Thomas Aquinas

That the Divine Providence is not wholly inconsistent with the presence of Evil in Creation

PERFECT goodness could not be in creation if there were not found an order of goodness among creatures, some being better than others: or else all possible grades of goodness would not be filled up; nor would any creature be like God in having pre-eminence over another.* The perfection of the universe requires both grades of goodness. But it is the care of a ruler to uphold perfection in the subjects of his government, not to make it less. Therefore it is no part of divine providence wholly to exclude from creation the capability of falling away from good. But upon this capability evil ensues: for what is capable of falling away, sometimes does fall away; and the mere lack of good is evil (Chap. VII).

3. The best rule in any government is to provide for everything under government according to the mode of its nature: just administration consists in this. As then it would be contrary to any rational plan of human administration for the civil government to debar its subjects from acting according to their offices and conditions of life, except perhaps in an occasional hour of emergency, so it would be contrary to the plan of divine government not to allow creatures to act according to the mode of their several natures. But by the very fact of creatures so acting there follows destruction and evil in the world, since by reason of mutual contrariety and inconsistency one thing is destructive of another.* If then evil were wholly excluded from the universe by divine providence, the number of good things would be proportionally diminished: which ought not to be, because good is more vigorous in goodness than evil in badness (*virtuosius est bonum in bonitate quam in malitia malum*), as above shown (Chap. XII).

6. The good of the whole takes precedence of the good of the part. It belongs then to a prudent ruler to neglect some defect of goodness in the part for the increase of goodness in the whole, as an architect buries the foundation under the earth for the strengthening of the whole house. But if evil were removed from certain portions of the universe, much perfection would be lost to the universe, the beauty of which consists in the orderly blending of things good and evil (*pulcritudo ex ordinata bonorum et malorum adunatione consurgit*), while evil things have their origin in the breaking down of good things, and still from them good things again take their rise by the providence of the ruler, as an interval of silence makes music sweet.

7. Other things, and particularly inferior things, are ordained to the end of the good of man. But if there were no evils in the world, much good would be lost to man, as well in respect of knowledge, as also in respect of desire and love of good: for good is better known in contrast with evil; and while evil results come about, we more ardently deire good results: as sick men best know what a blessing health is.

Therefore it is said: *Making peace and creating evil* (Isai. xlv, 7): *Shall there be evil in the city that the Lord has not done?* (Amos iii, 6.)

Boethius (*De consolatione*, Lib. I, prosa 4) introduces a philosopher asking the question: 'If there is a God, how comes evil?'. The argument should be turned the other way: 'If there is evil, there is a God.' For there would be no evil, if the order of goodness were taken away, the privation of which is evil; and this order would not be, if God were not.

Hereby is taken away the occasion of the error of the Manicheans, who supposed two primary agents, good and evil, as though evil could not have place under the providence of a good God.

We have also the solution of a doubt raised by some, whether evil actions are of God. Since it has been shown (Chap. LXVI) that every agent produces its action inasmuch as it acts by divine power, and that thereby God is the cause of all effects and of all actions (Chap. LXVII); and since it has been further shown (Chap. X) that in things subject to divine providence evil and deficiency happens from some condition of secondary causes, in which there may be defect; it is clear that evil actions, inasmuch as they are defective, are not of God, but of defective proximate causes; but so far as the action and entity contained in them goes, they must be of God, -- as lameness is of motive power, so far as it has anything of motion, but so far as it has anything of defect, it comes of curvature of the leg.

That Divine Providence is not inconsistent with an element of Contingency in Creation*

AS divine providence does not exclude all evil from creation, neither does it exclude contingency, or impose necessity upon all things. The operation of providence does not exclude secondary causes, but is fulfilled by them, inasmuch as they act in the power of God. Now effects are called 'necessary' or 'contingent' according to their proximate causes, not according to their remote causes. Since then among proximate causes there are many that may fail, not all effects subject to providence will be necessary, but many will be contingent.

6. On the part of divine providence no hindrance will be put to the failure of the power of created things, or to an obstacle arising through the resistance of something coming in the way. But from such failure and such resistance the contingency occurs of a natural cause not always acting in the same way, but sometimes failing to do what it is naturally competent to do; and so natural effects do not come about of necessity.*

That Divine Providence is not inconsistent with Freedom of the Will

THE government of every prudent governor is ordained to the perfection of the things governed, to the gaining, or increasing, of maintenance of that perfection. An element of perfection then is more worthy of being preserved by providence than an element of imperfection and defect. But in inanimate things the contingency of causes comes of imperfection and defect: for by their nature they are determined to one effect, which they always gain, unless there be some let or hindrance arising either from limitation of power, or the interference of some external agent, or indisposition of subject-matter; and on this account natural causes in their action are not indifferent to either side of an alternative, but for the most part produce their effects uniformly, while they fail in a minority of instances. But that the will is a contingent cause comes of its very perfection, because its power is not tied to one effect, but it rests with it to produce this effect or that, wherefore it is contingent either way. * Therefore providence is more concerned to preserve the liberty of the will than to preserve contingency in natural causes.

2. It belongs to divine providence to use things according to their several modes. But a thing's mode of action depends upon its form, which is the principle of action. But the form whereby a voluntary agent acts is not determinate: for the will acts through a form apprehended by the intellect; and the intellect has not one determined form of effect under its consideration, but essentially embraces a multitude of forms;* and therefore the will can produce multiform effects.

3. The last end of every creature is to attain to a likeness to God (Chap. XVII): therefore it would be contrary to providence to withdraw from a creature that whereby it attains the divine likeness. But a voluntary agent attains the divine likeness by acting freely, as it has been shown that there is free will in God (B. I, Chap. LXXXVIII).

4. Providence tends to multiply good things in the subjects of its government. But if free will were taken away, many good things would be withdrawn. The praise of human virtue would be taken away, which is nullified where good is not done freely: the justice of rewards and punishments would be taken away, if man did not do good and evil freely: wariness and circumspection in counsel would be taken away, as there would be no need of taking counsel about things done under necessity. It would be therefore contrary to the plan of providence to withdraw the liberty of the will.*

Hence it is said: *God made man from the beginning, and left him in the hand of his own counsel: before man is life and death, whatever he shall please shall be given him* (Ecclus xv, 14-17).

Hereby is excluded the error of the Stoics, who said that all things arose of necessity, according to an indefeasible order, which the Greeks called *ymarmene* (**heimarmenê**).

That Divine Providence is not inconsistent with Fortune and Chance*

THE multitude and diversity of causes proceeds from the order of divine providence and arrangement. Supposing an arrangement of many causes, one must sometimes combine with another, so as either to hinder or help it in producing its effect. A chance event arises from a coincidence of two or more causes, in that an end not intended is gained by the coming in of some collateral cause, as the finding of a debtor by him who went to market to make a purchase, when his debtor also came to market.*

Hence it is said: *I saw that the race was not to the swift . . . . but that occasion and chance are in all things* (Eccles ix, 11) to wit, in all sublunary things (*in inferioribus*).*

That the Providence of God is exercised over Individual and Contingent Things

IF God has no care of these individual things, that is either because He does not know them, or because He has no power over them, or because He has no will to take care of them. But it has been shown above (B. I, Chap. LXV) that God has knowledge of individual things. Nor can it be said that He has no power to take care of them, seeing that His power is infinite (B. II, Chap. XXII). Nor again that God has no wilt to govern them, seeing that the object of His will is universally all good (B. I, Chap. LXXVIII).

