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EXEMPLAR CAUSALITY AND THE SUPERNATURAL ORDER

BOTH the purpose of this study and the profound theological problem which lies behind it demand a brief introduction. Recent years have seen many attempts to force a gap between the teaching of the Latin and the Greek Fathers concerning man's intimate supernatural relations with God. According to the theologians who supported these attempts, the Latins started from the notion of unity in the Divine Essence, which is common to all Three Persons. Applying that unity strictly to all the divine *ad extra* operations, they explained the relationship between the soul in a state of grace and the Trinity according to the iron law of appropriation. The Greeks, on the other hand, taught a more personal doctrine. They started from a scriptural basis. i.e. from the idea of the Trinity of Persons in God, and consequently they were able to discover, in those same *ad extra* operations, a

personal relationship between the soul and the Divine Persons which was based on something more than mere appropriation. This theory, which started with Petau, Sheeben and others, was not able to stand up to the serious criticism of its fundamental tenets by Froget and Galtier/ so much so that, at one time, it appeared to have lost most of its adherents, only to be revived once more through the influence on Catholic thought of the modern existential philosophies, with their doctrine of contact with God through immanent experience and the fundamental consciousness of one's own existence. This is the theme which runs through all existential writings, from Kierkegaard and Jaspers to Marcel, Lavelle and Zubiri. In their view man's inner consciousness reveals God to him as the Transcendent Being in whom all exist-a vain hope and a useless theory, perhaps, but one which reveals a mental anxiety, together with a desire for God which He, in His infinite wisdom and goodness, has already satisfied in the supernatural order through the gift of sanctifying grace with the subsequent Indwelling of the Blessed Trinity in the soul.

Under pressure from this modern philosophy theologians returned to the attack, because many of them considered that the classical explanations were not sufficient to satisfy this desire for God revealed in the existential writings. Would it not be possible to establish a more personal relationship between the soul in grace and the Three Divine Persons? To many of them the doctrine of appropriation still seemed vague and deficient, although they were able to see the difficulties which lay ahead. On the one hand, the Scriptures seemed to imply this personal and individual activity, whereas the unity of the Divine Essence in the Three Persons seemed to exclude it. Also the Encylical *Mystici Corporis* contained a warning which could not be ignored:

but, under pain of departing from true doctrine and the true teaching of the Church, they [that is, the theologians] must all

[1] Cf. B. Froget, 0. P., *De l'Habitation du Saint Esprit dans les ames Justes,* pp. 447 sq.; Galtier, S. J., *L'Habitation en nous des Trois Personnel!,* pp. 4-150.

hold this as quite certain, that any explanation of this mystical union is to be rejected if it makes the faithful in any way pass beyond the order of created things and so trespass on the Divine sphere that one single attribute of the eternal God could be predicated of them in the proper sense. Moreover, this certain truth must be firmly kept in mind, that in these matters all things are to be held common to the Blessed Trinity, insofar as the same relate to God as the supreme efficient cause. [2]

This clear teaching of the Vicar of Christ altered the situation considerably. The approach along the line of efficient causality was definitely closed. Any attempt to establish such a personal contact between the soul and the individual Persons through formal causality would lead inevitably to open conflict with the decrees of Trent, while material causality was useless and absurd. There remained only two lines of approach to be tried, that of :final causality and that through the notion of the exemplar cause. Theologians have turned their attention to the latter as holding out more hope of the personal relationship which they are seekingo[3]

The purpose of this article is to study the notion of exemplar causality as it is developed for us by St. Thomas, in order to see if it can throw some light on these great mysteries of the supernatural life of man, including the mystery of Grace, the adopted sonship and the Indwelling of the Blessed Trinity in the souL The few attempts which have been made up to now to study this approach are, to our way of thinking, deficient, mainly because the clear philosophical notions have been wanting.

All these reasons force us to begin any study of this problem with a brief summary of the philosophical basis for exemplar causality as St. Thomas understands it. The exemplar cause has its origin either inside o:r outside the mind, but, when we come to examine it more closely, we discover that it is essenti-

[2] *Mystici Corporis,* C. 'I'. S. Trans., p. 48, n. 78.

[3] Cf. Dom. Lucien Chl\mbat, 0. S. B., *Les Missions des Personnes de la Sainte Trinite selon S. Thomas d'Aquin* (Editions de Fontenelle; Abbaye S. Wandrille, 1947).

ally something which is internal to the mental process. Thus, the artist may have an external model for his painting, but that model reaches his canvas by means of the mental idea which he forms of it. For this reason no two artists have ever reproduced the same external object or scene in exactly the same way. In its strictest sense, therefore, the exemplar is that form or idea which the agent has in mind, and which he seeks to reproduce in an external medium. In this description of the exemplar the words " form or idea " indicate the genus, since the exemplar naturally belongs to the realm of ideas. The rest of the definition serves to distinguish the exemplar from all other ideas. From this it will be evident that the exemplar cannot be identified with the impressed species, since of its very nature the exemplar must be clearly known, while the impressed species does not form the object of knowledge, being, in the language of the text books, a « medium quo incognitum."

Nor can we identify the exemplar with *every* expressed species or idea properly so-called, but only with those which are regarded by the intellect as capable of external reproduction. The whole idea of the exemplar is that it should be an internal model of what the agent wishes to produce externally, for which reason it must belong to the sphere of the practical intellect rather than to that of the speculative. Since it cannot exist outside an intelligent cause, St. Thomas defines it as " forma quam aliquid imitatu:r ex intentione agentis qui determinat sibi finem"" [4] From which it follows that, even though there may be an intimate :relation between them, nevertheless the exemplar is also dearly distinguished from the internal form which enters into the intimate constitution of the effect.

One look at any work of art will be more than sufficient to prove to us that the exemplar undoubtedly fulfills an the conditions necessary for a real cause; but, when we attempt to determine the exact nature of its causal influence on the final effect, we find ourselves in a more difficult position. Unless we wish to claim that the exemplar forms a fifth class of cause all

[4] *De Verit.*, q. 3, a. 1.

on its own, we are forced, it would seem, to reduce it to one of the four causes. The classification is by no means an obvious one, and so it need not surprise us to find that there are several opinions on this subject. In his commentary on Aristotle's *Metaphysics* St. Thomas includes the exemplar under the general heading of the formal cause, but it is clear that, in this passage, he is using the word " formal " in an analogous sense. In other words, there are several classes of things which may be called forms, some which exist inside the mind and others which are external to it.[5] A simple scheme will make his teaching clear.

Form

- Extrinsic to the mind and intrinsic to the effect . . . . the formal cause, strictly so called.
- Intrinsic to the mind and extrinsic to the effect
  - The impressed species *(medium quo incognitum).*
  - The expressed species
    - The simple idea,
    - The exemplar idea.

This does not, however, mean to say that there is no relation whatever between the exemplar and .the other causes apart from the formal cause. In some ways, as St. Thomas himself indicates, there is a very definite connection between the causal activity of the exemplar and that of the final, efficient and instrumental causes. Nevertheless, since it seems to have much more in common with the formal cause, the exemplar is usually called the formal extrinsic cause. The reason why we incline to the opinion which relates these two causes so closely is simple. Not merely is the idea a productive form which has

[5] V *Metaphys.*, lect. !il: "Alio autem modo dicitur causa species et exemplum, i.e. exemplar: et haec est causa formalis, quae comparatur dupliciter ad rem. Uno modo sicut forma intrinseca rei, et haec dicitur species. Alio modo sicut extrinseca a re, ad cuius tamen similitudinem res fieri dicitur, et secundum hoc exemplar rei dicitur forma."

for its object the formation of a new effect of which it is a true cause, but also it is the rule and the measure of the thing produced, specifying it in much the same way as the external object specifies the faculty which perceives it.[6] For which reason we say that any effect is more or less perfect according to the degree of accuracy with which it represents the idea in the mind of the person who produced it. This depends, to a great extent, on the intrinsic form which constitutes the effect in a given species and is, at the same time, an imitation of the model in the mind which produces it. In this sense the roles of the intrinsic form and of the exemplar coincide, i. e. insofar as both are necessary to constitute the effect in a given species and both are forms.

The exemplar reaches out to the effect produced through the medium of the efficient and the instrumental cause, but since these are not in the genus of forms, it is not related to them so closely as it is to the intrinsic form. The relation between the exemplar and the final cause is obvious, but whereas the end in view provides both the motive for action and also the term produced and is willed as such by the agent, the exemplar is not desired or willed for itself, but rather with a view to the effect. The notion which is really specific to the exemplar is that of something which is *imitable.*

This explanation which is so important for a full understanding of the role of the exemplar cause has very deep roots in the metaphysics of Aquinas. In it we can find the ultimate reason for many of those philosophical axioms which appear so frequently in his writings. For example, the fact that every effect is contained in its cause "eminenter," i.e. on a higher plane, is sufficiently illustrated, not merely by the power of the cause, but also by the fact that, if the cause is an intelligent one, the very form which is destined to constitute the effect in one species rather than another is contained in the exemplar idea. Applying this to the Divine Cause St. Thomas points

[6] Cf. *de Verit.,* q. 3, a. 3.

out that even those things which, in themselves, are without life are alive in God.[7]

Similarly, if we consider the very notion of truth itself, and if we really wish to establish the reason for St. Thomas' definition of it as " adaequatio rei et intellectus," we can find the full and perfect explanation only with reference to the exemplar idea, i. e. insofar as all creatures represent perfectly the divine idea according to which they were created. This likeness lies at the root of all truth, and to ignore it would lead us, in the long run, to a purely relative or voluntarist idea of truth, lacking in all ontological value.

We have already mentioned the fact that to act in conformity with and through the medium of exemplar ideas is something which is proper to beings possessing intelligence. St. Thomas brings out the full significance of this when discussing the difference between rational and irrational natures. In the latter the " form " of the effect as it exists in the cause is to be found in the nature, and by means of it we can prove the truth of the axiom that " omne agens agit sibi .simile." In the intellectual creature, however, over and above this natural tendency to produce effects in its own likeness, there is also to be found the exemplar idea, which is the intellectual pattern or model according to the details and the design of which the effect is produced.[8] This is of considerable importance when we come to apply these general notions of exemplar causality to the First Cause, God.

There will be no need to stress the fact that, as the First Cause, God must have in Himself the exemplar idea of all

[7] *Summa Theol.*, I, q. 18, a. 4, ad 2: "Dicendum quod exemplata oportet conforman exemplari secundum rationem formae, non autem secundum modum essendi .... Unde et rationes rerum, quae in seipsis non vivunt, in mente divina sunt vita, quia in mente divina habent esse divinum."

[8] *Ibid.*, q. 15, a. 1: "Agens autem non ageret propter formam nisi inquantum similitudo formae est in ipso. Quod quidem contingit dupliciter. In quibusdam agentibus praeexistit forma rei fiendae secundum esse naturale, sicut in his quae agunt per naturam ... in quibusdam, vero, secundum esse intelligible, ut in his quae agunt per intellectum."

creatures. However, although all such effects have their model in God, that does not mean to say that they all imitate His divine perfections in the same way. Thus, e. g. the exemplar of color which is in the Divine Cause is not quite the same as that of goodness or truth. All the magnificent effects of light and of color are found, as in their exemplar, both in the divine essence and also in the divine intellect in which their archetypal idea is formed; but they are there only virtually, i.e. inasmuch as the divine nature has the power to produce them. On the contrary, when we consider the created perfections of goodness and truth, not merely are their exemplar ideas to be found in the divine intellect, but also their concept is to be found formally in the divine as such. Naturally, such perfections are to be found in God in a much more perfect way than in His creatures, being infinite and free from all imperfection. Nevertheless, they do actually exist in God according to their formal concept. Therefore, we can say that God is good and true, and we mean that just as it stands. Not so, however, can we say that God is color.[9]

These truths are familiar to every theologian, but a deeper penetration into them is necessary if we are to understand the applications of the doctrine of exemplar causality to the spiritual life of the soul.

The exemplar ideas of all created things can be found both in the divine essence and also in the divine wisdom, but not always in quite the same way. The very simplicity of God demands that His divine knowledge should be one simple act of understanding. In that etemal act by which He comprehends His own divine essence He also knows the infinite variety of ways in which that essence can be imitated

[9] *I Sent.*, d. 19, q. 5, ad 4: "dicendum quod exemplar rerum est in Deo dupliciter: vel quantum ad id quod est in intellectu suo, et sic secundum ideas est exemplar intellectus divinus omnium quae ab ipso sunt, sicut intellectus artificis per formam artis omnium artificiatorum. Vel quantum ad id quod est in natura sua ratione suae bonitatis qua bonus est exemplar omnis bonitatis, et similiter est de veritate. Unde patet quod non eodem modo Deus est exemplar coloris et veritatis." Cf. *Quodl.* IV, q. 1, a. 1.

in creatures. Thus, this one simple idea contains in its infinity the essences of all individuals. Such variety in absolute simplicity is not impossible in God, as Aquinas points out/ [0] because there is a difference between the idea as such and the exemplar. The latter is destined to be reproduced outside the thinking subject, and thus always implies a direct relationship to the effect produced. As St. Thomas says, speaking of this divine essence and its simple idea, " secundum ergo quod exemplar est, secundum hoc se habet ad omnia quae a Deo fiunt secundum aliquod tempus. Secundum vero quod cognoscitivum est, se habet ad omnia quae cognoscuntur a Deo, etiamsi nullo tempore fiant." [11]

It is, however, essential that this relationship between God and His creatures which is based on the exemplar idea should not be misunderstood. Every relation between God and the created world has to be judged from two very different points of view. From that of the creatures, there is a real relation between them and God both as the First Cause and also as the Exemplar Idea. From God's point of view, however, such a real relationship would be impossible, and thus in place of it there exists a relation of reason only, implying no dependence of God on His creatures" Such is the constant teaching of Aquinas. [12]

To sum up, then-the divine wisdom is the exemplar cause of all creatures insofar as God, by His perfect knowledge of His divine essence, sees the infinite variety of created imitations of that perfection" This He sees in one simple act of knowledge which virtually contains many ideas when it is compared with the actual effects produced. But what of the divine essence itself? Is not that also the exemplar of creatures, since, however imperfect they may be, all creatures are the finite imitations of the infinite perfection of God? The attempt to reply to

[10] Cf. *Summa Theol.,* I, q. 15, a. :i!c., et ad 9.!; q. 44, a. 3c.; *de Pot.,* q. 7, a.l, ad 3; *II Cont. Gent.,* c. £.

[11] *Summa Theol.,* I, q. 15, a. 3c., cf. *de Verit.,* q. 12, a. 6c.

[12] Cf. *Summa. Theol.,* I, q. 28, a.l, ad 3; q. 32, a. 2c.; q. Ul, a. 7, ad 4; *1 Sent.,* d. 14, q. 2, a. l, qcla. l, ad l; *ibid.,* d. 14, q. 1, a. 1; d. 37, q. 2, a. 3.

that question will take us one step further along the road we wish to travel in this article.

In God everything which implies causality belongs, of its very nature, to the divine essence, since God is the cause of created things by His essence which is identified with the causal attributes of intellect and will.[13] However, as we have already seen, not all the perfections of the creature are to be found in the same way in that divine essence. Some are found there only virtually, insofar as God has the power to produce them in His creatures by His causal activity; while others are to be found there in their formal concepts, but in a more perfect way than they exist in creatures. It is this latter class of perfections which gives rise to the image of God in His creatures, inasmuch as the creature possesses a created participation of them in a greater or a lesser degree. For this reason St. Thomas says, " unumquodque dicitu:r bonum bonitate divina, sicut primo principio exemplari effectivo et formali totius bonitatis. Nihilominus, tamen, unumquodque dicitur bonum similitudine bonitatis sibi inhaerente, quae est formaliter sua bonitas denominans ipsum." [14]

It is interesting to notice that at the very root of this question of exemplar causality in God lies the fact that the creature participates, not merely in the perfections of the divine essence as such, but also in the perfection of the divine being.[15] In God this being is identified with His very essence, while in creatures it is distinct, since no creature can be pure act. Also the divine essence is not merely the foundation of the divine exemplar causality, but also it holds the key to all human knowledge. If there is any harmony between the human intellect and being, that harmony which we call truth,-it is due

[13] *De Verit,* q.lO, a.l3: "Omne illud quod in divinis causalitatem habet ad essentiam pertinet, cum Deus, per essentiam suam, sit causa rerum."

u *Summa Theol.,* I, q. 6, a. 4c.; cf. *ibid.,* II-II, q. 27, a. 3; *I Cont. Gent.,* cc. 40-42; *de Verit.,* q. 2, a. 4.

[15] *I Sent.,* d. 8, q. 1, a. 2c.: "Unde patet quod divinum esse dicitur esse omnium rerum a quo omne esse creatum effective et exemplariter manat." Cf. *Quodl.* IV, q.l, a.l.

to the fact that man's intellect is made on the pattern of God's, and because his knowledge is a participation of that infinite knowledge which is the exemplar idea of all things. Man can know truth because the things which form the object of his knowledge conform absolutely to the divine exemplar idea which, in its turn is based on the divine essence.[16]

According to the degree of participation in the divine perfections we can measure the perfection of the individual creature both in. its nature and also in its imitation of the divine exemplar. According to the degree of perfection in this imitation we say that, whereas all creatures are made to the likeness of God, some, by reason of their special perfection, are made "in His Image."

When speaking of this image of God in His creatures we have to be careful to distinguish two distinct uses of the term. In its wide sense " image " can be used both to signify the exemplar idea which God has of all creatures by means of the operation of the divine intellect, and also the creatures themselves as being imitations *ad extra* of that idea. Apart from this general use, however, the word image has a strict theological meaning when applied to the doctrine of the Blessed Trinity. In this sense it refers to the Word of God, who is the perfect Image of the Father, proceeding from Him by intellectual generation. In this sense, as St. Thomas tells us, the word signifies the Person directly and the essence indirectly or " in obliquo," as identified with the Person.[11]

Thus it is possible for us to distinguish between the idea as such and the Word of God, since the idea signifies directly the exemplar in the divine mind, while the Person of the Word implies first of all origin by a process of intellectual generation which gives rise to a perfect Image of the Father, in which Image creatures have their due place.[18] ·Not merely are they

[16] *De Verit.,* q. 3, a. 2: " Et ideo, ipsa divina essentia, cointellectis diversis proportionibus rerum ad earn, est idea uniuscuiusque rei . . . . et est quidem una omnium ex parte essentiae, sed pluralitas invenitur ex parte diversarum proportionum creaturarum ad ipsam."

[17] Cf. *I Sent.,* d. 28, q. 2, a. lc.

[18] Cf. *de Verit.,* q. 4, a. 4, ad 4, et ad 5.

represented therein, but also the Word of God, together with the Father and the Holy Ghost, is the operative principle through which they come into being. The perfect Image of God, then, is the Second Person of the Blessed Trinity.

Thus, when the word " image " is used of creatures it will be necessary to understand that application properly so as not to confuse the creature with the Creator.[19] There are certain conditions which have to be fulfilled before anything can be said to be a true image. First, there must be a similarity between it and the object of which it is the image, and this similarity must be not merely analogous or generic, but a likeness in *species,* or at least, in some quality which is regarded as a sign of that species. In this way a man's face, represented in a picture, is said to be an image of him insofar as it reproduces the various lines and contours of his face.

Secondly, the image must have its origin in the object or person of which it is an image. We do not say that one egg is the image of another, but we do speak of a son as being the image of his father or a portrait as being the image of the sitter. From this it is now possible to distinguish several types of image. There is the artificial image, as in a photograph or painting; the intentional image in the mental expressed species; and lastly, the natural image, which originates from the object of which it is the image, has the same nature and the same mode of being. It is in this latter sense that we speak of a son as the image of his father. The origin or cause of the image is, strictly speaking, the exemplar, while the object itself which proceeds from it with these conditions is the image.[20] The foundation of this relationship of image to exemplar is that particular quality of the object which fonnally fulfills these conditions. Thus, a son is the image of his father in his very nature; the portrait is the image of the sitter insofar as it reproduces in itself the lines and the contours of his face.

Once this has been clearly understood we can see why the

[19] Cf. *Summa Theol.,* I, q. 93, a. 1; *ibid.,* ad 2; *I Se:nt.,* d. 34, q. 2, a. 2c.

[20] Cf. *Summa Theol.,* I, q. *35,* a. 1, ad 1; a. 2, ad 3.

term " image " is reserved in its strictest sense to the Second Person of the Blessed Trinity, since the Son alone proceeds from the Father by way of intellectual generation in identity of nature. Consequently, only the generation of the Son by the Father demands, *by the very nature* of *the originative process,* the production of a term which is the image of the Father in all things. For this reason St. Thomas says that the term " image " cannot be applied to the Holy Ghost, except insofar as He has the identical divine nature with the Father and the Son-and not because of the nature of the originative process itself.

When we apply these notions of image to creatures we find that, while all without discrimination are made in the likeness of God, only the rational or intellectual creatures are called images of God. Even then, as Aquinas tells us, it is better to say that they are made " in the image of God," to indicate that, at best, they are imperfect images! [1]

In the purely natural order, man is the image of God because of his faculties of intellect and will, which give him a natural aptitude and capacity for the knowledge and the love of God, not as He is in Himself, but as He can be known and loved through His created effects in the natural order. This doctrine is closely allied to what we have said with regard to the intimate connection between God and truth. All our natural knowledge is but a participation of the divine truth, which impresses itself upon ou:r minds through the medium of created things-a fact which at once brings us up against the doctrine of the divine exemplar causality. [22]

When we apply this same notion to the supernatural order, we find that man is made in the image of God insofar as he possesses a supernatural capacity for knowing and loving God as He is in Himself, imperfectly in this world by faith and charity, and perfectly once he is face to face with God in the beatific vision. This image of the divine perfections is a direct effect of sanctifying grace, and would be impossible without that gift. [23]

[21] *Ibid.,* a. 2, ad 8; q. 98, a. l, ad 2.
[22] Cf. *Quodl.* VIII, a. 4c.; *ibid.,* X, a. 7.
[••] Cf. *Summa Tkeol., 1,* q. 93, a. 4c.

The vision of God face to face is proper to God alone and can never be the proper object of any created intellect in the natural order.[24] However, our Faith teaches us that God has granted this face to face vision to His intellectual creatures, and that, in order to make it possible for them to attain it, He has raised them up to the supernatural level. This vision of God would be impossible unless God produced in the intellectual creature some proportio'n between the created intellect and the divine essence as its object. For this reason we are forced to conclude that sanctifying grace is a created participation of the divine nature itself, which alone can raise man up to the supernatural level and thus make him capable of this vision.

Now, we are indebted to the Salmanticenses for the clear distinction between the two elements which enter into the notion of participation, i. e. that of imitation and that of relationship.[25] Any relation between two things is always limited to that point in which they chance to agree and which can be formally predicated of both extremes of the relationship. Imitation goes further than this, because any image represents its exemplar in something which is proper to that exemplar *as it is in itself.* The exemplar and the image may differ to an infinite degree in their mode of being, but, at the same time, there is a relation and a proportion between them which depends on the very notion of exemplar and image. With this in mind St. Thomas says, " Deus non est forma ipsius animae vel voluntatis qua fo:rmaliter vivere potest, sed dicitur vita animae sicut p:rincipium exemplarite:r influens vitam gratiae ipsius."[26]

Grace is not, then, the divinity itself, but it is the foundation in the supernatural order by reason of which man is said to be made "in the image of God," having for its exemplar the divine nature itself. Thus, there is a direct proportion between grace and the divinity. We may notice, in passing, that St.

[24] Cf. *Ill Cont. Gent.,* c.

[25] Cf. Salmanticenses, *De Gratia,* I, c. sub; IV, n. 63.

[26] Cf. *1 Sent.,* d.l7, a. 7, ad l, et ad 2.

Thomas closes the door against any kind of pantheism by excluding the possibility of God playing the part of the formal intrinsic cause, even in the supernatural order.

Man is the image of God, then, principally because he is raised to the supernatural level through sanctifying grace. Nevertheless, other things are also said' to be images of God, and therefore the explanation we have just given is not altogether sufficient of itself to define exactly the nature of grace or to distinguish it clearly from all other created effects, whether natural or supernatural. To do that efficiently it will :first of all be necessary to distinguish between the two very different types of image, i. e. the ontological and the intentional.

The intentional or intellectual image belongs, of its very nature, to the order of knowledge, implying a relation between the intellect and its object, or between the object and its representative idea in the mind, in both cases producing a unity between these two extremes which belongs to the intentional order. The ontological image, on the other hand, has its foundation in the real order, as something which reproduces or copies the thing of which it is an image in its very being. Now, it should be obvious that grace is not an image of God in the first sense, because no creature can fully represent to the understanding the divine essence as it is in itself. are left, therefore, with the ontological image which, as we have already indicated, can be of several kinds. The perfect ontological image demands absolute equality between itself and its exemplar. This equality is not demanded by the imperfect image, which only requires imitation· of its exemplar in some way or other.[27] Thus, within the Trinity there is a perfect Image, the Word of God; but outside the Trinity there are only imperfect images which vary in their degree of participation in the divine essence and perfections.

•• *Summa Theol.*, q. 98, a. I: "Aequalitas non est de ratione imaginis, quia, ut Aug. dicit, ubi est imago non continuo est aequalitas . . . est tamen de ratione perfectae imaginis; nam in perfecta imagine non deest aliquid imagini quod insit illi de quo est expressa. Manifestum est autem quod in homine invenitur aliqua

We must keep in mind all the time that the image is always at one extreme of a relationship, and, furthermore, of a relationship which is based on origin. Now, the two extremes of any relation are united merely through the foundation on which that relation is based. Where is this foundation to be found in the case of sanctifying grace? If we can answer that question we shall have discovered not merely the real basis for the supernatural nature of grace, but also the reason why it is an image, however imperfect, of the divine nature *as it is in itself.*

This foundation will have to be found in the very nature of grace itself, and not primarily in the fact that through it we are able to perform acts of virtue which enable us to attain to God as He is in Himself. To look for such a foundation in the virtues alone, in the beatific vision which is the term of grace or even in the act of loving God through the medium of charity, is really a waste of time. It is true that grace is the foundation of such operations, but it is not itself formally operative. Also we have to remember that the mode of being does not enter into the concept of the image, nor indeed, into that of formal participation; whereas the relationship which is the result of the participated form does enter into that concept.[28] Thus, St. Thomas says, "exemplata oportet conformari exemplari secundum rationem formae, non autem secundum modum essendi."[29] This brings out even more clearly the close connection between the notions of formal cause and exemplar.

Dei similitudo, quae deducitur a Deo sicut ab exemplari. Non est autem similitudo secundum aequalitatem; quia in infinitum excedit exemplar hoc tale exemplatnm."

•• *I Sent.*, d. 84, q. a. " Cum Deus sit causa exemplaris onmium rerum, ipsae creaturae proponuntur ut quaedam imago Dei, per quam in ipsum devenire possumus. Similitudo autem in aliqua imagine reperta dupliciter potest considerari. Uno modo, quantum ad rationem formae, et sic imago ab exemplari non dissidet, et id quod notat formam imaginis potest etiam exemplari convenire. Alio modo consideratur quantum ad esse quod habet in imagine, et sic dissidet ab exemplari . . . . nomina ergo illa quibus designatur ratio formae secundum quam creatura est Dei quasi imago, de Deo et de creatura dicuntur; per prius de Deo, cnm ilia ratio formae a Deo in creaturam effiuat."

•• *Summa Theol.*, I, q. 18, a. 4, ad.

By keeping these facts in mind it should be possible for us to obtain some idea of what we mean when we say that grace is a formal participation in the divine nature in such a way that it implies in itself the notion of image. Grace plays the part in the soul of a new supernatural nature, and this it does by reproducing in a created and imperfect manner the divine nature itself with its perfect activity as the root cause of all the divine operations and perfections. Nothing less than this would do, because grace has for its object the beatific vision, which is proper to God alone. Therefore grace must have for its exemplar the divine nature itself, and consequently, produces in man an image of that nature. Of its very nature it belongs to the supernatural order, and contains all the other supernatural gifts within itself as the seed contains the flowers or the fruit which flow from it. No other gift of God expresses the divine archetype so universally or so perfectly.

The divine exemplar of which grace is the created image must, therefore, be the divine essence itself, as common to the Three Divine Persons. In other words, grace is not merely an effect of the common operation *ad extra* of those Three Persons existing in one and the same divine nature from the point of view of efficient causality, but also it is related to that same divine nature as to its exemplar cause. For this :reason St. Thomas says, "g:ratia quae in nobis est, est e:ffectus essentiae divinae non habens :respectum ad distinctionem pe:rsonamm!' [30] To make it quite clear that he is speaking not merely of efficient causality but also of the exemplar cause he distinguishes, in the *Summa*, between the two meanings which must be given to the phrase " in the image of God." In one sense this phrase refers to the efficient cause, the whole Trinity operating through the unity of the nature. In yet another sense it refers to the exemplar cause, which is, as he says, " ipsa essentia divina, quae abusive imago dicitur secundum quod imago ponitur pro exemplari." [31]

[30] *Ill Sent.*, d. 4, q. 1, a. 2, sol. lc.; d. *de Verit.*, q. 10, a.13c.
[81] *I Sent.*, d. 28, q. 2, a. lc.

Thus, we may put aside any ideas of a personal relationship between the soul and the individual Persons of the Trinity which is based on the nature of grace itself, whether we consider that divine gift in its efficient cause o:r in its exemplar. In both senses it is related not to the Persons directly but to the divine essence.[32]

However, grace produces in the soul as a result of its presence there certain effects, such as the adopted sonship and the Indwelling of the Three Divine Persons of the Trinity. Therefore it will be necessary to examine these effects briefly, in order to see whether they imply a more personal relationship between the soul and the individual Persons of the Trinity from the point of view of exemplar causality.

1. The Adopted Sonship.

We may take it as an established fact that grace confers upon man the gift of divine adopted sonship, with a consequent right to the joys of the beatific vision. Because this effect is produced in the soul as a direct result of the divine love for man, it is attributed to the Holy Ghost, as to the Sanctifier of souls. However, even a brief meditation on the nature of this adopted sonship will make it clear that it unites us very closely to Christ, the Second Person of the Trinity, who is the Eternal Son of God. This relation is brought about, not merely because He won for us our redemption by His incarnation, passion and death on the Cross, but also because His eternal sonship is the exemplar on which our adoption is based.[33] It is important, however, to distinguish the role of grace in our adoption from that of the Three Divine Persons.

•• *De Verit.*, q.lO, a.18: "Omne illud quod in divinis causalitatem habet, ad essentiam pertinet, cum Deus per essentiam suam sit causa rerum. Propria autem personarum sunt relationes quibus personae, non ad creaturas, sed ad invicem referuntur." Cf. *IV Cont. Gent.*, c. fll.

•• *III Sent.*, d. 10, q. 2, a. l, sol. 3: "Potest autern notare formalem causam, et hoc dupliciter, vel inhaerentem vel exemplarem. Si inhaerentem, sic adoptati sumus per Spiritum Sanctum, cui appropriatur cariti!S. . . . Si vero designat causam exemplarem formalem, sic adoptati sumus per Filium, unde Rom. 8. ' quos praescivit conformes fieri imaginis Filii sui '."

Our adoption is an effect of grace insofar as grace is a formal participation in the divine nature. From the point of· view of grace, then, we are adopted by the whole Trinity and the exemplar of our adoption is the divine essence itself, of which grace is the created participation. This does not make it any less true to say that our adopted sonship is a created imitation of the eternal sonship of the Second Person of the Trinity. In this wa.y we are united in a very special way to the Son of God, whose eternal sonship is the exemplar of our own.

St. Thomas explains this very simply. He points out the differences between our sonship and that of Christ, indicating, at the same time, that our adoption must be common to the Three Persons from the viewpoint of efficient causality. There is, nevertheless, a similarity between our adoption and the sonship of Christ; and thus, while our sonship is an effect of the united action of the Trinity, still it is appropriated to the Father as its author, the Son as its exemplar and the Holy Ghost as the Sanctifier of souls.[84] From our point of view, then, this analogous participation in the eternal sonship produces in us a special relationship between our souls and the Three Divine Persons, and especially to the Second Person. This relation, like all others between creatures and their creator, must be real on our part and only a rational relation on the part of God.

We can distinguish several elements in this relationship. Its efficient cause is the divine action on the soul which is common to all Three Persons. The formal cause of it is grace as a participation in the divine nature and the root of all supernatural gifts. Its exemplar cause is to be found in all Three Persons, as identified with the divine nature, but in a special way in the Second Person, whose eternal sonship is the divine model of our adoption. While we are speaking of the ·Second Person of the Trinity it is as well to indicate that, in St. Thomas' teaching concerning the Incarnation, this idea of exemplar causality has full play. For example, he points out that Christ's Resurrection from the dead is the exemplar of our resurrection at the last

•• Cf. *Summa Theol.,* ill, q. a.

day.[33] The mysteries of His life on earth have a direct bearing on our lives, as the model or exemplar to which we, as members of His Mystical Body, are expected to conform. We may leave it to writers on the spiritual life to develop this idea in its full perfection. Here it will be sufficient for us to point out that this teaching of Aquinas with regard to our adoption can only be correctly understood in the light of his doctrine with ence to the Divine Missions, of which we shall have more to say later.[36]

Our relations with God, whether in the natural or the natural order, can be considered under two very different aspects: either from the point of view of the divine causality or from that of the created effect which follows from that causality. We make no apology for repeating once more that, if created effects are considered from the aspect of divine efficient causality, then they are all common to the Three Persons in such a way that it is not possible to distinguish in them the action of one individual Person rather than another. Causality in God is an essential and not a personal attribute, and, as we shall see, this is true of *all* causality.

If, however, we consider this relationship between creatures and God from the point of view of the effect produced, then the position is very different. All efficient causality achieves its object in the effects it produces by means of a formal cause, which plays the major part in conforming the effect produced to the exemplar idea of it in the mind of the agent. This fact accounts for the close relationship between the formal and the exemplar causes. The created effect always has a real relationship to the essential attributes which are common to all Three

•• *Ibid.,* q. 56, a. 1, ad 3.

•• St. Thomas indicates this when he says: "Dicendum. quod filiatio adoptiva est quaedam partici.patio filiationis naturalis, quod fit in nobis appropriate a Patre qui est principium naturalis filiationis, et per donum Spiritus Sancti, qui est amor Patris et Filii .... et ideo, sicut Filio incarnato, adoptivam filiationem accipimus ad similitudinem filiationis eius, ita Patre incarnato, adoptivam filiationem reciperemus ab eo tamquam a principio naturalis filiationis, et a Spiritu Sancto tamquam a nexu communi Patris et Filii." *Ibid.,* q. 3, a. 5, ad S; cf. II-II, q. 45, a. 6, ad 1; III, q. 23, a. 2, ad 3.

Divine Persons, but occasionally there can also be noticed in it a certain similarity between some quality which it possesses and a *proper* attribute belonging to one of the Divine Personso It is on this similarity that the whole doctrine of appropriation on the lines of exemplar causality is built upo Thus, returning to our adoption by God, it has a relation to the essential attributes of God as have all other created effects, but also there is an undoubted similarity between it and the true, eternal sonship of the Second Person" Similarly, the virtue of charity is infused into the soul by the joint action of the Three Persons. But this same virtue, both insofar as it has its origin, as a free gift, in the divine love for man, and also because it enables man to love God with a love of true friendship, bears a special resemblance to the Holy Ghost, as the personification of Divine Love, and therefore, as its exemplaro St. Thomas says, " Quae quidem (caritas) e:fficienter est a tota Trinitate, sed exemplariter manat ab amore, qui est Spiritus Sanctus: et ideo frequenter invenitur quod Spiritus Sanctus sit amor quo diligimus Deum et proximum!' [37] We shall see that this phrase, " exemplarite:r manat," has for St. Thomas the meaning of appropriationo

2. The Indwelling of the Blessed Trinity.

Before we can hope to consider this mystery in the light of exemplar causality we must first of all examine its implications both in itself and also in connection with the doctrine of Aquinas on the Divine Missions.

St. Thomas' teaching on the mystery of Divine Indwelling can be summed up as follows. This presence of the Trinity in the soul is real and substantial, distinct from the general presence of God in all His creatures through His divine immensity. Nevertheless, the presence of Indwelling presupposes the general presence of immensity, and that for several reasonso Before the Trinity can be substantially present in the soul we have to presuppose the existence of the soul and also the

•• *l Sent.*, d. 17, q. l, a. lc.; ct *ibid.*, d. 30, q. l, a. et ad 8; d. 15, q. 4, a. lc.

creation in it of sanctifying grace, both of which demand the general presence of immensity. Also, since the presence of Indwelling is brought about by the knowledge and the love of God which proceed from grace, unless the Three Persons were already present to the soul in a general way as identified with the divine essence, this knowledge and love would never be able to produce more than an intentional or affective presence -which implies a denial of the substantial nature of this Indwelling.

There is only one supernatural gift which can make this Indwelling possible, and that is sanctifying grace; not as an effect of the divine operations *ad extra,* but as the root cause of the operations of knowledge and love which spring from grace.[38] For that reason St. Thomas says, " nullus alius e:ffectus potest esse ratio quod divina Persona sit novo modo in rationali creatura nisi gratia gratum faciens."[39] It is important to keep this fact in mind, in view of the opinions of some modern authors which we shall examine later. Notice that we have described grace as the formal cause of the Indwelling, not simply because grace is an effect of the divine in the supernatural order, but insofar as it gives rise to the knowledge and love by which man attains to God as He is in Himself. God is the cause of grace by the divine essence with which all divine causality is identified, and not by reason of the Trinity of Persons. Consequently, if we consider grace merely as an effect of the divine causal activity, it can never give rise in the soul to a relation with the Persons.[40] Yet, if this presence of Indwelling is to be real and substantial, such a real relationship must be established, and that through the medium of sanctifying grace. Moreover, this real relationship must be to God

[38] *Summa Theol.,* I, q. 48, a. 8c.: "Et quia cognoscendo et amando creatura rationalis sua operatione attingit ad ipsum Deum, secundum istum specialem modum Deus non solum dicitur esse in creatura rationali, sed etiam habitare in ea, sicut in templo."

