

EMOTIONS AS INDICATIONS TO THE GOOD: THE EVALUATIVE FUNCTION OF DESIRE IN AQUINAS' ETHICS

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Aquinas' ethical theory contains two basic approaches, Aristotelian virtue ethics, and the law. How is their relationship to be understood? Are there genuinely philosophical ethics? We analyse Aquinas' theories of appetite (§I) and emotions (§II), examine their relevance for ethics and their integration into his account of natural law (§III). Three central formulations give the focus of each part: I. *bonum nominat id in quod tendit appetitus*—appetitions create motivational relations to the good, the fundamental practical dispositions. II. *Passiones appetitus indicadores ad bonum*—the emotions are inclinations to the good, thus providing the primary evaluation of situations. Their basic objectivity becomes clearer in Aquinas' ordering of the passions. III. *Secundum ordinem inclinationum naturalium est ordo praeceptorum legis naturae*—natural law theory, properly understood, reveals the autonomy of practical reasoning and its independence from metaphysical interpretation exactly because of the theory of desire. The highest *praeceptum* contains desire insofar as it names the structure of acting as acting which is defined by its relation to something good as good. In my interpretation, neither the virtues nor the law nor the connection of both parts of Aquinas' ethical theory can be understood without desire, *passiones, appetitus naturalis*.

*Sunt quidam praeiudicantes scientiam
moralem dependere a metaphysica:*

After a long period of interpreting Aristotle mainly through a thomistic looking-glass, historians of philosophy stressed the differences between the moral philosophies of Aristotle and Thomas.¹ It became

¹ See Jaffa (1952); Oehler (1957); Gilson (1972:17); Thiry (1957:236f); also Gauthier & Jolif (1970:131). Jaffa was criticized by Mercken (1974), Papadis (1980) and refuted by Kleber (1988).

apparent that the former based his ethics on the *phainomena* in the double sense of moral experience of appearing goods and the dynamics of desire on the one hand and of the opinions people generally hold about fortune, happiness, virtues etc. on the other.² In contrast, Aquinas developed a system of natural law, which is theologically based on the belief in creation, Divine governance of the cosmos and its structures, revelation etc., integrating the old virtue-ethics into the *reditus* of all creatures to their origin (Jaffa 1952). As a consequence, thomistic moral theory would not stand on philosophically accessible grounds. Could this interpretation be influenced by a neo-scholastic understanding of Saint Thomas, coming close to a deduction of ethics from (Christian) metaphysics?

The debates between Kantian and consequentialist ethics did not pay due attention to emotions and their integration; some philosophers looked for alternatives. They first turned to Aristotle, not so much to Aquinas. Why? Some revivals of desire-based or virtue-ethics found it necessary to sharpen their “modern”, i.e., post-metaphysical profile by criticizing the metaphysical or even theological framework of their classical predecessors.³ For people who do not share those beliefs and respective value systems, the thomistic model seems to be irrelevant, which is equivalent to saying that there are no real philosophical ethics to be found in Aquinas. Recently, D. Bradley has backed this argumentation again, against the interpretation by W. Kluxen and M. Rhonheimer, but from a strictly theological point of view, more radical than J. Maritain.⁴

Are these pictures adequate?

Videtur quod non:

Aquinas cannot have overlooked the phenomenological basis of the *Ethica Nicomachea* (EN), Aristotle’s theory of motion and emotion and the fundamental role of *orexis* (desire).⁵ He, too, developed a moral

² See Riedenauer (2000: 77f).

³ Krämer (1992: 127ff); Brachtendorf (2002: 62f).

⁴ “Thomistic natural law ethics is a part of the Thomistic theology of creation as that is understood by means of the metaphysical doctrine of participation.” (Bradley 1997: 136, compare 88f). R. Leonhardt intends to show the compatibility of Thomas with a Lutheran concept of beatitude.

⁵ Thomas as a medieval writer was more interested in finding the truth as he understood it in the *Ethica Nicomachea* than in achieving historical accuracy, still his com-

psychology as a basis for his theory of virtues and defined the practical good in the first place as the aim of desire, just like Aristotle.

Sed contra:

Of course, Aquinas integrated the Aristotelian theories into his new framework, reevaluated them in his Christian horizon, combined with some Augustinian traditions—and what is really new, compared to the Greek, is his theory of *lex*, which is thoroughly inspired by the Bible.