3. This common attribute is found in productive causes, that they have a care of the things that they produce, as animals naturally nourish their young. God thereof has care of the things of which He is the cause. But He is the cause even of these particular things (B. II, Chap. XV), and therefore He has care of them.*

5. It would be a foolish providence not to take care of those things without which the objects of one's care could not exist. But certainly, if all particulars were to fail, universals could not remain. If then God has care of the universal only, and neglects the individual altogether, His providence must be foolish and imperfect. But if it is said that God has care of individuals so far as to see that they are maintained in being, but no further, that answer cannot stand. For all that befalls individuals has some bearing on their preservation or destruction. If therefore God has care of individuals so far as to see to their preservation, He must have care of all that befalls them.

7. This is the difference between speculative and practical knowledge, that speculative knowledge and all that concerns such knowledge is wrought out in generalities, whereas the sphere of practical knowledge is the particular. For the end of practical knowledge is truth, which consists primarily and ordinarily in the immaterial and

universal, while the end of practical knowledge is action, which deals with particular facts. Hence the physician does not attend man in general, but this man; and to the care of the individual man the whole science of medicine is directed. But providence, being directive of things to their end, must be a department of practical knowledge. Thus the providence of God would be very imperfect, if it stopped short at the universal, and did not reach individual cases.

8. The perfection of speculative knowledge lies in the universal rather than in the particular: universals are better known than particulars; and therefore the knowledge of the most general principles is common to all. Still, even in speculative science, he is more perfect who has not a mere general but a concrete (*propriam*) knowledge of things. For he who knows in the general only, knows a thing only potentially. Thus the scholar is reduced from a general knowledge of principles to a concrete knowledge of conclusions by his master, who has both knowledges, -- as a being is reduced from potentiality to actuality by another being, already in actuality. Much more in practical science is he more perfect, who disposes things for actuality not merely in the universal but in the particular. God's most perfect providence therefore extends even to individuals.

9. Since God is the cause of being, as such (B. II, Chap. XV), He must also be the provider of being, as such. Whatever then in any way is, falls under His providence. But singular things are beings, and indeed more so than universals, because universals do not subsist by themselves, but are only in singulars.* Divine providence therefore has care also of singulars.

Hence it is said: *Two sparrows are sold for a farthing; and not one of them falls to the ground without your Father* (Matt. x, 29); and, *[Wisdom] reaches from end to end strongly* (Wisd. viii, 1), that is, from the highest creatures to the lowest. Also their opinion is condemned who said: *The Lord hath abandoned the earth, the Lord doth not see* (Ezech. ix, 9): *He walketh about the poles of heaven, and doth not consider our things* (Job xxii, 14).

That the Providence of God watches immediately over all Individual Things

IN matters of human administration, the higher administrator confines his care to the arrangement of general main issues, and leaves details to his subordinates, and that on account of his personal limitations, because, as for the state and condition of lesser things, he is either ignorant of them, or he cannot afford the labour and length of time that would be necessary to arrange for them. But such limitations are far from God: it is no labour for Him to understand, and it takes Him no time, since in understanding Himself He understands all things else (B. I, Chap. XLIX).

4. In human administrations, the industry and care of the lower officials arranges matters left to their charge by their chief. Their chief does not bestow upon them their faculty of industry and care, but merely allows it free play. If the industry and care

came from their superior, the arrangement would be the superior's arrangement; and they would not be authors of the arrangement, but carriers of it into execution. But we have seen (B. I, Chap. LI: B. III, Chap. LXVII) that all wisdom and intelligence comes from God above; nor can any intellect understand anything except in the power of God, nor any agent do anything except in the same power. God Himself therefore by His providence immediately disposes all things; and whoever are called providers under Him, are executors of His providence.*

7. If God does not by Himself take immediate care of lower individualities, that must be either because He despises them, or because He fears to sully His dignity, as some say.* But that is irrational, for there is greater dignity in devising an arrangement than in working one out. If then God works in all things, as has been shown (Chap. LXVII), and that is not derogatory to His dignity, nay rather befits His universal and sovereign power, an immediate providence over individual things is no contemptible occupation for Him either, and throws no slur upon His dignity.

Hence it is said: *Thou hast done the things of old and hast devised one thing after another* (Judith ix, 4).

That the arrangements of Divine Providence are carried into execution by means of Secondary Causes

IT belongs to the dignity of a ruler to have many ministers and diversity of servants to carry his command into execution, the height and greatness of his lordship appearing by the multitude of persons of various ranks who are subject to him: but no dignity of any ruler is comparable with the dignity of the divine government: it is suitable therefore that the arrangements of divine providence be carried into execution by divers grades of agents.

6. As the cause is superior to the effect, the order of causes is nobler than that of effects: in that order therefore the perfection of divine providence is better shown. But if there were not intermediate causes carrying divine providence into execution, there would be in creation no order of causes, but only of effects. The perfection therefore of divine providence requires that there should be intermediate causes carrying it into execution.

Hence it is said: *Bless the Lord, all his powers, ye ministers that do his word* (Ps. cii, 21): *Fire, hail, snow, stormy winds that do his word* (Ps. cxlviii, 8).

That Intelligent Creatures are the Medium through which other Creatures are governed by God

SINCE the preservation of order in creation is a concern of divine providence, and it is a congruous order to descend by steps of due proportion from highest to lowest,* divine providence must reach by a certain rule of proportion to the lowest things. The rule of proportion in this, that as the highest creatures are under God and are governed by Him, so lower creatures should be under the higher and be governed by them. But of all creatures intelligent creatures are the highest (Chap. XLIX). Therefore the plan of divine providence requires that other creatures should be governed by rational creatures.*

That the Motion of the Will is caused by God, and not merely by the Power of the Will

SOME, not understanding how God can cause the movement of the will in us without prejudice to the freedom of the will,* have endeavoured to pervert the meaning of these texts, saying that God causes in us to will and to accomplish, inasmuch as He gives us the power of willing, but not as making us will this or that. Hence some have said that providence is not concerned with the subject-matter of free will, that is, with choices, but with extrinsic issues: for he who makes choice of something to gain or something to accomplish, for instance, building or the amassing of wealth, will not always be able to attain his end, and thus the issues of our actions are not subject to free will, but are disposed by providence.*

1. But this theory runs manifestly counter to texts of Holy Scripture. For it is said: *All our works thou hast wrought in us, O Lord* (Isai. xxvi, 12): hence we have of God not merely the power of willing, but also the act. And the above quoted saying of Solomon, *he shall turn it whithersoever he will*, shows that the divine causality extends at once to will-power and to actual volition.

2. Nothing can act in its own strength unless it act also in the power of God (Chap. LXVI): therefore man cannot use the will-power given to him except in so far as he acts in the power of God.

4. God is the cause of all action, and works in every agent (Chap. LXX): therefore He is cause of the motives of the will.

That Human Choices and Volitions are subject to Divine Providence

THE government of providence proceeds from the divine love where with God loves His creatures. Love consists chiefly in the lover wishing good to the loved one. The more God loves things, then, the more they fall under His providence. This Holy Writ teaches, saying: *God guards all that love him* (Ps. cxliv, 20); and the Philosopher also teaches that God has especial care of those who love understanding, and considers them His friends.* Hence He loves especially subsistent intelligences, and their volitions and choices fall under His providence.