[39] *Ibid.*

[40] St. Thomas teaches this fundamental truth in many places in his writings, cf. *ibid.,* q. 8, a. 8; q.45, a. 8, ad l; q. 86, a. 4, ad 7; *I Sent.,* d, 29, q. 1, a. 4, ad fl; d. 2, q. 1, a. 4; d. 5, q. 1; *de Pot.,* q. 9, a. 9, ad 8; *de Verit.,* q. 10, a. 18.

as He is in Himself, i. e. one in nature and three in Persons. Can such a real relationship be established by grace, which is an effect of the common action of the Three Divine Persons? Let St. Thomas answer the question for us. He says, " creatura attingit ad ipsum Deum secundum substantiam suam consideratum, et non secundum similtudinem tantum, et hoc est *per operationem,* secundum quam aliquis fide adhaeret primae veritati et caritate ipsi summae bonitati, et sic est modus quo Deus est in sanctis per gratiam." [41]

From this passage and from others in which he insists on the same idea it is evident that, for him, grace is the formal cause of the Indwelling, but only insofar as it gives rise to the theological virtues which have for their direct object God as He is in Himself. This is confirmed by what we already know of divine exemplar causality. Grace, both as an entitative habit and as a new supernatural nature, has its exemplar, not in the Persons, but in the divine essence which is common to them all. Therefore, neither as an effect of the divine efficient causality, nor as an effect of the divine exemplar causality can grace bring about a new relationship between the soul and the Persons of the Trinity which will result in this new mode of presence which we call Indwelling. It is only when we consider grace together with the supernatural operations of knowledge and love which flow from it that we find this new relationship with the Three Persons for which we are seeking.

The theological virtues which flow from grace adorn it in much the same way as the human faculties adorn the human nature which is their root. These theological virtues are supernatural faculties, being in themselves operative habits. As such, they have a special relation to their proper object, which is God as He is in Himself. By reason of the general presence of immensity the Three Persons are already in the soul as identified with the divine essence. Grace, by giving rise to the theological virtues, brings about a new relationship between the soul and the Three Persons as distinct one from another. Thus, by grace,

[41] *I Sent.,* d. 87, q.l, a.!!.

God who until now has been present in the soul as the First Cause of our being, begins to manifest Himself to us as the intimate object of our knowledge and love, thus granting us a certain measure of intimacy with Him which we did not enjoy before.[42] In the state of grace our knowledge and our love terminate in the Three Persons, not as a mere intentional or affective object far distant from us, but as intimately present to the soul. Thus, the presence of Indwelling depends for its reality on the previous presence of immensity-a fact which Suarez overlooked in his attempt to find a solution to the difficulties of this question, and which has been the cause of much confusion of thought ever since.

Two very important conclusions can be drawn from what has been said with regard to this presence of Indwelling. In the first place, the conclusions of some modern authors on this subject, in which they speak of a double presence of the Three Persons in the soul, one by means of grace itself, and the other by means of our assimilation to the Divine Persons by the gifts of Wisdom and Charity, are not founded on the teaching of Aquinas.[43] In fact, it would seem that such conclusions have been reached simply because these writers have ignored the fact that it is grace *as the root* of *the theological* virtues which brings about the Indwelling, and that the reality of this new presence depends on the previous presence of immensity.

There are, in fact, many relationships between the soul in a state of grace and the Blessed Trinity-that cannot be denied.

•• John of St. Thomas, *In lam Partem.*, q. 43, disp. 17, a. 3, n. II. "Hoc ergo modo existit Deus in omnibus quasi radix occulta et principium omnibus dans esse magis intimum . . . Cum ergo, mediante gratia, se manifestat incipit id quod est radix et principium comparari ut objectum se manifestans ipsimet intellectui creato cui adest ut radix et principium infiuens esse, et sic manifestat seipsum ut objectum, non quomodocumque, sed omnino intimum, utpote radix totius illius esse. Unde talis manifestatio et familiaritas et convictum necessario importat novum modum praesentiae, nempe, non solum per modum radicis et principii influentis esse, sed per modum Personae conviventis et seipsum manifestantis in ratione objecti."

•• Such seems to be the opinion of Fr. S. I. Dockx, 0. P. in his work *Fils de Dieu par grace,* pp. 1U sq. This is a novel presentation of the theory of Petau, De Regnon and others.

However, there is only one :relationship which effects this :real and substantial presence of the Trinity which we call the Presence of Indwelling. Grace puts us into direct contact with the Divine Nature of which it is a created participation, and with the Divine Persons as identified with that Nature. Consequently, both from the point of view of God and from that of the soul in grace there is but *one* fundamental relationship. From the point of view of God, the Three Persons act through their one common nature. From man's point of view there is a direct relation to the Divine Nature as subsisting in Three Divine Persons. If we were to affirm any individual causal relationship between the Three Persons and creatures we should be going contrary to the teaching of St. Thomas. Such personal activity is excluded for at least two reasons: the complete identity of the Nature in all Three, and the identity between God's power and His operation. In all their *ad extra* operations the Persons act through the one common nature and there can be no multiplication of essential attributes in God.

Secondly, there is no need to appeal to the divine exemplar causality as an explanation of this presence, but :rather we are forced to conclude that there is no question here of exemplar causality at all! Here we are dealing with a real relation between the soul and the Persons which terminates in their proper attributes. To grasp what this implies we shall be forced to consider this presence of Indwelling in its relations with the doctrine of Aquinas on the Divine Missions.

The notion of Divine Mission implies two things, the eternal origins of the Persons and a new mode of existence in the e:ffect.[44] Strictly speaking, therefore, only the Holy Ghost and the Son can be sent, while the Father gives Himself to us. Since the whole idea of the Missions is connected with the possession of the Divine Persons by creatures, it follows that the notion of mission also includes that of " gift," i. e. something to be possessed and enjoyed. Thus, the notion of Indwelling implies, at one and the same time, those of mission, of gift,

[00] Cf. *Summa Theol.,* I, q. 43, a. lc.; *I Sent.,* d. 14, q. £, a.£; d. 15, q. I, a. 1.

and also of the subsequent possession of the Divine Persons by the souL

Since the notion of Mission includes in itself that of the eternal origin of one Person from another, it will be clear that the temporal mission of one Person also necessarily includes the presence in that Mission of the other divine Persons. Thus, Aquinas says, " cum Pater sit in Filio, et Filius in Pat:re, et uterque in Spiritu Sancto, quando Filius mittitur simul et venit Pater et Spiritus Sanctus .... et ideo, adventus vel Inhabitatio convenit toti Trinitati." [45] Thus, in these divine Missions there can be no question of individual causal activity *ad extra* of one Person apart from the others, since in God causality is an essential and not a proper attribute. At the same time, the temporal Mission connotes the eternal origins of the Persons, together with an effect which is produced, not in eternity, but in time-thus giving rise to a new mode of existence of the Persons. St. Thomas distinguishes clearly between this eternal and temporal aspect of the Divine Missions when he says, " Si igitur mittens designetur ut principium Personae quae mittitur, sic non quaelibet persona mittit, sed solum ilia cui convenit esse p:rincipium illius personae; et sic, Filius mittitur tantum a Patre, Spiritus Sanctus autem a Patre et Filio. Si vero persona mittens intelligitur esse principium effectus secundum quem attenditur missio, sic tota Trinitas mittit Personam missam." [46]

How is it, then, that certain theologians have found a place for exemplar causality within the framework of the Divine Missions? [47] The answer probably lies in the fact that they have not distinguished with sufficient care between the notions of Mission, Indwelling and Assimilation-three things which are intimately connected with sanctifying grace and yet so very different in themselves.

The spiritual perfections which flow from grace produce in the soul an assimilation to the Three Persons which is some-

•• *l Sent.*, d. 15, q. *!l,* ad 4.
•• *Summa Theol.*, I, q. 43, a. 8c.
"Cf. Dom Lucien Chambat, 0. S. B., *op. cit.*, p. 179.

times called a " sealing," [48] since certain of those perfections, such as those which belong to the intellectual order, impress on the soul a likeness to the Word of God, while others which belong to the spheres of love and power give it a likeness to the Holy Ghost and to the Father. This fact has made such a deep impression on some theologians that they have declared it to be the reason for the Presence of Indwelling. St. Thomas himself :refers to the fact of the assimilation produced by grace in the soul; and in some of his writings it may even appear as if he, too, sees in it the real explanation both for the presence of Indwelling and also for the Divine Missions. However, such passages have to be interpreted inside the general framework of his whole teaching, not outside it. Once we consider them in that way, then we shall see that, far from being the formal cause of this Indwelling, such assimilation is, in fact, an effect of that presence, and is attributed to individual Persons by appropriation on the basis of exemplar causality.

That this is the true interpretation of St. Thomas' mind on this subject seems to be confirmed by his teaching on the formal cause of the Indwelling as we have already explained it. As Aquinas himself tells us, the assimilation which we have described above can only be attributed to individual Persons of the Trinity by appropriation, while the Indwelling is a substantial presence, " secundum propria "-a fact which follows from his teaching on the Divine Missions, which include in their concept the origins of the Persons. Therefore he insists, " adventus vel inhabitatio convenit toti Trinitati quae non dicuntur nisi ratione effectus conjungentis **ipsi** Trinitati, quamvis ille effectus ratione appropriationis possit ducere magis in unam personam quam in aliam." [49] This, in turn, is in perfect conformity with his general teaching on *ad extra* causality in God. The eternal processions of the Persons are not the direct causes of the created effects, but only insofar as they include the essential attributes of intellect and will. In other words, this

•• Cf. *I Sent.,* d. 14, q. *it,* ad 2.
•• *Ibid.,* d. 15, q. 2, a. 1, ad 4.

likeness or assimilation to individual Persons of the Trinity which can be observed in the perfections which flow from sanctifying grace is due to appropriation, and that *through the medium of exemplar causality.*

This is not the place to undertake a detailed study of St. Thomas' teaching with regard to appropriation, but it can be noticed that, among the four classes of appropriation which he defines, a special place is reserved for that class which depends on exemplar causality. Indeed, it would be difficult to separate the two notions entirely, although we do not maintain that every appropriation is based on exemplarity, but merely that it is the basis for many of those appropriations which we can find in the writings of St. Thomas. Thus, wisdom is appropriated to the Son as the image of the Father by eternal generation. Charity is appropriated to the Holy Ghost as the Personal Love of the Father and the Son, while all effects which imply the use of divine power are attributed to the Father as to the " principium sine principio." The created effect is attributed to the individual Person because of some similarity between the proper attribute of the Person and the essential attribute which causes the effect. St. Thomas makes this clear when he says, " dicendum quod per unum et idem Deus in ratione diversarum causarum se habet: quia per hoc quod est actus purus, est agens, et est exemplar omnium formarum, et est bonitas pura, et per consequens, omnium finis." [50] This becomes even clearer when we remember that this assimilation of the created effect to God, the Cause, is effected simply because the creature is reproduced according to the exemplar idea of it which is in the divine intellect and which is put into effect by the decree of the divine will. " Appropriatio causae ad effectum attenditur secundum assimilationem effectus ad causam. Assimilatio autem creaturae ad Deum attenditur secundum hoc quod creatura implet id quod de ipsa est in intellectu et voluntate Dei ... Sic, igitur, Deus propria causa est unicuique creaturae, inquantum intelligit et vult unam-

[50] *De Pot.*, q. 7, a. l, ad 8.

quamque creaturam esse." [51] We are driven back every time to the essential causal attributes of intellect and will.

Some theologians have found difficulty in accepting this doctrine owing to certain passages in the writings of St. Thomas in which, at first sight, he seems to indicate special activity of the Three Divine Persons individually, based on exemplar causality. One such passage which is frequently quoted is to be found in his *Commentary on the Sentences,* where he writes:- "in reductione rationalis creaturae in Deum intelligitur processio divinae personae .... inquantum propria relatio ipsius personae divinae representatur in anima per similitudinem aliquam receptam quae est exemplata et originata ab ipsa proprietate relationis aeternae .... " [54] Seen in the light of St. Thomas' general teaching on the Trinity this and similar passages present no real difficulty, nor do they imply individual activity on the part of the Divine Persons based on exemplar causality.

There are two essential attributes which enter into every act of Divine Causality, i.e. those of intellect and will. These attributes are both the cause of the identity of the Divine Nature in all Three Persons and also of the distinction between the Persons themselves. They are also the cause of the production of all created things. In the production of creatures these attributes have an *essential* activity, while in the processions of the Persons their activity is purely *notional,* but the same attributes are at work in both cases. Therefore, it follows that the relations between the Persons enter into all the divine activity *ad extra* insofar as all creatures are made in the image of Godo In the rational or intellectual creatures this likeness will be much more perfect, since they too are capable of acts of knowledge and love which, under the influence of grace, will lead them to know and love God as He is in Himselfo

The exemplar cause of this likeness is not to be found in any personal or individual activity of the Three Persons nor in

[51] *Ibid.,* q. 3, a. 16, ad *5.*

[64] *I Sent.,* d. 15, q. 4, a. 1; cf. d. 14, q. 2, ad 3.

their proper attributes as such, but in the Divine Essence insofar as it includes the essential attributes of intellect and wilL For this :reason St. Thomas himself affirms many times that this similarity is based on *appropriation.* This at once excludes any idea of individual causality on the part of the Persons, as we have already explained.

Thus the difficult passages from the *Sentences* fit in perfectly with the rest of Aquinas' teaching, forming with it one harmonious whole. In the *Summa* we can see his own interpretation of these difficult passages. Thus he affirms:-" Unde oportet quod imago divinae Trinitatis attendatur in anima secundum aliquid quod representat divinas personas representatione speciei, sicut est possibile creaturae .... attenditur igitur divina imago in homine secundum verbum conceptum de Dei notitia, et amorem exinde derivatum." [55] If we compare this quotation with the passage cited above from the *Sentences* we shall see clearly what St. Thomas means by the " similitudinem aliquam receptam quae est exemplata et originata ab ipsa proprietate relationis aeternae .... " This similarity is through the knowledge and the love of God as He is in Himself, which is possible only to the soul in a state of grace. It is worth noticing that this similarity is consequent on the state of grace, as one of its effects and, therefore, although the presence of Indwelling cannot be brought about by this similarity, that presence can give rise to the divine image in the soul which is afterwards appropriated to the Persons as identified in the one Nature with the essential attributes.

From all this it follows that those theologians who persist in their attempts to find a more personal relationship between the soul and the individual Persons of the Trinity through the medium of exemplar have not understood this connection between the divine exemplar and the doctrine of assimilation which"is based on appropriation. [52] Nor have they kept in mind the fact that, in God, all causality is an essential and not a proper attribute. It is the divine essence which is the

[55] *Ibid.,* q. 93, a. Sc.; cf. *ibid.,* a. 7; q. 45, a. 6, ad 2; *I Sent.,* d. 15, q. 4, a.l, ad S.
•• *Summa Theol.,* q. 39, aa. 7-8.

exemplar, either as it is in itself, or as it is communicated to the Persons. For which reason it would be absurd to identify the work of sanctification in the human soul with the Person of the Holy Spirit in such a way as to exclude the other Divine Persons from that activity, since such effects are attributed to Him as being the personification of divine goodness and holiness, and these are essential attributes. [53]

From its very beginnings in the Garden of Eden the great tragedy of the human race has been its vain seeking for something which it already possessed. Frequently theologians themselves are not exempt from this charge. There is a real relation between the soul in a state of grace and the Three Persons of the Blessed Trinity by the very fact that grace, as an invisible Mission of the Trinity, brings the Persons into contact with the soul in a new way, as the objects of its knowledge and love. This real and substantial presence far exceeds anything which could be attained or imagined along the lines of exemplar causality-and yet there are still some theologians who are not content with what they actually possess, but who would throw away the substance for the shadow. The theological position of Aquinas is very different from that adopted by such writers as Sheeben, Petau, De Regnon and Tyciak It is in perfect accord with the teachings of both the Latin and the Greek Fathers, and serves as an admirable commentary on their doctrine with regard to the Indwelling of the Trinity in the souL It expresses perfectly the personal nature of this union between the soul and the Three Persons, without going to any extremes. If St. Thomas' doctrine on the relation between exemplar causality, appropriation and assimilation had been more closely followed perhaps there would not have been so many extremes in the writings on this subject.

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[53] *Ibid.,* q. 45, a. 6. "secundum hoc processiones personarum sunt rationes productionis creaturarum, inquantum includunt essentialia attributa quae sunt scientia et voluntas."

VENIAL SIN AND ITS FINAL GOAL

THE question of the ultimate end of venial sin is one of the minor speculative problems in the theology of sin which has engaged the attention of scholars from the days of St. Thomas down to our own. Many solutions have been proposed but none of them, apparently, has proved fully satisfactory, They have failed to carry conviction to their readers, and perhaps to their authors as welt Their very number and intricacy seem to hint that there is something wrong with the approach to the problem, It may look strange but the case is not uncommon for so ordinary a thing as our daily faults to have been for centuries a *crux theologorum.*

The problem is wont to be formulated as follows: [1] Every voluntary act must needs intend or be directed towards an ultimate goaL But venial sin is not directed to an ultimate end that is evil, else it would no longer be a venial but a mortal sin, Nor does it, apparently, aim at the true final end, God: if it did, it would not be a sin. What, then, is its goal?

The history of the solutions up to SL Thomas inclusively was written some thirty years ago by A. Landgraf. [2] A more recent study of J. J, Fajardo [3] completed that history for the 16th and 17th centuries. Brief systematic studies in our days have asked and answered the question anew. [4] But who has felt satisfied

[1] Ct Th. Deman, art. "Peche," *Dictionnaire de Theologie Catholique* XII !'t87-Q44,-Peche veniel et fin derniere, St. Thomas' solution (288-241) is contrasted with that of other theologians (241-248),

[2] *Das Wesen des liisslichen Sunde in der Scholastik bis Thomas von Aquin,* Bamberg, 1926. Cf. M. de la Taille, "Le peche veniel dans la theologie de S. Thomas d'Aquin d'apres un livre recent," in *Cfregorianum* 7 (1926), QS-48; R. Schultes, review in *Bulletin Thomiste* I (1924-), 136-142; Deman, *op. cit.,* 244.

[3] *La esencia del peccado venial en la segunda edad de oro de la teologia escolastica.* Granada, 1944. ·.

• R. " La fin ultime du peche veniel," in *Revue Thomiste* 29 (1924), 818-817; M. de Ia Taille, *op. cit.;* F. Zimmem:fimti, "Das Wesen des lasslichen Sunde," in *Divus Thomas* (Fribourg) 12 (1984), 408-441; A. J. McNichol!, "The

with these solutions often involved and based on distinctions which look as if they had been invented for the sake of getting out of a quandary? Why is it so? Why have seemingly all endeavors at a real solution failed? Would it not perhaps be because the question is asked the wrong way, or because the wrong question is asked? The history of theology has shown similar cases of insoluble problems. Students of apologetics know the thorny question of the *analysis fidei:* how to resolve the assent of the faith into the reasons of credibility. After many and all more or less unsatisfactory answers, the solution which today seems to prevail more and more is the one which maintains that the assent of divine faith need not, and cannot, be reduced to its motives of credibility; there is and ought to be a breach between the assent of credibility and the act of faith. Could a similar fate possibly befall the problem of the final goal of venial sin?

The point at issue.

It is important to formulate the problem in a correct manner. O. Lottin [5] recently noted the different perspectives in which St. Thomas on the one hand and his commentators on the other envisage the question. St. Thomas, he says, studies the problem from a moral viewpoint only. His commentators shifted it onto the metaphysical level. The former merely examines the intention of the moral agent who happens to commit a venial sin. The latter consider the metaphysical necessity of the final causality without which no act of the will is possible; all that a man strives after he necessarily wills by virtue of his desire of the last End; and this must also be the case of venial sin. The remark is noteworthy and enlightening. Yet, it seems to stop half way on the right path. The very manner in which Lottin formulates the problem, [6] on all points identical with the one of Th. Deman referred to above, suggests this criticism.

ffitimate End of Venial Sin," THE THOMIST (1940), 373-409; O. Lottin, *Principes de Morale II, Complements de doctrine et d'histoire* (Louvain, 1947), pp. 249,-Peche veniel et fin derniere.

• *Op. cit.,* p. 244 f.

• *Op. cit.,* p.

For, if one concedes the major and the minor of the argument, namely, that every human act must of its nature intend a final goal, and, that venial sin is a human act: if it were not a human act, how could it be a sin? How then can there be a way of evading the conclusion: venial sin also must have a final goal? And when this is allowed, no manoeuvring with distinction and subdistinction will succeed in taking away the impression of a merely verbal solution.[7] It then remains mysterious, or unexplained, why venial sin in the just does not share in the goodness of the ultimate End, and why in those in a state of mortal sin it is only venially sinful and not of necessity mortally wounded by the influence of their evil last goal.

It would seem that the only way out of the difficulty is to grant that *venial sin does not intend a final goal*,[8] and that, accordingly, the question as to which is the ultimate end of venial sin does not arise. And it is submitted here that such is the position of St. Thomas. As noted by O. Lottin,[9] St. Thomas never considered the question except as a reply to a difficulty; and, as noted already and as Lottin rightly insists,[10] in his answers to the objections which state the problem St. Thomas considers the moral aspect of the question. He nowhere applied to the case of venial sin his metaphysical principles which postulate the causality of the final End as a condition of the possibility of every voluntary activity.[11] Why did he omit this

[7] Cf. R. Garrigou-Lagrange, *op. cit.*, p. 814, "Ils s'engagent dans des distinctions d'une subtilite telle, qu'elle n'est pas un grand indice de verite."

[8] That is what, in substance, Thomists agree in saying when they state that venial sin has no concrete ultimate end (cf. R. Garrigou-Lagrange, *op. cit.*, p. 815). The phrase, 'has no ultimate end,' implies a twofold meaning: a subjective one, the intention of the agent; an objective one, the influence of the end on the act. Let it be noted at the outset that in a moral act the intention of the agent measures the influence of the end on the act. That intention is the subjective aspect of an act, whereas the correlative influence of the end on the act expresses its objective aspect.

[9] *Loc. cit.* The texts collected by Lottin are the only ones in which St. Thomas explicitly answers the difficulty. But the motivation of his answer is to be looked for in his teaching on the nature of venial sin.

[10] *Op. cit.*, p. 244 f.

[11] *Summa Theol.*, I-II, q. 1, a. 6, c. and ad 8. St. Thomas does not even make this application in I-II, q. 88, aa. 1 and 2, or q. 89, a. 4, although R. Garrigou-Lagrange, *op. cit.*, p. 818 f., may seem to imply the opposite.

application? Not because these principles do not apply to moral realities; they evidently do; for moral realities, such as good or bad actions, also " are." And his commentators were not wrong in doing what the master had left undone once the position of the problem was granted. But because the question is not to be asked. Venial sin is not merely a human act, *actus humanus*, which by definition intends a final goal; it is a human act of a peculiar sort, namely, one which of its very nature does not aim at a final goal but which stops at what is only a means. Venial sin is by definition only half a human act, and because of this essential incompleteness and imperfection it need not and cannot be directed, whether actually or virtually as every *actus humanus* must needs be, to any final end. This, we believe, is the position of St. Thomas. And we propose here to go back to his own texts and see what he actually taught about our problem.

PRELIMINARY REMARKS

With a view accurately to circumscribe the question, let it be noted at the outset what we mean by saying that, with St. Thomas, we consider venial sin as a moral act. Venial sin is an act of the will as a rational potency, that is, an act of the rational appetite following on an act of rational knowledge. There need be no question here of the tendency of the will as a natural appetite which is subjacent to every act elicited by the will as a free voluntary power.[12] This tendency which constitutes the very being of the will is active in every one of its voluntary acts. And this natural tendency of the spiritual appetite is of its nature directed to the one ultimate End, God.[13] This is so for every spiritual activity of man, whether good or evil, meritorious or demeritorious, venially or mortally sinful, Yes, in the very act of mortal sin the natural tendency which underlies the moral act does and cannot but strive after God.[14] This natural appetite for God, however, has nothing to do with the human act as such or as a moral act. It is the act of the

[12] Cf. LoUin, *op. cit.*, p. 248.
[13] *Cf. Summa Theol.*, I, q. 60, a. 4; q. 82, a. 1, c. and ad 3; I-II, q. 10, a. I.
[14] Cf. *ibid.*, I-ll, q. 78, a. 8.

will as nature, *voluntas ut natura*, not of the will as rational appetite, *voluntas ut ratio*, It is not, therefore, with this influence of the ultimate end, which is not peculiar to venial sin, that our problem is concerned.

That presence of the natural tendency of the will in all its voluntary acts reveals itself also in the well-known principle about the formal object of the rational appetite: Whatever is object of the voluntary activity is so under the aspect of goodness, Even in a sinful act, whether mortally or venially so, the object is willed as a good, *sub ratione boni.*[15] Does this inescapable consideration of the goodness of the object entail an explicit or implicit reference to the perfect Good, that is, the ultimate End? *Per se*, yes, it does; because objectively under the aspect of good really means, with :reference to the last GoaL But not necessarily so. As will be shown below, the consideration the goodness of an object can, for our discursive reason, stop short of the ultimate end and :rest confined within the means.

In aspect still, when the influence of the End on act is viewed objectively, not subjectively in the consciousness of intention of the agent, the same idea is expressed by saying that the final causality of God, the Ultimate End, God, regards in every voluntary act, whether good or evil, the *esse* of the activity, without necessarily communicating to it His moral goodness. This effect is found only in the morally good actions, and not in the mortally or venially sinful <meso The former effect merely translates in terms of being the influence of the End on the will as a nature. But when we speak of sin, we

[15] *Ibid.*, I, q. S'il, a. 2, "voluntas in nihil potest tendere nisi sub ratione boni." Cf. I-II, q. 75, a. l c. and ad 3; q. 78, a. l; *de Malo*, q. 12, a. 2. Here, no doubt, lies the starting point of the view which says that " venial sin has for its end beatitude in general" (R. Garrigou-Lagrange, *op. cit.*, p. 315), The idea, however, is not found in St. Thomas; it only flows from the shifting of viewpoints pointed out by Lottin. The main objection against it, is that exactly the same is to be said of mortal sin: this also tends to its concrete end, which is a creature, "sub :ratione boni," that is, as to beatitude in general. After all, this phrase expresses nothing else than the formal object, not the *end* which is not an aspect of a thing, but a thing. This may suffice to show that this solution is either merely verbal or says nothing else than that venial sin does *not* intend a final goal.

mean an act of the will as a rational potency, not of the will as a nature. Venial sin also is a moral act. And it is in this :regard that we say of it, with St. Thomas: it does not, of its nature, a final goal.

Another preliminary remark anticipates St. Thomas' distinction where he says that one who commits a venial sin intends God habitually, not actually .[16] We speak here of the act of venial sin as such, not directly of the agent or sinner. The agent may habitually be intent on God, as happens when he is in the state of grace. But the mere presence of the habitus of grace in man does not affect his moral activity. The infused habits, in order to influence a man's actions, must actually or virtually command or inspire that activity; otherwise they leave that activity "indifferent." [17] For human or moral acts, it depends on a man's deliberate and free will whether or not he allows the infused habits he possesses to exert their influence on his actions. His actual (implicit or explicit) or his virtual intentions express the measure in which he allows that influence. When there is no such intention (as is the case, we shall see presently, in venial sin), then the infused habits remain inactive. [18] To love God only habitually, means *not* to love Him in the act which is not actually or virtually commanded by the habit of charity. The same remark applies to the case of one in the state of mortal sin.[19] The fact that a sinner is, as we suppose, habitually attached to an evil end does not of necessity affect his voluntary and free activity. Only when the wrong final goal of his habitual disposition actually or virtually commands his activity, does it extend to his acts its habitual sinfulness. When these actions are not so influenced by the evil last end, object of his habitual attitude, then they can either be naturally honest or good, when their immediate object is such, or venially sinful, when, again, the object at which they stop is venially sinful. From this last remark it appears that what will be said of the ultimate goal of venial sin applies equally to the state of the just man and of the

[16] *Summa Theol.,* I-ll, q. 88, a. 1, ad 3.
[11] Cf. *ibid.,* I-II, q. 6, a. 3.
[18] Cf. Lottin, *op. cit.,* p.
u Cf. Deman, *op. cit.,* p. 241.

sinner. Their respective final ends, God for the just man, or self for the sinner, do not command in any effective way the actions that are venially sinful.

One last remark. Venial sin in the proper sense of the word [20] is so called because it contains an intrinsic reason for forgiveness; and that reason is that it does not, of its nature, break the orientation of a man to his final goal and consequently does not deserve an eternal punishment but only a temporary one.[21] In a word, a venial sin is an inordinate action which does not realize the full notion of sin, *ratio peccati*, as a disorder regarding the end.[22] This happens fo:r one of these two reasons: [23] either from the very nature of the act, that is, from its matter or object; such is the case fo:r venial sins *ex genere;* or because of the subjective imperfection of the act on the part of the sinner, though it happens to be in a matter of mortal sin; then these sins are venial *per accidens.* We recognize he:re the two well-known categories of venial sins: the venial faults properly speaking which are such because of their object, and which may or may not be fully deliberate; and the abortive mortal sins which are venial, not because of their object: this is a grave matter and would as such constitute a mortal sin; but because of the incomplete advertence or wilfulness of the action, that

[20] We leave out of consideration what is called venial sin in an equivocal sense only, cf. *II Sent.*, d. q. 3, a. 6, ad 7, "est aequivocatio in veniali." At times a sin is said to be venial in the sense that it is easily forgiven, because there are extrinsic excusing reasons that plead in favor of forgiveness; cf. *ibid.,* d. q. a. 3, ad 5; d. q. 1, a. 4; *de Malo,* q. 7, a. 1; *Summa Theol.,* I-H, q. 77, a. 8, ad 1, "et hoc dicitur veniale ex causa." In this ambiguous sense venial sin is not opposed to or different from mortal sin; a mortal sin can be called venial in that sense. Another equivocal meaning of the word is found when a sin is called venial on account of its outcome, when namely, through penance it obtains pardon, cf. *Summa Theol.,* I-ll, q. 88, a. "quia est veniam consecutum ... , et hoc dicitur veniale ex eventu." In this sense also venial sin is not contradistinguished from deadly sin.

[21] Cf. *Summa Theol.,* I-II, q. 77, a. 8, ad I.

[22] *11 Sent.,* d. q. 1, a. 4, "actus facile remissibilis ... ex eo quod non pertingit ad perfectam rationem peccati."

[23] *lbid.,* "Imperfectio autern actus potest esse duplicite:r: vel ex genere actus, vel ex parte peccantis." Cf. d. 24, q. 3, a. 5 c. and 4; *Summa Theol.,* I-II, q. 88, a. q. 74, a. 8, ad fl; q. 89, a. 3.

is, because of its imperfection as a deliberate act. To both of these classes of venial sins, it will be pointed out later, applies St. Thomas' assumption: Venial sin does not intend a final goaL

To substantiate this gratuitous inference about the ultimate aimlessness of venial sin we must consider the reality of venial sin from different aspects each of which goes to reveal one side of it under some particular light. We may conveniently sum up these different indications in five formulae of St. Thomas' the exact meaning of which will become manifest in the study of the texts: 1) *non actu sed habitu;* 2) *non contra sed praeter legem;* 3) *deordinatio circa ea quae sunt ad finem;* 4) *imperfecta ratio peccati;* 5) *actus (imperfectus) rationis discursivae.* Each of these phrases, replaced in its original context, constitutes an indication of SL Thomas' idea on our subject.

FmsT APPROACH: *non actu sed habitu.* [24]

The natural starting point for our study of St. Thomas' teaching are the few texts gathered by 0. Lottin, [25] where the problem of the final goal of venial sin is explicitly stated. There are two of them in the *Commentary on the Sentences,* two in the *De Malo* and three in the *Summa.* In all of these St. Thomas says, in so many words or in equivalent terms, that venial sin does not aim at an ultimate goal actually but only habitually, *non actu sed habitu.* What does he mean to say? Let us examine these texts in their chronological order, though, as will appear presently, St. Thomas does not seem to have altered his idea to any extent worth noting.

1) In the *Commentary on the Sentences* a difficulty is made against the very idea of venial sin from the Augustinian binary set *uti-frui.* If, as Augustine says, we may enjoy, *frui,* God alone, and have to use only, *uti,* all other things, then, the ob-

•• We must note that St. Thomas sometimes calls habitual intention what today we commonly call vihual intention, for example, *Summa Theol.,* III, q. 64, a. 8, ad 8; cf. E. van Roey, *De virtute charitatis,* Malines, 1929. But as will appear from the texts, such is not the case when he speaks of a venial sinner's habitual direction· to the last end.

•• *Op. cit.,* p. 241-244.

jection states, " it follows that no sin is venial; because, if it is referred to God, then it is no sin; and if some other goal is intended as last and without reference to God, then the act is a mortal sin. Since, then, every rational act is directed to some goal, this must either be the final End, and then the action is no sin; or it must be some other goal not referred to the last End, and then the action will be a mortal sin. And so no action can be a venial sin." [26] To this difficulty St. Thomas' answer is the following: " Although one who sins venially does not actually direct his action to G9d, he nevertheless keeps God for his goal habitually. Accordingly he does not take a creature for his ultimate goal, since he loves it less than God; but he sins on this score that he exceeds in that love; just as a traveller who tarries on the way too long, yet does not go out df his way." [27] This answer invites a few remarks. St. Thomas affirms that a man who commits a venial sin keeps God as his final end habitually, [28] that is, God remains the agent's habitual ultimate goal which, however, is not actually intended in the very action of this venial sin. He does not say here, as he does in another text, [29] that God is *habitu* the last goal of the venial sin itself. Does he say whether the venially sinful action has or has not an ultimate end? He explicitly says two things: no creature is the final end of that action; nor is God actually its ultimate goal. Are we wrong in understanding: the action of venial sin does not intend a final goal? If neither God nor a creature are intended as its ultimate end, then what else could be so? In the present text St. Thomas gives no answer to the major of the argument in the objection: venial sin, as every rational act, is directed to some goal. We shall see further why he need not answer it. Other texts will show in what sense a venial sin is a rational action and in what sense it is not.

•• *I Sent.*, d. 1, q. 8, obj. 4, "sequitur quod nullum peccatum sit veniale; quia, si refertur in ultimum finem, non est aliquod peccatum; si autem constituatur aliquis finis alius ultimus, non relatus ad alterum, est peccatum mortale."

[27] *Ibid.*, ad 4, " quamvis ille qui peccat venialiter non referat actu in Deum suam operationem, nihilominus tamen Deum habitualiter pro fine habet. . . ."

•• He evidently speaks of a man in the state of grace. The same remark applies nearly to all the texts to be discussed in this section.

•• Cf. below, n. 88.

Another difficulty met with in the *Commentary* is drawn from the idea of turning away from God which is said to be of the essence of eve:ry sin: " In every sin we find as its formal element a turning away from the changeless Good. But venial sin does not include this swerving from God: because one who sins venially does not depart from the ultimate end, though he becomes attached inordinately to what is the means to it. Hence a venial sin is not a sin properly speaking." [30] That means: since the formal constituent of every sin, *aveTsio a Deo,* is not found in venial sin, what we call venial sin is really no sin at all. To this St. Thomas replies: " There are two ways of turning away from the changeless End: either habitually or actually. One habitually turns away who fixes unto himself another goal contrary to that end; this happens in mortal sin •.. But one only actually turns away who posits an act by which he does not tend to God because he is unduly attached to a means to the End, though not in such a way as to make a goal of this means; such is the case of venial sin." [31] This answer is clear: venial sin is only an actual, not a habitual, drift from God, because it does not intend as final goal an end other than God; then only it would involve a habitual swerve. Venial sin is merely an inordinate attachment to a means without turning the means into an end. Accordingly, with regard to the opposite of this actual and not habitual deviation, venial sin aims at the final end *habitu, non actu.* For our present purpose we note this: St. Thomas states that a venial sin is not directed to God as to its ultimate goal, nor does it strive after the means as after an end, Venial sin, then, does not actually intend any ultimate end.

2) Fifteen years later, 0. Lottin notes, St. Thomas comes back to the question in the *De Malo.* Again the Augustinian

[30] *II Sent.,* d. q. 1, a. 3, obj. *5,* "In omni peccato est aversio ab incommutabili bono tamquam formale. Sed veniale non habet aversionem a bono incomrnutabili. ... "

[31] *Ibid.,* ad *5,* "Averti a fine incomrnutabili est dupliciter: vel in habitu, vel in actu tantum. . . ." Note here, as pointed out also in the text, that it is stated directly: venial sin turns away from God *actu, non habitu;* this involves, for its opposite, that it aims at God *non actu, sed habitu tantum.*

frui-uti is turned into an objection against the existence of venial sins: "Every sin consists in an inordinate love of a creature. But one who loves, loves either as *utens* or as *fruens.* If he loves a creature in the sense of making use of it, he does not commit a sin, because he refers it to the end of all happiness: that is what it means to make use of something . . . If he loves a creature as enjoying it for its own sake, then he commits a mortal sin, because he places his ultimate end in a creature. Hence one who loves a creature, either does not sin at all, or he sins mortally." [32] The objection is plain: to love a creature as a means to the end is good and not sinful; to love it as an end is mortally sinful. No middle between the two: *uti creatura* is a virtuous act; *frui creatura* is a mortal sin. No room left for venial sin. St. Thomas answers with the distinction, *actu--habitu:* "One who commits a venial sin does not enjoy the creature for its own sake, but he makes use of it; for he refers it to God habitually, though not actually. Nor does he act against any precept by so doing, because he is not obliged always actually to intend God." [33] That is: there is a double way of using a creature; either with actual reference to God, that is, as a means to draw closer to God; this is an act of Virtue; or without that actual and only with an habitual reference to God, that is, without actually intending God as final goal, and at the same time without taking the creature as last end, *non fruens ea,* but keeping only a habitual tendency to God; this is a venial sin. St. Thomas does not say in this text why one who sins venially does not intend God actually; he stated it in our two preVious quotations, namely, because he loves a creature inordinately, though not as an end. From the text it appears again that venial sin does not actually intend either God or some other ultimate goal; it has in fact no final end at all.

Another objection in the *De Malo,* already hinted at in the

[32] *De Malo,* q. 7, a. I. obj. 1, "... quicumque amat, aut amat ut utens aut ut fruens. Qui autem amat creaturam ut utens non peccat . . . Si autem amat creaturam ut fruens ea, peccat mortaliter ...."