Status quaestionis:

I will leave aside considerations of the hierarchy of *scientiae*⁶ and focus on the content of ethics as indicated in the theory of moral law, on the “material” of practical reason. This will shed some light on the questions I mentioned. On the basis of my assumption that the phenomena of desire, mainly the passions, are central to Aristotelian practical philosophy, we have to look at Aquinas’ theory of *appetitus* and emotions, examine their relevance for the foundation of ethics (sections 1 and 2) and see how this is integrated into his account of natural law (3). In my interpretation, neither the virtues nor the law nor the connection of both parts of his ethical theory can be understood without desire, *appetitus naturalis*, *passiones*, affectivity.

I. BONUM NOMINAT ID IN QUOD TENDIT APPETITUS

This quotation from *Summa Theologiae*⁷ shows how Aquinas accepts the Aristotelian definition of the practical good as the aim of natural desires (*to orekton*). “Nam bonum est aliquid in quantum est appetibile et terminus motus appetitus”.⁸ It is our experience of being moved towards the good, of attraction, which allows us to identify different

mentary is a diligent interpretation. For a discussion of Thomas’ commentaries on Aristotle’s ethics, see Grabmann (1926: 266–313), and recently Rhonheimer (1994).

⁶ See Maritain (1935); Kluxen (1980); Rhonheimer (1994: 23–27); Merks (1978: 53ff).

⁷ I 16,1. Quotations from the *Summa theologiae* are referred to with roman book number, *quaestio*, *articulus* in arabic numbers only (e.g., I–II 9,1).

⁸ I 5,6. The commentary on the EN explicitly states: “Cum autem bonum proprie sit motivum appetitus, describitur bonum per motum appetitus, sicut solet manifestari vis motiva per motum” (*In I Eth.* lect 1).

goods and, needless to stress this every time, the same structure works for the cognition of the bad as repellant.

In the famous *quaestiones* about the natural law, Thomas writes: “Bonum est quod omnia appetunt. Hoc est *ergo* primum praeceptum legis, quod bonum est faciendum et prosequendum, et malum vitandum” (I–II 94,2). The scholar of Thomas will recognize immediately that here he not only cites the fundamental definition of the good from the EN,⁹ but uses this as the basis for his own theory of natural law. Evidently, it has its central place not only in commenting Aristotle, but in the very theory which for the first objection (Jaffa 1952) separates him from the Greek. We will come back to this in section 3. But what is the meaning of *appetitus*?

First and fundamentally, it is a concept of action theory: “Omne enim agens aliquo modo appetit finem” (17,8). If we ask by which faculty we act, the usual answer is: by the will. Now Aquinas defines *voluntas* as one form of desire: *appetitus* is found in three forms: as merely natural tendencies, as sensitive in the forms of *appetitus concupiscibilis* or *irascibilis* and as proportionate to cognition, *voluntas*:

Appetitus autem non est proprium intellectualis naturae, sed omnibus rebus inest: licet sit diversimodi in diversis [...] Quae enim omnino cognitione carent, habent appetitum naturalem tantum. Quae vero habent cognitionem sensitivam, et appetitum sensibilem habent sub quo irascibilis et concupiscibilis continetur. Quae vero habent cognitionem intellectivam, et appetitum cognitioni proportionalem habent scilicet voluntatem. Voluntas igitur, secundum quod est appetitus non est proprium intellectualis naturae: sed solum secundum quod ab intellectu dependet. (ScG III 26 n. 2078)

Rational animals have a higher mode of inclination;¹⁰ will is a higher desire (“imperium voluntatis quod est appetitus superior;” (I 81,3)) and itself an *inclinatio* (I 82,1; I 81,3; I–II 1,2). Thomas sounds provocative to modern ears when he defines the will as something somehow natural: “ipsa voluntas quaedam natura” (*De Ver.* 22,5).¹¹

⁹ “[T]agathon hou pant’ ephietai”, in Latin “bonum quod omnia appetunt” (EN I,1 1094 a3).

¹⁰ “[I]n eis sit inclinatio supra modum inclinationis naturalis, quae dicitur appetitus naturalis” (I 80,1); see *Quodl.* IV 1 1,1 (21): In human beings there is a threefold *appetitus*, 1. *appetitus naturalis* in the vegetative powers, 2. sensitive desire/*passiones*, 3. rationally informed desire (will); compare also *In II Sent.* d 24 3,1.

¹¹ Compare Bormann (1998: ch. II,2) to understand the “Einheit der Vernunft- und Bedürfnisstruktur des Menschen” (p. 288) from the indispensable basis of action theory.