6. The inward good endowments of man, which depend on his will and choice, are more proper to man than external endowments, as the gaining of riches: hence it is according to the former that man is said to be good, not according to the latter. If then human choices and motions of the will do not fall under divine providence, but only external advantages, it will be more true to say that human affairs are beyond providence than that they are under providence.

How Human Things are reduced to Higher Causes*

FROM what has been shown above we are able to gather how human things are reducible to higher causes, and do not proceed by chance. For choices and motives of wills are arranged immediately by God: human intellectual knowledge is directed by God through the intermediate agency of angels: corporeal events, whether interior (to the human body) or exterior, that serve the need of man, are adjusted by God through the intermediate agency of angels and of the heavenly bodies.

All this arrangement proceeds upon one general axiom, which is this: 'Everything manifold and mutable and liable to fail may be reduced to some principle uniform and immutable and unfailing.'* But everything about our selves proves to be manifold, variable, and defectible. Our choices are evidently manifold, since different things are chosen by different persons in different circumstances. They are likewise mutable, as well on account of the fickleness of our mind, which is not confirmed in its last end, as also on account of changes of circumstance and environment. That they are defectible, the sins of men clearly witness. On the other hand, the will of God is uniform, because in willing one thing He wills all other things: it is also immutable and indefectible (B. I, Chapp. XXIII, LXXV). Therefore all motions of volition and choice must be reduced to the divine will, and not to any other cause, because God alone is the cause of our volitions and elections.

In like manner our intelligence is liable to multiplicity, inasmuch as we gather intelligible truth from many sensible objects. It is also mutable, inasmuch as it proceeds by reasoning from one point to another, passing from known to unknown. It

is also defectible from the admixture of phantasy and sense, as the errors of mankind show. But the cognitions of the angels are uniform, as they receive the knowledge of truth from the one fountain of truth, God (B. II, Chapp. XCVIII, C, with notes). It is also immutable, because not by any argument from effects to causes, nor from causes to effects, but by simple intuition do they gaze upon the pure truth of things. It is also indefectible, since they discern the very natures of things, or their quiddities in themselves, about which quiddities intelligence cannot err, as neither can sense err about the primary objects of the several senses. But we learn the quiddities (essences) of things from their accidents and effects. Our intellectual knowledge then must be regulated by the knowledge of the angels.*

Again, about human bodies and the exterior things which men use, it is manifest that there is in them the multiplicity of mixture and contrariety; and that they do not always move in the same way, because their motions cannot be continuous; and that they are defectible by alteration and corruption. But the heavenly bodies are uniform, as being simple and made up without any contrariety of elements. Their motions also are uniform, continuous, and always executed in the same way: nor can there be in them corruption or alteration. Hence our bodies, and other things that come under our use, must necessarily be regulated by the motion of the heavenly bodies.*

Of Fate, whether there be such a thing, and if so, what it is

SOME when they say that all things are done by fate, mean by fate the destiny* that is in things by disposition of divine providence. Hence Boethius says: "Fate is a disposition inherent in changeable things, whereby providence assigns them each to their several orders." In this description of fate 'disposition' is put for 'destiny.' It is said to be 'inherent in things,' to distinguish fate from providence: for destiny as it is in the divine mind, not yet impressed on creation, is providence; but inasmuch as it is already unfolded in creatures, it is called 'fate.' He says 'in changeable things' to show that the order of providence does not take away from things their contingency and changeableness. In this understanding, to deny fate is to deny divine providence. But because with unbelievers we ought not even to have names in common, lest from agreement in terminology there be taken an occasion of error, the faithful should not use the name of 'fate,' not to appear to fall in with those who construe fate wrongly, subjecting all things to the necessity imposed by the stars.* Hence Augustine says: "If any man calls by the name of fate the might or power of God, let him keep his opinion, but mend his speech" (*De civit. Dei*, V, 1). And Gregory: "Far be it from the minds of the faithful to say that there is such a thing as fate" (*Hom. 10 in Epiphan.*)

Of the Certainty of Divine Providence*

IT will be necessary now to repeat some of the things that have been said before, to make it evident that (a) nothing escapes divine providence, and the order of divine providence can nowise be changed; and yet (b) it does not follow that the events which happen under divine providence all happen of necessity. (a) Our first point of study is this, that as God is the cause of all existing things, conferring being on them all, the order of His providence must embrace all things: for He must grant preservation to those to whom He has granted existence, and bestow on them perfection in the attainment of their last end. In the case of every one who has to provide for others there are two things to observe, the pre-arranging of the order intended and the setting of the pre-arranged order on foot. The former is an exercise of intellectual ability, the latter of practical. The difference between the two is this, that in the pre-arrangement of order the providence is more perfect, the further the arrangement can be extended even to the least details: there would be not many parts of prudence in him who was competent only to arrange generalities: but in the carrying of the order out into effect the providence of the ruler is marked by greater dignity and completeness the more general it is, and the more numerous the subordinate functionaries through whom he fulfils his design, for the very marshalling of those functionaries makes a great part of the foreseen arrangement. Divine providence, therefore, being absolutely perfect (B. I, Chap. XXVIII), arranges all things by the eternal forethought of its wisdom, down to the smallest details, no matter how trifling they appear. And all agents that do any work act as instruments in His hands, and minister in obedience to Him, to the unfolding of that order of providence in creation which He has from eternity devised. But if all things that act must necessarily minister to Him in their action, it is impossible for any agent to hinder the execution of divine providence by acting contrary to it. Nor is it possible for divine providence to be hindered by the defect of any agent or patient, since all active or passive power in creation is caused according to the divine arrangement. Again it is impossible for the execution of divine providence to be hindered by any change of providence, since God is wholly unchangeable (B. I, Chap. XV). The conclusion remains, that the divine provision cannot be annulled.

(6) Now to our second point of study. Every agent intends good, and better so far as it can (Chap. III). But good and better do not have place in the same way in a whole and in its parts. In the whole the good is the entire effect arising out of the order and composition of the parts: hence it is better for the whole that there should be inequality among the parts, without which inequality the order and perfection of the whole cannot be, than that all the parts should be equal, every one of them attaining to the rank of the noblest part. And yet, considered by itself, every part of lower rank would be better if it were in the rank of some superior part. Thus in the human body the foot would be a more dignified part of man if it had the beauty and power of the eye; but the whole body would be worse off for lacking the office of the foot. The scope and aim therefore of the particular agent is not the same as that of the universal agent. The particular agent tends to the good of the part absolutely, and makes the best of it that it can; but the universal agent tends to the good of the whole: hence a defect may be beside the intention of the particular agent, but according to the intention of the universal agent. It is the intention of the particular agent that its effect should be perfect to the utmost possible in its kind: but it is the intention of the universal agent that this effect be carried to a certain degree of perfection and no further. Now between the parts of the universe the first apparent difference is that of contingent and necessary. Beings of a higher order are necessary and indestructible

and unchangeable: from which condition beings fall away, the lower the rank in which they are placed; so that the lowest beings suffer destruction in their being and change in their constitution, and produce their effects, not necessarily, but contingently. Every agent therefore that is part of the universe endeavours, so far as it can, to abide in its being and natural constitution, and to establish its effect: but God, the governor of the universe, intends that of the effects which take place in it one be established as of necessity, another as of contingency; and with this view He applies different causes to them, necessary causes to these effects, contingent causes to those. It falls under divine providence therefore, not only that this effect be, but also that this effect be necessarily, that other contingently. Thus, of things subject to divine providence, some are necessary, and others contingent, not all necessary.