[33] *Ibid.,* ad 1, "... qui peccat venialiter, non fruitur creatura, sed utitur ea; refert enim earn habitu in Deum, licet non actu."

answer to the previous one, reads: "A man is bound by a precept to direct all that he does to God as to his Goal . . . (1 Cor. 10: 31). But a venial sin cannot be :referred to God. Hence anyone who sins venially, transgresses a precept; consequently he sins mortally." [34] To do something which is not or cannot be referred to God, and venial sin is such a thing, is to transgress the Apostle's precept which commands us to direct all our actions to God. Such a transgression of a precept is a mortal sin, not a venial one only. The answer dissipates this equivocation in the following manner: "Since that precept of the Apostle is a positive one, its obligation does not signify that it should be actually kept at all times. But it is kept habitually as long as a man retains God for his last End habitually; this is not excluded by venial sin!' [35] We may comment: habitual reference to God of all that we do is enough to keep the Apostle's command; and this means nothing more than that God remains man's final goal habitually. This, however, is not excluded by venial sin. It is true, a venially sinful action is not actually referred to God. But it does not break man's habitual tendency to God, because, *ex suppositione,* it does not intend anything else as last end. That means, therefore, that a venial sin does not have any final goal. Why and how this is possible will have to be seen later.

3) The *Summa,* little after or about the same time as the *De Malo,* takes up anew the same two objections. The difficulty stemming from the Augustinian ideas of using and enjoying is formulated as follows: "No person, in sinning, cleaves to a mutable good as using it: because he does not :refer it to that Good which gives us happiness; that properly speaking is to use it ... Therefore whoever sins enjoys a mutable good." [36] Again, there is no middle between using a creature in a virtuous man-

[34] *Ibid.,* obj. 9, "Homo tenetur ex praecepto ut omnia quae facit ordinet ·in Deum sicut in finem ... Sed peccatum veniale non est referibile in Deum."

[35] *Ibid.,* ad 9, "... Praeceptum ... non obligat ad hoc quod semper observetur in actu. Observatur autem semper in habitu, quamdiu homo habitualiter habet Deum sicut ultimum :linem...."

[36] *Summa Theol.,* I-ll, q. 88, a. 1, obj. 3, "Nullus peccans inhaeret bono commutabili quasi utens. . . . Ergo quicumque peccat, fruitur bono commutabili."

ne:r and enjoying it for its own sake in a mortally sinful way. St. Thomas replies: "He that sins venially cleaves to a temporal good, not as enjoying it, because he does not fix his end in it, but as using it, by referring it to God, not actually but habitually." [37] We remark: there are two ways of using a creature: one as a means to draw nearer to God, when the agent actually refers it to God; another not as a means to tend to God (though, it must be noted, not as an end in itself either, for this would mean to enjoy it, *frui)* , when he refers it to God habitually only, that is, not effectively but only potentially. This latter is the way of venial sin. Of this neither God nor the creature is the effective ultimate goaL Venial sin is without an ultimate end.

The objection based on the Apostle's command to refer all our actions to God is answered in the *Summa* as follows: " The precept of the Apostle is affirmative, and so it does not bind for all times. Consequently every one who does not actually refer all his actions to the glory of God, does not therefore act against this precept. In order, therefore, to avoid all mortal sin each time that one fails actually to refer an action to God's glory, it is enough to refer oneself and all that one has to God habitually. Now venial sin excludes only actual reference of the human act to God's glory, and not habitual reference: because it does not exclude charity, which refers man to God habitually. Therefore it does not follow that he who sins venially, sins mortally." [38] There is little new in this answer .. We just note that the *act* of venial sin is said to be habitually referred to God, not only the *agent.* Does the new shade of meaning involve any departure from the idea of the *De Malo?* From the context *it does not seem to be so:* habitual reference to God of an act means that the agent refers himself and all that he has to God habitually, [39] that is, it properly regards the agent. It does not imply any effective, whether actual or vir-

[87] *Ibid.,* ad 8, "Ille qui peccat venialiter, inhaeret bono temporali non ut fruens, ... sed ut utens, referens in Deum non actu, sed habitu."

[88] *Ibid.,* I-II, q. 88, a. l, ad 2, "... Veniale peccatum non excludit habitualem ordinationem actus humani in gloriam Dei, sed solum habitualem. . .."

[••] *Ibid.,* " sufficit quod aliquis habitualiter referat se et omnia sua in Deum."

tual, reference of the act of venial sin to God's glory. That act, therefore, is not effectively directed towards any final goal.

A last text. In the question on charity, it is objected that charity can decrease and this is proved in the following manner: " Augustine speaking of God says *(Conf.,* X) : He loves Thee less who loves aught beside Thee . . . From this it· seems to follow that ... what arouses cupidity quenches charity. But cupidity, by which a man loves something besides God, can increase in man. Therefore, charity can decrease." [40] There is no explicit mention of venial sin here; only in his answer to the difficulty St. Thomas speaks of it as of one kind of cupidity different from the other which is active in mortal sin. He says: " Cupidity is twofold, one whereby a man places his end in a creature, and this kills charity altogether ... This does not apply to venial sin, but only to mortal sin: since that which we love in venial sin, is loved for God's sake habitually, though not actually." [41] The object of venial sin is loved for God's sake habitually, not actually; that is, the final cause of that love is not God actually: it is God habitually only, or potentially. [42] A man who commits a venial sin keeps the habit of charity, but this habit is not actuated in the venially sinful action. God is the ultimate goal of the agent, not of his act. The effective goal of venial sin is neither a creature nor is it God. Venial sin, therefore, has no effective final end.

In all these texts St. Thomas consistently applies the distinction, *non actu sed habitu,* to the reference of the venially sinful act to God: a venial sin as an act does not intend God, though its agent remains (when he is in the state of grace) habitually intent on God. As such, that is, as an act, venial sin does not aim at a final goal. That this way of understanding St.

•• *Ibid.,* IT-ll, q. !M, a. 10, obj.

[41] *Ibid.,* ad "... quod amatur in peccato veniali, propter Deum amatur habitu, etsi non actu." Cf. *IV Sent.,* d. q. a. 1, ad *de Malo,* q. 7, a. ad 1, ". . . etsi non actu, tamen habitu propter Deum amat."

•• By translating 'habitually' by 'potentially,' we mean to express that in one in the state of grace t,llere is a remote aptitude for this intention of the last Goal, which, however, is not actualized in the venially sinful act. In one who is in the state of mortal sin this habitual intention or potential aptitude is absent.

Thomas's teaching expresses his idea correctly seems to be confirmed from other texts which consider the same question of venial sin from other viewpoints.

SECOND APPROACH: *non contra sed praeter legem.*

One of the ways in which the lack of direction of venial sin to a final goal is expressed by St. Thomas is his teaching on its relation to the divine law rendered in the phrase, *non contra sed praeter legem.* To understand what he means by it, and he makes a constant use of it, from the *Commentary* till the *De Malo* and the *Summa,* we must read and replace the texts in their original setting.

In the *Commentary* we :l:illd the phrase in an answer to the following objection: " **It** would seem that there cannot be any venial sin in the higher reason. For a sin of the higher reason consists in this that it deviates from the eternal ideas. But no deviation from these happens except by mortal sin. Hence in the higher reason only mortal sin can be found." [43] A sin of the higher reason, that is, of reason whose object is God and things divine, as opposed to the lower reason whose proper object is the things of this world,[44] supposes a deflection from the eternal or divine ideas which constitute the eternal law, the norm of a rational creature's tendency to God.[45] But such a deflection, the objection says, is a turning away from God, that is, a mortal sin. The answer reads: " A sin of the higher reason consists in its deviating in some way from the eternal ideas. But this can happen in two ways; either absolutely, *simpliciter,* as in the case of mortal sin by which one departs from God's law both actually and habitually when he acts not only beside the law but against it; or relatively, *secundum quid,* as in venial sin by which a man leaves God's law in act, not i:n habit, when he acts, not against it, but beside it." [46] Unlike a mortal sin a venial

[43] *11 Sent.,* d. 24, q. 8, a. 5, obj. 1.

[44] *Summa Theol.,* I, q. 79, a. 9.

[45] *Ibid.,* I, q. 84, a. 5, obj. 3; I-ll, q. 15, a. 4, obj. 3 et ad 8.

[46] *II Sent.,* d. 24, q. 8, a. 5, ad 1, "... in venia.li peccato quo quis Telinquit legem Dei actu, sed non habitu, non contra earn (legem) sed p:raeter earn faciens." Cf. *IV Sent.,* d. 16, q. 8, a. 2, qcla. 4 (about aggravating circumstances which add

fault does not violate the divine law plainly, it departs from it in some respects only, that is, only insofar as it does something which is beside but not against the law. How are we to understand this? Though venial sin is a deviation from the law, yet it does not do anything which would place the sinner permanently against the law, that is, away from the direction of the law or from its end (for the law is nothing but the norm of action in view of the goal) . The venial sinner remains habitually within the law; only his act which is veilially sinful is beside it. In other words, that action does not a:im at anything contrary to the end of the divine law; nor does it actually intend the goal of that law. It is ultimately aimless.

The *De Malo* draws a similar objection from St. Augustine's definition of sin: " As Augustine says ... a sin is a word or act or desire against the eternal law. But every sin that goes against the eternal law is a deadly sin. Hence every sin is mortal." [47] St. Thomas' answer brings in the same distinction: "That definition of sin does indeed fit mortal sin perfectly, but it applies to venial sin also in an imperfect and relative manner. Hence the proper phrase is to say that venial sin is not against the law but beside it; because, though it deviates from the order of the law on some point, yet it does not destroy the law since it does not destroy love which is the fulness of the law." [48] We see here in what sense a venial sin is beside the law and not against it. It is beside the law because it deviates from the order of the law on some particular point, that is, it is an inordinate act which does not tend in the direction of the law; its goal is not the same as the end of the law. But it does not go against the law in the sense that it does not suppress love which accomplishes the law; that is, it has no aim contrary to the law and its end. Does it not follow from this that venial sin has no ultimate goal?

In the *Summa* the same objection from St. Augustine's defi-

some deformity) , " non directe habet oppositionem ad legem, ut sit contra earn, sed praete:r ·earn. . . ."

[47] *De Malo,* q. 7, a. I, obj. 1, "... Omne peccatum quod est contra legem aeternam est mortale. . . ."

[48] *Ibid.,* ad l, ... peccatum veniale non est contra legem, sed praeter legem .... "

nition of sin is disposed of by the same distinction. It was objected that "the fact of going against the law causes a sin to be mortal." [49] The answer first points out, as in the *De Malo,*[50] that the notion of sin is analogous and applies perfectly to mortal sin and imperfectly to venial sin. Then it says, " Venial. sin is called a sin because it realizes the idea of sin imperfectly compared with mortal sin . . . For it is not against the law, since he who sins venially neither does what the law forbids, nor omits what the law prescribes; but he acts beside the law, because he does not observe the mode of reason which the law intends." [51] What is this mode of reason whose neglect constitutes an action beside the law? St. Thomas' concept of the law explains that a law pertains to reason because" law is a rule and measure of acts ... Now the rule and measure of human acts is reason, which is the first principle of human acts ... ; since it belongs to reason to direct to the end, which is the first principle in all matters of action." [52] So, the mode of reason intended by the law is this: what is done in accordance with the law is conducive to the end of the law. Venial sin does not keep this mode of reason; the venially sinful act is not conducive to the end of the divine law: it does not aim at the goal of the divine law. Nor does it intend any goal that is contrary to the law. That is, venial sin is actually without an ultimate end.

Other similar phrases equivalent to the one we have just studied are found in St. Thomas and must be briefly mentioned. They all convey the same idea that venial sin, without going against the final goal, God, as it would do were it to intend some other goal, does not follow the direction of the law nor, actually or virtually, strive after union with God as its ultimate end.

[49] *Summa Theol.,* I-ll, q. 88; a. 1, obj. 1, "... esse contra legem dat peccato quod sit mortale."

[50] *De Malo,* q. 7, a. 1, ad 1.

[51] *Summa Theol.,* I-ll, q. 88, a. 1, ad 1, "Non enim est contra legem ...; sed facit praeter legem, quia non observat modum rationis quem lex intendit."

[52] *Ibid.,* q. 90, a. 1, "... rationis enim est ordinare ad finem quod est principium primum in agendis ..."; cf. for the eternal law, *ibid.,* I-ll, q. 91, a. 1.

Venial sin is said to be beside the commandment, *praeter praeceptum.* St. Thomas explains, " These things do not clash with the light of reason as though they led away from the ultimate end, but they are obstacles to the end!' [53] In what sense venial sin is an impediment for a man in tending to the final goal will be explained later. Here we must note only that venial sin does not turn a man away from his ultimate end. And why? Because, as we read elsewhere, venial sin is not contrary to a divine precept, because it does not involve any contempt of God; by this alone a man drifts away from God.[54]

The inordinateness proper to venial sin consists in its being beside the divine ideas, *praeter rationes aeternas,* not against them. This is another way of saying beside the divine law, not against or contrary to it. The *De Veritate* says, " Higher reason sins when it deviates from the eternal ideas, not only by going against them, but also by acting beside them; this is the case of venial sin." [55] The *Summa* has a similar explanation; **"It** may happen that the inordinateness of an act to which (higher reason) consents is not contrary to the ideas the same way as mortal sin is, because it does not imply a turning away from the last end, but is beside them, as is the case for an act of venial sin!' [56] This goes to show that venial sin is an inordinate act because it does not intend the final goal it should intend, God; yet it does not turn away from that goal (because it does not aim at another final end) .

Venial sin is not contrary to virtue, particularly to charity, The *De Malo* has the phrase, " Venial sin is not contrary to virtue!' [57] On that account, even when it is fully deliberate, it is not a sin of malice. Why? Because, as the reference to *VII Ethic.* suggests, it is not contrary to the end of virtue, the final goal of man. This is dearer where SL Thomas says that venial

[53] *II Sent.,* d. 42, q. 1, a. 4, ad 4, "quaedam impedimenta finis."

[54] *De Verit.,* q. 15, a. 5, ad 2, " contrarium praecepto divino."

[55] *Ibid.,* ad 1, "... non solum contra eas (rationes aeternas) faciendo, sed faciendo praeter eas, quod est peccatum veniale."

[56] *Summa Theol.,* I-II, q. 74, a. 9, "... non contrariatur rationibus aeternis ... sed est praeter eas. . . ."

[57] *De Malo,* q. 7, a. 5, ad 8, " ... non contrariatur virtuti." Cf. *ibid.,* a. 6, ad L

sin is not contrary to charity. The reason for it is that venial sin does not go against the ultimate End, the proper goal of charity, in spite of its sinfulness. From which it follows that venial sin does not intend God as final goal, nor any other end which would turn the sinner away from Him. It does not aim at a final goal.

A last set of expressions: venial sin is not against God, it remains below Him, remains below what is a turning away from Him. One who sins venially " does not take a creature for his ultimate end since he loves it less than God, *citra Deum."* [59] "Venial sin is not against God, nor is a man's goal placed in it, nor does it deprive one of grace." [60] "When (the soul) is disordered without a turning away from God, *deordinatio citra aversionem a Deo,* then there is a venial sin." [61] Why all this? Because venial sin does not intend an ultimate goal, whether God or anything else.

The import of the phrase *non contra sed praeter* referring directly or indirectly to the final End seems to be unmistakable: venial sin is without final aim.

But this non-orientation of venial sin to God as final End is not to be understood as though it constituted the whole inordinateness of venial sin, as A. Landgraf [62] seems to say. Fr. R. Schultes' criticism [63] of this point is justified. To say that some acts are venial sins " by the mere fact that they are not directed to God in spite of their proximate object which is indifferent in itself " is not to express the complete concept St. Thomas has of venial sin. This negative aspect of venial sin cannot exist without a positive reason. Why is it that some acts happen not to be directed to God? Because of an intrinsic inordinateness in them. Their object is such that they cannot be referred to God as to their ultimate goal: though at the same time they do

[58] *Ibid.,* a. 10, "... cum non sit contra caritatem ...."
[50] *I Sent.,* d. l, q. 3, a. 4, ... cum diligat earn (creaturam) citra Deum.
[60] *11 Sent.,* d. 42, q. l, a. 5, "Peccatum veniale neque contra Deum est ...."
[61] *Summa Theol.,* I-ll, q. 72, a. 5, "... deordinatio citra aversionem a Deo."
[62] Landgraf, *op. cit.,* p. 162; cf. M. de la Taille, *op. cit.,* p. 30 f.
[63] *Bulletin Thomiste* I (1924-), 136-142, particularly p. 138 f. Cf. Deman, *op. cit.,* 244.

not turn a man away from God. They are not *contra,* but *praeter finem.* The texts Fr. Schultes quotes clearly state this sinfulness of the act of venial sin: its object is not *referibile ad finem.*[64] This, however, does not mean that the evil contained in a venial sin is of a positive nature; the whole evil of venial sin, as such, consists in its privation of the right order. But this privation postulates a reason for its existence; that reason precisely is the very nature of the object of venially sinful actions. Their object is such that it slows down a man's tendency to the End, *retardat a fine.*[65] This is so for venial sins "ex genere "; it is equally so, and more clearly still, for venial sins which are such because of the imperfect deliberation that impedes their grievously sinful object from actually infecting them with mortal sinfulness. It is only *per accidens,* that is, through lack of deliberation, that their object is not taken for an ultimate end. Of these venial sins, too, it is clear that they have no final goaL

We shall have to explain why an object which is not helpful, but harmful, for a man's striving after the attainment of God can be deliberately chosen. The difficulty is all the greater in that this object, known as such, is not chosen as an end or as against the ultimate End, God, but as an unhelpful or noxious means, *non contra sed praeter.*

Must we say that, according to St. Thomas, the *praeter* and *non contra finem* implies a negative influence of the ultimate end on the act of venial sin, in the sense that one of the reasons why a man sins venially is precisely because his sinful act is not against the End? This is the interpretation, as is well known, of John of St. Thomas,S[6] recently proposed again by Th. De-

•• *De Malo,* q. 7, a. 1; *Summa Theol.,* I-II, q. a. 5; q. 88, q. 87, a. 5. We may add: *II Sent.,* d. 4£, q. l, a. 4, "deformis actus"; *ibid.,* ad 4, "discordant a lumine rationis "; *IV Sent.,* d. Hi, q. 2, a. sol. 1, ad £, "aliqua deordinatione existente ---- "

•• Cf. *de Malo,* q. 7, a. 5, "in aliquo retardat a fine"; cf. ad 2, "aliquid a fine retardans." For the explanation of this *retardatio* cf. below, n. 83 and text.

[66] Ioannes a S. Thoma, *Cursus Theologicus,* in lam IIae, disp. l, art. 7, n. 41, 46 f., (Paris: Vives, 1885) V, 149 ff. The ultimate end acts on the venially sinful action *' negative et permissive.'* The thesis was accepted by the Salmanticenses, *Cursus Theologicus,* Tract. Vlll, de ultimo fine, disp. 4, dub. 4.

man.[67] 0. LoUin[68] is right in pointing out that the idea of a purely negative or permissive causality of the ultimate End with regard to the act of venial sin is foreign to St. Thomas. One or other of his texts could seem to insinuate some similar idea, for example, the following: " When the consent in a venial sin is given in such a manner that, were it against God's law, it would not be given, then it stays within the limits of venial sinfulness, even though one adverts to its being a venial sin. But when the consent is given in such a manner that, even were it forbidden by a commandment, it would still be given, such a consent in an object which is venial of its nature would be mortally sinful."[69] This text shows that the intention not to transgress the law is essential to venial sin, so much so that, where that intention is absent and a sinner is so disposed that he is ready to transgress the law, his action is mortally sinful. AU this is well-known enough. Does it say anything more than that a venial sinner, both objectively and subjectively, does not go against the divine law, and that he who deliberately commits a venial sin does not intend to sin mortally? It is only when forgetting that, in St. Thomas' conception, a final goal does not qualify or specify an action unless its influence be actual or virtual, that the idea of a permissive causality of the end can be read in this text. Moreover, this negative influence of the ultimate goal on the act of venial sin would not stand by itself, no more than any other negative consideration. It would merely be the reverse of a positive influence. But what could this positive influence of the ultimate end on the venially sinful act be? It cannot be an actual or a virtual one; if it were, the act thus influenced by the final Goal would not be sinful. And if that is so, could then the supposed negative causality of the

[67] Deman, *op. cit.,* Deman understands in the sense of a negative influence the habitual reference of venial sin to the ultimate end; he explicitly notes that by so doing he maximizes St. Thomas' phrase, *habitu, non actu,* "nous entendons dans toute sa force ..." Nearly the same in McNichol!, *op. cit.,* 376.

[68] *Op. cit.,* p.

[69] *II Sent.,* d. q. 3, *5,* ad "... Quando ... hoc modo in veniale consentitur ut si esset contra legem Dei, nullo modo fieret, manet intra limites venialis peccati ...."

ultimate end on the venial sin be actual or virtual? But if it iis only habitual (supposing that it makes sense to speak of a habitual negative influence), then it is not really effective in any way.

And so, the phrase *praeter finem* as distinguished from *contra finem* means nothing else than that the venially sinful act leaves unaltered a sinner's habitual disposition towards the ultimate end. The reason why a venial sin does not turn the sinner away from his final goal will be explained below in the study of the next aspect of venial sin as a disorder *circa ea quae sunt ad finem* only. But a man's habitual adherence to his final goal does not by itself, that is, as long as it is only habitual, have any effective influence on his acts. The supposed negative influence of the end on the act of venial sin seems only to be a misreading of the characteristic venial disorder which regards the means only and not the end.

THIRD APPROACH: *deordinatio circa ea quae sunt ad finem.*

The lack of an effective intention of the ultimate end which constitutes an essential feature of venial sin clearly appears from St. Thomas' teaching that a venial sin is an inordinate action which concerns the means and not the end. This is especially the case of deliberate venial sins which are such from their object. Their object precisely is not the end but the means, *ea quae sunt ad finem.*

We find this concept of venial sin in the *Commentary on the Sentences.* In an article that explains why charity cannot decrease, it is said, "The inordinateness of an action regards either the end or the means . . . If it concerns the means in such a way that the end remains and some one lingers on inordinately about the means, such disorder which is proper to venial sin does not touch on charity." [70] In another place, in order to show that an accumulation of venial sins can never make a mortal sin, the inordinateness of venial sin is said to be of a different kind than that of mortal sin: " For the end pleases

[70] *I Sent.,* d. 17, q. 2, a. 5, "... Inordinatio ... circa ea quae sunt ad finem ...; inordinate aliquis immoratm circa ea quae sant ad finem...."

in one way, and in another way the means, however much the means may please, because the end always pleases more. Hence however much the pleasure of venial sin be multiplied it will not come up to the pleasure of mortal sin." [71] Mortal sin takes pleasure in its object as in an end, venial sin takes its object as a means. Again, explaining which kind of turning away from God is in venial sin, St. Thomas writes: "One turns away from (the changeless End) in an act only when he posits an action by which he does not tend to God, because he is inordinately attached to the means, not, however, in such a manner as to take the means for the end; that is what happens in venial sin." [72]

With the *De Malo* the idea has not changed. The seventh question repeats over and over again that, " He who commits a venial sin is without the right order of love in some act that regards the means to the end; he is not, however, without the right order absolutely with regard to the end." [73] Or, "He who sins venially turns to the creature, not as to the end, but as to the means." [74] Or, " The greatness of a venial sin is measured by some inordinateness about the means." [75] And, " In us an inordinateness happens to exist about the means only by venial sin, when the mind remains habitually fixed in the end." [76] Venial sin, then, is a disorderly action about the means, not about the end itselt

The same teaching is found in the *Summa.* " Sins which con-

[71] *II Sent.,* d. q. 3, a. 6, ad 6, "Alia enim ratione placet finis, et alia quae sunt ad finem . . . . "

[72] *lbid.,* d. 42, q. 1, a. 3, ad 5, " . . . quo (actu) in Deum non tendit, ex eo quod inordinate ei quod est ad finem inhae:ret . . . . " Cf. *ibid.,* a. 5, ad 1, " . . . adhaeret rei temporali . . . ut ei quod est ad finem,,

[73] *De Malo,* q. 7, a. 1, ad 21, " . . . qui peccat venialiter caret ordine amoris in aliquo actu circa ea quae sunt ad finem . . . . " Cf. *ibid.,* ad 19.

"Ibid., a. " . . . qui peccat venialiter . . . non convertitur ad cr.eaturam sicut ad finem, sed sicut id quod est ad finem."

[75] *Ibid.,* a. 3, " . . . secundum . . . deordinationem circa ea quae sunt ad finem; cf. a. 7.

[76] *Ibid.,* a. 9, "In nobis autem contingit esse deordinationem circa ea quae sunt ad finem per peccatum veniale, mente hominis habitualiter existente fum in fine . . . . "

tain an inordinateness about the means, the direction to the last end being kept, are reparable: they are called venial sins." [11] "A venial sin ... entails a disorder about the means." [18] In the angels "there can be no disorder about the means, unless there be at the same time a disorder about the end itself, and this is by mortal sin." [19] Charity which regards directly the last End is not diminished by venial sin, " Venial sin is some inordinateness about the means." [80]

St. Thomas's idea is firm and constant. Venial sin is a disorderly action about means to the End. How must this be understood? Not evidently in the sense that it is an action which is good with regard to the End and evil with regard to the means; as though venial sin did intend the End (and were good on that account) but is inordinate in its use of the means (and evil for that reason). No, venial sin is not a good act which is bad in its accidentals only. Venial sin is an evil act and is not good or meritorious at the same time in any way whatever.

What does its disorder consist in? First, what does it not consist in? It does not consist in this that the means be taken for the end. No, the love, pleasure, or attachment which are characteristic of venial sin .do not turn what is only means into the goal. In the estimate and affection of the venial sinner what is a means is taken for a means, *id quod est ad finem.*[81] The disorder consists in an inordinate or excessive love of or attachment to what is a means only.[82] When is a means loved inordinately? Clearly, only when and in the measure that it is loved for another reason, quality or attractiveness, than its conduciveness to the End. When a is loved in the exact

[11] *Summa Tkeol.*, I-II, q. 88, a. 1, "... peccata autem quae habent inordinationem circa ea quae sunt ad finem, conservato ordlne ad ultimum finem, reparabilia sunt. Et haec dicnntur venialia. . . ."

[18] *Ibid.*, a. 5, "... important deordinationem circa ea sunt ad finem."

[19] *[bid.*, q. 89, a. 4, "... non possit in eis (angelis) esse deordinatio circa ea quae sunt ad finem, nisi simul sit deordinatio circa finem ipsum. . . ."

[80] *Ibid.*, II-II, q. a. 10, "... inordinatio circa ea quae sunt ad finem...." [81] Cf. *I Sent.*, d. 17, q. 5, "... ita scilicet quod finis remaneat; cf. *ibid.*, d. q.1, a. 8, ad 5; *de Malo*, q. a. 9; *Summa Tkeol.*, I-II, q. 88, a. 1.

[82] Cf. above, n. 70, "immoratur circa ea quae sunt 8d finem."

measure that it is a means, that is, helpful towards the attainment of the Goal, the love of it is ordinate and virtuous, in no way sinful. When what is a means only becomes an object of affection. irrespective of its nature of means, because of what is attractive in it independently of its relation to the End, then the attachment is disorderly and sinful; venially sinful when the sinner does not forget that the means is not the End or does not turn the means into an end. In such a case the means becomes an obstacle which slows down our journey to God, the Goal.[83] That inordinateness is the reason why venially sinful acts cannot be commanded by charity, [84] that is, why those acts cannot be actually or virtually directed towards the ultimate End. And it must be noted that this inordinateness of venial sin is not merely a subjective disposition on the part of the sinner. The object itself, or that which is willed or intended in the moral act, is of such a nature that it cannot actually be conducive to the End, though it at the same time is not exclusive of the last End. St. Thomas explains this where he considers what are venial sins *ex genere suo*, or from their object or matter, and contrasts them with the sinful actions that are mortal *ex genere.*[85] A man can give in to the attraction of such objects and without renouncing his march to the Goal slow down his step and linger on in useless and harmful diversion. He then sins venially. Venial sins are, so to speak, a wilful waste of time, a guilty frittering away bit by bit of time, energy and affection, that should have been spent on drawing a man nearer to God.

Yet it needs stressing that venial sin does not turn a sinner away from God. However inconsistently he may act in taking pleasure, half-heartedly, in what impedes his march towards

[83] Cf. above, n. *65*, "retardat a fine"; *1 Sent.*, d. I, q. 3, a. 4, "excedit in dilectione "; *II Sent.*, d. q. I, a. 3, ad *5*, "similatur ei qui nimis immoratur in via"; *ibid.*, a. 4, ad 4, "quaedam impedimenta finis"; *De Malo*, q. 7, a. 1, ad "caret ordine amoris in aliquo actu "; *ibid.*, a. 11, " ... quasi impedimento existente in **actu."**

[84] *JV Sent.*, q. 16, q. 1, a. I, ad "... amor Dei non ostenditur in omnibus actibus hominis, aliqua inordinatione in eis existente."

[84] Cf. *II Sent.*, d. 42, q. 1, a. 4; *Summa Theol.*, I-ll, q. 88, a. 2.

the Goal, without making it impossible, this illogicalness is precisely what makes a venial sin possible. In his venially sinful action, especially when it is deliberate and in the very measure of that deliberateness, he purposely wishes to stop at what is a means only and should be such of its nature; and he stops at it, not because of its usefulness as a means, but because of some other consideration irrelevant with regard to the End. This shows again that venial sin is the paradoxical human reality of an action which should be a step forward towards the Goal but which is not so, though at the same time it is not a step away from it either. It is an action without ultimate end, aimless as to its ultimate reason. It has no ultimate reason. It is an illogism, not in thought or word, but in deed.

Venial sin, therefore, is an inordinate action which does not, either actually or virtually, intend an ultimate goal. The question of what is its ultimate end is not to be asked, since it is, by definition, a disorderly act which does not measure its disorder on the end but on the means. When a man sins venially, he sets aside the thought and the desire of the final Goal, so to say in both directions, either to draw closer to it or to turn away from it. He only wishes to toy with things whose whole value, as he well knows, really lies in their being means, yet he prefers to look for another superficial attractiveness in them. He is and wishes to be inconsequent: he acts to no ultimate purpose.

FouRTH APPROACH: *imperfecta ratio peccati.*

Another teaching of St. Thomas which is apt to bring out this same ultimate aimlessness of venial sin is his idea that this fault of its nature realizes the analogous notion of sin in an imperfect and relative manner only. In the *Commentary* he says, " The reality of sin is found completely in mortal sin; but in venial sin only imperfectly and relatively. Hence, what in some action is the least by way of sin that is found in venial sin ... For that reason mortal sin designates something complete in the genus of sin, but venial sin something incom-

plete." [86] The very name *venial* hints at this imperfection, "' Venial sin is so called . . . because it is easily forgiven on account of its imperfection as sin." [87] Or clearly, "Venial sin ... is a guilt in an imperfect manner." [88] It is a sin in a reduced sense only. The *De Malo* repeats the same idea: «The definition of sin applies fully to mortal sin, but to venial sin imperfectly and relatively." [89] Or, "Venial sin is a sin relatively, *secundum quid."* [90] The same teaching is found in the *Summa:* " Venial sin is something imperfect in the genus of sin." [91] " The division of sin into venial and mortal is not a division of genus into its species which have an equal share of the generic nature; but it is a division of an analogous term into its parts, of which it is predicated in different degrees. Consequently, the perfect notion of sin, which Augustine gives, applies to mortal sin. On the other hand, venial sin is called a sin in an incomplete sense and in comparison with mortal sin!' [92]

Why and in what sense is a venial sin an imperfect sin even when deliberate? For, it must be noted, St. Thomas says this not only of venial sins that are partly deliberate acts. That these are imperfect sins is easy to see, since they are imperfect human 0:r. moral acts. The *Commentary* points it out, [93] and so does the *De Malo:* a sin can be venial on account of its imperfection as human act, when it lacks a fully deliberate consent; [94] and the *Summa* states that the indeliberateness of an act is the reason why sins which otherwise would be mortal

[86] *11 Sent.,* d. q. 1, a. 3, "Ratio peccati ... in veniali non (est) nisi imperfecte et secundum quid. . . ."

[87] *Ibid.,* ad " propter imperfectam rationem peccati."

[88] *Ibid.,* ad 4, "Peccatum veniale imperfectam rationem culpae habet"; cf. *ibid.,* a. 4, " ... non pertingit ad perfectam rationem peccati."

[89] *De Malo,* q. 7, a. 6, ad l, "... definitio peccati ... (convenit) imperfecte et secundum quid peccato veniali "; cf. *ibid.,* ad 7.

[90] *Ibid.,* ad 7, "... peccatum veniale est secundum quid peccatum.

[91] *Summa Theol.,* I-II, q. 74, a. 3, ad 3, "... est quiddam imperfectum in genere peccati." Cf. q. 78, a. 1, " ... peccata venialia non dicuntur mala simpliciter sed secundum quid."

[92] *Ibid.,* q. 88, a. 1, ad 1, "Peccatum veniale dicitur peccatum secundum rationem imperfectam et in ordine ad peccatum mortale." Cf. *ibid.,* a. 6 c. and ad l.

[93] *II Sent.,* d. q. 3, a. 5; d. q. 1, a. 4.

[94] *De Malo,* q. 7, a. 4.

because of their object happen to be venial only.[95] But this imperfection is not found in the fully deliberate venial sins; and these are nevertheless styled imperfect sins. In what sense? Is it also because they do not reach the full reality of a moral act? Perhaps. But then, if these deliberate venial sins are called imperfect moral acts, it is not, *ex hypothesi,* on account of any lack of adventence or deliberation.[96] St. Thomas calls venial, sins which are such from their object and which are or at any rate can be fully deliberate imperfect moral acts, because they are, of their nature, not referred to the ultimate End; in that sense they are not ruled by reason whose proper function it is to direct all human acts to that End.[97]

This idea of the imperfection of venial sin as moral act clearly appears from St. Thomas' teaching on the potencies that can be the seat of venial sin: sensitive appetite, lower and higher reason. It is when and because they cannot or fail to intend a final goal that their inordinate act is venially sinful.

Such is the case of the venial sins whose seat is the sensible appetite, *sensualitas.* We need not develop here St. Thomas' ideas about the first movements of sensuality which he considers to be venial sins, even when they forestall the control of reason.[98] Today many followers of St. Thomas have abandoned what they consider to be an over-rigorous view,[99] though even now

•• *Summa Theol.,* I-ll, q. 74, a. 8, ad cf. a. 8, ad 8; a. 10, ad 1; q. 88, a. 6.

•• Cf. *II Sent.,* d. M, q. 8, a. *5,* ad and 8; *Summa Theol.,* I-II, q. 74, a. 9 ad 8.

[07] It is reason, and the higher reason alone, which directs a man's activity to the End, God. But reason can stop, inordinately, at the means without yet turning them into an end and without referring them to the End; that is, a man can deliberately wish that his act be imperfect and be not referred to the End; that is venial sin.

•• Cf. *II Sent.,* d. q. 8, *de Verit.,* q. a. *5,* ad *5; de Malo,* q. 7, a. 6, *Summa Theol.,* 1-11, q. 74, a. 8, ad 8. For the history of this conception cf. 0. Lottin, *Psychologie et Morale aux XII et XIII siecle,* II (Louvain 1948), 498-589; and *Principes de Morale,* II,

•• St. Thomas followed the common view of his time, chiefly accredited by Peter Lombard (cf. Lottin, *Principes* ... p. even at that time there were exceptions to the traditional opinion (cf. Lottin, *Psychologie* ... p. 888 f.). Lottin notes *(Psychologie* ... p. 585 f.) the connection between this conception and the idea of original sin which was identified with the *fames peccati.* Today most theologians declare indeliberate movements not to be sinful.

voices are heard at times in defense of that idea which favors, it is said, a true and balanced asceticism.[100] What is more to our purpose is the reason why, according to St. Thomas, these acts of the sensitive appetite cannot be mortal sins but only venial. The reason he gives is always the same:[101] because the sensitive appetite cannot of its nature attain the End but is only concerned with the means. Its oventual disorder cannot, therefore, of itself be more than a venial sin.[102]

Can there be venial sins in the lower reason, that is, reason which regards temporal things? Yes, evidently. And mortal sins also? Also. When is an inordinate act of the lower reason venially and when mortally sinful? It can be venially sinful on a double score: either because it consents to an object that is venial of its nature, or because its act is not fully deliberate. will be mortally sinful when a deliberate consent is given to a grievously sinful object.[103] The difference between an object that of its nature is venially sinful and one that is mortally sinful lies in the relation either of these bears to the end: the latter is taken as an end, the former as a means only. So much so that " what is venially sinful *ex genere* can become mortally sinful, as ... when one takes pleasure in a temporal good to the extent that he places his end in it."[104] A venially sinful act does not take its object as an end, only as a means.

[100] Cf. Th. Deman, "Le peche de sensualite," *Melanges Mandonnet,* I (1930), 283; O. Lottin, *Principes* ... p. 'J,7 f.; *Psychologic* ... p. 589. Cf. also H. D. Noble, "La responsabilite passionnelle," *Revue des Sciences Philosophiques et Theologiques* 18 (1928), 432-448

[101] At times indirectly, as in *de Veritate,* q. *25,* a. *5,* "... actus eius (sensualitatis) attingit ad genus moralium actuum, sed imperfecte." Cf. *II Sent.,* d. q. 3, a. *'J,,* ml

[102] *De Malo,* q. 7, a. 6, " ... sensualitas ad illud (mortale) attingere non potest "; a. 8, " ... sensualitas non est capax divini praecepti nee potest attingere ad ultimum finem "; *Summa Theol.,* I-II, q. 74, a. 4, "... OrdinaJre aliquid in finem non est sensualitatis sed solum ... Uncle peccatum mortale non potest esse in sensualitate." *Quodlib.* IV, a. 22, " ... aversio a Deo ... non potest esse nisi in ratione."

[103] *II Sent.,* d. 24, q. 3, a. 4, c and ad 3; *ibid.* a. 1; cf. *de Malo,* q. 7, a. *5; Summa Theol.,* I-II, q. 74, a. 7 (where the role of ratio inferior is considered a little differently: " habet inferius indicium, ad earn pertinet indicium praeambulum quod est de delectatione "; cf. ad 3; a. 8, ad 1 and ad 2.

[104] *11 Sent.,* d. 42, q. 1, a. 4.

