with Zeus" (Diogenes Laertius). Cicero says:

Before there was a written law, reason existed, having sprung from the nature of things, impelling men to right action, and summoning them from wrong-doing. This reason began to be law... when it originated... simultaneously with the divine mind (*De Legibus*).

This is the basic meaning of Plato's doctrine of the soul as having learned everything in a past life (in his dialogue *Meno*), i.e. it could only know everything now potentially, as it does, in virtue of some sort of supernatural

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<sup>1</sup> Cf. *Being and Nothingness* ("Man is a useless passion.").

<sup>2</sup> *Recta ratio, orthos logos*. Cf. S. Theron, "Morality as Right Reason", *The Monist*, January 1983 (the whole issue of which, edited by Joseph Owens, is devoted to *recta ratio*), "Reason and Law: Does Reason Legislate?" *The Downside Review*, October 1983.

background or privileged position in nature.<sup>3</sup> Thus moral obligation, if based on the authority of reason, requires some doctrine of the soul as coming to nature from outside, as "immaterial" (for St. Thomas, "immateriality is the root of cognition,( *radix cognitionis*).

This theory, that moral obligation requires explicit divine backing, has been recently confirmed by several thinkers, e.g. G.E.M. Anscombe<sup>4</sup>, P. Foot<sup>5</sup>, P.T. Geach<sup>6</sup>, C.S. Lewis<sup>7</sup>. Others, however, attack it, e.g. A Donagan<sup>8</sup>, B. Schüller<sup>9</sup> and the whole Kantian rationalist tradition. Accepting the theory (of the necessity of a divine law-giver), Cardinal Newman offered a clear distinction between what is against our (moral) nature and what is an obligation not to act against our nature (since it is spiritual, an image of the divine):

Though I lost my sense of the obligation which I lie under to abstain from acts of dishonesty, I should not in consequence lose my sense that such actions were an outrage offered to my moral nature. Again; though I lost my sense of their moral deformity, I should not therefore lose my sense that they were forbidden to me. Thus conscience has both a critical and a judicial office...<sup>10</sup>

So nature supplies the laws (in at least the descriptive sense of what we are), while the divine nature reflected in our reason obliges us to abide by these laws. "Become what you are," in Joseph Pieper's words.<sup>11</sup>

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<sup>3</sup> Thus St. Thomas proves the independent subsistence of the spiritual soul (which must hence be directly created by God) through its power to "know the natures of all bodies". Ia 75, 2.

<sup>4</sup> G.E.M. Anscombe, "Modern Moral Philosophy", *Philosophy* 1958.

<sup>5</sup> P. Foot, "Morality and Art", *Proceedings of the British Academy* 56 (1970). For Foot, unlike Anscombe, this is an argument against the reality of moral obligation, as it was for Nietzsche.

<sup>6</sup> P.T. Geach, "The Moral Law and the Law of God", *God and the Soul*, London 1969.

<sup>7</sup> C.S. Lewis, *Miracles*, 1947; cf. *Mere Christianity* Part I, "Broadcast Talks" (original title as a separate publication), London (Bles) 1943.

<sup>8</sup> A. Donagan, *The Theory of Morality*, Chicago 1977.

<sup>9</sup> B. Schüller, "*Sittliche Forderung und Erkenntnis Gottes*", *Der menschliche Mensch*, Düsseldorf 1982. Cp. S. Theron, "Duty and the Divine", *Neue Zeitschrift für systematische Theologie und Religionsphilosophie*, 31. Band 1989 Heft 3, pp. 308-326, for discussion of Schüller.

<sup>10</sup> St. John Henry Newman: *A Grammar of Assent* (1870), New York & London (Longmans, Green & Co.), 1947, pp.80-81.

<sup>11</sup> Joseph Pieper: *Die Wirklichkeit und das Gute*, Munich 1963 (7th edn.). M. Rhonheimer: *Natur als Grundlage der Moral*, Innsbruck - Vienna 1987, finds this programme "*methodisch sinnlos und unbrauchbar*" (p.39), a purely practical objection. For criticism, see our *The Recovery of Purpose*, p. 30.

## 12. CONSCIENCE

Conscience might seem to be an ethical concept upon the validity of which all are agreed. In general one might describe it as the sense of what seems right to us. And then it is said that it is right to do what seems right to us, and many want to make that the first duty. "To thine own self be true." But if that is right (to do what seems right) then other things must be right too, and not only what seems right. "There must be such a thing as being in the right if it is possible for a man to think that he is in the right." (G.E.M. Anscombe).

In other words, conscience cannot be made the foundation of a moral system.<sup>1</sup> We have first to understand rightness and goodness before we can start to talk about what seems right and good. We know that we should do good (*bonum est persequendum* etc.) without having to consider (the notion of) conscience, since we consider it good to follow conscience, i.e. this is just one of several duties and we understand goodness in advance of or prior to it.

According to St. Thomas conscience is an act of reason<sup>2</sup>, which commands, rebukes etc. It is distinguished from *synderesis*<sup>3</sup>, the habitual knowledge of right and wrong, i.e. the inalienable "habit of the first principles". He teaches that we are obliged to follow our conscience, even when it is in error: *simpliciter omnis voluntas discordans a ratione, sive recta sive errante, semper est mala*.<sup>4</sup> From this is easily derived the duty to respect the consciences of others, and so St. Thomas teaches, for example, that it is an injustice to baptize the children of Jews against the wishes of their parents.<sup>5</sup>

However, he does not teach that the erroneous conscience as such excuses. This is only the case, i.e. one is only excused, when the ignorance

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<sup>1</sup> Cf. Theron, *Morals as Founded on Natural Law*, ch.2.

<sup>2</sup> Cf. *Summa Theologica* Ia, 79 art.13. Cf. Ia-IIae 19, 5&6. Cf. Leo Elders, "St. Thomas Aquinas' Doctrine of Conscience", *Lex et Libertas*, Vatican 1987; S. Theron, "On Being So Placed", *New Blackfriars* September 1980 (Oxford).

<sup>3</sup> Cf. Ia 79, 12.

<sup>4</sup> Ia-IIae 19, 5. Whenever our will goes against our reasoning, whether the latter be right or in error, then our will is bad, i.e. we act badly.

<sup>5</sup> IIa-IIae 10, 12.



involved is not culpable, e.g. "invincible" ignorance due to ancestral prejudice etc. That is, the ignorance must not be a result of negligence as, it seems implied, is often the case. Thus the involuntary error of Oedipus, in unwittingly marrying his mother, would be excusable, but not that of a man who did not know the law that one should not marry one's mother, because, according to St. Thomas, one is expected to know the law of God.<sup>6</sup>

He implies that the ignorance involved is often culpable, and where that is so then the man (or woman) cannot do right either way until he or she reforms his conscience. But where this is possible the person is not *perplexus*, i.e. there is a way out. So conscience is not here an alibi for everything, and normally one is responsible for it not being in the wrong. We are responsible also, normally speaking, for our opinions. This set of ideas might profitably be applied, both generally and within theology, to the modern problem of the diversity of cultures.

It is in general important to clearly distinguish toleration of error from what is no more than a due respect for the opinions of others in matters of which one is oneself uncertain. Respect for a conscience understood to be clearly erroneous depends on the dignity of each person and the consequent duty not to force upon him the (possibly further) moral evil of acting or speaking against his conscience, i.e. against the judgment of his mind. This, again, does not apply in matters of legitimate obedience to a superior<sup>7</sup>, as if permitting just any form of "sincere" rule-breaking. In that sense the sinner or wrong-doer is always sincere, and the more sincere he is the more unrepentant and hence sinful he is. But the different moral attitudes we here quite rightly distinguish often mix bewilderingly with one another in real persons, ourselves first. So we seldom get even as far as seeing "the beam in our own eye". That, however, it should be said, has little to do with the ethical discriminations attempted here.

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<sup>6</sup> *Error iste provenit ex ignorantia legis Dei, quam scire tenetur.* Ia-IIae 18, 6.

<sup>7</sup> For example, a Catholic, *qua* Catholic, has no legitimate argument from conscience against any teaching of the Church in faith or morals, since the authority and infallibility of the Church in these matters, as Newman noted, is the fundamental, so to say defining dogma of Catholicism itself. He may not reject the one without the other. It would be in another sense of toleration (e.g. as we speak of tolerating prostitution to avoid greater evils) that parents or others might refrain from taking certain active measures, excommunication etc., against such inconsistencies, and not out of respect for conscience. The difficulty is to maintain the difference of the other cases from this, where we do respect conscience, if in the end inconsistency can be proved there too. Hence Islam, as not seeing the difference, claims in principle the right to enforce the law of Allah, as Islam conceives it. But there is not space to resolve this large topic in the present small volume, though we have thought fit to indicate its dimensions.

## 13. THE INTELLECTUAL VIRTUES

After four chapters delimiting the basic matter of ethics, viz. human life and its purpose we introduced the theme of the virtues as being intrinsic principles of a good human life.<sup>1</sup> Prior to development of this theme of the virtues, however, we have concentrated upon the in some sense extrinsic principle of natural law, as being the "metaphysical reflection on the nature of our knowledge of the first practical principles".<sup>2</sup>

Since he is an Aristotelian, however, St. Thomas's ethics is primarily an account of the virtues and vices. Now how do we relate the virtues and vices, which are habits, to moral laws prescribing human acts?<sup>3</sup>

St. Thomas treats of vices (which are habits) and sins (which are acts) together, e.g. in question 71 of Ia-IIae (*De peccatis et vitiis secundum se*), where he straightaway distinguishes them. He says that what virtue is ordered to is the good act (71, 1; cf. 55, 3; 56, 3). Hence in considering what is opposed to virtue he distinguishes sin (*peccatum*) or the bad act from vice (*vitium*, the bad habit),<sup>4</sup> which latter is more directly opposed to the respective virtue in itself (sin is against what virtue is ordered to, viz. good acts), since a vice in anything "seems to be that it is not disposed as it naturally should be." It is a bad habit or disposition. So much, for the present, for the relation between virtue and natural law.<sup>5</sup>

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When we come to the virtues we find that they form a wider category than that of the moral virtues alone. There are intellectual virtues too, which

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<sup>1</sup> Chapter Five.

<sup>2</sup> Lawrence Dewan, *op. cit.* p. 286. Natural law is extrinsic as coming from God, decreed by God. It is intrinsic, however, in so far as man would not be man without this voice of God, knowable as First Cause, speaking within him, just as he would not be man without habits of virtue or vice. To the extent that any virtue depends on grace, however, it proceeds also from an extrinsic principle.

<sup>3</sup> It is interesting to compare the treatment of these matters with that found in the new *Catechism of the Catholic Church*, Part III.

<sup>4</sup> As a third type of opposite to virtue he also mentions *malitia*, evil will, as opposed to virtue when considered in general as a certain goodness (*quaedam bonitas*).

<sup>5</sup> We return to this topic at Chapter Seventeen.

are not moral. This is important for us in ethics, if only because one of the moral virtues, prudence, is also an intellectual virtue.<sup>6</sup>

Virtue, says St. Thomas, is that by which man's activity is perfected.<sup>7</sup> But since this takes place according to reason virtue must be in the rational part (of man). But this (part) is twofold, viz. what is essentially rational, i.e. the intellect, and what is rational by participation, i.e. the (rational) appetitive part or will, also called moral. Hence Aristotle says that there are both intellectual and moral virtues.<sup>8</sup>

All the same, the moral virtues are virtues simply speaking; the intellectual virtues are only virtues in a particular respect (*secundum quid*), i.e. they perfect the intellect, while the moral virtues, as directed to acting well (the moral good), perfect the whole man, since the will determines the use of everything in man. All the same, virtue simply speaking, and not just *secundum quid*, can be in the intellect wherever it has a relation (of being moved or ordered) to will, as in prudence (practical intellect) and also the theological virtue of faith (speculative intellect).<sup>9</sup>

The intellectual virtues themselves (virtues *secundum quid*) are of two kinds, viz. speculative and practical. The former enable the mind to attain truth, and are virtues because truth is the good (*bonum*) of the intellect while virtue, according to St. Thomas, is that which orders to good.<sup>10</sup>

The three speculative intellectual virtues are understanding (*intellectus*), knowledge (*scientia*) and wisdom (*sapientia*). *Intellectus* is the habit of the first principles. From these we reason to ultimate knowledge in a particular field (*scientia*), or with respect to the whole of human knowledge

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<sup>6</sup> It is a virtue of the practical intellect (Ia-IIae 56, 3: *subjectum prudentiae est intellectus practicus in ordine ad voluntatem rectam*, the subject of prudence is the practical intellect as ordered to an upright will), as also is art (*ars*, 57, 3 & 4), itself an intellectual virtue. Art, however, unlike prudence, is not a moral virtue, simply because it has no relation to the will and will is essential for virtue simply speaking, i.e. moral virtue (56, 3). This is because the ability to act well (*agere*), unlike the ability to make (*facere*), depends for its reality, as in its intentional aspect remaining within the agent (57, 4), upon due and constant use (*usus*). But such use is a matter of the will, since it results from the will's being rightly disposed towards those ends of human life and behaviour which prudence, but not art as such, looks towards.

<sup>7</sup> Cf. the definition at chapter V.

<sup>8</sup> Cf. St. Thomas's Commentary on the *Nicomachean Ethics*, lect. 20; cf. NE 1103 a 2.

<sup>9</sup> Cf. Ia-IIae 56, 3.

<sup>10</sup> Cf. Ia-IIae 56, 3: *virtus est quae bonum facit habentem, et opus eius bonum reddit*. The intellectual virtues, apart from prudence and faith, only make the operation of a certain faculty (not of the man) good, which is why they are only virtues *secundum quid*.

(*sapientia*).<sup>11</sup> But *sapientia* is superior as judging even the first principles (both speculative and practical) known by *intellectus*.<sup>12</sup>

After the three speculative intellectual virtues we find that there are two virtues of the practical intellect, viz. art (*ars*) and prudence (*prudentia*). These virtues are intellectual as inclining the intellect to truth about a particular thing to be done (*operabile*). Art in Aristotle is *techne*. Things to be done (*operabilia*) are divided into *factibilia*, i.e. things to be made or produced, and *agibilia*, i.e. actions, things to be done in the narrower sense. Art is concerned with the *factibile* or external work. It is intellectual (i.e. the virtue is) as concerned with perfecting the faculty (of practical intellect), but not moral. However the good use of this perfected faculty would be moral. One can be a genius without being a saint.

*Agibile*, however, refers to internal activity, immanent in the man (or woman). This activity forms the material of morality, which prudence considers. All the same, prudence is an intellectual virtue as perfecting the faculty of knowing and judging what is to be done (*operandum*). In a different way it is also a moral virtue, i.e. according to its matter, since it is defined as *recta ratio agibilium* (right reasoning about what to do). Thus it perfects the faculty of knowing what should be done, and therefore presupposes uprightness of the will (to do what should be done). For it presupposes that we be well-disposed towards the ends of action (in virtue of a right desire).<sup>13</sup> So moral virtue is required for prudence, but not for art (and hence, incidentally, it is possible, though not desirable, to be a professor of ethics without having *prudence*, though one must have *scientia*. This is true if one can know what should be done without being ready to do it).<sup>14</sup>

Hence he is a better artist who knowingly breaks the rules of his art than one who does it by accident, but it is better, on the contrary, to sin by accident than deliberately. This is because uprightness of will is of the essence of prudence (which is hence, again, also a moral virtue) but not of art (a purely intellectual virtue, i.e. not concerned with the will).

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<sup>11</sup> Cf. Ia-IIae 57, 2.

<sup>12</sup> On this important theme, cf. Ia-IIae 66, 2 & 5.

<sup>13</sup> Ia-IIae 57, 4.

<sup>14</sup> Cf. S. Theron: "Practical Science and Practical Knowledge", *Proceedings of the International Congress of Mediaeval Philosophy*, Helsinki 1988.



## 14. THE MORAL VIRTUES

If we assumed that all virtue had necessarily to do with morality then we would be neglecting the wider truth that man's activity in general, i.e. the actualization of his potentialities, takes place according to reason (in which, according to St. Thomas, the will only participates, i.e. the moral will is rational by participation).

What anyhow is morality and what, hence, is its sphere? As custom (*mos, moris*) it might seem to be opposed to natural inclination, though we know that in fact it is precisely according to inclination that custom comes to be ordered. Yet inclination may itself be seen as a custom or habit, while custom too creates a quasi-natural inclination.

In any case the inclination to act belongs in the will, and it is those virtues which have their seat there (rather than in the intellect) which are called moral. The will, after all, has the power to contradict reason and hence a distinct type of virtue is required to subject the will to reason,<sup>1</sup> e.g. by moderating the passions. No further division of virtue, beyond that into intellectual and moral, is required, since intellect and will are the two principles of human behaviour.

The moral virtues can exist without wisdom, science or art, but not without the other two intellectual virtues of understanding (of first practical principles, i.e. understanding as *synderesis*) and prudence. Hence, one can be virtuous without having a "perfect use of reason" in all respects:

whence those who seem simple, in that they lack worldly cleverness, can still be prudent, as said in Matthew, 10, 16: "Be wise as serpents, as simple as doves".<sup>2</sup>

Similarly, some intellectual virtues can exist without the moral virtues, but not prudence<sup>3</sup>, since prudence, as enabling one to reason rightly about particular situations, requires soundness of particular judgment. But this can

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<sup>1</sup> For Socrates, by contrast, all virtues were intellectual, were forms of prudence.

<sup>2</sup> Ia-IIae 58, 4 ad 2um. Socrates' contrary view is discussed in article 2.