So *appetitus naturalis* is not restricted to sensitive appetites, but must be regarded as an analogous concept. Its most general meaning is an innate impulse to self-realization through the operation of all the powers of a being.¹² The widest definition is: "Appetitus naturalis est inclinatio cuiuslibet rei in aliquid ex natura sua: unde naturali appetitu quaelibet potentia desiderat sibi conveniens."¹³ Once constituted, the form determines the natural inclination to fulfillment of each being: "Hanc igitur formam naturalem sequitur naturalis inclinatio, quae appetitus naturalis vocatur" (I 80,1). The concept of weight (*pondus*) which Thomas often uses for *appetitus* according to a standard example for *inclinatio naturalis*, the fall of a stone, shows the foundation of desire in natural philosophy even before the (Aristotelian) theory of self-movement in animals comes into play. Here we are on the level of a metaphysical interpretation of action: as the (second) actualization of the form, adequate to and fulfilling for it. For this action theory, the impulse of appetite is the imperfect operation, its beginning and therefore a necessary mediation between existence and *operatio*.¹⁴

But nobody needs to share these metaphysics of being and action for his *praxis* to function.¹⁵ The activity of practical reason only needs the impulse from single natural inclinations.¹⁶ "Primus autem voluntatis actus ex ratione ordinatione non est, sed ex instinctu naturae."¹⁷

¹² Here, the ontological explanation of the specific form of each being as a *finis* and therefore as a dynamic force comes in. In human persons, an overall natural tendency works towards specifically human acts, towards the voluntary, free and rational actualization of the human powers (*actus secundus*). This metaphysical interpretation of appetite comes close to a more dynamic understanding of *potentia*. Even matter desires its formation, compare *II Sent.* d. 18 q 1 a 2 and *ScG III* 22: "Appetitus materiae quo appetit formam."

¹³ I 78, 1 ad 3. The concept necessarily becomes analogical, see O'Connor (1953: 403). The whole article argues against a univocal misunderstanding of *appetitus*, see p. 363.

¹⁴ See O'Connor (1953: 385; 379). The *motus* of *appetitus* is *actio* and at the same time *passio* (*In III. Phys. lect. 5*). This double characteristic allows the mediation.

¹⁵ For the epistemic independence of ethics from theoretical science, see *Sent. libr. eth.* I, 19 1102a 13–23; *In De An.* I c. 1 402a 4.

¹⁶ Reason reaches out "auf den Bereich des Praktischen nicht schon als Vernunft überhaupt (absolut), sondern erst, sofern sie als leitendes Vermögen einer wirkfähigen und mit Strebevermögen begabten Natur innewohnt" (Kluxen 1980: 34).

¹⁷ I–II 17,5 ad 3 and 9,4: "in primum motum voluntatis voluntas prodeat ex instinctu alicuius exterioris moventis." This twofold identification of the first mover in human action as a natural instinct and as its object, an exterior mover, reflects the Aristotelian identification of the *kinoun* as interior, in the desire in one respect, and as exterior, in the situation and the object of desire in the other respect, which guarantees

The three main features of *appetitus* are: (a) it works in single movements, mainly irascible and concupiscible passions, which are (b) objectivized desire, aroused by determined situations, (c) on the sensitive level their relation is necessary. But because the sensitive reaction to situations which are relevant to the individual being is part of an integrating dynamic towards the fully human act, thus mediated (“aufgehoben”) into the actualization of the form i.e., soul, it is open to rational control and scrutiny, it asks for a voluntary, free integration: a fully human answer to specific situations. But what I want to stress here is that the appetitive phenomena are indispensable for creating a practical motivational relation to objects in our environment, for representing them as goods.

The world is not neutral and does not receive importance from rational judgment, but for animals the world always has a profile of relevance, structured according to good or bad, helpful or harmful, pleasant or painful, which is elucidated by appetite in unity with perception, physical changes and movements¹⁸ “Motus autem sensualis est appetitus apprehensionem sensitivam consequens [. . .] operatio autem virtutae appetitivae perficitur in hoc quod appetens inclinatur in rem appetibilem [. . .] Unde per sensualem motum intelligitur operatio appetitivae virtutis” (I 81,1).

The source of motivation is desire and cannot be understood without *appetitus*,¹⁹ i.e., — apart from bodily needs like hunger etc. — especially the passions. Appetite provides the disposition for action, the beginning of the movement which in its full sense becomes an *actus humanus*.²⁰ As a basic *dis-positio*, it posits us between our center and possible objects, between the present and the future. We often talk about interests, and can now understand this term from the status of *inter-esse* as effect of affective disposition.

There are passages in Thomas which seem to put the initiation of movement on the side of the intellect, which are used by “intellectualist” interpretations of his action theory.²¹ I 82,4 ad 3 says: *apprehensio* necessarily precedes every movement of the will. Is this in contradic-

a first and fundamental “objectivity” of action. We see the objective and the subjective side of appetite.