In the higher reason which is ruled by the divine ideas venial sin is possible in two ways: in its deliberate assent to what is venially sinful *ex genere;* and in its sudden or indeliberate movements to its own object which, though it is in itself grave, yet happens to be venially sinful for want of deliberation, for example, in surreptitious movements of unbelie£.[105] The first kind of venial sin concerns the object of lower potencies whose object is not the end but the means.m The second does not touch the end because of the imperfection of the act.

So it appears that the essential imperfection of venial sin lies in its incomplete reasonableness, that is, in its non-reference to the end. This may spring from two sources: either from the object itself which is venial *ex genere,* namely, when it is a disorder about the means and not about the end; or from the imperfect deliberation of the act which on that score does not intend the end. We are thus led to the conclusion that a venial sin, whether fully deliberate or not, is always imperfect in the line of rationality or of reference to the end. **It** belongs to the very nature and essence of venial sin not to be effectively related to an ultimate goal.

That is what St. Thomas says when he explains that venial sin remains below the level where the full reality of sin, *aversio a fine,* can be found. Reason alone can direct an act to the End;

[105] *Ibid.,* d. 24, q. 8, a. *5.* The deliberate movement of the higher reason towards its proper object, when **it** is sinful, is mortally so, because the object is grave *ez genere.* Its movement towards the object of a lower potency cannot but be deliberate and is, when it concerns grave matte],", always a mortal sin; cf. *de Veritate,* q. 15, a. 5: *de Malo,* q. 7, a. *5; Summa Theol.,* I-II, q. 74, a. 9, c. and ad 2. The last sentence of this ad 2 seems to need a correction. **If** we read, " Sed quando est *citra* (instead of *ciTca)* hoc, non est peccatum mortale, sed veniale," then the meaning is clear. **If** *circa* is kept, then it should be made to mean, from the preceding context, " inordinatio alicuius eorum quae *circumstant* hoc (proprium obiectum ") ; but this is to force the meanhtg of the words; all the more so that the often recurring phrase *inordinatio circa* always signifies an inordinateness about or concerning.

[106] Cf. *de Malo,* q. 7, a. *5,* "aliquid quod non excludit finem, sed tamen sine eo melius ad finem perveniri potest."

reason alone can deflect or turn it away from the End.[107] And that is also the reason why venial sin cannot affect charity.[108]

Venial sin, therefore, whether fully or partially deliberate, is always an incompletely rational act, *actus imperfectae rationis.* The complete reasonableness of a human action consists in its effective tendency to the ultimate End. When such an act is directly concerned with the means, it takes them only in view of their helpfulness to the end. Venial sin does not pertain to the level where the attainment of the final end is decided. At times because of a lack of deliberation, at other times because on set purpose a man refuses to use his brains fully, that is, to look up to the final goal, venial sins are imperfectly rational or imperfectly *propter finem.* In all cases of venial sinfulness the inordinate act is imperfectly human because it does not, actually or virtually, intend an ultimate goal.

FIFTH APPROACH: *ex actu rationis discursivae.*

The question remains to be asked: How is this imperfectly rational act, which is *non propter finem*, possible? Why can a human act stop at the means without any explicit or implicit effective reference to the end? St. Thomas' answer has been uniform throughout his writings: Venial sin is possible because of the discursive nature of our human reason. What does he mean? Two of his doctrines explain his meaning: one on the impossibility for the angels of sinning venially, another on the same impossibility for man in the state of original justice.

Angels cannot commit a venial sin.[109] In the *Commentary* and the *De Veritate* St. Thomas did not examine the question. He deals with it for the first time in the *De Malo.*

In an angel, whether good or bad, there can be no venial sin. The reason is that an angel does not have a discursive intellect such as

[107] Cf. *ibid.,* a. 6 and a. 8; *Summa Theol.,* I-II, q·. 74, a. 4.

[108] Cf. *I Sent.,* d.l7, q. *5,* ad 8, and c.: *II Sent.,* d. q. 8, *de Malo,* q. 7, c. and ad 6.

[109] We need not and do not intend to consider the question of the *natural* impeccability of the Angels. The recent discussion on the point (de Blic-de Lubac) on divergent interpretations of St. Thomas does not affect our present study.

we have. Now, it is of the nature of a discursive intellect that it sometimes considers separately the principles and separately the conclusions . . . In matters which concern appetite and action, the end takes the same place as does an indemonstrable principle with regard to the conclusions in matters of demonstration. Hence we happen at times to think of and to be moved only by things that are means, at other times by the end alone. This cannot be so with angels. The act of an angel's mind is carried away both to the end and to means. And so in angels there can never be a disorder concerning the means if there is not at the same time a disorder about end itself. But in us there happens to be an inordinateness about the means by venial sin, whilst our human mind remains habitually fixed on the end . . . ." [110]

This text is enlightening. The discursive character of our mind involves our ability to focus our attention on realities which are related to some other reality on which they depend without considering that relation; our reason can view them separately. This holds good for our speculative reason in theoretical matters; it also applies to our practical reason in matters concerning action. In this latter case action follows the knowledge that guides it. Here, in the field of action, our discursive practical reason can stop at the consideration of those objects which are means to an end and neglect their relation to the end. It can set aside this relation which is their most essential feature as means, namely, their conduciveness to the end, and then move the will to what is desirable in them apart from their being means. This latter desirability can be such that it bears no relation whatever to their helpfulness in view of the end, though at the same time it is not opposed or contrary to it. In such cases, if the will happens to follow reason that shows this kind of goodness in those objects and thus to choose what is not a means, then a man commits a venial sin. He can do so because in so doing he chooses something good in itself in some way, that is, which is conducive to some particular proximate end, though it be not good compared with the last End.

uo *De Malo*, q. 7, a. 3, ad 13, "In angelo bono vel malo peccatum veniale esse non potest. Ratio est quia angelus non habet intellectum discursivum ... Semper motus angeli simul fertur in finem et in ea quae sunt ad finem...."

Suppose an intellect which of necessity takes the viewpoint of the end and considers other objects only under the aspect of their value as means. A will guided by this intellect would be unable to choose useless or harmful means without rejecting the end itself. For such a being, and the angel is such, a choice of that kind would involve a contradiction. It would mean that he simultaneously wishes for the end, by choosing what is a means only insofar as it is a means, and he does not wish for the end, by not choosing what is a means only insofar as it is a means. When he chooses what he knows not to be a means and not leading to the end, he simply rejects the end as welL A. man's mind is not so made. He can neglect the standpoint of the end and act accordingly. An angel cannot abandon that standpoint, and what is not the end itself he necessarily sees in relation to the end; when it is helpful to the end, he of necessity chooses it together with the end; what is not, it is impossible for him to choose, except only by substituting it for the end, that is, by sinning mortally.

This long commentary on so dear a text should throw some light on the mysterious reality of venial sin. Venial sin is an act which of its nature does not intend a final goal because the sinner stops both his considerate knowledge and his free choice at what is a means only without connecting it with the end. This illogicalness is a characteristic, *proprium,* of the human intellect and will. To postulate that every human act, venial sin included, has to intend some final end is, on St. Thomas' principles, an error that should be styled angelism; it makes man to be an angel.

St. Thomas deals with the same question a second time in the *Summa,* in a less developed way than in the text just studied. The only detail where he is more explicit is that he clearly brings out the similarity between the case of a good angel and a bad one. Whether the final goal in view of which an angel chooses whatever he chooses be God or self, in both cases venial sin is impossible. His act is either an act of charity, in the good angel, or a mortal sin, in a devil.[111] We must take

[111] *Summa Theol.,* I-II, q. 89, a. 4, "Mens angeli non fertnr in ea quae sunt ad finem nisi secundum quod substant sub ordine finis- - - - "

the hint implied in this teaching. It is immaterial whether one who sins venially is habitually directed to the right ultimate Goal or to a wrong one; and this for the simple :reason that the consideration of the last end does not enter the question of the possibility and nature of a venial sin. This also means that there is no implicit or virtual [112] intention of the ultimate end in the act of venial sin. Venial sin stops short of the intention of the last end. Either on set purpose, in the deliberate venial sins, or on account of the accidental imperfection of the *actus humanus,* a venially sinful act leaves aside all reference to the ultimate end. The final goal of the agent, or his habitual intention, is not allowed to exert an actual or virtual influence on the act of venial sin. This act does not consider, neither explicitly nor implicitly, the last goaL

The other case where venial sin is not possible is the one of Adam in the state of original justice. St. Thomas's explanation of this impossibility, repeated in three of his works, deserves consideration for the light it sheds on the discursive nature of our reason as the source venial sinfulness.

The *Commentary* shows that the possibility of venial sin was excluded from that original state because: " Nothing could happen in the powers of the soul which the higher reason did not direct to God. But what is properly directed to God, is not a venial sin." [113] The harmonious order in man resulting from the primitive justice made it impossible for human reason to stop at the consideration of the means and not to see their :relation to the end. Man could not will a disorder about the means as long as that harmony was preserved.

The *De Malo* notes in what sense Adam could not sin veni-

[112] St. Thomas' phrase, virtual intention or influence, seems to be used in a twofold meaning; either as synonymous with implicit (actually implicit), or in the sense we are wont to take the term, as pointing to the persevering influence of a past actual intention which was not withdrawn. For the question, however, of venial sin, this double sense of the word makes no difference: both actual and virtual, explicit or implicit, intention or influence of the ultimate goal are excluded from the act of venial sin.

[118] *11 Sent.,* d. q. !'l, a. 3; cf. ad 2, "Adam in primo statu habebat liberum arbitrium ad peccandum venialiter, sed hoc non poterat in actu exercere nisi prius peccaret mortaliter." On this remark see below, n. llli.

ally, namely, "Not because what are venial sins for us would have been mortal for him; but because he was not able to commit what are venial sins before he sinned mortally/' [114] And the reason for this is the following: « There could not be in him any inordinateness in the lower potencies concerning the means, unless inordinateness with regard to the end first occurred in the higher powers." [115] Venial sin in Adam presupposed mortal sm.

The *Summa* exposes this doctrine more fully. First the remark just referred to in the *De Malo* is explained. [116] Then the two possible classes. of venial sins are excluded from Adam's original state: the venial sins *per accidens* which are such because of a lack of deliberation in the sudden movements of the senses or of reason; and the venial faults *ex genere* which are such on account of an inordinateness that exists about the means, the due order with regard to the end being kept. Both of these originate in a disorder in man. The first, from an insubordination of the senses to reason or of the act of reason to a higher good. The second from the fact " that the human mind is inordinate with regard to things directed to the end (the order to the end being safeguarded) is due to the fact that the means are not infallibly directed under the end which holds the highest place as a (first) principle among desirable things." [117] This last observation invites careful study. **It** says that venial sins *ex genere* could not be committed by man in the state of original justice because they suppose a disorder in man which could not occur in him unless the preternatural harmony of his being was first destroyed. Man who is not endowed with the preternatural integrity of the first state can be disordered with regard to the means alone, because « ea quae sunt ad finem non ordinantur infallibiliter sub fine": the

[110] *De Malo,* q. 7, a. 8, ad 1, " ... ea quae sunt nobis venialia, committere non potuit antequam mortaliter peccaret."

[115] *Ibid.,* a. 3, ad 13.

[116] *Summa Theol.,* I-II, q. 89, a. 3, " ... non ... propter altitudinem sui status .... "

[117] *Ibid.,* " ... contingit ex hoc quod ea quae sunt ad finem non ordinantm infallibiliter sub fine. . . ."

means ·are not infallibly in order under the end. What does this mean? St. Thomas' conception of venial sins which are such from their object certainly points to a disorder which is objective in the things and does not merely designate a subjective false estimate on the part of man. In that setting the sentence just quoted must be understood to mean: not all that is a means, *ea quae sunt ad finem,* is always effectively conducive to the end; without being *contra finem,* it can be *praeter finem,* and not *sub fine.* Only when it is *sub fine* is it. a means effectively. But some things in certain circumstances are of their nature not referable to the end. When these things are being chosen by a man, his act of choice is inordinate; he can make this choice only because his reason purposely omits to consider the end. This disorder in man, precisely, was made impossible in the state of original justice by a happy necessity resulting from the harmonious subordination of his lower powers, whose object are the means, to his higher power, his supematuralized reason, whose object is the End. The former could not act except dependently on the latter; and under the direction of this orderly reason they could not take for a means what was not actually a means to the end. The reason, therefore, why deliberate venial sins were impossible for man in the state of original justice is that he could not posit a deliberate act that was not referred to the last End. The imperfection of his discursive reason which would have allowed him to stop at the means without reference to the End had been remedied by the preternatural harmony of the original integrity. The unhindered sway of the higher reason, always intent on the End, over the lower powers busy about the means prevented all disorder. His congenital ability to sin venially was tied down by a higher gift.

This makes it clear once more how the discursive nature of human reason which explains the possibility of venial sin consists in our ability to stop its considerations at the means alone and not to take into account the end for which they should be means. Human reason can dictate an act which is not directed towards the end. Such an act which aims at a means that

cannot, because of an inherent inordinateness, actually be a means, is a sinful act which is not directed to an ultimate goal. Venial sin, therefore, of its nature, does not intend a final end. The question about the final goal of venial sin is not to be asked.

NOTE oF THE FmsT MoRAL AcT

Before concluding it is instructive, and perhaps imperative, to apply this concept of venial sin, which we say is essentially an act that lacks ultimate finalization, to the difficult teaching of St. Thomas about the first moral act of man. St. Thomas has always taught that the first act which opens a man's moral or adult life with the age of reason is either an act of love of God or a mortal sin.[118] Before this decisive act it is impossible for him to commit any venial sin, because he is unable to take a decision concerning the means as such before he has posited an act concerning the End.[119] This seems to be the intrinsic reason for a position which St. Thomas apparently held with the more common opinion of his time,[120] and which he gives no other explicit reason than this: *quod excusat maius peccatum, multo magis excusat minus,*[121] if the lack of years hinders the use of :reason and excuses a man from mortal sin, much more does it exculpate him from venial sin. Does St. Thomas' concept of venial sin, as being an inordinate act without ultimate goal and concerned only with the means, help us to understand that position of his? At a first glance it may seem rather to be the contrary, for if venial sin does not intend a final goal, would it not then follow that a child is able to commit it before any act concerning the end? It might seem so, since no reference to the end is supposed for venial sin, This conclusion, however, would be preposterous.

[118] Cf. *II Sent.,* d. q. l, a. *5,* ad 7; *de Verit.,* q. 24, a. 12, ad 2; *de Malo,* q. *5,* a. 2, ad 8; q. 7, a.lO, ad 8; *Summa Theol.,* I-ll, q. 89, a. 6.

[119] *Summa Theol.,* I-ll, q. 89, a. 6, ad 8.

[120] Cf. *de Malo,* q. *5,* a. 2, ad 8, "haec positio videtur multis non esse possibilis." Cf. J. de Blic, "La theorie de l'option morale initiale," *Revue des Sciences Religieuses,* 13 (1933).

[121] Cf. *de Malo,* q. 7, a. 10, ad 8; *Su'IWfflll, Theol.,* I-II, q. 89, a. 6.

Venial sin is an inordinate act whose object is the means to the end, *ea quae sunt ad finem.* Not only the things that are means *materialiter,* but formally as means, since its inordinateness consists in dwelling on the means more than they deserve, or taking for a means what is known not to be such. This inordinateness cannot be formal (as it should be for a formal sin) . But it is evident enough that a means cannot be known as a means, unless the knowledge of the end for whose ment a means comes into consideration be presupposed. Only then can the non-reference to the end, which is the privative aspect of venial sin and constitutes its evil, be known and willed. Without that knowledge of the end there can be no deliberate and wilful neglect of it, that is, no morally guilty act. A disorderly act about the means, or a venial sin, necessarily presupposes that the sinner is aware of his habitual stand concerning the End. A decision with :regard to the End must have preceded before the wilful neglect of the end in the use of the means can constitute a moral fault,

CoNCLUSION

At the end of this long excursion into the field of SL Thomas' teaching on venial sin we seem entitled to confirm our initial guess about the aimlessness of our daily faults:. *Venial sin does not intend a final goal.* This is of the very essence of a sin which is proper to human beings. Whether intentionally so or accidentally, in cases both of deliberate and indeliberate venial sins the act of sin is without effective ultimate end. That seems to be the natural interpretation of St. Thomas' texts. That very simplicity and naturalness may well be a good sign. And so the problem of the final goal of venial sin is one of the questions which should not be asked. Such is, we believe, and this study should have made it clear, the position of Sto Thomas. We have thought it worthwhile to examine the question in detail both because in the course of this study of the texts many an aspect of St. Thomas' theology of venial sin had to be brought to light and because the goal or end of an action

is essential for the right understanding of its nature. By so doing we may have contributed to the preparation of the synthesis of the Thomist theology of venial sin which, according to Fr. Bernard,u [2] is still to be written.

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[190] *Le Peche.* S. Thomas d'Aquin, *Somme Theologique,* edit. *Revue des Jeunes,* ll, (Paris 1981), !MS.

NOTE ON THE PROBLEM OF THE ORIGIN OF POLITICAL AUTHORITY

THERE are two famous theories concerning the origin of political authority, both of them deriving from the tradition of Greek-Mediaeval political philosophy-the Transmission theory and the Designation theory. Both accept the same basic conceptions of that tradition: the nature of man as a social and political animal, the existence of a natural law, and the establishment of political authority in response to the inclination of nature. The difference between them turns on the question: How does political authority originate? Or: In what manner is political authority in the people? Each of the theories contains a principle and ·a " corollary." The principle of the Transmission theory is that the whole people is the immediate or principal cause (though secondary or subordinate to the Primary Cause which is God) of political authority in whomever it is vested; its corollary is that there is one form of government by natural institution, namely direct democracy, that whether there be other forms is a matter left to the free choice of the people, and that other forms of government are instituted by a transference of political authority by the people to one or to severaL There is by force of natural law no obligation on the members of the body politic to transfer political authority. Hence, it is the community itself, organizing into the body politic, that holds authority and continues to do so as long as it does not transfer it to an individual or group. There is, then, only one constitution which exists by natural law, *viz.* direct democracy. The Designation theory has for its principle that God is the immediate cause of political authority in whomever the people designate as having it, and the people in designating their :rulers are merely acting as instrumental cause. The part that man plays in constituting

authority is restricted to designation, when what is caused by man is simply the union of a particular person with a power which is not derived from man in any sense whatever. The corollary of this theory is that the whole people are not constituted as a form of government by natural law.

The Transmission theory, at least its principle, is the older one by far. It is found in some form in the writings of the Church Fathers. After the death of St. Thomas Aquinas it is distinctly formulated by his famous disciple, Giles of Rome. Names of renown are counted among its defenders: Cajetan, Francis of Vittoria, De Soto, Medina, St. Robert Bellarmine, Molina, Billuart and Francis Suarez. " There seems to be little doubt," says Professor Rommen, " that the translation theory is the most time-honored and that the great majority of the eminent doctors followed it." [1] The Designation theory was formulated as a reaction to the social contract theories of the eighteenth century; for there was a suspicion of doctrinal affinity between the Transmission theory (especially in the elaborate form of it given by Suarez) and the theory of the social contract.

Now the corollary of the Transmission theory is known as the Suarezian form of the theory; for Suarez, the famous sixteenth century theologian, is commonly thought to have given the clearest expression of the Transmission theory by adding the corollary. I should like to show in this note that the principle of the Transmission theory (that the whole people is the immediate cause of political authority) is entirely compatible with the corollary of the Designation theory (that there is no one form-Direct Democracy-of government by natural right); and that this position is in accord with the Greek-Mediaeval tradition of political philosophy as represented in the works of St. Thomas Aquinas (who did not treat explicitly of this problem) , and of St. Robert Bellarmine (d. 1604) who is credited with supporting the Transmission theory, but who, as will be made dear, most certainly did not support what

[1] Heinrich Rommen, *The State in Catholic Thought* (Herder, 1945), pp. 446-447.

came to be known as the Suarezian form of that theory, although it is commonly held that he did.

The Suarezian form of the Transmission theory assumes an identification of the multitude as a body politic with democracy as a form of government. That direct democracy is not a form of government by natural institution is clear from the texts of Bellarmine and St. Thomas Aquinas. By way of *praenotanda* we may note that, among the Greeks, government by the many did not signify government by the whole people, but by the mass of freemen " *who neither are rich nor have any merit of virtue."* [2] St. Thomas Aquinas distinguishes between the whole people sharing in government, and democracy as a form of government. " Two points are to be observed," he says, " concerning the right ordering of rulers in a state or nation. One is that all should take some share in the government . . . The other point is to be observed in respect of the kinds of government, or the different ways in which the constitutions are established." [8] The participation of the whole people in government is thus clearly not a matter which is dependent upon the forms of government, whether monarchy, aristocracy, or democracy.

It is in the light of these points, namely, that the whole people ought to share in government and that this sharing is or should be achieved in any of the kinds of government, that we ought to read St..Thomas' statement that the ordering to the common good " belongs either to the whole people, or to someone who is the vicegerent of Jhe whole people." [4] It is the intention of nature that the whole people make their laws according to some constitutional form; and then, whether that be one, few, or many, all the people ought to have some share in the government. This understanding of the above-cited text is borne out by what St. Thomas says concerning the various kinds of political prudence. In arguing that there is a species

• Aristotle, *Politics,* III, !!!S.

[8] *Summa Theologica,* I-II, q. 105, a. I.

• *Ibid.,* q. 90, a. 8.

of prudence that belongs to kings, he considers the following objection:

> ... lawgiving belongs not only to kings, but also to certain others placed in authority and even to the people ... Now the Philosopher *(Ethics* VI) reckons a part of prudence to be *legislative.* Therefore it is not becoming to substitute regnative prudence in its place.[5]

He replies, quoting Aristotle *(Politics* ID) that « prudence is a virtue which is proper to the prince," as follows:

> The Philosopher names regnative after the principal act of a king which is to make laws, and although this applies to the other forms of government, this is only insofar as they have a share of kingly government.[6]

We must notice that although he says that :regnative" prudence should be denominated ... so as to comprehend under regnative all other rightful forms of government," he explicitly allows three species of good government, and with none of these is the whole people identical, although he has said lawgiving belongs to the people. The same doctrine is manifest in the treatment of custom in :relation to law. Here again the same two points are observed: the kind of government, and the sharing of the whole people in any kind. A whole people which is free and can make its own law can, under its constitution, introduce a custom which has " the force of law, abolishes law, and is the interpreter of law."[7] This custom has the force of, abolishes, and interprets law.-What law? The law of the duly-constituted government which represents the people. We shall see below that according to the Roman and Mediaeval legal tradition the constitution does not belong to positive law, but to the *jus gentium,* which. is partly positive and partly naturaL Can the whole people acting as a body politic never directly positive law? In answering this question we must keep in mind Aristotle's definition of the natural as that which happens *always or for the most part.*[8] Always, or for

[5] *lbido,* II-II, qo 50, ao l, objo 3.
[6] *Ibid.,* ad 3.
[7] *Ibid.,* I-II, q. 97, a. 3, ads.
[8] *Physics* II, 2, l98b, SS-l99a, 8.

the most part, the whole people acts through one or few or manyo It is conceivable, of course, that the whole people manages political power for itself; this is simply the unnatural but possible case. Always, or for the most part, the whole people acts through one, few or many; and since the whole people is the principal cause of political authority, all the people ought, as St. Thomas points out, to have some share in the government, whatever kind it may beo

In treating the problem of the origin of political power, Sto Robert Bella:rmine makes it clear that the multitude as a body politic is not a form of government. [9] It is in its universal essence, he says, that political power is in the multitude as a body politico " And since," he goes on, " the *respublica* cannot exercise (political power considered in its universal essence) . oo it is bound to transfer it to one person or to a fewo Thus the power of the princes, considered in its genius, is also of natural and divine right, and the human race could not, even if all men were gathered, make a decree to the contra:ryo" [10]

What is the signification the word " bound " " bound to transfer"? The whole people is said to be "bound" to transfer political power because the transference is done " *by the same law* of *nature"* by which it is originally, in its universal essence, in the whole people. Thus, dearly, political power as residing immediately in the whole people does not constitute a form of governmento [11] Here we may observe that something

• Bellarmine, *Controversiarum de membris ecclesiae,* lib. III *De laicis sive secularibus,* chap. VI. *Opera* (Paris: Vives, 1870) Ill,

[10] *Ibid.*

[11] It is interesting that Professor Yves Simon presents Bella:rmine's theory as allowing that the *respublica* can manage political power for itself. The opposite opinion, he says, "does not seem to be borne out. by (his) text "-this despite the explicit statement that " since the *respublica* cannot exercise this power for itself, it is bound to transfer it to one person or to a few." At the same time Professor Simon admits that " in all cases of which Bellarmine can think . . . the duty to pursue the common good . . . entails also the duty to put it in the hands of a distinct governing personnel. - - - " *(The Philosophy of Democratic Government,* University of Chicago Press, 1951, p. HiS). If Bellarmine cannot, as Simon acknowledges, think of any case in which the *respublica* can exercise political power for itself, how does Professor Simon conclude that Bellarmine's

is said to be derived from the natural law in two ways. In one way, a thing is derived from the natural law by a determination of common principles; for example, the law of nature has it that the evil-doer should be punished, but that he be punished in this or that way is a determination of the common principle. Things that are derived from the law of nature in this way, St. Thomas points out, " have no other force than that of human law." [12] These are the things which, Aristotle observes, are originally a matter of indifference, but when once laid down are not matters of indifference.[13] It is not :in this way that political power is transferred from the whole people: the transference is not a matter of indifference; the people are " bound." Secondly, a thing is derived from the natural law in such a manner that it is " contained in human law not as emanating therefrom exclusively," but as having " some force from the natural law also." [14] Thus, St. Thomas points out, that *one must not kill* is derived from the principle that *one should do harm to no man* as having the force of the natural law itself. The transference of political power from the whole people is of the natural law in this latter sense. "The same law of nature " by which political power is in its universal essence in the multitude also establishes the forms of government *considered in their genus:*

theory allows for just precisely that? It is, he tells us, because " all that Bellarmine demonstrates is that the transmission of political power. from the multitude to the distinct governing personnel is not a matter delivered to the free choice of the multitude *when,* as he puts it, ' the republic cannot exercise such power for itself '." *(Ibid.,* p. HiS; italics mine.) But does Bellarmine put it quite that way? He says not " *when,"* but *"Since* the republic, etc." "Since" it cannot, Bellarmine, of course, does not treat of the conceivable case where it can: Science does not treat of the accidental as such. Certainly it may be said that there is some conceivable case in which the *respublica* can exercise political power for itself- this is simply the unnatural but possible case. Again we may recall Aristotle's definition of the natural as that which happens always or for the most part. That it is natural for the *respublica* to exercise political power for itself is explicitly denied by Bellarmine.

'"Op. cit., I-II, q. *95,* a. 2.

[10] *Nicomachean Ethics,* V, 7, H34b, 18-25.

"Op. cit., I-ll, q. *95,* a. 2.

> Notice, thirdly, that this power is transferred from the multitude ... by the same law of nature .... Thus the power of the princes, considered in its genus, is also of natural and divine right, and the human genus could not, even if all men were gathered, make a decree to the contrary. [15]

That being the understanding of the word " bound " in " bound to transfer," what is the understanding of the word " transfer "? In what sense may the whole people be said to transfer political authority? The meaning becomes clear if we consider that the genus exists only as specified. The specification of the genus by the whole people in forming a constitution justifies the word "transfer." The people act as a principal cause with respect to the species of authority, and not merely with respect to the designation of the one holding it. Similarly, in this same philosophical tradition, a universal cause was said to concur with a particular cause in the generation of man. Socrates is the progenitor not of the universal man, but of his son, this *particular* man. But of this particular man the universal " man " is truly predicated, so that clearly he is produced not without the concurrence of a universal cause. Taken with respect to its particular cause, authority may fittingly be said to be transmitted by the community; but with respect to its universal cause, authority is in the person designated as having it. Because the act of instituting a particular government bears with it something of the force of natural law itself, it is an act which belongs not simply to positive law (it is not a matter of indifference) but to the *jus gentium,* which is partly natural, partly positive. [16] Bellarmine says:

> Notice, fourthly, that distinct kinds of government, taken in their peculiarity, concern the law of nations, not the law of nature. [11]

All of these steps show clearly that the role of the people is more than one of designation, for the role of man in constituting authority is limited to designation, when that which is caused

[15] Bellarmine, *op. cit.*
[16] Cf. *Summa Theol.,* II-II, q. 57, a. 8.
[17] *Op. cit.*

by man is simply the union of a particular person with a power which does not come from man in any sense whatever-as, for example, the papal power. But as Bellarmine makes dear-and Cajetan points out-whether a king be given by God, like David, or created by the people, like Saul, his function and power are those of the people: " The royal power, by natural law, resides primarily in the people, and from the people is transferred *(derivatur)* to the king." [18]

Two important texts of St. Thomas Aquinas are indispensable for a full understanding of this problem. St. Thomas distinguishes natural law from the" law of nations" in the following way:

> The natural right is that which by its very nature is adjusted to or commensurate with another person. Now this may happen in two ways; first, according as it is considered absolutely: thus a male by its very nature is commensurate with the female to beget offspring by her, and a parent is commensurate with the offspring to nourish it. Secondly, a thing is naturally commensurate with another person, not according as it is considered absolutely, but according to something resultant from it, for instance, the possession of property. For if a particular piece of land be considered absolutely, it contains no reason why it should belong to one man more than to another, but if it be considered in respect of its adaptability to cultivation, and the unmolested use of the land, it has a certain commensuration to be the property of one and not of another man. Now it belongs not only to man but also to other animals to apprehend a thing absolutely; wherefore the right which we call natural, is common to us and other animals according to the first kind of commensuration. But the right of nations falls short of natural right in this sense, as the lawyer says *(Dig.,* loc. cit.) *because the latter is common to all animals, while the former is common to men only.* On the other hand, to consider a thing by comparing it with what results from it, is proper to reason, wherefore this same is natural to man in respect of natural reason which dictates it. Hence the lawyer Gaius says: '... Whatever

[18] Thomas de Vio Cardinalis Caietanus, Scripta theologica, Vol. I: *De comparatione auctoritatis papae et concilii cum apologia eiusdem tractatus,* Vincentius M. Iacobus Pollet editionem curavit (Rome: Apud Institutum "Angelicum," 1986, Paragraphs .

natural reason decrees among all men, is observed by all equally, and is called the right of nations '.[19]

The second important text is as follows:

A thing is said to belong to the natural law in two ways. First, because nature inclines thereto: e. g. that one should not do harm to another.

Secondly, because nature did not bring with it the contrary: thus we might say that for man to be naked is of the natural law, because nature did not give him clothes, but art invented them. In this sense, the possession of all things in common and universal freedom are said to be of the natural law, because, to wit, the distinction of possessions (was) not brought in by nature, but devised by human reason for the benefit of human life.... [20]

In order to understand the application of these texts to the problem we are discussing, it is necessary to recall the underlying principle of Aristotle's *Politics* and of the political osophy of that tradition. St. Thomas announces this lying principle in the Prologue to the *Commentary on the Politics:* that political science, like all practical sciences, proceeds by way of imitating nature. Nature proceeds from the simple to the composite. And

In whatever things are constituted of many parts there is found a ruling and a subject element. But a multitude of men is constituted from a number of individuals; and therefore among men it is natural that one should rule and another be subject. . . . He (Aristotle) says therefore ... that whatever things are constituted from many in such a way that from this many a community results, whether the parts are continuous, as are the members of the body which are joined in the constitution of the whole, or whether they are discrete, as from many soldiers one army is constituted, in all of these there is found a ruling and a subject element. And this is both natural and expedient, as will be apparent from any example. [21]

Now in a natural composite, the ruling part and the subject

[19] *Summa Theol.,* II-II, q. *57,* a. 3.
[20] *Ibid.,* I-ll. q. 94, a. *5,* ads.
[21] I *Polit.,* lect. 8.

part are brought in by nature itself, and the commensuration of one with respect to the other is natural by an absolute commensuration. Thus, St. Thomas says, the intellect is by its very nature, considered absolutely, commensurate to be the ruling principle of the sense appetites; and the male by its ve:ry nature is commensurate with the female to beget offspring by her, and the parent with the child to nourish it. Thus, in the household, the :rule of the parent over the child is natural by an absolute natural commensuration. But in the political community, which is composed of freemen and equals, the ruling part is not brought in by nature itself. Thus it is that because nature does not itself bring in political authority, the condition of universal freedom is said to be natural in the sense of that whose contrary is introduced by human reason; by the same token, since human reason proceeds in imitation of nature, the contrary of universal freedom-that is, rulership of some over others-is said to be natural according to the inclination of nature. Therefore, although unlike the case of completely natural composites, there is no reason why, absolutely considered, any one or few should rule over others in the whole which is the civil multitude, there is a *relative* natural commensuration between some ruling part and some subject part; for it is fitting that among men the diversity of knowledge and virtue should issue to the benefit of alL "

quoting St. Augustine, St. Thomas observes, "'Just men command not by the love of domineering, but by the service of counsel. The natural order of things requires this; and thus did God make man '." [22]

In the Suarezian form of the Transmission theory, the natural reason is made to introduce the rule of the whole over itself. Since nothing like that happens in nature either always or for the most part, the introduction of it as a principle of the political community makes political authority something outside the intention of *nature-praeter intentionem naturae.* We may observe, too, that in the Suarezian doctrine any form of

[22] *Op. cit.,* I, q. !116, a. 4l.

government other than direct democracy becomes substitutional –a consequence palpably opposed to the whole political doctrine of both Aristotle and St. Thomas. It is precisely this consequence that prompted the elaboration of the opposite theory, the Designation theory. That theory was motivated by the failure of the Transmission theory in its Suarezian form to safeguard the natural order at the root of political society. In its Suarezian form-the commonly accepted form-the Transmission theory is not only defective on this score, but it begets a sophistical absurdity. It bears a strange affinity with the theory of Social Contract; the former begins with man by nature a social and political animal, and ends with a concept of political authority as *praeter intentionem naturae;* the latter takes as its first principle the thesis that political authority is something that arises outside of the intention of nature.

A study of the ·relevant texts of the Greek-Mediaeval tradition shows that the Transmission theory carries with it as a corollary the introduction of political authority by the people according to that inclination of nature by which a ruling part (one, few, or many) is differentiated from a subject part. And the whole people, as the cause of whatever fo:rm of government is instituted, ought to have some share in it. The commonly accepted fo:rm of the Transmission theory is unfaithful to the tradition on these points. Bellarmine's exposition, on the contrary, upholds the tradition: it preserves the whole heritage of Western culture at its roots by safeguarding the natural order.

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THE PHILOSOPHY OF LAW OF THE EPICUREANS

GIANTISM in any organism or organization, whether biological or social, is always an indication of incipient decadence and decay. When the organism has developed to gigantic proportions, the next phase is its decline, and the ultimate phase its dissolution. There have been periods in the history of human civilization when affairs got out of hand because they had attained a bigness beyond the human possibility of efficient management and effective control. ·The ensuing result has been a gradually intensified arrest of the proper functioning of the established social, political, legal, economic, and moral order-followed usually by its complete breakdown. The Hellenistic era, when the greater portion of the civilized world had been incorporated into the autocratic and military empire or empires of Alexander and his successors, was just such a gigantic development. The hegemony u11.der the Roman Empire, when the law of the City of Rome became the law of the world, and when all political authority was centralized in Rome, or to be more exact, in the hands of one military autocrat, is another example of political giantism.[1] Although the "frontiers of that extensive monarchy were guarded by ancient renown and disciplined valor," and "the image of a free constitution was preserved with decent reverence,"[2] this gigantic world state, following the inexorable fate which seems to befall all man-made institutions which have grown to a size beyond the possibility of effective human management, soon began to decline and fall, " a revolution which will ever be remembered, and is still felt by the nations of the earth."[8]

Eras of bigness and autocracy have always gone together.

[1] R. Pound, "The Hun1anities in an Absolutist World," *The Claaaical Journal* !l9 (1948), no. 1, *!l* ff.

[•] E. Gibbon, *The Decline and Fall of the Roman Empire* 1. I. 1.

[8] E. Gibbc:m, *loc. cit.*

It goes without saying that during these periods of gigantic military and autocratic empires, the predominant feature of legal and political thought among the educated and the refined is that of enforced "political quietism" or complete indifference and apathy. The wise man, fully aware of his impotence singly to make himself heard in this essentially aimless idolatry of mere bigness became

> like one who, in the driving storm . . . retires under the shelter of a wall; and seeing the rest of mankind full of wickedness he remains content if he only can live his own life and be pure from evil and unrighteousness. He will not partake in the wickedness of his fellow men, but neither is he capable singly of resisting all their fierce natures. And therefore, realizing that he is of no use to the state or to his fellow men, and reflecting that he would have to throw away his life without doing any good either to himself or to others, he holds his peace and goes his own way.[4]

The real point of intelligent existence, therefore, is to lead a selfishly quiet and unperturbed life. If he lived under a wise and humane despot, the philosopher seeking the happy life need not fear being disturbed and, hence, could pursue his own ideal of a serene existence, neither perturbed nor perturbable. If, on the other hand, the ruler was an evil and vicious tyrant, the philosopher could quietly fade into oblivion and so escape the tyrant's notice and persecution.[5] This wholly negative attitude towards all political and social issues lead more and more to the general acceptance of a philosophy that taught quiet resignation to whatever the existing government was doing. At the same time, it created within man the naive but passive expectation that this omnipotent and apparently omniscent government should and would provide for all human needs by displaying a benevolent paternal solicitude. Instead of wanting to do the things by themselves, men gradually acquired the habit of having things done for them; they turned to the government to do what would be required for a shallowly happy and superficially contented life. But they themselves did not wish to be active in government. As a consequence, they re-

[4] Plato, *Republic* 496 C ff.

[5] R. Pound, *loc. cit.*

quired a government with absolute powers to design and carry out the plan for undisturbed personal existence. This apathy towards all practical political and governmental issues is the psychological corollary of mere political bigness.