<sup>3</sup> Thus prudence forms a kind of hinge, *cardo*, between the intellectual and moral virtues. Hence, since it is first of the cardinal virtues, one could say that just as the other virtues hinge or swing upon them, so they, in turn, hinge upon the intellect.

be corrupted for lack of moral virtue, e.g. the man who sees the bad as good when an inordinate desire overcomes him. That is, he does not in that moment judge rightly about ends (*virtuosus enim recte iudicat de fine virtutis*<sup>4</sup>). Hence Aristotle says: "As a man is, so does the end seem to him" (3NE 5). So the formally intellectual virtue of prudence presupposes moral virtue to its existence.

The passions are not as such hostile to the moral virtues. When perfected these coexist with, for example, the passion of joy, and the good man, like Christ in Gethsemane, says St. Thomas, is also open to sadness, though not sadness about the material of virtue itself. That belongs to the person not yet perfect in virtue, such as the merely continent man for whom chastity remains an effort.<sup>5</sup>

While some virtues, e.g. temperance and fortitude, have explicitly to do with moderating the passions (of the sensitive appetite), others moderate or order not the passions but the operations of the intellectual appetite or will, e.g. justice (which is only concerned with actions).

These distinctions are the basis for the distinctions between the virtues themselves, which, like the precepts of natural law, are specified by the various proximate ends of human nature and its faculties, even though the *finis ultimus* gives unity to morality and the natural law as a whole.<sup>6</sup> Nothing of course prevents individually specified virtues, such as justice, from being further divided, e.g. according to the different types of debitum, to an equal, superior, or inferior (60, 3). Thus virtues are also specified according to the different objects of the various passions (60, 5).

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<sup>4</sup> *Ibid.* art.5. This maxim would of course limit the adequacy of the morally bad ethics professor we supposed above.

<sup>5</sup> Cf. 58, 3 ad 2: *continentia et perseverantia non sunt perfectiones appetitivae virtutis sensitivae; quod ex hoc patet quod in continente... superabundant inordinatae passionibus... Et propter hoc continentia a delectationibus, et perseverantia in tristitiis non sunt virtutes, sed aliquid minus virtute, ut Philosophus dicit in 7, Ethic., cap. 1 et 9* ("continence and perseverance are not appetitive perfections of our sensitive nature, since inordinate passions rage in the continent man... Hence continence in the face of delights and perseverance when discouraged are not virtues, but something less than virtue, as the Philosopher says"). This whole response, much of which I have omitted, repays careful reading.

<sup>6</sup> Cf. 60, 1 ad 3um. St. Thomas relates the plurality of the virtues to the fact that the will, or rather appetite (*appetitus*), can only be rational by various differing modes of participation.

## 15. THE CARDINAL VIRTUES

Certain virtues are called cardinal, because they sustain the virtuous life as hinges sustain a door. We find these four virtues listed, with slight variations, from early times as fulfilling this cardinal or principal role, e.g. in scripture<sup>1</sup>, by Cicero<sup>2</sup>, St. Ambrose<sup>3</sup>, St. Augustine<sup>4</sup>, St. Gregory the Great<sup>5</sup>. One should therefore try to grasp the reality implied by this doctrine and these distinctions.

St. Thomas understands the metaphor of a hinge (*cardo*) as meaning that these virtues are principal, in the sense that all other (human) virtues proceed from them. Accordingly he asks, at 61, 1 (of Ia-IIae), whether it is moral virtues which should be called principal (as source of all good action) in the life of man, and not rather some intellectual virtues. These, after all, pertain essentially to reason, which is the active, formal part of man, whereas the moral virtues, like the will itself, pertain to reason only by participation.<sup>6</sup> The theological virtues, again, might, from another point of view, seem to be more principal, as being ordered directly to God, the ultimate end, whereas the moral virtues are ordered only to those things which help one to the end. This is true, says St. Thomas, but such virtues are superhuman or divine, whereas we are concerned here with human virtue.

Now human virtue, in the full sense, requires right desire (*rectitudinem appetitus*)<sup>7</sup>. That is, it does not only perfect the faculty or ability of acting well (as do *intellectus*, *scientia*, *sapientia* and also *ars*). Virtue, that is, in the full or perfect sense of the term actually causes the good use of such a faculty. Hence such virtues are more principal or fundamental to being a good person. But such virtues, as bearing on the will to act, are the moral virtues (inclusive, however, of prudence which, though formally intellectual, as

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<sup>1</sup> *Wisdom* 8, 7.

<sup>2</sup> *Rhetor. lib. 2 de Invent.*

<sup>3</sup> On *Luke* 6, 8: *Scimus virtutes esse quattuor cardinales* (lit: we know that the virtues are four cardinal ones).

<sup>4</sup> *De Moribus Ecclesiae* 15: *Quadripartita dicitur virtus* (virtue is said to be fourfold) etc.

<sup>5</sup> *2 Moral.* 49: *In quattuor virtutibus tota boni operis structura consurgit* (the whole structure of good action is encompassed in four virtues).

<sup>6</sup> Cf. 58, 2: *omnium humanorum operum principium primum ratio est.*

<sup>7</sup> Cf. 56, 3.



*recta ratio*, is yet moral with respect to its matter, viz. *agibilia*<sup>8</sup>).

Only after establishing this point as to the moral character of the cardinal or principal virtues (Socrates is perhaps the principal opponent here<sup>9</sup>) does St. Thomas tackle the question of whether and why there are four such cardinal virtues. Given that these are moral, he argues, then they are concerned with the good, i.e. with the perfecting, firstly, of practical reason in itself, which gives us prudence. But such virtues are concerned, secondly, with the perfecting of practical reason where it exists as participated, i.e. in the will, both with regard to action, the will to act rightly, which gives us justice, and also with regard to the passions, either as restraining them, which gives us temperance (in the "concupiscible" sense-appetite as moderated by reason), or as holding fast to reason against certain passions, such as fear, which gives us fortitude (in the "irascible" sense-appetite).

The claim is that all the other virtues are reducible to these, which are themselves irreducible. This may be meant, firstly, as by definition alone, in that any virtue, i.e. every habit of acting well or rationally, when it relates to rational consideration as such, may be called prudence; but when it has to do with what is right and due in actions it may be called justice; when it restrains passion it may be called temperance; when it involves constancy in adversity it may be called fortitude.

But there is also, *secondly*, a material or real basis, in addition to the formal basis, for the reduction of all virtues to these four, in so far as they refer to what is most prominent in the defined area. Thus the skill of determining what to do always falls under prudence, which is "preceptive". All objective debts and duties fall under justice. All moderation of sense-pleasure falls under temperance. The facing of death, to which all danger and adversity tends, falls under fortitude.

Yet we may wonder whether (or how far) these virtues are really distinct from one another. For, as Gregory the Great says, there is no true prudence which is not just, temperate and brave, while the same applies to these three in turn; true courage is prudent and so on. We often seem to attribute what belongs to one virtue to another. Thus the temperate man's self-conquest is rightly called bravery, says St. Ambrose.

Now it is true that in one way the cardinal virtues can be taken as merely naming the elements which must be found in any virtuous act. In this way they do not signify a diversity of habits in reality. Any moral act, again, requires a certain firmness (fortitude), a certain due order (justice), a certain reasonable moderation (temperance), plus the initial discretionary judgment

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<sup>8</sup> Cf. 57, 4; 58, 3 ad Ium.

<sup>9</sup> Cf. 58, 2.

(prudence). When the virtues are so taken then prudence alone would seem essentially distinct as belonging essentially to the reasoning prior to the commencement of action.

But, as we have said, these virtues each have a special object or *materia* in which, says St. Thomas, that general condition of virtue described above is specifically praised. So they are diversified by these objects. Thus the cardinal virtues are only denominated from one another by "a certain redundancy". Prudence, for example, redounds upon the other virtues in so far as they are all directed by it. Fortitude, since firm against death, is firm against harmful pleasures and, in reverse, temperance preserves courage from foolhardiness. This is the redundancy upon one another of habits in themselves distinct, even if they cannot exist apart from one another.

Granted their diversity we might ask, firstly,<sup>10</sup> how far these virtues are found in an exemplary way<sup>11</sup> in God. The divine mind, if considered as practical providence, seems then to be prudence, while the divine self-affirmation corresponds to conformity of desire to reason (temperance), the divine immutability to fortitude; divine justice is clear to view. St. Thomas is here looking in the divine nature for causal analogues of the virtues as realities.<sup>12</sup>

Secondly, these virtues can be political, inasmuch as man uses them in the necessary affairs of society. Thirdly, as *virtutes purgatoriae* (purgatorial virtues) they structure man's search for the divine, the *finis ultimus*. Here prudence rejects what is less than this and directs man wholeheartedly to God, temperance "uses the world as though it used it not" (St. Paul), fortitude helps us not to be terrified by the Cross, while justice consents to the whole divine plan. Fourthly, what of the virtues of the souls in heaven (*virtutes purgati animi*), St. Thomas asks.<sup>13</sup> He answers: prudence knows only the divine, temperance knows no earthly desires, nor fortitude passions, while justice associates with and imitates the divine mind.

This applying of the general fourfold scheme to four such specifically different areas (though three of them be in some way theological) serves to

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<sup>10</sup> As Peter Geach does in his *The Virtues* (Cambridge 1977).

<sup>11</sup> I.e. exemplary in the Platonic sense of a more absolute way of existing.

<sup>12</sup> Geach denies that temperance, in particular, can be attributed to God. He also denies that chastity and sexual morality come under temperance, as they do according to Aquinas and the tradition.

<sup>13</sup> 61, 5. If this article is compared with 65, 2 ("Whether the moral virtues can exist without charity") then it would seem to be the mind of St. Thomas that also the "political" virtues, i.e. those with which we conduct the affairs of this life in society, are not truly virtues except where they are infused, i.e. by grace, without which there is no charity (a theological virtue, and form of all virtues, even of prudence).

underline its objective basis in a fourfold reality, this in turn helping to explain the unanimity of the tradition.

## 16. THE THEOLOGICAL VIRTUES

P.T. Geach's set of lectures, *The Virtues*, offered a new treatment of this neglected theme.<sup>1</sup> Presenting the virtues as those habits which men need to fulfil themselves in life, Geach took the revolutionary step, as a professor of philosophy, of including the theological virtues of faith, hope and charity together with the usual four cardinal virtues in his treatment of the topic. Usually they would be considered to fall outside the range of philosophical ethics. Geach says of the theological virtues:

and from despair that would make them give up pursuit of the end.<sup>2</sup> if all men can attain their last end, but only by making right choices, then they need faith, in order to hang on to the right view of things even when it seems too good or too bad to be true; and hope, to preserve them from presumption that could lead them to ignore dangers

However he admits that "The need of men for faith, hope and charity could only be established by a far more specific determination of man's end,"<sup>3</sup> i.e. more specific than is usual (or possible) in philosophy. Whatever we think of his attempt to at least partly detach faith and hope from any definite Christian belief-content, at least potentially, his account witnesses to a certain double vision in our historic Christian centres of learning. Especially since the Renaissance and Enlightenment philosophy and theology have represented two competing visions of things, not ordered to one another.

Such disharmony calls for resolution, and one response was that of Hegel who, so to say, philosophized theology in theologising philosophy. That is, he identified theology and "first" philosophy as, *mutatis mutandis*, Aristotle had done. Religion and philosophy, differing in form, were one in content. This in general has been the way of the modernists<sup>4</sup> and "demythologisers", as it has been for the proponents of the rationalist

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<sup>1</sup> P.T. Geach, *The Virtues*, Cambridge 1977. On the neglect as extending way beyond "analytical" circles cf. S. Pinckaers, *Les sources de la moral chrétienne*, Paris-Fribourg 1985.

<sup>2</sup> *Ibid.* p. vii.

<sup>3</sup> *Ibid.* p.17.

<sup>4</sup> The term refers specifically to the heresy called "modernism" condemned by the Catholic Church (in the person of Pope Pius X) in 1907.

ideologies in general, though Hegel himself condemned rationalist Enlightenment, which had no use for faith or for "revelation" (he substituted a "scientific" concept of this for Scriptural immediacy, the method, after all, of theology generally, one might plead) as itself irrational<sup>5</sup>. Geach seems despite himself to tend in that direction, since he presents a version of faith and hope which have a reduced dependence on faith proper and on revelation as things set in irreducible duality against so-called "reason alone", to use Kant's titular phrase. For Hegel, as for St. Thomas, mind as such is unbounded, infinite.

We can see that a virtue may be needed fulfilling the role that medieval theology gave to faith; McTaggart, whose view of man was very different from a medieval Christian's, in fact used the name "faith" for the virtue that enables us to hang on to a right view of things when we have once attained it and not to be deflected... It is easier still to explain what virtue the role of hope may have.<sup>6</sup>

On charity, however, Geach will not be drawn in this direction:

Love of our neighbour for God's sake, charity is to be prized only if there is a God: otherwise it is a pathetic delusion... The word "charity" bears other senses, but it is dubious whether in these senses charity is a virtue at all. If charity is love of God above all things in this world....

One has, though, to go further than this "above". The "upward spring" to God, to the Idea, "annihilates" the world *in esse et posse* (Hegel, *Encyclopaedia* 50). Indeed it seems quite true that there is a connection between even secular virtue and some kind of hope. Acting virtuously shows that we hope for something, i.e. that we have an end in view, "above" surrender to sensual pleasure or an easy dishonesty. But should these two be coupled? Note that the picture-element in "surrender" here implies an abandonment or at least shelving of hope. Yet hope in what is represented as future rather resolves itself into hope that one has true faith, that one's act is "of faith", such faith in turn being not abstractly separate from love. There is "a time to love and a time to die". That is the ever new liberty of spirit celebrated by St. Paul and finding logical vindication in Hegel's and indeed, if differently, in Aquinas's writings. For each, whether by analogy or dialectic or both, the same is the same and not the same as the different..<sup>7</sup>

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<sup>5</sup> Cf. G.W.F. Hegel, *The Phenomenology of Mind*, VII C.

<sup>6</sup> *Ibid.* p.18.

<sup>7</sup> See our seven volumes of Hegelian theology published by Cambridge Scholars Publications, especially the first, viz. *New Hegelian Essays* (2012).

"What does it matter?" we say. Rather than risk all for all we give up the future. But if Christianity is true then, it might seem, we cannot go further down this Hegelian path, i.e. the path of philosophizing theology. But neither, if we consider, can we tolerate the disharmony by admitting, except when we are sitting in church, a naturalistic view of things in which Christianity plays no part. Hegelian philosophy might be the truest account of Christian revelation (it includes a monistic or non-dualist thematisation of the very notion of revelation, under that of speech as concept, interior *word* as what God is, viz. revelation, in what is a Trinitarian and yet philosophical account (he situates philosophy as *höchste Gottesdienst*, as "first" and as *theologia* (Aristotle) indeed. Similarly the element of risk of one's life is emphasised.

For St. Thomas, anyhow, reason can never contradict faith. The dualism is thus far limited. We saw earlier that, in contrast to Aristotle, he claims that it is necessary to have a knowledge of what the end of life actually is in order to live virtuously. Aristotle only shows that there must be a last end, which appears differently to different people. He has a theory of what it is, but does not insist that virtue requires that it be known.

In the *Summa Theologica* this idea is confirmed and taken further.<sup>8</sup> Here St. Thomas contrasts the infused virtues with the acquired virtues. Infused virtues are only intelligible under the Christian scheme of grace, while acquired virtues are habits developed by man outside of this scheme. The early Protestants denied that there were any such acquired virtues: good works performed before conversion were actually sins, a view condemned by the Council of Trent.

St. Thomas brings out what truth might have been aimed at in these extreme views when he says that the acquired virtues are only virtues in a modified sense (*secundum quid*). It is the infused virtues which are really or *per se* virtues, virtues *simpliciter*. This of course refers not only to the theological virtues but to the cardinal virtues infused at baptism (and operative whenever fallen nature opposes no hindrance to them). His reason for this view is, again, the need for knowledge of the end as specifying virtue:

It is much more required for right reason, i.e. for prudence, that a man is well orientated towards life's ultimate end, which is achieved through (supernatural) charity, than that he should be well orientated towards subordinate ends by means of the moral virtues. In the same way a right speculative reason needs the first indemonstrable principle, which is that

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<sup>8</sup> St. Thomas mentions it in his *Commentary on the Nicomachean Ethics*, Bk. 1, lectio 2.

contradictories are not simultaneously true... It is therefore clear that only the infused virtues are perfectly virtues and to be called virtues simply... The other virtues, i.e. the acquired, are virtues in a certain respect (*secundum quid*), but not simply...<sup>9</sup>

This is why, St. Thomas goes on, we read in *Romans* 14, 23, that "Whatever is not of faith, is sin," and he cites St. Augustine's comment that "where acknowledgement of truth is lacking, there virtue even amid the best customs is false."

So, for St. Thomas, knowledge of man's supernatural end and possession of charity as form of the virtues parallels, in right (*recta*) practical reason, the principle of non-contradiction in speculative reason. At Ia-IIae 94, 2, this latter is paralleled, by contrast, with the first precept of natural law. This is because that article is concerned with *knowledge* of practical principles, in the order of specification. In the order of exercise, however, grace is needed and needed even for this knowledge<sup>10</sup>, i.e. of what man's *finis ultimus* in fact is.

We have here what at least *seems* the direct opposite of the Hegelian move. For here philosophy is drawn under the wing of theology and the Aristotelian picture is decisively modified<sup>11</sup>. There can indeed be good

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<sup>9</sup> *Summa Theol.* Ia-IIae 65, 2.