¹⁸ “[A]ppetitus sensitivus est actus organi corporalis” (I-II 9,5).

¹⁹ This is why Keenan absurdly thinks: “Thomas has no concept of motivation” (1992: 107).

²⁰ O’Connor calls it a “midway position of natural appetite between nature on the one hand and movement on the other” (1953: 379).

²¹ E.g., Malik (1962: 40ff).

tion with passages like *De Ver.* 22,12 ad 2, where Thomas writes that in the interaction of rational and motivational forces there can be no *processus ad infinitum*, because in the *appetitus naturalis* there is a first starting-point? Apart from the fact that the contexts of I 82,3 and 4 must be taken into account, which cannot be discussed here, I think that *apprehensio* is not necessarily part of the rational cognitive faculty, but hints to the cognitive dimension within appetite, especially in passions. We are here at a level before or below the conceptual differentiation of *voluntas* and *ratio*, at a natural receptivity and spontaneous responsiveness which cannot be analysed adequately *modo dividendo*.²² *Appetitus* is *movens motus*.

2. *PASSIONES APPETITUS INDICATORES AD BONUM*

We have seen that appetite is a fundamental motivational relation to something. Thomas calls it inclination: “Appetitus nil aliud est quam quaedam inclinatio appetentis in aliud” (I–II 8,1). Now some forms of human desire have a special relation to rationality: the emotions.²³ They are the determined form of desire and thus *indicatores ad bonum*. The passions depend on single *bona* (or *mala*) which appear in a specific situation: “actus appetitivae virtutis est quaedam inclinatio ad rem ipsam” (I–II 15,1). This basic objectivity is in contrast with a certain indeterminateness of the will: “Appetitus sensitivus est determinatus ad unum particulare secundum ordinem naturae; voluntas autem est quidem secundum naturae ordinem determinata ad unum commune quod est bonum, sed indeterminate se habet respectu particularium bonorum.”²⁴ *Indicatio* names the function of *inclinatio*.

Without the dynamic openness of the passions to information by the higher forms of desire no *actus humanus* is possible, while without the indication of affectivity no evaluation of situations as good or bad and of the *convenientia* with human life could take place; the overall desire for self-realization could find no objective field of operation: “Passio appetiti sensitivi movet voluntatem ex ea parte qua voluntas movetur ab objecto: in quantum homo scilicet aliquo modo dispositus

²² For the “unity of thought and will in action” see also Westberg (1994: 50).

²³ “[P]assio principium habet in ipso appetitu, et terminem in ratione, in cuius conformitatem appetitus tendit.” (I–II 59,1)

²⁴ I–II 13,2.

per passionem, iudicat aliquid esse conveniens et bonum, *quod extra passionem existens non indicaret*” (I–II 10,3).

The emotional responses contain a cognitive element because they evaluate the situation. We find that the particularity and spontaneity of emotional reaction which Aristotle had elaborated²⁵ is the fundamental disposition for acting also for Thomas .

The main difference between Aristotelian and Thomistic affect theory is to be found in the systematic ordering of emotions.

Aquinas uses the Platonic distinction between *epithymia* and *thymos* which plays no systematic role in Aristotle, in order to differentiate the passions: “Appetitus sensitivus est una vis in genere [...] sed dividitur in duas potentias [...] in irascibilem et concupiscibilem” (I 81,2). The *ratio* or relation of man to good or bad is different:²⁶ In some cases the reaction is more receptive, in others more active; therefore “concupiscibilis videtur ordinata ad recipiendum [...] altera, scilicet irascibilis est ordinata ad agendum” (*De Ver.* 25,2).

Compared to the phenomenological analyses of *ta pathe* in Aristotle’s *Rhetoric* II, the impression which the emotion theory in S.Th. I–II q 22–48 gives is that of a much higher degree of abstraction. Aristotle had a practical scope in mind and for this purpose ordered the passions in pairs of opposites, so that a speaker could use the handbook in order to arouse emotional responses. Thomas, however, differentiates the passions according to their objects, for passive powers are known by what activates them (I 80,2). His scope being moral philosophy, he puts emphasis on the moral evaluation which is possible by judging how a person as a whole reacts: if in accordance with the fundamental *habitus* of love, the *forma virtutum* or not. That is why the S.Th. raises the question of good or bad *in passionibus* rather soon (I–II 24). Of course, the moral qualification does not come from the spontaneous reactions themselves but from their subordination to will and reason according to his action theory, insofar as they *subiacent imperio rationis et voluntatis* (24,1; cf. 24,4). Here, Thomas uses the Aristotelian theory of habituation as the basis for virtue ethics. It cannot (and need not) be discussed now, but we must keep in mind that the spontaneous affective reactions can be integrated into a consistent, good life by an indirect *ordinatio*. This is the indispensable work of the

²⁵ See Riedenauer (2000:137–141).