The theoretical tendency of philosophic knowledge and learning during the Hellenistic-Roman period [6] was essentially towards the development of the special sciences. A general indifference to the great metaphysical problems increasingly made itself felt in the post-Aristotelian era.[7] This indifference waxed the stronger the more it appeared that fruitful investigations in the detailed and special provinces of learning and factual knowledge were possible, which were independent of and indifferent to the major metaphysical systems or issues. The separation and departmentalization of the various philosophical problems originally initiated by Aristotle soon produced a novel interest in mere specialization-a development, that is, which rapidly lead to a prominent emphasis upon theoretical knowledge a:o.d erudition merely for its own sake. In consequence, the formulation and production of truly original theoretical principles during this epoch of philosophic speculation became extremely insignificant. It merely appropriated, restated, or revamped the old problems by essentially moving along lines authoritatively laid down by the preceding centuries of Greek thought. Such a general indifference towards fundamental theoretical questions or issues of the metaphysical or ontological type in itself was an eloquent manifestation of the fact that the Hellenic world had begun to show definite signs of losing its original creative power. This rather deplorable trend, however, was somewhat mitigated by the newly arising strong interest in the practical or applied significance of philosophy.

[6] This period, which since J. G. Droysen has been called the Hellenistic period, derives its name from the Greek word (graecissare), to " act or behave like a Greek." Cf. A.-H. Chroust, "Philosophy: Its Essence and Meaning in the Ancient World," *Phil. Rev.* 56 (1947), no. 1, 48 fl.; "The Meaning of Philosophy in the Hellenistic-Roman World," to be published in the near future.

[7] Aristotle himself seems to have been fully aware of this· particular trend. Cf. *Metaphysics* 1009 b SS-1010 a 5.

During the second half of the fourth century B. C. the ideal structure and background of the intellectual life and philosophical culture of Greece slowly began to crumble. The decaying political life of the Greek city states, deprived of their independence through their being swallowed up in the immense empire of Alexander, no longer stimulated enthusiasm or devoted public action.[8] And while all this took place, and probably on account of it, the demand for a new scientific theory as to the ultimate end of human life became more and more pronounced. Particularly since individual man thus found himself progressively thrown back upon his own inner resources, the need for a scientifically grounded practical wisdom, which would guarantee the personal happiness of the isolated and disappointed individual, gradually assumed an ever more urgent form. Hence the seeking after that type of practical wisdom which would lead man safely through life not only became the most pressing philosophical problem, but actually turned into the characteristic trademark of the Hellenistic-Roman intellectual world.[9] This emphasis on practical or applied issues, however, did not entirely do away with certain general theoretical problems. But these theoretical issues, which were predominantly an intermingling of various inherited problems and hence held little or no original interest for their own sake, nearly always developed in that one direction which was fundamentally predetermined by the real end envisaged-to provide what was considered a scientific basis for the intelligent conduct of life. They were intended, in other words, to furnish a theoretical foundation for a practical ideal. As a matter of fact, the key to all these theoretical doctrines, whether Stoic or Epicurean, must always be sought for in the domain of *personal ethics.*

[8] We should also mention here as one of the reasons for the need of a novel *practical* significance of philosophy the fact that the traditional popular religions had lost their hold on the Greek people, and had become more and more a superficial ritual or empty tradition.

[9] In this the philosophers after Aristotle merely elaborated certain philosophical or ethical pronouncements which had been. initiated by the Sophists and discussed by Socrates (and Plato), and after Socrates by the so-called Cynics (Antisthenes), Hedonists (Aristippus), and the schools of Cyrene and Megara.

This preeminence of the practical importance of philosophy had been decisively influenced by certain general movements in Greek civilization as well as by certain historico-political developments. Already with the Sophists a definite dependence of philosophy on legal, social, political, or economic factors had become noticeable. This phenomenon became a permanent and decisive element of the general philosophic attitude during the Hellenistic-Roman period, manifesting itself most eloquently in man's changing attitude towards public life. The new tendency was to find a compensation for the loss of a truly purposeful life of political and social action which once upon a time the very smallness of the former Greek city states or the city of Rome had definitely encouraged and fostered. The educated and intelligent man, who saw himself forced to give up the stimulating and often sharply championed contests over the best means of promoting and securing the common weal of his home city/[0] suddenly found himself confronted by the heavy-footed and oppressive administrative and military machine of a world state. As a result, a general sense of helplessness, disgust, or apathy towards all political and social questions of the day soon made itself felt in the ranks of those who under different and more favorable circumstances would have been the qualified leaders and spokesmen of their time. The wise man, completely deprived of all outlets for his generous urge to help his fellow citizens, and fully aware of the many dangers inherent in public notoriety, resigned himself to a tired 'give-it-up' philosophy, preached and practiced in seclusion from a turbulent and discouraging world. Notably in the imperial age of Rome this attitude seemed to have been the principle of the

[1]°Cf. Thucydides "Again, the same men can attend at the same time to domestic as well as to public affairs; and even those of us who are engaged in business can still form a sufficient and fair judgment on political affairs. For we are the only people that regard a man who takes no interest in public affairs, not as a harmless, but as a useless character. And we ourselves judge rightly of political measures, at any rate, even if we do not originate them. The great impediment to action is, in our opinion, not discussion, but the want of that knowledge which is gained by discussion preparatory to action. For we have a particular power of thinking before we act - - - - " Solon is said to have initiated a law that in case of a civil war every citizen must take sides under pain of losing his civic rights.

honorable mano Confronted with the ever-mounting influence of scheming comrtiers and intriguing courtesans, and repelled by self-seeking politicians or "public servants" as well as by the general corruption of all public life, he could but advise his intimate friends to seek the only remaining happiness compatible with human decency in an attitude of complete indifference towards all civic affairs and eventso

Neither the glory of Alexander's empire nor the might of imperial Rome in all their military splendor and administrative autocracy could offer any real compensation for the loss of individuality and independence, the two prime prerequisites for and stimuli of truly ·original and creative thought and actiono For such preposterously gigantic empires in their oppressive and clumsy bigness never could-and never will-grant individual man inner worth and contentment. Although attractive perhaps, to prattling and ever-experimenting mediocrity, they could not-and never will--'-satisfy the moral urge of the better type of man to exert his real talents, wisdom, and knowledge in the interests of communal life" Having lost the consoling support afforded by religion, and being forced to renounce the exalted life of the "philosopher-statesman" so eloquently extolled by Plato/ [1] the educated man of this era entirely withdrew into some form of purely theoretical or superficially moralizing philosophyo Thus any philosophy which preached o:r practiced complete independence of the wo:rld and the course of events as being the true trademark of the wise and virtuous man, of necessity was destined to gain a lasting and profound influence" What once had been the culmination of many a high-soaring ethical discussion, namely, the glorification of an active and living participation in the affairs of the city state, had lost its power over the hearts of man, and had, in some instances, actually become a distasteful notiono Thus the Hellenistic-Roman ideal of true wisdom for the conduct of one's own life became essentially that of individual or selfish-not social-morality; and the extreme opposition of this indi-

n *Republic* 473 D; 494 B. Cf. *ibid.*, 503 B; 376 C; 484 B; 501 D; 520 A; *525* B; 540A; 543A.

vidualistic morality to the questions and problems of social or political life appears most prominently among the Epicureans.

The Epicurean philosophy of life sets out to determi:r.e how man must act and what he must know in order to insure his own personal happiness and contentment, whatever the changing fortunes of life may bring him. Only the wise man can be called virtuous and, therefore, happy, because of his insight into the true nature of things. Utter independence of the world and worldly events is the most important objective of the ideal man. For he alone can be called free; a king among the ignorant, and a god unto himsel£.[12] Whatever happens to him or to the world around him, cannot shake his true understanding, his sublime virtue, or his perfect happiness. His wisdom resides in him alone; and the course of worldly affairs does not trouble his serene intellectual and aesthetic repose.[13] This particular ideal of the wise man is typical of the Hellenistic- Roman era: the intelligent person is not one who creates or works for the sake of great ends transcending the pettiness of his own selfish existence, but one who knows how to sever himself from time and the world, and to find his happiness and :repose in himself alone.[14] This pronounced depreciation of truly active and creative endeavor, which distinguishes the greater part of the post-Aristotelian intellectual world/[15] heavily contributed to the decline and ultimate fall first of the Alexandrian and later of the Roman Empires.

This inner isolation and starvation of the individual in his complete indifference towards higher aims outside himself is the

[12] Diogenes Laertius 10. 133 ff.-Hence the wise man is one who practices or *tl'l!'tilleta,* as well as moral *avrapKeta;* one who lives in complete independence of, and indifference to, the world *(&./Jt&.rpopos).* Cf. Diog. Laert. 10.130; Seneca, *Epistola* 12. 10.

[13] The wise man chooses the *1!1J0v7J Karaur"'p.ar<K{J,* or the *'Y«"h'1/llttrp.6s,* the state of peaceful and painless retreat from the world (Miie *fhwuas,* frag. *555,* H. Usener, *Epicurea),* without desire or ambition. Cf. Diog. Laert. 10. 137; Plutarch, *El Ka"hws A<!"ferru ro* X&.lJe *fJtwuas.*

" Since, according to the Sceptics, man is unable to grasp the true nature of things (&.rpnula); and since, in consequence, he cannot assent to anything *(&.Kara-*A'f/o/1«), of necessity he must refrain not only from judging things, but also from acting (e.,.oxn), thus achieving a state of complete and *a'l!"a0eta.*

[15] Diog. Laert. 7.130. Seneca, *Epist.* 10; 75, 8 :ff.

consistent result of a philosophy which declares the complete overcoming of the world to be the first condition of man's true and abiding happiness. But this independence of the outer world, preached and practiced by the Epicureans in particular, is not so much the result of some ascetic consideration, but rather the product of the realization that man has little or no effective control over the world and its course. Hence he must master the world within himself, that is, his inner nature, or to be more exact;the effects of the outer world upon him. And these effects manifest themselves in the form of desires, feelings, or excitements; in short, they make themselves felt as disturbances, emotions, or passions of man's souJ.[16] True wisdom and the highest ideal, then, is the proper relation which man maintains to his emotions and passions *(1raO'YJ);* it is, in other words, freedom from emotions and passions *(a1ra8eta),* and a state of painless rest or retreat. [17] Painless rest (T,8oviJ *KaTacTTTJf.LaTtKTJ)*[18] and peace of soul *(yaATJVUTf.LO<;* or *arapagta)* [19] are the real desiderata,[20] while all emotional storms that might threaten this apathy ought to be anxiously avoided. Hence the mere absence of want or desire is in itself already virtue and happiness. Nevertheless, Epicurus and his disciples do not indulge .in preaching or practicing complete renunciation of all pleasures under all circumstances. For pleasure is not only the first good according to our nature, [21] but also the very stimulus or cause of all our actions. The intelligent man, therefore, must under-

[16] As to Epicurus' theory of passions and emotions, cf. *"Epistle to Menoiceus,"* Diog. Laert. 10. H. Usener, *op. cit.,* 71 ff.; 356 ff.; 394 ff., and frags. 396-607 (Usener).

[17] Epicurus distinguishes between two types of pleasure, namely the " pleasure in rest " or state of painless rest *(7]/iovi] K<J.Ta<TT7JfJ.aTtK'fJ)* and the " pleasure in motion" or state of sensuous commotion (7] *ev* 7]/iov'IJ). Cf. frags. 408 ff.; 416 fl'. (Usener); Cicero, *De Finibus* 8. 9. Epicurus defines the former as and the latter as *xapO. Ka! evif>poUVP7J.* Cf. Diog. Laert. 10. 186; 10. 180.

[18] Diog. Laert. 10.136. Cf. 10.189; 10.181; frag. 417 (Us!mer). Cf. Cicero, *De Finibus* 8. 9., who speaks of the *stabilitas voluptatis.*

[19] Diog. Laert. 10. 129.

[20] Painless rest is the highest form of pleasure (Diog. Laert. 10. and the acme of all pleasureis the extinction of all pain: *"Opos -roO p.eyeOovs -rwv 7]/iopwp 7] 7!'aJITOS TOV* d}vyoiinos (Diog. Laert. 10.189).

[21] Diog. Laert. 10. 129.

stand the real nature of pleasure and act accordingly. For only such understanding (cppovqcns) enables him to distinguish as well as to evaluate the various degrees of pleasure and pain to be expected or accepted in every particular instance; and to decide whether or not and to what extent he should give in to his desires or sensuous appetites. [22]

Accordingly, Epicurus distinguished between those wants or desires *(e1n8vp.£at)* [23] which are natural *(c/>VCTtKa£),* and those which are empty and vain (Keval.). The natural wants are necessary and unavoidable *(&.vayKaiat).* Existence without their satisfaction proves impossible.[24] Hence even the wise man cannot free himself from them without suffering some ill or even fatal effects. The KEVru *emOvp.l.at,* on the other hand, are merely conventional *(vop.cp* or 86gq,) or imaginary desires and, consequently, should be avoided as much as possible. Between the natural and necessary wants on the one hand, and the conventional and vain or imaginary desires on the other hand, there are those many wants which are natural and thus have their natural justification *(cpVCTtKa'p.ovov),* but which are, nevertheless, not absolutely indispensable. They can very well be dispensed with. Only if their satisfaction primarily should bring about happiness, contentment, and pleasure; or should their denial become the cause of pain; then, and only then, the wise and judicious man will seek to satisfy them as much as possible. In order to determine whether or not he should renounce or satisfy these natural but dispensable wants or appetites he will have to be intelligently judicious and critical, that is to say, take recourse to the right *crvp.p.ETp7JCTts,* the rational or prudential faculty of proportionate evaluation, which also takes into account the consequences of his deliberate choice. For the *crvp.p.ETp7Juts* properly employed will tell him whether or not he will, in the final analysis, create through his own choice

12 Diog. Laert. 10. 128; 10. 1!!9.

•• Diog. Laert. 10. 1!!7. Cf. *tcvp1a.1 li6Ea.1* 26; 29; 30, in Diog. Laert. 10.139 fl'. H. Usener, *op. cit.,* 392.

04 They are necessary either *1rpos dllia.&p.ovla."* (to one's happiness), or *1rpos* .„Γ„. *Toii tflflp.a.Tos d.ox."A7Jtrla.ll* (to one's physical well being), or *1rpos To* !fw (to life itself).

an excess of pleasure over pain. In the right rests the essence of true (rational insight) which constitutes the highest philosophic good and the prime source of all virtue. [25]

Epicurus and his followers sought the true mark of wisdom in the restriction of all ethical interests to man's individual happiness. [26] The sole positive content of man's peace of soul is pleasure enjoyed in secure retreat and hidden from the storms of this world. In the Epicurean dogma of the highest good the thoroughly *blase* but nevertheless judicious or aesthetical appreciation of pleasure remains the true essence of rational and moral life. For wisdom and virtue consist in man's capacity to enjoy wisely.

All pleasure is either spiritual (intellectual) or physical.[27] To be sure, in his psycho-generic approach Epicurus reduced all pleasure without exception to physical pleasure and, hence, to sensuous experience. [28] Since the physical enjoyments, however, are always accompanied by passionate agitation and turbulent upheavals or "motions" Epicurus declared the spiritual pleasures to be far superior to those of the senses. [29] For the former are derived and, therefore, refined joys, in other words, " pleasures in rest," while the physical joys are " pleasures in motion." By putting the intellectual pleasures ahead of the physical pleasures Epicurus simply restates his basic idea that the individual, upon whose independence ·Of the world every true happiness and contentment rests, can be more certain of intellectual than physical enjoyments, because man is to a greater degree the master over his own intellect than over his physical nature. The pleasures of the flesh always depend on health, riches, and other gifts of chance and fortune. But the enjoyments afforded by philosophy and the arts; by

•• Diog. Laert. 10. 18!l; frag. 442 (Usener).

•• Diog. Laert. 10. US; 10. 182; 10. 141.

.. Diog. Laert. 10. 186.

•• Frags. 411; 409; 40!l; 4!l9 (Usener). Cf. frag. 67 (Usener), where Epicurus states that the term " good " means nothing to him unless it is accompanied by the physical sensation of pleasure.

•• Frags. 417; 489 (Usener). Cf. Diog. Laert. 10.187.

the intimate intercourse with noble and congenial friends; and by a mind free from all passions and desires and, hence, serene and self-contented-all these are the secure possession of the wise man, since they remain wholly untouched the changes of fortune.

Hence the true philosopher seeks only the enjoyments of the mind in aesthetic refinement [30] and the comfortable arrangement of daily life; [31] in other words, in that pleasant association with noble friends [32] which is stimulated by witty conversation and sentimental delicacy. [33] He is himself the main source of the bliss of self-enjoyment self-satisfaction; and his real pleasure is in being pleased with himself. He knows through his rational insight what he is able successfully to secure for himself, and of this he denies himself nothing. At the same time he does not quarrel with fate or begrudge the fact that he cannot possess everything. In his retirement from the world dwells in an atmosphere complete unconcern for the exigencies of his time, and thus considers himself not only independent of his time above the demands also above any real responsibility or duty towards his environment. Freedom and true moral stature to him are not to be found in an active and disciplined participation the various social tasks of public life or the intelligent and responsible conduct of, or interest in, public affairs, but rather in everyone's right to do as he pleases. [34] The highest Epicurean maxim of life, namely the " pleasure in passiveness," is but the cogent result of a *blase* and emasculated as well as emasculating philosophical mood; and the gardens of Epicurus became the nursery of noble but vain employments, practiced in a decadently refined and delicate manner in the midst of an essen-

[8] °Frag. 5!<!3 (Usener).

[51] A truly comfortable arrangement of daily life, based on the judicious balance between pleasure and pain, requires, however, a sense of restraint and a measure of abstinence (Diog. Laert. lO. 131). For over-indulgence in pleasure would soon dull our capacity for enjoyment.

[32] Frag. 539 (Usener) .

[••] Frags. 540; 544 (Usener). Cf. Diog. Laert. 10. 9 ff.

[34] Diog. Laert. 10. l!i!l.

tially moribund civilization. Under the hollow guise and gentle influence of superficially delightful manners [66] the advantages of luxury and wealth were enjoyed and abused," [35] while at the same time the outer image of a supposedly respectable life was preserved with misdirected reverence. It was that aesthetic despair in the face of overwhelming political magnitude, grown beyond the power of effective human control, and corrupt to its very core, which seems to have forced the cultured man irito the confinements of self-complacent egoism, and thus to have deprived him of all sense of public duty and responsibility. A complete, but at the same time, cautious indifference towards all tradition, and a deliberate putting aside of all religious, political, social, or legal ideas and ideals inherited from a glorious past became the mark of true Epicureanism. For such ideas might, above all, disturb the wise man in his placid self-enjoyment and self-contentment, and burden him with a sense of obligation.

To the Epicureans all social relations and obligations among men are essentially mere artificial" agreements" based upon a consideration of personal utility and convenience. The wise man, therefore, will abstain as much as possible from becoming entangled in such [66] agreements," and will only partake, if ever, in social life to the extent of safeguarding his most cherished interest: the right to be left alone. In accordance with this fundamental attitude towards civic life in general the Epicureans inferred the meaning, function, or end of law, right, justice, and particularly of politically organized society from the natural interests and personal aspirations of those who founded the political community and framed the laws controlling civic life. Neither the State and the legal order, nor the laws-the "man-made laws" [36] as opposed to "natural law" [37]-are really natural institutions. They have been initiated by the whim of man himself; and are but the product of

•• E. Gibbon, *op. cit.,* 1. L 1.

[36] *1ra.pO. OE<nv; trapU. vOJLoV* or *v6p,(),J* (or *8€uer.) OlKa.ut; v6p.tp* (or *O€crer.) 0LKrtta(J'{nrq; pop.tu8€wra OlKar.ot.*

•• *wapa rpv<11v; rpv<1ewS llbcawv; p{l<lel lliKc<Lov.*

egotistical reflection designed to serve the many advantages and conveniences which are expected from them and, in many instances, actually achieved by them. That on the basis of such notions political and social life as such, in other words, law and State, must remain without any deeper significance, needs no comment. Neither could the law or, for that matter, the State, have any real authority of its own, nor could the law or laws be considered as having any truly compelling effects.

Since, however, a state of civic order regulated and controlled by laws and legal institutions, rather than a state of anarchy, seems to favor the promotion of aesthetic self-enjoyment and self-contentment (&.cnp&.A.eta) of the philosopher, the intelligent Epicurean will either passively submit to and acquiesce in the existing laws and the established legal and political order because of their utility and convenience. Or, at least, he will not antagonize this order openly so as to incur unpleasant and painful retaliations. Thus man's submission to the existing legal or political order in itself is still an evil, although in most instances the lesser of two evils, the other being a perennial war of all against all with its dire threats to man's security and serene happiness .. To the Epicureans the laws themselves and particularly the State and the various complex institutions of civic life are grounded in, or grow out of, a compact or covenant-a mutual and intelligent agreement of convenience which men enter into with one another in order that they may not injure one another or be injured. [38] In this fashion the Epicureans merely employed the doctrine of the " social compact " to the extent that it furnished them with an argument to excuse the individual as much as possible from all social or political responsibilities and obligations: " The laws merely exist for the sake of the wise men; not so much in order to restrain them from committing acts of injustice, but rather to protect them from suffering injustice." [39] Inasmuch as the wise man in his complete moral self-sufficiency does not stand in need of any ethico-political education, the laws have no

•• Diog. Laert. 10. 150: ---- *uvJJ8fJK'TJ* •••. *inrep p.?J {JAa:trre•JJ p.7Jlie*

•• Frag. 580 (Usener).

moral significance as, for instance, with Plato, Aristotle, and the Stoics; and are not meant to enlighten the citizen morally.

The origin of the various complex social, political, and legal institutions are, according to the Epicureans, but a phase of the great natural process of emancipation by which the human race, through its ever growing intelligence and enlightenment, advances from the state of wild and uncoordinated savagery to that of cooperative civilization.[40] Individuals first existed for and by themselves. They entered voluntarily and with design into social relations with one another only for the sake of certain advantages which as isolated individuals they either could not obtain or could not successfully protect. It is the advantage and interest of the intelligent man which manifest themselves as the ultimate reason for enacting laws and forming cooperative associations.[41] The law or laws as well as the State have arisen in every particular instance from an agreement as to the common advantage.[42] Hence, in the last analysis, nothing in itself could be called either absolutely lawful or unlawful.48 The sole standard determining the validity of law and State is the amount of pleasure they are capable of providing, and the amount of pain they are able to prevent; or to be more exact, the degree to which they abstain from interfering with man's effort to procure for himself and to enjoy pleasure, and to avoid pain. Thus the first right demanded by the Epicureans was the selfish right to do as he pleases. And this right does not know any real limitations except those which arise from the equally selfish principle not to injure another because of possible painful retaliations. In compliance with these ideas the true Epicurean at heart was wholly indifferent to the form of political order or organization of the society in which he lived as long as it permitted him to live in accordance with the fundamental tenets of his hedonistic creed. He firmly believed in acquiescence in the existing political regime whatever its evils, thus

•• Hermarchus, in Porphyry, *De Abstinentia* 1. 7 ff.; Lucretius, *De Rerum Natura* 5. 928 ff.; Plutarch, *Adversus Coloten* 1124 (edit. Xylander).

[41] Stobaeus, *Florilegium* 48. 148.

•• *qvp.f3o"ll.op roil qvp.pepoPros,* in: *Kvp•a.•* iMEa.• 81; Diog. Laert. 10. 150.

•• Seneca, *Epi8t.* 47.15.

avoiding involvements in the political struggle with all its ugly traits common to the Hellenistic-Roman era.[44]

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These were the basic doctrines of the Epicurean creed. No wonder that Epicureanism, which was so perfectly adapted to a political organization that threatened to extinguish the individual or, at least, to relegate him to utter insignificance on account of its ridiculous bigness, should arise in the period of Alexander and his successors, and wax increasingly influential throughout the Hellenistic epoch. It flourished in the corresponding period of Roman history, the age of the Empire from Augustus to Constantine the Great. Although it probably contributed the least to the progress of ancient thought by tenaciously withstanding the progressive general transition of Graeco-Hellenistic and Roman philosophy from solipsist, ethico-practical speculation to a religio-metaphysical standpoint, it was nevertheless the most strongly entrenched of the various schools of Greek philosophy. The Epicureans openly scoffed at those teachings which, particularly under the influence of a revived, although not always "orthodox" Platonism,[45] began to turn philosophy into a religion or religious doctrine and message of delivery and redemption. They ridiculed and denounced the views of those who had come to realize the impossibility of winning from some generalized results of human experience and theoretical knowledge a true conviction concerning the proper conduct and ultimate significance of human life. They brushed aside contemptuously that newly arising trend within philosophy itself which culminated in the effort to derive from philosophy a new religion which would replace successfully the old religious beliefs that had gradually been lost in the course of Greek "enlightment." Epicureanism was mentally

.. Diog. Laert. 10. Ul.

•• Of paramount importance were Plato's often reiterated statements that philosophy is but the meditation about death *(JLeAeT'T/ Oa.v&.Tov, Phaido* 80 E; 81 A; 64 A), or that which "makes us become like God *as* far as possible" *(I:JJLolwuu Oecp Ka.Ta To Mva.Tov, Theaetetus* 176 B; *Republic* 613 AB, *Phaido* 62 B; 66 B; 67 A). Cf. A.-H. Chroust, "Philosophy: Its Essence and Meaning in the Ancient World," *Philos. Rev. 56* (1947), no. I, 54 fl'.

and morally so well adapted to a period of bigness and incipient decay that it could claim the somewhat doubtful distinction of having been the last of the truly ancient schools of thought to give way completely before the rising tide of Christianity. Even after their schools and societies had been officially disbanded and abolished, the Epicureans for a long time offered the most serious and tenacious resistence to the Christian teachings. They became one of the most widely spread and dangerous of those anti-Christian sects which survived the general decline of Greek philosophy.

The philosophy of law of the Epicureans [46] is essentially but the elaboration of their basic ethico-practical tenets which, in turn, were profoundly influenced and decisively shaped by the general political developments of the Hellenistic-Roman era.[47]

•• Due to Lheir essentially pragmatic attitude towards all problems of life, Epicureans in their discussions of the nature of law, right, and justice always emphasized man's *practical* attitude towards the existing laws and the established legal order.

•• This is not the place to investigate the affinity of certain aspects of Epicureanism to the teachings of the Hedonist school of Aristippus and his disciples. Although the Epicureans in general accepted Aristippus' principle of pleasure and, like Aristippus, designated pleasure as the highest moral good as well as the supreme end of life, they differ from Aristippus in two distinct ways: Aristippus insists that physical pain is worse than mental suffering; and physical pleasure superior to mental enjoyment. Epicurus, however, taught just the reverse by Claiming that, since the soul also suffers from things in the past and things yet to come, mental pains must be greater than physical suffering which, after all, is but a " momentary pain." Aristippus also claims that only " active pleasure," that is, " pleasure in motion " could be called the purpose of all hedonistic pursuit. This " positive " or " active pleasure," which Aristippus compared with gentle or " smooth motion " *("Aela KLP7J<Ts,* cf. Diog. Laert. Sil, 85), is always physical or sensuous pleasure and, hence, " pleasure of the moment." Epicurus, on the other hand, insists that the negative "pleasure in rest" (.qaov-1) *KaTa<TT7JP,aTtK1])* is of a higher order, and that a permanent state of satisfaction must be superior to the enjoyment of the fleeting moment.

Thus it might be said that with the Epicureans even the zest for unrestrained enjoyment extolled by Aristippus and his school, had been lost. Although the Epicureans would, indeed, gladly enjoy all pleasures, they could not bear the idea that such a complete abandonment to pleasure might actually excite them. The robust hedonism of Aristippus thus was replaced by Epicurus' *blase* estheticism which for pleasure's sake demanded renunciation rather than enjoyment of pleasure.

The ethico-practical teachings of the more important followers of Aristippus later were fused with the general doctrines of the Epicureans: Theodorus agreed with

Thus complete understanding as well as just criticism of the Epicurean doctrine of the nature of law, right, and justice, no less than their basic attitude towards politically organized society and its various forms and institutions, must originate with a true appreciation of their basic philosophy of lifeo Before attempting to restate the more detailed aspects and teachings of the Epicurean philosophy of law, however, we shall try to sketch the various philosophical traditions which may-or may not-have shaped these teachingso

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Many of the basic Epicurean notions as to the origin, function, and end of law and politically organized society under the rule of law or laws have a rather familiar ringo[48] For already Protagoras, according to the mythological report of his social and political ideas which Plato has so eloquently recorded, had insisted that, compelled by the never ending struggle of life, men, through agreements with one another, had entered into permanent associations for their mutual protection and preservation.49 The true essence of practical life, therefore, must be discovered in the natural and, hence, normal, impulse of rational man which for the sake of his own convenience compels him to establish social or political unions under the :rule of law. Hence mutual protection and preservation of the essence and essential interest of man form the first principle underlying all these social unionso[50] It is the general utility afforded

Epicurus that a general state of unperturbed and lasting satisfaction of one's desires is superior to momentary joy (Diog. Laert. 98) . Hegesias admitted that the avoidance of pain is of greater importance than the pursuit of pleasure (Diog. Laert. £. 94-96) . And Anniceris preached the cultivation of congenial friends as the highest moral ideal (Diog. Laert. £. 96 ff.).

•• As to the following, cf. A.-H. Chroust, " The Origin and Meaning of the Socilll Compact Doctrine," *Ethics* 57 <1946), no. l, 38 ff.

•• Plato, *Protagoras* 32£ B ff.

50 Since the interest of the individual and the preservation or protection of his essence constitute the sole and first principle of every politically organized society under the rule of law, everything that conforms to this end or principle, that is to say, "whatever appears to the State as being just and fair, so long as it is regarded as such, is just and fair to it." Plato, *Theaetetus* 167 C. For "in politics ... just and unjust . . . are in reality to each State as the State thinks and makes

to everyone by society which justifies society and its manifold institutions or instruments of social control. [51] This effort to ground any and every social coherence upon contractual agreement considers the *individual pe1·son* in his manifold and diversified interests and aspirations,-and not some kind of « transpersonalist " idea,-as the true source of law and State.

it lawful; and . . . in determining these matters no individual or State is wiser than another." *Ibid.,* 172 A. Cf. *ibid.,* 172 B: ... when they speak of justice or injustice ... they are confident that in nature *(cf>{HT<t)* these two terms have no existence or essence of their own, but their truth rests on agreement valid for the time of the agreement and so long as the agreement lasts."

[51] Protagoras' suggests that men, through mutual agreements of convenience and in order to bring to an end the primitive war of all against all, should enter, and actually do enter, into permanent associations for their mutual protection. This suggestion is definitely in line with that type of Greek political or legal thought which became rather prominent during the fifth century B. C. It exemplifies the determined attack of Sophistic reasoning and argument upon the traditional and " classical " notion which declared the function of law and justice and, hence, of all legal or political organizations or institutions to be instrumental in securing and maintaining the social *status quo.* Cf. A.-H. Chroust, "The Function of Law and Justice in the Ancient World and the Middle Ages," *Journal of the History of Ideas* 7 (1946), no. 3, 298 ff. There are numerous indications that the various legal and political ideas or theories proposed by the Sophists constituted a far reaching criticism of the existing social order and social conditions sanctioned by a definite !ego-political or ethico-social regime. In other words, they aimed at a profound change in all matters concerning social and political life. In this the Sophists became the spokesmen of an essentially individualistic and personalistic interpretation of the origin, meaning, and ultimate purpose of law, right, and justice; and of the manifold institutions or instruments ordering and controlling the various forms of society or civic existence. Cf. Plato, *Protagoras* 337 (Hippias); *ibid.* 320 A ff. (Protagoras); *Theaetetus* 167 C; 172 A ff. (Protagoras); *Republic* 338 C; 343 C; 344 A; *et al.* (Thrasymachus); *Gorgias* 471 A ff. (Polus): *ibid.* 483 A ff.; 491 D (Callicles); Aristotle, *Politics* 1253 b 20; 1280 b U (Lycophron); *Rhetoric* 1373 b 18 (Aicidamas); Diog. Laert. 2.16 (Archelaus); Sextus Empiricus, *Adversus Mathematicos* 9. *51* ff. (Critias).

In the powerful upward surge of political life which Greece achieved after the victorious conclusion of the Persian wars, learning and scientific investigation reached the stage of publicity, and with it also a period of *scientific political* agitation. Matured by the many stern experiences during these wars, Athens in particular entered upon a distinctly novel intellectual epoch. It lost rapidly its naive faith in old traditions, and at the same time learned the value of knowledge, especially for the practical, that is, political life. The new political situation created by the Persian wars made it quite clear that in every walk of life the man of knowledge is the most capable, the most useful, and the most successful. In nearly every phase of political or public life a fruitful independence of thought and

Hence the law as well as the State, or for that matter, any legal or political institution, as regards their existence, can only be justified as convenient instruments to satisfy, promote, and secure the interest and well being of rational, individual man. Hence, as regards their origin, law and the State are but the products of man's intelligent and purposive calculation and logical design.[52]

Accordingly the role of the State and its law or laws is limited exclusively to the safeguarding of individual interests, a fact

judgment, initiating important innovations, soon replaced the old life which hitherto had been controlled by custom. It was during this crucial period that family tradition or personal excellence of character was no longer considered sufficient qualification for a successful political career. The many difficult political issues suddenly arising during this era both at home and abroad made a theoretical schooling for the political career mandatory. It was at this point that the Sophists stepped into public life. From all parts of Greece men of learning moved to Athens to expound their theories in order to gain wealth and honor. In this fashion the social position of learning became fundamentally changed, as was its very nature and tendency. Learning and knowledge suddenly turned into a *social power* and became a determining factor in public life. But at the same time knowledge to a great degree became dependent on public life: the democratic institutions, particularly at Athens, required above all ability for public speaking. Hence the instruction of the Sophists was especially sought after by those who were preparing themselves for public life. The further result of all this was that the new men of science actually became teachers of eloquence and the art of persuasion, and the main philosophical issue was seen in the study of man's thinking and willing-the two activities which public speaking was designed to influence and control. The ultimate aim was to maintain successfully any and every opinion, and to achieve any and every purpose. In the further pursuit of this aim Sophistic teaching on the whole turned into the first major attempt of Western Thought to analyse, criticize, or justify the social interdependence of men from the point of view of the individual, that is to say, from the point of view of a fuller unfolding, more complete satisfaction, and better protection of the natural interests and needs of individual man. By proceeding in this fashion the Sophists elaborated the axioms or postulates on which any politically or legally organized society may rest to the fullest advantage of the individual.

[52] Perhaps the most precise and telling formulation of this extremely individualistic or subjectivistic attitude constitutes the core of all Sophistic teachings concerning law and State, is contained in the famous *dictum* of Protagoras that "individual man is the measure of all things ..." *(7ravrwv XP'YJf.'arwv f.'Erpov &.vOpwtros, rWv p,€v Ovrwv Ws rWv oVK Ovrwv Ws oVK* **). Diog. Laert.** 9. 5L That the term " man " used here does not refer to the species man, but rather to individual man can be gathered from Plato, *Theaetetus* A: "Does he *(scil.*, Protagoras) not say that things are to you as they appear to you; and to me as they appear to me; and that you and I are men? "

which by implication might be gathered from the general Sophistic assumption that human existence in its complete isolation and outside any social, political, or legal organization is by no means in itself imperfect or defective."[8] For according to Protagoras, man outside the politically or legally organized society, in short, a man living in the "state of nature" and according to nature, does not lack civilization and cultural goods.[54] He is merely devoid of an effective means to secure these goods successfully and, with them, the personal interest he would have in these goods.[55] Not an "innate ethico-social urge" --or perhaps, as in Plato and Aristotle, the realization that a truly moral stature could be attained only within the framework of the State-but simply man's utter inability to defend by himself what he cherishes, induces him to enter into " associations of convenience, or to be more exact, to form complex relationships with other men. Social life and social institutions as well as the various instruments safeguarding or controlling social life are, therefore, but the product of dire distress and impending danger to which man would have succumbed sooner or later. They are, in short, the result of man's rational but essentially selfish calculation of, or insight into, what is best for him. To *maintain* and guarantee permanently and effectively-and not merely to *initiate-a* dignified and secure life in accordance with man's proper nature is, however, a task surpassing the strength of the isolated individual:

> The desire of self-preservation gathered men into cities . . . [but] having no art of government they treated one another evilly. Zeus fearing that the entire human race would be exterminated, sent Hermes to them, bearing a sense of what is just and fair *(8tK7J)* and a feeling for moral restraint *(aiBw>)* to be the governing principles of cities and the bonds of friendship and conciliation.[56]

[53] Aristotle, on the other hand, insists that man outside a definite social order is more dangerous and evil than a wild beast. *Politics 1258* a 4. Cf. Homer, *Iliad* 9. 68: " ... he that foments civil discord is a clanless, hearthless outlaw."

•• *CC.* Plato, *Protagoras* 822 B ff.

[55] Protagoras and the Sophists in general based their appeal for a " just " society upon the natural interests of individual man and the fullest realization of these interests; and not upon the idea of the unique and irreplaceable moral dignity and worth of the human personality. For such notions were essentially alien to them.

•• Plato, *Protagoras* 822 C.

And Hermes was instructed to impart these two heavenly gifts to all men alike. For Zeus intended" them all to have a share. Because cities cannot exist, if only a few share these virtues." [57] In other words: while men's *entering* into associations with one another as such is necessitated by natural distress, the successful *maintenance* of these associations and, hence, the continued effective guarantee of a permanent assertion of man's selfish interests-although his real purpose always remains individualistic-requires certain social or " political virtues " of the altruistic type, namely a sense of justice and a feeling for restraint; in short, a form of altruism which, however, is but altruism for egoism's sake. [58]

"'Ibid.

[58] According to Protagoras the *olK'YJ* and *alows* are the foundations of the true art of government or social control through the instrumentality of the law. They constitute, as it were, the " cohesive element " within every society or social order originally brought into existence by the essentially disruptive forces of man's selfish pursuit of happiness and the things he generally craves for. Obviously, then, the *DiK'YJ* and *alliws* are two virtues the practice of which is the true art of government, the more so since their practice is essentially for the continued welfare of the commonweal.

Cf. *Anonymous Jamblichi* 7. *9.-Anonymous Jamblichi,* in H. Diels, *Die Fraymente der Vorsokratiker,* 2d edit., 629 ff., is by an unknown author who, judging by his style as well as by the content of his statements, wrote on ethico-political subjects during the second half of the fifth century B. C. The Neo-Platonist Jamblichus incorporated into his *Protrepticus* many lengthy passages from this anonymous author. Cf. F. Blass, *Comment. de Antiphonte Sophista Jamblichi Auctore.* The *Anonym. Jamb!.* is definitely under the influence of Protagoras and his views on law and State, particularly as regards the juxtaposition of *evvop,ia.* (social order under the rule of law) and *avop,la.* (a state of lawlessness) . The treatment of the necessity of social organizations and institutions in *Anonym. Jambl.* strongly remind us of the famous passages in Plato's *Protagoras* 3ii!ii! B ff.