Hence it is clear that this conditional proposition is true: 'If God has foreseen this thing in the future, it will be.' But it will be as God has provided that it shall be; and supposing that He has provided that it shall be contingently, it follows infallibly that it will be contingently, and not necessarily.

Cicero (*De divinatione* ii, 8) has this argument: 'If all things are foreseen by God, the order of causes is certain; but if so, all things happen by fate, nothing is left in our power, and there is no such thing as free will.' A frivolous argument, for since not only effects are subject to divine providence, but also causes, and modes of being, it follows that though all things happen by divine providence, some things are so foreseen by God as that they are done freely by us.

Nor can the defectibility of secondary causes, by means of which the effects of providence are produced, take away the certainty of divine providence: for since God works in all things, it belongs to His providence sometimes to allow defectible causes to fail, and sometimes to keep them from failing.

The Philosopher shows * that if every effect has a proper cause (*causam per se*), every future event may be reduced to some present or past cause. Thus if the question is put concerning any one, whether he is to be slain by robbers, that effect proceeds from a cause, his meeting with robbers; and that effect again is preceded by another cause, his going out of his house; and that again by another, his wanting to find water; the preceding cause to which is thirst, and this is caused by eating salt meat, which he either is doing or has done. If then, positing the cause, the effect must be posited of necessity, he must necessarily be thirsty, if he eats salt meat; and he must necessarily will to seek water, if he is thirsty; and be must necessarily go out of the house, if he wills to seek water; and the robbers must necessarily come across him, if he goes out of the house; and if they come across him, he must be killed. Therefore from first to last it is necessary for this man eating salt meat to be killed by robbers.* The philosopher concludes that it is not true that, positing the cause, the effect must be posited, because there are some causes that may fail.* Nor again is it true that every effect has a proper cause: for any accidental effect, e.g., of this man wishing to look for water and falling in with robbers, has no cause.*

How the Arrangements of Providence follow a Plan

GOD by His providence directs all things to the end of the divine goodness, not that anything accrues as an addition to His goodness by the things that He makes, but His aim is the impression of the likeness of His goodness so far as possible on creation. But inasmuch as every created substance must fall short of the perfection of the divine goodness, it was needful to have diversity in things for the more perfect communication of the divine goodness, that what cannot perfectly be represented by one created exemplar, might be represented by divers such exemplars in divers ways in a more perfect manner. Thus man multiplies his words to express by divers expressions the conception of his mind, which cannot all be put in one word.* And herein we may consider the excellence of the divine perfection shown in this, that the perfect goodness which is in God united and simple, cannot be in creatures except according to diversity of modes and in many subjects. Things are different by having different forms, whence they take their species. Thus then the end of creation furnishes a reason for the diversity of forms in things.

From the diversity of forms follows a difference of activities, and further a diversity of agents and patients, properties and accidents.

Evidently then it is not without reason that divine providence distributes to creatures different accidents and actions and impressions and allocations. Hence it is said: *The Lord by wisdom hath founded the earth, hath established the heavens in prudence. By his wisdom the depths have broken out, and the clouds grow thick with dew* (Prov. iii, 19, 20).

As it is necessary for one wishing to build a house to look out for timber, but his looking out for pitch-pine (*ligna abietina*) depends on his mere will, not on his plan of building a house; so it is necessary for God to love His own goodness, but it does not thence necessarily follow that He should wish to have that goodness represented by creatures, since the divine goodness is perfect without that. Hence the bringing of creatures into being depends on the mere will of God, although it is done in consideration of the divine goodness. Supposing however that God wishes to communicate His goodness by way of similitude as far as possible, it logically follows thence that there should be creatures of different sorts: but it does not follow of necessity that creatures should be of *this* or *that* grade of perfection, or exist in *this* or *that* number. But supposing that it is in the divine will to wish *this* number in creation, and *this* grade of perfection in each creature, it thence follows logically that creation be in such and such form, and such and such matter; and so of further consequences. Manifestly then providence disposes of things according to a certain plan, and yet this plan presupposes the divine will.

What has been said shuts out two errors, the error of those who believe that all things follow mere will without reason, which is the error of sundry Doctors of the Mohammedan law, as Rabbi Moses says; according to whose teaching, the only difference between fire warming and fire freezing is God's so willing the former

alternative;* and again the error is shut out of those who say that the order of causes springs from divine providence by way of necessity.

There are certain words of Holy Scripture which appear to put down all things to the mere will of God. Their meaning is not to take away all rational character from the dispensations of Providence, but to show that the will of God is the first principle of all things. Such texts are: *All things, whatsoever he hath willed, the Lord hath done* (Ps. cxxxiv, 6:) *Who can say to him, Why doth thou so?* (Job ix, 12:) *Who resisteth his will?* (Rom. ix, 19.) And Augustine (*De Trin.* III:) "Nothing but the will of God is the prime cause of health and sickness, of rewards and punishments, of graces and recompenses."

Thus in answer to the question, *Why?* asked of any natural effect, we can render a reason from some proximate cause, yet so that we reduce all things to the prime cause. Thus if it is asked why wood gets hot in presence of fire, it is answered [etc., etc., in terms of Aristotelian physics], and so on till we come to the will of God [who willed to create matter and energy, such as we know them, from the beginning]. Hence whoever answers the question, why the wood got hot, Because God has willed it so, answers appropriately, if he intends to carry back the question to the prime cause; but inappropriately, if he intends to exclude all other causes.*

That Rational Creatures are governed by Providence for their own sakes, and other Creatures in reference to them*

THE very condition of intellectual nature, whereby it is mistress of its own acts, requires the care of Providence, providing for it for its own sake: while the condition of other creatures, that have no dominion over their own act, indicates that care is taken of them not for themselves, but for their subordination to other beings. For what is worked by another is in the rank of an instrument: while what works by itself is in the rank of a prime agent. Now an instrument is not sought for its own sake, but for the use of the prime agent: hence all diligence of workmanship applied to instruments must have its end and final point of reference in the prime agent. On the other hand all care taken about a prime agent, as such, is for its own sake.

2. What has dominion over its own act, is free in acting. For he is free, who is a cause to himself of what he does: whereas a power driven by another under necessity to work is subject to slavery. Thus the intellectual nature alone is free, while every other creature is naturally subject to slavery. But under every government the freemen are provided for for their own sakes, while of slaves this care is taken that they have being for the use of the free.

3. In a system making for an end, any parts of the system that cannot gain the end of themselves must be subordinate to other parts that do gain the end and stand in immediate relation to it. Thus the end of an army is victory, which the soldiers gain by

their proper act of fighting: the soldiers alone are in request in the army for their own sakes; all others in other employments in the army, such as grooms or armourers, are in request for the sake of the soldiers. But the final end of the universe being God, the intellectual nature alone attains Him in Himself by knowing Him and loving Him (Chap. XXV). Intelligent nature therefore alone in the universe is in request for its own sake, while all other creatures are in request for the sake of it.*

6. Everything is naturally made to behave as it actually does behave in the course of nature. Now we find in the actual course of nature that an intelligent subsistent being converts all other things to his own use, either to the perfection of his intellect, by contemplating truth in them, or to the execution of works of his power and development of his science, as an artist develops the conception of his art in bodily material; or again to the sustenance of his body, united as that is to an intellectual soul.