²⁶ “Et ideo secundum diversas rationes particularium bonorum diversificantur partes appetitus sensitivi” (I 82,5).

virtues,²⁷ so that emotions usually and in most cases “automatically” hit the right mean. Thus they can be indirectly formed by a general will to benevolence.

While Aquinas in his effort to qualify the passions goes beyond Aristotle, he takes care to mark the difference to Stoic ethics which judged all emotions as bad.²⁸ Interesting is his explanation for that position: *quod eis non sit homo bonus* (*In EN I* 12 Nr. 5; *X* 9 Nr. 3). His statement stands against this anthropological mistake as well as against Kant's opinion: “Ad perfectionem boni moralis pertinet quod homo ad bonum moveatur non solum secundum voluntatem, sed etiam secundum appetitum sensitivum.”²⁹

After this digression on the comparison of Aristotelian, Stoic and Thomistic moral psychology, let us return to the systematic ordering of the passions in the I–II.

The *appetitus concupiscibilis* shows a simple relation to the object—be it good or bad—while the relations in case of movements of the *irascibilis* are complex. Good or bad which provokes searching or fleeing (the direction of movement) are only one dimension of the differentiation. The other is determined by the phase of movement: (a) inclination and primary evaluation, (b) movement, (c) aim. In the case of *concupiscibilis*: “Ipsa autem aptitudo sive proportio appetitus ad bonum est amor, qui nihil aliud est quam complacentia boni” (a); “motus autem ad bonum est desiderium vel concupiscentia” (b); “quies autem in bono est gaudium vel delectatio” (c) (I–II 25,2). In the other direction, concerning something bad to be fled, the respective phases are *odium* (a); *fuga/abominatio* (b); *tristitia* (c).³⁰

In affects of the *irascibilis*, only the medium phase (b) is more complicated, while the fundamental tension of love and hate is the same and stages (a) and (c) are just like in concupiscible passions.³¹ Because the object is difficult to obtain (or to evade), it can cause two different emotions: as good *spes* or *desperatio*, as bad *timor* or *audacia*.

²⁷ I cannot follow Keenan: “The role of the moral virtues is nothing more than to be steps on the way to the perfection of prudence” (1992: 105). See the critique by Porter (1998: 199–202, especially 200)!

²⁸ I–II 24,4, see also II–II 123,10 ad 2 and 158,1; III 15,4 ad 2 and 46,4.

²⁹ I–II 24,3. The reactions of *appetitus* are an “ultimum complementum bonitatis” (*De Virt. in com.* 4 ad 2).

³⁰ Compare *De Ver.* 23,1 ad 8 and I 19,1f!

³¹ “[O]mnes passiones irascibilis incipiunt a passionibus concupiscibilis et terminantur in eis” (*In De anima III* lect. 14 Nr. 805).

The passions of the *appetitus concupiscibilis* are more fundamental, those of the *irascibilis* higher insofar as they involve more critical capacity, their evaluation resembles more a rational judgement.³²

Thomas interpretes all emotional responses as founded in *amor* and *odium* (which is, as a privation, naturally posterior to the former)³³ and thus replaces the Aristotelian pair of basic motivating affections joy and pain (*hedone – lype*). This move allows him to connect the ethical good with the ontological good through the ideas of participation and *connaturalitas* and also with theological ethics, based on Christian love (*caritas*) as the central virtue. For our task now it is sufficient to understand that Aquinas is far from dismissing the “low” desires of *appetitus sensitivus* as remote from reason or as remote from love as highest form of virtues. To the contrary, desire and love have very much in common.³⁴ Still, the theological integration of virtue ethics with biblical ethics of love does not make the cardinal virtues dependent on the infused virtues. They need *prudentia* in order to lead man to his fulfillment through right action, but not *caritas* directly.

With these insights Thomas is already beyond any theory which imposes the good on the will as a heteronomous duty. Emotions do entail an objective relation to the good from the roots, although their primary evaluation needs good habituation through education long before it occurs and critical rational re-evaluation before a fully human act can be justified.

Furthermore, the well-ordered passions indicate not only single good (or bad) objects, but also actualize the subjective good of an assertive, benevolent, loving relation to the world and our own existence as moral agents.