The importance of certain " cohesive virtues " for the *maintenance* of the already established legal and political organizations as well as for the effective promotion of the selfish interests of the individual, has been fully recognized by certain Sophists. Antiphon, for instance, declared the *op,ovoLa-* the " bond of common friendship and conciliation "-the foundation of all truly prosperous social and political life. Cf. H. Diels, *op. cit.,* 60ii!, and frag. 61; Xenophon, *Memorabilia* 4. 4. Hi. The active support of law and the legal order (justice) and, hence, the "social solidarity" manifest in one's personal conduct constitute the very basis on which every well ordered society rests. And this " social solidarity" is also that one attitude which more than anything else promotes individual prosperity and happiness. H. Diels, *op. cit.,* 631. The most pernicious foe of the individual and his personal well being is the *avop,la;* and the gravest danger threatening society is from one who seeks

The similarity between Protagoras on the one hand, and Epicu:rus, Hermarchus, and Lucretius on the other hand, in matters concerning the origin and scope of politically organized society under the rule of law is, as we shall see presently, somewhat astonishing. [59] How, then, did Protagoras' theory of the origin and end of law and State come down to Epicurus? Did Plato and Epicurus make use of the same common sources? [so] Did Epicurus and his followers rely on Plato's mythological report in the dialogue *Protagoras* which contains perhaps a personal attack upon Plato's contemporary Democritus rather than upon Protagoras himself, from whom Democritus had borrowed many an important notion as to the origin nature,

after gain and advantage at the expense of all others H. Diels, *op. cit.*, 631. It is the interest of the majority, the happiness of the greatest number (ro .,.,;; 7rAfJIJet *uvJLcpepov, Anonym. Jambl.* 7. 14) which is given here an important socio-political role. Cf. *Anonym. Jambl.* 3. 3: *'11"A-{J(Je< 'TE av a.pe'Ti}S IJpeyop.evov Ti}S uvp.wttrr7JS* ***UKnrrfov dva.t.„ €K Tlvos ltv*** **A6')'ou 7}** ***€p')'ov lipurros*** Ef'Yf. ***rowVros*** **0'** ***liv*** **efn** ***0 T(J\.elurots*** *wcpe'AtJLOS &v.* This statement is definitely akin to Jeremy Bentham's famous formula of "the greatest happiness to the greatest number."

A conduct contrary to that " desired " by the existing legal order which, on a " collectivist" basis society has agreed upon for the convenience of the individual, creates distrust and enmity on the part of all other individuals. Such a conduct is reprehensible not so much on account of its "immorality" or "illegality," but rather because of the fact that in the long run it will have disadvantageous *consequences* for the " immoral" or "lawless" person. A conduct aimed at taking unfair advantage of another person or an act of crude force *(To -ri]* Kpttros), for instance, should not be condemned because it interferes with certain social or individual interests, but rather because most certainly it will become the source of danger and misfortune to the perpretrator of such deeds. For sooner or later the latter will have to face the closed ranks of a hostile and antagonistic majority against which he will prove himself powerless. Cf. *Anonym. Jambl.* 6. 1 ff. A purely selfish conduct merely bent upon self-assertion and self-preservation at the expense of the interests and the happiness of all other individuals *(</><'AD1f;vxla., </Jt'Aop.arla)* is reprehensible as well as foolish because whatever short term advantages may be gained in this manner cannot be considered as being secure and permanent. *Anonym. Jambl. 5,* 1 ff.

[59] We know that Protagoras considered usefulness, expediency, and reciprocity as being the criteria of true justice. Cf. Plato, *Protagoras* 327 B.-According to Protagoras the reason why there are different laws or legal systems is to be looked for in the relativity of these laws. Cf. Plato, *Protagoras* 334 A ff.; *Theaetetus* 167 C; 172 A ff.

[60] It is quite possible that Plato made use of Protagoras' work *dvn"!l.o"flat,* also called *wepl rf}s ℓV &.pxii Karau.,.&uews.* This latter title might be of a much later date, however. Cf. H. Diels, *op. cit.*, 538.

function, and end of law, justice, and the politically organized society under the rule of law? [61] It should also be noted that Anaxarchus revives the Protagorean myth when he tells Alexander the Great that "Zeus has as his associates Justice and Law." [62] And Hecateus of Abdera, who was definitely under the influence of Democritus and, hence, also of Protagoras, [63] stated that" men also had issued laws concerning what is right and just and in this had gone as far as Hermes," [64] that is, the Hermes whom, according to Protagoras, [65] Zeus had sent to men " bearing a sense of what is just and a feeling for moral restraint."

In complete accordance with Protagoras [66] Democritus [61]

[61] It was Plato's general policy to deal with the opposing philosophical views of his contemporaries rather than with those of his predecessors.

[62] Plutarch, *Alexander* 52.

[63] Cf. K. Reinhardt, "Hekataios von Abdera nnd Demokritos," *Hermes* 47 (1912), 492 ff.

[65] H. Diels, *op. cit.*, 460.

[65] Plato. *Protagoras* 322 B.

[66] It has been suggested that Demoeritus was well acquainted with Protagoras' work 1repl *lv &.pxfi KarauraCfews,* of which only the title has come down to us. And this title itself might be of a much later date. Cf. note 60 *supra;* H. Diels, *op. cit.*, ad 78 B, 8 b.-The dependence of Democritus and his ethical or socio-political views on Protago:ras has been the subject of many discussions. Availing ourselves of the remaining evidence (Diog. Laert. 9.14; 9. 41; 9. 42; Apollodorus, *Chron.* 290 ff.; :<!66 ff., edit. Jacoby; Plato, *Protagoras* 317 C; *Meno* 91 E; Sextus Empiricus, *Adv. Math.* 7. 389 ff.; Plutarch, *Adv. Coloten* 4. 2), we come to the elusion that Protagoras was born around 481/480, while Democritus, according to Apollodorus' method of determining dates, was born around 460. This would make it unlikely that the much younger Democritus should have influenced the views of Protagoras as has been suggested by some scholars.

[67] According to the report of Diogenes Laertius (10. 20) the young Epicurus became so well acquainted with the writings of Democritus that for a long time he considered himself a Democritean. Cf. Plutarch, *Adv. Coloten* 3. 3. Besides Democritus also Neusiphanes, a follower of Democritus, had much to do with the shaping of some of Epicurus' ideas, particularly Epicurus' logic or the *Kavovtt<ov.* Cf. Cicero, *De Natura Deorum* L 26. 73; Diog. Laert. 10. H. The strong and rather decisive influence of Democritus on Epicurus' teachings concerning physics (and metaphysics), natural philosophy, and psychology is common knowledge. This fact cannot be disputed, although in his later years Epicurus himself insisted on his complete independence of Democritus.

Likewise there exists a definite proximity between the ethico-practical ideas of Democritus and those uttered by Epicurus. According to Democritus the highest

states that "the laws do not object to anyone living in accordance with his natural inclinations or fancies just as long as he does not injure another. For selfish greed and envy are the source of civil discord." [68] In other words, Democritus, like Protagoras, does not acknowledge any novel or "transpersonalist " ends or interests of society as a whole over and against the particular interests and ends of individual man. The law or laws as well as the State merely guarantee a more dignified and secure realization of these individual interests or ends without, however, creating new ones. The legal order merely offers to the individual in his selfish pursuit of happiness certain additional advantages and opportunities and, therefore, remains subservient to the individual which always constitues the first and sole conce:rn.[69] Proceeding from his "theory of human civilization " [70] Democritus reasons that all human cul-

moral good or the supreme virtue man can ever hope to attain to is an excess of pleasure and serenity over pain and sorrow. Cf. frag. 189 (Diels). Since the seat of all true happiness is the soul *(evoawovl'T) fvxfJ<),* no mere material goods such as riches or worldly fame could be called the source of real contentment. Cf. frags. 170; 171 (Diels). But the enjoyment of pleasure as well as true happiness requires judicious restraint and a sense of discrimination. For all excess turns pleasure into pain, and happiness into misery. Cf. H. Diels, *op. cit., 55.*

[68] Frag. 245 (Diels) .-Hence Democritus acknowledges the fact that the *op.opo,a-* the virtue of civic concord-constitutes the basic social virtue upon which rests the success of every form of social life. Cf. frags. 252; *255* (Diels). These notions remind us strongly of certain passages found in *Anonym. Jambl.* Cf. note 58 *supra.*

[69] It is for this very reason that the Sophists, and with them Protagoras and Democritus, could regard the individual within politically organized society as being preeminently free.

[7°] Cf. *K.* Reinhardt, *op. cit.,* 492 ff.; E. Norden, *Agnostos Theos* 397 ff.; W. Jaeger, *Nemesius von Emesa* (Berlin, 1914), 123 ff.; Origen, *Contra Celsum* 4. 76; Diodorus L 7. l ff.; Lucretius, *De Rerum Natura* 5. 988 ff. Recent investigation has established the tremendous and lasting influence which Democritus' " theory of cultural evolution" had upon ancient authors. This influence, as Reinhardt, Norden, and Jaeger have shown, can be seen in Epicurus, Lucretius, Posidonius, and the many authors who in turn were influenced by the latter, *e. g.* Seneca (cf. W. Gerhauser, *Der Protrepticus des Posidonius* 16 ff.), the Neo-Platonists (cf. W. Jaeger, *loc.* cit.), and the Patristic thinkers (cf. Origen, *loc. cit.).* Reinhardt has also pointed out that Diodorus L 7.1 ff. goes back to Hecataeus of Abdera who, in turn, was dependent on Democritus. Cf. S. Dickermann, *De argumentis quibusdam apud Xenophontem, Platonem, Aristotelem obviis e structura hominis et animalium petitis* (Halle a/S., 1909).

ture as well as eve:ry fo:rm of ordered or orderly life according to certain self-imposed rules or agreements is but the product of an urgent natural need (XPel.a)" It is the result of man's intelligent seeking after what is useful and beneficial to him *(uvp.-cpepov)*.[11] The idea of the *op.-6vota,* the virtue of civil cord, the notion of which he might have borrowed from Protagoras, on the other hand, is to Democ:ritus but that " pragmatic force " or insight which teaches man that a collectivist behavior more that anything else guarantees and safeguards the fullest achievement of his individual quest for happiness and the things useful to himo[72] Hence the law, the man-made laws or *v6p,Cf.J* SiKawv--that which is right and just according to the established laws backed by the authority of politically organized society-as well as the composite legal, social, or political institutions of advanced civilized life are but the products of man's selfish interests, resulting, as it were, from rational calculation and intelligent design. Men agree upon certain legal, political or social institutions and establish law and order merely as an expedient means to define, delimit, assert, and protect their individual interests; and to promote their selfish pursuit of happiness"

The close proximity of Democ:ritus' ethico-legal and political views and Epicurus' (or Epicurean) notions of the meaning of law and justice requires additional discussion. Democritus' statement that " the generous and contented man in his general deportment always shows deference to the existing *S£Kaw.* and *v6p..tp,a,"*[73] could definitely be called Epicurean" For as in Epi-

[11] These ideas might have been,contained not only in his *p.<«pos lhaKoup.os* (cf. K. Reinhardt, *op. cit.,* 510 ff.), but also in some of his other works which have been lost. Cf. Xenophon, *Economicus* 19.17 ff.-Democritus' idea that man had acquired the arts by imitating nature might have been influenced by Heracleitus of Ephesus (cf. H. Diels, *op. cit.,* Pseudo-Hippocrates, *De Victu* ff.) and perhaps by Protagoras. Cf. Plato, *Protagoras* D ff.

[72] The *op.ovo<a,* therefore, is not a *moral* force compelling men to unite into well ordered societies, but rather the expression of that intelligent attitude which prevents men from abandoning social life and thus losing the benefits and protection inherent in collectivist organizations. In this sense the *op.l'"ow.* also signifies a " silent consent " among men to cooperate with one another in the selfish pursuit of their individual happiness.

[13] H. Diels, *op. cit., 55* B 174.-The *vop.<p.a* are the man-made laws.

curus we find here not only the *8£Kata* distinguished from the *vop.tp.a* and, at the same time, equated with the *vop.tp.a,* but we are also told that the strict observance of the *8£Ka£a* as well as of the *VOJL£JLa* is the source of inner happiness. And like Epicurus, Democritus emphasized that ever present fear of punishment is the result of wrong doing.[74] In full accord with Epicurus Democritus furthermore insisted not only on the natural origin of the *8£Kawv,*[75] which he calls the greatest benefactor of mankind/ [6] but also on strict obedience to the existing laws and established authorities; [77] an obedience, that is, which is not exclusively prompted by fear/ [8] He also shares with Epicurus the notion that one should abstain from evildoing under all circumstances; and that to live in a well-ordered society is the greatest bliss.[79] In Democritus as well as in Epicurus the ultimate end of law and justice consists in this: that they constitute an effective means to prevent men from injuring one another. [80] Only the wise man who understands the true function of iaw really does not need laws in order to do the right thing. [81]

It is quite possible that Epicurus, besides having personally come across the works of Democritus, [82] became acquainted with Democritus' ethico-legal ideas mainly through the intermediary of Nausiphanes, who was the teacher of Epicurus. [83] Nausiphanes himself had been a disciple of Pyrrho of Elis, [84] who in turn was a student of Anaxarchus, [85] a follower of Democritus.

[7·] Ibid.: 8s /)' *IJ.v* Ked */Jlt<'ljS d."Acryfi* •••• *IJ£/Jott<e ea.VTOII t<a.t<lfet.*

[70] *Ibid., 55* A 166 (Epiphanias): *11./Jtt<Ol' /)e TO eva.vTlOP Tojjs ifdJUer.JS.*

[78] *Ibid., 55* B 248.

[71] *Ibid., 55* B 47.

[78] *Ibid.,* 41.-Democritus suggests that one should abide by the laws out of a "sense of duty," while Epicurus insists that one should obey the laws on account of their usefulness and, incidentally, because their disregard might become the source of unpleasant retaliations.

[vo] *Ibid., 55* B

[80] *Ibid., 55* B out< 1111 *et<w"Avov* ol *POP,Ot* E7]v *t<a.T' lliil'IJP iEovul'IJP, el p,:q lTepop EAVp,a.lPeTO.*

[81] *Ibid., 55* B 181.

[82] Diog. Laert. 10. 1.

[88] Cicero, *De Na.tura. Deorum* 1. 78; Diog. Laert. 10.1.

[••] Diog. Laert. 9. 64; 9. 69; 9.

[85] Diog. Laert. 9. 61.

Anaxarchus, probably under the influence of Democritus, had defined the *<EvOdtfLovia* as being man's highest goal.[86] His disciple Pyrrho, the teacher of Nausiphanes, extolled the *aTra8Ha,* or *aKamA7Jt/Jia* as the ideal frame of mind.[87] Nausiphanes himself praises pleasure and absence of pain as the greatest natural gifts to which all men turn instinctively.[88] In this he seems to follow Democritus who had said that the satisfaction of every want is the mark of true happiness and usefulness.[89] Both Nausiphanes and Democritus insist that not every form of pleasure should be pursued or every kind of pain avoided, but that in such matters we should act with judicious disc:retion.90 Nausiphanes' *aKaraAYJI/Jia* .(undauntedness) is akin to Democritus' *a8aj.L{3i7}*[91] (imperturbability) , that is, the *EV8Vf:LL7J,* the " peace of mind " which according to Democritus, constitutes the highest moral good.[92]

Perhaps the most precise and telling early formulation of the basic problem underlying the Sophistic notion of the essence and function of law, right, and justice is to be found Aristotle's report Lycophron's[93] statement "the law

[86] H. Diels, *op. cit., 51; 59* A 15.

[87] H. Diels, *op. cit.,* 465.-As to Pyrrhus' or *a7raiJeta,* cf. E. Zeller, *Philosophie der Griechen,* 4th edit., vol. 3, part 1, *505.*

[88] Cf. *Philodemi Volumina Rhetorica* (edit. Sudhaus) 1.8; 1.17.

[89] Frag. 4 (Diels).

[90] Cf. *Philodemi Volumina Rhetorica* L 63 (Nausiphanes); H. Diels, *op. cit.,* 383 (Democritus).

[91] H. Diels, *op. cit.,* 465.

[92] We should also mention here that Philodernus in particular is under the influence of, although not very often in agreement with, Nausiphanes.

[93] The historical personality of Lycophron has been established by J. Vahlen, *Rheinische Musen* 21. 143 ff.; Zeller-Nestle, *Philosophie der Griechen* (6th edit.) 1.1323; Th. Gomperz, *Griechische Denker* I. 394; 3. 261; J. Kaerst, *Zeitschrift fur Politilc* 2. 521; H. Niedermeyer, *Festschrift fur Koschaker* 3. 140 ff.; W. Newman, *Politics of Aristotle* I. 71; 1. 140; 1. 389; Ueberweg-Heinze, *Geschichte der Philosophie* (12th edit. Praechter), 1. 127 ff.

In the last edition of H. Diels, *Die Fragmente der Vorsokratiker,* edited and revised by Kranz, Lycophron has been added to the list of historical thinkers (frag. 81).

Perhaps our Lycophron is identical with the Lycophron Plato mentions as living at the court of Dionysius of Syracuse (2 *Epist.* 314 D), and whom he chides in *Sophist* 251lB.-Zeller-Nestle (op. *cit.,* I. 1323) sees in Lycophron a disciple of

(voJLo<:) is merely a convention or agreement of convenience *(uvv(}TjKTJ);* a surety *(eyyvr;T'Tj<>)* to one another of what is right and just ... which law has no real power to make the citizens themselves good and just." [94] In his definitely analytical approach to the function of law, Lycophron seems to have emphasized the fact that the essence of law rests in this that it denotes something that ought to be done because it had been agreed upon. In his outspoken positivist interpretation Lycophron .above all insists on the purely formalistic, that is, compelling nature of a " convention " or covenant in its application to action. The definition of law suggested by Lycophron offers, however, many a puzzling problem, particularly as to the relationship of the *voJLo<;* to the *SiKIW'k.* For the appears here as the very factor which guarantees *(€yyvTJr'0<>)* the *uvv(}TjK'YJ* and, hence, can11ot itself be this *a-vvfJTjK'Yj.* **It** seems rather that the *VOJLO'>* is something which " takes part " in, or which is the result of, a *a-vv8.fJKYJ* as to certain individual rights or interests. In other words, it appears as something which " enforces " the carrying out of a convenant as to certain rights. Hence we might reconstruct Lycophron's definition of law as" a surety or guarantee to one another of certain rights which have been agreed upon by convention." [95] From all this it follows that the the personal rights and in-

Gorgias of Leontini, while Kaerst (Zoe. cit.) stresses his dependence on Protagoras. Niedermeyer *(loc.* cit.), on the other hand, holds that Lycophron was under the influence of the Pythagorean tradition, although he admits that Protagoras might have shaped some of Lycophron's ideas.

•• Aristotle, *Politics* 1280 b H: ---- *Kai ▷ vo[los uvpiJ{JK7J Kal ••.. E"/'Yll7Jr1Js* ***&.AA'l]Aots rWv Ou,aLwv,*** **lfAA *oVx* olos** *'ffOr.eZv d:ya.OoVs Kai Ot.Kaiovs roils woAlras.*

[95] **O** *vop,os ht'YV7JTi}s &.hhi}ho<s rwv Kara uvvOi/K"YJP otKalwv.* This reconstruc.-tion of Lycophron's definition of law is supported by other passages from Aristotle's *Nicomachean Ethics,* namely where Aristotle, undoubtedly under the influence of Lycophron, states that " the things which are just by virtue of convention *(Kara owi){JK7JV)* •.• are like measures." *Nic. Eth.* 1134 b 85. Cf. *ibid.,* H33 a 29: " ... money *(vop,<up,a)* has become by virtue of convention *(Kara uvviJ-l!K7JP)* a sort of representative ---- "

Reconstructed in this manner the relationship of the vop,os to the *lilKa<a* appeaxs in an entirely novel light: the v6p,os is now primarily an .1.,.-ll.lerov-this notion is actually taken from Antiphon, in Diels-Kranz, *op. cit.,* 87 B 44: *ra p,€v 'Yap rwv v6p,wv [brLO]era* •••-an "epithet" of what is right and just. Cf. A.-H. Chroust, *Ethics 56* (1946), no. l, 47 ll'.

terests of individual man, precede the axiologically as well as historically. [96] The *v6j.to<;* merely guarantees these rights through the authority of politically organized society, being, as it were, but an instrument which secures individual interests and rights. [97]

By defining law as "a surety to one another of certain rights" Lycophron but expresses the idea that the true and unique role of the law consists in balancing the reciprocity or cor:relativity of the various rights, interests, or duties enjoyed by o:r imposed upon the different individuals who in their aggregate constitute a politically organized society under the :rule of law. In substance everyone is held not to injure another. [98] He is, in other words, bound by the :rule of reciprocity and correlativity not to interfere with the rights or interests of another and thus to :respect everyone else's rights. [99] To every right of one person

•• Similar ideas are found in Aristotle, *Nic. Eth.* 1161 b 7 ff. Cf. Plato, *Republic 859* A: " When men have both done and suffered injustice ... [and finding themselves] unable to do the one *(scil.,* and obtain the other *(scil.,* justice), they. think that they better agree among themselves. . . . Hence arise laws and covenants; and that which is ordained by law is termed lawful and just; it is a mean or compromise." Cf. Aristotle, *Rhetoric* 1376 b 7 ff.

[97] The *P6tJ-os* of Lycophron is not, as it is with Aristotle, something which in itself possesses compulsory power (*aPa:yKacrruc?j /){;pa;us)* because of its being " a rule (7\o')'os) that proceeds from a sort of practical wisdom and reason." *Nic. Eth.* 1180 a 21. I am however of the opinion that this passage from Aristotle is actually an anonymous quotation.

[98] Cf. Plato, *Republic 359* A.

•• The attempt to weld into one all-encompassing meaning the ideal of equal rights and duties for everyone, on the one hand, and the principle of securing and promoting the individual in his selfish pursuits or interests, on the other hand, seems to be one of the main topics of Sophistic discussion. Protagoras (in Plato, *Protagoras* 322 B ff.; *Theaetetus* 166 D ff.; 167 CD), Democritus (in frags. !il45; 252; *255,* Diels), and Antiphon (in frags. 58; 61, Diels), or the author of *Anonymous Jamblichi (5;* 6; 7. 9; 7.14; 3. 3) insist that the fundamental civic virtue is the practice of the *op.ovoux* or *lcropop.la.* 'We are also told that a sense of justice and a feeling for moral restraint had been imparted to all men in equal measure so as to guarantee an enduring and effective *corpus politicum* (cf. Plato, *Protagoras* 322 CD); and that the regard for the rights or interests of others is the most praiseworthy conduct (cf. H. Diels, *op. cit.,* 631; *Anonym. Jambl.* 3. 3; 7. 9; 6. 1 ff.; *5).* At the same time the absolute equality of all men is held to be a natural institution (Antiphon, H. Diels, *op. cit.,* 80 B 1, *35* ff.; cf. Alcidamas, in Aristotle, *Rhetoric* .1873 b 18; *Politics* 1253 b 20, who from the point of view of human equality

corresponds a correlative duty of another person. According to Lycophron, the *v6p,o<;* as well as its proper function is ultimately determined by the fact that the personal interests of the various individuals actually conflict. This conflict, as well as the idea of balancing and securing these interests for the sake of everyone's convenience, constitutes, in the final analysis, the original rationale of the *v6p,o<;* or *v6p,ot.*[100] Lycophron's *v6p,o<>,* therefore, rests upon, or, at least, is closely related to the notion of a mutual agreement of convenience or expediency and not, as it were, upon the idea of an ethico-social solidarity. Hence the *v6p,oc;* of Lycophron cannot· educate men to become morally good citizens.

Not without some influence upon the Epicurean attitude towards law and politically organized society in general were also the teachings of those Sophists who, like Thrasymachus of Chalcedon, insisted that law and justice are nothing else than the interest of the stronger. [101] In other words, those in power by such cleverly devised means as laws compel everyone to do

demned slavery) . The concord in every form of human association is looked upon as the most ideal situation (cf. Antiphon, in H. Diels, *op. cit.,* 631), because the wise man will always remember that by not injuring one another he will best safeguard his own person as well as his own personal interests from being injured. Cf. Antiphon, frag. *58* (Diels) .

[100] To the Sophists of the "Protagorean school " the fullest realization and unfolding of the individual and his personal or selfish interests, needs, and aspirations remain the first concern of every legal, social, or political order. It is, therefore, the promotion .of the individual and his interest which, in the final analysis, justifies the existence of any social institution. Every legal, political, or social order itself, however, means also the *sum total* of all those personal interests. This sum total of interests in tum depends on the possibility of harmonizing and balancing the manifold, diversified, and often conflicting personal interests of individuals for the sake of their peaceful and prosperous co-existence. At the same time it also presupposes the essential equality of all these individuals. It is the equality enjoyed by every one *before* the establishment of law and the legal order which demands equality and equal rights or duties of every one within the legal order and under the rule of law. This basic postulate of human equality and equal rights and duties for every one in the unfolding of the natural and healthy instincts of individual man in the direction of free self-assertion can be realized intelligently and effectively only under the protective shield of common laws, of that universal and equal "surety of one another of certain rights " which guarantees to every one his own.

[101] Plato, *Republic* 338 B.

what is to the ruler's personal advantageo[102] And Callicles[103] must have found many a willing follower among the Epicureans when he preached that " luxury . . . and licence, if they are provided with means, are virtue and happiness-all the rest [namely restraining laws, moral precepts, and the respect for the rights of others] are mere agreements contrary to nature . . . ..[104] Only the stupid fellow submits to the laws and, by doing so, merely serves the interests and ambitions of others;[105] while the strong and intelligent man is not taken in by human laws and conventions. The free man, who is also the wise man, will refuse to acknowledge the existence of a rule above himself and, therefore, will not restrain his desireso[106] On the basis of such notions any agreement among men mutually to refrain from injuring one another for the sake of social harmony is contrary to "nature" because it would curtail the "natural right" of the stronger to dominate the weaker, or, as the Epicureans would put the right of the wise man to do as he pleases. Despite their professing a philosophy of inequality Thrasymachus and Callides admit, however, at least implication, that it is the collective desire for social, political, or legal equality voiced by the majority, which constitutes the

[102] Thrasymachus admits, however, that ordinary men are unable to defend themselves against injustice and, at the same time, find themselves incapable of obtaining the power to inflict injustice on others. Hence " . . . they think they had better agree among themselves to have ... justice (which) ... is a compromise between the best of all-which is to do injustice and not to be punished-and the worst of all-which is to suffer injustice without being able to retaliate. And justice . . . is tolerated not as a good, but as the lesser evil .... " Plato, *Republic* 359 A ff.

[103] Callicles, whose real name was probably Charicles, opined that the laws were invented by the great mass of the wealc and insignificant as a bulwark and threat against the overbearing attitude of the strong. Plato, *Gorgia.s* 483 B ff.

[104] Plato, *Gorgia.s* D. Cf. *Republic* 348 A ff.

[10-] Plato, *Republic* 343 C.-According to man-made laws it might be a disgrace to commit an act of injustice; according to the basic laws of nature (</>VO'H *lJiKawv),* however, it is shameful to let any one else govern one's action. Cf. Plato, *Gorgia.s* 483 A ff.; 484 A fl'.; 4·88 C ff.; 491 E ff.

[10-] Thus Polus, by quoting certain historical events, essays to disprove the claim that only submission to the laws will promote real happiness. Cf. Plato, *Gorgia.s* 471 B ff. For according to Polus only shrewdness paired with complete disregard of law and right promises good fortune and success in this world. Cf. Plato, *Republic* 344 A; *ibid.* 360 C.

ultimate and, at the same time, original and decisive motive behind the common struggle against the ruthless "superman." [107] In other words, this desire for equality becomes the true purpose of any social, legal, or political order under the rule of law. Hence it might be said that the social philosophers of the type of Thrasymachus and Callicles have toyed with the idea of a just social order under the rule of common laws, but merely in the sense that to them it denoted primarily a conspiracy of the weak against the" divine rights" of a few chosen ones.[108] If, therefore, Thrasymachus and Callicles in their polemics attach a definite significance to the social order under the rule of just laws, this, then, but manifests their view that the laws are, after all, an instrument by means of which men secure one another their rights and interests as well as hold down those who in complete disregard of the rights of others seriously threaten social harmony and peace.

Thus even Thrasymachus and Callicles, although not without misgivings, acknowledge the need for common laws, which, after all, constitute the sole effective means affording general protection to everyone. Although, according to them, the laws or legal order are but a fiction created by the weak and stupid for the sake of their petty interests, both Thrasymachus and Callicles have to admit that, in the long run, no one could maintain himself successfully or escape permanently dire reprisals unless he submitted to the established laws and legal order backed by the authority of politically organized society. Faced with the prospect of being exterminated sooner or later by the supporters of the established laws and the legal order, even those who think themselves superior to the lowly law-abiding masses will consider their acquiescence to the established common laws the lesser of two evils. For this submission will at least protect them from total annihilation. Thus the view which clings to the notion that submission to the existing laws constitutes the sole means of affording protection to every-

[107] Cf. Plato, *Gorgias* 483 C: " . . . I think they are only too glad to have equality ----" *Ibid.* 484 A; 488 C ff.; *Republic* 359 A ff.

[108] Cf. Plato, *Republic* 343 C; 338 E; 359 A ff.; *Gorgias* 484 C; 491 D; 383 B; *et al.*

one, is in some respects not entirely incompatible even with a doctrine which upholds the " divine rights " of the supposedly superior man. By replacing the "strong man" of Thrasymachus or Callicles with the Epicurean " wise man of true insights " we find in these radical ideas certain notions which are not entirely alien to the Epicureans.

The so-called Hedonists or Cyrenaics, that is, Aristippus [109] and his followers, preached a philosophy of unrestrained pursuit of pleasure or enjoyment achieved only by the complete satisfaction of man's volitional life and sensuous appetites. [110] They insisted that all laws were ultimately mere instruments or institutions devised by clever scoundrels and valid solely for the unenlightened masses. [111] The educated man does not trouble himself about laws, traditions, or conventions, [112] but with-

[109] It should be noted here that Aristippus in his ethico-practical teachings took his point of departure from the obvious incompleteness of Socrates' doctrine concerning the nature of the good. Socrates had defined virtue as rational insight and this in turn as the knowledge of the good. But he had failed to give the concept of the good a particular content or meaning. This incompleteness made it possible for the most diverse philosophies to introduce into the Socratic system of ethics their specific views or definitions as to the nature of. the ultimate moral good.

[11]° Cf. Diog. Laert. 2. 90 ff.; 2. 66; Aristotle, *Nic. Eth.* 1172 b 9; 1101 b 27.- In view of the fact that Diogenes Laertius (2. 65-104) and Sextus Empiricus *(Adv. Math.* 7.11.190 ff.; Eusebius, *Praepar. Evang.* 14.18. 31; 19.1 ff.; Clement of Alexandria, *Stromata* 2. !i!l. 130 fl'.), our main sources of information concerning the so-called Hedonist school, merely refer to the Cyrenaic teachings in general, it is impossible exactly to divorce the ideas of Aristippus proper from those of his followers and disciples who progressively might have modified or adulterated his original statements. Cf. note 47 *supra.*

According to the Cyrenaics happiness is that frame of mind which is the result of a completely satisfied desire. It is a matter of total indifference what the particular objects of this desire and of this gratification are. Hence true pleasure depends on the strength or intensiveness of the feeling of satisfaction which is present to the highest degree in the case of sensuous enjoyments. Virtue, therefore, is the knowledge of how to achieve this happiness; how to enjoy pleasure as much and as intensely as possible. In other words: virtue is the ability and capacity for unrestrained enjoyment. Cf. Cicero, *De Officiis* 3. 116.

[111] Theodorus, the "Atheist," insisted that the wise man would even steal or commit adultery and sacrilege if the circumstances would permit him to do so. For these acts are not "unlawful " or " immoral " in themselves, but are merely forbidden by convention. Cf. Diog. Laert. !i!. 99.

[112] Thus Theodorus was firmly opposed to the religious tradition of his day. Cf. Diog. Laert. 2. 97. He denied not only the existence of the traditional Greek gods, but also that of a supreme Godhead as such. Cf. Cicero, *De Natur(}, Deorum* 1.12.

out restraint enjoys all things that come into his possession.[113] In this fashion the Cyrenaics regarded the man-made laws, the *VOf.LqJ* (or, (Jf.uet) *SiKawv,* that is, the historically developed social conventions and legal institutions, a distinct limitation of man's natural right *(</>vuE£ SiKawv)* to unlimited and unrestrained enjoyment.n4 This fundamental right man may and, indeed, should exercise without giving much thought to the existing laws, traditional conventions, and social institutions.[115] The

[113] The Cyrenaics considered sensuous enjoyments to be the most perfect joys because they are joys of the present and hence without any responsability as to the past or the future. In short, these sensuous enjoyments are irresponsible joys and for this very reason perfect joys.

[114] Diog. Laert. ll. 93: *... p:YJli€v re elva.< </>V0"EL olKa.wp •.• aAAa VOP,0/ Ka.l Me<.*

[115] In some respects the teachings of the Cyrenaics and those of the Cynics are very similar. In their effort to define more specifically the Socratic concept of the good (cf. note 109 *supra)* both attempted to demonstrate the intrinsic meaning and end of life by showing in what man's real happiness consists; and how man must be constituted or must conduct himself in order to attain to true happiness and virtue. The Cynics, in general, insisted that the intelligent and :rational conduct of man's life alone makes man happy and contented (cf. Diog. Laert. 6. 13), not through its practical consequences, but rather through itself. Cf. *ibid.* 6. 103 ff. The inner contentment, which is the product of the right life itself, is, therefore, complete independence of the outer world. Virtue itself-the complete independence of the world-is sufficient for true happiness. And virtue is the sole sure possession among the vicissitudes of life. Cf. Diog. Laert. 6. 11. Since every want is essentially a shackle that makes man dependent upon fortune and the course of this world, true virtue and happiness consist in the complete suppression of all desires and the total restriction of every want. Cf. Xenophon, *Symposium* 4. 34-44. Virtue, then, is but freedom from want and desire.

By applying these basic tenets to the problems of practical life in general, the Cynics arrived at a completely negative attitude towards all traditional political, social, ethical, legal, or cultural ideas or institutions of the day. In their attempt to reduce man's wants to the absolutely necessary, and in their insistence that every effort to rise above this " existential minimum " be regarded as vain and even pernicious, the Cynics in effect strove for the ideal " state of nature." Cf. Diog. Laert. 6.11; Athenaeus, *Deipnosophistae* 4.159 C. Hence they preached that the wise man adjusts himself only to what nature demands, and despises all that which is merely the product or result of human institutions, opinions, or convention. Not the existing laws or the established legal and political organization (cf. Aristotle, *Politics* a 15; Diog. Laert. 6. ll4; 6. 34, Athenaeus, *op. cit.,* but virtue alone interests the Cynic. Cf. Diog. Laert. 6. 11 ff.; 6. 38. Refinement, fame, or honor meant as little to him as those pleasures of the senses which go beyond the satisfaction of the most elementary demands of nature. Likewise did he scoff at the arts or at science. Cf. Diog. Laert. 6.103; Xenophon, *Memorabilia* 1.1.11 ff. He treated with utter contempt the institutions of matrimony and family.

Cyrenaics gladly accepted and shared the refinements of life which Greek civilization had brought about and Greek laws effectively protected. They found it most convenient and permissible to enjoy and abuse without restraint the fruits gathered and preserved by the labors of those whom they at heart despised and ridiculed. But no sense of gratitude or duty bound them to society or civilization. [116] The base egoism of their philosophy a purely sensuous enjoyment of the achievements of others resulted in a complete denial of any sense of social, political, or legal responsibility. Sacrifice for others, devotion to the common good, active and constructive participation in the public affairs of their city state-all these were looked upon as mere foolishness unbecoming the wise and virtuous man. The practical philosophy of the Hedonists was one of " parasites who feasted at the full table of Greek beauty; but it was as removed from the ideal meaning of that beauty as was the of the beggars who lay at its threshold." [117]

In the final reckoning, however, the Cyrenaics themselves prove by their own doctrine if happiness, enjoyment, and satisfaction of sensuous desires are to be the ultimate meaning and purpose of life, life itself of necessity completely misses this very purpose and is, therefore, to be rejected as something essentially worthless and meaningless. For even the most rabid Hedonists could not deny that enjoyment without pain, or happiness without sorrow always remain something unattainable. [118] Thus he who achieves merely a state free all pain, sorrow, and actual discomfort is already to be considered happy. [119] But since pain, sorrow, and discomfort-the discomfort of unsatisfied desires-always preponderates, Hegesias actually suggested that it would perhaps be better not to

Cf. Diog. Laert. 6. 72. He had no attachment to his native country or city (Diog. Laert. 6. 63); nor did he respect religion or religious tradition. Cf. Diog. Laert. 6. 8; frag. 8 (Mullaeh).

[116] Diog. Laert. 66.

[117] W. Windelband, *Lehrbuch der Geschichte der Philosophic,* 12th edit., 71.

[118] Diog. Laert. 2. 9·4.

[119] Diog. Laert. 2. 9'1,-96.

live at all.[120] Abject pessimism is the final and most devastating consequence of heedless hedonism, which in Hegesias completely and conclusively refutes itself: "The wages of sin is death."[121]

These are, as far as we are still able to ascertain, some of the traditional ideas which influenced and shaped, at least in part, the basic Epicurean doctrine as to the origin, function, and purpose of law, right, justice, and politically organized society under the rule of law. Only in the waning days of a once great and glorious tradition did the Epicureans, together with their more effeminate Roman disciples, become infinitely more delicate than their robust spiritual ancestors. Hence the content of Epicurean legal or political philosophy was more aesthetic- and more decadent. For even the real zest and spirit of enjoyment had been lost; and in place of the rabblerousing vigor of the Sophists and Cyrenaics or the lofty ideas of Plato and Aristotle we find but the gentle and self-complacent rustle of mere smiling witicism-refined, intellectual, and infinitely *blase.*

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(To be continued)

[120] The fervor with which Hegesias preached the utter futility of life earned him the surname of O *1Te<<Ttll&.varos-the*one who counsels death. Cf. Diog. Laertius 86; Cicero, *Tuscul. Disput.* 1. 84. 88. The pessimistic tenor of his popular teachings actually drove many people into committing suicide, a fact which prompted the Egyptian authorities (Ptolomy Lagus) to put an end to his public addresses. Cf. Valerius Maximus 8. 9. 8; Cicero, *op. cit.*, I. 84. 88.