Nor is it contrary to the conclusion of the aforesaid reasons, that all the parts of the universe are subordinate to the perfection of the whole. For that subordination means that one serves another: thus there is no inconsistency in saying that unintelligent natures serve the intelligent, and at the same time serve the perfection of the universe: for if those things were wanting which subsistent intelligence requires for its perfection, the universe would not be complete.

By saying that subsistent intelligences are guided by divine providence for their own sakes, we do not mean to deny that they are further referable to God and to the perfection of the universe. They are cared for for their own sakes, and other things for their sake, in this sense, that the good things which are given them by divine providence are not given them for the profit of any other creature:* while the gifts given to other creatures by divine ordinance make for the use of intellectual creatures.

Hence it is said: *Look not on sun and moon and stars besides, to be led astray with delusion and to worship what the Lord thy God hath created for the service of all nations under heaven* (Deut. iv, 19): *Thou hast subjected all things under his feet, sheep and all oxen and the beasts of the field* (Ps. viii, 8).

Hereby is excluded the error of those who lay it down that it is a sin for man to kill dumb animals: for by the natural order of divine providence they are referred to the use of man: hence without injustice man uses them either by killing them or in any other way: wherefore God said to Noe: *As green herbs have I given you all flesh* (Gen. ix, 3). Wherever in Holy Scripture there are found prohibitions of cruelty to dumb animals, as in the prohibition of killing the mother-bird with the young (Deut. xxii, 6, 7), the object of such prohibition is either to turn man's mind away from practising cruelty on his fellow-men, lest from practising cruelties on dumb animals one should go on further to do the like to men, or because harm done to animals turns to the temporal loss of man, either of the author of the harm or of some other; or for some ulterior meaning, as the Apostle (1 Cor. ix, 9) expounds the precept of not muzzling the treading ox.

That the acts of the Rational Creature are guided by God, not merely to the realisation of the Specific Type, but also to the realisation of the Individual

EVERYTHING is reckoned to exist for the sake of its activity, activity being the final perfection of a thing. Thus then everything, so far as it comes under divine providence, is guided by God to its proper act. But a rational creature subject to providence is governed and provided for as an individual for its own sake, not merely for the sake of the species, as is the case with other perishable creatures (Chap. CXII). Thus then rational creatures alone are guided by God to their acts, not merely specific but individual.

2. Whatever things are guided in their acts only in what appertains to the species, such things have not the choice of doing or not doing: for what is consequent upon the species is common and natural to all individuals contained under the species; and what is natural is not in our power.* If then man were guided in his acts only to the extent of fitting him for his species, he would have no choice of doing or not doing, but would have to follow the natural inclination common to the whole species, as happens in all irrational creatures.*

3. In whatsoever beings there are found actions over and above such as fall in with the common inclination of the species, such beings must be regulated by divine providence in their actions with some guidance beyond that which is extended to the species. But in the rational creature many actions appear, which the inclination of the species is not sufficient to account for, as is shown by their being not alike in all, but various in various individuals.

4. The rational creature alone is capable of being guided to its acts not merely specifically but individually: for by the gift of understanding and reason it is able to discern the diversity of good and evil according as is befitting to diverse individuals, times and places.*

5. The rational creature is not only governed by divine providence, but is also capable to some extent of grasping the notion of providence, whereas other creatures share in providence merely by being subject to providence. Thus the rational creature is partaker in providence, not merely by being governed, but by governing: for it governs itself by its own acts, and also other beings. But every lower providence is subject to the supreme providence of God. Therefore the government of the acts of the rational creature, in so far as they are personal acts, belongs to divine providence.

6. The personal acts of the rational creature are properly the acts that come from a rational soul. Now the rational soul is capable of perpetuity, not only in the species, as other creatures are, but also in the individual. The acts therefore of the rational creature are guided by divine providence, not only as they belong to the species, but also as they are personal acts.

ON LAW

Whether law is something pertaining to reason

Law is a rule and measure of actions through which one is induced to act or restrained from acting. Lex, "law," is derived from ligare, "to bind," because it binds one to act. The rule and measure of human activity is reason, however, for it is the first principle of human acts. Indeed, it is the function of reason to order to an end, and that is the first principle of all activity according to Aristotle. That which is the first principle in any genus is the rule and measure of that genus, e.g., unity in the genus of number or first movement in the genus of movement. Thus it follows that law is something pertaining to reason.

Whether law is always ordered to the common good

Law pertains to that which is the principle of human acts because it is a rule and measure. Just as reason is the principle of human acts, however, there is something in reason which is principle of all the rest. It is to this that law principally and mostly pertains. The first principle in activity, the sphere of practical reason, is the final end. The final end of human life is happiness or beatitude. Thus law necessarily concerns itself primarily with the order directing us toward beatitude.

Furthermore, since each part is ordered to the whole as imperfect to perfect, and since each single man is a part of the perfect community, law necessarily concerns itself particularly with communal happiness. Thus Aristotle, in defining legal matters, mentions both happiness and the political community, saying, "We term 'just' those legal acts which produce and preserve happiness and its components within the political community." For the state is a perfect community, as he says in his Politics.

In any genus, that which is called "most of all" is the principal of everything else in that genus, and everything else fits into the genus insofar as it is ordered to that thing. For example, fire, the hottest thing, is cause of heat in mixed bodies, which are said to be hot insofar as they share in fire. Thus, since law is called "most of all" in relation to the common good, no precept concerning action has the nature of law unless it is ordered to the common good.

Whether anyone can make laws

Law principally and properly seeks the common good. Planning for the common good is the task of the whole people or of someone ruling in the person of the whole people. Thus lawmaking is the task of the whole charge of the whole people; for in all other matters direction toward an end is the function of him to whom the end belongs.

Whether promulgation is an essential part of law

Law is imposed on others as a rule and measure. A rule and measure is imposed by being applied to those who are ruled and measured. Thus in order for a law to have binding power - and this is an essential part of law - it must be applied to those who ought to be ruled by it. Such application comes about when the law is made known to those people through promulgation. Thus such promulgation is necessary if a law is to have binding force.

Thus from the four preceding articles we arrive at a definition of law: Law is nothing other than a certain ordinance of reason for the common good, promulgated by him who has care of the community.

Whether there is an eternal law

A law is nothing more than a dictate of the practical reason emanating from a ruler who governs some perfect community. Assuming that the world is ruled by divine providence, however, it is clear that the whole community of the universe is governed by divine reason. Thus the very idea of the governance of all things by God, the ruler of the universe, conforms to the definition of a law. And since, as we read in Proverbs 8:23, the divine reason's conception of things is eternal and not subject to time, a law of this sort can be called eternal.

Whether there is a natural law in us

Since law is a rule or measure, it can be in something in two ways: As that which regulates and measures, or as that which is regulated and measured, for insofar as something participates in a rule or measure it is itself regulated and measured. Since everything subjected to divine providence is regulated and measured by eternal law, it is clear that everything participates in the eternal law in some way. That is, everything inclines to its own proper acts and ends because such an inclination is impressed on it through eternal law.

The rational creature is subject to divine providence in a more excellent way than other beings, however, for he is a participant in providence, providing both for himself and for others. Thus he is a participant in that eternal reason through which he has a natural inclination to his proper act and end, and this participation of the rational creature in eternal law is called "natural law."