Passions in their double characteristic as passivity and beginning activity make it possible that human conduct is adequate, objectively right and at the same time good insofar as emotional reactions apprehend what is *conveniens* or *connaturalis*. Any theory which minimizes the fundamental receptivity of appetitive powers, specified and activ-

³² Cf. Sertillanges (1909: 510).

³³ “Naturaliter autem est prius bonum malo: eo quod malum est privatio boni” (I–II 25,2; compare ScG III 11). Note that both love and hate have indifference and apathy as their opposites.

³⁴ “Amor est aliquid ad appetitum pertinens. cum utriusque objectum sit bonum” (I–II 26,1). “Quodlibet agens ex amore agit quodcumque agit” (I–II 28,6). Elsewhere Thomas identifies love as the first moving principle of natural desires: “Primus enim motus voluntatis, et cuiuslibet appetitivae virtutis, est amor” (I 20,1; compare I–II 25,2; ScG IV 19).

ated by situations (in favour of “freedom of the will”) will have to take refuge to a rather intellectualistic interpretation of Thomistic moral philosophy which then makes it more dependent on metaphysics. The ontological interpretation of *bonum* then gains prevalence over the Aristotelian model of experience as revelatory of the good which Aquinas, as we have seen, does adopt. But the deductive model which eliminates practical philosophy’s own, irreducible starting-point in the phenomena of appetite, is a home-made misunderstanding. We must penetrate the dominant order of description and explanation, which for more practical reasons (methods of scholastic teaching) is deductive, and get to the order of foundation.³⁵ Thomas himself writes: “*metaphysica, quae considerat omnia in quantum sunt entia, non descendens ad propriam cognitionem moralium vel naturalium*” (*I Sent. prol.* q1 a 1).

Compared to Aristotle, the primary objectivity of affective responses is less elaborated in Aquinas’ Quaestiones on the passions (I–II 22–48) — but will find its place exactly in his theory of the law.

3. *SECUNDUM ORDINEM INCLINATIONUM
NATURALIUM EST ORDO PRAECEPTORUM
LEGIS NATURAE*³⁶

The emotions receive their indicative strength from their congruity with natural inclination: “*passiones tanto vehementius impellunt ad aliquid prosequendum, quanto magis sequuntur inclinationem naturae*” (II–II 155,2).

Emotions and adequate inclinations are not *eo ipso* the same, there is a conceptual distinction, which is needed because desires can be distorted and thus lose their natural function as *indicatores ad bonum*.³⁷ But if no such habitual perversion takes place and if no extraordinary or extreme situation occurs, they do indicate what is really good for the person.³⁸

³⁵ Compare Merks (1978:62–66).

³⁶ I–II 94,2. Compare 94,4: “*ad legem naturae pertinent ea ad quae homo naturaliter inclinatur;*” similarly 94,3, and *Quodl.* 7,17: “*Illa enim sunt de lege naturali ad quae homo ex suis naturalibus inclinatur.*” See also 91,2 and 91,6: “*omnis inclinatio vel ordinatio quae invenitur in his quae subiecta sunt legi, participative dicitur lex.*”

³⁷ “*Contingit enim in aliquo individuo corrumpi aliquod principiorum naturalium speciei; et sic id quod est contra naturam speciei, fieri per accidens naturale huic individuo*” (I–II 31,7).

³⁸ The conceptual differentiation of *passio* and *inclinatio* marks a tension important for the dynamics of the development of virtues, for moral progress. For the habitual

The theological explanation for the possible gap recurs to the *peccatum originale* as a weakness of the natural order, a lack of harmony between single and overall good. Because Thomas does not share the idea of a complete distortion of human nature after the fall, there remains room for genuinely philosophical ethics. He does not deny the experienced difficulties of morally good and consistent behaviour, but allows for a description of the naturally good order on a first level which is autonomous from theological anthropology.

The *Summa Theologiae* gives us two definitions of the law,³⁹ the more general being: “lex quaedam regula est et mensura actuum, secundum quam inducitur aliquis ad agendum, vel ab agendo retrahitur [...] regula autem et mensura humanorum actuum est ratio.” With hitherto unknown clarity⁴⁰ does Thomas locate the law in the faculty of reason. Human practical reason then⁴¹ is interpreted as a participation in the Divine ordering of the cosmos.⁴² But this means absolutely no deduction of natural law norms from theoretical reasoning. In itself it originates in moral experience with practical independence from speculation.