[121] Romans 6: Some of the successors of Aristippus, such as Theodorus, Hegesias, Anniceris, Euhemerus, to mention only the more important, lived into the middle of the third century B. C. They constitute what might be called the transition into the Epicurean school which took up unto itself the remnants of the Cyrenaic tradition.

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BOOK REVIEWS

Philosophical Studies in Honor of The Very Reverend Ignatius Smith, O. P. Edited by JoHN K. RYAN. Westminster: Newman, Pp. 310 with index. $5.00.

The very fact that such a book was conceived is a tribute to the Deanship and Professorship that Fr. Smith has held these many years. It is difficult to give an _opinion on all the varied subjects touched upon in these studies. Roughly they deal with problems of science and philosophy, metaphysics in general, ethics and history.

In a somewhat arbitrary fashion let us take the study on *The Recognition of Miracles* by Rev. Dr. Allen B. Wolter, O. F. M. The problem is interesting, and Fr. Wolter brings out clearly that, analysed from the point of view of common sense and the character of science, it must be admitted that in the time, place and manner in which certain phenomena happen one cannot account for them in any natural fashion. Beyond this the study brings up two points of discussion that reoccur as problems in some of the other papers, namely: the character of science and the character of metaphysics.

As regards science Fr. Wolter raises the position that "it is generally admitted today that all physical laws are in last analysis statistical in character and that the fundamental process of nature exhibits an intrinsic indeterminism that defies expression in terms of classical causality." (pp. Q38-239) This is a statement of a general opinion; but Fr. Wolter seems to handle science as dealing with probabilities, indeterminism and chance as though science were directly dealing with these concepts in their. philosophical connotation. As philosophers we all have difficulties with science but might we have a few less if we did not give scientific notions an immediate philosophical significance? Take for example causality. It seems that science takes for granted the natural physical world of beings and their causality. But in trying to determine ho.w one physical thing is going to act and react, in trying to handle the complex situation, the scientist began by translating some of the actions into mechanistic terms, considering but a few factors. The mechanistic view was a schematization of reality in which certain factors were considered as negligible or as absolutely unchanging conditions in relation to which the other factors varied. The varying factors were measured and their relations established. In the supposed absolute schema these could then be taken as the initial moment of a mathematical problem, the solution of which represented a physical situation resulting from the first situation. Causality from this outlook

had the rigidity of a mathematical calculation and the same rigid determination. It is this understanding of determinism that the new physics seems to change because it alters the classical mechanical concepts. For example, as to Heisenberg's uncertainty principle, Abro shows that it is impossible to have a direct measure both of position and of momentum at the same time-so that we can predict a future correlation of these measurements at a future moment. In the very measuring, for example, of position we give a kick, as it were, to the momentum; and so increase it. With no absolute initial moment we cannot calculate, as in classical mechanics, a future situation in any absolute fashion. Thus there cannot be predication in the same fashion as supposed in classical mechanism. But actually, causality is not in question in either of these positions. They both suppose physical causality as going on (in fact it is the causality of our measuring instrument that modifies the momentum); but neither of the scientific positions is treating of cause in the philosophical sense. Neither rule out cause nor does either establish or help to establish free will.

In line with this discussion on science, the study of Bishop Joseph M. Marling, C. PP. S. on *The Dialectical Chamcter of Scientific Knowledge* should be mentioned. Bishop Marling juxtaposes philosophy and science as knowledge and opinion, or as he says: "science (which includes metaphysics, mathematics and physics) and dialectic (which embraces opinion, probability, faith, and doubt) as a type of knowledge below the level of science." (p. 4) True, there may be much stressing of probability in science today; but I think we need to know just where and why probability enters the picture, for we are also faced with the hard core of scientific fact. It is difficult to see how mathematics can unreservedly be classed with metaphysics, especially in its axiomatic form, though apparently Fr. Maziarz would agree with this when he says *(Number Freedom* by Ed. A. Maziarz, C. PP. S.): "... the being of the mathematical natures is so tenuous that they are similar to metaphysical entities and are often mistaken for them." (p. 307) And he sees all of them as "real beings " (p. 308) , and as real beings they have certain properties. (p. 309)

This brings the second problem to the fore: the nature of metaphysics. In the first article mentioned Fr. Wolter considers that one can prove the existence of God, the human soul, substance (p. with absolute metaphysical certitude but we must be content with practical certitude " in the case of the existence of secondary causes other than our will, the existence of the material world, the existence of a unified extramental object as the cause of the various sense impressions presented as a unit by our synthetic sense." (p. Apparently the metaphysical certitude which is proper to God is based on an absolute certitude of our soul's existence. But isn't our existence that of a man existing in the existent material

universe-plumb in it and up against it? One might say that being in it we start to it and ourselves. And isn't it this existence **that** we must account for in the proof of God's existence? Are we not tending to see metaphysics in the fashion of idealism when we make such a distinction of certitude; or when we speak of number as real being; or when it is said that " Metaphysics holds a unique place **in** the scheme of sciences since it is not only a study of the metaphysical necessity in nature itself, but also a study Of the being of anything at all. Metaphysics studies the natures and types of science as well as non-sciences an other states of mind." (p. 6)

In his interesting historical account of Max Scheler's position Dr. James Collins gives a dear indication of the ultimate difficulties of a metaphysics that loses its contact with existent things with which and among which we exist. Fr. Owen Bennett, O. F. M. Conv., in *Existence and the First Principle According to Thomas Aquinas* certainly insists on a metaphysics of existence but with the somewhat surprising statement that the first and more perfect operation of the intellect is simple apprehension, and the less perfect operation is the judgment. (p. 165) His difficulty seems to lie in saying that one apprehends being as being in the first act and then saying that the second act or judgment expresses existence. And what could the apprehension of being be without existence? Nothing. So he puts everything in the first act.

But for St. Thomas the first act, is an act by which one siezes the *quid est* of anything or its nature, and the second operation *"respicit ipsum esse rei" (In lib. Boethii De Trin.*, q. *5*, a. 3). Now this first operation which is abstractive can separate what in existence is not separated. Yet in the total context man can know that he abstractively apprehends and separates in this way the nature of a thing. And knowing this in the second operation he intellectually re-establishes the conditions of the existent. In the first operation he seizes intellectually from the sensibly present existent the nature of a kind of being, In the second operation he affirms this nature to be the nature of the existent from which he drew it; or states the nature according to the conditions of existence. Isn't it only after knowing being in terms of kinds of existents that we reflectively come to the notion of being as being, which notion includes an appreciation of both these operations and what they are intellectually expressing?

The study. of the *Protestant Philosophy of John Locke* by John T. Noonan is timely and provocative. **It** tempts one to form a Lockian circle to debate whether the laughter of Voltaire might not give the key to the Deism and the Enlightenment that flows from Locke. Voltaire laughs over the clear ideas of Descartes but in terms of Locke's non-innate and clear, immediate sense impressions. In this laughter was mockery of any who would go beyond this clear and evident data of Locke. But this laughter

makes evident that Locke's common sense could not tolerate any metaphysical depth and so nothing transcendent to the evidently experienced. Was it then just a casual remark of Locke's that matter might be spirit?

Fr. Jules A. Baisnee gives a useful selection of texts in chronological order of the proofs of God's existence from the works of St. Thomas. Dr. Rudolf Allers discusses *Ens et Unum Convertuntur* and one would like to have him discuss unity with Fr. Maziarz. Fr. Joseph B. McAllister raises the thorny problem of primary and secondary causality in his study on *Chance in Aristotle and St. Thomas.* Fr. Meehan covers the texts of St. Thomas on *Lux,* while various ethical questions are treated by Rt. Rev. Gerald Benkert, O. S. B. in *Thomistic Philosophy and International Society;* by Dr. Brendan F. Brown in *The Law of Contracts and the Natural Law;* by Fr. George C. Reilly, O. P. in *The Dynamics of Moral Conduct;* and by Dr. Jean R. Rosenberg in *Freedom in the Philosophy of Kant.*

The appearance of the volume does credit to its editor and is a further tribute to Fr. Smith.

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Natural Theology. By GERARD SMITH, S. J. New York: Macmillan, 1951. Pp. 313. $3.50.

There is only one just way to characterize Father Smith's *Natural Theology* and that is to say that it is philosophy philosophically written. The book, rather the author through the book, teaches " by expressing the thinking itself which led to the conclusions." (p. viii) From this central fact certain corollaries follow. First, the book cannot be read, it can only be thought through. The student who uses it will either himself philosophize in participating in Father Smith's philosophizing or he will throw the book, and philosophy, aside as gibberish. What the book communicates above all else is the very act of philosophizing. Second, because the author thinks, there is here the breath of intellectual life. We are not dealing with a dead body of Thomistic conclusions but with Thomism energizing a contemporary's intellect. Third, because there is here living intellectuality, there is also living language. The whole is vivid, ·forceful, sometimes colloquial, always exact. Latin phrases are not transliterated, they are re-thought. "All knowledge is a proper account *(recta ratio)* of something." (p. 1) " The purpose of speculative knowlel:lge is achieved by knowing what is there; speculative knowledge has no axe to grind, it· makes nothing. There are no rules for speculative knowing except, perhaps, this rule: Keep your eyes peeled ... Speculative knowledge is a proper account of what can be

seen *(recta ratio speculabilium)* if you look at it." (p. 3) "Principles are starting points of consequents: for example indigestion can be a principle of a headache." (p. 4) By a quite delightful irony there is only one sentence in the book which I find unintelligible: and that is the single sentence deliberately inserted as an example of how to make a philosophical proposition clear to an American student. (p. vii, 11, 15-20) At times this flair for language becomes courageous, as when the act of existing is named "ising" and essence is named "iser" *(passim).* Fourth, because the book is philosophy philosophically written it lacks the drama of Plato, the rhetoric of Newman, the poetry of Santayana. As stylist Father Smith belongs to the unadorned school of Aristotle, Aquinas and G. E. Moore. Because the man knows both how to philosophize and how to communicate philosophically that philosophizing, it is no exaggeration to say that the author has a genius for teaching philosophy. In the face of the simple fact of the eminent gifts of Father Smith, disagreements become trifling. Yet it is the reviewer's obligation to record them because profound respect for a man who does his own thinking is in no way inconsistent with courteous reservations about what he thinks.

It is a human weakness in adopting one position to look for a scapegoat against which to defend that position. It is hard to be for X without being against Y. Father Smith is "for" Thomism and "against" essentialism. The first quarter of the book is devoted to building up and beating down this unfortunate scapegoat, but like any silly goat it keeps wandering back and forth across the pages even after it has been vanquished.

Essentialism is the position that " to be is to be an essence " (p. 27); that is, "essentialism identifies beings with essences." (p. 31) The essentialists named in this book without any suggestion that the list is exhaustive, are Plato (p. 26), Plotinus (p. 40), St. Augustine (p. 31), St. Anselm (p. 60), St. Bonaventure (p. 63, n. H), Duns Scotus (p. 63, n. 11), Descartes (p. 61), Leibniz (p. 6Q), and Spinoza. (p. 63, n. 11) Even Aristotle is not altogether free of essentialism. (p. 31) In sum, Father Smith's position is this: first, essentialism is a misconception of being, the illusion that being means essence rather than existence; second, every metaphysician who ever lived except St. Thomas was an essentialist.

I have no quarrel with Father Smith when he holds that St. Thomas knew what it meant to be: he certainly did. I do not even wish to quarrel when the author implies that no other metaphysician ever knew what it meant to be: though I do not for one moment credit that implication. I wish only to point out some of the consequences of Father Smith's position.

1) Father Smith has ruled out of metaphysics every metaphysician of the West except one. Now it would be rather arbitrary of Father Smith so to define music that it would turn out that there had never been any musician except Beethoven. It is equally arbitrary to rule every meta-

physician but one out of metaphysics. One must look for a continuing, and more or less progressively achieved tradition of metaphysics culminating in Aquinas, in part because of the profound and substantially correct metaphysics achieved before him by such men as Plato, Aristotle, and St. Augustine. There is in metaphysics, I suspect, a principle of development similar to that which Newman traced in *Catholic Doctrine.* It is sounder history and sounder metaphysics to nourish the roots of Thomism than to cut that flower off from its roots.

!'l) As it is strange metaphysics to rule out the metaphysicians, so it is a strange concept of Christian philosophy to rule out most of the great Christian philosophers-Augustine, Anselm, Bonaventure, Scotus, for example. Being a Thomist does not imply being " against " every other Christian thinker.

3) If Father Smith wishes to declare categorically that it is simply a fact that only one metaphysician ever understood what it means to be, then his declaration is so antecedently improbable that the burden of proof is on him. Sixty-six pages in an undergraduate textbook do not constitute such a proof.

Father Smith has battled a straw enemy. There never was and there is not now any essentialist in the sense defined by the author. It is a matter of rather common knowledge in metaphysics that being refers both to existence and to essence as two transcendentally related principles of a thing. Being is not essence alone; and no one ever said it was, except in Father Smith's book. On the other hand, being is not existence or " ising" alone either: and Father Smith comes perilously dose to this second error, if he avoids it at all. To equate being with existence without reference to essence is a dear case of anti-intellectualism.

My second reservation concerns the type of epistemological realism adopted here. Faced with the basic question of the Idealist, how do we know there is anything real corresponding to our thought?, this is Father Smith's answer. "We know the difference between signified existence and exercised existence i. e. between the idea of a thing and the reality of a thing because, in the case of singular existents, we *feel* them: when it is a question of first principles, which are valid in the order of being, we know that they are valid there because they arise from our understanding of *felt* being; in the matter of proof, we know the difference because proof reproduces in knowledge the caused sequence of being." (p. 70, reviewer's italics) The whole point of realism, then, is this: that we *feel* there is something real. Now this dogmatic, naive or methodic realism, which might well be named *feel-ism,* simply avoids the epistemological problem on the philosophic level. Father Smith *feels* there is something real. Kant does not: or, if he does, he can explain the feeling on an idealist hypothesis. Because it is a matter of feeling it is no more a philosophic problem than

any other feeling. This uncritical realism may be a consequence of the anti-intellectualism implicit in the kind of existentialism defended here. ·Those Thomists who, like Maritain and Garrigou-Lagrange, give a more balanced view of being by stressing essence as well as existence, are also the proponents of a more balanced epistemological realism. They are at least willing to treat a philosophic question seriously, and not to decree that they feel otherwise and that is that.

My third reservation concerns the handling of Leibniz's formulation of the ontological argument. Father Smith first states that argument: H God is possible, He exists; but God is possible, therefore He exists. Second, the usual Thomistic criticism is stated: to transmit (Father Smith erroneously says " concede ") the major and to deny the minor because " it cannot be known that God is possible before we know, by proof, that He exists." (p. 63) Third, this usual criticism is rejected by the author on two grounds. To concede the major is to concede " the whole position of Cartesian essentialism" (p. 62), so the major must be denied. Again, to deny the minor is impossible, because " If a necessary being were impossible *any* being would be impossible, because impossibility would then arise from being itself." (p. 63) Many points must be noted. 1) Why transmitting, or even conceding, the major of Liebniz's conditional syllogism is tantamount to conceding Cartesian essentialism is not explained. 2) To deny the minor is *not* to say that necessary being is impossible, but only to say that, antecedently to any *a posteriori* proof of God's existence one does not know whether necessary being is possible or impossible, since we have no experience of it. We do not, Father Smith would say, "feel" it. 3) How does Father Smith *know* that" if a necessary being were impossible any being would be impossible "? (p. 63) Only because he knows that contingent being exists and, as contingent, requires a cause outside of itself: and that contingent being as a whole requires a non-contingent (necessary) cause. Father Smith knows that necessary being is possible only because he has *a posteriori* proof of the existence of that being. 4) In accepting Leibniz's minor, Father Smith has accepted real, not conceptual, possibility: for the reason he gives for accepting it is based on the nature of *being.* Hence his criticism of Leibniz's major is pointless. He says: " From the conception that a necessary being is possible it follows only that a necessary being is *conceived* to exist and actually does exist in knowledge." (p. 62) In other words, because we think of God it does not follow there is a God. True, but irrelevant. What is at issue is real not conceptual possibility. If God is a possible real, Leibniz is saying, then He is an existent, and Father Smith's own handling of the minor indicates that he admits God is a possible real. So far as Leibniz goes, Father Smith has no defense against his major. *5)* Some centuries before Leibniz, Duns Scotus used the very syllogism Leibniz later used *(De Primo Principia,*

Chap. *3,* conclusion 4). There is offered a proof of the major which, since he grants the minor, I am sure Father Smith would find unanswerable. In another section of the same work Scotus offers equivalently a proof of the minor (Chap. 4, conclusion 9, proof 5) which is all but identical with Father Smith's. I rather think that the present author's way of handling Leibniz's ontological argument amounts not to a denial of it, but to an acceptance of the Scotistic formulation of it. (I do not refer to the trifling and unimportant "coloration" of Anselm's argument by Scotus). 6) The only way to see steadily what is wrong with the ontological argument is the one way this book rejects: to deny the minor, in this sense: prior to a posteriori proof of the existence of necessary being one cannot say that necessary being is possible (the terms may contain a hidden contradiction) nor can one say necessary being is impossible (how can you deny God intelligently before looking at any proof?) . One can only say: I do not know whether He is possible-a very different statement from: I know that He is not possible.

My fourth reservation concerns the handling in this book of the impossibility of an infinite series of *per se* causes: and here there are two points. The principal reason given for the impossibility of such a series is the impossibility of an infinite number. (p. 97) An infinite number of things is impossible, because contradictory, to be sure. But is that the point? Is not the question of *per se* causes one of *multitude* rather than of number? And in " *De Eternitate Mundi* " the possibility of an actually infinite simultaneously existing multitude is granted. Again, it is held that " the series must start, because it finishes, and it cannot start unless there be a starting point." (p. 97) Must everything that finishes, start? I am not sure. It is clear that a thing can start and not finish: the human soul, for example. Why not a thing or a series which finishes but does not start? At the very least, more solid reasons are needed.

My fifth reservation concerns the fourth way of proving God's existence, here heated merely as an argument from exemplary causality. There is therefore omitted from its presentation that precious synthesis of all metaphysical knowledge which Father Garrigou-Lagrange finds in it– rightly, as I think.

My final reservation concerns the possibility of necessary creatures, or more accurately, of beings necessary *per aliud.* In presenting the third way of proving God's existence Father Smith finds nothing objectionable in such beings. (p. 127) Later in the book, while demolishing Avicenna's " *esse essentiae* " the *coup de grace* against the " *esse essentiae* " is that such entities would be creatures necessary *per aliud.* It is not quite according to Hoyle to be willing to grant Aquinas what is denied Avicenna.

With great prudence any reference to the dispute *de auxiliis* is omitted from the text. A brief appendix is devoted to the controversy. There

Father Smith summarizes the teaching of Molina and of Baiiez and offers a criticism of Baiiez, followed by a criticism of Molina written by the editors. This most tactful arrangement permits a balanced disinterested' presentation without involving the author in a criticism of a fellow Jesuit.

If one man teaches another to think philosophically, then it matters little that there should be an error or two on the part of the teacher. For the philosophic life which the teacher has enkindled in the student will enable the student, in time, to correct the teacher. So Aquinas corrected his dead teacher Aristotle and his living teacher Albert, where correction was necessary. It is the very life of the mind, the habit and the act of philosophy which Father Smith has, and having, gives to his students and to his readers. When I. B. M. gets around to philosophy machines, they will always be right and never have a thought. Surely it is more human never to stop thinking but occasionally to be wrong. Father Smith is a man, not a machine.

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Philosophy of Nature. By JACQUEs MARITAIN. (Trans. by Imelda C. Byrne.) New York: Philosophical Library, 1951. Pp. $3.00.

In this very interesting and important book Mr. Maritain presents both historical and doctrinal perspectives on the philosophy of nature and its relations to metaphysics and to the experimental sciences. He recalls the views of the early Greek philosophers in regard to our knowledge of natural things, and recognizes the magnificent achievement of Aristotle in establishing the philosophy of nature as a genuine science distinct from mathematics and from metaphysics. He notes that Aristotle emphasizes the mathematical aspects of such disciplines as astronomy and optics, whereas St. Thomas insisted more upon their physical matter and term while admitting that they are mathematical in form and principle. He then passes to the early modern developments in physics, and the tragic supplanting of the traditional philosophy of nature. He traces the rise of positivistic conceptions of science, together with more recent reactions against these conceptions. Finally, he tries to show in a formal and precise way the need for a philosophy of nature and for natural science which are specifically distinct from each other, and to manifest their mutual relations and proper definitions. The book includes an article by Yves Simon, " Maritain's Philosophy of the Sciences," reprinted from the Maritain Volume of THE THoMIST (1943}. There is a selected bibliography, footnotes and index.

It is well known that Aristotle and the early scholastics did not acknowledge a formal or specific distinction between the philosophy of nature and the non-mathematical sciences of nature. Mr. Maritain says that in this unified view of the philosophy of nature there was " a serious error of intellectual precipitation " (page 33); " an error in the speculative realm." (page 34) Although the ancients were keenly interested in the details of natural phenomena, they failed to perceive that these details require natural science which is specifically distinct from the philosophy of nature.

Just why the philosophy of nature as conceived by Aristotle and St. Thomas cannot extend to the specific details of natural things is not easy to discover from Mr. Maritain's account. He notes (page 91) that in the time of St. Thomas the non-mathematical sciences of nature constructed their definitions according to the same typical pattern as the philosophy of nature, and the different degrees of concretion in the distinct parts only entailed differences of more or less generic and specific considerations. From this point of view all our non-mathematical knowledge of natural things -and in a reductive sense also our mathematico-physical knowledge--was seen to pertain to a single science. This science extended from the consideration of the general principles and properties of natural things down to their specific details, which can be known only by special experience and which can be understood in the light of their proper principles and causes.

St. Thomas himself held that the essences of natural things are sufficiently manifested by their sensory characteristics, and that we can have philosophic knowledge of these things. He taught that we can and do have some essential knowledge not only of certain very general aspects of natural things but also of their specific details. This philosophic knowledge of details is not attained by deduction, as in pure mathematics, but by the method of concretion, that is, by the orderly investigation of the proper principles, causes and elements of natural things, and by understanding the specific details in the light of their proper causes. The ancients were convinced that we can by careful investigation discover the proper matter and form, the proper agent and end of natural beings and processes in specific detail. These proper reasons can be discovered only through experience, and must always be defined with reference to sensory experience. In this way, it was thought, we can attain essential knowledge of natural things in detail. Such knowledge is very imperfect when compared with pure mathematics; nevertheless, it merits the name of philosophy of nature.

Mr. Maritain does not explain the method of concretion by which Aristotle and St. Thomas thought that we can extend the philosophy of nature down to specific details. He simply says that when we want to arrive at specific distinctions and diversities we cannot discover the essence, and so we cannot have essential knowledge of natural phenomena, which embraces the whole specific diversity of things. He holds that there is no

other science of natural phenomena than that which explains in terms of the observable without seeking the essence, and this science is not philosophy. (pages 96, 97)

Mr. Maritain's distinction between a philosophical science of nature and one which is not philosophical is based on his distinction between an ontological and an empiriological analysis of natural things. The ontological analysis ascends toward intelligible being, and seeks the answer to such questions as: what is a plant? what is a corporeal substance? what are operative powers? what is transient action? The empiriological analysis descends toward the sensible and observable, and seeks to answer always with reference to the observable questions such as: How can a certain plant be classified? what is a chemical species? what is mass or energy? (pages 74, 75)

Mr. Simon is a little more explicit and tells us something about silver considered from the point of view of empiriological analysis. "Nobody can say what the essence of silver is." (page 170) "The logically satisfactory definition of silver would be X melts at 960.5°, boils at 2000° etc.; we give the name of silver to the hidden essence which we circumscribe by the steadily connected set of observable regularities." (page 171)

In regard to this view of the matter it can be said in the first place that the philosophical analysis of natural things does not logically begin with a question such as: what is a plant?, nor does it proceed in a way that ascends toward non-sensory being. Rather it begins with the question: what is sensory or mobile being?, and descends to the consideration of specific types of natural things with their sensory and observable characteristics, proving also the Unmoved Mover and the spiritual souL

Furthermore, it seems truer to say that we do know what silver is in terms of mobile being and metallic nature with such and such observable characteristics. This knowledge does not enable us to deduce the properties of silver, but it is sufficient to enable us to understand in the imperfect way proper to natural philosophy what silver is as a natural species with certain properties and a certain behavior which it regularly manifests in given circumstances. We know something about the proper dispositions of the matter required for the form of silver, and something about its nature as the principle of its physical and chemical properties and effects, all of which is essential knowledge, albeit, imperfect. Silver is merely an inorganic unit, and there is relatively not so much to be known about it. Plants and animals with their many parts and functions are more knowable and better known.

It would be a serious mistake to think that demonstrations in the strict sense can be made only in regard to the metaphysical attributes of a subject. There are essential connections also between the subject and its physical properties which are present either always or for the most part, and between

appropriate causes and their effects. The specific details of natural things are effects which are produced regularly in the course of nature, and their proper causes can be discovered through experience. Scientific knowledge in the strict sense of the term consists in knowledge of the proper causes of things. Even though we do not know what the essence of a cat is in terms of its proximate genus and specific difference, and even though we cannot deduce its properties, still we do know many of the essential notes of the whole and many proper reasons or causes of its various parts and activities. The proportion between the sensory properties of natural things and their specific natures, between matter and form, structure and function, is often so beautifully evident that we easily attain smne essential knowledge of them which is genuinely philosophical. The larger task of natural philosophy as conceived by the ancients is not to deduce the properties of natural things, but to determine their natures from their manifest properties, and to understand their peculiar structures and functions in the light of their proper principles, causes and elements. This view of natural philosophy does not require us to maintain an outmoded astronomy, chemistry, or physiology, but rather enables us to incorporate into the philosophy of nature all the essential truth and probable knowledge which is contained in modem science.

Mr. Maritain explains very carefully the principles according to which the various sciences are specified, and he correctly employs these principles to show that mathematics differs from natural philosophy, and arithmetic from geometry. In a similar way he tries to show that the philosophy of nature differs from the experimental sciences, whether mathematical or not. It has been recognized quite generally that mathematical physics is not, simply speaking, either mathematics or physics, but is a mixed or hybrid science. Nevertheless, it can be reduced to the philosophy of nature by reason of the special human purpose which it serves, which is to perfect our understanding of natural things.

But the need and even the possibility of a non-mathematical science of nature specifically distinct from natural philosophy is open to question. The formal perspective of such knowledge must be both scientific and speculative, and it must be directed to the sensory and observable insofar as this is intelligible through its proper principles, causes and elements, or through causal and explanatory schemes, as Mr. Simon says. (page 179l) How this perspective differs from that of the philosophy of nature is not clear. From a single perspective the ancients thought that they could attain philosophic knowledge of natural things in specific detail, although not by deduction but with constant reference to experience. They held that the sensory characteristics are really distinct from the natures of things, but because these properties reveal the natures, and can neither be nor be

understood apart from the natures, they are properly considered in the same science which treats of natures.

Therefore, it seems that the distinction between an ontological and an empiriological analysis of natural things is arbitrarily drawn. This distinction appears insufficient to support the claim that there is need for natural science distinct from the philosophy of nature. It seems unnecessary and unnatural to cut short the philosophy of nature as conceived by Aristotle and St. Thomas, and to admit an empiriological science which does not manifest essential natures and is not stabilized or illumined by them.

Mr. Maritain rejects the integral and unified view of the philosophy of nature which the ancients held. He points out how desperately modern science and natural philosophy need each other, but he has juxtaposed them rather than united them in inner continuity and harmony. Instead of reducing the philosophy of nature to the skeleton of its former grandeur and admitting a science of nature which is not philosophical, would it not be better to agree with St. Thomas that the essences of natural things are sufficiently manifested by their sensory appearances, and that natural philosophy can and should attain to the specific details of natural phenomena?

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Reality and Judgment According to St. Thomas. By PETER HOENEN, S. J. Appendix by Charles Boyer, S. J. Translated by Henry F. Tiblier, S. J. Chicago: Henry Regnery, 1952. Pp. 395, with notes and index. $6.00.

The book is divided into two parts: I, The Phenomenological Theory of Judgment, and H, The Justification of the Judgment. In the first part the author maintains that every judgment is preceded by a reflection on a previous act of simple apprehension, a thesis taken over from Boyer, and that it is the function of this reflection to affirm or deny the content of the apprehension. The content or data of the apprehension is already composite before the judgment, that is to say, the nexus of the future judgment is already present in the apprehension, and even in the phantasm and the data of sense perception. The content is called the *Sachverhalt,* a term employed by the followers of Brentano, and this term is likened to St. Thomas's *dispositio rei,* an expression that has a technical meaning in St. Thomas and that has been unduly neglected according to Father Hoenen. The reflection on the content enables the mind to find the motive justifying the judgment, for the mind then *knows that it knows* by reason of the fact

that it knows *truth,* the proportion of the apprehension to the thing. Thus, the reality or objectivity of the data of apprehension is known in the judicial act. This reality or being is not always actual existence. " Rather what is necessarily involved is the essential relation of the quiddity to existence; by reason of this relation the quiddity is *being."* To say otherwise is to make the mistake of Brentano whom the author discusses at some length. The first part then concludes with two chapters on the proposition which are very well done. This is especially evident in his treatment of the formal and material functions of the subject and predicate. Both subject and predicate may have functions other than their ordinarily respective ones, i. e., material and formal. Of great interest is the effect of reduplication on the subject's function. A special chapter is devoted to the *per se* proposition, while the conditional proposition is thoroughly explained by comparing it with the formal and material implications of logistics. However, the central thesis of part one is that reflection is the prerequisite of judgment, and this means of every judgment, not merely a philosophical or scientific one. Hence, the mind is naturally critical and justifies its knowledge of reality in its pre-scientific state. This is the thesis of Boyer and Hoenen makes it his. But to show the essential role of reflection he adduces other Thomistic texts, and endeavors to show that the judicial act does not involve the synthesis of concepts; for the apprehension, phantasm, and sense data are already composite.

In the second part or critical phase of his theory the author repeats his thesis that reflection marks off the difference between apprehension and judgment. Furthermore, there are different kinds of reflective activity and it is this difference of reflective activity which produces different kinds of judgments. Every judgment is specified by the reflection which preceded and produced it. If the reflection is upon the content of an intellectua] apprehension containing the necessary nexus of an objective structure, then there follows a first judgment or first principle. There must always be the perception of a necessary connection prior to the judicial act. H the reflection is extended to the phantasm, there follows a singular necessary judgment, i. e., a judgment on the singular instance of a universal truth. If the reflection is further extended to the very external senses, there follows judgments on contingent facts. There are two kinds of these: (1) judgments of perception and, (2) judgments of pure perception. In the first, sense perception is only a partial motive of assent, while in the second, sense perception is the total motive of assent. It must be noted that the first principles concern a *material* quiddity, the proper object of the intellect, that is to say, the very first principles known by the human intellect are mathematical such as ' The whole is greater than its part.' How does the mind arrive, then, at metaphysical and noetic judgments? These occur when the reflection takes a different direction and is applied to the nature

of the knowing faculties. If the mind fixes its attention on the *metaphysical* nature of the faculties, it arrives at judgments on the essence of man and his soul. If it fixes its attention on the *noetic* nature (an easier process), we arrive at universal noetic principles and also metaphysical principles. The most important of these are ' The intelligible is being ' and ' Being is intelligible.' From these we can derive the principle of causality, the principle of contradiction and the like. Reflection can turn also to the nature of the sense operations and the sense faculties, considering both their metaphysical and noetic nature. Finally, the reflection can focus upon the *actuality* of the operations, i. e., their mere presence. Father Hoenen likens these judgments to the *Cogito, ergo sum* of Descartes. In no case does the reflection consist of a comparison, and this is especially true of the famous text of *De Veritate* q. I, a. 9. It is also re-emphasized that this text does not refer to a philosophical reflection. Therefore, the central idea of the book concerns the role that reflection plays in the judicial act, both in the distinction of judgment from apprehension and the specification of the judgment to follow. Furthermore, it is in virtue of this reflection that the mind knows that it knows reality and thus justifies itself. The author also depicts the chronological development of the mind in the very construction of the different sciences. This is why he says the mind requires knowledge in the second degree of abstraction before knowledge of the third degree, and third degree knowledge before first degree knowledge. It is also in accord with the historical fact that mathematics was developed to a high degree before the other sciences.

Another salient point is the author's emphasis on the role of sense perception in the acquisition of universal, necessary truths. He holds that this thesis was defended by Cajetan against Antonius Andreas and other Scotists but that it gradually disappeared from scholastic circles. It is also the position of St. Thomas and Aristotle, as is clear from *De Veritate,* q. 10, a. 6, where Aquinas refers us to the end of Aristotle's *Posterior Analytics.* It was in the latter text that the Stagirite explained the origin of first principles from the data of the senses. The thesis that the judicial nexus is already contained in the sense data as well as the thesis that our first scientific knowledge concerns the necessary nexus of a material quiddity delineate the prominence of sense cognition in the construction of the sciences. However, the author makes it plain that the mind affirms all its first judgments independently of the validity of sense knowledge. The intellect makP-s its assent only because of the necessary connection in what is presented.

By way of criticism it may be noted first that Father Hoenen has presented a very ingenious and original theory of judgment, so original, in fact, that it hardly seems legitimate to ascribe it to St. Thomas, as he has done. The first part of the book appears to have adequate textual substantiation for the most part. The chapters on the proposition and the

existential import of the judgment can be called ' Thomistic ' with a great deal of probability. However, it does not seem evident that St. Thomas taught that the nexus or composition of the judgment is present even in the data of the senses, despite the ample textual apparatus of the author. Furthermore, it would appear inappropriate to speak of a nexus until the intellect enters the picture. Besides, the existence of the nexus in the sense data does not seem very necessary.

In the second part the textual substantiation is not nearly as conspicuous, a fact which tends to indicate a greater degree of original and independent thinking on the part of the author. This is not to say that Father Hoenen's theory is opposed to St. Thomas, but only that it is not certain or even probable that this judicial theory actually represents St. Thomas's mind. It is merely possible that it does so. This is so true that one gets the impression that the theory was elaborated before the texts of St. Thomas were culled. Sometimes they seem almost to be squeezed into the theory. This is not to detract from the theory itself which is very clever and which especially represents a pioneer effort in explaining how the various types of judgments are generated and how they are related to the intellect's construction of the various sciences.

A rather bad feature is the use of modern terminology in explaining a medieval or classical theory. Such expressions as *phenomenology, Sachverhalt, critical,* the *'Cogito, ergo sum' of St. Thomas,* and *intuition* do not clarify medieval conceptions, but, on the contrary, they tend to make the style dense and vague. They make the book difficult reading. Even the organization of the book seems defective, for there is nothing *more justificatory* or *less phenomenological* about the second part than about the first part. In other words, the division is not warranted by the contents of the respective parts, nor is it clearly consonant with a central thesis of the book, namely, that the mind is naturally criticaL This critical or justificatory part seems to be unnecessary and superfluous or improperly named and designated. If it truly has a justificatory function, how is this reconciled with the thesis that the mind is naturally critical or justificatory? If it is not justificatory, it should not be called such merely because it deals with the explanation and description of this natural justification. It is just as descriptive, perhaps more so, than the so-called phenomenological or descriptive section.

It is possible that the poor style and organization are due to the fact that the book was reconstructed from a series of articles, and therefore, retains some traces of being a *melange.* Another inconvenience is the placing of all the notes at the end of the book, especially in view of the fact that they contain references to the author's articles on mathematics, references that probably would have increased the cogency of his arguments, if they had been inserted as footnotes and quoted more fully. His exposition as it

stands remains rather wandering and inconclusive. There are scarcely any errors in the translator's work.

It seems fitting to add only two criticisms as far as content. Chapter VI is called 'The Justification of the First Principles' and would normally be expected to contain a discussion of the traditional first principles of Thomistic philosophy. Instead, there is a discussion of the chronologically first judgments, i. e., mathematical and related judgments. This chronological priority should have been clearly set forth.

Secondly, the justification of the judgment of perception by the principle of what the author calls ' *facientes cognoscunt* ' seems not only absurd as an essential part of Thomism, but actually smacks of the modern attempts to erect a bridge between the mind and the object. This principle consists in saying that the mind becomes assured of the actuality of the object of sense perception by means of exerting some constructive activity on the object of a perception, such as drawing an auxiliary line in a geometrical demonstration. An immediate intuition arises from such an activity, and since the activity must have some matter upon which to operate, the actuality of the perception is certain. Even if this be true for geometrical proofs, does it constitute the motive of assent concerning the actuality of the object of all our other sense cognitions? At any rate, if it were so important, would it not occur more frequently in the writings of Aquinas and Aristotle? However, the author admits that it only occurs *once, In Metaphysicam,* IX, lect. 10, nn. 1888-1894!

Briefly then, the book contains an ingenious theory of the judgment notably in respect to the generation of different species of judgments and their connection with the construction of the sciences. It is extremely valuable for containing in one place all the texts of St. Thomas which pertain to the judgment and proposition. And although possibly not opposed to the philosophy of St. Thomas, it seems precipitate to ascribe this particular theory in all its detail to him. Father Hoenen has contributed more than he realizes to this theory of judgment.

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The Bond of Being. By JAMES F. ANDERSON. St. Louis: Herder, 1949. Pp. 362, with index. $4.00.

The Bond of Being is a Thomistic study of analogy. Its main thesis is that proper proportionality is the only genuine analogy for metaphysics and theology. From Dr. Gerald Phelan's Foreword to the last chapter of the book itself, insistence is made that metaphysics is more concerned with

esse than with *essentia.* In this way the notion of participation, which is essential to proper proportionality, is introduced and sustained throughout.