<sup>10</sup> Grace is not needed for the natural knowledge of principles, i.e. for *synderesis*. Such natural knowledge, however, leaves unknown the supernatural nature of man's actual last end, knowledge of which St. Thomas says is needed for the perfect actualization of any virtue. It does however include knowledge of the duty of a total love of God, even though this precept cannot be kept without the (supernatural) grace of charity. Cf. Ia-IIae 100, 10 and also (to take just one text) 109, 3 ad 1um: charity loves God in a more eminent way than nature does. For it is natural (a natural duty) to love God above all things inasmuch as he is the beginning and end of natural good; but charity loves him as the object of (eternal) beatitude, and according to this love man has a certain spiritual friendship with God. Charity also adds to the natural love of God a certain promptitude and delight...

<sup>11</sup> St. Thomas points out, however, that Aristotle himself states, (in 2 *Eth. cap. 7*), that "it pertains to man that he draw himself even to divine things as far as he can" (Ia-IIae 61, 5), which suggests that Aristotle would not have ignored or methodically abstracted from the data of divine revelation. This problem was raised in an acute form among the Islamic philosophers, with Averroes and Algazel at the two extremes, while Avicenna represented a position closer to that of St. Thomas (who of course knew his work). For further discussion of and hopefully elucidation of this question, however, the reader may consult one or more of our seven studies of Hegelian theology *vel* philosophy, also published by Cambridge Scholars Publications, of which the first is entitled *New Hegelian Essays*, Newcastle upon Tyne, 2012.

works before conversion to revealed truth, but no perfection of virtue *simpliciter*. For this grace is needed, charity being the form of all the virtues.<sup>12</sup> The problem is resolved, however, by a proper understanding of Hegel's "thematization" of the concept of an absolute or divine "revelation" to or within spirit (*Geist*) in its human form or *species* (i.e. appearance). Hegel argues that God, the absolute, *is* in himself or herself or itself revelation or unveiling of the veiled, mediated in its very immediacy by that inversion of perception he identifies as self-consciousness. The Thomist slant on this is seen to be a moment of this later Idea, now in turn undergoing or at least ready for absorption in later motions of spirit. Hegel, that is, denied that his must or could be the last word.

If we, however, are presenting a Thomistic picture of ethics then it is important to understand that the picture is essentially theological. It is not to be fitted into the laicist frame so dear to the men of the Renaissance and the Enlightenment. Later scholasticism made many concessions to this frame, often without realising that it was, through its very conservatism, abandoning a unitary Christian outlook.<sup>13</sup> It often accepted the notion of a purely natural ethics as if this could be presented as offering some kind of help to the world, whereas Christianity teaches that grace and supernatural life is needed for this.

So in so far as Aristotle was right in claiming that the purpose of ethics is to make men better we must within ethics take account of at least the possibility of revelation. This is what Peter Geach has done and what for St. Thomas or Newman went without saying. The world today often looks to moral philosophers for real solutions and so there seems little warrant for holding to a scheme which deliberately abstracts from the life of grace, a move necessarily foreign to the Greek philosophers. Indeed it will rather be found that the moral life of itself points to the spiritual and mystical life and that openness to what transcends human nature is a property of that same nature, as much modern philosophy confirms.

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<sup>12</sup> The reality of *fides implicita* and "baptism of desire" does not imply modification of the assertion of the priority of infused virtues with charity *circa ultimum finem*. Besides the distinction between *habitus* and *usus* (of virtues), applied to baptized infants, there is also a distinction between "invincible ignorance" and assertion of falsehood, applicable, we have said, at the unsearchable level of a speaker's intention. If there were to be any modification it could only be of the notion of conversion mentioned in the text as if in necessarily discernible connexion with a before and after.

<sup>13</sup> Just like the "two truths" Aristotelian theorists prior to the Thomistic synthesis. In general, to cite the evangelical simile, new wine bursts old bottles. On this topic, and that of a "Christian civilization", see Maritain, *op. cit.*, pp. 119-132.



The theological virtues, unlike the others, have God for their immediate object. They are needed as ordering man to his last end, supernatural beatitude (Ia-IIae 62, 1). Reason and will, for their part, are ordered to God or *summum bonum* as the principle and end of nature, but do not suffice to order man to God as object of supernatural beatitude (*ibid. ad 3um*). Having this object makes these virtues specifically different from both the moral and the intellectual virtues, which indeed might be seen, accordingly, as mere representations, albeit necessary “picture ideas” (Hegel) for the here and now. Virtue in fact, philosophy shows, finds its proper place, there alone freed from falsifying abstraction, in “thought thinking itself”, according called “first” or philosophy *per se*. There can be no finally separate moral motive or value, such *bonum honestum* only thus called, in the minds and clear teaching of these three metaphysicians (Aristotle, Aquinas, Hegel), as leading to the *summum bonum*.

The theological virtues, faith, hope and charity, play a role analogous to that played by the natural inclination to good and by the naturally known principles with respect to the natural end of human nature. Instead of the first principles of intellect we have the propositions of faith, while corresponding to the natural inclination to the good of reason we have hope. To the connaturality of this good of reason with the will (which motivates or even brings about the inclination) corresponds charity, mother and root of all virtues (*art. 3* here).

These virtues achieve their own perfection in the operation of the gifts and fruits of the Holy Spirit (Q 68). These fruits include the beatitudes enumerated in the Gospel (Q 70, 2). Here we have St. Thomas's theory of perfect happiness insofar as a beginning of it can be found in this life, at least among perfect (lit: perfected) men and women. It is *aliqua inchoatio beatitudinis, sicut est in viris perfectis* (69, 2).

This shows plainly that such beatitude, the rewards promised (kingdom of heaven, inheriting the earth, comfort, fullness of justice, contemplation and connaturality with God), is the crown of ethical endeavour. This imperfect beatitude plays much more of a functional role in St. Thomas's view of the good life than the imperfect (civic, acquired) happiness (*felicitas*) of active virtue often mentioned in his treatise on the Last End.<sup>14</sup> Nothing might seem to show more clearly how different his view is from

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<sup>14</sup> It would seem that if, as we have established, he sees acquired virtue only as virtue *secundum quid*, then the happiness which would be built solely and by definition upon this would itself only be happiness *secundum quid*. It does not therefore seem open to one to say that this happiness is the one to be considered in philosophy, thought of as "secular", if its propounder does not himself see it as fulfilling the *per se* specifications.

that of Aristotle. Yet the aim, there too, remains a kind of happiness, a *eudaimonia*. The ethics are teleological, given for a good purpose. Anyhow, ethics and the spiritual life belong together. The one cannot be used to criticize the other. We offer here, in fact, a “genealogy of morals”, with which indeed Nietzsche’s thought, sympathetically interpreted, is not entirely out of line either. As in Hegel we thus find there a pivotal role being given to “pardon” or forgiveness as, in the later thinker’s picture, “a rainbow after long storms”, ultimately the sun itself, however, as the rainbow image nicely if unconsciously captures.



## 17. NATURAL LAW AND THE ACTS OF THE VIRTUES

We should now treat of each of the four cardinal virtues in particular. First, however, there is a certain gap to be filled, in that we passed rather too abruptly from a consideration of duty, natural law and conscience to a consideration of the virtues. These two aspects of ethical theory need to be integrated, as is not always the case. It is clear that for Kant, for example, virtue is not important as a philosophical concept serviceable for the "metaphysical" (his term) explanation of ethical reality. In later "analytical" moral philosophy it is even clearer that the essentially ethical is thought of on the analogy of giving an order, so that reason, for example, dictates to the subject after the manner of a universal law-giver.<sup>1</sup>

The alienation of reason from the self in this manner, wherever put as more than a moment, is already a departure from the profundity of the tradition. We remember, for example, that St. Thomas spoke of the order of the precepts of natural law being according to the order of the inclinations of human nature,<sup>2</sup> a thought seemingly quite alien to Kant, and doubly so when St. Thomas combines this with the repeated assertion that natural law is in fact the law of human reason, i.e. just Kant's characterization of it. But St. Thomas gives us an explanation, a justification rather, of his view, for example where he asks the question, closely connected with our main enquiry here, whether all the acts of the virtues are of the natural law.<sup>3</sup> We remember here, incidentally, that whereas virtues are habits, natural law is

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<sup>1</sup> This was the point of entry of P. Foot's criticism, cited earlier (cf. our *Morals as Founded on Natural Law*, pp. 43-49). One calls "someone good because of what one believes one has recognized in him. This that one can recognize can only be the disposition or habit we call a virtue" (p.51). So one should go even further than Foot, when she shifts the emphasis in ethics from principles (judgments, i.e. Aristotle's second act of the understanding) to concepts (first act). We should focus on the reality conceived, so as to see that the "collection" of virtues and vices is not, as she says, "haphazard", but an ordered structure in (human) nature. Otherwise we still remain at the rationalist level of discourse about morals, i.e. we confuse truth and being, concept and thing.

<sup>2</sup> *Summa Theol.* Ia-IIae, 94, 2.

<sup>3</sup> *Ibid.* 94, 3.

not itself a habit but consists of precepts concerning things (or *bona*) to be done (*facienda*, sc. *agibilia*) or pursued (*persequenda*). Hence it could only be acts of the virtues, not the virtues themselves, which might coincide with the natural law (unless we can say that a virtue itself is to be pursued<sup>4</sup>). St. Thomas writes:

it was said (94, 2) that everything to which man is inclined according to his nature pertains to the law of nature. But anything whatever is naturally inclined to the operation which belongs to it according to its form (*formam*), as fire inclines to heating. Whence, since the rational soul is the proper form of man, there is therefore an inclination in any man to act rationally; and this is to act virtuously. Hence, according to this, all the acts of the virtues belong to natural law, for his own reason naturally dictates to anyone that he should act virtuously.

Everything in this text (of Ia-IIae 94, 3) falls into place with a kind of obviousness as natural as the nature described, provided we accept the substantive, in some way astonishing premise that "the rational soul is the proper form of man", that is, the soul of which intellect and will are the powers, as flowing from its immaterial substance. This is the view that is seemingly foreign to Cartesian (and hence Kantian) philosophy, according to which reason is totally and even definitionally separated from the extended quantities and bodies which it studies, bodies which need no form outside of their own measurements, least of all an intellectual and self-subsisting form, in order to make them what they are.

Reason then, for St. Thomas, gives man his very self (*forma dat esse*). It is, as natural, not alien to him. The importance of this for ethics was stressed again by Pope John Paul II (K. Wojtyła), himself no mean philosopher, in *Veritatis Splendor*:

A doctrine which dissociates the moral act from the bodily dimensions of its exercise is contrary to the teaching of Scripture and Tradition... the true meaning of the natural law... is the person himself in the unity of soul and body, in the unity of his spiritual and biological inclinations (49, 50).

So reason unites law and the acts of the virtues. But how does it do this? Our text in fact refers to just one inclination, to acting virtuously or rationally, though it mentions that the natural law includes the others. In this way the law might seem more extensive than virtue.

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<sup>4</sup> The distinction between acts and their ends in relation to what is obligatory is discussed later in the present chapter.

On the other hand we find, in St. Thomas's treatment of the virtues, that at the end of his treatise on each virtue he has a section on the precepts of that virtue. In fact, under just one virtue, justice, he includes all the precepts of the Decalogue. So all virtues come under one precept (to act rationally), and all precepts come under one virtue (justice). How is that possible? It at least requires a certain coextensiveness of law and virtue after all (tempered no doubt by a measure of equivocation upon our phrase "come under").

Before we go any further we should remind ourselves of a simple fact. Law, for St. Thomas, belongs to reason. The moral virtues, on the other hand, belong to the will as participating in reason.<sup>5</sup> So how far we are able to distinguish law and virtue depends in a sense upon how far we are able to distinguish intellect and will. The distinction is clearer in St. Thomas than in the great Greeks, and this is largely due to St. Augustine. We remember that for Socrates virtue was knowledge.

In explaining how precepts fall under a virtue St. Thomas says that

law is only imposed by some ruler (*dominus*) upon his own subjects, and therefore precepts of law (their existence) presuppose the subjection of someone receiving the law to him who gives the law.<sup>6</sup>

He also states clearly that

since precepts are given concerning acts of the virtues any act falls under precept insofar as it is the act of a virtue.<sup>7</sup>

It is clear then that law introduces the aspect of obligation, which in the treatment of the virtues we only meet at one particular place, viz. the treatment of justice:

it is most manifest that the notion of obligation (*ratio debiti*), which is required for a precept, appears in justice, since this is essentially other-directed (*ad alterum*). For in those things which are for one's own benefit one appears at first sight to be free from constraint in what one chooses to do; but in relation to others it is most clear that we are obliged to give them what is due to them.<sup>8</sup>

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<sup>5</sup> Even the intellectual virtues, as habits, are distinct from the rational principles of the law. Thus the virtue of *intellectus*, which is the habitual understanding of first principles, whether speculative or practical, is in the latter case *synderesis*, the habit of (the principles of) natural law, not this law itself (Ia-IIae 94, 1; cf. Ia 79, 12).

<sup>6</sup> IIa-IIae 16, 1.

<sup>7</sup> *Ibid.* 44, 4.

<sup>8</sup> *Ibid.* 122, 1.

So, certainly, there is one virtue, justice, concerned with fulfilling one's obligations, but we need to ask: how do obligations come into the picture? We might think that virtue alone is needed for the good life, inclusive of course of the virtue of paying to others their due, either financially or otherwise. But here the whole sum of moral activity is seen as coming under an obligation, presumably to God as law-giver.

One can reasonably wonder why courses of action should be obligatory in this transcendent way. Even a believer in God might wonder this, wonder if some huge extrapolation from social relations has not been made here<sup>9</sup>. We may note that St. Thomas makes religion as a virtue a part, the noblest part, of justice.

Here it is the theory of the end or ends that is crucial. *In humanis autem actibus se habent fines sicut principia in speculativis*.<sup>10</sup> The basic principles of human action, that is to say, are the ends pursued, and it is upon these that the Thomistic account of obligation rests, just as those habits are virtuous, and hence good, which human beings need to attain their ends.

In distinguishing the necessity of compulsion and the necessity of obligation St. Thomas speaks of the necessity of an end, a precept (for its part) only being necessary *quando scilicet aliquis non potest consequi finem virtutis, nisi hoc faciat*.<sup>11</sup> This shows already that it is primarily the end that is obligatory. The primary or *per se* duty (*debitum*) is *id quod est finis, quia habet rationem per se boni* (the end itself, because definitionally this is the good pursued).<sup>12</sup> The action, on the other hand, as *id quod ordinatur ad finem* (that which is ordered to the end), is a duty only *propter aliud*.<sup>13</sup> This passage occurs in an argument for the primacy of the precept of charity, the end being union with God, which is variously impeded by things which are

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<sup>9</sup> Compare N. Berdyaev's ideas on "sociomorphism", e.g. in his *Slavery and Freedom*, 1944.

<sup>10</sup> Ia-IIae 57, 4. "In human acts ends play the role that principles do in speculative matters." It follows immediately that practical principles do not play this role, and so are not the same kind of thing as speculative principles. There must therefore be an analogy in operation in St. Thomas's paralleling of the two sets of principles at Ia-IIae 94, 2, sufficiently indicated, after all, by the fact that practical reasoning employs the principle of non-contradiction, whereas speculative reasoning does not employ the principle *bonum est persequendum*, however this may guide the person choosing to reason.

<sup>11</sup> IIa-IIae 58, 3 ad 2um: i.e. when someone cannot attain virtue's end unless he acts in this way (according to the precept).

<sup>12</sup> The appearance of utilitarianism is illusory. Every action has a built-in end (its *objectum*) specifying it, which no programme or more general end may erase from reality.

<sup>13</sup> IIa-IIae 44, 1.

in consequence forbidden.

Also in the justification of prudence as a virtue St. Thomas speaks of *electio recta*, right choice, which, to be right, must first choose the due end (*debitum finem*), second what is ordered to the end, viz. virtue in the will perfected by the habit of reason (*habitus rationis*), knowledge of the natural law being implied.<sup>14</sup>

Now these ends, we have seen, are those things to which we are by nature inclined. Such inclinations, as pertaining to our appetitive power, are not so much habits as the beginnings or natural starting-points (*inchoationes*) of habits, as it were *seminalia virtutum*.<sup>15</sup> It is they, their hierarchical order in human nature, which determine the order of our duties, precisely because inclination and duty coincide in each and every natural end.<sup>16</sup> Prior to legal formulation there is a *ius* and a *iustum* within nature itself, failing which indeed legislative reason would be falsified or rendered totally irrelevant to any serious praxis: *lex non est ipsum ius, proprie loquendo, sed aliqualis ratio iuris*.<sup>17</sup>

This, however, gives answer only to the question of what, what kind of entity, is obligatory, viz. that it is ends that we should pursue, not the performance of certain actions *in vacuo* (as if we were indeed nothing but actors on a stage, "merely players"). The further question, as to why, or how, such an end and its pursuit can be obligatory, refers to human nature as being in the divine image and has been touched upon above.<sup>18</sup>

It is paradoxical that the rationalist and enlightened ethics of Kant and his successors, such as R.M. Hare, should fasten on obligatory actions after the manner of what Nietzsche called a slave morality of obedience, albeit to reason, reason seen however very much as an extrinsic or alien power when no longer seen as *forma corporis* (why did romantics or the Fascists wish to revolt against reason, if this were not so?). St. Thomas, on the contrary, can show the rationale, the reasonableness and naturalness, of obligation and why the obedience which it requires in no way alienates us from ourselves but rather fulfils us.