Thus the psalmist says, "Offer a sacrifice of justice" (Ps. 4:6) and then, as if someone were asking him what the works of justice are, he adds, "Many say, 'Who shows us good things?'" He replies, "The light of your countenance is impressed upon us, Lord," thus implying that the light of natural reason, by which we discern what is good and bad (which is the function of natural law), is nothing else than an impression of the divine light upon us.

Thus it is clear that natural law is nothing other than the rational creature's participation in the eternal law.

Whether there is a human law

Law is a certain dictate of practical reason. The process is the same in the case of practical and speculative reason. Each proceeds from certain premises to certain conclusions. Accordingly it must be said that, just as in speculative reason we draw from naturally known, in demonstrable principles the conclusions of various sciences, and these conclusions are not imparted to us by nature but discovered by the work of reason, so it is that human reason starts from the precepts of natural law as from certain common and in demonstrable premises, proceeding from them to more particular determinations of certain matters.

These particular determinations devised by human reason are called "human laws," provided that all the other conditions included in the definition of "law" are observed. Thus Tully says that "justice took its start from nature, then certain things became customary because of their usefulness. Later the things which started in nature and were approved by custom were sanctioned by fear and reverence for the law."

Whether it was necessary that there should be a divine law

It was necessary for the direction of human life that, beyond natural and human law, there should be a divine law. There are four reasons for this need.

First, it is through law that man is directed to the acts which are proper to him in view of his ultimate end. If man were ordered only to an end which did not exceed his natural faculties, it would not be necessary for him to have any rational direction beyond natural law and that human law derived from it. Since, however, man is ordered to the end of eternal beatitude, which exceeds natural human faculties, it was necessary that he be directed to this end by divinely-given law in addition to natural and human law.

Second, due to the uncertainty of human judgment, particularly regarding contingent and particular things, there tend to be differing judgments regarding human acts, from which proceed diverse and contrary laws. Therefore, in order for man to be secure in the knowledge of what should be done and what avoided, it was necessary that his acts be directed by a divinely-given law which cannot err.

Third, man can make laws in those areas where he is competent to judge. His judgment does not extend to interior acts which lie hidden, however, but only to exterior acts which are apparent. Nevertheless, perfect virtue involves righteousness in both. Thus human law was unable to curb and direct internal acts sufficiently, and it was necessary that divine law supervene in this task.

Fourth, as Augustine says, human law cannot punish or prohibit all things that are evil, for in the process of removing evil it would also eliminate much that is good and impede the advancement of the common good, thus hurting society. Thus, in order to leave no evil unprohibited and unpunished, a divine law, through which all sins are punished, had to intervene.

These four causes are touched upon in the Psalm, where it is said (Ps. 18:8), "The law of the Lord is unspotted" (that is, permitting no foulness of sin), "converting souls" (because it directs not only exterior but also interior acts), "the testimony of the Lord is sure" (due to certainty of truth and rectitude), "giving wisdom to little ones" (insofar as it orders man to a supernatural and divine end).

Whether the eternal law is the supreme pattern of all things existing in the mind of God

Just as the pattern of something made by an artist pre-exists in the artist's mind, so in the mind of any governor there pre-exists a pattern of the things to be done by his subjects. Moreover, just as the pattern of things to be made through art is called the art

or exemplar, so the governors pattern for the activity of his subjects takes on the nature of law provided that the other above-mentioned characteristics of law are also present.

God, through his wisdom, is creator of all things and related to them as artist to work of art. He is also governor of all actions and activities found in individual creatures. Thus, just as the divine wisdom, insofar as all things were created by it, has the character of art, exemplar or idea, so also divine wisdom as moving all things to their proper end has the character of law. Accordingly the eternal law is nothing other than the pattern of divine wisdom according to which it directs all acts and motions.

Whether the eternal law is known to all

A thing can be known in two ways: First, in itself; second, in its effect, in which some likeness of it is found, just as someone who does not see the sun in its substance may at least know it by its rays. Thus it must be said that only God and the blessed who see God in his essence can know the eternal law as it is in itself; yet every creature knows it according to some of its greater or lesser radiations.

Every knowledge of truth is a certain radiation of and participation in the eternal law, which is the unchangeable truth, as Augustine says. Everyone knows the truth to some extent, since at least the common principles of natural law are available to him. As for the rest, people know it in greater or lesser degree and thus know more or less of the eternal law.

Whether all law is derived from the eternal law

Law is a certain plan directing acts to their end. Wherever movers are ordered to one another, the power of the second mover must be derived from that of the first, since the second mover operates only insofar as it is moved by the first. We see the same thing in all governors. The plan of government is derived by the secondary governors from the primary governor, just as the plan of what is to be done in a state derives from the king through his command to lesser administrators. It is the same in construction, where building plans descend from the architect to the lesser craftsmen who work with their hands.

Therefore, since the eternal law is a plan of government in the supreme governor, all plans of government in lesser governors must be derived from eternal law. All laws besides the eternal law are plans of this sort devised by inferior governors. Thus all laws are derived from eternal law insofar as they participate in right reason. That is why Augustine says that "in temporal law nothing is just and legitimate which men have not derived from eternal law."

Whether the contingent acts of nature are subject to the eternal law

Certain distinctions should be made between human law and eternal law, which is the law of God. Human law extends only to rational creatures subject to man. the reason for this is that law governs the actions of those who are subject to the government of someone. Thus no one, properly speaking, imposes a law on his own acts. Whatever is done regarding the use of irrational things subject to man is done by man himself

moving these things, since these irrational creatures do not move themselves but are moved by others. consequently man cannot impose law on irrational creatures, no matter how thoroughly these creatures may be subjected to him. He can impose law on rational creatures who are subject to him, however, insofar as by his precept or command he impresses on their minds a rule which becomes a principle of action.

Just as man, by such precepts, impresses a kind of inward principle of actions on whoever is subject to him, so God imprints on the whole of nature the principles of his own proper actions, and thus he is said to command all of nature. As the psalmist says, "He has made a decree which will not pass away" (Ps. 148:6). For this reason all the movements and activities of nature are subject to eternal law. Thus irrational creatures are subject to eternal law inasmuch as they are moved by divine providence, though not by understanding of divine commandment as in the case of rational creatures.

Whether all human affairs are subject to eternal law

A thing can be subject to eternal law in two ways: First, insofar as it participates in the divine law by way of knowledge; second, through acting and being acted upon, insofar as it participates in the divine law as an interior motive principle. Irrational creatures are subject to eternal law in this second way, as was said above.

Since a rational creature, in addition to what it shares in common with all creatures, has some special characteristics precisely because it is rational, it is subject to the eternal law in both ways. It has some knowledge of the eternal law, yet at the same time there is implanted in every rational creature a natural inclination to that which is consonant with eternal law. As Aristotle says, "We are naturally adapted to receive the virtues."

Each manner of participating in the eternal law is imperfect and corrupted in the wicked, for in them the natural inclination to virtue is corrupted by vicious habits and the natural knowledge of good is overshadowed by passions and sinful habits. Each manner is found in a more perfect condition in the good, for in them natural understanding of the good is supplemented by knowledge through faith and wisdom, while natural inclination toward good is supplemented by the inner power of grace and virtue.