Using the famous text of Aquinas from the first book of the *Sentences,* Fr. Anderson conveniently divides his book into three parts. However, in giving metaphor a separate treatment he actually ends up with four general sections. AU this work on analogy itself is preceded by an appropriate introduction to the problem.

Although the citations from St. Thomas are numerous enough, the book is by no means a study of the Angelic Doctor's texts on analogy. The author relies very heavily on secondary sources, on men who have interpreted St. Thomas. Works by Ramirez and Penido constantly are found among the footnotes. From this point of view the book might prove disappointing. It is less an adventure into the mind of Aquinas and more a catalogue of what other Thomists think St. Thomas means.

Part One deals with analogy of inequality. In this section, as in the remaining ones, the author introduces other philosophies. Plato, Plotinus, and Spinoza are shown to be unwitting experts on analogy of inequality. Since the author makes the point that analogy is basic to sound philosophy, the succeeding step in his presentation is directed at showing that in these thinkers a lack of genuine analogy makes for philosophic error. Philosophies are wrong precisely because they do lack a comprehension of analogy and its role in knowledge. However perfunctory Fr. Anderson's facile dismissal of so many and so diverse systems of thought may strike the reader, the fact remains that he has grasped a fundamental point. In fairness to the author, it should be added that he never intended to be anything more than superficial in this side issue of other people's philosophy.

The procedure adopted in Part One is followed throughout the remainder of the book. In the first chapter of each new section, the special type of analogy being examined is explained in the Thomistic sense. Next follows the negative approach wherein the failure of other philosophers is found to be their exclusive use of analogy of inequality, attribution, or metaphor. Suarez and Scotus suffer heavy blows in the course of the volume. Probably the most useful task Fr. Anderson accomplishes is to remove that false idol of thought, Nicholas Berdyaev. The Russian's justifiable condemnation of social evils have gained for him many followers among Catholics. As a result, he has assumed a role of importance far beyond his worth. It was encouraging to read Fr. Anderson's cool, objective criticism of Berdyaev. With the same rigor, he reviews the symbolism of Maimonides.

For those who have made studies of analogy from the texts of St. Thomas or who have read Cajetan's *De Nominum Analogia, The Bond of Being* will hardly prove a profound or original work. Except for the introduction of numerous philosophers who failed in their understanding of

analogy, there is really nothing new in the book at alL At times it seems to be a paraphrase of Cajetan's work. This is especially true in the dosing chapters. Yet for the general reader, though not for the professional philosopher, Fr. Anderson's book should have a wide appeal. The whole problem of analogy is presented very clearly and convincingly.

In spite of the general excellence of the book, there are a few points that need clarification. In chapter two, the author leaves one with the impression that analogy of inequality is the proper analogy of natural philosophy or cosmology. Such a doctrine could hardly stand up under examination. The fundamental thesis of Aristotelian physics, the hylomorphic theory, is explicable only by analogy of proper proportionality. Matter, form, and privation are arrived at by considering a permanent subject and contraries in sensible beings and deducing the necessity of something more basic. Metaphysics is not the only philosophical science to use this genuine analogy for discovering its truths.

In dismissing analogy of inequality as only a pseudo-analogy, a correct conclusion, the author puts all his emphasis on this type of analogy's affinity to univocity. This is true. It would, nevertheless, be better to show that inequality is not genuine analogy because it is not *secundum intentionem.* Analogy is, in final analysis, something created by the mind. Inequality can never be analogy properly speaking because the mind never intends it to be.

Finally, what might have been the highlight of the book, namely, the discussion on the analogical concept itself, suffers from its inadequate presentation. The author comes to some very definite conclusions, but the establishment of his position looks like a weak carbon copy of Cajetan and Ramirez. A good treatment of the problems involved in abstraction and universals would have improved this section. Indeed, Dr. Anderson frequently fails to exploit to the fullest his insights into analogy.

However, these few adverse remarks are of minor moment. *The Bond of Being* is an excellent work and deserves a large and continued audience of readers. Above all, it proves quite satisfactory that analogy of proper proportionality is basic to philosophy. The book also answers common objections to analogy's value in proving truths. All things considered, it is probably the best book in English on the problem on analogy.

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Good Will and Ill Will, A Study of Moral Judgments. By FRANK CHAPMAN SHARP. Chicago: University of Chicago Press, 1950. Pp. 260. $5.00.

Moral judgment and not the whole field of ethics is here discussed, and special attention is given to benevolence (good will) and malevolence (ill will) as being the two forms of volition underlying moral judgments. These judgments concern what is " right," and do not deal directly with the " good." For this reason, there is no discussion of the nature of the " good," which the author treated in his *Ethics* (New York: The Century Co., pp. 402 ff.).

The specific problem of this volume is that of good and ill will as the basis for eudemonic and dysdemonic judgments, the former being concerned with the good of one to another, while the latter approve or disapprove of the doing of evil to another. These are the only two forms of true moral judgment, and they both are " teleological " in nature. The teleological judgment is one judged " according to its believed relationship as a means to welfare as an end." It is concerned with motive, intention, and results; and is distinguished from aesthetic judgment in which conduct is approved or disapproved of in virtue of the intrinsic worth of the act, and not according to the results of good or evil done to another. (pp. 100, 126-129) For those who hold that the aesthetic judgment is a form of the moral judgment, some goods are higher than others; and right doing consists in choosing the higher good. (pp. 90 ff.) Or again, the aesthetic judgment does not have as its object the nature of the adopted end, but " a certain quality (power of will) exhibited in the pursuit of an end." (p. 129) These two descriptions show that Sharp does not have too clear a notion of the " aesthetic judgment," but in any case he strongly denies that such a judgment is in any manner a moral judgment; and he lists Aristotle and his followers as being among those who consider the aesthetic judgment as the true moral judgment. It is manifest that such a view includes some confusion as to the nature of morality in Aristotle who certainly did not conceive of the moral judgment as a merely " formal " or " aesthetic " judgment.

The most important chapter of the volume is that on " The Subject, Sources and Predicate of the Moral Judgment" (Ch. V), in which the author studies the teleological judgment in its eudemonic and dysdemonic forms. Since " the moral judgment is directed primarily to a certain aspect of human namely, our active attitude toward the welfare of our fellows," and since this involves a volition, it follows that " volitions aiming at the good or harm of conscious beings are thus the subject of the moral judgment." (p. 127) " The subject of the moral judgment is voluntary action." (p. 159) Such a volition will be moral or immoral depending on whether or not it is actuated by an approved motive; it will

be right or wrong if the volition itself aims to produce results which the approved or disapproved motive would produce, abstraction being made of the actual motive. An act may be subjectively right if the agent intends to produce results believed to be good; or objectively right if the intention is determined by " an accurate and complete view " of the values and results of the action.

In speaking of the sources of the moral judgment, Sharp finds the fundamental principle to be this: " The thought of a good as such tends to arouse a desire for its realization or attainment." (pp. 188-184} This force includes both egoism and altruism, which are but " two different directions of the same force," and the force itself is called " benevolence." In his *Ethics* (pp. 177 ff.), Sharp had defined benevolence " willing well to anyone." It is not only the motive, but also the standard of moral actionj and it is the basis of eudemonic judgments, while malevolence is the source of the dysdemonic judgment. is ultimately a " feeling," and Sharp associates himself with Shaftesbury, Hutcheson and Burne in holding to an " ethical voluntarism." (p. 155}

From this, Sharp passes on to a discussion of the application of the predicate, " right," to conduct. The predicate is to be defined in. terms of the source of the judgment, and thus in terms of desire, approbation or " feeling." The " right " then is " that which arouses approbation under certain conditions." (p. 157) These conditions are that the feeling be impersonal, and that an accurate and complete knowledge of the actual situation be had. The knowledge called for is not conceptual or abstract, but an "acquaintance with," a direct realization of the situation, and thus a matter more of feeling and sentiment than conceptualization. Thus: an action is " right " if " a complete acquaintance with its results would evoke impersonal approval." ·

The basis of objectivity is "the ability to desire the good of another." (p. 168} Reason is rejected as incapable of passing on the objectivity of moral judgments, and all that is required for calling a moral judgment true or false is that there be " a statement of fact which is something more than the bare assertion of the presence of an emotion or desire in the consciousness of the person judging." (p. 164} Objectivity is based on the "unity in the working of all minds " (p. 164}, and an objective judgment would be valid for all men in that they would be to judge in the same way with regard to some particular form of conduct. An objectively right action aims" at the maximum attainable good of those affected" (p. and is thus utilitarian in the highest sense.

Since Sharp's moral philosophy rests on the thought of Burne, our main objection to it would be the same as it is to Burne's phenomenological system. Specifically, it may be noted that no explanation is given of why benevolence is to be preferred to malevolence as the basis of the moral

judgment. Furthermore, benevolence itself has little real meaning since there are no standards for judging what is truly the good of another. The appeal to universal approbation provides no real standard for it, demands only a psychological objectivity, and would be impossible to verify. No norm is provided by which one could distinguish between two contrary moral opinions. Ultimately, the difficulty with Sharp's ethical theory is that there is no metaphysical basis on which it rests. Without such a basis no true appreciation of the particular moral judgment is possible.

Finally, the rejection of reason as a guide to judging conduct and the reliance on "feeling" are points with which a scholastic could not agree. The appraisal of the concrete moral situation for the Thomist is the work of prudence, which rests on and derives from reason the principles of its judgment. While ,we admit the great role of sentiment in actual moral judgments, a relying on " feeling " alone does not provide a sufficient guide for moral conduct.

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Theology of the Old Testament. By DR. PAUL HEINISCH. Trans. by William Heidt. Collegeville: The Liturgical Press, 1950. Pp. 386. $5.00.

It has long been ,the fashion among Biblical scholars to speak of Biblical Theology as " the ,coming thing." Let us acknowledge the fact: Biblical Theology has already arrived. The present volume, originally in German, is from the pen of qne of the foremost Old Testament si:!holars in the world today. The present translation is not from the German edition as it appeared in 1940 as a supplement to the *Bonnerbibel,* but from the recent and thorough revision of the work by Fr. Heinisch. We pick up this book, then, with confidence, aware that the author is thoroughly prepared for the task he has sef out to do, and that he has worked long and diligently to accomplish it. Most reviewers of the present English translation have noted that one sigQ.ificant indication of the book's worth is the fact that two translations, one in English and the other in Italian, have simultaneously appeared.

The work is divided into *5* major sections: I. *God:* His Nature, The Attributes of God, Preparations for the Mystery of the Holy Trinity. H. *Creation:* The 'Spirit World, The World, Man. HI. *Human Acts:* Morality, Divine Worship, Man and God's Commandments. IV. *Life After Death.* V. Judgment, The New Kingdom of God, The Messiah.

A four-fold section induding Collateral Reading for Each Chapter, Abbreviations, Index of Scripture Texts, and General Index completes the work.

The plan of the author is to present in a systematic fashion the essential doctrines, both dogmatic and moral, of the Old Dispensation, as they appear scattered throughout the Sacred Books. In gathering the texts pertaining to a revealed truth, Fr. Heinisch spared no pains, as the almost 6,000 scriptural references attest. The reader, as a result, gets the impression that he is reading a scriptural mosaic, not unlike the great scriptural sermons composed by St. Bernard. In this mosaic, however, there is discernable a real development of doctrine exhaustively traced through the Old Testament from Genesis to the Books of Machabees. Biblical Theology has been described as " the fruit of exegesis and the germ of scholastic theology." Fr. Heinisch adheres strictly to this notion, for he rarely devotes much space to exegesis precisely as such. Exceptions are Job 19 :5-27; Isaias 7: 14; Daniel 9 :24-27, as Fr. Eric May has noted in his review in *The Catholic Biblical Quarterly,* voL Xlli, no. 2, p. 235.

In a work such as this, a true estimate of its value is best arrived at by personal use. This reviewer, for instance, found such sections as *Suffering, Sheol,* and *Retribution* most helpful in preparing lectures on the Didactic Books, especially the Book of Job. No doubt other Old Testament professors will find helpful matter in sections pertaining to the particular matter they are treating in class. All, I am certain, will appreciate the care and good judgment exercised in the treatment of such matters as Mal'akh-Yahweh (p. 106 ss.), The Creation and Nature of Man (p. 156 ss.), and The Messiah. (p. 803 ss.) In these passages, as indeed throughout the entire work, Fr. Heinisch clearly manifests how well-informed he is on the thorniest of Old Testament problems.

The author was very fortunate in his translator, Fr. Heidt, who has given us a faithful, readable text. His has been a most welcome contribution to the English-speaking world of biblical science. This reviewer respectfully suggests that a second edition contain more works by English-speaking authors in the list of suggested reading, for this is predominantly German, as one expects from the pen of a German scholar.

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Man Answers Death. An Anthology of Poetry. Edited by CORLISS LAMONT. New York: Philosophical Library, 1952. Pp. 830 with index. $4.50.

In the Preface to the first edition of this work, which appeared in 1936, Mr. Lamont says: "There have been numerous English anthologies of poetry on death-most of them centering upon the promise of a future life--but none, so far as I know, built around the particular point of view represented in this collection. My organizing principle has been the philosophical doctrine known as Humanism, which interprets death as the absolute end of the individual conscious personality and which sets up the progress and well-being of men on this earth as the supreme goal of life." He develops this thesis by dividing the book into various sections of poetry entitled: " If a Man Die, Shall He Live Again? "; " When Death Is, We Are Not," etc., and at the head of each section he gives an introduction setting forth his personal views on the subject ·treated in it. This introduction is, as it were, a preceding commentary whose purpose is to prepare the reader's mind to the following poems in the light of his atheistic interpretation, which for the most part is contrary to the original thought of the poets themselves.

His own observations do not bear up well under careful scrutiny, being filled throughout with false inferences. For instance, he says in the first introduction, which is merely an example of all the others: "In the West at least, until recently, the great majority of people have rendered allegiance to the idea of personal immortality,"-the false inference being that the great majority no longer render this allegiance to the idea of personal immortality. He continues: "But with many of them the belief has been a formality rather than an ever-present guiding principle. In the actual crises stirred up by death they have by no means acted as if there were a life eternal. And it is difficult to estimate to what extent this doctrine has penetrated beneath the surface to the essential being of man,"-the false inference being that the belief in personal immortality has not been true or deep in man, but in large measure only something superficial and ineffective. He continues: "On the other hand, with religious supernaturalism so powerful and influential for so many centuries, there were comparatively few intellectual factors current to support those particular promptings of common sense which pointed to death as the end. At the same time the relentless intolerance of religious orthodoxy hardly encouraged open questioning of its basic doctrines,"-the inference being that a belief in personal immortality is blind, irrational, and contrary to common sense, and is held only because it is forced upon the 'minds of men by an entrenched, intolerant, and deceptive religious dogmatism. He continues: " Even the agnostic position concerning a future life, however widespread

in fact, was in earlier times seldom expressed publicly,"-the false inference being that the agnostic position concerning a future life was in fact very widespread, but did not show itself openly through fear or timidity. He continues: "All the more, then, it is possible to state that, until the rise of modern science and democracy, a strong and positive Humanist stand on the question of immor-tality was an infrequent occurence in the realm of thought,"-the false inference being that science and democracy are opposed to the notion of personal immortality, and indeed even to religion itself, for which Mr. Lamont seems to have a hatred.

Among the poets quoted nearly all of truly lasting worth would be astonished; were they still living, to find themselves in such a book. We shall take only a few notable examples. First, there is Dante, who is universally recognized as the poetic voice of Catholic theology, expressing in verse the doctrines of such men as St. Thomas Aquinas. Next we have Shakespeare, who was himself a Catholic, and whose characters in the plays are so objectively portrayed that we can seldom look with any assurance upon their thoughts or actions as being indicative of his own private views. Then we have Milton, who, even though he was a liberal Protestant in a high degree, yet never faltered in his belief of man's immortality. And finally we have Drummond, whose prose work, *The Cypress Grove,* is one of the most beautiful and profound treatises ever written on the future life. There is a strong impression that Mr. Lamont would have us believe that these men, and the numerous other sincere Christians whom he quotes, were groping for the light which he now possesses, and that, if they were with us to-day, they would hold the same views as himself. I do not think I am rash in saying that many of them were better informed on the subject of immortality, and had a deeper understanding of it, than Mr. Lamont himself. Indeed the doctrines which he expresses in this book were weighed in the balance by sages thousands of years ago and found wanting.

This work is clearly for propaganda purposes, and, as just shown, is shallow and unreliable in the extreme. Mr. Lamont has still to learn that merely saying that a thing is so does not necessarily make it so. It is a volume that would fit in well on any Communistic bookshelf. Nor is it easy to decide whether it is more deserving of indifference because of its absurdity, or of indignation because of its effrontery.

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One and Holy. By KARL ADAM. New York: Sheed & Ward, 1951. Pp. 130. $2.00.

In these days of so much conversation and writing and of intense prayer centering about the problem of the re-union of Christendom, it is especially helpful to have a commentary on various aspects of the problem from one who has written so much and so well about the Church, its Founder, and its spirit. American Catholics in touch with efforts on the Continent toward ecclesiastical union are aware of the existence and of the activities of the *Una Sancta* group; it was to an audience of members of this movement that the lectures that comprise this little book were originally delivered. Because *Una Sancta* is mainly a Lutheran-inspired movement, Dr. Adam devotes most of his examination of the Catholic-Protestant breach to a consideration of the origins and causes of the Reformation as they existed in the mind and work of Luther, though what he says of Catholic-Lutheran differences is mainly true, *mutatis mutandis*, of Catholic-Protestant relations generally.

In the main, the book can be said to treat two topics, three chapters being devoted to them: The Roots of the Reformation and Luther's leaving the Church; and The Possibility of Reunion and the methods by which reunion is to be achieved. On the first subject, Dr. Adam is as unsparing as Fr. Philip Hughes in insisting on the existence of many and very real abuses in the pre-Reformation Church. The end of the fifteenth century saw, Dr. Adam maintains, "night indeed in a great part of Christendom," and he feels that if Luther had arisen then and had utilized the powers for good that ·lay within him to lead a movement for reform, he would today be numbered with the greatest of the Church's leaders. We know, however, what *did* happen: Luther allowed himself to be carried along by the whirlwind of anti-papalism and anti-dogmatism until he became an attempted destroyer of the Church herself. Seldom has a more sympathetic portrait of Luther been given, though in few pages.

Theologically, Dr. Adam centers his consideration of Luther's revolt largely upon his acceptance of the Ockhamist doctrine of justification; a personal experience of a mystical nature that Luther felt himself to have undergone. This, centered about an illumination as to the meaning of St. Paul's concept of the justice of God, pushed Luther still further into the development of his "Theology of consolation," which removed from him the terror of sin and its punishment and staked all upon faith of the right sort. Again, Dr. Adam presents this development in a few pages, but one cannot accuse him of over-simplification, and still less of being moved only by hatred of or desire to destroy *all* of the values of Luther and Lutheranism.

Dr. Adam feels that the first step toward reunion between the Protestant churches and Rome must be that of Protestant union--:-certainly this seems far off at the moment, in spite of World Councils and ecumenical move-

ments. About the difficulties of the individual Protestant in his search for the true Church, Adam writes sympathetically and lucidly, and with full respect for the integrity of the individual conscience. The book is therefore most helpful to the Catholic concerned to know something of the causes that keep men outside the true Church and of the mind of the men and women upon whom those causes operate.

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BRIEF NOTICES

Theologia Dogmatico-Scholastica. By VALENTINO ZUBIZARRETA. Vitoria, Spain: Procura Provincial de los PP. Carmelitas Descalzos. Vol. I, pp. *560;* Vol. II, pp. 615; Vol. HI, pp. 510, with indexes.

Archbishop Zubizarreta's manual of dogmatic Theology *Ad Mentem S. Thomae Aquinatis* has for some years now been familiar among theologians. On the whole it has always been well received among Thomists. This republication is but a reprinting of the fourth edition which first appeared in 1948.

This work is notable for completeness, conciseness, and definiteness. The very qualifications of its being a good manual are also the qualities responsible for its shortcomings. The purpose of manuals as they are actually written seems to be two-fold: *first,* to summarize the background of theological problems i. e. the history of the particular question, opinions on it, and the positive theology pertinent to its solution; and *second,* to summarize the solution favored by the manualist. The former function can be very helpful to the student of theology; the latter very harmful. For when everything is given in capsule form, attractively wrapped in prefabricated distinctions, the student need only swallow, but never digest. What he gets is a solution prepared in advance; never the problem on which he can theologize.

Most helpful as Zubizarreta's work is, it abounds, as any manual must, in illustrations of this very point. For example, in his Christology the familiar and fundamental question is raised whether the Hypostatic Union is formally created or uncreated (vol. III, p. 365) and it is taken care of by a settlement which involves either a clear misunderstanding, or misuse of the text of St. Thomas. Again, to the difficult problem of the motive of the Incarnation definitive answers are given in matters which are much better answered by qualified statements. Similarly, in the question of the infinity of the habitual grace of Christ, the problem is answered in a few lines by the use of distinctions which are so superficial as to be nearly meaningless, and therefore nearly useless.

Other examples are to be found throughout the manual. To the very real problem, how does the grace of one sacrament differ from that of another, the answer is, *by mode.* But what is a modal distinction as applied to Sacramental grace? The student has an answer but no penetration of its meaning.

The Mariology of Zubizarreta is necessarily brief. It is also, and on other

grounds, unsatisfactory to many Thomists. For example, its treatment of the Divine Maternity is, by Thomistic standards, a minimization of the dignity and sanctity of that fundamental prerogative of Our Lady. Other and very important prerogatives of our Blessed Mother are nowhere considered.

As a manual Zubizarretta's work is outstandingly good. The point is this: do manuals as they are currently written have a legitimate place in the classroom? If the use of manuals is necessary we might as weH resign ourselves to the fact that the development of theologians who think theologically is highly unlikely.

Dictionary of Dogmatic Theology. By PIETRO PARENTE, ANTONIO PIOLANTI, SALVATORE GAROFALO. Trans. by Emmanuel Doronzo. Milwaukee: Bruce, 1951. Pp. 336. $4.50.

This volume, recently translated into English, was intended for the use of the layman for whom the longer treatises of dogma were too detailed, yet who sought more than just the simple exposition of the catechism. The authors aim at " presenting the substance of dogmatic doctrine." It may be doubted that the dictionary type of work is best suited to this task, for such a work does not allow one to see dogmatic theology in general outline, to judge of the inter-relation of doctrines, nor to see a great deal more than isolated points of dogma. In a word, no real synthesis can be obtained from such a work. Rather ought one to say, as do the authors in the Preface to the Second Italian Edition, that this volume is a ready-reference work for the cultured layman. As such, it has a definite value and purpose. Entries are made not only for points of speculative dogma, but also for positive theology and related matter. The entries are of necessity brief, but some helpful bibliography is given.

In a general work of this sort there arise many points for discussion. Above all, for the Thomist, is the question of efficacious grace. (p. 117) The authors adopt the position of " reasonable syncretism " between Thomism and Molinism: efficacious grace is intrinsically and physically such, but only *quoad exercitium* and not *quoad specificationem,* although the mind is illumined by a special grace. Basically, this view seems to involve the mistaken notion of seeing God's action as forming a part of the process' of choice, instead of as the necessary cause and condition of all created being. Moreover, it implies a not-too-clear idea of the act of choice itself, which is a " fusion" of the acts of intellect and will. This same point of view is expressed under the entry: "concourse, divine."

The diagram of the position of the Latin Fathers in regard to the Trinity, as it appears under the entry: " circumincession," would be better put

in the form of the traditional triangle, as it is under the entry: "Trinity." The authors hold for Probabilism in morals; and give scant attention to prudence, the real guide of moral living for St. Thomas. One wonders, though, why such entries pertaining to moral theology appear in a volume devoted to dogma.

In spite of these remarks, the volume will be useful not only for the cultured layman, but also as a reference work for priests and seminarians.

Exploring a Theology of Education. By EDWARD A. FITZPATRICK. Milwaukee: Bruce, 1950. Pp. 174 with index. $8.50.

Throughout the past generation hardly any American has been more devoted to education, especially in the Catholic schools, than Edward Fitzpatrick. Some of his books, indeed, have been loosely produced, thrown off seemingly as much by his students as by himself; and are unfinished, although highly suggestive, products. They seem unpolished, lacking in depth and thoroughness, and yet are indicative, thought-provoking. The work under review is exactly of this regular Fitzpatrick type.

Exploring a Theology of Education is made up of articles, editorials and, no doubt, speeches " written at different times." The chapters treat successively of: theology in the organization of knowledge; doctrines and the theology of education; liturgy and the theology of education; spiritual writings-the author has long been familiar with many of them-and the theology of education; the Christian teacher; knowledge, will and love; religion in public education, a summary of the conclusions of the important 1944 conference of the American Council of Education on such matters as " a common core of religious belief" and "the teaching of spiritual values."

Theology and the organization of knowledge is a long, rambling chapter. But it has the great merit of pointing out two matters: first, that revealed doctrine on man's nature and destiny, and on the way man follows to reach his destiny, have at present no place in "education" as a field of study; and second, that the encyclical on Christian education would have no starch left in it if we deleted its overt theological doctrine. This document, Mr. Fitzpatrick notes, has many theological concepts at its base, e. g. that man is created, is like God and is destined for God; that man has fallen, and been restored as son of God; that the great family of Christ, namely the Church, is endowed with grace; that the Church and State are distinct (surely not separate) authorities; that the family is divinely set up to generate and educate; that the Church is commissioned to teach; and that civil authority has from God the function of seeing to temporal welfare.

The author is aware that many of these matters, so familiar to Catholics, are strange to non-Catholic philosophers of education-although the declara-

tion that the family has the right and duty to educate its offspring might have been taken, almost literally, from the decision of the Supreme Court in the Oregon case in 1925.

All in all the writing of Mr. Fitzpatrick and his students over the last twenty-five years has been superior though not distinguished. They have an importance however; for, outside of the work of Dr. Shields and Bishop John L. Spalding, little has been written in English by Catholics on these problems of a Christian education. The entire work remains to be done; Mr. Fitzpatrick and his aides have begun it.

Papal Pronouncements and the Political Order. Compiled and Edited by FRANcis J. PoWERS, C. S. V. Westminster: The Newman Press, 1952. Pp. 256. $3.50.

In view of the present lively controversy on the relations between Church and State in the United States this compilation of excerpts from the documents, messages, and allocutions of the Supreme Pontiffs from Leo XIII in 1878 to Pius XII in 1951 will be very timely and useful. Father Powers, assistant professor of politics at the Catholic University of America, arranges the papal pronouncements under six headings: (a) the Church and the Citizen in the Social Order; (b) the Origin and Nature of the State and Civil Authority; (c) the Purpose and Functions of the State; (d) the Church and the State; (e) Liberty and Law; (f) the International Order. Forty encyclicals and nearly twice as many other types of pronouncements of the five popes are used to express the Church's views on these six themes. Thus set down they make a thorough and detailed expression on the political order from the official Catholic viewpoint. It is undoubtedly true, especially in America, that rather little of this material is known by even well informed Catholics. Our secular press, with a few notable exceptions, gives little space to the pronouncements when they occur; and even when brief reference is made, false impressions are often given. Our Catholic press is doing a little better of late years but there is still much room for improvement.

An informed laity thoroughly conversant with the Church's offiCial position is an absolutely necessary preliminary to a Catholic action that is truly Catholic and not merely the activity of people who happen to be Catholics. The present Holy Father has particularly stressed the necessity of an active participation of virtuous citizens in the social order and political life. Indeed it has become one of the predominant themes of his pontificate. He particularly inveighs against the unhealthy dualism by which such virtuous citizens isolate themselves from the evils of the social order by abandoning that order to forces bent on the destruction of the

Christian view of life. Thus have present day Communists, though constituting a small minority, brought many predominantly Catholic countries completely under their control to the destruction of Catholic thought and Catholic institutions. In a day when the State is all powerful it is very necessary that active Catholics know the Church's position on the social and political order and direct their action intelligently upon such principles. Father Powers' volume fills a real need in the Church in America today. It is a most useful compendium for constant reference. An excellent index and a bibliography add to its usefulness.

Medieval Philosophy. By FREDERICK C. CoPLESTON. New York: Philosophical Library, 195:2. Pp. 194 with index. $:2.75.

The present volume is written precisely for beginners; and Father Copleston has succeeded in presenting much of the technical language of medieval philosophy in a simple, clear and concise linguistic style. His treatment is based on the generally accepted historical accounts of the period, but it is clarified by an intensive personal study of first-hand sources, and vitalized by its integration into the broader historical and cultural developments of the times. Thus, it emerges as a sketch that is materially accurate and formally fascinating; though, to be sure, it remains for the most part but a summary sketch of his more academic presentation in the second volume of his *History of Philosophy.*

The intrinsic development of philosophy during the periods between the ninth and fifteenth centuries is preceded by a swift moving account of the contributions of the earliest ecclesiastical philosopher-theologians of the Christian era, of St. Augustine, Boethius, the Pseudo-Dionysius, Produs, and the Neo-platonists in general. The problem of universals and the growth of scholasticism gradually lead us through a survey of Jewish and Arabian philosophies to the development of Franciscan philosophers and St. Thomas Aquinas. Scotus and Ockham receive somewhat extended treatment as background and prelude to the great transition period of the fourteenth and fifteenth centuries. A chapter on Mysticism brings the thread of Nco-platonism up to Nicholas of Cusa, and the study is concluded by a panoramic survey of problems of political philosophy treated by Augustine, Thomas Aquinas, Dante, John of Paris and Marsilius of Padua, with the emphasis on the problem of relations of Church and State.

The author's purpose throughout is the objective presentation of integrated information rather than a defense of particular points of view or of solutions to the problems treated. The factual data is carefully related to the major ancient philosophies in retrospect; and similarities to later " modern " developments in Hume, Schelling, Spinoza, Leibniz *et al.* are mentioned

without overemphasis of any possible historical or absolute identification of outlook. The result fulfills the author's intention well, and it is highly recommended as an introductory sketch of medieval philosophy.

From Atomos to Atom. By ANDREW G. VAN MELSEN. Trans. by H. J. KoREN. Pittsburgh: Duquesne University Press, 1952. Pp. 282.

The author teaches natural philosophy and philosophy of science at the University of Nijmegen; the present work appeared in Amsterdam in 1949. At present, he is visiting professor at Duquesne.

The book is divided into two parts. The first deals with the concept of " atom " prior to the origin of the physical theory of atoms; the second with the developments in the eighteenth and nineteenth centuries, up to today. An amazingly large amount of data has been integrated, of which more than 180 names in the index are but an insufficient indication. So also one finds a discussion of all pertinent facts and theories. Being mainly historical, the work does not lend itself to a detailed report. Moreover, the ideas of the past, however interesting and still determining those of our· own days, are of concern more to the student of the history of ideas than to the philosopher proper. (One looks forward to the announced publication of the author's *Philosophy of Nature.)* Only the last twenty-odd pages deal with questions pertaining to philosophy. Here one finds a brief but suggestive discussion of the relation of philosophy and science and a vindication of the right of the former, centered around an analysis of the notion of a "material thing." One is grateful to see it stated explicitly that, to use the author's " the whole of the theses and concepts which compose physical science are, to use a mathematical expression, invariant with respect to these philosophies," namely the realistic, idealistic, or phenomenalistic views on the things with which science deals. The author concludes justly that science is unable to judge philosophy; whatever the findings of experimental science be, they have no bearing on the problems of either metaphysics or a philosophy of nature. Consequently, philosophical systems are not " dated." The essence of a philosophy is independent of the stage which science has attained at the time when the philosophy has been conceived. If this relation were realized generally, there would be no place for books on the "Rise of Scientific philosophy," since, obviously, something that does not exist cannot rise either.

This work deserves to be widely used as additional reading in classes on cosmology or the philosophy of nature. There is only one thing this reviewer finds regrettable, that is, the scanty consideration of modern philosophies of nature of which not aU, even if written from a totally

different angle, fall prey to the idolatry of science which so widely characterizes many recent publications. Thus, the views of E. Meyerson, which are briefly mentioned, might have been discussed to a greater extent; the ideas of Th. Haering on the insufficiency of scientific knowledge for our acquaintaince with the whole of reality, or those of N. Hartmann on the same matter, might have been of interest. These, however, are minor defects, The book is certainly to be recommanded, the more since its use is facilitated by tables listing the periodic system of elements, the subatomic particles, and a bibliogx:aphy.

Science and Religion in American Thought. By EnwARD A. WHITE. Stanford: Stanford University Press, 1952. Pp. *125.* $2.50.

This book gives a creditable account of how extremely confused some important people have been about the basic concepts of science and religion. The author traces the development of social Darwinism through the writings of John W. Draper and Andrew D. White to William James and John Dewey, giving particular attention to the opinions of David S. Jordan. The book ends with an appraisal of the controversy over the teaching of evolution in the public schools. The views of the evolutionary naturalists are presented in detail, and are criticised moderately, without developing the evidence for a theistic or Christian interpretation of the world and man.

Ugo Benzi, Medical Philosopher and Physician, 1376-1439. By DEAN P. LocKwooD. Chicago: University of Chicago Press, 1952. Pp. 456. $8.00.

Ugo Benzi was born in Siena and died at Ferrara as a teacher of medicine and physician of Niccolo d'Este, after having taught at various universities and achieved great fame in his profession and as a "philosopher." His life was written by his son Socino and remained hidden away in a manuscript at Ferrara where the author discovered it; it had been forgotten or not known to exist when Benzi's works were printed at Venice at the end of the fifteenth century. This work is edited here for the first time, introduced by a brief study on Ugo and his times; and followed by detailed comments on Ugo's philosophical and medical works. By far the largest part of the book (pp. 147-410) is filled with miscellaneous appendixes, reports on manuscripts, publication of documents, and excerpts mainly from the medical writings. There are five pages on Ugo's Commentary on the *Parva Naturalia,* which resembles the commentaries of St. Albert, being mostly a paraphrase with some brief digressions. At the time that he wrote this work,

Ugo was teaching at Bologna and promoted the study of St. Albert's works there. After Ugo had definitely turned to medicine, he published some questions of which only two are philosophical, on the *virtutes animae*, whether and how they be distinct from each other and from the soul, and whether they are distinguished by their objects.- This scholarly work and its forty pages of bibliography, will be of great interest to the student of these times and to the historian of medicine, of methods of teaching and of inquiry. The student of the history of ideas will see in Ugo one more figure indicative of a changing "intellectual climate." As a philosopher, however, Ugo does not deserve a place on the list even of the *dii minorum gentium.*

Philosophical Problems of Mathematics. By DR. BRuNo V. FREYTAG GEN. LoRINGHOFF. Translated by Amethe Countess Von Zeppelin. New York: Philosophical Library, 1951. Pp. 88 with index. $9.l.75.

Three lectures, " Philosophy and Mathematics," " Philosophical Problems of Mathematics," and " The Human Aspects of Mathematics " make up this small volume. The author is lecturer in philosophy at Tiibingen University and has published other material on the foundations of mathematics in German. Though the original German was not available for comparison, the translation reads easily and seems well done.

Throughout the first lecture, the author roves about the field of mathematics and metaphysics, flushing up more problems than he copes with, and concludes a rather stimulating excursion with the statement that " Mathematics is a science of pure ideas-perhaps the only one." Two problems are presented in the second lecture: What do we mean by the existence of mathematics and of its objects? and, How does mathematics apply to concrete reality? In answer to the first of these questions, mathematical objects are said to possess a fictitious type of being-subsistence-in-itself *(Ansichbestand)* -as do the characters in a fairy tale. Mathematical natures are distinguished from other fictions because it is only in mathematics that logic has exclusive governance, and that definitions are correctly implicit and circular. Mathematics becomes "The total aggregate of logically possible (i.e., non-contradictory or self-consistent) systems which are based on implicit definition." The applicability of mathematics to reality is found to lie in the point that mathematics and reality possess the fundamental principles of unequivocality in common; the principles of identity, contradiction, and the basic laws of logic.

In the third lecture, the author distinguishes human mathematics from animal and from divine mathematics. Mathematics vindicates man's intelligence and releases man from bondage to the present moment. Human

mathematics spirals towards the divine mathematics as its goal; and, in moments of inspirational invention in mathematics, the divine projects into and penetrates the human.

The book is interesting and stimulating, and deserves to be added to the growing literature on .the nature of mathematics. It likewise gives evidence of a weak belief in the ability of metaphysics to cope with problems on the foundations and nature of mathematics.

Bibliografia Filosofica Italiana Anno 1949. Compiled by U. A. PADOVANI e M. F. SciACCA. Milano: Centro di Studi Filosofici Cristiani di Gallarate, 1951. Pp. 151. L. 800.

The tireless Michele Federico Sciacca, in collaboration with Umberto A. Padavoni, has compiled a bibliography of philosophical books, articles, talks and reviews published in Italy during 1949. The present volume is the first of an annual series. For. what it presents and for what it promises, this volume will be welcome in the world-wide philosophical and theological community, and particularly in Catholic and scholastic circles. Its thoroughness and organization make it an invaluable aid to philosophical study.

The listings are three: first authors, then subject-matter, and finally a list of all authors whose work was reviewed in the period covered. The list includes articles in languages other than Italian if these were published in Italian journals. This is apparent from the inclusion of such Roman reviews as the *Angelicum*, *Gregorianum*, and *Antonianum.* All Catholic philosophical journals and congresses are also indexed. In addition, articles in the philosophy of religion, on faith and reason, and apologetics, in the philosophy of culture, social and moral philosophy, the philosophy of values, communism, pedagogy, experimental and rational psychology and esthetics are indexed.

Precis de Methodologie a l'usage des etudiants en philosophie. By GASTON CARRIERE, O. M. I. Ottawa: Editions de l'Universite d'Ottawa, 1951. Pp. *105.*

Father Carriere, the secretary of the faculty of philosophy at the University of Ottawa, has compiled a manual for students beginning scientific work in philosophy. It begins with the qualities required in the student himself and concludes with some practical comment on the· preparation of a manuscript for a printer. In general the book goes over the ground covered by van Steenberghen in his *Directives pour la confection d'une monographic scientifique* (Louvain: 1949) with information on the nature

of scientific work, its demands, practical suggestions on taking notes, preparing a bibliography, using references, books, etc. To the rules and practises already canonized in scientific work, Father Carriere adds many personal helps. For this reason the book will be a valuable aid to professors of philosophy and their students since it attacks the field of philosophical writing and study as properly its own.

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