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<sup>14</sup> Ia-IIae 57, 5.

<sup>15</sup> Ia-IIae 51, 1; cf. 63, 1 (and Ia 115, 2).

<sup>16</sup> We are speaking throughout of the inclinations of our whole and hence rational nature, not disordered impulses of unintegrated parts of it. It is natural to man to be rational (and even to apply the requisite discipline or education to that end).

<sup>17</sup> IIa-IIae 57, 1 ad 2um. I.e. law is not the just thing or right itself, properly speaking, but a certain formal intelligibility or expression of the right. *Ius* stands to *lex* as matter to form (cf. Theron, "Precepts of Natural Law in Relation to Natural Inclinations: a Vital Area for Moral Education", *Anthropotes* 2, Rome 1991, pp. 172-187).

<sup>18</sup> Cf. Maritain, *op. cit.* chapter 5.





## 18. PRUDENCE: THE UNITY OF THE VIRTUES

Instead of an exhaustive systematic treatment of each of the four cardinal virtues we shall take up, under each of the four heads, some aspect of particular interest which yet will illuminate the general character of the virtue in question. This is the nearest one can come to general treatment, in an average sized volume such as this, of material which covers the whole of human behaviour.

Under prudence first, then, falls the question of the unity of the virtues. According to St. Thomas, it would appear, all the acquired (as distinct from the infused) virtues are connected in such a way that he who lacks one virtue can have none of the others perfectly.<sup>1</sup>

This thesis meets with opposition from modern analytical philosophers generally sympathetic to Thomism such as P.T. Geach or A.C. MacIntyre. The latter's argument depends on the assumption that Aquinas denied that there could be any virtue at all in the morally flawed person.<sup>2</sup> Against this MacIntyre points out that a Nazi, say, would need moral re-education in charity and humility but not in courage. This, however, is not self-evident, while it is anyhow not true that Aquinas taught that there was no virtue at all in morally flawed persons. For one thing he distinguished between perfect and imperfect virtue (as MacIntyre fails to do here), notably at the beginning of just the response where the thesis is asserted: *virtus moralis potest accipi vel perfecta vel imperfecta*.

Imperfect virtue he equates with a natural or acquired inclination,<sup>3</sup> such as might cover the customary behaviour of Nazis or, say, those who might become "prompt to works of liberality, who nevertheless are not prompt to works of chastity."

Before we consider Aquinas's argument concerning perfect virtues and their unity, however, we will consider Geach's objections to the position.

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<sup>1</sup> *Summa Theol.* Ia-IIae 65, 1.

<sup>2</sup> Alasdair MacIntyre: *After Virtue*, London 1981, p.166f. In later work MacIntyre appears to have come closer to Aquinas's position.

<sup>3</sup> Such inclinations, we saw in the previous chapter, are mere starting-points (*inchoationes*) upon which the virtue can be built.

Geach sums up Aquinas's argument<sup>4</sup>, saying that the conclusion that "all the virtues stand or fall together" (*sic*), is "both odious and preposterous". It means that "if a man is manifestly affected with one vice, then any virtue that he may seem to have along with his vice is only spurious, and really he is vicious in this respect too." Against this he cites the "apparent teaching of human experience all the world over that a man may be very laudable in some respects and very faulty in others."

Now if the above were the teaching of Aquinas, then he might seem in agreement with classical Protestants such as Baius, who taught that "all the works of unbelievers are sins, and the virtues of the philosophers are vices," or Johann Huss, who wrote that "if a man is vicious and does anything, then he acts viciously." Yet the former proposition was condemned by Pope St. Pius V, the latter by the Council of Constance (1415), authorities that nonetheless had no difficulty with Aquinas's teaching on this point. In fact he teaches that the acquired virtues (not the infused) are able to exist without charity<sup>5</sup> (just as he and Geach agree is the case with the theological virtue of faith).

Much depends on the distinction between acquired, imperfect virtues and infused, perfect virtues which are infused with charity<sup>6</sup> and depend upon it (as its effects<sup>7</sup>). Now of course these infused virtues "stand or fall together", for theological reasons which Geach hardly goes into, though he shows awareness of the distinction when he says that "all virtues, however, are in the end vain for a man without the theological virtues" (p.168), or when he asks: But, after all, what good is such imperfect virtue? Is it not really spurious virtue? Not necessarily. Yet by imperfect virtue here, context suggests, Geach does not mean acquired virtue as such (the sense that Aquinas gives to the phrase), but something such as a vice of laziness working only quasi-virtuously to moderate a man's other vices.

In fact the only challenging example we find for his position, as critical of Aquinas, is the appeal he makes to the need for moral virtue if one is to succeed in science or art, many paragons of which, he implies, have been notorious for particular vices. But whether these are not spurious virtues (as used in the art of theft) is just what needs to be proved in each case, while enquiring whether a man "pursues good ends" is far too simple a test, if one

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<sup>4</sup> P.T. Geach, *The Virtues*, p.164.

<sup>5</sup> Ia-IIae 65, 2.

<sup>6</sup> According to a habit which may or may not be used, says St. Thomas (it cannot be used, for example, by infants until long after they have actually received it in baptism).

<sup>7</sup> *Ibid.* 63, 3.

is to stop at the outward achievement.<sup>8</sup> We hear of politicians of whom it emerges at the end of their lives that they sought achievement in the socialist movement merely because there was someone on the right whom they could not hope to outshine. Yet they may have done as great things for their country as the old Roman whom Geach cites did for the Republic.<sup>9</sup>

But Geach here cites the *Summa* of Aquinas at IIa-IIae 47, 13 (*Utrum prudentia possit esse in peccatoribus*) as if Aquinas there speaks against the unity of the virtues which he elsewhere affirms. Far from this, however, Aquinas rather confirms the thesis, saying that a prudence which judges rightly over the whole of life but which fails in some point accordingly to command (*praecipere*) is only found in a bad man. But we must be clear that the talk is here of infused prudence, since only this can rightly judge of the end of life as a whole, this being supernatural:

*prudentia... vera et perfecta, quae ad bonum finem totius vitae recte consiliatur, iudicat et praecipit; et haec sola dicitur prudentia simpliciter; quae in peccatoribus esse non est*<sup>10</sup> (i.e. in people who have any one settled vice, or in the sinner at the time that he sins).

This is the point in the argument which Geach contests, saying that "There is a tacit assumption that if a man's habit of sound moral judgment is vitiated anywhere it is vitiated everywhere." In other words,

corrupt habits of action in any area will destroy the habit of prudence. But no behavioural virtue is a virtue at all unless behaviour is regulated by prudent judgments. So loss of any one behavioural virtue is ruinous to prudence, and thereby to any other behavioural virtue.

This is indeed the substance of Aquinas's argument (for the unity of the infused virtues), who says that no virtue can be had without prudence because "it is proper to moral virtue, as an elective habit, to make a right choice,"<sup>11</sup> for which is needed not only that inclination to the due end which is immediately proper to any moral virtue (in its particular matter), but also

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<sup>8</sup> Particularly important here, if one is not to caricature Aquinas's position, is the difference between actual sin, repeatable through weakness, and habitual vice. See below in text.

<sup>9</sup> One may take Shakespeare's Brutus as an example of what moral complexities may be involved.

<sup>10</sup> "True and perfect prudence, which rightly deliberates in favour of a good achievement of the whole life, judges and commands; and only this is called prudence *simpliciter*; which is not able to be in sinners."

<sup>11</sup> Ia-IIae 65, 1.

the effective choice of whatever is needed for that end, "which happens through prudence, which is consiliative, judicative and preceptive" of such a means. But this prudence in turn cannot be had without all the moral virtues, since it is *recta ratio agibilium* in general, and such a rightness depends upon recognition of the due ends sought by the virtues. Yet Aquinas explicitly says that imperfect prudence, judging rightly about a particular end (Geach's science or art) only, or failing, perhaps through *akrasia*, properly to command (*praecipere*), can be found in sinners<sup>12</sup>, just as imperfect virtue (in his sense) can there be found, which hardly seems "odious and preposterous".

Let us then summarise the position of St. Thomas. He teaches that virtues are only truly and perfectly such which look to the supernatural end, informed by charity, and are hence infused. Acquired virtues are virtues imperfectly only, and these are not necessarily connected. Hence even perfect prudence is infused and cannot exist without charity.

An acquired virtue is compatible with serious sin, since the *use* of a habit possessed (the virtue) is subject to our will: *Neque unus actus peccati tollit virtutem*.<sup>13</sup> But St. Thomas might just be thought to envisage the possibility of sin even against an infused virtue, when he qualifies the incompatibility of mortal sin with such virtue by saying *maxime si in sua perfectione consideretur*.<sup>14</sup>, especially if it be considered in its perfection.

Such sin is not the same as habitual vice. One may sin, at least venially, against an infused virtue<sup>15</sup>, but it is not possible to have a habitual vice without total corruption of such virtue. Vice, after all, depends as much upon settled choice and will as does any virtue, while repeatedly committed and repented sin does not of itself amount to a vice (*habitus non est simpliciter plures actus*<sup>16</sup>: a habit is not just several acts). It is the contrary vice which destroys the virtue totally (though any such vice destroys perfect prudence). For the fact that the virtues are interconnected does not mean that they are all connected in equal strength: *potest esse unus homo magis promptus ad actum unius virtutis quam ad actum alterius vel ex natura, vel*

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<sup>12</sup> IIa-IIae 47, 13.

<sup>13</sup> "Neither does one act of sin take away virtue." Ia-IIae 71, 4, *sed contra*.

<sup>14</sup> "Especially if it is considered in its perfection." Ia-IIae 63, 2 ad 2um. The absoluteness of the incompatibility (of mortal sin with divinely infused virtue) here seems to be qualified, unless it is only in respect of the type of consideration brought to bear.

<sup>15</sup> *Ibid.* 71, 4. This article speaks more absolutely (i.e. without the possible qualification noted above) of the incompatibility of mortal sin, considered as excluding charity, with infused virtue, of which charity is the root.

<sup>16</sup> "A habit is not simply a succession of acts." Ia-IIae 71, 3 ad 2um.

*ex consuetudine, vel etiam ex gratiae dono*<sup>17</sup>: a man may be more prompt to an act of one virtue than to an act of another, either by nature or by custom or even by a gift of grace.

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What has been said here would not be complete without recalling St. Thomas's teaching<sup>18</sup> that all previous gifts are restored in the sacrament of penance, which might accordingly be viewed as a return to a lost unity of virtue in whatever degree and not necessarily as "back to square one". In this way the indelible sacramental character and graces on the Christian scheme are analogous to virtues as forming a character not lost by isolated but uncharacteristic acts, just as we have said, looking in the contrary direction, that the moral life is in continuity with the spiritual or interior<sup>19</sup> life, as the doctrine of the beatitudes and gifts itself suggests. The association, however, is found equally in traditions, religious or otherwise, not laying claim to a supernatural intervention, e.g. it is found in Plato. Such an approach, indeed, is implicitly endorsed wherever one presents ethics under the rubric of "the good life". It is endorsed wherever the end itself is viewed as internal to ethics, i.e. as itself constituting, from the side of the possessor, at least, a quality of life and behaviour<sup>20</sup>, as in the Christian hope of divine friendship or the less ambitious Aristotelian ideal of "active" happiness.

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<sup>17</sup> "One particular man can be more prompt to the act of one virtue than to the act of another either by nature, or through custom, or even through a gift of grace." *Ibid.* 66, 2.

<sup>18</sup> E.g. in the *Summa theologiae, pars IIIa*.

<sup>19</sup> I take this term from the traditions of, in the main, French spiritual and mystical literature.

<sup>20</sup> It has been the mark of liberalism to refuse concern with this.



## 19. A FOURFOLD SCHEME

In the previous chapter, studying a selected aspect of the virtue of prudence, we began to directly study the concrete habits needed for the fulfilment of human life. This contrasts with our earlier emphasis upon conceptual analysis and upon metaphysical aspects of the existence of an ethical order in general, its integration into our general philosophy of man and reality.

We should now treat of selected aspects of justice, fortitude and temperance in turn. Before doing that however we will systematically tabulate all the properties of the four virtues according to the underlying scheme used by St. Thomas.<sup>1</sup> The reader or student will then be able to flesh out particular points of special interest to him by consulting the *Summa theologica* or other texts. Having "imaged the whole", he may the better execute, or at least understand, the parts.

The scheme which St. Thomas uses to characterize each virtue consists firstly of the definition. There follows a list and discussion of the "integral" parts of the virtue, of the "subjective" parts and, lastly, of the "potential" parts, terms which will be explained below.

### a) Definitions:

1. Prudence: Right reasoning about actions (*recta ratio agibilium*). Ia-IIae 57, 5.<sup>2</sup>
2. Justice: The habit of giving to each what is rightfully his with a

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<sup>1</sup> Although it would have been more logical to place this tabulation before the chapter on prudence it is from the student's point of view better to have provided him or her in advance with some partial experience of the material to be schematized here. This is especially so in that in our treatment of prudence we have, in view of its overall controlling role, still focussed upon this unifying tendency rather than upon particular topics, e.g. about *gnome*, *solertia* and so on.

<sup>2</sup> Prudence is a habit inclining the intellect to judging rightly according to law (as law has here been explained). It is thus the rule of the other virtues, which therefore presuppose its presence, and is hence "especially necessary for human life" or for "living well". Yet prudence itself presupposes the other virtues, since if they do not direct the will and sense-appetite to the due end then the intellect will not be inclined to judge rightly in the particular case. Prudence itself, as a virtue, is ruled by law and by conscience (these are neither habits nor of themselves efficacious for action).



constant and unchanging will (*habitus secundum quem aliquis constanti et perpetua voluntate ius suum unicuique tribuit*). IIA-IIae 58, 1.<sup>3</sup>

3. Fortitude: A rationally considered undertaking of dangers and endurance of painful labours (*considerata periculorum susceptio et laborum pressio*). Cited from Cicero at IIA-IIae 123, 2.

4. Temperance: moderation in bodily pleasures (*mediocritas in voluptatibus corporalibus*). Aristotle, 3 *Eth. Nic.* 13.<sup>4</sup>

## b) *Partes Integrales*

By this expression is meant the conditions necessary for the perfect act of a virtue, on the analogy of the basic parts of a material thing (*ad similitudinem partium integralium* etc.).<sup>5</sup>

PRUDENCE. Eight such parts can be enumerated (IIA-IIae 49), of which five belong to prudence as knowing (*cognoscitiva*), viz. memory<sup>6</sup>, understanding<sup>7</sup>, docility<sup>8</sup>, *solertia*<sup>9</sup>, *ratio*<sup>10</sup>, while three belong to prudence as applying knowledge to action (*praeceptiva*), viz. foresight (*providentia*)<sup>11</sup>, circumspection<sup>12</sup>, caution<sup>13</sup>.

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<sup>3</sup> Justice looks to the good of the other; all the other virtues look to the agent's own good.

<sup>4</sup> Prudence is in the reason. Justice is in the rational will. Fortitude is in the irascible sense-appetite (cf. Ia 81, 3). Temperance is in the concupiscible sense-appetite. This explains why justice, as the will to do good and avoid evil, and hence to obey the natural law, can stand, under this aspect of fulfilling obligation (duty), for the whole of virtue (cf. IIA-IIae 104, 3: obedience *quae propter Deum contemnit propriam voluntatem*). It will even be by justice, as in the rational will, that one creates fortitude and temperance in the sense-appetites.

<sup>5</sup> "Those things are called (integral) part of some virtue which necessarily occur together (*concurrere*) with the perfect act of that virtue." IIA-IIae 48, 1.

<sup>6</sup> Prudence depends on experience, which requires memory of many things (*est ex pluribus memoriis*, cf. IIA-IIae 49, 1). This, as a (part of a) virtue, is memory perfected by art and industry, imagination, attention etc.

<sup>7</sup> Not the intellectual virtue or the gift of the Spirit, but a right understanding of a particular end to be followed in any of the innumerable practical situations of life (*loc. cit. art. 2*, especially *ad Ium*).

<sup>8</sup> Docility, because one man or woman cannot grasp the infinite variety of particular situations.

<sup>9</sup> *Solertia*, the habit of easily and promptly estimating what is to be done.

<sup>10</sup> In the sense of a good use of the rational power when considering what to do.

<sup>11</sup> The power of ordering future contingents rightly to the due end.

<sup>12</sup> I.e. an accurate consideration of circumstances.

<sup>13</sup> Taking care to avoid an evil result.

JUSTICE. The two integral parts of justice are doing good and avoiding evil (where good is treated under the aspect of *debitum in ordine ad legem*, viz. a debt in fulfilment of law<sup>14</sup>). Both these and only these are required for "the perfect act of justice", the one as constituting, the other as conserving it.

FORTITUDE. St. Thomas lists four integral parts<sup>15</sup>, viz. *fiducia* (assurance of purpose)<sup>16</sup>, *magnificentia* (confidence in execution)<sup>17</sup>, *patientia* (patience)<sup>18</sup>, *perseverantia* (perseverance)<sup>19</sup>. The first two belong to fortitude as attacking, the other two to fortitude as enduring.<sup>20</sup>

TEMPERANCE. The two integral parts of temperance are *verecundia* and *honestas*.<sup>21</sup> Of *verecundia*, which is not a virtue but a passion (translatable as shyness, modesty etc.), St. Thomas says that it is not a part as if entering into the essence of temperance (*quasi intrans essentiam eius*), since, for one thing, it is lacking both to the very virtuous and to the very vicious, but it is a part as if placed dispositionally to it.<sup>22</sup> *Honestas* or honourableness, on the other hand, which as "spiritual beauty" is most directly opposed to the brutal or brutish pleasures (*brutales voluptates*) of intemperance, is an integral part in the sense of temperance's evidently unique precondition (*quaedam eius conditio*).