Thus the good are perfectly subject to eternal law in the sense that they always act according to it. The evil are also subject to eternal law. They are imperfectly subject to it as far as their own actions are concerned, since they know the good imperfectly are imperfectly inclined to it. Nevertheless, this deficiency in their action is made up by the way they are acted upon, for they suffer the penalty decreed by the eternal law for those who do not fulfill its commandments.

Whether natural law contains many precepts or only one

The precepts of natural law are related to practical reason as the first principles of demonstration are to speculative reason. Both are self-evident principles.

A thing is said to be self-evident in two ways, in itself and for us. A proposition is said to be self-evident because the predicate is contained in the definition of the subject; yet it will not be self-evident to someone who does not know the definition of the subject. Thus the proposition "man is rational" is self- evident because "rational" is part of the definition of man," but it is not self- evident to anyone who does not know what a man is.

Thus, as Boethius says, "Certain axioms or propositions are self-evident to all," and these are propositions the terms of which are understood by all, such as "the whole is greater than the part" or "things equal to a third thing are equal to one another." On the other hand, some propositions are self-evident only to the wise, who understand what the words mean. Thus, to anyone who knows that an angel is not a body, it is self-evident that an angel is not circumscriptively present in a place; yet that is not at all self-evident to the uneducated, who do not understand.

There is, however, a certain order to those things which fall within the apprehension of man. The first thing which falls within his apprehension is being, the notion of which is included in everything he apprehends. Thus the first in demonstrable principle, that the same thing cannot be simultaneously affirmed and denied, is based on the very notion of being and non-being, and all other principles are founded on this one, as Aristotle says.

Just as being is the first thing which falls within the apprehension as such, so good is the first thing to fall within the apprehension of practical reason, which is ordered to activity. For every agent pursues an end which is perceived as good. Thus the first principle for practical reason is a definition of the good, namely that "the good is that which all men seek after." Thus the first precept of the law is that "good is to be pursued and performed, evil avoided." On this principle is founded all others in natural law. Thus whatever practical reason recognizes to be good for man pertains to the precepts of natural law.

Since from this perspective the good is defined as an end to be pursued, while evil is defined as what is contrary to that end, reason naturally sees as good and therefore to be pursued all those things to which man has a natural inclination, while it sees the contraries of these things as evil and therefore to be avoided.

Thus the order of precepts in natural law follows the order of natural inclinations. First of all, within man there is an inclination to good according to the nature he shares in common with all substances. Every substance seeks to preserve its own being according to its nature. Because of this inclination, all the things through which man's life is preserved belong to natural law.

Second, within man there is an inclination to certain more special things according to the nature he has in common with other animals. Because of this inclination, those things which nature has taught to all animals are said to be part of natural law. This would include sexual intercourse, education of offspring, and the like.

Third, within man there is an inclination to good according to his own particular nature as rational. For example, he has a natural inclination to know the truth about God and to live in society. Inclinations of this sort also pertain to natural law, and thus

it is part of natural law that man should shun ignorance, avoid offending those with whom he has to live, etc.

Whether natural law is the same for all

Those things to which man is naturally inclined pertain to natural law. Among such inclinations is one particular to man: The inclination to act according to reason. Reason characteristically proceeds from the general to the particular, as Aristotle says. Speculative reason differs from practical reason in this respect, however. Since speculative reason deals primarily with necessary things which cannot be otherwise than they are, both its general premises and its particular conclusions are unerringly true. Practical reason, however, deals with contingent matters involving human activity. Thus, even if the general premises are necessary, the more we descend to particulars the more frequently we discover defects.

Thus in speculative matters the same truth is found in premises and in conclusions, although the truth of the conclusions is not recognized by all, but only that of the premises, which are called "common notions." In matters of actions, however, truth or practical rectitude is not always the same in particular instances, but only in general premises. Moreover, even when there is the same rectitude in particular cases, it is not equally recognized by all.

Thus it is obvious that in the case of general premises there is always the same truth or rectitude, whether one is dealing with speculative or practical reason. In the case of speculative reason, particular conclusions are true in all cases, though their truth may not be equally recognized by all. A triangle always has three angles the sum of which is equal to two right angles, even though everyone does not know this. In the case of practical reason, however, particular conclusions are not true in every case, nor, even when they are, is their truth equally recognized.

It is invariably correct that we should act according to reason. It follows from this premise that goods held in trust should be returned to their owners, and such is, in fact, usually the case; yet some situations might occur in which it was harmful and therefore irrational to return goods held in trust. For example, the person might request his goods because he wanted to use them to attack his country. The more one descends to particular cases, the more the general rule admits exceptions, and one finds oneself stipulating that goods held in trust must be restored with such and such a guarantee or in such and such a way; for the more conditions are added, the more ways one finds in which the general rule can fail and the less helpful the general rule by itself becomes in deciding whether or not the goods should be returned.

Thus it must be said that in its general premises natural law is always the same in itself and is commonly seen to be such. In the particular determinations drawn from those general premises, natural law is the same in most cases and is so perceived by most people; yet in a few cases it can fail in itself because of particular impediments (just as the natural processes of generation and decay occasionally fail because of impediments), and it can also fail to be recognized as true because the reasons of some are distorted by passion, evil habits, or evil natural disposition. Thus Julius Caesar remarks that the Germans once did not regard theft as evil.

Whether natural law can be changed

There are two ways in which one can speak of natural being changed. The first is by something being added to it. Nothing would prevent it from being changed in this way, for many things useful to human life have been added to natural law, both by divine law and by human law.

The second way is by subtraction, when something which used to be part of natural law ceases to be such. The first principles of natural law are absolutely immutable. Its secondary precepts, which we have described as certain particular conclusions close to first principles, cannot be changed in such a way that its application in the majority of cases is altered, but in some few cases it can be changed in some particular, due to some special causes impeding the normal observance of such precepts.

Whether it was useful for human laws to be made by man

There is a certain aptitude for virtue in man, but the perfection of that virtue must be achieved through training. In the same way we see that industry aids man in achieving necessities like food and clothing; for he has the beginnings of these things from nature - that is, nature gives him reason and a pair of hands - but not the complete product, as is the case with other animals to whom natures gives food and clothing. It is hard for a single man to gain such training by himself, for the perfection of virtue consists in withdrawing from undue pleasures, to which men are particularly prone. This is particularly true of the young, who are also more easily trained. Thus the training through which men come to virtue needs to be received from someone else.

In the case of those young people who are inclined to acts of virtue by natural disposition, by habit, or by divine gift, paternal discipline in the form of friendly reminders will be sufficient. Nevertheless, since some are not easily moved by words because they are depraved and inclined to vice, it is necessary for such to be restrained from evil by force and fear, so that they will at least stop their evil-doing and leave others in peace, or perhaps eventually, by force of habit, be brought to do willingly what they formerly did through fear, thus becoming virtuous. This kind of training, which compels through fear of punishment, is the training of laws.

Thus it was necessary for peace and virtue that there be laws. As Aristotle says, "If man is perfected by virtue, he is the best animal. If he is separated from law and justice, he is the worst." Such is the case because man can use the weapons of reason, which other animals lack, to satisfy his lust and rage.

Whether every human law is derived from natural law

As Augustine says, "There never seems to have been a law that was not just." Thus it has the force of law insofar as it is just. In human affairs, something is said to be just insofar as it is right according to the rule of reason. The first rule of reason is, however, natural law. Thus every human law has the nature of a law insofar as it is derived from natural law. If it conflicts with natural law in any way, then it is not law but a corruption of law.