Practical reason participates in the Divine order insofar as it is reasoning of a living being which has the principle of its movements in itself⁴³ “Practical reason is mind directed to direct and it directs as it can. But it can direct only toward that for which man can be brought to act, and that is either toward the objects of his natural inclinations, or toward objectives that derive from these [...]” (Grisez 1980: 357).

formation of primary motivations according to right reason is, in principle, not against their own particular tendencies. As to the question, in which ways reason may conduct human affectivity to the real good, see Ziermann (1955: 515f) and Pfürtner (1958: 281ff)!

³⁹ I–II 90,1 and 4. For parallels in the commentary on Sent., see *In IV Sent.* d 33 1,1 sol. and *In III Sent.* d 37 1 sol. and ad 5.

⁴⁰ See Lottin (1942–1960: 90).

⁴¹ This integration into *lex aeterna* is “nachfolgende Interpretation” — see Kluxen (1980: 234).

⁴² “Eiusdem rationis est quod vitium et peccatum sit contra ordinem rationis humanae et quod sit contra legem aeternam” (S.Th. I–II 71,2 ad 4).

⁴³ After all, the *forma* of man is not theoretical reason but the soul with several distinct faculties, among them *appetitus*, including the tendency towards acting *secundum rationem*. See Kluxen (1980: 192). In I–II 94,1, Aquinas asks whether *lex naturalis* is a *habitus* which makes clear that its place is the soul. But the soul is the principle of all movements.

Thomas says that all beings (including humans) participate in the "lex aeterna" through their "inclinationes in proprios actus et fines."⁴⁴

The second (more sociological) definition of *lex naturalis* says: "quaedam rationis ordinatio ad bonum commune, ab eo qui curam communitatis habet, promulgata." Now practical reason is the reason of a being which naturally desires. The *regula* (in the first definition) and the ordination of reason presuppose something to be regulated and ordered, something in movement. The *ratio* itself does not move but only regulates. So there must be movements which furthermore cannot have opposite directions but must be prerationally ordered already —otherwise the effect of the rational *ordinatio* would be merely external and could not be in accordance, adequate and finally fulfilling.

Here is not the place to deal with the sources and the genesis of Thomistic law theory. The two most important factors are the Stoic idea of nature as a rational order of the world and the Aristotelian concept of the *physis* of an animal as its internal principle of movement. By combining these, Thomas can recognize the *ordo* in the natural tendencies, inclinations and movements of animals. Wherever the person promulgating the law may be, its *ratio* is to be seen immanent in nature.

The promulgation is already indicated in the structures of movements towards natural aims, no revelation and no theology is needed for it (only as a help for creatures weakened by original sin).⁴⁵ Practical philosophy makes it explicit. What the law does as an exterior help to good action is to clarify and strengthen that interior ordination against misinterpretations and weakness.

Every human act is automatically ordered *sub ratione boni*. Aquinas formulates this as the principle of practical reason itself: "bonum faciendum et prosequendum, malum vitandum est" (I-II 94,2). The intelligibility of the good is given by experience (the good is what all

⁴⁴ I-II 91,2. "Gemeinsam ist vernünftigen und vernunftlosen Wesen, daß ihnen das Gesetz als Tätigkeitsprinzip mitgeteilt wird; aber nur dort erfolgt diese Mitteilung in der Form einer Bekanntmachung, nur dort gehört das Gesetz dem denkenden Geiste an und hat es den Charakter eines normierenden Prinzips, während es in den vernunftlosen Wesen nur bewegendes Prinzip ist. Im Menschen ist daher das Gesetz sowohl in der einen wie in der anderen Form wirksam" (Wittmann 1933: 327). See Kluxen (1980: 236); Rhonheimer (1987: 70–74).

⁴⁵ See I-II 91,4. "Manifest wird das Ewige Gesetz nur in der Kreatur, sofern sie [...] 'Hinneigungen' (inclinationes) zu den ihr je eigentümlichen Vollzügen und Zielen hat" (Kluxen 1980: 33; cf. 39–42).

beings strive for).⁴⁶ The practical principle does not have to be recognized *actualiter* and explicitly (otherwise only philosophers would be able to act morally, which is evidently false), it is always already effective in *appetitus*.⁴⁷ Thomas makes clear what this *primum principium in ratione practica* is founded in (*fundatur*): “bonum est quod omnia appetunt” — and thus it is natural law (I–II 94,2). Thus “besteht im Rahmen desselben praktischen Verstehens auch kein Anlaß, nach einem gründenden Gesetzgeber zu fragen — es sei denn, es wird auf die Gründung der Natur überhaupt hin gefragt.” (Kluxen 1980: 236). The highest *praeceptum* contains desire insofar as it names the structure of acting as acting which is defined by its relation to something good as good. This experience makes the *bonum faciendum* evident.