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<sup>14</sup> Cf. Iia-IIae 79, 1. Under "special" justice, i.e. considered as just one of the four virtues in abstraction from its truly general character, this *debitum* is referred especially to the neighbour (*proximum*). General justice, for its part, is not to be confused with justice as taken for all virtue. It is virtue under the aspect of a *debitum* owed to another or others, something belonging to all virtue specifically as coming under law.

<sup>15</sup> Iia-IIae 128.

<sup>16</sup> Being prompt to attack where there is danger of death.

<sup>17</sup> Holding to an attack once begun (under mortal danger). I can find no satisfactory one to one English translation for some of these virtues, perhaps because St. Thomas has already packed a lot of extra specific content into the Latin term. He was never an "ordinary language" philosopher. It is just this tailored vocabulary (we need not, even should not, call it technical), however, that has gone missing at least in English through neglect of this tradition of the virtues. Hence it is often better in discussion to use the Latin term.

<sup>18</sup> Not being defeated by sadness or by the difficulty of threatening evils.

<sup>19</sup> Not being finally tired to the point of giving up under the daily endurance of hardship and danger.

<sup>20</sup> These virtues only belong to fortitude where the danger is mortal. Where it is less than mortal they become distinct from fortitude and make up its potential parts (see below in text).

<sup>21</sup> Iia-IIae 144 & 145.

<sup>22</sup> 144, 4 ad 4um.

### c) *Partes Subjectivae*

By the subjective parts of a virtue are meant its diverse species, each of which exemplifies the virtue in its full sense:

#### PRUDENCE.

- i. Self-ruling prudence (prudence *communiter dicta*, commonly said<sup>23</sup>).
- ii. Prudence as ruling a multitude, viz.
  - a. Regnative (in ruler) or political (in subjects).
  - b. Economic (ruling a household).<sup>24</sup>
  - c. Military (against an enemy, i.e. other-directed, this division following the natural division between the irascible and the concupiscible).<sup>25</sup>

St. Thomas firmly opposes, therefore, the view that the virtue of prudence only refers to one's own good and does not extend itself to the common good. It is clear to right reason, he says, that this is better than the good of one, while the idea that we ought only to seek our own good is against charity, for "he who seeks the common good in consequence seeks also his own good" (IIa-IIae 47, 10). Nonetheless, political prudence remains different in species from prudence *simpliciter dicta*, even if one type should be ordered to the other.<sup>26</sup>

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<sup>23</sup> IIa-IIae 50, 3. That such common prudence, through which someone rules himself, is no more than a subjective part of the virtue is clear from the prologue to question 50. The fact is significant, as appears especially from 47, 10, where St. Thomas criticises those who do not extend prudence to the common good (of the multitude) as "political prudence". He adds (ad 2um) that in seeking the common good one seeks one's own good, since one just is "a part". It follows that political prudence is incumbent upon everyone (cf. 47, 12).

<sup>24</sup> The household forms naturally a different if intermediate whole as between the individual and the state, and hence naturally and really requires, in master or mistress, its own species of prudence.

<sup>25</sup> What is natural is instituted by the divine reason, and therefore human reason should follow it (IIa-IIae 50, 4). Hence these divisions of prudence are real, as looking not only, as in political prudence, to the common good (for which nature gives the animal its "concupiscible power"), but also, with the naturally distinct "irascible power", to evils from time to time threatening. Everyone, even a pacifist, depends on military prudence (or imprudence) to form, as he ought, a general notion as to when it might be wise or unwise to make war or take part in a conflict for the common good.

<sup>26</sup> Cf. 47, 10 ad lum. "Political prudence is to legal justice as prudence said simply is to moral virtue." Here we must keep in mind that legal justice in Aquinas means the whole of morality (hence moral virtue) under the aspect of fulfilling law (i.e. it is

JUSTICE (cf. IIA-IIae Q61).

i. Commutative justice (of part to part, e.g. in buying or selling).

ii. Distributive justice (of whole to part: assigning common things according to proportion, e.g. tax burdens or land). Commutative and distributive justice together make up particular justice (*justitia particularis*, whereby we order ourselves to particular persons).

iii. Legal justice (of part to whole, also called *justitia generalis*, as being a general virtue of the rational will, having all good for its object. Fortitude and temperance, as moderating the passions of sense-life, cannot be so directly general).<sup>27</sup>

iv. *Epicheia* (cf. IIA-IIae 120, 2: *est pars subjectiva justitiae*). This is prior to legal justice and is also called equity, *tanquam justitia quaedam superior*. Hence it directs legal justice as if being a superior rule of human acts.<sup>28</sup>

FORTITUDE. No subjective parts can be assigned to fortitude, since it is not divided into different species but has a very special object or matter, viz. serious and indeed mortal danger requiring a corresponding firmness.

TEMPERANCE. According to whether temperance has for its matter i.

not restricted to positive legality or *lex humana*, just as political prudence means any prudential behaviour referred to the common good and not just the occasional going to the polls). From this we can also derive that prudence "said simply" (*simpliciter dicta*), "through which someone rules himself", is more open than prudence commonly if incorrectly said (*communiter dicta*) as only referred to one's own good (*bonum proprium*), a restriction contrary to charity (*repugnat charitati*). It is in this light that we should understand the human and rational inclination to self-preservation (see chapter below on the order of the inclinations).

<sup>27</sup> IIA-IIae 58, 5: "justice which is general in the aforesaid way (as covering all the acts of the virtues) is called legal justice because through it man accords the acts of all the virtues to an ordaining law for the common good." Under legal justice falls obedience to any (just) system of law, even the moral law (as a whole or in any part). See also 58, 6: "in its essence legal justice is the same as every virtue, but it differs in notion (*ratione*)." It is a *pars subjectiva* in that justice as a whole is predicated essentially of it (*de qua essentialiter praedicatur totum*: 120, 2). Hence, speaking of *epicheia*, St. Thomas says it is "not a part of legal justice but of justice commonly taken; it is divided against legal justice, as exceeding it" (120,2 ad 1um), i.e. *justitia legalis* is a part of the same kind, but *per posterius*. Cf. S. Theron, "St. Thomas Aquinas and *epicheia*", in *Lex et Libertas*, Symposium Proceedings, Rolduc, Holland - November 1986, Rome 1987.

<sup>28</sup> It differs from *gnome* (a potential part of prudence, q.v. in text below) as being concerned rather with execution than with judging or *directio* (cf. IIA-IIae 80, 1 ad 4um).

nutrition or ii. procreation, it has three species or partes subjectivae, viz.

- i. a) Abstinence (food).
- b) Sobriety (drink).
- ii. Chastity.

**d) Partes potentiales:**

These are the so-called *virtutes adjunctae*, virtues ordered to acts or areas of life associated with those of the main virtue, but of a less fundamental significance.

PRUDENCE. Prudence has three associated virtues:

1. *Eubulia* or *rectitudo consilii*, i.e. the ability to take counsel well with oneself about how to act (IIa-IIae 51, 1 & 2). This is ordered to the principal act of the practical reason, and hence of prudence, which is to command (*praecipere*, cf. 47, 8).<sup>29</sup>

2. *Synesis*, the virtue through which one judges well (*bene iudicativa*, 51, 3) of what should be done according to the common rules; i.e. a distinct ability to be employed after *eubulia* has done its work.

3. *Gnome*, through which one judges well of things beyond the reach of the common rules, i.e. where "higher principles" are needed; *importat quamdam perspicacitatem iudicii* (52, 4; cp. *epikeia*, under justice, Q120).

JUSTICE. An associated virtue (*pars potentialis*) in some way exemplifies, in some way falls short of, the main virtue concerned. Now any virtues relating to the other can be said to exemplify justice. They can fall short of justice, however, in one of two ways:

1. By reason of a lack of equal proportion.
2. By reason of a defect in the relationship of debt, i.e. of owing and owed, of duty and right.<sup>30</sup>
  1. A defect in equality of proportion is found in so far as the debt is real (*legale*, not merely moral) but can, in the nature of things, never be fully discharged.
    - a. Religion. Although we have a true debt of duty to God (hence religion belongs to justice), we can never fully discharge this debt; the inequality of creator and creature is too great.

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<sup>29</sup> On the distinction of the three virtues considered here from prudence, to which they are ordered, see IIa-IIae 51, 2: according to the variety of acts, differing as producing diverse goods, so there have to be diverse virtues.

<sup>30</sup> Cf. IIa-IIae 80, 1.

- b. *Pietas*. The same applies to our debt to parents and fatherland, the discharging of which is the work of pietas.
- c. *Observantia*, by which we show honour to virtuous or otherwise worthy men (IIa-IIae 102, 1). This too is only justice potentially or by association, since virtue can never be sufficiently honoured by men.

2. A defect in the debt-relationship is found in so far as we distinguish legal from moral debt. Only the former, as binding by law (human, natural or divine), fully engages justice, the principal virtue (as covering the things we must do). A moral debt, however, is only owed *ex honestate virtutis*, i.e. it is a qualified necessity (all debt implies some necessity).

a) The first grade of such qualified necessity is that without which *honestas morum*, moral integrity and beauty, cannot be preserved. The following virtues fall under this grade:

- i. Truthfulness (*veritas sive veracitas*), by which a man or woman shows himself or herself to another as he or she is.<sup>31</sup> This necessity is here viewed from the side of him who has the duty.<sup>32</sup>
- ii. Gratitude (*gratia sive gratitudo*), whereby we reward someone according to the good he has done, and this is calculated in relation to the person to whom the debt (of gratitude) is owed (*ex parte eius cui debetur*). This applies also to
- iii. *Vindicatio*, the virtue whereby we reward someone for his evil deeds, preserving due measure between the vicious extremes of cruel savagery and remissness in punishing (he cites *Proverbs* 13, 24).<sup>33</sup> St. Thomas claims that authentic *vindicatio* (especially in the form of zeal) has its first root in charity, whereby we regard injuries to another (whether God or a neighbour) as if they were our own.<sup>34</sup> He finds it necessary, however (*art.* 1), to discuss whether *vindicatio* is licit, saying that the punishment of the sinner must be to some good (perhaps not necessarily his or her own).<sup>35</sup>

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<sup>31</sup> IIa-IIae 109, 1, 3 ad 3um.

<sup>32</sup> *Ex parte eius debentis*. Cf. again, 80, 1.

<sup>33</sup> As a potential part of justice this virtue of *vindicatio* is quite distinct from "the punishment of sinners which pertains to public justice and is an act of commutative justice" (IIa-IIae 108, 2 ad 1um).

<sup>34</sup> 108, 2 ad 2um.

<sup>35</sup> In discussion of this virtue we find what is perhaps St. Thomas's clearest statement of the relation between virtue, the inclinations and natural law. He states that the aptitude for virtue is in us by nature in as much as the virtues "perfect us for fulfilling in the due way (*debito modo*) the natural inclinations, which pertain (sc.

b) A second degree of (moral) debt is necessary in order that the *honestas morum* be greater, even though *honestas* can be essentially preserved without it. The following virtues fall under this grade:

- i. *Liberalitas*, or the good use of external goods. St. Thomas makes clear that it does not pertain to this virtue to impoverish oneself and one's family (e.g. through the vice of prodigality<sup>36</sup>), even though this virtue, just like the vow of religious poverty, is ordained to beatitude. "A superabundance of riches is given to some by God so that they may acquire the merit of their good use."<sup>37</sup>
- ii. *Affabilitas*, friendliness (*amicitia*), a special virtue which observes "the convenience of order" among human beings and is also a (potential) part of justice as being adjoined to it (sc. justice). The vices opposed to *affabilitas* are adulation (sycophancy etc.) and litigiousness or quarrelsomeness.<sup>38</sup>

FORTITUDE. The integral parts of fortitude (see above) themselves become (by assignation) potential parts of it, rather, when they are applied to less difficult situations than that which calls for fortitude properly speaking, viz. mortal danger.<sup>39</sup> The virtues in question are nonetheless modified by this change. Thus:

- i. *Fiducia* becomes *magnanimitas* (IIa-IIae 129, esp. art. 6) or greatness of soul, as if *fiducia* were itself a part of the latter, because *fiducia importat quoddam robur spei* (i.e. it implies a certain strength of hope) and *magnanimitas* turns on hope of achieving something difficult. The readiness to attack where mortal danger is involved (*fiducia*) becomes part of the striving with the passion of hope after great honours. St. Thomas opposes to greatness of soul the vices of presumption and ambition (i.e. an inordinate desire for honours, i.e. not ordered to real merit or usefulness), besides vainglory and, of course, pusillanimity.

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the inclinations) to the natural law." Remember that the *debitum* is primarily the attainment of the *finis (ultimus)*, to which we are naturally inclined (cf. ch.17, above).

<sup>36</sup> IIa-IIae Q119. Also avarice (Q118) is a vice opposed to liberality, at least as an interior disposition. In action, however, it opposes justice itself (art.3).

<sup>37</sup> Ibid. 117, 1 esp. ad 2um.

<sup>38</sup> IIa-IIae 114.

<sup>39</sup> IIa-IIae 128, 1.

- ii. *Magnificentia*, since it was the virtue of execution<sup>40</sup>, of holding to the enterprise undertaken by *fiducia*, becomes the ability to perform great because difficult things (not merely to initiate or will them, as is *magnanimitas*), to execute them at fearless expense (*sumptus*), though the risk be less than physical, as in fortitude proper. It is the brave execution of a magnanimous intention. Thus the vice opposed to it is a distinct one, *parvificentia*, i.e. spending less than the dignity of a given work requires.<sup>41</sup>
- iii. *Patientia* as integral to fortitude, not giving in to sadness etc., is virtually unchanged as a potential part, where lesser evils are endured.
- iv. The same applies to perseverance, as putting up with daily difficulties (just as one keeps going in a dangerous battle). However *perseverantia*, as overcoming the daily monotony (*diuturnitas*), is distinguished from constancy in enduring particular difficulties. A special grace is needed for final perseverance (IIa-IIae 137, 4). Both softness or unreliability (*mollities*<sup>42</sup>) and obstinacy (*pertinacia*) are vices opposed to perseverance.

In this classification St. Thomas has followed a text of Cicero's (cf. IIa-IIae 128, 1 *obj.* 1).

TEMPERANCE. As with fortitude, the potential parts of temperance are virtues having the same character (*modus*), but applied in less difficult matter. Now the role of temperance is moderation of delights, principally those of touch, seen as motions of the soul, chiefly governed by concupiscence (disordered sense-appetite).<sup>43</sup>

1. So a chief associated virtue is continence, a kind of imperfect temperance where reason controls a disordered sense-appetite (concupiscence) by force.

2. Kindness and meekness (*clemencia*, *mansuetudo*) moderate vengefulness and anger, i.e. the irascible sense-appetite.

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<sup>40</sup> Cp. *epicheia*, also distinguished (from *gnome*) as a virtue of execution, under justice.

<sup>41</sup> Q 135.

<sup>42</sup> The same term is used for a type of sexual sin (IIa-IIae 154, 11), but this is not meant here.

<sup>43</sup> IIa-IIae 143, 1. The discrepancies between the traditional listings mentioned in this article and St. Thomas's own classification are discussed under his treatment of *modestia* at 160, 2, q.v.



3. A third virtue, *modestia*, moderates tendencies which are less difficult to moderate than those surrounding the delights of touch (*in aliis mediocribus*). It has various species, such as

- a. Humility, which moderates the passions of hope and audacity. Here St. Thomas discusses pride and the temptation and fall of man, thus indicating the importance of humility, a kind of general virtue making the soul amenable at all points to the general dictates of *justitia* (161, 5).
- b. *Studiositas*, which moderates, albeit zealously, the appetite for useful and solid knowledge as against the opposing vices of curiosity and negligence.
- c. Finally we have exterior modesty (QQ 168&169), whether of movements and gestures of the body or of dress and apparel. Here St. Thomas mentions some special duties of women.

## 20. JUSTICE: LEGAL AND MORAL DEBT COMPARED

We return to our plan of taking up, under each cardinal virtue, just one representative topic in the hope of illuminating the virtue more generally for the reader. Under prudence the unity of the virtues was considered, and now it is the turn of justice.

In the discussion of the potential parts, i.e. of the virtues adjoined to or associated with justice, one can be surprised to find St. Thomas distinguishing, even within the ethical sphere, between a legal and a moral debt or duty (*debitum*):

The notion of the debt owed in justice can be defectively instantiated inasmuch as there are two sorts of debt, viz. a moral and a legal.<sup>1</sup>

Being responsible for a purely moral debt, however, was only the second of two ways in which a virtue, although directed to the other (*justitia est ad alterum*<sup>2</sup>), could fall short of the full meaning of justice. For besides rendering to the other what is due to him as his own, the debt, justice consists in rendering it in full.<sup>3</sup> In this way religion and pietas (to parents) fall short of justice, although the debt which they cannot pay in full be objective and legal in St. Thomas's sense (i.e. not merely moral).