But it should be noted that something can be derived from the natural law in two ways: First, as conclusions from premises; second, as determinations of certain generalities. The first way is similar to that in which conclusions are demonstratively derived from premises in the sciences. The second is similar to the way general ideas are given special shape in the arts, as when a builder decides that he will actualize the general form of a house by constructing this or that particular model.

Thus some laws are drawn as conclusions from the general principles of natural law. For example, "you must not commit murder" can be derived as a conclusion from "you must do harm to no one." Other laws are drawn from natural law by way of determination. For example, natural law requires that he who sins should be punished, but that he be punished by this or that punishment is a determination of natural law. Both are found in human law, but the first sort derive their strength, not only from the fact that they are legally enacted, but also from natural law itself. The second sort derive their strength only from human law.

Whatever is directed to an end should be proportioned to that end. The end of law is the common good, because, as Isidore says, "Law should be written, not for private gain, but for the general welfare of the citizens." Thus laws should be proportioned to the common good.

This good is comprised of many things, and thus law should take many different persons, occupations and situations into account. A political community is composed of many people and its good is secured through many actions. Nor is it created to last a short time, but for a very long time and through generations of citizens, as Augustine says.

Whether it is the business of human law to restrain all vice

Law is established as a certain rule or measure of human actions. A measure ought to be of the same type as the thing measured, as Aristotle observes, for different things have different standards, Thus laws should be imposed on men: according to their condition, because, as Isidore says, "Law should be possible according to the customs of the land."

The power or possibility of action springs from an internal habit or disposition. Actions that are possible to a virtuous man are not possible to him who lacks the habit of virtue, any more than a boy can do all that a grown man can do. Thus the same law is not imposed on adults and children alike, and many things permitted to children are punished or at least blamed when performed by adults. Similarly, many things are permitted to men imperfect in virtue which would not be tolerated in more virtuous men.

Human law is imposed on the multitude, a part of which is composed of men imperfect in virtue. Thus all the vices from which the virtuous abstain are not punished by human law, but only the more grievous ones which most people can avoid, and especially those which can hurt others, without the prohibition of which human society could not be preserved. Thus homicide, theft and the like are prohibited by human law.

Whether human law prescribes all virtuous acts

Virtues are differentiated according to their objects. These objects all involve either the private good of an individual or the common good of the multitude. Thus an act of courage may be performed to preserve one's city or to preserve the rights of a friend. It is the same with other virtues.

Law, however, is ordered to the common good. Thus there is no virtue the acts of which cannot be prescribed by law. Nevertheless, law does not prescribe every act of every virtue, but only those which are ordained to the common good, either immediately as when things are done directly for the common good, or mediately as when a lawgiver prescribes certain things pertaining to good discipline through which the citizens will be trained to preserve peace and justice.

Whether human law binds a man's conscience

Human laws are either just or unjust. If they are just, they have the power to bind our conscience because of the eternal law from which they are derived. As Proverbs says, "Through me kings reign and lawmakers decree just laws" (Prov. 8:15).

Laws are said to be just either because of their end, when they are ordained to the common good; or because of their author, when the law does not exceed the power of the lawmaker; or because of their form, when burdens are distributed equitably among subjects for the common good. For since a man is part of the multitude, whatever he is or has belongs to the multitude as a part belongs to the whole. Thus nature inflicts harm on a part in order to save the whole. Accordingly laws which inflict burdens equitably are just, bind the conscience, and are legal laws.

Laws are unjust in two ways: First, they may be such because they oppose human good by denying the three criteria just mentioned. This can occur because of their end, when a ruler imposes burdens with an eye, not to the common good, but to his own enrichment or glory; because of their author, when someone imposes laws beyond the scope of his authority; or because of their form, when burdens are inequitably distributed, even if they are ordered to the common good. Such decrees are not so much laws as acts of violence, because, as Augustine says, "An unjust law does not seem to be a law at all." Such laws do not bind the conscience, except perhaps to avoid scandal or disturbance, on account of which one should yield his right. As Christ says, "If someone forces you to go a mile, go another two with him; and if he takes your tunic, give him your pallium" (Mtt. 5:40f.).

Second, laws may be unjust because they are opposed to the divine good, as when the laws of tyrants lead men to idolatry or to something else contrary to divine law. Such laws must never be observed, because "one must obey God rather than men" (Acts 5:29).

Whether someone subject to the law can act outside the letter of the law

All law is ordered to the common well-being of men and gains the force of law from precisely that fact. To the degree that it fails in accomplishing this end, it loses its binding force. Thus the Jurist says, "No reason of law or advantage of equity allows

us to interpret harshly and render burdensome those healthy measures which were originally enacted for man s welfare."

It often happens that a law aimed at the general welfare is useful in most cases and yet on occasion is very harmful. Because a legislator cannot foresee all possible individual cases, he promulgates a law which fits the majority of cases, having the common good in mind. If a case emerges in which the law is harmful to the common good, it should not be observed. For example, if a law says that the gates of a certain besieged city should remain closed, such a law is beneficial to the city in most cases; yet if the enemy is pursuing some of the very citizens by whom the city is defended, refusal to open the gates and let them in would be harmful to the city. In such cases, the gates should be opened despite the letter of the law, in order to attain the common good intended by the legislator.

Note, though, that if obedience to the letter of the law involves no immediate danger calling for instant remedy, not everyone is competent to decide what is good or bad for the city, but only the leaders, who have authority to dispense with the law in such cases. If it is indeed a matter of immediate danger allowing no time to consult a superior, such necessity carries its own dispensation, for necessity knows no law.

Whether human law should be changed in any way

Human law is a dictate of reason by which human actions are directed. Thus change in law has a twofold source: One on the part of reason, the other on the part of the men whose actions are regulated by law.

On the part of reason, it can be changed because it seems natural for human reason to advance gradually from the imperfect to the perfect. Thus we see in the speculative sciences that the early philosophers produced imperfect teachings which were later improved by their successors. So also in the practical realm, those who first tried to discover what was beneficial for human community, being unable to think everything through by themselves, created imperfect situations which were lacking in many ways. These institutions were then altered by subsequent lawmakers, producing institutions which departed from the common good in fewer instances.

On the part of the men whose activities are regulated by law, a law is rightly changed when there is a change in the conditions of men, for different things are expedient in accordance with different conditions. Augustine offers the following example: "If the people are moderate, responsible, and careful guardians of the common good, it is proper to enact a law allowing them to choose magistrates through whom the commonwealth can be administered. If, however, in time the people become corrupted and sell their votes, entrusting the government to scoundrels and criminals, they forfeit their power to elect public officials and the right devolves upon a few good men.

Whether human law should always be changed when something better is possible

It is right to change human law if such a change is conducive to the common good. Nevertheless, the very act of changing a law damages the common good to some

extent, because custom encourages people to observe the law. Even minor changes seem to be major when they involve a breach of custom. Thus when a law is changed its binding force is diminished insofar as custom is abolished. For this reason, human law should never be changed unless the advantage to the common good resulting from its alteration outweighs the damage done by the change itself.

Such may be the case if some great and evident benefit is derived from the new law, or if some extreme emergency is occasioned by the fact that the existing law is clearly unjust or its observance extremely harmful new laws the benefit to be derived should be evident before one dispenses with a law that was long considered just.