So from the very structure of natural law in Aquinas, it is already clear that its single *praecepta* can only be described by integrating the dimensions of human existence as being, as animate, as sensitive and as reasonable (see I–II 94,2 as a development of EN I,8). “The precepts of reason which clothe the objects of inclinations in the intelligibility of ends-to-be-pursued-by-work — these precepts *are* the natural law.”⁴⁸ Although Thomas knew the catalogue of natural inclinations which Isidor of Seville had collected,⁴⁹ he is careful not to deduct a system of inclinations. This would be contrary to the (Aristotelian) structure of his practical philosophy, which also knows a certain variability in matters of *praxis*.⁵⁰

“[O]mnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.” Thomas again stresses the natural evaluating function of experienced desire; the naturally ordered inclination corresponds with the natural

⁴⁶ As “nothing can be understood by practical reason without the intelligibility of good being included in it.” Grisez (1980: 350).

⁴⁷ For “one *has* these principles, even when he is not thinking of them” (Grisez 1980: 350). The natural law theory of Aquinas parallels theoretical reasoning with its first principles and practical reasoning which has its own first principles. What is immediately known is the *ratio boni*: “Sicut autem ens est primum quod cadit in apprehensione simpliciter, ita bonum est primum quod cadit in apprehensione practicae rationis [...] omne enim agens agit propter finem, qui habet rationem boni.”

⁴⁸ Grisez (1980: 358).

⁴⁹ “Viri et feminae coniunctio, librorum successio et educatio, communis omnium possessio, et omnium una libertas, acquisitio eorum, quae coelo, terra, marique capiuntur. Item depositae rei vel commendatae pecuniae restitutio, violentiae per vim repulsio” (Isidor: Etym. 5,4 PL 82,199; compare S.Th. I–II 94,2; ScG III,63).

⁵⁰ “Prakton d’esti to endechomenon kai allos echein” (*De anima* III,10 433a 30; compare EN V,7 1134b 30).

apprehension of its aim as good: “omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona; et per consequens ut opera prosequenda; et contraria eorum ut mala et vitanda. Secundum igitur ordinem inclinationum naturalium, est ordo praeceptorum legis naturae” (I–II 94,2).

All of this has its own right and plausibility before the next stage, the theological interpretation takes place.⁵¹ It remains valid without the thomistic theory of *virtutes infusae*, their integration of the moral virtues and connection with the gifts of the Divine spirit.

4. CONCLUSIO

The S.Th. I–II 49–89 deals with moral virtues as intrinsic principles of moral behaviour (the theological virtues are systematically later, to be found mainly in II–III!) and then treats the law under the title of *principia extrinseca* in I–II 90ff. As such, it can only help to the proper and best fulfillment of the intrinsically oriented movement, thus being a guide to the virtues.⁵² The fundamental direction is given at the beginning of the practical part of the *Summa*, in I–II 1–5: the aim is happiness.

My response to the fundamental disagreements in interpreting Aquinas' moral theory, which I mentioned in the beginning, would argue along the following lines: The *lex* theory seems to be integrated into the Aristotelian account of ethics from the practical point of view (notwithstanding that from a theological point of view it may be the other way round). Only by distinguishing different layers of interpretation in the complex account which Thomas gives of the phenomena of moral life can we hope to do justice to all aspects of its structure.

We must discern (a) the effectivity of the law, working automatically (already in creatures without reason) through the *appetitus*, (b) the relation to the *finis* of each being, of the species, the human community and of the universe (the common good) which can be recognized by experience and practical reasoning (c) the theoretical philosophical interpretation of this structure including metaphysics of action and (d) its theological interpretation in light of revelation which can put the natural law in relation to what the scriptures say.

⁵¹ Theology answers different questions (which to many people are very important, too), but Thomas strictly adheres to the principle: *gratia praesupponit naturam*.

⁵² “Unde manifestum est quod hoc sit proprium legis, inducere subiectos ad propriam ipsorum virtutem” (I–II 92,1). This is a significant modification, compared to Bonaventura and even Albertus Magnus.

I believe that (c) and (d) are impossible without (a) and (b) but not the other way round. Especially (b) is not dependent on (c) and this is logically independent from the highest-level interpretation of (d).

While it may be rather clear that the Aristotelian virtue-ethics of Thomas Aquinas must be based on *passiones* as forms of *appetitus naturalis*, misunderstandings arose because they were not put in their central function as inclinations in the context of his *lex* theory. Without an understanding of desire, we will not be able to understand moral action, its internal and external principles.

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