A moral debt, on the other hand, is not thus strictly due to the one to whom it is owed. All debt, however, implies some necessity, in this case what is necessary for a good moral character (*honestas virtutis*). Thus even if truthfulness or gratitude or *vindicatio* (three virtues of giving others what

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<sup>1</sup> *Summa Theologica* IIa-IIae 80, 1. *A ratione vero debiti justitiae defectus potest attendi, secundum quod est duplex debitum, scilicet morale et legale.*

<sup>2</sup> The essential mark of justice among the virtues.

<sup>3</sup> In fact neither more nor less than it should be. This is St. Thomas's concept of equality of proportion, taken from Aristotle X *Metaph.* 19; NE II 6&7, V 3&4. *Hoc autem dicitur esse suum unicuique personae quod ei secundum proportionis aequalitatem debetur* (this is called each person's own which is due to him by an equality of proportion). The equality is of thing to person, "equal" being understood as the mean between too much and too little (IIa-IIae 58, 10). This relation, a real relation in reality (medium rei) is the *jus*, an "equality of proportion", establishing the *justum*, just action or thing, price etc.

is due to them in this moral sense) are not owed to the recipient with the binding force of law, yet there is even here a debt of legal justice to God who imposes the whole moral law.

In this sense we are legally obliged to discharge also our moral debts, even those not needed for *honestas morum* as such, but only for its greater perfection ("be ye perfect"), such as liberality and affability (IIa-IIae 80, 1).

To understand this fundamental conception of *justitia legalis* one must be clear that it is not to be understood merely by analogy with some human legal system, even if the idea may have been formed through people's experience of this. It is rather that civil obligation is itself generated (*nascitur*) through a prior existence of a debt of legal justice to the divine law-giver in the natural law. It is not however necessary or correct to define legal justice under this theological aspect. Rather, "legal justice is said to be a general virtue inasmuch as it orders the acts of the other virtues to their end."<sup>4</sup>

It is, we saw earlier (ch. 17), the end itself which is above all due or obligatory, this being the reason why the theological virtues, which have the end (God) for their object, are superior, more central, than justice which merely ordains (the other virtues) to the end. However the end to which it orders them is *bonum commune*, which, as *bonum in communi*, is itself really one with the *finis ultimus*.<sup>5</sup>

These notions are well illustrated in the discussion of the virtue, adjoined to justice, of truthfulness (*veracitas*). This is the habit whereby one speaks the truth or truly, and since this is a good act the habit of it is therefore a virtue (IIa-IIae 109, 1), since virtue is what makes its possessor and his work (*opus*) good. Truthfulness makes him good by duly perfecting the ordering of our exterior words and deeds to reality, *sicut signum ad signatum* (109, 2).

Veracity (art. 3) belongs to justice as being other-directed and as setting up an equality of proportion between signs and existing things. Yet it falls short of justice inasmuch as the obligation discharged is moral rather than legal, says St. Thomas.

His reason for saying this is that one man owes it to another to manifest the truth to him *ex honestate* rather than as prescribed by law (even if he should owe it more strictly to God, or to the common good, to be thus

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<sup>4</sup> *Justitia legalis dicitur esse virtus generalis, in quantum scilicet ordinat actus aliarum virtutum ad suum finem* (IIa-IIae 58, 6).

<sup>5</sup> Cf. IIa-IIae 10, 1. *Et quia ad legem pertinet ordinare in bonum commune* (Ia-IIae 90, 2) *inde est quod talis justitia praedicto modo generalis dicitur justitia legalis* (IIa-IIae 58, 5).

truthful, for this is to consider *veracitas* not in itself but *ut a justitia legali imperatur*, i.e. as it is commanded by legal justice).

In further explanation of this he says first that truthfulness attains the proper meaning (*ratio*) of debt "in some way" (109, 3 ad 1um), since men naturally owe to one another that without which society cannot be preserved.<sup>6</sup> Here the necessity (for the end) proper to obligation appears.

He next distinguishes acts of truth-telling which really belong to obligation and hence require no distinct virtue at all but are particular acts of justice, which obliges one on occasion to manifest the truth, e.g. in a court of law.<sup>7</sup>

In such cases a man principally intends to give another his due as, it is implied, he does not in normal truth-telling, by which, in life or words, one shows oneself to be as one is (*ad 3um*). Here, *art. 4*, one need not manifest everything good that one possesses, though it is untruthful to show oneself as greater than one is, e.g. by boasting.

One can see that the beauty of gratitude, another of these virtues associated with justice, would be largely lost if the man showing it felt himself simply obliged to manifest it. In this connection St. Thomas quotes Seneca: *qui invitus debet, ingratus est*, i.e. he who is not willing to be in debt or "obliged" (he is too quick in recompensing the gift he has received) is ungrateful, graceless as we say. This would not be the case if we were dealing with a strict legal debt (thus, and by contrast to repayment, the feeling and expression of gratitude should be immediate):

a legal obligation should be discharged at once, otherwise the equality of justice would not be preserved if one kept back another's property against his will. But a moral obligation depends on the decency of the one indebted: and therefore such an obligation should be remitted at the proper time demanded by rectitude of virtue (i.e. not necessarily at once).<sup>8</sup>

Here the "legal" concept of *rectitudo*, dear to St. Anselm, is mentioned as controlling the discharge of the "moral" debt. The one order is contained within the other.

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<sup>6</sup> There is strong indication here of the ambiguity in Kant's moral theory, inasmuch as he does not distinguish within morals between legal and moral debt, but reduces the former to the latter while yet speaking of the latter as if it were the former ("So act as if you could wish that the maxim... were a universal law").

<sup>7</sup> See 109, 3 ad 3um.

<sup>8</sup> *Iia-IIae* 106, 4 ad 1um. The parallel with mercifulness, the evangelical duty (owed to God) of giving to the needy or guilty what is not owed to them, is illuminating.

But again we see the pivotal role of *honestas*, and the place where this quality is analysed in the *Summa* is found under temperance, of which, together with *verecundia*, it is an integral part. St. Thomas speaks of it as "spiritual beauty". It is connected with honouring virtue for its own sake, rather than exclusively for the end to which legal justice orders us.

Certain things are desired both for themselves, inasmuch as they have in themselves some quality of goodness, even if no other good were to come to us through them, and yet they are also at the same time desired for something else, as leading us to a yet more perfect good.<sup>9</sup>

In this way the virtues somehow resemble or imperfectly participate in God and beatitude, which are still more "honest" (*Ibid.* ad 2um). And so we praise virtue as useful for the end, we honour it for itself.

All the same, virtues having this quality of *decor spiritualis* (art. 2), but also concerned with what is in some way due to another, are associated with justice as discharging a moral debt to that other. They offer him gratitude, truthfulness, affability and so on. The unity of the virtues is once again illustrated, with temperance extending the reach of justice.

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<sup>9</sup> IIa-IIae 145, 1 ad 1um.

## 21. FORTITUDE: THE EXAMPLE OF AUDACITY

Our third "case study" centres upon fortitude and what St. Thomas finds to say about audacity in relation to it. Audacity translates *audacia*. Much linguistic sensitivity is required, however, to understand how the term can be used in the *Summa theologica* on the one hand for a vice, which we might name rashness, and on the other for a morally neutral passion, which we would have to call something like "pluck", while a modern follower of St. Thomas even uses it as the name of a virtue, corresponding to boldness or daring.<sup>1</sup> This is also Thomistic. Thus "after consideration audacity is laudable in so far as it is ordered by reason."<sup>2</sup>

St. Thomas makes a parallel observation in respect of the opposite vice (to audacity) of fear, saying that "a fear moderated by reason pertains to fortitude", hence to virtue.<sup>3</sup> So much so that the absence of such reasonable fear gives us a third vice opposed to fortitude, viz. *intimiditas* or *impaviditas*, a fearlessness or lack of fear which is only excused from being sinful by an "invincible stolidity". In general, he says, such unthinking fearlessness is caused by lack of a due love of self, amounting to a blindness such as may be found among uncivilized warrior hordes (Cf. Aristotle: "Due to their stupidity the Celts fear nothing"). But it can also arise from pride and consequent presumption. Indeed such pride and such stupidity often enough coincide in symbiosis.

So we have three vices directly opposed to fortitude, viz. fearfulness (*timor*), lack of due fear (*impaviditas*), rashness (*audacia*), instead of just the usual two extremes. The reason is that the two vicious extremes of the virtuous mean which is fortitude can be viewed with respect to either of the two passions of fear (*timor*) and audacity (*audacia*). Thus

the vice of audacity is opposed to fortitude according to an excess of (the passion of) audacity; the vice of fearlessness, however, is thus opposed according to a defect of the passion of fear. But fortitude sets the mean in

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<sup>1</sup> David Isaacs, *Character Building*, Four Courts Press, Guernsey 1993, ch. 18.

<sup>2</sup> *Post consilium... audacia... in tantum laudabile est, in quantum a ratione ordinatur*. IIa- IIae 127, 1 ad 2um.

<sup>3</sup> *Ibid.* 126, 2.

either passion. Hence it is not unfitting for it to have different extremes in different respects.<sup>4</sup>

We have then the following scheme:

PASSION (non-moral)	VICIOUS EXTREME (defect)	VIRTUOUS MEAN	VICIOUS EXTREME (excess)
1. <i>Audacia</i>	<i>Timor</i>	<i>Fortitudo</i>	<i>Audacia</i>
2. <i>Timor</i>	<i>Impaviditas</i>	<i>Fortitudo</i>	<i>Timor</i>

Here we see how often the names of the passions are taken from their excess (*superabundantia*), which is how St. Thomas positively interprets the Stoic doctrine that the passions are morally evil. He himself teaches that the passions in themselves have no quality of moral good or evil, but only with respect to their moderation (of either excess or defect) by reason.<sup>5</sup>

We tend to feel that fear or cowardice is more directly opposed to fortitude than is *audacia* or rash daring. St. Thomas notes Aristotle's remark that virtues often seem to have more kinship with one of their opposed vices than with the other, as temperance does with insensibility (rather than lust) or fortitude with audacity (rather than with fear),<sup>6</sup> and in fact the relation of *audacia* to *fortitudo* is similar to that of presumption to hope. For as *audacia* might seem more the opposite of cowardice (*timor*) than of fortitude, so presumption seems more opposed to the fear of God than to hope (*spes*). But in fact presumption, as the total corruption of hope, has only a false likeness to it, and *audacia* falsely resembles fortitude as being precisely its counterfeit:

Things are more directly opposed (i.e. when they are) which are of the same kind... have the same object.<sup>7</sup>

The common object in this case is divine mercy, which hope aims at ordinately, presumption inordinately. Similarly, fortitude aims ordinately at overcoming the fear of difficult things (*circa timores difficilium rerum*),

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<sup>4</sup> *Vitium audaciae opponitur fortitudini secundum excessum audaciae, impaviditas autem secundum any timoris. Fortitudo autem in utraque passione medium ponit. Unde non est inconueniens quod secundum diversa habeat diversa extrema (Ibid. 126, 2 ad 3um).*

<sup>5</sup> Ia-IIae 24, 1.

<sup>6</sup> Aristotle, NE II, 8.

<sup>7</sup> IIa-IIae 21, 3.

which *audacia* approaches inordinately or irrationally (by excess), as of course does fear also (by defect). "It belongs to moral virtue to uphold the measure of reason in its proper material."<sup>8</sup>

In fact, despite our intuitively greater indulgence for audacia we find in St. Thomas's treatment of fortitude a greater stress on defence than on attack. He had already remarked, on the passion of audacia, that such sanguine people are commonly too optimistic when they begin their projects and hence are quickly discouraged. Fortes, however, i.e. those motivated by the virtue of fortitude and not by passion, judge things rationally in the beginning, and may hence seem lacking in proper enthusiasm (*non passione, sed cum deliberatione debita aggrediuntur*, they attack with due deliberation, not with passion). Yet it is they who persist, often finding things easier than they had feared, but also they persist because they had acted from the beginning from a virtuous motive (*propter bonum virtutis*), with a will to persevere, and not just out of a hope resting upon an over-confident estimation excluding proper fear.<sup>9</sup>

Hence St. Thomas will claim that enduring (*sustinere*) rather than attacking is the principal act of fortitude (IIa-IIae 123, 6), with the associated virtues of patience and perseverance. He gives three reasons. First, he who defends (in the military situation) or who endures difficulties generally has to be brave when attacked by what seems stronger, which is more difficult than attacking, since here oneself assumes the role of the stronger. Second, for the patient man dangers and hardships are immediate, whereas when one goes over to action they are seen as in the future, which is an easier situation to deal with. Third, enduring occurs over a daunting length (*diuturnitas*) of time, attack is sudden. But to remain in a dangerous position for a long time (e.g. the Christian in this world) is more difficult. To this St. Thomas adds that while the body of the man enduring out of virtue is passive, there is yet an act of the soul as bravely holding to the good and not yielding to the threat to the body, and virtue belongs more to the soul (ad 2um).

St. Thomas also insists that virtuous bravery intends proximately its own good act, i.e. to act rightly (*recte*) and according to duty, whereas audacity seeks something else only, viz. victory and, ultimately, *beatitudo*, but irrationally or in the wrong way (123, 7). Consistently with the above, St. Thomas judges martyrdom, viz. the endurance of death (of the body) out of faith and love (act of the soul), to be the greatest or most perfect act of

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<sup>8</sup> *Ad virtutem moralem pertinet modum rationis servare in materia circa quam est* (IIa-IIae 127, 2).

<sup>9</sup> Cf. Ia-IIae 45, 4. Unfortunately the religious spirit is especially exposed to this weakness. *Illi qui se bene habent ad divina, audaciores sunt* (art. 3).



fortitude.

Besides the above analysis, St. Thomas designates *audacia* as a species of *praecipitatio*, which is a vice opposed to prudence (IIa-IIae 53, 3), in so far as *audacia* involves one in acting hastily, *ante consilium* (127, 1 ad 2um). The specific imprudence consists in hopping over the steps of memory, understanding, cogitation, docility etc. between reason and action; hence the word *praecipitatio*, literally an inordinate descent.

*Praecipitatio*, that is, includes temerity (*temeritas*), which refers to not being ruled by reason, either because of an impetus of passion or through contempt for a directing rule. Hence temerity (elsewhere placed as synonym for *audacia*) is said to come from a root of pride (IIa-IIae 53, 3 ad 2um), since such contempt implies presumption.<sup>10</sup>

Now presumption, for its part, is treated in two places in the Second Part of the *Summa*, not, however (as is the case with *audacia*), as vice and passion, but as a vice opposed to *magnanimitas* or greatness of soul and as a vice opposed to hope.

With regard to the former we remember that *magnanimitas* is the potential part of fortitude corresponding to *fiducia* as an integral part (of fortitude). *Fiducia*, however, as confidence making one ready to attack (as *magnanimitas* is ready to undertake great things), is related to hope.<sup>11</sup> And here St. Thomas mentions that hope causes *audacia*, "which pertains to fortitude", i.e. he speaks of it as if it were a virtue here, probably because he is thinking of greatness of soul as implying a certain daring through its essentially attempting great things.

Presumption however, a sin primarily against hope, is opposed to greatness of soul *per excessum*, taking on more than one is suited to, perhaps because one is "in a state of imperfect virtue" (IIa-IIae 130, 1). And here we have perhaps said enough to illustrate once again, through this exploration of the roots of *audacia*, how interconnected all the virtues are.<sup>12</sup> We will just add, since we have traced *audacia* via presumption to pride, that the latter is opposed (of course) to the virtue of humility, which St. Thomas treats not under fortitude but under temperance, as a species of moderation. It is clear from his treatment, however, especially of the Benedictine ladder of humility in twelve steps, that humility is in a sense a mirror of all the virtues.<sup>13</sup>

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<sup>10</sup> *Temeritas autem praesumptionem importat, quae pertinet ad superbiam* (53, 3, obj. 2).

<sup>11</sup> *Fiducia... quoddam robur spei importat* (129, 6 ad 2um).

<sup>12</sup> Cf. ch. 18 (of this book).

<sup>13</sup> Cf. IIa-IIae 161, 6, obj. 1; 162, 4 ad 4um.

## 22. TEMPERANCE AND THE *BONUM HONESTUM*

We consider, fourthly, a topic falling under the treatment of temperance. The integral parts of temperance (really these are the conditions necessary for the perfect act of temperance rather than its parts) are found by St. Thomas to be *verecundia*, a kind of passion of modesty or delicacy, and *honestas*, which he paraphrases as "spiritual beauty".<sup>1</sup> Temperance thus characterized is subdivided into abstinence, sobriety and chastity (*partes subjectivae*), while it has such associated virtues (*partes potentiales*) as moderation, continence, humility, mildness and simplicity.

Here one can see, perhaps intuitively, how spiritual beauty might be especially associated with temperance. At the same time those modern authors who feel that sexual morality does not belong under temperance thus described<sup>2</sup> might well have lost the sense of a connection between unchastity and spiritual ugliness, even if they should sound more severe against sexual sin than the mild Aquinas.

So it is symptomatic that Geach, for example, rejects the existing arguments for "the traditional view about sexual vices"<sup>3</sup>, urging rather that we "hang on to" this view in blind faith. For there is a clear connection between these, in their appeal to "natural teleologies", and the ideal of the fitting or decorous, i.e. the natural, which *honestas* suggests.<sup>4</sup>

St. Thomas's arguments, then, speaks of *honestas* as that through which one loves the beauty of temperance, adding that it is especially temperance, i.e. not justice or prudence, to which one attributes a certain beauty (*decorem*), just as the vices of intemperance appear as having an especial vileness (*turpitudinem*)<sup>5</sup>, as corresponding to the lowest in man, which belongs to his animal nature.<sup>6</sup>

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<sup>1</sup> *Quaedam spiritualis pulchritudo* (IIa-IIae 145, 4).

<sup>2</sup> E.g. P.T. Geach, op. cit. p.137. Geach gives no cogent reason for his view, as does Aquinas for his. The remark about parvity of matter (p.138) is a straight *ignoratio elenchi*; all the virtues admit of both trifling and grave violation.

<sup>3</sup> *Op. cit.* p.141.

<sup>4</sup> For exposition and defence of the traditional argument see our "Natural Law and *Humanae vitae*", in "*Humanae vitae*": 20 anni dopo, Rome 1988; also our *The Recovery of Purpose*, Chapter Two.

<sup>5</sup> IIa-IIae 143, 1.

<sup>6</sup> St. Thomas uses the word *bestialem*, in contrast to his general view that human

Enlarging on the special relation of beauty to temperance St. Thomas finds the common thread in "a certain moderate and convenient proportion", this being the essence (*ratio*) of both the beautiful and of temperance.<sup>7</sup>

There is in general a special refinement or subtlety in this stress upon *honestas* in the context of a teleological ethics. Even though moral principles are explained as precepts enjoined as means to human fulfilment yet we meet here the idea of moral beauty, of the goodness of right moral choice, in itself. Nor does this contradict the overall teleological perspective.

Cicero, whom St. Thomas cites, tells us that the *honestum* is that which is desired for its own sake (*honestum esse quod propter se appetitur, Rhetor.II*). This was later echoed in St. Anselm's definition of justice as *rectitudo propter se servata*, implicitly criticized by St. Thomas at *Ila-IIae* 58, 1 ad 2um. Justice, he points out, is not *rectitudo* essentially<sup>8</sup>, as he here (145, 1) says that *honestas* is in some sense virtue as a whole, as characterizing human excellence.<sup>9</sup>

Virtue, however, and hence *honestas*, he goes on to say, is a less perfect good than the last end, happiness (*felicitas*), which is always desired or loved only for itself. For *honestas* is only sometimes loved for itself, as having in it something (by participation) of ultimate happiness, and this can be so, therefore, even when it seems to bring us no further good (*etiamsi nihil aliud boni per ea nobis accideret*). All the same it is in general desirable as leading us to the more perfect good.

St. Thomas therefore states expressly that God and beatitude (*Deus et beatitudo*) are to be honoured beyond virtue as being more excellent than virtue, i.e. as being greater goods. We do not worship virtue. It is noteworthy here how he seems to use the terms God, beatitude and happiness (*felicitas*) interchangeably, in so far at least as he says the same about all three, viz. that they are a more perfect good than virtue. This, indeed, is what we found Gilson stressing<sup>10</sup> about St. Augustine and the

sense-life is nobler than that of the brutes. With intemperance, however, we are dealing with sense-life without due proportion to reason or intellectual nature (*forma corporis*) and thereby less properly human.

<sup>7</sup> *Ila-IIae* 145, 2. *Aequalitas proportionis*, equality of proportion, is also, we saw, the essence of justice.

<sup>8</sup> *Ad secundum dicendum quod neque etiam justitia est essentialiter rectitudo, sed causaliter tamen: est enim habitus secundum quem aliquis recte operatur et vult*: i.e. justice is not essentially but only causally rectitude. For it is the habit whereby someone acts and wills rightly (*recte*). One can hardly find a better example of the precision employed by St. Thomas in this work of discrimination among the virtues.

<sup>9</sup> *Honestum... in idem refertur cum virtute*. The honourable and the virtuous are referred to the same things.

<sup>10</sup> In our Chapter 3.

Christians, viz. that they "stood the old pagan philosophy of virtue on its head."

As the supreme moral value Christianity replaces virtue by God, and the whole conception of the moral end is thereby transformed.<sup>11</sup>

The *bonum honestum*, as "that which is to be enjoyed (*frui* not *uti*), but not used" (Gilson, p.474) is thus in reality God rather than virtue, since this "depends on God... as regards... its existence and worth". The name (*honestum*), however, is applied generally to virtue as that which is more known to us. We praise virtue as alone making a man good, we honour it (*honestum*) in so far as it is desirable for itself.

The *bonum honestum* as applied to moral life is thus in reality just one exemplification of a general metaphysical truth, viz. that everything is good in itself which fulfils its nature or, more generally, in so far as it is. This is so even though it is also true that every finite thing is to be used (*bonum utile*), so as to lead us to the last end.<sup>12</sup> The action which is really useful is thereby the action which is beautiful (*honestum*) in itself. Hence St. Thomas says that "the honourable concurs in the same subject with the useful and the delightful, from which it nevertheless differs in meaning."<sup>13</sup>

In this way also Maritain distinguishes the orders of formal and of final causality, of specification and of exercise, pointing out also that "The honourable good is the very first, primordial aspect of the good, its first apprehension, in the moral order."<sup>14</sup> It is only later, in philosophical analysis, that we see how all is and must be for the sake of the *finis ultimus*, present and operative in all moral activity. Such analysis, however, should not tempt us to deny our spontaneous tendency to respond to the beauty (*honestas*) of, say, an act of self-sacrifice (of which we might ourselves be incapable), *etiamsi nihil aliud boni per ea nobis accideret*<sup>15</sup>, i.e. even though no other good would come to us through it.

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<sup>11</sup> Gilson, *op. cit.* p.474.

<sup>12</sup> The truth in question depends upon the reality of the analogy of being, according to which finite things truly are (so that the term for being, "are", is naturally analogous), and are not, like shadows, things which "both are and are not", as we find in Plato's univocal account.

<sup>13</sup> *Honestum concurrat in idem subjectum cum utili et delectabili, a quibus tamen differt ratione* (145, 3).

<sup>14</sup> J. Maritain, *An Introduction to the Basic Problems of Moral Philosophy*, New York (Magi Books), 1990, p. 40.

<sup>15</sup> The understandable wish to belittle or condemn the martyr often falls foul of this tendency.

Maritain speaks of this aspect as that which is substantially good (i.e. not merely instrumentally) in the moral order:

The expression "substantial good" would be more philosophical than "honourable good". There is a connection between the honourable good in the moral order and substance in the metaphysical order. Substance, in relation to being, is what is fit to exist in itself or by itself. It is the first meaning of being in the order of the categories. Likewise, in the moral order, the honourable good is what is desirable or lovable in itself, since it is plenitude of being... of the act of freedom itself, which does not fall short of this primordial accomplishment,... agreement with its own rule (reason).

Similarly, when St. Thomas wishes to prove that the *honestum* is the same as the spiritually beautiful (which, with being, true, good etc. is placed by many among the transcendental predicates as applying to everything insofar as it is) he argues from due proportion (*debita proportio*) as a property of the beautiful (pseudo-Dionysius) to behaviour which is well (duly) proportioned according to the spiritual "clarity" of reason, reason being the rule of freedom as he says elsewhere. For this is the meaning of *honestum*.<sup>16</sup>

So what Kant wished to say of the good will as "good without qualification" applies simply to the point where the will, as principle of moral life, is measured in the same way as any other (substantive) reality, viz. as good in its own being.<sup>17</sup> Anything whatever is good without qualification in so far as it is. The substantive good of virtue is further called *honestum* as being that which makes men and women worthy of honour.

We conclude by recalling that such *honestas* belongs especially to temperance, as beauty is opposed to the especial disgracefulness of intemperance, with its *brutales voluptates*. Again, the very name "temperance" recalls the good of reason, in the proportion of which spiritual beauty (*honestas*) is found, since it belongs to reason to moderate and temper base desires.<sup>18</sup>

Our century (i.e. the twentieth) might seem to have been characterized by a great effort to see the integrally human in the specifically sexual, to free

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<sup>16</sup> IIa-IIae 145, 2.

<sup>17</sup> Calling it substantive is not to say that the will is a substance. As a power of the human soul it is a proper accident of the substance which is man. Accidental being, however, is real in its own (analogous) way, according to Thomism. *Est autem temperantia circa delectationes tactus... Quaedam vero ordinantur ad vim generativam: et in his quantum ad delectationem principalem ipsius coitus est castitas; quantum autem ad delectationes circumstantes, puta quae sunt in oculis, tactibus et amplexibus, attenditur pudicitia.*

<sup>18</sup> *Moderari et temperare concupiscentias pravas* (145, 4).

the latter from the taint of baseness. But there is no reason to oppose this to the good or beauty of chastity as the virtue of rational control in this area. For when we ask what is the right way to live with our sexuality we are asking what is the rational way and hence, according to the above arguments, what is the beautiful and honourable way. Nothing has changed there. And so, when St. Thomas tells us that temperance as chastity has to do with the sense of touch,

But temperance concerns the delights of touch... Some of these are ordered to our power of procreation: and in these chastity is ordered to the principal delight of coitus itself, while modesty (*pudicitia*) is ordered to the surrounding delights to be found, for example, in kisses, touches and embraces,<sup>19</sup>

we should then bear in mind his general principle that this kind of precision (*praecisio*) is compatible with a coincidence in reality with other factors, as sexuality belongs with love, creativeness, the sense of life and beauty and so on. It remains the case that sexual vices are basically vices of intemperance, even if erotomania, like sexual love itself, has all kinds of ramifications as profound as they may be elusive and magical. Any further resistance which one may feel to the analysis may well be found to lie at root in a more fundamental disagreement concerning the role of reason in human nature. For in Thomism this is seen as by no means an alienating, restrictive factor but rather as the form of humanity (*forma corporis*) itself.

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<sup>19</sup> 143, 1.: .



## 23. NATURAL INCLINATIONS AND THEIR ORDER

It has been claimed that St. Thomas's treatise on the Last End is not well integrated with his treatise on law; in particular it is felt to be not well integrated with what he has to say about the natural inclinations as having an order which gives the order of the precepts of natural law. In that this little book has been devoted to presenting St. Thomas's unified vision of "the good life" it is appropriate to conclude by showing how this integrated unity reaches right down to the metaphysical core of his conception, at the same time returning us to the more general themes with which we began.

In the *Summa theologica*, at Ia-IIae 94, 2, a table of inclinations is set forth which many interpret as proceeding from a basic tendency to individual self-preservation, through the inclinations to sexual intercourse and founding a family, to what is most specific to man, viz. the intellectual tendencies to such things as knowing the truth about God and living in society.

This indeed does not seem to fit in very neatly with the questions on the Last End of man, where it is argued that the vision of God, universal goodness, alone fulfils human nature.<sup>1</sup> It even seems to positively contradict what St. Thomas has to say about the order of charity. If by nature we love, and should love, God more than ourselves,<sup>2</sup> then how can our first and foundational inclination be to individual self-preservation? Again, there are arguments in the Prima Pars to show that we, as rational beings, naturally love more what is common in us than what is individual.<sup>3</sup>

The Hobbesian interpretation of Ia-IIae 94, 2,<sup>4</sup> supported without question by the formidable authority of Joseph Gredt, has not gone unchallenged.<sup>5</sup> It may even be that there are graduated levels of meaning in the text, not all of which need to be brought into play for all purposes. Gredt, for instance, cites a passage from the earlier *Commentary on the Sentences* which suggests a tendency to keep the idea of natural law at the level of

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<sup>1</sup> Ia-IIae 3, 8.

<sup>2</sup> IIa-IIae 26, 3.

<sup>3</sup> Ia 60, 5.

<sup>4</sup> Cf. Th. Hobbes, *Leviathan* I, xiv.

<sup>5</sup> Cf. Lawrence Dewan, "St. Thomas, Our Natural Lights, and the Moral Order", *Angelicum* LXVII (1990), pp. 285-308.



"that which nature teaches all animals", which certainly would give prominence to individual self-preservation.<sup>6</sup> There, however, where St. Thomas is discussing polygamy<sup>7</sup>, he certainly goes on to introduce rational considerations pertaining to man specifically, such as the need for education, avoiding quarrel in the household and so on.

In any case it is quite clear in the treatment of natural law in the *Summa theologica* that we are dealing with the first precepts of the law as recognized by practical reason as true, nota per se. That they are thus true, and hence constitute a law, is guaranteed by the explicit consideration that such an apprehension of the first notions, corresponding to seminal realities<sup>8</sup>, is made possible by the divine reason's reflecting itself in our own nature. So here there is no possibility of somehow restricting natural law to the lower reaches of ethical theory. It orders our nature as a whole, in its practical aspect, which, qua nature, tends to what is good, i.e. to its end.

A pointer to what may not be more than the insufficiency of what I have been calling the Hobbesian interpretation of the first of the three sets of inclinations in 94.2, besides the clash with parallel treatments of charity and of the last end which I have mentioned, is that it makes it impossible to see the argumentation of this long article as forming a coherent whole. Hence J. Finnis refers to the table of inclinations as an irrelevant speculative appendage, which would certainly be unusual in St. Thomas's works, concerned as he was for order. And, in fact, up to the point where the schematization of inclinations is introduced we seem to have a most ordered presentation and a progression of a type with which the notion of individual self-preservation as the basic inclination clearly clashes.

Thus, in the article, St. Thomas declares the precepts of natural law to be the principles of practical reason as per se nota, and by this alone we can see that these precepts of natural law are themselves, together with the first principles of reason as such (i.e. of both the knowable and the knowable as do-able,

certain seminal principles of the intellectual and moral virtues, inasmuch as there is in the will a certain natural appetite for good, which is according to reason.<sup>9</sup>

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<sup>6</sup> J. Gredt: *Elementa Philosophiae Aristotelico-Thomisticae*, 3rd edition., Freiburg 1929, 939.2, 940.

<sup>7</sup> *IV Sent., dist. 33, q., art. 1 et seq.*

<sup>8</sup> Cf. *Ia-IIae 51,1; Ia 115, 2.*

<sup>9</sup> *Ia-IIae 63, 1: [Q]uaedam seminalia intellectualium virtutum et moralium, in quantum in voluntate inest quidam naturalis appetitus boni, quod est secundum rationem.*

I.e., practical reason moves the will from the start by conceiving the good, *sicut praesentans ei objectum suum*, i.e. precisely as presenting to it its object, which means that it presents the good as a being, since nothing is otherwise intelligible (than as a being).

It is quite wrong to make natural law consist in those precepts which human reason devises, taking the inclinations as mere "starting-points". We can see here that the precepts of natural law, clearly meant to be taken as a whole, are identified with those first principles which are naturally known to all, and this is precisely why St. Thomas states in the next article that not all virtuous acts belong to the natural law:

For many things are done according to virtue to which nature does not at first incline us; but through rational investigation men discover them as useful for living well.<sup>10</sup>

So for the precepts of natural law we must look for what is in us as *per se nota* :

virtue is natural to man according to a certain incomplete beginning: according indeed to the nature of the species, inasmuch as there are naturally in man's reason certain naturally known principles of both knowable and do-able things.<sup>11</sup>

For St. Thomas indeed such natural principles are needed in rational beings to balance the, so to say, self-transcending powers of cognition and rational will:

But just as in active things the principles of action are of necessity the forms themselves, from which the characteristic operations go forth as fitting to the end, so in these things which participate in cognition the principles of activity are cognition and appetite. Whence there must be in the cognitive power some natural conception, and in the appetitive power some natural inclination, by which the operation suited to the genus or species may be rendered competent to its end.<sup>12</sup>

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<sup>10</sup> Ia-IIae 94, 3: *Multa enim secundum virtutem fiunt ad quae natura non primo inclinatur; sed per rationis inquisitionem ea homines adinvenerunt quasi utilia ad bene vivendum.*

<sup>11</sup> Ia-IIae 63, 1: *virtus est homini naturalis secundum quamdam inchoationem: secundum quidem naturam speciei, in quantum in ratione hominis insunt naturaliter quaedam principia naturaliter cognita tam scibillum quam agendorum.*. Cf. 51, 1.

<sup>12</sup> IV Sent., dist. 33, 1, 1.

Thus there is this clear sense of natural law as what is naturally known to us in a way contra-distinguished against what reason has especially found out or devised. We see it in St. Thomas's treatment of religious sacrifice:

in any age, and with whatever human nations, there was always some offering of sacrifices. But what is found everywhere seems to be natural. Therefore even the offering of sacrifices belongs to the natural law.<sup>13</sup>

Dewan comments that the argument means that offering sacrifice "is not one of reason's extensions of the natural, but is a manifestation of our very nature and the natural order of things."<sup>14</sup>

The same distinction is applied in the treatment of the *peccata contra naturam*, as their name would indicate, and there is little doubt that this sense is intended by the Popes in their repeated condemnation of contraception as unnatural.

The whole discussion of Ia-IIae 94, 2 should thus be seen as controlled by this statement at its beginning concerning the *nota per se* or foundational character of the precepts of natural law, i.e. all of them, as distinct from conclusions drawn from them.<sup>15</sup> This statement, in turn, should be related to the statement at Ia-IIae 10, 1 that there are three types of thing from which, as naturally willed, voluntary movement arises:

The principle of motions of the will needs to be something naturally willed. But this is universal good (the good in common), to which the will naturally tends... and also the last end itself... and universally all those things which are suited to the one willing according to his or her nature.

As we know, the first two of these will be found to be *idem re*, the same in reality.<sup>16</sup> The third is due to the fact that the other faculties of man, who is *volens*, the one willing, besides the will itself, which has *bonum in communi* as its own natural object, have their own natural objects which are thus equally the objects of the man as a whole.

For we do not only desire through the will what is proper to the faculty of will itself, but also what is proper to the other powers and to the whole man.

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<sup>13</sup> Ia-IIae 85, 1, *sed contra*; cf. *Contra gentiles* III 38.

<sup>14</sup> *Op. cit.* p.299.

<sup>15</sup> Thus article 4 of the same question cites acting according to reason as one of the common principles equally known to all, and acting according to reason is taken from the third level of the principles of practical reason in 94.2.

<sup>16</sup> St. Thomas speaks of "universal good, which is not found in anything created, but only in God." Ia-IIae 2, 8.

Hence it is that man, in and through these other powers, inclines to these objects as well as to *bonum in communi* and the *finis ultimus*, and this is the situation reflected in the table of inclinations at 94.2, but provided for with perfect consistency here in question 10, article 1, where the natural movement of the will, as distinct from the natural inclinations of man as such, is discussed:

Whence man naturally wills not only the object of the will *qua* will, but also the other things which belong to the other powers; such as knowledge of truth, which belongs to intellect; and to be and to live, and other things of this kind which look to natural perdurance; all of which things may be comprehended under the object of the will, as certain particular goods.

So what we are discussing primarily is what man naturally wills, even though, as St. Thomas declares elsewhere, it is will in man which determines the use to which everything else is put, so that a good man is a man with a good will but, even so, a good man is more and other than a good will. This distinction is essential to a doctrine of the precepts of natural law as hierarchically based upon the natural inclinations. Hence it is that these inclinations listed, as we can now see, correspond strictly to the natural objects of the various faculties, and so give rise solely, but in their entirety, to the primary, *nota per se* precepts of natural law and not to extensions imposed or devised by reason. The order of natural law lies in the ordered set of the inclinations themselves, which of course includes the inclination of the rational will to override anything hindering its pursuit of man's ultimate end. For this phrase indeed reminds us that if the ends of the other faculties may be spoken of as ends of the will, indirectly as it were, yet the will's proper ultimate end is truly the end of man as a whole, as the pagan philosopher well understood when he said that even a little of this highest good is better than all the rest put together.

St. Thomas goes on, in question 94 article 2, to which we now return, to treat of different senses of *notum per se*, and here he makes us aware of the priority of an understanding of terms over an understanding of principles or of sentences as enunciating principles, as abstraction is prior to judgment. This position would seem to separate St. Thomas entirely from the Anglo-American analysts of today, with their espousal of the "contextual theory of meaning" (M. Dummett, L. Wittgenstein), that words only have meaning in a context, such as a language or a sentence, or even a form of life; yet St. Thomas's theory of meaning is also relational in so far as it is based upon the definition, this being a process of giving meaning to terms (not sentences) by relating them to a wider category, the genus, and to

species.<sup>17</sup> Of certain terms, however, such as "being", ens, there can be no definition, since being is in no genus and itself forms no genus, being analogical. Yet being must be understood before anything (we cannot say before anything else of course) can be understood, even, or especially, the principle of non-contradiction, of which being forms the subject. The understanding of being, St. Thomas repeats here, is included in the understanding of anything whatever, as, in any and every act of apprehension, *primum quod cadit in apprehensione simpliciter*, simply the first thing that falls into the understanding. Hence it is that it is included also in the apprehension of "good" as the foundational notion of practical reason.

The object of this particular article, all the same, remains precepts, enunciations, rather than notions, terms or concepts. Yet goods and their contraries are to be pursued or avoided (or, where the good happens to be an action, performed), in accordance with the first precept, precisely because, as goods, they are fines, ends. For when we are acting for the sake of our end, as indeed is proper to agency as such, then we are relating to bonum, that first practical concept. Hence it is that actions which fall under these precepts of natural law as "to be done or avoided" have as their ends just those things "which reason naturally apprehends to be human goods".

One should stress, again, *naturaliter* ("naturally"). These things are just what our nature inclines to in the inclinations as listed, and they are objects of inclination just because goods are ends (*bonum habet rationem finis*).

Now the fact that reason naturally apprehends these things as goods, i.e. they are truly such, means that the inclinations are rational. They stand in no need of order from without, and indeed the order of precepts is "according to the order of the natural inclinations" (*secundum ordinem inclinationum naturalium*).

Thus, there is an order of the inclinations which supplies the order of the precepts, and not *vice versa*. Hence it is that the principle that "good is to be done and pursued, and evil avoided" is not only the first precept of the law (and no mere preliminary to it), but it is upon this that all the others are founded, as St. Thomas clearly states. *Bonum*, that is, is included in the practical understanding of anything, as is ens, more generally, in any kind of understanding of anything at all.

At this point, if we are to understand anything, we must ask why it is that "it is good which all things desire" (*bonum est quod omnia appetunt*). If, as is sometimes fancied, this were a simple "analytic" statement then it would not bear the weight being put upon it, nor would anyone have been tempted

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<sup>17</sup> Cf. Theron, "Meaning in a Realist Perspective", *The Thomist*, 55 no. 1, January 1991.

thus to apply it. Such a view, one feels, betrays complete metaphysical blindness, plus a lack of feeling for the Thomistic corpus as a whole.

*Bonum*, as we said, has to be viewed as a being in order to be understood at all by any intellect. It flows from the concept of being, just as, and even in the moment that, will flows from intellect and just as, again, intellect itself, a power, has flown causally from the substance of the soul, from its immateriality and purely formal character. Hence it is that practical reason is essentially related to will, the appetitive faculty, but as preceding, not as reflexively succeeding it. It presents the will with its own object, the good. For *ratio enim boni in hoc consistit quod aliquid sit appetibile* (the meaning of good consists in something's being desirable), we read in the *Pars prima*, question five. Anything, he continues, is "desirable according as it is perfect; for all things seek their perfection", i.e. all the time, as *finis ultimus*. But

to the extent that anything is actual it is perfect. Whence it is manifest that to the extent that something is being it is good (*in tantum est perfectum unumquodque, in quantum est in actu. Unde manifestum est quod in tantum est aliquid bonum, in quantum est ens*),

from which it follows that "good and being are the same in reality" (*bonum et ens sunt idem secundum rem*).

So good is explained in terms of being and in terms of act, *or being in act, under the aspect of a thing's perfection as giving the ratio of appetite. For appetite is for what completes one's being. Therefore it is with this aspect of being, and not with some irreducible logical difference of the practical such that good is its absolutely first concept, that we are dealing when we say that it is upon bonum that the first foundational precept, upon which all the others are founded, is built. Fundare is used twice in the text.*

We are perceiving being as *appetibile*, which we convert into the *ens rationis* of *bonum*, whereby the intellect (and not merely the blind will) becomes practical. Everything then is first founded not upon a precept but upon a term used in the precept but first grasped, in the human case, by *abstractio*. A term such as *ens* (and, *mutatis mutandis, bonum*), however, is grasped as a seed of all the sciences, pondered and penetrated by the intellectual virtue of *sapientia*, which is more noble (*nobilius*), because more fundamental, than is *intellectus*, i.e. the virtue of the understanding of principles, because *sapientia* judges of the terms of these.<sup>18</sup>

This is why St. Thomas speaks of the habitus or habit of intellectual

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<sup>18</sup> Cf. *QD de veritate* XI, 1; *Summa theol.* Ia-IIae 51, 1 & 2, esp. ad 2um; 63, 2 ad 3um; 66, 5 ad 4um.

understanding, synderesis in regard to practical principles, as only partly inborn, inborn as an inchoate habit.<sup>19</sup> We have to get to know *ens* and hence, in the light of the above, *bonum*, as

first conceptions of the intellect, which immediately by the light of the agent intellect are known through species abstracted from sensible things.<sup>20</sup>

It is these "incomplex" notions that the intellect immediately apprehends. St. Thomas here remained faithful to the account of Aristotle's given in the last chapter of the *Posterior Analytics*.

The virtue of wisdom, embracing knowledge of being and of the good, is more noble in us than the other virtues precisely because it functions as the principle whereby we build up other knowledge and virtue. In this way the agent acts on himself, building up virtues by means of the seminal, *nota per se* precepts of natural law founded in turn upon this original sapiential seed:

certain seeds of the acquired virtues, as principles according to nature, pre-exist in us.<sup>21</sup>

Why does it belong to wisdom, the most noble virtue, to consider *ens* as such? Simply because *ens commune* is the proper effect of God as subsistent being itself (*ipsum esse subsistens*). *Ens* itself is the ultimate seed of wisdom, and it is in this way too that God moves the will as being immediately ordered to him, as in every inferior nature there is movement by something superior to it.<sup>22</sup> The very sign of this immediacy (to divine motion) is the will's, as the intellect's, attaining to something universal or formal, the *ratio entis* (or notion of being) being the most universal and formal of all:

The created rational nature has an immediate order to God: because other creatures do not attain to anything universal... inasmuch as it knows the universal meaning of good and of being it has an immediate ordination to the universal principle of being.

Elsewhere St. Thomas makes clear that the inclination of the intellect to this universal good, to *bonum in communi*, actually constitutes the will as a power flowing, emanating, from the intellect, something further illuminated

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<sup>19</sup> IIa-IIae 51, 1.

<sup>20</sup> *De veritate* XI, 1.

<sup>21</sup> Ia-IIae 63, 2 ad 3um.

<sup>22</sup> Cf. Ia-IIae 9, 6; IIa-IIae 2, 3.

here as the very divine creative ordering of the will as such.

Now this central, weighty vision can be no mere side aspect of that sapiential Thomistic vision of the ethical realm for which the contemplation of natural law strives. We are speaking of the central, constitutive inclination of the human will, and that cannot be forgotten in a text where St. Thomas tells us that

all those things to which man has a natural inclination, reason naturally apprehends as goods, and in consequence as things to be pursued, the while their contraries are to be avoided as evils.<sup>23</sup>

The first, main inclination, as we have seen, is to *ens in communi*, thus, *qua* object of inclination, become *bonum*, and this is indeed the *finis ultimus*<sup>24</sup> from which, together with all to which the other parts of human nature are naturally inclined, movement of the will naturally, i.e. natural movement of the rational will, arises.

Hence it is that at the head of the table of natural inclinations, giving the order of the precepts of the law, we would expect to find mention of universal good. Indeed the logic of the paragraph suggests this, since we move from what is common to all substances, bearing in mind that all things seek the good, down through the generic nature of the human substance to the specific quality of rationality.

Now, as has been mentioned previously, the first item listed here is often taken to refer to an inclination to individual good, as the text on its own might indeed suggest. But there are, all the same, many reasons not to accept this interpretation. Not least there is man's natural inclination, following immediately from all that we have been discussing and affirmed by St. Thomas many times over, to love God more than himself:

each thing is inclined not merely to conserve its own individual substance, but also its own species. And much more does each thing have a natural inclination towards that which is the unqualified universal good.<sup>25</sup>

If this were not so, says St. Thomas, in the body of the same article, then natural love would be perverse, and hence not perfectible by charity, which would rather destroy it.

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<sup>23</sup> Ia-IIae 94, 2.

<sup>24</sup> As we saw above, from Ia-IIae 10, 1.

<sup>25</sup> Ia 60, 5 ad 3um. See also what we found him saying about prudence as, in perfecting individual nature, having always to be also "political" or looking to the common good.



This last, strong statement suggests that it might not even have occurred to St. Thomas that someone might take him as positing conservation of individual corporeal existence as the first precept of law, which, on the contrary, is always focussed upon universal good, to the point that the life of man is by law to be preserved in common, as pointing to the whole destiny of the rational creation:

nothing is solidly performed through practical reason unless through ordination to the ultimate purpose of life, which is the common good. But what is ordained in this way is an exemplification of law.<sup>26</sup>

The reference to all substances can rather be seen as linking everything in a communion of inclination to the *finis ultimus*, "in existing merely... in living and in knowing individual things," or, in the case of rational natures, such as we are, through and through, in an "immediate ordering to the universal principle of being" (*immediate ordinem ad universale essendi principium*).

This indeed has been stressed in this very article (94, 2) as establishing the first foundational precept as we have investigated it here. But it is not the intention of the table of inclinations to leave that out, since that is what is primo, i.e. foundational. The first inclination is the inclination of the will as such, before we come to the inclinations of the other faculties achieved by its means, where St. Thomas is for once prepared to place intellect after the generic inclinations, simply because he is following an ontological order from the universal to the particular.

Thus it is clear that under intellect he intends to treat of something very specific. He speaks of knowing the truth about God, living in society, and so on, rather than of the achievement of the *finis ultimus*. That is included rather under "the inclination to good according to his nature in which he communicates with all substances" (i.e. at the first level of the table of the inclinations given in 94, 2), since under "the conservation of his being according to his own nature" (*conservationem sui esse secundum suam naturam*) is included that perfectibility connoted by bonum and, we saw, sought by all, although in the rational nature it requires possession of *bonum in communi* as constitutive object of the will.

Certainly conservation of one's own being would be included in this perspective, bearing in mind that man according to his nature is primarily a spiritual being, and this indeed accords with St. Thomas's teaching that although man by nature loves God more than himself yet he loves himself more than other men, since they are not above him in the order of substance. Thus in the order of spiritual good he might be led to sacrifice his own body,

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<sup>26</sup> Ia-IIae 90, 2 ad 3um.

but never his own spiritual good, for others. The latter, and hence his spiritual being, is indeed enhanced by the former type of action.

Again, it is quite in order for St. Thomas to indicate here the lower reaches of this universality. The highest does not stand without the lowest and the inclination to *bonum in communi* as ultimate end can be thought of without violence as including preservation of that being for which one is most immediately responsible, out of a rational consideration presupposed to any inclination qualifiable as human.

The idea of inclination, after all, presupposes the idea of truth, the *bonum apprehensum in mente*, then sought in reality. And again, we have to do here with

natural appetite, or love, an inclination which nevertheless (i.e. despite being natural) is found differently in different natures... in intellectual natures it is found according to the will.<sup>27</sup>

Man, of course, for St. Thomas, is an intellectual nature, since his unitary intellectual soul is his form. But we have to do specifically with how this appetite (for the good) is found in the intellectual soul or form of man, which form reaches right down to that in which man "communicates with all substances", in accordance, again, with the doctrine of the unicity of the substantial form.

All I am saying here is that this first level of inclination, as universal, should not be restricted to this lowest, so to say distributive application, after the manner of Hobbes, since this is manifestly contrary to St. Thomas's constant doctrine and, specifically, quite distorts the structure of this article (94, 2), which is otherwise seen to be most perfect.

There is an interesting parallel between the hierarchy of inclination, as St. Thomas presents it, and the hierarchy of the four forms of law in this treatise. In the order of inclinations we move from what is most universal, just as, in the parallel order of precepts, we started with the *apprehensio* of being and good. This universality, that is, derives most immediately from the highest apprehensions of the mind, in

a zone of inclination which links everything whatever in a communion: in man, such an inclination is present in the mode called "willing" and in the mode of the intellectual nature... The deepest level of natural law is that whereby we are in communion with the principle of all being and goodness, naturally in our own mode, which is according to intellect and will.<sup>28</sup>

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<sup>27</sup> Ia 60, 1.

<sup>28</sup> L. Dewan, "Jacques Maritain and the Philosophy of Cooperation", *L'alterité*,

From here we move to a more special level of inclination, corresponding to the generic animal life which man shares, again in his own rational mode, with all animals, coming finally to what is proper to man and which thus seems to reverse the descent in dignity from the first to the second level, if we understand the first level as interpreted here.

Similarly the four types of law, forming a set which is surely in itself analogous, begin with that most universal of all laws, the *lex aeterna* or eternal law, embracing all creation from highest to lowest. We then pass to that law proper to man in all his aspects, the natural law, before passing to the particular aspect of law in societies (human law), spoken of in places as an addition to natural law, before rounding off the list (in some sense a circular one therefore) with what is at least equal in nobility to the first but which is in a way the most particular law of all<sup>29</sup>, the *lex divina* or divine law proceeding from Israel, ultimately uniquely personified in Jesus of Nazareth as the Christ. We can thus recognize that a hierarchy having a kind of dual or even spiral direction, such as we seem to be finding in the table of the inclinations, was congenial to the mind of St. Thomas.

What is a consciously universal communion and self-transcendence in the rational creature is in inanimate beings also a participation in the divine, at which all things aim, but solely *in essendo*, this being the reason that things don't immediately fall apart. *Bonum*, like *esse*, is at once the highest and most perfect in all things and yet, by the same consideration almost, that which each and everything must have at the basic level of existence. Even bread must be good.

Yet here this aspect of universality is clearly implied by what has gone before. For if the order of the precepts is according to the order of the inclinations and the first precept is "good is to be pursued" then the first inclination is to the good, as explained above. The inclinations in question are never "brute urges", and in so far as man is subject to these he falls away from the integrity of (his) nature.

For it has been contended here that ethics in contemporary life, so attuned to analysis, will only be conserved if this whole perspective of man's nature and destiny be taken into account, a perspective which saves us

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*vivre ensemble differents* (ed. Gourgues & Mailhiot), Montreal & Paris 1986, p.116.

<sup>29</sup> It is particular in not being the law of nations, but the law of one nation. One could, however, urge a distinction between the form and content of the divine law as it has in fact been given (as very particular by divine choice) and the category of divine law, of revelation, in itself, as in fact *lex divina* is generally treated in the earlier *Summa contra gentes* of St. Thomas. But even granted this distinction it would seem that a law of revelation would be essentially more particular than the other three types.

from viewing the final paragraph of Ia-IIae 94, 2, in the *Summa theologica*, as an irrelevant "speculative appendage" and hence saves the particular precepts of natural law from being presented as a disordered set of restrictions upon human spontaneity imposed by a "reason" which is rationalistically alienated from man's most natural and hence most noble aspirations. But rationality characterizes man as such, the whole man.